



BUILDING CONTRACTORS CODE OF CONDUCT

Introduction

The Kyalami Estates Home Owners' Association (KEHOA), the legal representative of residents of Kyalami Estates, has adopted certain rules relating to building/contracting activity in the Estate. Building/contracting activity is defined as any activity relating to the building trade i.e. painting, tiling, paving, etc. The primary intention of the provisions hereunder is to ensure that all building activity at Kyalami Estates occurs with the least possible disruption to existing residents. In the event of any uncertainty, owners and/or their contractors are welcome to contact the Estate Manager or the appointed Security Company.

Legal Status

The conditions governing the building activity as set out in this document are rules adopted by KEHOA and are therefore binding on all owners, their contractors and sub-contractors and/or owner-builders. Furthermore, all owners are obliged to ensure that their building contractors, sub-contractors and/or workers are made aware of the conditions and comply with them. Owners are therefore required to include the 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 KEHOA for prior approval. KEHOA has the right to suspend any building activity in contravention of any of the conditions and KEHOA accepts no liability whatsoever for any losses sustained by an owner, contractor or sub-contractor, as a result thereof.

Conditions regarding building contracting activity

1. Access to the Estate

An access system, requiring registration of time-limited biometric profiles is in use (or in the case where a fingerprint cannot be obtained, an access card is applicable). There are various requirements that need to be fulfilled prior to the successful application for access rights (please refer to Addendum A to this document). The cost of registration for access rights, being R300 each, will be for the account of the contractor concerned. In the situation where an access card is issued, the card is person specific and only the person to whom the card was issued and whose photograph is on the card, may use the card. If this regulation is contravened a penalty will be issued and/or access will be revoked. Please contact the Estate Office for further details or to book an appointment for registration.

Residents/Owners are prohibited from issuing contractors with any access rights other than those applicable to contractors. A penalty will be imposed should this occur.

Contractors with their workers will only be permitted to enter or exit the Estate through the gate on Lyndore Avenue (bottom gate). In exceptional circumstances, and at the discretion of the Estate, the main gate may be used from time to time.

If a driver has not been registered biometrically (or have an access card), the driver will be requested to produce his driver's license irrespective of whether he is in possession of an access code or not. All the contractors' workers and/or sub-contractors must enter the Estate on foot, through the turnstile at the bottom gate and re-enter their vehicles for transport to site once inside. All contractors and their workers must be in possession of a valid identity document or passport with a valid work permit, or valid asylum papers whether working for an owner, contractor or sub-contractor.

Resident owner/builders are to handle access/exit in exactly the same way as external contractors as the Estate must have a record of all their workers each day. In other words, Resident owner/builders are not permitted to drive their workers in the Estate via the Residents lanes without having their workers go through the turnstiles.

Please be aware that the speed limit within the Estate is strictly 40KM, all contractors must adhere to this.

2. Hours of Work

Contractor activities are only allowed during the following hours:

Weekdays 06h30 to 17h00 exit by the very latest 17h30

Saturdays 08h00 to 14h00

Building activity will not be permitted after 14h00 on Saturdays, and no building activities will be permitted on Sundays or Public Holidays.

Contractors found working outside the prescribed times will be penalized.

Building activity is not permitted during the shutdown/holiday period in December / January period (dates will be advised annually).

3. Building Sites

In terms of the National Building and local authority regulations it is incumbent on the Contractor to provide temporary toilet facilities for the workers. This toilet must be fully screened and sited away from public view.

All building sites must be kept clean and tidy at all times. The Contractor shall provide a skip for rubble removal and shall ensure that workers use that facility. All rubble should be removed weekly by 17h00 on Friday afternoon, if the skip is full, failing which KEHOA will clear the site and debit the owner's levy account. The site must be kept free from litter at all times. No rubble or rubbish may be burnt on site. No rubble may be buried on site. These rules will be strictly enforced and offenders will be penalized.

Where materials are off-loaded by a supplier onto pavements or roadways, these materials must be moved to within the boundaries of the Stand/Erf within 48 hours of delivery, and NOT allowed to remain for any longer period on the pavement areas, unless special circumstances exist which necessitate written permission being requested from the Estate Manager. Deliveries from suppliers must be scheduled in public times only, as mentioned above. A penalty will be levied for any contraventions.

- Where permission to use the pavement/verge is granted the materials must be kept neat and tidy and must not inhibit the use of the pavement by pedestrians.
- In cases where there is no need to use the pavement/verge and where no boundary wall exists or where contracting activities impact on neighbouring properties the materials must be kept neat and tidy.

4. Screening of Building Sites

Building sites visible to the road must be screened from view. Screens must be erected using **100% strength GREEN** shade cloth, and be attached to either:

- gum poles that are 125mm in diameter (1.8 to 2m in length), or
- metal poles/stakes (1.8 to 2m in length)

Poles must be securely driven into the ground and all be of the same height. Screening must be a minimum of 1.8 metres high and must be pulled tight between the poles. Screening must be in place from the time building activities start, and be left neat at the end of every day. Failure to comply will result in a penalty being levied.

5. General

Once on site no workmen are permitted to walk around the Estate. All food must be provided prior to entering the Estate. Workmen will not be allowed to walk to any shops. A penalty will be imposed should this take place.

No night watchmen and/or other workers may remain on any building site/stand after the above "public time" hours, as set out in point 2 of this document.

For safety reasons no passengers/workmen are allowed to stand up on the back of a vehicle and the vehicle may not be overloaded.

It is essential that all contractors and owners note that they bear the responsibility for ensuring that the roads are swept clean of all materials including soil, sand, stone, bricks, ready-mix concrete, etc., and where necessary the roadway must be washed. KEHOA intends to ensure that the roads are kept clean and reserves the right to impose penalties on any offender. Penalties will be payable to KEHOA at

the Estate Manager's office before further work may commence. Should this penalty not be so paid within the prescribed period, building operations can or will be suspended until such time as payment has been made.

Only **one** building board may be erected per site and this must comply with KEHOA's standards, details of which are available from KEHOA. Such boards must be removed after completion of construction.

The owner and the Contractor shall be responsible for any damage to kerbs and/or plants on the pavements and/or damage to private or Estate property.

In terms of the Local Authority and KEHOA rules, no dwelling may be occupied unless all work is completed and an occupancy certificate has been obtained.

Should KEHOA have any concern with the conduct of the owner/builder, contractor and/or sub-contractor, KEHOA may rectify as deemed necessary and/or reserve the right to suspend building activity until the undesirable conduct is rectified, which it may do from time to time and without notice, and without recourse from the owner and/or contractor and/or sub-contractor.

Contractors are solely responsible for the safekeeping of their materials and equipment.



CONTRACTORS REGISTRATION CERTIFICATE

THIS IS TO CERTIFY THAT THE FOLLOWING COMPANY HAS:

- REGISTERED WITH THE KYALAMI ESTATE HOMEOWNERS’ ASSOCIATION (KEHOA)
- THE CONTRACTOR HAS MET WITH THE KEHOA COMPLIANCE MANAGER BEFORE ANY WORK HAS COMMENCED

DETAILS OF CONSTRUCTION COMPANY

Name of Company:

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Contact Person:

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Contact Person’s Cellular No.:

Postal Address:

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Physical Address:

.....

Telephone No.: Fax No.:

DETAILS OF OWNER AND STAND

Stand Owner:

Stand No.: Street:

Postal Address:

Telephone No.: Fax No.:

I HEREBY CONFIRM THAT I HAVE RECEIVED A COPY OF THE CONTRACTORS CODE OF CONDUCT, WHICH I HAVE READ AND UNDERSTOOD AND WITH WHICH I WILL COMPLY.

SIGNATURE: **Date:**
(Owner)

SIGNATURE: **Date:**
(Contractor)

SIGNATURE: **Date:**
(Estate Manager for KEHOA)

SIGNATURE: **Date:**
(Compliance Manager for KEHOA)

Contractors Access Procedures

In order to gain access to Kyalami Estates please take note of the following:

- Contractors working in Kyalami Estates for 1 to 3 days need to be pre-cleared each day by the Resident they are working for.
- Any contractors working for 4 days or longer need to apply for access rights as per the procedures laid out below. If the contractor works for more than 1 Resident on the Estate at the same time, the Contractors Application Form must reflect all of the other residents stand numbers.
- If the contractor ends one contract and starts another within the original registration period, the contractor must come to the Estate Office and change/update their details to reflect the new contract information.

The following procedure is to be followed:

1. Contact the Estate office and provide us with your email address so that the relevant application form can be sent to you.
2. Complete the form and email it back to forms@kyalamiestates.co.za
3. If you are unable to complete the form or email it, please contact the Estate office for assistance.
4. Please ensure that all fields are filled in on the application form and that the details of all employees are included (if the information is not relevant please mark the field as 'N/A' otherwise the system will assume that the form is incomplete).
5. Once you have completed and emailed the form, please print a copy of the completed form and get it signed by the Resident that you are contracted to work for. (Only original signed copies will be accepted by the Estate office.)
6. Contact the Estate office to set up an appointment to complete the access registration.

Documentation Required

- Completed and signed 'Contractor Application Form' listing all employees
- Each employee must have an original bar coded South African identity document or a valid passport with a valid work permit or valid asylum papers
- A valid original driver's license for vehicle access (driver only)

Important Information

Only original documentation will be accepted – failure to provide this will result in the access application being denied.

If possible, bring the documentation to the office prior to the appointment and it can then be processed beforehand, making your appointment much quicker.

Please take note that the Office times are Monday to Friday 08h00 to 17h00.

Access applications cost R300 each.