

# The South Punyelroo Progress Association Inc.

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## RULES AND REGULATIONS

The aims of the Association (as set out in the Constitution - Clause 2) 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" as guidelines 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 through many years of hard fought. 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.

### 1. Removal of Trees and Shrubs

The lease prohibits the removal of any tree or shrub from any portion of the land at Punyelroo [and that includes leased sites and common land - and refers to native plants as well as those planted by lessees (members)].

This prohibition extends to dead trees (whether standing or lying on the ground) for they are considered an inherent part of the landscape and the environment. Apart from scenic beauty they provide habitat for native birdlife.

### 2. Removal of Sand

The lease prohibits the removal of sand or earth from any part of the land at Punyelroo, to preserve the safety and character of the area. Naturally minor reworking of a leased site will be permitted at the discretion of the Association.

### 3. Riverbank

Members are encouraged to protect the riverbank to minimise erosion. Unsightly embankments or retaining walls that do not blend with the environment will not be approved.

### 4. Planting of trees and shrubs

Members should encourage and protect native seedlings. Transplanting native trees (even small ones) will not succeed.

Plant species native to the area, or species that will tolerate drought and flood.

Large species near electrical power lines are prohibited by ETSA and the Association.

The Committee will give encouragement to anyone wishing to plant native trees on the common land. Consult any Committee member in this regard before proceeding.

### 5. Grassed Areas

Green lawns or grassed areas improve appearance and certainly improve amenity in arid areas. Hardy varieties or varieties native to the area are recommended.

Encouragement will be given to members who wish to extend lawns onto the common land to help overcome dust problems during the summer months.

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### 6. Fences

All fences shall be of a form of construction and materials that blend with the environment. Galvanised iron fences will not be approved, but fences existing as at 1982 may remain subject to the following:

- a. Members with such fences will be encouraged to replace them with a fence more sympathetic with the environment and approved by the Association.
- b. When fences are erected ensure they are on the proper boundary line. The lease plan shows each site in relation to the survey pegs.

**REMEMBER: THE SURVEY PEGS ARE NOT ON BOUNDARY LINES IN MOST CASES. REFER TO YOUR LEASE PLAN. IF IN DOUBT PLEASE CONSULT THE COMMITTEE.**

### 7. Extensions and Improvements

7.1 All extensions and alterations/additions to the improvements on leased sites are considered development as South Punyelroo is located on the floodplain. As such all alterations/additions/extensions 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 even require Building Approval (e.g. a garden shed, a pergola etc).

7.2 There is an obligation under the lease to provide full details in the form of plans, specification or specification notes, lists of materials, colours etc. to the Association and obtain approval, before lodging any application for extension or improvement on your leased site with the appropriate authorities.

Your application to the Association Site Development Committee is to include:

1. Two copies of the proposed development plans (including specifications, notes etc)
2. Signed letter of consent from adjoining neighbours advising they have reviewed and approve the proposed development plans (templates available from the SPPA website [www.sppai.org.au](http://www.sppai.org.au))

The reasons for this are:

1. To protect your neighbours' amenity and right to enjoy his/her leased site.
2. To ensure that a reasonable standard is maintained for the benefit of all members of the Association.
3. To comply with the aims of Government Departments through Mid Murray Council, to maintain and improve the character and amenity of the locality and the environment.

7.3 This applies to:

1. Additions, Alterations or Extensions to Holiday Homes
2. Sheds and Shelters
3. Carports and Verandahs
4. Pergolas
5. Jetties and pontoons
6. Bank Protection

NOTE: To ensure compliance with SPPA & Council requirements, obtain detailed Information Fact Sheets, forms, time lines for development approval etc, from the MMC offices at Cambrai Ph. (08) 8564 1931 or download them from the Mid Murray website [www.mid-murray.sa.gov.au](http://www.mid-murray.sa.gov.au)

7.4 A copy of the relevant approval(s) obtained by the member is to be forwarded to the Association for the files prior to work commencing.

Building changes must be started within 12 months of receiving approval and must be substantially completed by 36 months; otherwise new applications will need to be submitted.

7.5 The general policy regarding extensions etc is:

1. If raising a holiday home the height is to be 2.4 m above ground.
2. Generally extensions forward to the river especially if they inhibit a neighbour's view will not be permitted.
3. Buildings should be kept 1200 mm clear of boundaries.
  - o In certain exceptional circumstances a lesser distance may be considered provided main buildings are not closer than 900 mm to a boundary.

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- The purpose of this is to keep a visual and physical separation of holiday homes commensurate with the open space environment. Closely built and abutting holiday homes have been criticised by authorities and have been refused consideration in other areas.
- 4. Although holiday homes are in close proximity attempts should be made to avoid overlooking adjoining premises.
- 5. Extensions increasing area up to a maximum of 90 square metres will be considered by the authorities.
- 6. Living or habitable areas below elevated holiday homes are not permitted by the authorities.
- 7. All areas enclosed at ground level below elevated holiday homes shall have easily removable wall panels, roller doors or other enclosures quickly removable by 2 men in an hour to avoid interference with the flow of the river.
- 8. Bank protection shall be sympathetic to the environment.
- 9. Jetties or pontoons shall be located and be of a length and design so as not to interfere with the river use of adjoining premises/sites.
- 10. Favourable consideration will be given to extensions which improve or extend the form of the existing structure compared to those which are of a "lean-to" type.

### 7.6 Colours - The Government Departments through Mid Murray Council has strict standards for colours permitted for buildings, structures and fences etc.

Bright colours or colours which contrast with the environment are not permitted.  
Greens, fawns, browns and creams which blend with the environment are acceptable.

Members are reminded that under the lease they have an obligation to obtain the Association's approval to the proposed colours before repainting premises.

### 8. Maintenance of Improvements

Keep the holiday home, garage, shed, jetty and all other improvements in good repair.

Structures/ fences etc in poor condition are unsightly and if left to deteriorate may become unsafe and dangerous to members, families and friends, or other members.

### 9. Rubbish

Rubbish harbours flies and other vermin and fosters disease; clear it promptly.

Consider neighbouring members and clear and tidy up sites as it becomes necessary. If your site becomes messy, promptly 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 containers provided by Council.

Do not dispose of other rubbish in or around the Council containers (this includes building debris, furniture, junk and the like).

Keep the area where the containers are located clean and tidy. This is every member's responsibility.

Under no circumstances is rubbish to be dumped or deposited on the common land.

### 10. Fire Hazards

Accumulation of flammable material on leased sites may be a fire hazard. Remove it as it accumulates.

Rubbish may only be burnt prior to, or after the "Fire Danger Season." Weather conditions are to be considered so as not to affect neighbouring members.

NOTE: "Fire Danger Season" dates may change due to seasonal conditions, for our area this is *usually* from 15<sup>th</sup> November to 15<sup>th</sup> April, however, please check the following websites: [www.mid-murray.sa.gov.au](http://www.mid-murray.sa.gov.au) or [WWW.cfs.gov.au](http://WWW.cfs.gov.au) or phone MMC (08) 8569 0100

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There are restrictions on the quantity of fuel, etc which may be legally stored at a residential site.

FIREWORKS: Due to past fire incidents and animal/ wildlife distress- these are now banned. (Now illegal for private operators).

### 11. Barbecues and Camp Fires

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

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

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

### 12. Vehicles

Vehicles including motorbikes are not permitted on the common land other than on the formed access roads.

Standing adjacent the access road is permitted.

Unregistered vehicles must not be driven in a place to which the public has access. South Punyelroo is such a place.

Boat trailers are required to be fitted with lights and number plates when not on a member's site.

All vehicles must adhere to the set speed limits.

THE SPEED LIMIT ON ASSOCIATION LAND IS 25 Kph.

### 13. Care for the Access Roads

Members are to exercise care for the Association's private roads. Council may not continue to maintain them and they are expensive to maintain or replace.

Run off from sprinkler systems or watering lawns etc shall not be allowed to run onto the road causing subsequent damage.

If the road deteriorates as a result of the above or from the installation of an underground pipe across the road installed by a member, then the offending member may be required to reimburse the Association for the cost of the repair.

### 14. Camping

Camping is not permitted on the common land either in caravans or tents or the like.

### 15. Shooting (etc)

Discharging of firearms on Association property is prohibited. This includes archery, crossbows and the like.

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### 16. Pets

Pets should be confined to a member's site and not allowed to stray or kept on a leash when on common lands.

Please clean up any droppings or mess made by your pet(s).

### 17. Noise

Noise from domestic premises which unreasonably interferes with the peace, comfort or convenience of neighbours is illegal.

Excessive noise can usually be avoided. Consider neighbours before undertaking any activity likely to create excessive noise.

The holiday homes are in close proximity to each other. Please keep noise levels 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 (copy available from Department of Marine and Harbours). Copies are available from Committee on request.

The State Government has pointed out it is an offence to speed or ski in times of a high river. Offenders may be prosecuted.

Please drive responsibly, considerately and courteously at times. Remember, skiing after sunset is both illegal and dangerous.

Your attention is also drawn to question 22 in the attached pamphlet on "Boating in South Australia" regarding boats and noise.

Generally members observe the common rule of no skiing before 8 am.

It is illegal for anyone to ride in a boat on a moving trailer.

### 20. Boat Ramps

Please get your boat in and out as quickly as possible and move vehicles, trailers and boats away from the ramp as quickly as possible.

Pull away to a clear area and tie your boat etc down there.

Please do not drain your boat on the boat ramp.

Please take your boat trailer and vehicle back to your site so not to obstruct other neighbours at Nth Punyelroo.

### 21. Advertising or Description of Individual Sites

The individual holiday home sites are not freehold, and it is a misrepresentation and incorrect to represent or describe freehold land.

The sites are leased sites on freehold land.

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Please observe the above when advertising or describing a premise "for sale".

### 22. Transfer or Assignment of Leases ("Sale" of Holiday Homes)

Please read your leases carefully in this regard. Briefly the things you are to do if you want to assign your lease are:

1. You must get the approval of the Association first.
2. You must pay all outstanding charges, levies, fees, rates, taxes, etc beforehand.
3. You are to provide a copy of the proposed transfer agreement so the Association can ensure all terms will comply with the Constitution, Rules, Lease, etc.
4. The prospective purchaser must apply to the Association and be admitted as a member before the lease can be transferred.
5. Pay all the costs associated with the transfer, i.e. if a member wants to transfer his lease, it should not cost the Association (or the other members) anything. The lessee can recoup those costs from the new lessee if he wishes.

Any transfer will only be for the remaining period of the lease. A new lease will not be granted in those circumstances.

### 23. Caravans

Caravans are not to stand on common land.

Only caravans owned by a leaseholder are to be left on site.

### 24. Renting of holiday homes or sites.

Casual or commercial rental of holiday homes or sites is strictly prohibited.

### 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.