

DRAFT #1 FIVE ASSEGAIS COUNTRY ESTATE rules etc.too.

# **FIVE ASSEGAIS COUNTRY ESTATE**

## **Building and Landscaping Guidelines and Rules**

## **Annexure C**

### **Forest Hall Estate:**

### **Architectural, Landscaping and Environmental Rules and Guidelines**

The following guidelines are set out to ensure that the Estate created is in harmony with nature and comfort of all residents. This document consists of the following parts:

**Part 1** - Estate Architect

**Part 2** - Building Period

**Part 3** - Plan Approval Process

**Part 4** - Architectural Guidelines

**Part 5** - Landscape Guidelines

**Part 6** - Construction, Environmental and other General Rules

**Part 7** - House Construction Environmental Management Plan

### **Definitions (For the purposes of this document)**

**“HOA”** Means the “Forest Hall Estate Home Owners Association”

**“Constitution”** Means the constitution of the “Forest Hall Estate Home Owners Association”

**“FHEPOA”** Means the voluntary association operating under the style of Forest Hall Estates Property Owners Association in terms of the constitution.

**“Scrutiny Committee”** Means the committee formed in terms of the Constitution of Forest Hall Estate to endorse all individual building plans before submission to the local authority for their approval on behalf of the HOA. The developer and/ or HOA reserves the right to form any other committee (with the representation of the FHEPOA and other specialists as a member in such committee), which may be necessary in order to ensure compliance with these Guidelines and Rules.

**“Developer”** Means the estate developer of Forest Hall Estate which is “Eagle Creek 141 (PTY) Ltd.

**“Owner”** Means the legal owner of a property within the estate.

## **1 Part 1 - Estate Architect**

- 1.1 The Estate Architect as appointed by the Estate Developer is AMA Architects FRAME INT., or any other architect appointed by developer (before the establishment of the HOA) or by the HOA to assist the scrutiny committee with the endorsement of the building plans for and on behalf of the HOA.
- 1.2 In the event that the estate architect designs individual homes on the estate, these plans will be endorsed by the scrutiny committee with the assistance of a different architect, if deemed necessary by the scrutiny committee.
- 1.3 The estate architect as well as the scrutiny committee has the right to inspect any portions of the buildings during the construction phases.

## **2 Part 2 – Building Period**

- 2.1 Any building constructed must be completed within 36 months after the registration of transfer of the erf into the name of the first purchaser of his erf from the developer.
- 2.2 Any building must be completed within 12 months after the commencement of the construction thereof within the abovementioned period.
- 2.3 The penalty for the non compliance of the building periods will be in accordance with the constitution.

## **3 Part 3 - Plan Approval Process**

- 3.1 Detailed drawings shall be prepared so as to comply with the conditions and restrictions in terms of this document and submitted to the Scrutiny Committee or other responsible person nominated in terms of the Constitution (for example the Estate Architect). The required scrutiny fees of R 950 and verge deposit of R 10 000 (As determined from time to time by the trustees), will be payable to the HOA. These amounts must be made on submission of the drawings to the Scrutiny Committee. The scrutiny fees before mentioned excludes any connection fees, scrutiny fees etc payable to the authorities as may be required.
- 3.2 An extra copy of the detailed drawings as mentioned above must also be submitted. This will be kept on record by the HOA.
- 3.3 A copy of this complete document signed by both owner as well as his/her architect must also be submitted.
- 3.4 No alterations to approved plans, elevations and specifications may be made without the written consent of the Scrutiny Committee.
- 3.5 After the detailed drawings have been stamped and endorsed by the Scrutiny Committee the endorsed drawings shall be submitted by the owner or his nominated representative to the Local Authority for its approval, prior to construction.
- 3.6 It is the sole and final responsibility of the Local Authority to approve building plans.
- 3.7 The rules and guidelines contained herein shall also apply to any alteration, addition, renovation and redecoration.
- 3.8 Apart from the requirements of the Local Authority and requirements as set

out above, the following must be indicated on the drawings/plans (The definition of an “area” will be as determined by the Local Authority)

- Total floor area of all the buildings.
  - Total floor areas of patios and verandas.
  - The total coverage of the buildings (on plan) as a % of the area of the erf.
  - The total coverage of hard landscaping (paving or similar hard surfacing) as a % of the erf.
  - The total coverage of soft landscaping (Planting, lawn etc.) as a % of the erf .
  - The total area of the first floor as an % of the total ground floor area.
  - Existing trees to be removed and or retained.
  - Proposed floor levels and height of buildings above natural ground levels.
  - Stormwater management.
  - Position of pools, if any.
  - External wall colour samples.
  - Proposed elevations of both dwelling and outbuildings. The elevations shall give a clear indication of the exterior treatment of such, the materials to be used and the colours of roofs, walls, including the perimeter walling/fencing.
  - Layout of driveway.
  - Proposed landscaping (Including plant lists) and areas to be irrigated.
  - External light points.
  - Any other such information as required in terms of these guidelines and any other information as required from time to time by the scrutiny committee in order to make an informed assessment of the total submission.
  - All boundary walls and fences.
- 3.9 A reasonable period is required by the scrutiny committee and the estate architect to review and endorse plans.
- 3.10 Occupation of the premises will only be allowed once the homeowner has produced an occupation certificate from the local authority.

## **4 Part 4 - Architectural Guidelines**

- I A high sensitivity to all existing natural features such as fauna, flora and topography should be considered with the design of each property. Permission is required from the Planning Scrutiny Committee prior to removal of any existing trees that may be on the erven.
- ii The omission of a boundary fences and walls to the internal street façade on each erf is encouraged where pets and children are not a concern.
- lii These Design Guidelines are in addition to the National Building Regulations and Local Authority requirements.

### **4 Guidelines**

- 4.1 The privacy and views of surrounding properties should be considered as a

- premium. No building should unduly overshadow an adjacent building or property.
- 4.2 Outbuildings and additions should match the original building design in style, elevation and material usage.
- 4.3 No garden sheds, Wendy houses, dog kennels and covered facilities for caravans, boats or trailers should be visible from the road.
- 4.4 Awnings, solar heating panels, TV aerials, blinds, satellite dishes and other items must form part of the basic structure and are to be clearly shown and annotated on the approval drawings.
- 4.5 No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing prior to construction of the home.

#### **4.6 Material Guidelines**

##### **4.6.1 Roofs**

- No reflective roofing material may be used.
- Flat roofs must be concealed behind parapet walls.
- No fibre cement or see through sheets are permitted.
- No more than one type of roofing material shall be visible from any immediate street elevation.
- Only black, dark grey and brown colours or a combination thereof will be allowed.
- No thatch.

##### **4.6.2 External Colours and Finishes**

- Wall colours shall be limited to darker earthly shades. No whites. Samples must be submitted on request.
- No façade shall be face brick or stone with the exception of features eg plinths, chimneybreasts etc.
- The colours of windows, facias, doors, shutters etc should be consistent and complement the wall colours and the architecture of the building.
- Electric security strands are not encouraged, however, if installed, it will be limited to a maximum of 3 strands of an combined height of 300 mm with black uprights.

##### **4.6.3 Boundary Walls and Fences**

- Street and lateral boundary walls and palisade fences shall not exceed 1.8m above natural ground level.
- Yard walls, screen walls, piers, etc should compliment the basic materials of the building.
- Palisade fences (black or dark green only) must have masonry piers. The only exception to this will be where a boundary falls over a protected tree canopy line and/or where an above ground protected outcrop occurs where only palisade will be allowed.
- No modifications or additions to any external boundary walls around the estate shall be permitted.

##### **4.6.4 Prohibited Building Material**

- Unpainted plaster, unplastered brick, or concrete block walls and precast concrete walls.

- Unpainted metal sheeting.
- Razor wire and security spikes.
- Shade netting or similar.
- Lean-to and temporary carports.
- Awnings.

#### **4.7 General**

- 4.7.1
- Lights fixed to the external facades of dwellings are to have an opalescent finish.
  - No flood lighting is permitted.
  - Washing lines shall be fully screened from the street.
  - All plumbing to street elevations must be concealed.
  - Driveways must match the street intersection paving/cobbles finish as specified by the landscape designer.
- 4.7.2 Notwithstanding the fact that building plans may comply with the above, the endorsement of such plans shall be to the sole discretion of the Scrutiny Committee, with the final approval by the Local Authority.

#### **4.8 Town Planning Controls**

- All building plans are to comply with SABS regulations and local building requirements.
- All local authority connections for water and sewer (If applicable) is to be applied for by the owner / builder and installed before any work commences on site.
- Building lines may be relaxed only with the written approval of the scrutiny committee and the local authority.

#### **4.9 Coverage, Height and Density**

- 4.9.1 A maximum of 1 dwelling per erf will be allowed.
- 4.9.2 Maximum height: 2 Storeys (a maximum height of 8m, measured from natural ground level to the top of parapet or mid pitch of roof).
- 4.9.3 Coverage for Single Storey dwellings: 50%  
Coverage for Double Storey dwellings: 40% (Only a maximum area of 70% of ground floor coverage will be allowed for the top storey).
- 4.9.4 The minimum floor area for the dwelling on each erf (excluding garages, store rooms & staff accommodation) shall not be less than 140 square meters. (One hundred & forty square metres)

#### **4.10 Building Lines**

##### **4.10.1 Street Boundary**

- Northumberland Ave: 16m
- Quorn Drive: 5m
- Internal Roads: For Garages - 5m

4.10.2 Lateral and Rear Boundary:

- Single Storey – 2m from each boundary
- Double Storey – 3m from each boundary

4.10.3 No foundation, roof, wall or any structure will be allowed to encroach:

- i) Into the area of the canopy line of any protected tree as indicated by the Site Control Layout Plan and verified on site.
- ii) Into or onto any above ground rock formation/outcrop as indicated by the Site Control Layout Plan.

The only exceptions to the above will be the demarcation of an erf boundary with palisade fencing as described in Clause 4.6.3

4.10.4 Building lines may be relaxed only with the written approval of the Scrutiny Committee and the local Authority. All neighbour's consent must be required.

## 5 Part 5 – Landscaping Guidelines

### Landscape Character

5.1 The objective of the greater landscape design and conservation component is to create a sense of unity in the environment and to perpetuate a natural sustainable habitat for people and wildlife alike. To this end it is necessary to preserve and protect the unique qualities of this Bushveld thicket and grassland mosaic. It is characterised by its specimen and tree clusters and grassland rock outcrops, the dense indigenous vegetation of extraordinary variety and the occasional grove of Wild Olives.

5.2 The erf/open space layout either preserves or rehabilitates significant areas of vegetation types indigenous to this area. The private open space and private space gardens within the development will continue and consolidate this theme, Bushveld and Grassland.

5.3 In order to maintain continuity in the overall landscape character owners of erven are required to design and implement the garden landscapes around the houses in accordance with certain conditions, specifications and restrictions. In this way the collective landscape theme of a Bushveld Estate will be realised for the appreciation and benefit of all.

5.4 The Developer in conjunction with the HOA will landscape and irrigate the road verges within the estate.

### 5.5 Requirements

5.5.1 A landscape plan for the garden of an erf is to accompany the building plan at submission for approval by the Plan Scrutiny Committee.

- This plan shall be a scale of 1: 100 and shall show the following.
- Adjacent areas of private open space and verge.
- All grading, retaining and terracing intended to be undertaken, including gradients and structural elements must be indicated.
- All plant material, species, numbers, spacing and size must be

indicated, including grass species for lawns and must conform with the restrictions in plant choice given in these guidelines.

- All paving, water features, swimming pools, pumps and filters, fences, gazebos and any other structural elements must be indicated and the intended finishes specified.
- The irrigations layout, pipelines and intended coverage area.
- Any requested extension of the erf garden onto an immediately adjacent verge, showing its extent and detail. The approval of such an extension to be subject to the approval of the HOA and Scrutiny Committee. Continuing maintenance becoming the responsibility of the erf owner.
- Clotheslines, dustbin storage areas and other utility areas and their screening must be indicated.

## **5.6 Restrictions**

- 5.6.1 The gardening and landscaping activities of an erf owner shall be confined to the physical extent of the pegged residential erven.
- 5.6.2 No extension of an erf's garden into an immediately adjacent area of private open space will be permitted. This includes irrigation, plantings, storage, fencing, pool equipment, earth mounds or portions of embankments or cut slopes.
- 5.6.3 No tree, landscaping or other plantings may be removed from the private open space by an erf owner.
- 5.6.4 No existing tree may be removed, pruned or damaged in any way whether it occur in the greater private open space or an erf, without the permission of the HOA.
- 5.6.5 All declared invasive alien plants, trees, shrubs and grasses are not permitted within the estate and may not be cultivated in erf gardens.
- 5.6.6 Fences shall comply in height, position and construction with the architectural guidelines.
- 5.6.7 External garden, driveway and pathway lighting is not permitted other than bollard or wall lighting units fitted with 45° downward louvres.
- 5.6.8 Above ground pools, "Porta-pools" are not permitted.
- 5.6.9 Where the intention of the erf owner is to cultivate a hedge, the position, type and final height shall be indicated in the submitted plan.
- 5.6.10 Invasive Alien vegetation clearance on any undeveloped erf, remains the responsibility of the owner and must be undertaken on a quarterly basis, failing which the Home Owner's Association will undertake the clearance at the owner's cost.
- 5.6.11 No boreholes will be permitted without the written approval from the HOA and the Local Authority.

## **5.7 Plant species not permitted**

- Any declared invasive alien plants or trees
- Palm trees
- Any species of Eucalyptus
- Any species Bottlebrush
- Any species of Agave
- Any species of Cactus, this does not include indigenous succulents.

## 5.8 Selected plant species permitted

5.8.1 The principles of the Department of Water Affairs Waterwise gardening programme are supported by the Developer and his team.

5.8.2 A limited range of indigenous plant material and non-invasive exotics are appropriate for planting on this site. The following list of species is recommended.

### 5.8.3 Trees

- *Olea europaea* subs. *Africana* - Wild olive
- *Rhus pyrioides* - Common wild currant
- *Rhus lancea* - Karee
- *Rhus leptodictya* - Mountain karee
- *Canthium gilfillanii* - Velvet rock alder
- *Ficus ingens* - Redleaved fig
- *Cussonia paniculata* - Cabbage tree
- *Acacia karroo* - Sweet thorn
- *Acacia caffra* - Common hook thorn
- *Erythrina humeana* - Dwarf coral tree
- *Boscia albitrunca* - Shepherd's tree
- *Bauhinia galpinii* - Pride-of-De Kaap

### 5.8.4 Shrubs

- *Dichrostachys cinerea* - Sickle bush
- *Acalypha angustata* - Valsnetel
- *Mundulea sericea* - Cork bush
- *Indigofera comosa* - Indigo
- *Ehretia rigida* - Puzzlebush
- *Aloe marlothii* - Mountain aloe
- *Aloe arborescens* - Krantz aloe
- *Aloe greatheadii* - Transvaal aloe
- *Gymnosporia buxifolia* - Common spike thorn
- *Acokantheria oppositifolia* - Common poison bush
- *Leonotus microphylla* - Rock wild dagga
- *Asparagus laricinus* - Katdoring
- *Asparagus setaceus* - Katdoring
- *Cotyledon orbiculata* - Varkoor
- *Graderia scabra* - Wild pentstemon
- *Helichrysum* sp. - Strooibloom
- *Stoebe vulgaris* - Slangbos
- *Scabiosa columbaria* - Wild scabious
- *Canthium mundianum* - Rock adler
- *Gymnosporia buxifolia* - Common spike thorn
- *Hebenstretia angolensis* - Slugwort
- *Senecio discodregeanus* - Hongerblom

### 5.8.5 Groundcovers

- Commelina africana - Wandering jew
- Cyanotis speciosa - Doll's powderpuff
- Cyperus rupestris - Dwarf sedge
- Cyperus obtusiflorus - Sedge
- Crinum graminicola - Marsh lily
- Scadoxus puniceus - Royal paintbrush lily
- Hypoxis sp. - Yellow grass stars
- Watsonia sp. - Kandpypie
- Anthericum transvaalense - Grass lily
- Xerophyta retinervis - Monkey's tail
- Gerbera sp. - African daisy
- Gerbera ambigua - African daisy
- Pellaea sp. - Rock fern
- Pellaea calomelanos - Blue rock fern

### 5.8.6 Lawn grasses

- Cynodon clactylon - Fine Kweek
- Dactyloctenium - Lorenzo Marques Grass
- Dactyloctenium australe - Berea Grass
- Stenotaphrum secundatum - Buffalo grass

## 5.9 Hard Landscaping

Hard landscaping surfaces, i.e. brick paving, tiling etc, around houses will not be permitted to cover the entire site. Hard Landscaping surfaces shall not cover more than 25% of each erf's area and a minimum of 25% of each erf must be soft landscaping.

## 6 **Part 6 - Construction, Environmental and other General Rules (Incorporating some general requirements relating to the House Construction Environmental Management Plan)**

- 6.1 All owners acknowledge that Forest Hall Estate is a secured and controlled environment and that they are ultimately responsible in terms of these rules and environmental management plans and must therefore ensure that their contractors, subcontractors, agents, delivery personnel, visitors etc at all times need to adhere to the security regulations, controls and rules as set out and amended from time to time by the HOA.
- 6.2 The HOA reserves its right to allow or not to allow access onto the estate.
- 6.3 No workers/contractors or security guards will be allowed to stay overnight during the construction period, without the written approval of the HOA.
- 6.4 Delivery of building materials will only be allowed during working hours, weekdays only.
- 6.5 There is a load restriction of (6) ton per axle and the vehicles may be subject to axle load testing by the HOA prior to being allowed entry. Except for roof truss and brick deliveries, no articulated vehicles are permitted in the Estate, unless by prior authorization of the HOA. It is the obligation of

- the owner to notify his contractor and agents of this.
- 6.6 The Estate security personnel reserve the right to conduct a search on any vehicles and person entering and exiting the Estate.
  - 6.7 The only access to the Estate will be allowed through the main entrance off Quorn Drive.
  - 6.8 Any contravention of security and access rules will be severely dealt with by the HOA, and depending on the nature and the circumstances, could lead to the suspension of building work, and barring of access to the Estate and if severe enough charges being laid at the Local Authority.
  - 6.9 Any building material, imported material, etc. shall be stored within the erf boundaries with proper protection against wind and water erosion.
  - 6.10 The building site, surrounding areas and roads should be kept neat and tidy at all times.
  - 6.11 All construction activities and the placing of cabins, chemical toilets, stores etc. shall take place within the erf boundaries.
  - 6.12 Any vehicles and other engine operated equipment and machinery must be maintained in good condition in order not to contaminate the soil, stormwater system, roads, road reserves, etc. with fuels, oils, hydraulic, fluids etc.
  - 6.13 Fuels and oils must be stored in leak proof and sealed containers, as to protect them from the elements.
  - 6.14 Trees to be retained on an erf shall be properly protected against any damage during construction.
  - 6.15 No sand, cement, oil, fuel, paint etc. shall be allowed to be washed into the stormwater system, roads, etc.
  - 6.16 The contractor shall provide adequate sanitary facilities for all his contractors, subcontractors, employees, suppliers, agents or servants. These facilities shall be well maintained and always kept in a clean and hygienic condition.
  - 6.17 Refuse/Building rubble (Food waste, cable pieces, tree stumps, building materials, oils, etc.) shall be properly managed and controlled, and shall be removed off site to a site approved by the Local Authority at least once a week.
  - 6.18 Refuse bins shall be provided on each erf and shall be wind proof and animal proof.
  - 6.19 The use of ready-mix concrete is encouraged.
  - 6.20 Cement must be mixed on mixing boards, and not directly onto the ground surface. (Cement powder has a high Ph and spillage will adversely affect the chemical properties of the soil and water).
  - 6.21 No burial or burning of any refuse and waste material will be allowed on the estate.
  - 6.22 Dust should be properly controlled.
  - 6.23 No person may remove, damage or deface any trees, plants, rock formations, roads, paths, walls, or any other part of the common property.
  - 6.24 No construction materials, including landscaping materials may be stored on any erf more than 14 days prior to the commencement of the construction activities.
  - 6.25 The HOA will not be responsible for any theft etc of goods and building materials.
  - 6.26 No contractor, suppliers, estate agency boards etc. will be allowed, accept those approved by the HOA, who may standardise and set certain

perimeters to govern the colours, shape, layout, placement, sizes etc of these boards from time to time.

## **7 Part 7 – House Construction Environmental Management Plan (HCEMP)**

### **Background**

An Environmental Management Plan (EMP) from which the HCEMP is formulated describes mitigation measures in detail, and is prescriptive, identifying specific individuals or organisations responsible for undertaking specific tasks to ensure that impacts on the environment are minimised during construction. As an open-ended document, information gained during ongoing monitoring of procedures on site could lead to changes in the recommendations and specifications of this document.

This document is intended to guide and manage the construction of dwelling units on Stand No. Holdings 274, 275, 286, 287, 288 Northriding in the context of a private woodland estate, with an emphasis on retaining trees and the woodland character of the site.

It has been compiled as a condition of approval of the rezoning application for the site and will ensure that the environmentally sensitive features on the site will be suitably protected during the construction phase of the development.

### **Commitment to the HCEMP**

A copy of this document must be issued by the owner to each builder/contractor at the tender stage to allow for costs of implementing the HCEMP to be included in the cost estimates. This will also ensure that each contractor is aware of his responsibilities prior to commencing work. Copies of the HCEMP must be made available to each builder, who will be required to familiarize him/herself with the contents of the document and ensure that procedures are followed accordingly.

Each builder involved in the project will be expected to sign for, and thus acknowledge receipt of the HCEMP from the Home Owner's Association, and thereby will be expected to abide by the specifications of the document, as well as annexures, and any amendments thereto.

### **Definitions**

#### **Builder -**

- (i) the main contractor as engaged by the Owner for the execution of the works, including all sub-contractors appointed by the main contractor of his own volition for the execution of parts of the works;
- (ii) any other contractor from time to time engaged by the Owner directly in connection with any part of the Works which is not a nominated subcontractor or a subcontractor to the main contractor.

**Building zone** - the section of each erf within which the construction of buildings is allowed.

**Council** - the local authority, its successors in title or assigns.

**Days** - the days of the week excluding Sundays and legal public holidays.

**House Construction Environmental Management Plan (HCEMP)** - the document as amended from time to time, to control the implementation of the house construction works on the site in such a way as to ensure that they do not result in undue or reasonably avoidable adverse impacts on the environment. This plan includes a detailed **Site Control Layout Plan** indicating all protected elements (Vegetation and Outcrops) that will be subject to protection on the site, as well as vegetation that may be removed, retained or transplanted.

**Environmental Control Officer (ECO)** - a suitably qualified independent environmental manager to be appointed by the Developer prior to construction of the individual dwellings, and his successor/s should he cease to hold such appointment for any reason, to oversee the implementation of the HCEMP until the completion of works on the site.

**Site** - Stand No. Holdings 274, 275, 286, 287, 288. (Forest Hall Estate)

**Site Foreman** - the employee of the Builder responsible for the day-to-day control of all activities and operations on site.

**Works** - the building construction operations and all related and incidental works such as, but not limited to, site works, hard landscaping, soft landscaping and earthworks, in connection with the construction of individual dwellings.

### **Environmental Control Officer (ECO)**

The responsibilities of the ECO during the construction of individual dwellings will include:

- To visit the site prior to the start of construction of each dwelling, ensuring that all trees and rocky outcrops to remain on site have been suitably fenced, and agree with the Builder on sites for batching, and stockpiling.
- To environmentally educate and raise the awareness of the Builders and their staff as to the sensitivity of the site at the start of construction and to target responsible individuals as key players for environmental education, to facilitate the spread of the correct environmental attitude during the contract work.
- To report to the FHEPOA and HOA every second week.
- To visit the site at the completion of each house, ensuring trees and rocky outcrops identified for retention on site have not been damaged or removed, and ensure that the site and surrounding areas have been suitably cleaned

During the construction of each house and associated structures, the ECO is to visit the site on a weekly basis in order to undertake the following tasks:

- To review method statements and determine the most environmentally sensitive options of *modus operandi* for the construction related tasks, when considered necessary by the ECO.
- To make on-site decisions regarding tree removal or retention, taking cognizance of the tree protection schedule and tree protection plan, in consultation with the HOA.
- To oversee the implementation of environmental procedures set out in this document.
- To maintain an open and direct channel of communication with the Owner, who will be immediately aware of the actions of the ECO at all times, especially as they relate to implementation policy and corrective actions as detailed in this document.
- To take immediate action on site where clearly defined no-go areas are violated, or in danger of being violated, and to inform the Owner and HOA immediately of the occurrence and the action taken.
- To keep a site diary of any incidents of environmental disturbance or damage, instructions or recommendations to builders and owners, and penalties recommended to the HOA.
- To enforce penalties for transgressions of the specifications laid out in this document.

## **Method Statements and Requirements**

### **Contractual Communication Procedures on Site**

An Environmental Site Diary is to be kept by the ECO, for the purpose of recording details of the activities on site, any problems encountered or comments or complaints received from the public about works on the site. This book is to remain on site at all times, to allow for the builder, HOA or professional team to refer to it at any stage.

### **Communication Network**

There is to be continual communication between the Builder and the ECO, the ECO and the HOA and the FHEPOA. The ECO will advise the Builder on factors relating to the HCEMP and all environmental matters on site. The ECO is empowered to order the Builder immediately to cease any activities or operations that are required to be stopped as a matter of urgency to prevent serious adverse environmental impacts or potential impacts on the site or any of the adjacent properties or areas outside the boundaries of the site. The ECO shall without delay report any such actions to the HOA and the Owner. The suspension will be enforced until corrective action has been taken, with no extension of time for such delays. In such a case, all costs are to be borne by the Builder.

### **Method Statement Format**

The ECO may request the Builder to submit a method statement for any

construction activity which may have significant environmental impacts. On such a request to the Builder, the Builder is to submit a method statement detailing:

- **What** - a brief description of the work to be undertaken;
- **How** - a detailed description of the process of work, methods and materials;
- **Where** - a description/sketch map of the locality of the work;
- **When** - the sequencing of actions with due commencement dates and completion date estimates, prior to the start of the construction activity.

The Builder is not to commence any activity for which a method statement has been requested until the ECO has commented on the method statement. Method statements and comments are to be kept for record purposes by the ECO.

### **Programming of Construction Events**

The ECO must be supplied with a detailed programme of all construction activities, with scheduled commencement and completion dates by each Builder, to allow for suitable environmental monitoring on site.

The construction programme should take into account the local conditions on the site. Due to the topography of the site, site activities will need to be carefully programmed to avoid unnecessary erosion and delays in construction as a result of destabilisation during the rainy season.

### **Bylaws and Regulations**

All national and provincial laws and regulations, as well as all local authority bylaws and regulations, which apply to housing construction and the development of this site, are to be adhered to.

### **Protection of Sensitive Features**

Apart from the trees identified by the Landscape Architect and Environmentalist for removal from communal private open space or each erf prior to the start of construction, no trees are to be removed without the written permission of the HOA during the construction phase. Also, no rocky outcrops may be damaged outside the building zones. Unnecessary damage to trees, vegetation and rocky outcrops anywhere on the site will be subject to penalties as outlined in this document.

Trees and rocky outcrops close to proposed houses being constructed, which could possibly be damaged during the execution of works on site, as determined by the ECO, must be fenced prior to the start of works on site, as described in this document.

### **Pruning of Protected Trees**

The pruning of protected trees will be allowed, however the following rules will apply:

- No canopy line will be allowed to be cut back without the written permission of the HOA and the supervision and agreement of the ECO on site.
- The removal of dead branches are encouraged but will only be allowed with the supervision and agreement of the ECO on site.
- The removal of branches that do not materially change the canopy line area of a tree will be allowed with the supervision and agreement of the ECO on site.

### **Visual Impacts**

The reduction of the visual impacts of the proposed development will largely be dealt with by protection of existing trees and rocky outcrops on the site, as well as the landscape and architectural guidelines.

### **Use of Explosives**

The use of explosives on the site by the Builder or any other person whilst being subject to the legal requirements, shall also be subject to its prior written approval of the Council, acting through the ECO and under any conditions imposed by the Council.

### **Noise Management**

The Builder shall take measures to limit noise levels as a result of construction activities and equipment on site (e.g. install and maintain silencers on machinery). The provisions of SABS 1200A Subclause 4.1 regarding “built up areas” shall apply to all areas within audible distance of residents.

Appropriate directional and intensity settings are to be maintained on all hooters and sirens. No amplified music shall be allowed on site. The Builder shall not use sound amplification equipment on site, unless in emergency situations. The Builder shall comply with all noise regulations applicable to the works on site.

### **Working Hours**

Working hours are, as far as reasonably practical, to be limited to 07h00 to 18h00 of any weekday, and 08h00 to 14h00 on Saturdays. No works will be allowed on Sundays, Public Holidays and after hours without the written permission of the HOA. The HOA may grant such permission with strict conditions attached thereto.

### **Cleanliness of Public Roads**

The Owner and Builder must ensure that construction vehicles do not spill or drop any construction materials (sand, cement, debris, etc) onto public or private roads. If this should occur, it is the responsibility of the Builder to ensure that the roads are suitably cleaned.

## **Fire Control**

As the site is situated where there is a fire risk, the Builder is to take appropriate measures to guard against accidental fire, and it will be presumed that any bush fire which starts on the erf, or within 100m thereof during the construction period, will be the responsibility of the Builder, who will incur legal liability therefore.

All excavation equipment is to carry fire extinguishers, and all staff are to be able to use them, if required. In the case of any welding, grinding or other "hot" work, a fire extinguisher is to be readily available to extinguish any fire that may result from these activities.

No open fires may be lit anywhere on the construction site. The burning of refuse or vegetative material on site as a means of disposal will not be allowed.

## **Emergency Procedures**

All accidents and emergency situations (including fires, chemical spills etc.) are to be reported to the ECO. The HOA must be notified of any emergency situation on site, immediately after the relevant emergency services have been contacted.

### **Fire**

In the case of a fire occurring on site, the ECO is to be notified immediately. If fairly localised, an effort should be made to extinguish the fire immediately, and if required, the assistance of the local fire department is to be sought as soon as possible.

### **Chemical spillages**

For hydrocarbon chemical spillages, Enretech #1, or a similar bioremedial product, approved by the ECO is to be used in order to mop up or transform the hazardous substance into a non-hazardous form. An adequate supply of the relevant product is to be kept on site by the Builder. The ECO is to be notified immediately of the occurrence of any chemical spill, and to supervise the use of the product, or any other remedial action required in the clean up operation.

## **Public Complaints**

All public complaints received are to be registered by the ECO or Builder, and addressed immediately. Public complaints and responses are to be recorded in the Site Diary, and included in the monthly environmental report by the ECO.

## **Erf Definition and Demarcation**

Prior to any works commencing, the erf boundaries, as well as the boundaries of the building zone are to be clearly demarcated with fencing panels or danger tape. Once this has been done, all works, including stockpiling of construction and waste materials, are to be strictly confined to the demarcated boundaries.

### **Environmental Awareness Training for Site Personnel**

All teams involved in housing construction are to be briefed on their obligations towards the environmental controls and methodologies. The briefing will usually take the form of an on-site talk and demonstration by the ECO, aimed at all levels of the Contractor team.

The environmental awareness education programme is to commence with entry onto site, prior to any construction activities taking place by each building team. All personnel are to be made aware of the details of the HCEMP which will be applicable to them, in the languages of the site staff. Contractor teams are to also be made aware of penalties issued by the ECO in terms of environmental conduct on site, as well as safety and emergency procedures to be followed.

A regularly updated record is to be kept of all personnel attending the Environmental Awareness training sessions.

### **Toilet Facilities**

Suitable sanitary facilities must be provided by the Builder for all staff on site, according to SABS standards i.e. one toilet per 15 workers. The Contractor shall ensure that ablutions are restricted to the facilities provided. Where chemical toilets are provided, the Contractor shall ensure that they are kept in a hygienic condition and emptied on a regular basis. Toilets are to be emptied before weekends, public holidays or builders' holidays. Waste from the toilets is to be disposed of to the satisfaction of the ECO and Council.

Care must be taken that no spillage occurs when chemical toilets are cleaned, and that contents are properly stored and removed off site. Should a spillage occur, it is to be cleaned up to the satisfaction of the ECO. Toilets shall be located where their use would result in minimal impact on the environment, and may not be placed in areas where running or standing water occurs during winter. Toilets are to be secured to prevent them from blowing over.

### **Fencing of Sensitive Features (Protected vegetation and outcrops)**

Fencing shall consist of 1.2 m high posts at 2m centres (timber or steel) supporting a wire mesh or 3 strands of wire, adequately driven into the ground. "Ready Fence" or similar will also be acceptable. Fencing around trees shall be positioned a minimum of 2 m from the trunk of each tree, but where possible on the drip line, i.e. to enclose the entire area covered by the canopy of the tree.

All fencing is to be erected prior to construction works commencing on site, and is to be maintained in position and in good repair for the duration of the works. No materials, rubble or equipment are to be stored or stockpiled within the fenced areas, and no one is to enter these areas. Any deviations from these specifications are subject to the approval of the Landscape Architect or ECO.

### **Preparation of Building Materials**

All building materials are to be prepared at a batching area identified by the Builder and approved by the ECO, within the building zone, to enable the effects of cement and other substances, and the resulting effluent to be more easily managed.

### **Material Handling and Storage**

The Builder must identify areas, for stockpiling building materials and excavated material, to be approved by ECO. Stockpile sites should preferably be in areas with a gentle gradient. Stockpiles should be suitably stabilised if required.

### **General Wastes**

All waste materials are to be stored within the boundaries of the erf during construction, and removed from site once construction is completed. Waste shall be stored in closed containers to prevent dispersal by wind. Bins are to be provided on site for storage of litter and empty cement bags, which is to be strictly controlled.

### **Discharge of Construction Water**

All cement effluent from mixer washings, and other runoff from work areas must be contained on the erf in a suitably lined sedimentation pond and removed from the site at the end of the contract. No effluent, including harmful substances such as paint or solvents may be discharged off the erf. Stormwater runoff from the site shall be channeled into the stormwater system, or contained on site so as not to transport any pollutants off site, nor cause any off-site erosion.

### **Maintenance of Equipment**

No mechanical equipment or work vehicles are to be stored, serviced or refueled on site, unless otherwise approved by the ECO. In such a case these activities are only to be in areas that are suitably equipped with drip trays or other impervious materials to prevent contamination of the ground. The Owner or ECO may order the removal of equipment that is causing environmental damage by leaking oil or diesel for example, until such equipment has been repaired.

### **Erosion Control**

Care must be taken at all times to prevent erosion of soils on the construction site. As erosion is likely to occur on many erven, due to steep slopes, the Builder is to employ stabilisation methods to the satisfaction of the ECO, where applicable. Should any erosion be detected on site, the ECO and Builder will identify the cause of such erosion and ensure that the most appropriate method of mitigation or stabilisation is employed as soon as possible.

### **Run-off**

The Builder shall take measures to control run-off from the erf onto adjacent property or the roadway, or spillage of muddy water into local streams. All run-off from the erf shall be channeled into the sedimentation ponds or the stormwater system.

### **Removal of Spoil**

No excavated material shall be removed from the site to any location, whether it be private or public property, without the prior written approval of the Council. In this respect the ECO shall be permitted to order the Owner, the Builder or any other person to cease such removal and shall immediately report such removal to the Council.

### **Slope Stabilisation**

Where any construction related activities, including cut and fill of slopes, take place, the Builder is to ensure that stabilisation methods (to the satisfaction of the ECO) are employed to prevent large-scale erosion, resulting in loss of soil. Any areas in which erosion does occur are to be reinstated as soon as possible.

### **Earth Shaping**

Any major earthworks are to be restricted to the erf boundaries. Bulldozer and heavy machinery operators are to be under constant supervision, and are to be made aware of all the environmental obligations and penalties for transgressions, as they have the potential to inflict severe damage to the surrounding environment. The use and excessive movement of heavy machinery should be avoided in areas with steep slopes, great environmental value, or high erosion potential.

### **Construction Traffic Management**

Movement of construction vehicles on public roads shall be to Council's approval, specifically the traffic manager in terms of road safety. All construction vehicles carrying materials must use sheeting to prevent loss of loads due to wind or rain. Access to each erf may only be via the completed road system. Any deviation from this specification for any reason is to be with the approval of the ECO.

## **Site Clean Up and Rehabilitation**

The Builder is to ensure that all structures, equipment materials and facilities used on site for construction activities are removed once the house has been completed. The construction site shall be cleared, and cleaned to the satisfaction of the ECO and the Owner.

## **Environmental Monitoring**

The monitoring of works on site is necessary to demonstrate compliance with the specifications of the HCEMP and to allow for problems or issues of non-conformance to be identified and appropriate corrective measures to minimize environmental damage to be implemented.

Monitoring should include visual checks by the Builder on a daily basis, checks on particular requirements for site activities by the ECO, as well as a review of site documentation.

## **Transgressions and Penalties**

Transgressions relate to actions by the Owner, Builder or contractor team members whereby damage or harm is inflicted upon the environment or any feature thereof and where any of the conditions or specifications of the HCEMP are infringed upon.

In the instance of environmental damage, the damage, where possible, is to be repaired and rehabilitated using appropriate measures, as specified and undertaken by appropriate specialists, and to the satisfaction of the ECO, for the account of the owner (The owner in turn must hold the builder responsible, if required).

Where infringement of the specifications or conditions of the HCEMP is registered, appropriate remedial action or measures are to be implemented for the account of the responsible party. Where non-repairable damage is inflicted upon the environment or non-compliance with any of the HCEMP obligations is registered, the Owner or Builder may face a monetary penalty to an amount specified by the ECO. The ECO is to recommend any monetary penalties to the HOA. The latter shall provide the responsible party with a written notice, specifying the time period during which remedial actions are to be taken, failing which the monetary penalty will be imposed.

Transgressions are most likely to occur with respect to litter on site, damage to trees and rocky outcrops on site, and erosion. The following penalties are suggested for the above transgressions:

Litter: In the case of excessive litter on site, the ECO is to allow the Owner/Builder 24 hours in which to remove the litter, or face a monetary penalty at the ECO's discretion.

Damage to trees or rocky outcrops: A monetary penalty to the maximum of R20 000 is to be paid for each tree or rocky outcrop removed/damaged

without prior permission from the HOA.

**Erosion:** Erosion resulting from any work on site is to be rectified at the cost of the Owner/Builder, and to the satisfaction of the ECO.

**Run-off:** Should run-off not be properly controlled on site, and stormwater or construction effluent enters adjacent areas, the ECO shall impose a monetary penalty to the maximum of R1 000 per incident.

Should the HOA become aware of any transgressions, the ECO is to be notified immediately. If excessive infringement with regard to any of the specifications is registered, the Owner may terminate the Builder's contract.

### **Incentives**

Where commendable performance by a Builder or contract team member is noted for work undertaken on the site, in particular with regards to compliance of EMP specifications, the ECO in conjunction with the HOA may issue an Environmental Awareness Certificate to an individual who has earned such recognition.

### **Site Record**

The ECO is to submit a brief summary report detailing activities, progress, compliance or transgressions from EMP and environmental problems experienced with the construction of each house, to the HOA.

### **Review of HCEMP**

The ECO and Environmental Consultant shall review the HCEMP on an ongoing basis. Based on observations during site inspections, the ECO shall determine whether any procedures require modification to improve the efficiency and applicability of the HCEMP on site.

Any such changes or updates shall be submitted to the HOA, as well as being included as an annexure to this document. Annexures of this nature must be distributed to all relevant parties on site.