

DE WIJNLANDEN PROPERTY OWNERS ASSOCIATION

BUILDERS CONDUCT AND BUILDING SITE DEVELOPMENT RULES

1. ACCESS CONTROL AND CONDUCT

1.1 Contractors

1.1.1 These rules apply to all contractors, whether sub-contracted by builders or contracted directly by home owners or owner-builders.

1.1.2 All personnel must be individually booked in at the Main Gate at every entry into the estate.

1.1.3 All personnel (other than the driver) must enter and exit the Main Gate on foot. All personnel must comply with the Security Company's access control. Failing this the owner or foreman will be held responsible.

1.1.4 No contract personnel may wander freely on the estate. Personnel will be regarded by Security staff as **site specific** and may at any time be challenged by Security staff.

1.1.5 No contractors or their staff are allowed on the estate after work hours.

1.1.6 Work hours are 07h00 to 18h00 throughout the year. Exceptions will only be granted with permission in writing from the Estate Manager.

1.1.7 No contractors are allowed on the estate on Public Holidays or Weekends.

1.1.8 Security officials have the authority to search the person of any contractor or other service provider upon entry and/or exit from the estate.

1.1.9 Security officials have the authority to inspect the vehicles of any contractor or other service provider upon entry and/or exit from the estate.

1.1.10 Should any contractor or contractor staff member not adhere to these rules, they may, at the discretion of the Security staff (with post-facto verification by a member of the Security sub-committee), summarily be forbidden entry to and escorted off the estate.

1.1.11 Any person found in possession of alcoholic beverages or drugs or seemingly under the influence of alcohol or drugs will be summarily escorted off the estate at the discretion of the Security staff and will not be allowed entry in the future. In the event a decision by Security staff is contested, the relevant contractor staff member must

still leave the estate and may not return until the appeal has been considered and a decision given. The onus for proving otherwise will rest with the principle contractor and has to be done to the satisfaction of the Security Committee as an entity (not individual Security Committee members).

1.1.12 Extra-heavy vehicles or vehicles carrying extra-heavy loads (such as brick delivery vehicles) shall enter the estate through the Service Gate, **by arrangement (by the builder's foreman or the CEO of the building company)** with the estate's Security personnel. No trailers will be allowed on these vehicles.

1.1.13 The estate Security personnel may at their discretion require any laden vehicle to enter the estate through the Service Entry Gate.

1.1.14 A speed limit of 40 kph is to be strictly adhered to by all contractors, sub-contractors and their staff on the estate. Home owners are encouraged to take down the registration number of vehicles disregarding the speed limit. Any vehicle that exceeds the speed limit on more than one occasion will be subject to a fine or be barred from future entry. Refer to the Estate Rules for fining procedures.

1.1. 15 Parking is prohibited on all roads on the Estate except temporary parking is permitted for specific occasions or visits providing no obstruction is caused to other residents. No parking at any time is permitted on the common property other than the demarcated parking bays situated adjacent to the Clubhouse.

2. APPOINTMENT OF BUILDING CONTRACTORS AND APPROVAL OF BUILDING PLANS

2.1. Owners may appoint their own architects and contractors to carry out the required building work.

2.2 Irrespective of whether the owner makes use of his/her own architect, the building plan must be scrutinized for compliance with the mandatory building style and design requirements of the estate and approved as such by the Project Architect (GV Architects) and the nominated representative of the De Wijnlanden Property Owners Association or its General Manager.

2.3 All approved plans have to bear the signed De Wijnlanden stamp of approval as well as the Project Architect failing which a member of the Building and Aesthetics Committee may stop construction work on the site and instruct Security to deny access to the estate for that building contractor. No building can commence unless the local authority has approved the plans and all other procedures have been complied with.

2.4 Home owners next to the perimeter fence must build in such a manner that access for inside-fence patrols by Security will be possible at all times. This must take into account that no erf along the green fence may have side fences or walls that will block access to continued patrols along the fence. All these erven must have gates against the green fence with a common key arrangement to all gates. This is critical in order to allow for effective reaction to fence alarms as well as for vegetation control.

3. DAMAGES DEPOSIT

3.1 Prior to commencement of new building activities, the contracted builder or owner shall pay a non-interest bearing 'damages' deposit of R10 000.00 to the De Wijnlanden Home Owners Association. In the case of alteration a deposit of R5 000.00 will apply.

3.2 The deposit shall be refunded to the builder or owner upon the issue of a completion certificate by the local authority (in the case of new building activities) and the issuing of a final clearance certificate by the Building and Aesthetics Committee. No alterations to approved plans are allowed.

3.3 The Building and Aesthetics Committee shall issue the final clearance certificate and arrange for the refund of the deposit once:

- any damages to services, roads, stormwater, curbs and landscaping resulting from building activities has been repaired
- landscaping has been inspected
- dwellings are compared with approved plans
- street number is prominently displayed

4. CONTROL OF BUILDING SITES

4.1 The owner shall bear the final responsibility to ensure that the building site is restricted to the relevant erf such that adjacent sites, road reserves and common areas are under no circumstances utilised for storage of building materials or dumping of rubble.

4.2 The principle building contractor shall bear the responsibility of ensuring that sand and dust from the building site is contained from blowing onto neighbouring properties by, for example, keeping heaps of sand covered with plastic, etc.

4.3 Prior to commencement of ANY building activities, the building site shall have:

- 4.3.1 a building shed/store
- 4.3.2 an individual builders toilet
- 4.3.3 sewerage
- 4.3.4 water connection (with water meter)

4.3.5 a 1,8m high canvas screen erected along the whole of the perimeter of the building site

4.3.6 a standard 900mm x 600mm identification sign reflecting the following details:

4.3.6.1 the De Wijnlanden logo [logos can be obtained from the Estate Administrators' offices],

4.3.6.2 the erf and portion number,

4.3.6.3 the name of the owner,

4.3.6.4 the name and telephone number of the building contractor.

4.4 The CEO of the building company shall take responsibility and be held accountable for the activities and actions of his/her workforce, sub-contractors and nominated sub-contractors by ensuring compliance with these rules and any other rules which may be issued by the Trustee Committee from time to time.

4.5 All domestic or nominated sub-contractors and their respective employees must be registered (signed-in) at the Main Gate by the relevant building company's CEO or designated representative (designation must be in writing) on first entry to the estate.

4.6 These rules apply equally to personnel of domestic sub-contractors (appointed by the building contractor) and nominated sub-contractors (appointed by the owner) and any other individuals involved on any project within the confines of the estate.

5. LANDSCAPING

5.1 The establishment and maintenance of the area between the erf boundary and the road kerb shall be the responsibility of the erf owner.

5.2 Certain road reserve areas will be planted and maintained by the Estate as indicated on the landscaping plan. Damage to these areas by the relevant building contractor must be rectified by the contractor to qualify for the release of the "damages" deposit.

6. PENALTIES

Should any builder or subcontractor be found not complying with any of the rules contained in this document, the builder who has the overall building contract for completion of the particular building contract will be fined a spot fine of R1 000.00 per infringement or per day for the duration of time until such infringement is rectified or alternatively all work by the builder and his subcontractors on the particular site will be stopped for any number of days as reasonably directed by the Estate General Manager, with extended stoppage days in the case of repeated offences on the particular site or for working outside of the allowed

working hours as per para.1.1.9 of these Rules. Also refer to Clause 23 of the Estate Rules.

7. GENERAL

7.1 The owner and relevant building contractor and his sub-contractors (whether employed or nominated) shall conduct all their activities within the prescriptions of the general rules of the Home Owner's Association and its committees and sub-committees.

7.2 The attention of owners and building contractors are drawn to the following regulations and guidelines which must be adhered to over and above these rules:

7.2.1 The Standard local Municipal Regulations covering the requirements for the erection of dwellings on properties

7.2.2 The Design Manual for De Wijnlanden Residential Estate

[Note that the Design Manual contains critical considerations and restrictions which must be adhered to and it may be very cumbersome and costly if corrections have to be made to or re-building of, completed or near-complete structures later].