



ANNEXURE "A"

ELEPHANT ROCK ECO ESTATE HOME OWNERS RULES FOR RULES OF CONDUCT FOR CONTRACTORS

1. RULES OF CONDUCT FOR CONTRACTORS, SUB-CONTRACTORS AND SUPPLIERS OPERATING ON THE ESTATE:

- 1.1 This document and the Architectural Guidelines is part and parcel of the Tender Documents to be given by all members to their building contractor, and the contractor is required to sign a copy of this document as acceptance of each and every term and condition laid down herein as the responsible party who will ensure that their sub-contractors, staff and suppliers are also bound hereby in the same way the Contractor is bound.
- 1.2 Contractors, by their signature hereto, agree that they accept to be the responsible party who will ensure that they have effective supervision of their building team however made up, and accept that from the date they go on site, they take over control of that site until the acceptance of the site by the owner contracting them to build signing off once building operations are complete, and the Developer or HOA representative and the owner have signed off that the clean-up of the site and the area around the site is 100% complete and acceptable to the Developer or HOA representative.
- 1.3 Contractors by their signature hereto acknowledge that they are completely up to date with all payments to the relative authorities relating to Workman's Compensation payments, and they hereby indemnify any and all Elephant Rock representatives, the HOA and the Developer against any claims that any of their

staff and/or contractors may ever make against any Elephant Rock Company or HOA or the Developer arising out of any and all performances of their duties and responsibilities with respect to this contract.

- 1.4 Contractors acknowledge and accept the fact that dangerous game is present on the Estate. No person is permitted to walk anywhere on the Estate other than in the fenced off areas or portion of the building site.
- 1.5 Indemnity forms must be completed and be signed.

2. ACCREDITATION OF BUILDERS BY DEVELOPER:

Only 5 approved and accredited builders will be allowed on the Estate. In order to become accredited builders are required to:

- 2.1 Satisfy the Developer that their workmanship is of high standard;
- 2.2 Submit satisfactory proof that they are registered with the NHBRC;
- 2.3 Conclude an accreditation agreement with the Developer

3. DISCIPLINE AND CONTROL OF LABOUR:

- 3.1 Permits are to be arranged in advance with the Elephant Rock Manager, for all workers and sub-contractor workers and vehicles that will come on to the Estate during construction. Permits are to be carried on the person and the vehicle at all times while on the property. No Permit- No Entrance and there will be no exceptions.
- 3.2 Working hours shall be from 07h00 to 17h00 daily from Mondays to Fridays. No building activities are permitted on Saturdays, Sundays or any Public Holidays. Anyone found working outside the prescribed hours will be removed from the property and the offending Contractor will be subject to a fine. (Refer to Schedule of Transgressions in section 5 and 6 in this document)
- 3.3 No Contractor or their staff shall be allowed accommodation of any kind on site. Contractors must provide a lockup shed or storage area within the building site for any material or equipment.
- 3.4 All Contractors are obliged to transport their employees from the entrance gate to the building site and back to gate on completion of shift.
- 3.5 No heavy articulated trucks will be allowed on the roads on the Estate.
- 3.6 Contractors shall not remove or damage any natural vegetation on building sites or anywhere on the Estate.
- 3.7 No firewood is to be collected on the building site or the Estate. Contractors must take all necessary precautions to prevent veldt fires.
- 3.8 Care is to be taken not to damage any roads, pipes or cables on the Estate.

- 3.9 No hunting, capturing or killing of any wildlife is permitted anywhere on the Estate and anyone caught will be prosecuted and fined according to the applicable fine set out in the Schedule of Transgressions.
- 3.10 Contractors are to take precautions against possible damage by any animal.
- 3.11 No trees or any indigenous plants, rocks, fossils, animals and birds are to be removed or damaged.
- 3.12 Prior to commence of construction, contractors will provide chemical toilets for workers on the building site, which must be regularly serviced and maintained in clean and hygienic condition.
- 3.13 Building sites and their surrounds are to be kept clean of all rubble at all times and are to be cleaned at the end of each working day to ensure no papers or plastic is left lying around so that it could be eaten by game that would die. No refuse or rubble may be accumulated on the building site and must be taken off the property, or arrangements made with Elephant Rock Manager to use a designated dumping site.
- 3.14 Noise on site is to be kept a minimum
- 3.15 Excavations will only be allowed where absolutely necessary. No sand, stone or topsoil may be collected from anywhere on the Estate.
- 3.16 Water is to be used sparingly and responsibly. A fine will be imposed for misusing water as set out in the Schedule of Transgressions.
- 3.17 A water connection and meter must be installed prior to the commencement of building.
- 3.18 Once an electrical meter has been installed and the connection on the portion authorised, a temporary builder's power supply outlet with earth leakage can be installed for use during construction.
- 3.19 A copy of the approved building plans must be available on the building site for inspection at all times during working hours.
- 3.20 The Contractor must ensure that the delivery of any material from any supplier takes place during the prescribed working hours.

4. ACCESS CONTROL AND DRIVING ON THE RESERVE:

- 4.1 The contractor and suppliers will at all times adhere to the security regulations and controls of the Estate.
- 4.2 The access permit must be carried at all times by all persons and vehicles entering the Estate.
- 4.3 Elephant Rock Security may subject any vehicle or person entering, leaving, or on the Estate to a search.

- 4.4 Any contravention of security or access rules will be severally dealt with and depending on the nature and circumstances, could lead to fine and/or the suspension of building work and barring access to the Estate.
- 4.5 The speed limit on the Estate is 30km/h. Due care must be taken by all vehicles not to block the thoroughfare of road and to drive mindfully of game. Contractors are expected to observe all road regulations and must stick to designate roads on the Reserve. No off road or driving on Game drive roads is permitted.
- 4.6 Anyone driving a vehicle on the Estate must be a holder of a valid, current driving license.

5. FINES WILL APPLY AS FOLLOWS:

General Penalties: (applicable to ALL persons entering the Estate)

- 5.1 Interfering with Security procedures at entrance gate: **No access**
- 5.2 Speeding on the reserve and/or reckless driving. **Speed limits are 30km/h on main roads and 20km/h in the development zones. R500-R2000**
- 5.3 Unauthorized persons on the Estate. **R500/person- escorted to gate and barred access.**
- 5.4 Walking, jogging or cycling on Estate without permission. **R1000**
- 5.5 Motorbikes and quad bikes on Estate. **R1000**
- 5.6 Hunting, culling, capturing or shooting game on Estate. **Police will be notified and charges will be laid against transgressor.**
- 5.7 Excavations or soil removal without permission. **R500 – R1000**
- 5.8 Dumping of rubble, waste or refuse of any kind on Estate. **R500 – R2000**
- 5.9 Damage or removal of flora and the planting, introduction of non-endemic species. **R1000**
- 5.10 Collect, damage, disturb, or take anything from the Estate, including wood, stones, wildlife, birdlife or flora. **R1000 –R2000 or possible prosecution.**
- 5.11 Feeding of animals. **R2000- R4000**
- 5.12 Killing, poisoning, maiming or trapping of problem animals eg. Beehives, bats, snakes, rodents, birds, monkeys, baboons, etc. without the approval of the Estate. **R2000 or possible prosecution.**
- 5.13 Establish or create or interfere with any drinking points on Estate. **R500**
- 5.14 Make fires in non-designated areas. **R1000 –R5000**
- 5.15 Use any common property in a manner or through conduct, which may unreasonably interfere with the use and enjoyment thereof by other persons, or in such a way as to cause a nuisance, which may detrimentally affect the amenity of such common property. **R500**

- 5.16 Pollute any dam, waterhole, pond, stream or river on Estate. **R1000-R5000**
- 5.17 Fishing in locations not specified as designated fishing areas. **R5000**
- 5.18 Swim in a river, waterhole, pond or dam situated on the Estate. **R2000**
- 5.19 Other than in the case of the Developer or managing agent in conducting development or management of the Estate, no vehicle is allowed off the roads on the Estate or to traverse riverbeds. Members shall obey such signage signifying roads, game viewing paths, no entry and such like. NO PRIVATE vehicles are allowed of the main roads. **R1000 –R5000**
- 5.20 Driving without a driver licence. **R1000**
- 5.21 Operating any vehicle on the Estate while under the influence of alcohol or drugs, which may impede the driver's ability to control the vehicle, is prohibited. **R1000**
- 5.22 Operating any vehicle of such manner as to constitute a danger or nuisance to any other person or animal or property within the Estate is prohibited. **R1000**
- 5.23 A member shall not direct or introduce any motorised generators or power plants or any noise making machines or objects on the portion without the prior consent of the developer and /or HOA. **R1000**
- 5.24 All domestic refuse shall be put into black plastic bags and kept in an animal proof bin in a suitable place within the Members portion and screened from public or neighbours view. **R1000- R5000**
- 5.25 No Burying or burning of domestic or garden refuse is permitted on the property or on common property. **R1000- R5000**
- 5.26 No harmful or inflammable substances may be kept on the portion or the Estate. This shall not apply to the keeping of such substances and in such quantities as may be reasonable required for domestic purposes. No poisonous chemicals may be discharged anywhere on the Estate. **R2000**
- 5.27 The lighting or letting of fireworks is strictly prohibited within the Estate. **R2000**
- 5.28 Every member must ensure that his visitors, contractors and staff adhere to the security protocol. Formalities and Rules relating to access by visitors shall be determined by the HOA from time to time. **R1000**

6. CONTRACTOR AND CONSTRUCTIONS PENALTIES:

Mainly applicable to all construction related issues but also to all entering the Estate)

- 6.1 Contractors and employees on a gate access list that are not supposed to be on the list. **R500 per employee**
- 6.2 Fraudulent ID cards. **R10 000**
- 6.3 Aggressive/challenging behaviour at access gates and on sites towards security. **R1000 and possible banning**
- 6.4 Contractors "wandering" off the building site. **R250 per person**

- 6.5 Damage to any road or infrastructure. R1 000
- 6.6 Damage to or the removal of trees/shrubs/plants on site without written approval of Estate manager. R1000
- 6.7 Failure to rehabilitate a building site within one calendar month of completion. R1000
- 6.8 Failure to register/notify a "new job" or worker with HOA Management. R500
- 6.9 Failure to park in designated parking areas. R500
- 6.10 Overloading of transport vehicles. R500
- 6.11 Unacceptable level of dirt or untidiness of site specifically after 17h00. R500- R2000
- 6.12 Illegal connection of services i.e. water and electricity. R10 000
- 6.13 Mixing of cement on greenbelt areas. R1500
- 6.14 Damage to Estate property. R1000 plus cost of repair
- 6.15 Illegal opening of manholes. R5000
- 6.16 Indecent behaviour. R500
- 6.17 Working out of site layout plant and no demarcation. R1000
- 6.18 No water meter. R1000
- 6.19 Wasting of water. R500-R2000
- 6.20 Littering of household rubbish on site or failure to remove household rubbish from site. R500- R2000
- 6.21 Throwing food scraps on site. R1000
- 6.22 Unhygienic toilets on site. R250-R1000
- 6.23 Defecation in areas other than demarcated toilets. R1000
- 6.24 Late at gate (after 17h00) without notification. R500
- 6.25 Building rubble dumped in veldt. R500- R2000
- 6.26 TLB damage to environment. R1000 plus rehabilitation cost

7. The above are obvious areas of concern and control as required of all contractors working on Elephant Rock Eco Estate. Items not specifically enumerated above and being of obvious necessity for the save operation of a building site are not precluded from being required to be adhered to by the competent contractors by the mere preclusion of having them specified in these basic rules.

8. I/WE the undersigned, being the lead contractor on the Estate in terms of the building contract to which rules are attached, by my/our signature(s) hereto, acknowledge and confirm my acceptance hereof for the entire duration of the abovementioned contract and whilst working as a contractor on Elephant Rock Estate that:

I am in receipt of and am bound to the "Control of Building Activities" and "Rules of Conduct for Contractors" document (Annexure A to the Architectural Guidelines of Elephant Rock Eco Estate).

Signature for and behalf of: _____ **Date:** _____

Contractor Name: _____

Postal Address: _____

Physical Address: _____

Business Phone Number: _____

Cellular Phone Number: _____

Email Address: _____