

RULES & REGULATIONS

The South Punyelroo Progress Association Inc owns freehold land adjoining the River Murray near Swan Reach in South Australia. The aims of the association as set out in the SPPA Inc Constitution – Clause 3 are to maintain good environmental standards and in so doing provide, maintain and improve facilities at South Punyelroo.

It is necessary to set out Rules & Regulations to ensure that members not only understand these aims and their obligations, but to ensure they are not ignored.

If the area is allowed to suffer or deteriorate as a result of the Association’s occupancy of the land at South Punyelroo, not only will each individual member suffer, but we all run the risk of incurring the displeasure of the various government departments and authorities, thereby losing what privileges we have gained. It would also prejudice favourable consideration of any application the Association and/or its member might make in the future.

Every member should act to achieve these aims.

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1. Removal of Trees and Shrubs

The Association is against the removal or trimming of any tree or shrub on any land at South Punyelroo. If any member deems such action as necessary for any reason, then authority must be gained from the relevant government department, consent from any affected neighbour achieved and the management committee at South Punyelroo informed before any action is taken.

Dead trees {whether standing or lying on the ground} are considered an integral part of the landscape and environment and should be left undisturbed.

2. Removal of Sand

The Association prohibits the removal of sand or earth from any part of the land at South Punyelroo, to preserve the safety and character of the area. Naturally, minor reworking of a leased site is permitted with the approval of the SPPA Management Committee.

3. Riverbank

Members are encouraged to protect the riverbank from erosion. Council approval and notification to the management committee is required before construction of any retaining wall or jetty is begun.

4. Planting of Trees and Shrubs

Members are encouraged to plant and/or protect native seedlings on their leased sites or on common land. Do not plant large species near electrical power lines.

5. Grassed Areas

Green Lawns or grassed areas improve appearance and certainly improve amenity in our area. Encouragement is given to members who wish to extend lawns onto common land.

6. Fences

All fences shall be of a form of construction and materials that blend with the environment. Galvanised iron or Colourbond fences are not acceptable, but those existing as at 1982 may remain until replaced with an appropriate form.

When fences are erected, ensure they are on or within the proper boundary line. The lease plan shows each site in relation to the survey pegs. Remember that the survey pegs are often not on boundary lines, so the lease plan or the committee should be consulted.

7. New Dwellings, Extensions & Improvements

7.1 New dwellings, extensions & improvements now require application to PlanSA. PlanSA ensures guidelines are met before notifying Mid Murray Council for further assessment.

7.2 All new dwellings, extensions, ~~and~~ alterations &/or additions to a leased site are considered development as South Punyelroo is located on a floodplain. As such, all new dwellings, alterations&/or additions are required to have Development Approval which includes "Planning" and Building" Approval. This applies to all development even those which in the normal suburban context would not require such approval [e.g. a garden shed or small pergola etc]

7.3 As the SPPA Inc management committee represents the land owner, there is an obligation under your Lease to provide the committee full details in the form of plans, lists of materials and colours etc before obtaining approval from the appropriate authorities. Once approval is gained notification to the committee is vital as Plan SA does not notify SPPAI of approved developments.

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Your application to the Association is to include:

1. One electronic or hard copy of the proposed development plans
2. Signed letters of acknowledgement from adjoining neighbours advising they have reviewed the proposed development plans (templates available from the SPPA website, www.sppai.org.au).

The reasons are to:

- a) Ensure neighbours are aware of any new development & have the opportunity to discuss & resolve any issues. Unresolved issues will be left to the relevant authority as SPPAI will not enter into neighbour disputes.
- b) To protect your neighbours' amenity and right to enjoy their site
- c) Ensure that a reasonable standard is maintained for the benefit of all Association members.
- d) To maintain and improve the character and amenity of the locality and the environment.

7.4 This applies to:

1. New dwellings
2. Additions, alterations or extensions to Holiday Homes
3. Sheds and shelters
4. Carports and verandas
5. Pergolas
6. Jetties and pontoons
7. Riverbank protection

To ensure compliance, obtain detailed information Fact Sheets, forms, time lines for development approval etc from PlanSA or information on the SPPAI website, Site Development page.

7.5 Forward an electronic or hard copy of the relevant approval(s) to the Association for filing. Building changes must be started within 12 months of receiving approval or as advised by the Building Company due to building demand times. Developments must be substantially completed within 36 months; otherwise an extension of time notification is to be forwarded to SPPAI.

7.6 The general policy regarding extensions etc is;

1. Comply with current PlanSA regulations, which may change from time to time
2. Do not inhibit a neighbour's view of the river
3. Endeavour to keep at least 900mm clear of boundaries
4. Attempt to avoid overlooking adjoining premises
5. Living areas below new elevated holiday homes are not permitted by the authorities
6. All areas enclosed at ground level should have easily removable panels or roller doors.
7. Riverbank protection shall be sympathetic to the environment

7.7 According to PlanSA & the SPPAI colours should be environmental and not be bright or contrasting with the surroundings. Please notify the committee of any new colours or intended colour changes.

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8. **Maintenance of Improvements**

Keep the dwelling, garage, shed, jetty and all other improvements in good repair. If structures are left to deteriorate they may become unsightly, unsafe & a haven for vermin.

9. **Rubbish**

- ❖ Rubbish harbours flies and other vermin; clear it promptly.
- ❖ Consider neighbouring members and clear and tidy sites as it becomes necessary. If it's messy, tidy it up.
- ❖ Rubbish is to be kept in containers to avoid spreading by strong winds or animals.
- ❖ Deposit household rubbish (in garbage bags) in the bins at the bin-bank provided by MMCouncil.
- ❖ MMC does not provide a recycle or green waste service to South Punyelroo. Take your recyclables home for collection or cut/fold cardboard boxes into smaller sizes to save bin space.
- ❖ Do not dispose of other rubbish in or around the Council containers. (This includes building debris, furniture, junk and the like).
- ❖ Keep the area around the bins clean and tidy.
- ❖ Do not dump or leave rubbish on the common land.

10. **Fire Hazards**

- ❖ Flammable material building up on leased sites can become a fire hazard. Remove it as it accumulates.
- ❖ Rubbish may not be burnt during the "Fire Danger Season" This season varies yearly so check applicable dates on either www.mid-murray.sa.gov.au or www.cfs.gov.au or phone MMC (08) 8569 0100
- ❖ There are restrictions on the quantity of fuel that may be stored on a residential site
- ❖ FIREWORKS are not permitted at South Punyelroo, so for the benefit of all, our pets and our environment, don't use them!

11. **Barbecues and Camp Fires**

Mid-Murray Council considers the area to be a "residential township" for the purposes of interpreting the Fire Regulations. Wood fire barbecues and camp fires are permitted except on total fire ban days as declared for the Murraylands Fire District and provided that:

- * It is located within 15 metres of your holiday home
- * All flammable material is cleared for at least 4 metres above and around the fire
- * The fire is not left unattended
- * The fire must be out before leaving

Gas and electric barbecues may be used on fire ban days, but must still comply with the above 4 points.

12. **Vehicles**

- ❖ Recreational vehicles, including motorbikes must not be driven on the common land
- ❖ Temporary parking adjacent to the access road is allowed.
- ❖ Unregistered vehicles should not be driven in a place to which the public has access. South Punyelroo is such a place.
- ❖ Boat trailers should ~~also~~ be registered and be fitted with lights and number plates when not on a member's site.
- ❖ All vehicles must adhere to the speed limit which is **25kph** on Association land.

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13. Care for Access Roads

- ❖ Members should care for our private roads.
- ❖ The Council is not duty-bound to maintain them so please be mindful of the possible damage that may be caused by run off from sprinklers and general watering.
- ❖ Members installing underground piping across the road may be responsible for the subsequent repair work required.

14. Camping

Camping in tents or caravans is not allowed on the common land. However, in peak holiday periods and in an overflow situation short term exceptions can be made.

15. Shooting

Discharging of firearms on Association property is to be discouraged. This includes archery, crossbows and the like. People can be legitimately offended by guns and their welfare should always be considered.

16. Pets

- ❖ Pets should be confined on a member's site and not allowed to stray. They must always be adequately controlled.
- ❖ Clean up any droppings or mess made by your pet.

17. Noise

- ❖ Noise from domestic premises which unreasonably interferes with the peace, comfort or convenience of neighbours is illegal and thus a police matter.
- ❖ Excessive noise can usually be avoided. Consider your neighbours before undertaking any activity, and this includes water activity, that is likely to cause excessive noise.
- ❖ The holiday homes are in close proximity to each other. Please keep noise down to an acceptable level.

18. Lights

External lights are to be located and operated so as not to annoy neighbours.

19. Boats

- ❖ Members are reminded of the boating rules which are available from the Department of Marine & Harbours.
- ❖ The State Government has pointed out that it is an offence to speed or ski in times of high water and offenders maybe prosecuted.
- ❖ Please drive responsibly, considerately & courteously at all times.
- ❖ Remember water activity towed behind the boat after sunset or before sunrise is illegal and dangerous.
- ❖ It is illegal for anyone to ride in a boat on a moving trailer.

20. Boat Ramp

A Mid Murray Council Boat Ramp is located at Punyelroo – sign posted from South Punyelroo Road. Please pull your boat in and out quickly and move vehicles, trailers and boats away from the ramp to drain, clean & tie down. Avoid leaving your car & trailer at the boat ramp as it obstructs other uses.

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21. Transfer or Assignment of Leases (sale of holiday homes)

Please read your Lease carefully in this regard. Briefly:

- ❖ Notify the Association.
- ❖ Pay all outstanding charges, levies, fees, rates, taxes etc before sale.
- ❖ Provide a copy of the proposed transfer agreement so the Association can ensure all terms comply with the Constitution, Lease & Rules & Regulations.
- ❖ The prospective purchaser must apply to the Association and be admitted as a member to complete the transfer of Lease.
- ❖ Pay all costs associated with the transfer i.e. if a member wants to transfer their lease it should not incur a cost to the Association or its other members. The lessee can recoup costs from the new lessee if warranted.
- ❖ Any transfer will only be for the remaining period of the Lease bringing it into line with The SPPA Inc Lease agreement timeframe.

22. Caravans

Caravans are not to be stored on the Common Land but can be stored on the Lease Holder's Site.

23. Renting of Holiday Homes or Sites

Casual or commercial rental of holiday homes or sites is forbidden.

24. Membership Fee

The annual membership fee is set by the members at the AGM in accordance with the Constitution.

25. Associate Membership Fee

The Associate Membership fee is set by the members at the AGM in accordance with the Constitution.

26. Emergency Service Levy

The ESL which is applicable to each individual holiday home site shall be added to the membership fee each year. Any fixed charge assessed will be paid by the Association.

27. Joining Fee

- ❖ The joining fee for a new member is set by the Management Committee in accordance with the Constitution.
- ❖ Where there is transfer of a holiday home site within a family group, the joining fee may be applicable but will be decided by the Management Committee on a case-by-case basis.
- ❖ Where there is a partial transfer of a holiday home site outside of the family group it will be decided by the Management Committee on a case-by-case basis as the amount of joining fee payable.

28. Legal Liability

It is a condition of The SPPA Inc & written into your Lease that all Sites are individually insured to cover legal liability. (\$20,000,000 is the current standard.) It is the Lease holder's responsibility to keep this current.

29. Noticeboard

There is a noticeboard on the northern side of the bin bank. It is for responsible, general use by SPPAI residents. The doors are padlocked and open using **DUCK** as the code.

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30. Storage Containers

Storage Containers including Shipping Containers are not allowed on the Common Land except in exceptional circumstances – see Addendum 1

Addendum 1

Storage Containers:

During exceptional circumstances The SPPA Inc Committee of Management will refer to an Extract of the Planning, Development & Infrastructure Regulations 2016 of Mid Murray Council for the use of storage containers:

A temporary structure can be utilised on land on which a building, or part of a building, has been destroyed or significantly damaged by a bushfire or flood if;

1. *The structure is for the use of the owner of the land for the storage of goods or materials required to assist in the recovery & redevelopment of an area affected by the bushfire or flood (as the case may be); and*
2. *The structure*
 - a) *does not exceed 3m in height (measured from ground level); and*
 - b) *does not exceed 12.5m in length; and*
 - c) *does not exceed 2.5m in width; and*
3. *The structure does not remain on the land for a period exceeding **2 years***

Version Register

Version	Date	Author	Comments
V1	1983		Compiled
V2	1994/1995		Redrafted
V2.1	June 2007	David Reeve	Update to section 7.6, inclusion of section 23
V2.2	November 2007	David Reeve	Update to section 7.2.
V2.3	February 2010	David Reeve	Inclusion of section 24
V2.4	June 2013	Bob Payne	Updates to section 7.3, 7.4, 10 and 11.
V3	Sept 2020	Rod Sawford	Updates to section 7.2.c, 7.5.3, 14, 17, 19, 21, 22, 23 and 28. Deletion of V2.4 section 21. Inclusion sections 24, 25, 26,27
V3.1	Sept 2023	Rod Sawford	Update 12.2 Addendum 1
V3.2	March 2024	Rod Sawford	Updates: Points: 7, 9, 28, 29,30, Addendum 1