
Imhoff's Gift

Information and Code of Conduct

January 2023

Imhoff's Gift Homeowners' Association
(IGHOA)



Introduction

The name of our estate says it all – it is indeed a ‘gift’ of providence to be privileged to live in such a unique setting, right alongside a National Park, a World Heritage Site, in arguably the most beautiful part of our country. The Trustees of the IGHOA hope your life here will be happy and fulfilling; it’s the aspiration of this information pack to help make it so.

While our community is not a privately-owned estate, it shares many of the attributes and benefits of private estates. The overall responsibility to maintain these benefits lies with the Imhoff’s Gift Home-Owners Association (IGHOA), which was constituted as a body corporate in terms of the provisions of Section 29 of the Land Use Planning Ordinance (LUPO) at the Inaugural Meeting of the Association in 1995.

The aim of this booklet is to offer a guide that will cater for the needs of all residents of Imhoff’s Gift, provide the information you may need to help you live in the estate in harmony with your neighbors – and with the other less visible residents with which we share this unique piece of eco-space – and maintain the sensitive natural environment that we are so privileged to live in. Much of what is contained in this document can be encapsulated in a single thought:

“If you would not like it to happen to you, perhaps your neighbours would not like it either.”

It is our sincere hope that all residents of Imhoff's Gift will benefit by adhering to the guidelines and practices set out in this booklet, because all of us, surely, wish to live in peace and harmony with our neighbours and all the other members of our small community.

Detailed policies, guidelines and further information may be obtained from the Trustees of the current Board, of which Members will be kept informed through newsletters, email communications, and other means.

We regard this booklet as a living document which will certainly change as circumstances within the estate change. If you have any comments or suggestions to improve it, we would be more than happy to hear from you

Kind regards

Your Trustees
Imhoff’s Gift Homeowners Association

IN AND AROUND THE ESTATE

Wildevoeëlvlei

The vlei falls under South African National Parks as part of the Table Mountain National Park (TMNP). The shore area of the vlei along the Imhoff's Gift frontage is public open space partly controlled by TMNP, and partly by the City of Cape Town.

- ✚ Boating, paddling, swimming, fishing, or any other recreational activities in or on the vlei are prohibited without permit.
- ✚ Apart from disturbance to the wildlife of the area, there is also potentially a health risk because of toxic algae and/or bacterial imbalance in the water of the vlei.

Public Open Spaces / Play Area

The estate contains a designated children's playground at the western end and other areas of public open space which, although owned by the City Council, in fact depend on the neighbouring estates (Imhoff's Gift and Bluewater Estate) for development, routine upkeep, and maintenance.

Both estates are extremely fortunate to have been granted such an area and its upkeep and continuous improvement will provide your family with a safe, healthy exercise area and, as a spin-off, improve the investment value of your property.

- ✚ Members and residents are requested to keep to the paths in the open spaces so as to minimize disturbance of flora and fauna.
- ✚ Litter bins are NOT placed at the children's playground, due to them attracting baboons and other wildlife. Users of the playground and walkers through the area are urged to ensure that litter is removed, and not left lying about to be blown by the wind.
- ✚ No vehicles are permitted along the service road, apart from service and council vehicles.
- ✚ Parties are encouraged, but please inform your Trustees of the date to ensure that no other party is planned.
- ✚ A tree planting ceremony is encouraged to commemorate the occasion of birth— it forms a lasting memory for a child.
- ✚ Should you see dangerous or broken equipment, please notify a Trustee or report to the Guardhouse.
- ✚ Do not remove or damage any plant – unless it is an alien that is preventing the endemic plants from growing.
- ✚ Ensure that tortoises, snakes, and any other animals are left in peace – do not take them home, they are already at home!

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- ✦ Littering of any kind in the common area, including the disposal of cigarette butts, is strictly forbidden.

Beach

Access to the beach by combination of a maintained path and a boardwalk over the swampy area has been established. Entrance to this path is via a gate at the bottom of the paddock nearest the vlei.

For security reasons, this gate follows SAN parks rules and will be locked from sunset to sunrise.

- ✦ Members and residents must ensure the gate is always closed.
- ✦ Be cautious and avoid walking alone to or on Noordhoek Beach, particularly around the Kakapo wreck site, where a number of assaults have been reported.

Roads / Road Verge

While it is Council's responsibility to maintain road verges, it is also a fact that this duty is not high on its priority list.

- ✦ For the safety of all in our estate, especially our children and pets who are not always road-wise, the maximum speed limit in the estate is 40 km/hr. Please also encourage any visitors to accept that an extra minute is worth the safety of a child.
- ✦ Very young children should not be allowed to walk or play in the roads without constant adult supervision.
- ✦ No ramps or other objects may be erected or placed on the roads.
- ✦ Because the condition of the verges reflects so directly on the image, value and living pleasure of a neighborhood, Members and Residents are urged to keep their own property verges neat and tidy. In particular, please note that it is against Council by-laws to park a vehicle for more than seven days on the street or on a verge without moving it.
- ✦ Trees with branches hanging over roads must be trimmed back to ensure the safety of both vehicles and pedestrians.

Refuse and Recycling

Refuse and is collected on Tuesday each week. Recycling is collected on every second Tuesday.

- ✦ No domestic refuse should be left outside for collection other than on the scheduled day.
- ✦ Dumping of any household / garden refuse or rubbish on any open spaces or erven in the community is illegal. Removal of such material will be carried out at the expense of the dumper.
- ✦ As part of the spirit of environmental sensitivity at Imhoff's Gift, Members and Residents are reminded that there is a recycling depot in Heron Park, just close by.

Nuisance, Noise, and other Disturbance

- ✦ All activities which may create dust, disturbance, or noise, must be limited to normal working hours (Monday to Friday 07:00 – 17:00 and Saturday 08:00 – 13:00; DIY and gardening activities up

to 17.00), unless written approval has been granted by an authorized member of the Board of Trustees, or a permit has been issued by an appropriate official of the City Council.

- ✦ Contractors engaged in dust or noise-creating activities must be cleared up and off site within 45 minutes after the end of the stipulated working periods.
- ✦ No deliveries of building materials after these hours, and no noisy construction work after 13:00 on Saturdays, or on Sundays or Public Holidays. More details can be found in our Building Guidelines and Design Manual.
- ✦ Members / Residents should be considerate with noise levels (car hooting and vehicle noise, loud music, unduly rowdy behavior, chainsaws, lawnmowers, early morning or late-night departures / arrivals / deliveries).
- ✦ Property intruder alarms should be stabilized and kept in proper working order to minimize repeated false alarms.

Control of Dogs and Cats

The local authority by-laws relating to all pets apply to all Members and Residents and will be enforced.

- ✦ All dog walkers must remove their dog's poo, which presents a health hazard to children and other users of the space.
- ✦ Dogs must not be allowed to roam in the common area of the estate.
- ✦ Dogs may be walked in the common area provided they are on a leash and under effective control. They are allowed to walk off leash after passing the gate leading to the beach.
- ✦ Members and Residents must not allow their animals to disturb any other resident or wildlife. Therefore, it is recommended to keep dogs and other animals inside between 8pm and 6 am. This applies especially to cats, which are known to kill chameleons, birds and other small animals.
- ✦ Owners need to ensure that their dogs do not bark excessively. Council by-laws stipulate not more than six minutes per hour.

Baboons

Baboons are wild animals which, unfortunately, sometimes visit our estate looking for food. With a little planning and patience, it is possible to minimize conflict by reducing easy access to human-derived food.

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- ✚ Please ensure not to attract them by making any food visible or accessible.
 - ✚ Secure your house and bins or ask the municipality to provide baboon-proof bins.
 - ✚ If you notice baboons in the estate, keep your distance and call the Baboon Monitors on their hotline – 071 588 6540 – stating where exactly you have seen them.
 - ✚ If a baboon is in your house, stay calm. It will not hurt you unless it feels threatened or cornered. Make sure it has an exit route like an open window or door. If you have dogs, lock them out of the way. If you are holding food, drop it.
 - ✚ Do not harm a baboon in any way.
 - ✚ It is crucial to understand that feeding baboons or encouraging them to visit gardens by providing food plants or fruit trees is not being kind to them – on the contrary, it risks turning them into problem animals which will ultimately be killed by the authorities.

Maintenance

IGHOA currently has a contract with Andy's Garden Service to supply maintenance and gardening services within the estate.

- ✚ Participation in helping to remove aliens, upgrade the area and sharing ideas is most welcome.

Signage

The estate is registered as a residential zone and as such the erection or display of business signage of a permanent nature is prohibited in terms of City Council by-laws.

- ✚ Temporary signage of contractors working on the estate for a limited period is permitted but must be removed once work is complete.
- ✚ Estate agents' 'For Sale' boards are part of the process of selling a property but need to be erected neatly and maintained.

Finally...

- ✚ Littering of any kind in the common area, including the disposal of cigarette stubs is strictly forbidden.
- ✚ Under Council by-laws, no fireworks of any description may be used anywhere in the estate, without the prior written consent of the board of trustees which might be declined in their absolute discretion.
- ✚ No firearm, pellet gun, catapult, bow and arrow or any other weapon may be used in the estate.
- ✚ It is not permitted to fly drones above the estate.
- ✚ IGHOA is not responsible for any injuries at all public open spaces.

SECURITY

We strive for the maximum safety of our community as well as protection of their assets.

IGHOA currently has a contract with ITHUBA Protection Services to supply access control and armed response 24 hours a day, 365 days of the year.

Access monitoring takes place from the security guardhouse on the corner of Atlantic Drive and Rameron Avenue.

Night security guards patrol the estate from 6:00 pm to 6:00 am. Both the route and the timing of the patrols are randomly varied.

While the electric fence, camera surveillance, night access monitoring and patrols have been effective in curbing criminal incidents on our estate, they are only a "first line of defense" and determined intruders might get past them.

- ✚ Members / Residents are therefore urged to implement their own further layers of security.
- ✚ For medical, security or other emergency situations, as well as for general purposes such as efficient mail delivery, each house is required to display a clearly visible street number in LARGE legible numbers.
- ✚ Residents should apply for a vehicle card to enable the guards to identify them as resident. An application form can be found on our website.
- ✚ Members / Residents are reminded that the performance of the electric fence is markedly reduced by foliage that is allowed to grow, or be wind-blown, onto the fence, and as such are earnestly requested to trim back their plants appropriately to allow at least one and a half metres' clearance between the vegetation and any of the wires of the fence.
- ✚ Please save the Guardhouse number on your phone – 083 336 5249.

IMHOFF'S GIFT HOMEOWNERS' ASSOCIATION

Constitution

The Imhoff's Gift Homeowners' Association is governed by a formal Constitution which was adopted at an inaugural General Meeting when the Association was first formed in 1995. It contains the terms and provisions relating to membership of IGHOA, and the management of the township of Imhoff's Gift. A copy is available electronically from the Board of Trustees. The Constitution contractually binds all homeowners in Imhoff's Gift to certain duties, responsibilities, and behaviour, effective from the date of transfer until disposal of the property concerned.

By virtue of a Condition of Sale imposed by the original developers of Imhoff's Gift, every property owner is bound to be a Member of IGHOA and to abide by the decisions of IGHOA; and it is stipulated

that this provision passes to all new owners ('successors in title') when they purchase properties in Imhoff's Gift.

Trustees

Trustees are Members in good standing, elected by the IGHOA to act on its behalf, to implement the terms and provisions of the Constitution and its subsidiary documents including the Design Manual. The Board of Trustees manages and controls the business and affairs of the Association and may exercise powers of the Association and do all that is necessary on behalf of the Association in fulfilment of its objectives.

These portfolio positions are held by volunteer owners who receive no remuneration for their work within the Association.

Contact email: IGHOA.mail@gmail.com

Members' Data

Imhoff's Gift Homeowners' Association obtains personal data of all Members to ensure proper communication and to send out financial statements and invitations to general meetings. IGHOA manages all personal information in accordance with the Protection of Personal Information Act, and all Members are required to sign a form to document their consent to this use of their personal information.

Levies

The Land Use Planning Ordinance stipulates that all owners of property in residential developments such as Imhoff's Gift automatically become members of the relevant home-owner's Association and are liable to pay their share of the expenses of the Association through the collection of agreed levies. The levies are used to meet the expenses of the Association including security, repairs and maintenance, utilities and insurance and are set by the Trustees with the approval of a majority of the members of the Association, either by postal ballot or at a properly constituted General Meeting.

Levies are due in advance or paid each month for the month they are due. Bank details are printed on the statements. Interest is charged on unpaid levy amounts.

Owners who experience difficulty in paying their levies, for example due to unemployment, are urged to contact the Trustees to discuss their situation. Every effort will be made to find a workable solution, and all information will be treated fully confidentially.

Owners who simply fail to pay their levies, and who do not contact the Trustees, will in due course be handed over to debt collectors.

Buildings

Before starting any building or alteration project, plans must be submitted to and approved by the Homeowners' Association. A detailed design guideline and a list of fees and deposit amounts are available on the website. All local authority scrutiny fees and connection fees are for the account of the homeowner.

- ✚ A scrutiny fee is payable in advance and is not refundable. Should plans not comply and major changes be required, a further fee may be charged.
- ✚ Plans must be also submitted for minor works (street and boundary walls and fences, pools, pergolas, sheds, and solar installations)
- ✚ Drawings must be to scale and indicate materials and colours being considered.
- ✚ The Homeowners' Association reserves the right to request any changes in design or site layout that in their opinion, are required to conform with the building and landscape design manual/development plan.
- ✚ Council plans must be submitted to the Homeowners' Association for final approval in duplicate as one copy of the council plans as well as a digital copy of the plans must be lodged with the Homeowners' Association for its records
- ✚ The City of Cape Town will not consider a plan submitted for approval unless it carries the approval stamp of the Homeowners' Association.
- ✚ A deposit is payable to the IGHOA on submission of plans; no plans will be approved by the Trustees until the deposit has been paid. This deposit will be held in a separate savings account until completion of site works, at which stage the owner should notify the Trustees to undertake an inspection to establish whether there have been any deviations from the design guideline.
- ✚ The Trustees will then authorize either the release or forfeiture of the deposit.

Complaints

Imhoff's Gift Members / Residents who have a complaint about some aspect of the management of the estate should refer it to the current Board of Trustees IGHOA.MAIL@gmail.com

In the case of complaints about neighbours or other residents within the estate, please understand that the Board of Trustees is not a 'police force', and it has no constitutional powers to intervene in disputes of this kind. While the Board, or individual Trustees, may be willing to assist where possible, the appropriate action for Members / Residents with a complaint about inconsiderate behavior by a neighbour is to refer to the City Council's by-laws or to contact the relevant law enforcement officers (see contact details in the appendix to this document).

Selling your property

Members must inform IGHOA when their property goes on the market for resale.

To facilitate transfer, Members' obligation is to inform selling agents of the existence and legal status of the IGHOA as well as the benefits that flow from its workings in terms of security and the building guidelines document. A letter of information, with the relevant clauses for selling agents, is available on the website.

- ✚ No offer to purchase may be accepted until the annexure in respect of the estate is signed by the purchaser.
- ✚ Levy payments must be settled in full before any transfer of any sold property may take place.

Social Media

Members and long-term residents are welcome to join our social media channels, provided that their rules are followed. Owners need to approve requests raised by tenants and must inform the IGHOA administration once the tenant moves out again.

Access can be requested via our administration mailbox IGHOA.Mail@gmail.com for all three WhatsApp channels:

1. **Imhoff's Gift:** communication related to Imhoff's Gift and useful recommendations
2. **Imhoff's Gift Boatnews:** information sharing from the Trustees to the community of Imhoff's Gift
3. **Alert Emergencies:** crucial instructions and information only

Access to our Facebook group **Imhoff's Gift Residents** will be provided on request via Facebook workflow using this link: <https://www.facebook.com/groups/147050928793055/?ref=share>

Without unduly censoring discussions, the group administrators are responsible for overall content and for keeping the groups' purposes clear. Therefore:

- ✚ Please treat everyone kindly and with respect.
- ✚ Respect everyone's privacy and do not share any sensitive content or make screenshots from what was posted.
- ✚ Please keep posts to the point and relevant to Imhoff's Gift's matters.
- ✚ Ensure that you do not share any fake news or illegal content. *If you are not sure, don't post it.*
- ✚ If you have a business in or close to Imhoff's Gift, you may place an advertisement, but not more than one per week (Facebook) / one per day (WhatsApp).
- ✚ One-to-one answers to questions or retail product orders should be taken offline or done using direct messaging.
- ✚ Sharing of links to parties, petitions, and live streams, as well as circular posts are not allowed.
- ✚ Avoid repetitious posts by using the search function.

Please note that there are special rules for the Alert Emergency group because every post triggers a quick response team:

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- + ONLY post an alert when you need immediate help for a genuine emergency
 - + This does not include baboon issues
 - + No trivial messages and replies
 - + No emojis

VITAL TELEPHONE NUMBERS AND APPs

Imhoff's Gift	ITHUBA Guardhouse	083 336 5249
	Andy's Garden Service	079 497 9848
	Chairperson of the Trustees (Mike Pothier)	083 309 3512
Emergency	SAPS Ocean View (sector 2 Kommetjie & Imhoff)	082 522 2618 021 784 2700
	Police Emergency (Flying Squad)	1011 021 782 0333
	SAPS By-law Enforcement (Fish Hoek)	021 596 1999
	Anti-Land Invasion Unit	086 076 5423
	Fire – Reporting	021 480 7700
	Cape Medical Response (CMR)	082 782-4444 021 782 0606
	NSRI Sea Rescue	021 449 3500 082 990 5979
Nature and Environment	Snake Removal	021 783 4545 084 747 7337
	SAN PARKS Wildlife / Poaching unit	021 700 4158 083 326 1604
	Baboon Monitor HOTLINE	071 588 6540
City of Cape Town	Electricity Faults	0860 1030 89
	Copper Cable Theft	0800 222 771
	Roads, Potholes, Storm Drains	0860 103 054
	Street Light Failures	0860 1030 89
	Traffic Signal Faults	0860 765 423
	Waste Disposal and Water Problems	0860 103 089
	Sewerage	0860 103 054



Link - Smart Municipalities
Building Smart Municipalities

Appendix 1: POPIA Consent Form



Consent to obtain personal data

We respect your right to privacy and therefore we comply with the legal requirements of the Protection of Personal Information (POPI) Act, which regulates the manner in which we collect, process, store, and destroy any personal information which you provide to us. The information is used only for the efficient financial administration of Imhoff's Gift and to ensure the highest levels of safety and security for everyone who lives and works in Imhoff's Gift.

All data is held by our trustees and is not shared with any outside parties.

In line with the Protection of Personal Information (POPI) Act I hereby give written consent to the Imhoff's Gift Homeowners Association to obtain the following personal data:

Full Name:	
ERF Number:	
Address:	
Address, if not resident:	
Telephone Number:	
Email Address:	

Signature: _____ Date: _____

APPENDIX 2: Annexure of Sales Agreement

ANNEXURE TO AGREEMENT OF SALE dated..... entered into

between..... (SELLER)

and..... (PURCHASER)

IN RESPECT OF THE PROPERTY, Erf No.....;

STREET ADDRESS:, IMHOFF'S GIFT.

Imhoff's Gift Home-Owners' Association:

This sale is subject to the following special conditions which shall, subject to the approval of the relevant authorities, be incorporated in the Deed of Transfer to be passed in favour of the Purchaser in pursuance hereof, namely that:

1. On registration of transfer in favour of the transferee, the transferee is obliged to become a Member of the Imhoff's Gift Home-Owners' Association established in terms of Section 29 of the Land Use Planning Ordinance No. 15 of 1985, and is accordingly obliged to pay the monthly levies as determined from time to time by agreement of a General Meeting of the Association;
 1. The Purchaser acknowledges being aware of, and agrees to be bound by, the terms of the Constitution of the Home-Owners' Association and the Design Manual together with any rules made by the Association, copies of which are obtainable on request from the Association. It is recorded that the Manual contains the relevant building specifications and guidelines for construction of buildings on the estate;
 1. The Purchaser acknowledges being aware that a non-refundable scrutiny fee, as determined from time to time by a General Meeting of the Home-Owners' Association, is payable to the Association or its nominee on submission of building plans for approval, whether for building anew or for alterations or additions to an existing building.
 1. The Purchaser acknowledges being aware that a building deposit, as determined from time to time to time by a General Meeting of the Home-Owners' Association, is payable to the Association or its nominee before construction work may begin, which deposit is refundable on completion of the construction work in accordance with the approved plans and in compliance with the Design Manual.
 1. The Purchaser acknowledges being aware that landowners are under a legal obligation to control invading alien plants occurring on their properties. This obligation exists as a result of various Acts of Parliament and municipal by-laws.
 2. The conveyancer is instructed to obtain a clearance certificate from the Homeowners Association prior to proceeding with the registration process.

Signed at _____ this _____ day of _____, 20__

Purchaser

Witness

APPENDIX 3: Vehicle Disk Application Form



Application for a VEHICLE ID for RESIDENTS of Imhoff's Gift Estate

Date of Request	Vehicle Registration	Sticker	or	Removable disc

Should you prefer to have a removable disc, please ensure that it is always visible for the Guards to easily identify you.

Full name	Signature

Please mark, if you are:

<input type="checkbox"/>	Owner
<input type="checkbox"/>	Resident

ERF Number	Street address

For Admin only:

Authorization from owner has been received	Date:
	Signature:

Sticker has been handed over to:	Date:
	Signature: