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NDLOVUMZI GROUND OWNERS' ASSOCIATION (NGA) - RULES OF CONDUCT

1. DEFINITIONS

No attempts will be made to define all words and concepts, but the following are deemed necessary:

- Constitution: the document in which the principles and established procedures of the NGA are recorded.
- Employee: a person, other than an independent contractor, who works for and is under the control of a member, or the NGA, on either a permanent or temporary basis and who receives, or is entitled to receive, any remuneration, and any other person, who in any manner, assists in carrying on or conducting the business of a member or the NGA.
- Guest:
 - a person invited to a member's home.
 - a person paying to stay at a member's guest house or lodge, or as a tenant or boarder.
- Independent Contractor: a natural person, business or corporation not under the control of a member or the NGA, that provides goods or services to a member or the NGA under terms specified in a contract or verbal agreement.
- Member: an owner that has signed the prescribed membership form.
- Visitor: a person visiting a member or an employee socially.
- Committee: Managing Committee / Management Board as per the constitution

2. FAUNA AND FLORA

Fauna

The veld only has a certain carrying capacity, which dictates the total number of animals. An appropriate balance between specie numbers and carrying capacity of the veld must be maintained to ensure a healthy game population and optimal veld condition.

Flora

Flora that occurs naturally in the area must be conserved at all costs. At the same time all identified alien and invasive species will be removed to ensure compliance with the Conservation of Agricultural Resources Act (CARA) regulations.

Fishing

- No fishing with nets is allowed anywhere at all.
- Fishing with a stick/rod in the river is allowed, subject to the Dept. of Nature Conservation regulations.
- Fishing in 'Flip se Dip' is prohibited.

Hunting

- Private hunting is strictly prohibited.

- Should the need arise, management may take an 'ad-hoc' decision to reduce numbers of certain species by means of cropping or capturing. This decision has to be recorded and decided by the Committee.

Animal numbers

Numbers should be monitored thoroughly in order to make informed decisions.

3. SECURITY

Security enjoys a high priority and is enforced upon all persons entering the Reserve.

Access control

Ndlovumzi Nature Reserve is a Gated Community, governed by the National Environmental Management Protected Areas Act no. 57 of 2003, as amended. Strict and orderly access control will be enforced to ensure the safety of all in the reserve as well as their property.

A non-voluntary conservation fee (as determined by the Management Committee from time to time) will be payable to gain access into the Reserve. Such conservation fee is charged at a prescribed rate per week or part thereof and must be retained in the vehicle as proof of validity.

To promote better general security the management and control of persons entering and exiting the Reserve will be monitored. This will include powers to search vehicles.

Members, Guests and Visitors

- All vehicles must stop at the main gate and fill in the prescribed form (which also serves as the entrance permit) binding themselves to the conditions of entry and indemnity.
- A separate form is to be completed for each vehicle, and for which separate entrance fee is to be paid.
- Each permit is valid for the period to be spent on the Reserve as indicated on the permit and for which the relevant fee has been paid.

Permanent Residents

- Any member, or tenant, may opt to purchase either an annual permit or to pay a monthly fee, the cost of which shall be determined at the Annual General Meeting.
- All annual permits will expire at the end of February.
- In the case of purchasing an annual permit during the course of the year, the cost will be calculated pro-rata for the remaining months. Partial months will be calculated as full months.

Independent Contractors

- Any member wishing to engage the services of an Independent Contractor, may do so in accordance with the specific rules and procedures. A copy of these Rules may be obtained on request to the NGA Secretary and / or can be found on www.ndlovumzinaturereserve.com
- Independent Contractors entering the Reserve for the purpose of delivering quotations will be subject to the prescribed conservation fee as for delivery vehicles.
- Independent Contractors monthly fees are payable in advance for each building project on separate camps.

Delivery Vehicles

Delivery vehicles will pay the prescribed conservation fee based on tare weight. Such fee shall be determined at the AGM. Delivery vehicles will be refused entry to the reserve unless the fee is paid in cash by the driver or proof of advance payment has been made to the NGA.

Emergency and Service Vehicles

Vehicles from SAPS, Hospitals (e.g. Ambulances), Eskom, Telkom, Dept. of Nature Conservation, Dept. of Labour, may enter the Reserve free of charge, subject to proof of identity.

Employees and Visitors

- No member shall engage an employee, either on a temporary or permanent contract, without the prerequisite security clearance being conducted by an approved service provider.
- All legitimate employees, on foot, may enter the Reserve free of charge.
- A register reflecting the names and identity numbers of all employees of members (including children under the age of 7 years residing with their mother) will be held and kept up to date by the Reserve Manager. A copy of this register will be available at main gate at all times.
- It is recommended that employees refrain from using their private vehicles or that of their owner within the Reserve. Exceptions must be submitted to the Management Committee for consideration and, where granted, such vehicles will be subject to the payment of the prescribed conservation fee in force from time to time.
- Children under the age of 7 years may reside with their mother provided they are registered in terms of (2) above.
- Visitors may only enter the Reserve on full disclosure of whom they are intending to visit and that person accepts responsibility for that visitor.

Motorcycles and Quad Bikes

No motorcycles of any nature will be allowed on the Reserve unless by special prior authorisation from the Management Committee.

Internal Measures

Internal rules will apply to ensure the safety of members, guests, visitors, as well as the assets of the reserve, including the game:

- The speed limit of 30kmh must be always adhered to on the Reserve.

- No driving under the influence of alcohol will be tolerated.
- No littering and/or throwing of bottles into the veld will be tolerated and all patrons are requested to pick up any litter that is seen. This includes mobile parties on game drives.
- Refuse from households is disposed of via a voluntary pre-paid removal system and within strict policy guidelines. A copy of this document is available from the NGA Treasurer on request.
- It is the obligation of every owner to keep their residential area free of litter, scrap and building rubble, including staff quarters. The NGA may issue a letter of notice to an owner to take remedial action in the event of failure to comply with this requirement. Upon mutually agreed terms of payment, the owner may request the NGA to assist with the removal of such litter, scrap or building material.
- Radios and sound systems should be used responsibly and should not disturb the tranquillity or privacy of neighbours. This includes mobile parties on game drives.
- Any intrusion or burglary should be reported as soon as possible to the Reserve Manager who will record and communicate the incident to the relevant security network and/or service provider.
- Each camp must be equipped with at least two fire beaters. The Reserve Manager will train and equip a small group of employees as a “fire response team”.
- Avoid the risk of accidental fire.
- Protocol for a fire
 - Try to extinguish the fire as soon as possible.
 - Alert a third party to contact the Reserve Manager.
 - Inform neighbours of a veld fire.

Fines and Penalties

In terms of the Constitution of the NGA, the management board is entitled to implement disciplinary measures for contravention of the constitution and rules, by an owner, guest, visitor, contractor, employee, tenant or other persons. An offence will be deemed to have been committed when sufficient evidence is presented or reported by an eyewitness of any official employee of the NGA, a member of the Management Board, the Reserve Manager, or guests.

Offences will consist of, but not necessarily limited to, the following:

- Littering
- Discarding building rubble or scrap in the reserve
- Speeding, reckless driving, without due respect and making way for other road users
- Underage children driving on reserve and/or external roads
- Drunken driving
- Refusing a legitimate instruction from an officer of the NGA
- Interference with any employee
- Any act of racism, violence, abuse or insulting behaviour
- Cruelty to any animal, bird or other creature
- Fishing in Flip se Dip
- Poaching
- Refusal to pay fees or levies
- Making fires outside any residential property
- Disorderly conduct
- Disturbance of the peace (includes constant uncontrolled barking of dogs)

- Trespassing on other owners property
- Unauthorised entry into the reserve
- Unauthorised keeping or control of domestic pets

4. INFRASTRUCTURE

Overall Policy

Many members have contributed generously of their time and funds for which we are very grateful, and from which we have been able to build this reserve into what it is today. In this spirit we ask all to respect and conserve our precious piece of land.

Roads

The NGA maintains the following roads:

- Internal ring road
- Internal game viewing roads
- Entrance road to each camp from the entrance marker to the intersection of the game viewing road

Members are responsible for maintaining the entrance road to their respective camps i.e., from the game viewing road intersection to their camp entrance gate.

The road between the tar road (N527) and the Ndlovumzi gate is the collective responsibility of the Maruleng Municipality, Limpopo Province, Liverpool farms and Ndlovumzi NGA.

5. EMPLOYEES

1. All members agree that when the member is not on his premises, that his employees fall under the authority of the Reserve Manager. Members also agree that the Reserve is a place of work and not for residence for employees, and accommodation will be suspended immediately if any rules are violated.
2. Only two employees per camp are permitted. Where the need arises to exceed this number, this must be communicated with the Management Committee whose decision will be final.
3. It is strongly recommended that employment contracts be signed between each owner and their employees.
4. All members, including those permanently resident on the Reserve, are required to make available one employee for one day of the week to work with the Reserve Manager for Reserve-related duties. Those members who are unable, or choose not to accede to this request, shall be charged an additional monthly levy equivalent to four days remuneration calculated on the prescribed minimum wage rate for "domestic workers" in force from time to time.
5. Alcohol abuse and /or physical abuse against any other person will not be tolerated, and will lead to immediate dismissal. The Manager will inform the camp owner immediately and thereafter both parties have the right to appeal. The committee's decision will be final.
6. Maroelas are only allowed to be collected inside the camp sites, not at all in the veld.

7. Except with the prior written consent of the Management Committee, no person may conduct the business of a convenience store (Tuck Shop).
8. The sale of liquor is strictly prohibited within the boundaries of the Reserve.
9. Under no circumstances are fireworks to be ignited within the boundaries of the Reserve.

6. COMMERCIAL OPERATIONS

No member may conduct a commercial operation within the Reserve except as defined in clause 8.2 of the Constitution which allows for a limited number of commercial lodges. A commercial lodge is defined as a guest house, bed & breakfast or self-catering only. Such operations are governed by separate rules and procedures which may be found on our website www.ndlovumzinaturereserve.com. Members wishing to operate a commercial lodge from their property must be in "good standing" i.e. annual levies and refuse collection fees (if applicable) are up to date.

7. PETS

The reserve has a pet policy in place, supported by forms for your animals, which you can find on our website: www.ndlovumzinaturereserve.com.

8. MANAGEMENT

Managing Committee or Board of Management.

This Committee oversees all the interests of the NGA on behalf of the owners. Power and duties of the Committee are contained in clause 13 of the constitution.

Chairperson

The Chairperson is elected by the AGM and will be accountable to the members at the AGM. He or she appoints responsibility to the committee members according to his judgement. More than one portfolio may be appointed to one person, or one portfolio may be covered by multiple committee members. Persons with specialised knowledge may also be co-opted.

Reserve Manager

- The committee has final judgement in appointing a candidate to this position, and a decision is taken by means of vote by the Committee / Management Board.
- The job description of the Reserve Manager will be in accordance with decisions taken by management from time to time. These decisions will be recorded by the Secretary and be made available to any member of the NGA at any time.
- The rights of the Reserve Manager to take action against any member of the NGA, their guests, visitors or employees will be stipulated in the job description. In such cases the Reserve Manager will act as if on behalf of the committee and all the members.
- Each such person has the right to appeal to the Chairperson and committee, whose decision will be final.

- The Chairperson may appoint a committee member to oversee the function of the Reserve Manager or that the Reserve Manager report directly to him or, if necessary, any other suitable structure.
- The committee is at liberty to suspend the Reserve Manager's duties at any time with validated reasons.

Secretary

The duties of the Secretary are contained in Clause 15 of the Constitution.

Finance

The duties of the Secretary are contained in Clause 16 of the Constitution.

Fauna and Flora

A delegate (or multiple delegates) from the Committee will be appointed to take responsibility for the fauna and flora. An overall policy will be set up that includes utilisation of natural resources and herd management based on accepted game and veld-management principles.

Other

The committee needs to take responsibility and set out / update policies with regards to security, infrastructure, labour, legal matters, constitution and rules, projects and commercial operations.