

ANNEXURE B

LE GRAND HOMEOWNERS

ASSOCIATION NPC

Construction Rules & Regulations

This document must be consulted prior to commencing with construction of any property or improvements or building renovations & maintenance.

LE GRAND HOMEOWNERS ASSOCIATION (LGHOA)

This document is issued by the LGHOA to each potential Contractor.

Copies of the LGHOA Rules of Conduct should also be signed and agreed by the potential Contractor.

**IT IS IMPORTANT FOR A BASIC UNDERSTANDING OF THE OPERATION OF
THE ESTATE THAT EVERY CONTRACTOR IS THOROUGHLY FAMILIAR WITH
ALL THE INFORMATION CONTAINED IN THIS DOCUMENT.**

The Owner and Contractor undertakes to comply with the contents of this schedule in its entirety.

Approved by the LGHOA Board of Directors – 5 August 2019

1. VENDOR ACCREDITATION & REGISTRATION PROCESS

The registration for annual approval/renewal at the LGHOA should consist of the following documentation of the potential Contractor/Service Provider:

- Curriculum Vitae of the Business.
- SARS Letter of Good standing (*Tax Clearance*).
- COIDA Letter of Good standing.
- MBA Letter of Good standing (*not compulsory*).
- Annual Construction liability & all risk insurance.
- NHBRC Registration Certificate.
- Signed copy of LGHOA Rules of Conduct.
- Signed copy of LGHOA Construction Rules & Regulations.
- Signed copy of the LGHOA Architectural Rules & Regulations.
- Signed copy of the LGHOA Penalty Structure schedule.
- LGHOA indemnity form completed.

2. CONSTRUCTION REGISTRATION DOCUMENTATION

A formal application pack to be submitted to the LGHOA for approval of any building project before a:

- Construction Project can commence.
- Alteration and or Refurbishment Project can commence.
- Maintenance Project can commence.

The following documentation to be submitted:

- Confirmation and approval of the contract/agreement between contractor & the homeowner supplied by the owner.
- Proof of EFT payment of the construction deposit. If applicable.
- NHBRC Project Enrolment.
- Construction liability & all risk insurance.
- OHS Plan.
- Complete set copy of approved project plans.
- Contractor to identify colour that will be allocated to him for bibs that are to be issued to workers on site.

"Homeowner builders" will be classified and regarded as "contractors" until all building activities have been completed. "Homeowner builders" need prior written approval from the LGHOA and Aesthetics Committee, to be approved as a contractor, prior to construction commencement. "Homeowner builders" are obliged to obey all rules and regulations regarding contractors. This is unconditional and no exceptions will be made.

*** The above documents will then be evaluated by the Estate Management for approval before Construction can commence.

3. PRE- CONSTRUCTION PHASE

As from the 1st of January 2019 or the date of registration of a stand or unit purchased from the Developer for the first time, whichever is the latter, each Member (save for the Developer) undertakes to commence ("break ground") with the development of his/her/its Stand within 24 (twenty four) months from the said date as contemplated herein and complete same within 12 (twelve) months thereafter, irrespective of when transfer of a Stand or Unit was affected. If the owner sells the Stand or unit within the aforesaid period, the said period will not be automatically extended.

Should a Member fail to commence with the development of his/her/its Stand within the aforesaid period or not to complete same within 12 (twelve) months thereafter the Developer and LGHOA may charge a penalty levy to the purchaser/owner amounting to R 2 000.00 (two thousand Rand) per month until such time as the construction has been completed and an Occupational Certificate is issued by the LGHOA, which shall be paid to and accrue in favour of the LGHOA. The Developer, at its sole discretion may however extend the periods for breaking ground and completion as contemplated herein.

The Developer and the LGHOA may approve exceptions to the aforementioned terms of building time frames under the following guidelines:

- The LGHOA will consider an application from a member who can demonstrate issues preventing completion of such a project within the Conduct Rules' prescribed time frames.
- Such an application must have an implementation plan for completion not exceeding 6 (six) months.
- The LGHOA may impose a Penalty of R 500.00 during the extended period to motivate early completion.
- Should the project not be completed in the approved extended period a penalty will be levied at R5 000.00 per month, until completion.
- Completion will be defined as issuance of the Occupation Certificate by the LGHOA.
- If no application is received the house rules will be enforced as normal.
- This consideration should be seen as a last resort for complications beyond the member's control and is not to be used as a norm.
- It remains the responsibility of the member to obtain the LGHOA Occupation Certificate in the prescribed time frames to avoid the house rules to be implemented.
- The Developer and the LGHOA decision will be final and binding.

Prior to the commencement of construction, homeowners must pay a building deposit of R10 000.00 (ten thousand rand) to the LGHOA as security for any damage that may be caused to curbs, roads, pavements and/or landscaping during construction. Upon completion of construction, issuing of the LGHOA Occupation Certificate and as-built plans (if applicable) and provided no damage has occurred, the pavement deposit (excluding interest) and less a R 2500 roads contribution, will be refunded to the homeowner concerned less any funds as determined by the building rules. The homeowner can decide if refunding should be to his personal account or levy account.

All existing trees and identified environmental green areas not interfering with proposed structures must be protected during construction. If existing trees and identified environmental green areas are damaged, the LGHOA will impose fines of up to R 5 000.00 (Five Thousand Rand) per incident without warning. Trees and identified environmental green areas may only be removed with the written consent of the LGHOA. Members should consult the Architectural and Landscaping Guidelines for more information on this.

All Contractors to register all workers and sub-contractors employed in accordance with security rules.

Contractors must qualify as stipulated in Section 1.

The Developer and the LGHOA in no way accept responsibility for the contractor and the contract remains firmly between the client/member and the contractor.

4. SITE ESTABLISHMENT PHASE

STEP 1

The following aspects to be inspected and approved by the Estate Management before construction of the boundary wall / temporary shade netting:

- Land Surveyor beacons indicated on site.
- Water meter installed.
- Builder's electrical connection installed. *(At least after wet works is completed)*
- Chemical toilet on site.
- Temporary site hut or LGHOA approved shed,
- LGHOA compulsory Contractor's prescribed board. *(Additional company board for marketing will also be allowed but only with in guidelines of the LGHOA)*
- Contractors, sub-contractors, deliveries and service personnel must enter through the service entrance of the estate in accordance with the designated security provisions in force at the time of entry. All of the aforementioned must register at the Security Office with a valid identification document.
- Construction of Boundary wall or temporary shade netting. *(*** See note)*

**** It is requested from the Estate Office for Homeowners & Contractors to consider to initially build their boundary walls after site establishment as per plan instead of shade netting. The reasoning behind the request is due to the costly exercise of constantly keeping the shade netting in good order in the windy conditions at Le Grand Estate, however it remains the decision of the owner/contractor.*

STEP 2

Construction of the house foundation can proceed after approval of the Site Establishment by the LGHOA.

Failure to comply with any rules will lead to fines as per fines structure. If the contractor continues with its disregarding of Estate instructions and rules, the building activity at the site may be suspended by the LGHOA until the breach is rectified.

5. CONSTRUCTION PHASE

During the construction phase the Aesthetics Committee ("AC") and the LGHOA will monitor the quality of construction, compliance of rules and site cleanliness to ensure that the standards are maintained at the Estate. They will not be responsible for the quality control of individual houses, but will be available to advise where necessary.

Each homeowner must endeavour to minimize dust, noise and effluent or any other rubble or waste on building sites.

Care must be taken that roads or infrastructure in the Estate are not damaged and the homeowner and contractor will be held responsible for any damage.

Construction activity is only allowed during the following hours:

- 07:00 - 17:00 on normal weekdays;
- 07:00 - 13:00 on Saturdays; and
- No construction activity is allowed on a Sunday or Public Holiday.
- Deliveries are only allowed from 08:00 to 16:30.
- Refer to the Building Rules and Guidelines.
- All deliveries must be through the service entrance.

The maximum load bearing capacity of the Estate paving roads is 6 ton. The LGHOA management has the discretion and right to refuse or allow entry to loads or equipment exceeding this capacity.

Curbs and sidewalks may not be used as a storage facility for building materials. It is the responsibility of the homeowner of the stand to clear the sidewalk within 1 working day of accidental delivery thereon. The wrongful delivery on curb side or sidewalk is subject to a fine per incident.

Should the contractors transgress the above rules or behave in an unacceptable manner, the LGHOA reserves the right to refuse those contractors access to the Estate and the homeowner, contractor and sub-contractor will have no recourse in this matter.

To prevent the above, the contractor will be responsible for all workers and sub-contractors involved on their building sites. These workers may not sleep over on site under any circumstances.

Construction, once commenced, should not be interrupted for more than seven calendar days at a time with the exception of the builders' recess, public holidays or delays not in the contractor's control.

All contractor's or subcontractor's workers must enter the site in an approved vehicle with a temporary access token or applicable access control. All workers must be transported to and from the site by the contractor or subcontractor. No construction workers are permitted to walk through the Estate and must remain on the erf during working hours. All workers must be issued with identity cards which can be obtained from the security gate in compliance with the security requirements (until further notice). All workers on site to be issued with a Safety vest or bib by contractor with contractors colour.

All waste building material must be removed from the site on a regular basis by a "skip" provided by the contractor. No building materials may be dumped on the sidewalks or adjacent empty stands. Fines will be applicable in terms of penalty structure.

After completion of construction, the homeowner should request an Occupation Certificate from the LGHOA and from the local Council. The request must accompanied by AC Approved as-built drawings – if applicable.

An Occupation certificate for the building can be issued once the AC inspected the house and find all in order build as per approved plans.

6. POST CONSTRUCTION PHASE

Repair of any damaged infrastructural elements is the responsibility of the homeowner. This includes curbs, roads, pavements, landscaping, street lighting, etc. These damages should be repaired within 14 days of occurrence. In failure to repair the LGHOA will repair the same for the homeowners levy account or impose appropriate fines.

All building boards must be removed within 7 (seven) calendar days after occupation.

All building rubble must be removed and the building sites made neat prior to completion. The penalty levy will be payable until such time as the homeowner obtains an Occupation Certificate from the LGHOA Aesthetics' Committee.

7. SPECIFIC GUIDELINES

Property Maintenance

The maintenance of a house internally and externally including all railings, fencing and roof is the responsibility of the homeowner.

Maintenance contractors, sub-contractors or workers should also be registered at the Estate Office and Security Office, within the guidelines as set out from Section 1.