



**DE ZALZE WINELANDS HOMEOWNERS ASSOCIATION (NPC)  
(Reg. No. 2003/00958/08)**

**BUILDING CONTRACTORS' CODE OF CONDUCT AGREEMENT (COC)**

**ERF NO: \_\_\_\_\_**

Entered into between

**De Zalze Winelands Home Owners Association  
("DZHOA")**

and

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("the Employer")

and

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("the Architect")

And

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("the Contractor")

**(Jointly herein referred to as "The Parties")**

Date: \_\_\_\_\_

# **CONTRACTORS and OWNERS CODE OF CONDUCT**

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# **CONTRACTORS AND OWNERS CODE OF CONDUCT**

**(Hereafter referred to as the COC)**

## **1. INTRODUCTION**

- 1.1 The object of the De Zalze Winelands Golf Estate Home Owners Association (hereafter referred to as DZHOA) is to promote, advance and protect the communal interest of its owners and residents and consequently ensure a safe, high quality lifestyle by managing the appropriate development of residences and related facilities (including swimming pools, shelters, outbuildings, extensions, etc).
- 1.2 The Estate COC relates to the control measures regarding access and building activities of contractors (and their suppliers). Owners of stands are obliged to bring the Estate Rules and COC to the attention of their building contractors since the stand owner will be held responsible for any contravention of the Estate Rules and/or COC by their contractors.
- 1.3 All owners and contractors building in De Zalze Golf Estate must sign acceptance of this COC – prior to any work commencing / continuing on site. This code also applies and covers all sub-contractors working under a main contractor on any site within the boundaries of the estate. Contractors must ensure that each sub-contractor receives a copy of this document.
- 1.4 Access to the Estate will be strictly controlled at all times both for vehicular and pedestrian traffic. Control will be exercised in terms of the prevailing Access / Security Standard Operating Procedures (Annexure C).
- 1.5 The conditions governing building activity which is set out in this document are rules adopted by the DZHOA and are therefore binding on all owners of property within the estate, residents, their contractors and sub-contractors. Furthermore, all Owners are obliged to ensure that their contractors and sub-contractors are made aware of the building conditions and the consequences of non-compliance. Owners are therefore required to include these conditions in their entirety in any building contract concluded in respect of property in the Estate, and all such contracts may be required to be submitted to the DZHOA for prior approval. All contravention by contractors or sub-contractors shall be deemed to be contraventions by the owner.

## **2. CONDITIONS & RESPONSIBILITIES APPLICABLE TO:**

### **2.1 THE OWNER: The Owner hereby undertakes:**

#### **2.1.1 “Drawing Approval”**

- To submit building plans, specifications and finishes in the first instance and pay any fees due to the DZHOA;
- Not to commence with any work whatsoever on the property until such a time as the approvals, contemplated in the above have been obtained and the site has been handed over by the DZHOA;

#### **2.1.2 “As Built Drawings”**

Not to allow any building work to commence until drawings for any proposed changes to the original approved plans have been approved by the DZHOA Building Committee;

- 2.1.3 In respect of a new dwelling, to complete (completion date being the issuing Final Completion Certificate) the house and outbuildings and landscaping on the property within 12 (twelve) months from the date of commencement of building (building commencement is defined at the date of signature of this document); failing which, a prescribed building penalty will be added to the Members account monthly. Building penalties will be charged on a pro-rata basis, should it not be applicable for a full month.
- 2.1.4 In respect of alterations and renovations, each project will be dealt with on an individual basis as to the time frame of the building process. In the event that alterations continue for longer than the stated period in this document, building penalties will be charged on the same basis as in 2.1.3.
- 2.1.5 The owner hereby accepts the following conditions:
- That the conditions of these clauses will *mutatis mutandis* apply in respect of any further alterations, additions, walls, fencing, facade treatments, pools, signage etc., which the Owner may wish to erect on the property;
  - That all construction is to comply with such conditions as imposed by the Estate's Building Regulations, National Building Regulations, Stellenbosch Municipality Regulations, the National Home Builders' Registration Council and/or Occupational Health and Safety Plans, in respect of the property or construction thereon;
  - To ensure that the contractor/s employed by the Owner sign/s and comply/s with all the conditions of the COC;
  - That any breach by the Owner's contractor of its obligations in terms of the COC is and remains the responsibility of the Owner, and will be regarded as a breach by the Owner;
  - That the Owner shall not be entitled to take physical occupation of any nature of the dwelling before a completion certificate has been issued by the DZHOA as well as an occupation certificate issued by the Municipality (refer to clause 5);
  - The DZHOA reserves the right to deny occupation of any house/structure if the provisions of any of the clauses of this document have not fully been adhered to. Financial penalties and/or other measures as determined by the HOA can be implemented against transgressors;
  - The Owner will ensure that all Contractors are deregistered from the stand within 24 (twenty-four) hours after obtaining a final completion certificate issued by the DZHOA.
  - All specialist contractors employed directly by the Owner, whose appointment is not sub-contracted to the main Building Contractor, (Example: Home theatre specialists, Landscaping contractor, etc.) must be registered on the DZHOA security access control system, following the same processes as the main Contractor or any sub-contractor.

## **2.2 THE CONTRACTOR / PROJECT MANAGER / OWNER BUILDER**

The Owner must ensure that the Contractor or Project Manager used to conduct any form of building activity on the Property, complies with the following criteria, namely:

- 2.2.1 All contractors and their staff are registered (by means of finger prints and original South African Identity Documents) on the Estate's Security Access system.

- 2.2.2 All contractors and their staff submit themselves to a South African Police Services criminal clearance at the request of the DZHOA.
- 2.2.3 All contractors are to be in possession of an approved Health & Safety Plan as required in terms of the Occupational Health & Safety Act (No 85 of 1993) for each stand.
- 2.2.4 The Owner/Contractor will not be allowed to commence with any building works on the property unless they are in possession of all the above-mentioned registration certificates/documentation.
- 2.2.5 The Owner/Contractor will not be allowed to store any building material, filling, sheds or toilet on site before the COC is signed.**

### **3 PROCEDURE FOR SITE HANDOVER AND TO COMMENCE WITH CONSTRUCTION**

The following procedure must be followed for Site Handover (3.1) and before Construction (3.2) may commence:

- 3.1 The Owner or his Contractor/Project Manager must give the De Zalze Building Control Office at least 2 (two) working days written notice of their request for a Building Commencement Certificate (Annexure A).

The purpose of this certificate is to grant the Owner's Contractors access to the stand for purposes of preparing the site for construction such as surveying the site, open services connections, exposing and identifying corner beacons etc.

***No Sub-contractor's boards or other advertising of any nature whatsoever are allowed.***

The following must have been done before a Site Handover Certificate will be issued by the DZHOA:

- 3.1.1 All working plans including building, storm water management, must be approved by DZHOA and/or the local authority and be in the Contractor's possession, which plans must be available on site at all times for inspection by the DZHOA.
- 3.1.2 In the event that the access crosses a completed paved walk way, the required protection will be installed prior to building commencement – details are available from the Building Control Office.
- 3.1.3 Water and Electricity Meters

#### Temporary Installation

The water meter must be installed onto a sturdy pole/s and connected to the builders tap before commencement of any work. The meter must be moved to its permanent position as soon as that part of the construction is completed.

The electricity meter must be installed into a wall or onto a sturdy pole/s and the 3 phase cable (already on site) must be connected to the temporary distribution board through the meter. This must be done by the builder's electrician. A certificate of compliance has to be on site when applying for the switching on of the electricity. **Contact no: Justin Carstens (082 217 1041).**

## Permanent Installation

When the structure of the building has been completed, both the electricity and water meter boxes mentioned in par 3.1.3 above are to be installed in their permanent positions as stated below.

- a) The meter box/es shall be built into the wall on the erf boundary at a position approved by the HOA and which shall not be less than 200mm above ground level, not higher than 1200mm above ground level and easily accessible for meter readers.
- b) In the event of permission being granted not to build any boundary walls, a wall of (1200 x 600mm minimum) must be built to accommodate the meter box/es in a position closest to the street boundary of the plot and as approved by the HOA, in its sole and absolute discretion. The meter box/es shall not be less than 200mm above ground level, nor higher than 1200mm above ground level and easily accessible for meter readers.
- a) Meter boxes shall always be built into a wall in such a manner as to ensure that they are flush with the outer surface of the wall, and shall be painted the same colour as the wall into which they are built.

**NB: Only when all of the above have been adhered to, will the builder be granted permission to commence with construction on the Estate.**

- 3.1.4 The DZHOA must have proof that all fees due in terms of the fee structure have been paid (see Annexure G). This amount will be held free of interest by the DZHOA. The deposit will be used to remove any rubble or make good any damage caused by the Owner's builder, for example kerbing, landscaping or any other common property damaged during the construction period.
- 3.1.5 The building deposit shall be refunded into the owner's levy account, or the owner's nominee's account, 30 (thirty) days after the DZHOA completion certificate has been issued, provided that there was no breach or non-performance to remove builders' rubble or any damage caused by the contractor, sub-contractors or suppliers, in which event the whole or part of the deposit may be used to defray the HOA's expenses in that regard.
- 3.2 The owner, or his contractor/Project Manager, must give the De Zalze Building Control Office at least **7 (seven) working days** written notice of his intention to commence with construction. The following must be in place for the duration of the building project:
  - 3.2.1 A chemical toilet (or water flush system) must be on site. No toilets or sheds will be allowed on the sidewalks/pavements or private open spaces. Application may be made to the HOA to grant permission for use of these areas. A green, lockable container must be placed on site.
  - 3.2.2 Provision must be made for the continuous removal of building rubble and other waste. Contractors will be fined for building rubble or other debris that is dumped or blown to adjacent stands, sidewalks or private open spaces. Prior permission may be obtained from the HOA to make use of these areas, which will be subject to certain conditions.
  - 3.2.3 The location of the driveway, as indicated on the site plan, must be clearly marked and this will be the only access onto the site unless, prior written approval was obtained.
  - 3.2.4 ***DZHOA's landscaping contractor must be contacted in the event that plants in the private open space area need to be removed at least a week before building is to commence. Please call Leon on 083 234 7758 to make arrangements.***

- 3.2.5 In the event where a house is occupied and the deposit relates to renovations, additions, or other works on site, the deposit will be released after inspection of the completed works by the DZHOA, stating that there was no breach or non-performance or any damage caused by the contractor or sub-contractors or suppliers.

#### **4 SITE & OPERATIONAL PROCEDURES**

The contractor agrees and undertakes as follows:

- 4.1 Contractor activity and/or delivery of material are only allowed access to the Estate during normal "building time" hours, namely Mondays to Fridays from 07h00 to 18h00. Work on Saturdays may be allowed from 08h00 to 12h00, with prior consent from the HOA and then only for work that involves no noise pollution.
- 4.2 No afterhours work will be permitted without DZHOA's prior written approval. Such approval must be obtained 48 (forty-eight) hours before the time that overtime work might be required.
- 4.3 No night watchmen are permitted on any site unless they are registered with PSIRA, are removed from site during daytime and adhere to other Security procedures. The Security Manager is the only person authorized to register a night watchman.
- 4.4 No contractor activity and/or delivery of materials are permitted on Sundays, Public Holidays and during the December builders' break, (from Friday before 16 December until the first Monday in January) as these are viewed as "private time".
- 4.5 No loitering of workers, excessive parking of vehicles, dumping or storage of rubble will be allowed outside of the building stand, unless approved in writing by the DZHOA.
- 4.6 The site must be kept as clean as possible of building rubble, with regular cleaning taking place during building operations. Under no circumstances may any building material or rubble be stored on adjacent stands, unless prior written approval was granted by both the stand owner as well as the DZHOA.
- 4.7 Where materials are offloaded by a supplier encroaching onto a paved walk way or the roadway, these materials must be moved onto the site by the contractor. No material must be allowed to remain on the roadway or paved walk way and it is the contractor's and Owner's responsibility to clean the road or walk way of all such materials.
- The same applies to sand or rubble, washed or moved onto the road during building operations. This must be cleaned on a daily basis as spillages occur, but before 17h00 daily.
- 4.8 The Owner shall be responsible for damage to kerbs and/or plants in POS areas on sidewalks and/or damage to private or Estate property. The building deposit will be used to make good any damages caused.
- 4.9 Storage and removal of site refuse, litter and rubbish must be very carefully controlled throughout the whole development. The contractor shall provide a skip facility for rubbish disposal and ensure that the workers use the skip provided and that the rubbish is removed regularly and not burned on site as the site is a smoke free zone. Skips must be covered with a net to ensure that paper and other items are not blown out of the skip.
- 4.10 Sub-contractors appointed to remove building rubble must be able to provide the Owner /main contractors with proof that the rubble is disposed of in a legal and environmentally friendly manner. (An affidavit from the contractor can be considered proof).

- 4.11 The contractor, sub-contractor may be denied access to (or prevented of egress from) the Estate, should the site not be kept clean to the satisfaction of the DZHOA.
- 4.12 The contractor must take special care with the storage, handling and transport of all materials that could adversely affect the environment on the Estate. Any spillage of any materials on the Estate must be repaired and cleaned up. The necessary precautions to prevent pollutions, contamination or noise nuisance must be taken at all times. Any contraventions will be dealt with in accordance with the Estate Rules. Should any vehicle be found to be leaking oil, it will be denied access to the Estate.
- 4.13 The contractor shall provide chemical toilets or water flush system (at a ratio of one toilet per 15 workers) and washing facilities for all his workers, properly screened, before any building activities commences.
- 4.14 No burning of refuse or building materials will be allowed in the Estate.
- 4.15 No concrete, dagha, cement or such may be temporarily stored, mixed or prepared on any of the roadways, kerbs and paved walk ways.
- 4.16 Any incident or damage to HOA assets that occur must be reported immediately to the De Zalze Security Control Room. Incidents that must be reported are such as;
- security breach
  - damage to infrastructure (water meters, water pipes, road surface, signage, kerbs, boundary wall and fence, streetlights and furniture etc.)
  - vehicle accidents
  - damage to the environment
  - breach of any of the Estate Rules etc.

## **5 ISSUING OF COMPLETION CERTIFICATE**

An Owner shall not be entitled to take physical occupation, of any nature, of a new dwelling before a De Zalze Completion Certificate has been issued by the DZHOA. The DZHOA will issue a Completion Certificate, subject to:

- 5.1 The DZHOA being satisfied that the works on the property have been completed in accordance with the approved building plans and landscaping plans.
- 5.2 All outstanding items on Completion Certificate having been completed before final inspection. Inspection fees will be levied.

## **6 SECURITY AND ACCESS CONDITIONS**

In addition to the conditions set out in the Security & Access Protocol, the following conditions must be adhered to:

- 6.1 The contractor/sub-contractors/suppliers must comply with the security regulations as amended from time to time and more fully set out in the Security Standard Operating Procedures (Annexure C). These rules include the policy in terms of which all staff must be registered on the biometric access system.
- 6.2 All contractors, sub-contractors and their workers must enter the Estate through the designated turnstiles (excluding drivers), whether arriving in vehicle or on foot, and must strictly adhere to the Security Standard Operating Procedures in force at the time.



- 6.3 Contractors/sub-contractors will only be given access to the site by prior arrangement by the main-contractor/owner builder and fall under the same procedures mentioned above.
- 6.4 No excessive parking of vehicles will be permitted on the roads and vehicles are not to obstruct traffic. No parking on vegetation/landscaped areas, grassed sidewalks will be allowed, without prior consultation with the DZHOA. Damage to any vegetation or infrastructure will be dealt with in terms of the Penalty Policy.
- 6.5 The maximum speed limit within the Estate is limited to 30km/h. Speed control will be undertaken from time to time to calm traffic and perpetrators will be penalised in accordance with the Penalty Policy. Property owners will be liable for any penalties issued.
- 6.6 Labour must be employees of the contractor/sub-contractor and under no circumstances will casual labourers be allowed on site. People presenting false Identity Documents for registration purposes will be handed over to the South African Police Services and false documents will be confiscated.
- 6.7 No contractor personnel will be allowed to roam the Estate by foot at any time or remain in the Estate outside of “building time” hours.
- 6.8 The Owner of the stand guarantees and undertakes to ensure that the contractor registers all the contractor’s personnel and labourers with the Estate security, which will include the completion of any documents, the giving of all registration and identification numbers as required by the DZHOA from time to time.
- 6.9 Should the DZHOA have any concern with the conduct of the contractor and/or sub-contractor, the DZHOA may rectify as deemed necessary and/or reserve the right to suspend building activity until such undesirable conduct is rectified, which it may do at any time and without notice and without recourse from the owner and/or contractor and/or sub-contractor.

## **7 SUPERVISION & INSPECTION**

- 7.1 DZHOA reserves the right to inspect all sites at any time and the right to access may not be denied to an official of the DZHOA or a representative such as security officials.
- 7.2 Inspections particularly prior to weekends and public holidays will be made to ensure that the sites are left in good and neat order and that all safety precautions have been taken.

## **8 LEGAL STATUS**

- 8.1 The rules and regulations governing building activities as set out in this document are binding on all owners, their contractors and sub-contractors. All owners are obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly adhered to.
- 8.2 Owners are accordingly required to include these rules in their entirety in any building and architectural contract. A signed copy of the Contractors Code of Conduct with all annexures must be submitted to the DZHOA prior to commencement of any construction activity.
- 8.3 The DZHOA reserves the right to suspend any building activity in contravention of any of the conditions and does not accept claims for any losses sustained by an owner, contractor or sub-contractor as a result thereof.

**ACCEPTANCE OF CONTRACTORS' CODE OF CONDUCT**

Signed at De Zalze on this _____ day of _____ 20____	
NAME OF OWNER	SIGNATURE
NAME OF CONTRACTOR	SIGNATURE
NAME OF ARCHITECT	SIGNATURE
<p>We hereby acknowledge that we have received the Contractors Code of Conduct. We have read the document and understand the content thereof and we agree to abide by all the conditions set out therein.</p> <p>The owner herewith acknowledges that he has read and understands clauses 2.1.3 and 2.1.4 of this document and agrees to pay penalties if the work is not completed within 12 the applicable period referred to therein.</p> <p>(penalties applicable from contractual completion date as per Building Commencement Certificate)</p>	
CONTACT NUMBERS	
1. OWNER	
(a) Tel:	
(b) Cell:	
(c) Fax:	
(d) E-mail address:	
2. CONTRACTOR	
(a) Tel:	
(b) Cell:	
(c) Fax:	
(d) E-mail address:	
3. ARCHITECT	
(a) Tel:	
(b) Cell:	
(c) Fax:	
(d) E-mail address:	

**BUILDING COMMENCEMENT CERTIFICATE**

Erf No: .....

Construction Commencement Date: .....

Contractual Completion Date: .....

**Owner or Nominee/Builder:**

**Owner** .....

Address: .....  
 .....  
 .....

Contact No: .....


**Builder** .....

Address: .....  
 .....  
 .....

Contact No: .....

**We as owner and builder have fully acquainted ourselves with the Building Contractors Code of Conduct, including all annexures thereto as well as the Architectural Guidelines, and commit to adhering to the following:**

		Compliant	
		Y/N	Date
1.	Builders Code of Conduct completed by both owner and builder (every page initialled) and account details of person who paid builders deposit, submitted to HOA for refunding purposes.		
2.	Security Manager (021 880-2166) visited at contractor’s gate to arrange for registering of all contractors prior to moving to site.		
3.	Fees paid where applicable (builders deposit and builders board) and proof of payment submitted to <a href="mailto:finman@dezalzeestate.com">finman@dezalzeestate.com</a> or faxed to 021 880 2709.		
4.	Building inspection and road maintenance levies will be charged from the month in which building work has commenced until the month of completion.		
5.	Met with landscaper, to avoid damages to plants and trees during construction process. Fines can result as a consequence to damages and will be added to owner’s account each month.		
6.	Possibility of utilizing adjacent erf to be discussed as a storage area.		
7.	The contractor shall erect a 1.8 m high, green shade cloth hoarding all along the perimeter of the stand as per the approved site development plan, before any building activities commence. This hoarding shall be maintained and kept in a serviceable condition for the duration of the construction process.		
8.	Determine the position of the container, sand, stone, bricks and toilet on site. (All containers on site to be dark green) as well as where available water and electricity is to be sourced. No water/sewer pipes may be visible.		

9.	Working hours start at 07h00 and finish at 18h00 (off the Estate). A breach of these times can result in a fine.										
10	Permanent water/electricity meters have to be installed on the outer wall when facing a street or a close. Position to be indicated on the plan.										
11	A copy of the municipal approved building plans must be on site at all times.										
12	Any changes made to the approved plans must be resubmitted for approval prior to construction. Where alterations have been made in the absence of any approved plans, the owner will be penalised.										
13	Storm water has to be discharged strictly in accordance with design guidelines clause 25.9.										
14	Paving, pathways etc. have to be done strictly in accordance with Architectural Guidelines, clause 25.8.										
15	No articulated vehicles allowed on Estate.										
16	There will be additional charges for deviations to driveways, after consultation with landscape architect appointed by the Estate, as well as the actual work itself. This will be dealt with as stated in the Architectural Guidelines, clause 25.12.										
17	Workmen are restricted to their site only, a breach of this will affect a fine.										
18	Roads to be kept clean at all times, or a fine will be effected.										
19	The Estate Building Inspector will visit the site at least once a week. Written instructions will be given where necessary which have to be adhered to at all times.										
20	The construction period allows for a maximum of 12 months for new buildings whilst the time frame for alterations and additions will be forwarded to the DZHOA for approval, before commencement of construction. <b>The Contractual Completion date must be adhered to and the HOA could impose penalties for late completion.</b>										
21	No fires are allowed on site, a breach will result in a penalty.										
22	The proper procedures have to be followed, prior to the resident moving into a house (i.e. the completion certificate needs to be signed off by the HOA).										
23	The Owner and Builder must ensure that an Occupational Health and Safety Officer is appointed as per Clause 2.2.3 of the COC.										
24	Builders' board ordered from the HOA, for the cost of the owner. Information on builders board to be as follows:  <div data-bbox="368 1348 1382 1783" style="border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;">  <p style="text-align: right;">Tel: 021 880-2708 Fax : 021 880-2709</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2"><b>ERF NUMBER:</b></td> </tr> <tr> <td>Owner :</td> <td>Tel No:</td> </tr> <tr> <td>Architect:</td> <td>Tel No:</td> </tr> <tr> <td>Builder :</td> <td>Tel No:</td> </tr> </table> </div>	<b>ERF NUMBER:</b>		Owner :	Tel No:	Architect:	Tel No:	Builder :	Tel No:		
<b>ERF NUMBER:</b>											
Owner :	Tel No:										
Architect:	Tel No:										
Builder :	Tel No:										

**Important: The above has to be paid in full, prior to commencement of work on site**

**Bank Details:**

Acc. Name : De Zalze Winelands Golf Estate Home Owner's Association  
Bank : NEDBANK  
Branch :149-821 (Business Winelands)  
Acc. No. :1498 082 920

Note: Please ensure that when **internet payments** are made:

- The erf no is to be used as your reference

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**OWNER**

Signature: ..... Name: .....

**BUILDER**

Signature: ..... Name: .....

**HOA CHECKED AND APPROVED:**

Name: ..... Signature: .....

Time: ..... Date: .....

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## DE ZALZE WINELANDS HOME OWNERS ASSOCIATION

### SECURITY STANDARD OPERATING PROCEDURES

Preamble – The rules set out below cover both contractors and Sub-contractors. It is stressed however that main contractors are expected to ensure that their sub-contractors adhere to all the rules of the Estate and all building regulations. All contractors are required to report to the Security Control offices at least 72 hours before the build takes place, in order to register sub-contractors, between 07h00 and 11h00 (Mondays to Fridays).

#### 1. ACCESS

- a) If a contractor is required to operate on the Estate, the “COC” will need to be completed before any access will be given. The contractor must, when applying for access, complete a Contractors Information Document with all the relevant information, indicating the projected period that the contractor and is expected to operate on the Estate. No registrations will be done without a valid SA ID Book or passport.
- b) The main contractor is solely responsible for applying for access for his sub-contractors with security. The sub-contractor must, when applying for access, complete a sub-contractor Information Document with all the relevant information, indicating the projected period that the sub-contractor is expected to operate on the Estate. No registrations will be done without a valid SA ID Book or passport.
- c) If a contractor or his labourers are asked for identification by a Security Officer inside the Estate, and are not able to produce positive identification, a penalty per employee will be imposed on the contractor. A second offence for a transgressor, be it a contractor or labourer, will immediately result in suspension from the Estate for a minimum period of two weeks.  
Where illegal immigrants are identified they will be arrested and removed from the Estate, and the contractor will be penalised R1000.00 (one thousand rand) per transgression. Should this happen on a second occasion, the contractor will be suspended for one month.  
All contractors’ biometric access will only be activated for the period indicated on the application form.
- d) Contractors are encouraged to have clearly marked vehicles, such as e.g. display magnetic door signs.

#### 2. ROAD WORTHINESS

- a) Before accessing the Estate, contractors must ensure that their vehicles are in a roadworthy condition and that there are no oil leaks on vehicles. This requirement also applies to any delivery vehicle entering the Estate. Contractors must bring this issue to the attention of delivery companies in order to avoid any delays or extra cost implications, should access be denied. Delivery notes must reflect the erf no, failing which entry the Estate could be denied.

#### 3. RESTRICTIONS

- a) The following restrictions are applicable to vehicles entering De Zalze Winelands Estate.
  - Pre mix concrete deliveries – a maximum of 6 cubic metres

- Delivery of bricks 5 000 maximum

Should a vehicle (removal or other) exceed the permissible length or height prescribed by the Estate, the vehicle will have to park in the allotted secure area outside by the contractors' entrance. The goods will then need to be shuttled in or out of the Estate, using smaller vehicles.

#### 4. DAMAGES

If any damage is caused by a contractors/sub-contractor or a delivery vehicle on entering the Estate or at the building site, or anywhere else on the Estate, the main contractor will in all instances be held liable for all damages regardless, and the amount will be deducted from the owners "builders' deposit".

#### 5. LOST/DAMAGED CARDS

Any lost or damaged identification must be reported to the Security Control Room without delay. The replacement cost is R100.00 (one hundred rand) per card.

#### 6. PARKING

Construction vehicles may not be left unattended in such a manner that they may cause an obstruction to other road users. Construction vehicles may not be parked, on De Zalze Winelands HOA Public Space, a resident's property or on traffic islands in Villages, without prior written approval from the DZHOA. Transgressors will be penalized R250.00 (two hundred and fifty rand) for each transgression.

#### 7. LABOUR

- Labourers entering the Estate are not permitted to walk to a site or between sites during the day. Should labourers be found on sites other than those specified on the application form, a R250.00 (two hundred and fifty Rand) penalty per labourer will be imposed. This includes Garden Services.
- Should a contractor not be able to collect his labourers and exit the site as prescribed, Security must be notified by calling 021 880 2166 or 071 443 1779 and alternative arrangements must be made by the contractor with Security.
- Night Watchmen are not permitted on the Estate, except as per clause 4.3.
- Security will not get involved with any salary or wage disputes between contractors and their labour. If any complaints are lodged with Security, the contractors and their labour will be removed from the Estate immediately. All biometric registrations will be suspended until the matter has been resolved between the parties concerned.

#### 8. HOURS OF WORK

The following times are to be strictly adhered to:

- Weekdays – Access at 07h00 and exit no later than 18h00
- Saturdays – Access at 08h00 and exit no later than 12h00 by prior arrangement only
- Sundays and Public Holidays – No access allowed

Should contractors need to pour concrete which requires an extension to the prescribed time, the DZHOA must be notified in advance and approval will be confirmed to the Security Control Room by no later than 17h00.

Contractors are to note that no heavy duty and or other equipment associated with noise pollution may be operated on Saturdays.

All contractors must be off the Estate by the times stipulated, failing which a penalty per labourer will be imposed.

## 9. TRAFFIC RULES AND REGULATIONS

- a) The 30km/h speed limit on the Estate must be observed at all times. Security staff will conduct random speed controls on the Estate.
- b) Penalties will be imposed for disregarding road/traffic rules, signage and regulations set out in the Estate Rules.
- c) Transporting labour on vehicles will be restricted to persons sitting only, standing or hanging over the sides of the vehicles will not be tolerated.

## 10. GENERAL

- a) Firearms or dangerous weapons are not permitted on the Estate at any time.
- b) Liquor and the drinking thereof are not permitted on the Estate at any time by any contractor.

The DZHOA Contractors Code of Conduct (“COC”) agreement requires main contractors to advise their sub-contractors of the rules that pertain to activities on the Estate. No excuses will be entertained. A penalty of not less than R250.00 (two hundred and fifty rand) and not more than R1500.00 (one thousand rand), will be imposed on contractors or sub-contractors, should they be found guilty of breaching any of the above Security Rules and Regulations. **All penalties issued against contractors or sub-contractors will be deemed to have been issued against the owner, who will remain jointly and severely liable for the penalty, should the contractor or sub-contractor fail to pay same.**

## 11. DISCLAIMER

The attention of both main and sub-contractors is drawn to the Disclaimer signs displayed at the entrances to the Estate.



## PENALTY SUMMARY FOR OFFENCES

Contractor Security Rules	
Not following the correct access card application procedures	250
Cannot provide positive identification	250
Illegal Immigrant working on the Estate	1000
Labourer gained access with another individual's access card	1000 i.r.o labourer; 1000 i.r.o owner of access card
Not registered to work on the stand in question	1000
Vehicle not roadworthy	500
Exceeded prescribed maximum load allowed on the Estate (Concrete 5m <sup>3</sup> / bricks 10 000)	1500
Damages of any description on the Estate	500
Illegal parking	250
Labourer walking on the Estate outside of the demarcated premises	250 pp
Night watchmen found on duty without permission	1000
Exceeding specified working hours on the Estate	250 pp
Speeding	1000
Any other road traffic transgression	250
Overloading/labour hanging over the edge of the vehicle	250 pp
Carrying firearms or dangerous weapons	1500
Consuming of alcohol on the Estate	500
Non Compliance to "Contractor Code of Conduct"	1500
Excessive building rubble on site and burning of building rubble	650
Street sidewalks not kept clean of any building materials	300
Storage of building materials on pavement	300
No toilet facilities on site for labour	1000
Storage of building materials on adjacent stands or golf course without written consent	1000



## OHS & NOTIFICATION OF COMMENCEMENT OF WORK

Department of Labour: Fax: 086 6319184  
OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

Regulation 3 of the Construction Regulations, 2003

1. Name and postal address of Principal Contractor:

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2. Principal Contractor's Compensation Registration Number: \_\_\_\_\_

3. Name and Postal address of Client:

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4. Name and Postal address of architect/consulting engineer(s) for the project:

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5. Name and Tel. No of Principal Contractor's Construction Supervisor on site:

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6. Exact Physical address of the Construction site or site office:

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7. Nature of the Construction work: \_\_\_\_\_

8. Expected Commencement Date: \_\_\_\_\_

9. Expected Completion Date: \_\_\_\_\_

10. Estimated Maximum number of persons on the Construction site: \_\_\_\_\_

11. Planned number of sub-contractors on the Construction site: \_\_\_\_\_

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Principal Contractor

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Date

\* This Document is to be forwarded to the Office of the Department of Labour **PRIOR TO THE COMMENCEMENT** of the work on site with a copy given to the HOA.

## HEALTH & SAFETY REQUIREMENTS FOR CONSTRUCTION / BUILDING WORKS

### INTRODUCTION

To ensure that the De Zalze Winelands Golf Estate complies with the Occupational Health and Safety Act 85/1993, the following procedures have been compiled to assist you.

### WHO MUST COMPLY WITH THESE REQUIREMENTS?

All owners who are undertaking alterations and additions, or building a New House, where the Scope of Work is identified as below:

- (i) the demolition of a structure exceeding a height of 3 metres; or
- (ii) the use of explosives to perform construction work; or
- (iii) the dismantling of fixed plant at heights greater than 3m.
- (iv) the duration exceeds 30 days or will involve more than 300 person days of construction work;
- (v) includes excavation work deeper than 1m; or
- (vi) includes working at heights greater than 3 metres above ground level or a landing.

### Definition of Construction Work:

“**construction work**” means any work in connection with

- (a) The erection, maintenance, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure;
- (b) The installation, erection, dismantling or maintenance of a fixed plant where such work includes the risk of a person falling;
- (c) the construction, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system or any similar civil engineering structure; or
- (d) the moving of earth, clearing of land, the making of an excavation, piling, or any similar type of work;

### HEALTH AND SAFETY REQUIREMENTS AT DE ZALZE

The Owner of the Plot shall ensure that when Construction or Building Activities take place. Health and Safety Requirements must be followed at all times.

1. The Department of Labour should be notified in writing as required by Construction Regulation 3 before work commencement by the contractor.
2. Only competent contractors to be employed who are registered with the Compensation Commissioner.
3. The contractor must have a Health and Safety File on site with all relevant legal documentation i.e.;
  - (i) SHE Plan & Risk Assessments
  - (ii) Appointments

- (iii) Induction site Specific
- (iv) All Registers
- (v) Identity Documents of all personnel on Site

4. The contractor must issue the Staff with the relevant Personal Protective Equipment as required by General Safety Regulation 2.

All Incidents must be reported to the Home Owners office in writing the same day of the Accident in Compliance with the General Administrative Regulation 9.

1. When employing more than five (5) persons, you are required to provide your own First Aid Box (GSR 3(2)).
2. If you employ more than ten (10) persons, you are required to provide your own qualified First Aider as per GSR 3(4)

Note: Monthly Update of Risk Assessments in line with the Building Programme and control measures communicated to the relevant staff as per CR.7

3. Monthly Audit on all contractors and issue deviation list as per CR 5
4. When working with Hazardous Chemical Substances, comply with HCS Reg. 3
5. When using a Materials Hoist, comply with the requirements of CR. 17.
6. When using Lifting Machines and Lifting Tackle, comply with DMR 18

Note: You may be required to appoint a Banksman to control Lifting/Slings operations

7. When erecting/using Scaffolding comply with the requirements of SANS/10085-1
8. When erecting/using Suspended Scaffolding comply with the requirements of CR. 15
9. When undertaking Demolition Work, comply with CR. 12
10. When undertaking Excavation Work, comply with CR. 11
11. When undertaking Electrical Installations, comply with the requirements of CR. 22

Note: Electrician to provide copy of registration as per EIR. 9(3)

12. When using Construction Vehicles, comply with CR. 21
13. When using/erecting Support/Form Work, comply with CR. 10
14. Ensure that good Housekeeping, Stacking and Storage principles are applied on this project as per CR. 25 and 26
15. Ensure that appropriate measures are taken to avoid the risk of Fire/Explosion and comply with requirements of CR. 27
16. When working at heights a Fall Protection Plan must be submitted (roof work included) as per requirements of CR. 8

17. When using Explosive Powered Tools, comply with CR 19
18. When Welding, Flame Cutting/Soldering, comply with GSR 9
19. When working in Confined Spaces, comply with GSR 5
20. You are responsible for providing your own legal safety documents and registers to comply with the Act's requirements

A copy of the OHS Act of 1993 and the Construction Regulations; 2003 will be available for perusal in the site office.

21. You are required to comply with General Safety Regulations 2(1) to (7) and provide your employees with:
  - Personal protective equipment which will allow them to carry out their work in a safe manner, e.g. hard hats, safety harnesses, gloves, safe footwear, eye protection, ear protection, waterproof clothing etc.
22. Reporting of Incidents of Occupational Diseases shall be done as per General Administration Regulation 9 (Also see Sect 24 of the Act).

**23. Health and Safety Representatives**

The contractor shall ensure that Health and Safety Representatives are appointed in conjunction and trained to carry out their functions – such appointment must be in writing. The Health & Safety Representative shall carry out regular inspections and keep records and report their findings to the responsible person at Health and Safety Meetings.

**24. General Record Keeping**

The contractor shall keep records to demonstrate that they are in compliance with this specification, the OHS Act (Act 85 of 1993) and the Construction Regulations. The contractors shall ensure that all records of incidents/accidents, training, inspections, audits, etc. are kept in a Health and Safety File on Site and make it available on request.

**25. Emergency Procedures**

The contractor must present De Zalze with detailed emergency procedures prior to commencement of work on site. The procedures shall detail the response plan including:

- a) List of Key Competent Persons;
- b) Details of Emergency Services;
- c) Action Steps relating to specific types of emergencies;
- d) Information on Hazardous Material.

**26. Work Area Demarcation**

The work area should be demarcated with all appropriate signage displayed to warn employees, visitors or students of potential risk areas e.g. NO UNAUTHORISED ENTRY, OVERHEAD WORK.

**27. Contractors and Sub-Contractors**

No sub-contractors can be appointed by the permit holder unless their Health & Safety documents have been approved by the responsible Safety, Health & Environmental (SHE) Officer on site.

## 28. Stacking of Materials

The contractor and all sub-contractors must ensure that materials, equipment etc. are stacked and stored safely.

## 29. Hazardous Chemical Substances

The contractor shall ensure that all hazardous chemicals on site have a Material Safety Data Sheet and all users are made aware of the hazards and precautions that need to be taken when using these chemicals.

## 30. Plant and Machinery

Only authorized/competent persons are to use machinery under proper supervision appropriate Personal Protective Equipment (PPE) and clothing must be provided and maintained in good condition at all times.

## 31. Pressure Equipment Regulations

All contractors must comply with the Pressure Equipment Regulations including:

- Competency and awareness Training of Operations.
- Provisions of Personal Protective Equipment or clothing
- Keep records of inspections of equipment.
- Provide appropriate firefighting equipment on hand / site.

## 32. Hired Plant Machinery

The contractor must ensure that all hired plant and machinery are safe for use. Operators hired with machinery are competent and certificates are kept in the Health and Safety file.

## 33. Scaffolding/Working at Heights

Working at heights includes any work that takes place in an elevated position. The contractor must present a Risk-Specific Fall Prevention Plan in accordance with the C R 8.

All scaffolding must be inspected after erection weekly after inclement weather or any change in position.

## 34. Lifting Machines and Tackle

The contractor must ensure that all lifting machinery is inspected before use and thereafter in accordance with the Driven Machinery Regulations and Section 20 of the Construction Regulations.

The lifting machinery and tackle operator must be competent and inspect the equipment daily or before use taking into account:

- Safe working load clearly indicated;
- Regular servicing and inspection;
- Record of inspections and servicing;

- Proper supervision in terms of guiding;
- Crane operators are competent.

### 35. **Ladders and Ladder Work**

The principal contractor shall ensure that all ladders are inspected, in a safe working order and are the correct height for the task. Records of inspections must be kept in a register on site.

### 36. **Portable Electric Tools and Explosive Power Tools**

The contractor must ensure that the use and storage of all power tools and portable electric tools are in compliance with relevant legislation. The contractor must also ensure that all electrical tools, electrical distribution boards, extension cords and plugs are kept in safe working order.

Regular safety talks must be held with regards to the safe use of such equipment.

The contractor must consider the following:

- Only authorised trained persons use the tools;
- P.P.E. and clothing provided and maintained;
- Register of issue and returns of explosive rounds;
- That safe working procedure applies;
- Signs posted where explosive powered tools are being used.

### 37. **Occupational Health**

All contractors must ensure that proper health hygiene measures are in place to prevent exposure to occupational health hazards that could enter the body through inhalation, ingestion, absorption and Noise Induction, e.g. cement dust, wet cement, wood dust and noise.

## **CONCLUSION**

Owners must ensure that the contractors are audited at least monthly with a Deviation List as required by Construction Regulation 4(1)(d) (Clients Duties) (See [www.publicworks.gov.za](http://www.publicworks.gov.za))

Owners can appoint Health & Safety Agents to ensure that the requirements as imposed on them in terms of Construction Regulation 4 are as far as reasonably practicable transferred to the Health & Safety Agent ([www.frontline.co.za](http://www.frontline.co.za)).



**Fee structure for building activities**

<b>Value of building work</b>	<b>&lt;R100 000</b>	<b>&gt;R100 000</b>	<b>&gt;R1 000 000</b>
Builders deposit - no VAT	<b>R5 000</b>	<b>R10 000</b>	<b>R15 000</b>
Water meter and box (new home) - incl VAT	<b>R3 000</b>	<b>R3 000</b>	<b>R3 000</b>
Electricity meter and box (new home) - incl VAT	<b>R3 500</b>	<b>R3 500</b>	<b>R3 500</b>
Builder board - incl VAT	<b>R1 400</b>	<b>R1 400</b>	<b>R1 400</b>
<b>* Monthly payments: (incl VAT)</b>			
Building administration	<b>R 725</b>	<b>R 725</b>	<b>R 725</b>
Contribution to road maintenance	<b>R 545</b>	<b>R 545</b>	<b>R 545</b>
	<b>R1 270</b>	<b>R1 270</b>	<b>R1 270</b>
<b><u>Plan Scrutiny Fee (incl VAT)</u></b>			
New Plan Scrutiny Fee	<b>-</b>	<b>R3 420</b>	<b>R7 410</b>
Re-submission Plan Scrutiny Fee	<b>R 570</b>	<b>R1 710</b>	<b>R5 130</b>
Alterations Plan Scrutiny Fee	<b>R1 710</b>	<b>R2 850</b>	<b>R3 990</b>

\* Monthly payments will be increased annually on 1 June according to the current CPI rate.

**Banking details:**

De Zalze Winelands Golf Estate  
 Nedbank Winelands Business  
 Account no: 149 808 2920  
 Branch code: 149-821  
 Reference: erf no scrutiny