

ENVIRONMENTAL MANAGEMENT COMPLIANCE

GENERAL REQUEST FOR COMPLIANCE

CIRCULAR 15 / August 15, 2015

To: Homeowners
Developers
Contractors
Sub Contractors

Members are referred to Circular 14 when we introduced the Estate Manager to members. We again attach the Circular for ease of reference.

The Elisenheim Estate is a Lifestyle Estate for people who want the experience of neighborhood living in the countryside. Everyone who is not an owner at Elisenheim is a guest of the estate and therefore we should adhere to the rules governing the sustainability of their lifestyle.

Management requirements for construction and operations.

The Environmental Management Plan (EMP) makes provision for, *amongst others* the following objectives.

- To minimize adverse impacts on the environment
- To conserve the biodiversity of the site
- To minimize disruption to existing neighbors
- To meet the requirements of all relevant legislation and agreements
- To prevent air, ground, water and noise pollution and KEEPING SITES CLEAN AND TIDY
- To avoid the risk of nuisances in the form of dust to neighboring residents
- To minimize the removal of vegetation
- Restrict the stripping of topsoil
- The collection of wood on site is not allowed
- The prevention of fire
- To minimize the use of water and recycle waste water
- To treat the whole area as groundwater sensitive
- To avoid any surface contamination

Homeowners, Developers, Contractors and Sub Contractors are ***individually and collectively*** responsible for the overall implementation of the EMP.

Homeowners and Developers are responsible to give a copy of the EMP to their Contractors and Contractors should inform their Sub Contractors of the contents thereof and ensure that they adhere to these rules. We strongly suggest that owners receive a signed copy of the document back from their contractors to avoid disputes.

It should be noted that all fines are issued to the owner of the erf who is responsible for collecting any penalties imposed on the “erf”

In practical terms this means the following;

- Roads and sidewalks should not be used for the storing of building materials of any kind
- Building material should be organized neatly and kept that way
- Building rubble and waste should be removed from the site on a weekly basis
- While the waste is on site it should be contained in a safe and neat way e.g. empty cement bags
- Excavated soil should NOT BE DUMPED on other sites or Public Open Spaces. It should be removed on a weekly basis
- Water connections should be inspected daily for leaks and NOT LEFT OPEN to spill water
- Water taps should NEVER run freely, wasting water
- Make sure that your water is connected to the site you are building upon. WE DO NOT USE ANOTHER SITE’S WATER
- Each site must have a waterborne construction type toilet fitted at the start of the construction period
- The contractor should ensure that its workers DO NOT use the site or public open space for a toilet
- The contractor should familiarise himself with protected tree species and NOT fell any tree or bush without prior consultation with the ESTATE MANAGER
- No firewood shall be collected
- Not to allow any open fires within the construction areas or Public Open Spaces
- Vehicles shall not be driven or parked on “no-go” areas

Procedures and process correcting non-compliance

All contractors shall comply with the environmental specifications and requirements. Any failure by the owner or contractor will entitle the ESTATE MANAGER to impose a penalty – as mentioned it will be issued and charged against the levy account of the erf.

- The ESTATE MANAGER shall issue a notice of non-compliance.
- The contractor shall have 24 hours or another specified time to correct the non-conformance
- Contractors requested to comply shall provide the ESTATE MANAGER with a written statement describing the actions to correct the non-conformance as well the expected results of the actions. E.g. where building rubble was dumped on Public Open Spaces and the vegetation had been destroyed as a result or where protected trees had been damaged or removed.

- Failing to remedy the situation within the predetermined timeframe or in the case of permanent environmental damage the ESTATE MANAGER shall impose a monetary penalty based on the conditions of the contract.
- The ESTATE MANAGER shall in the case of a contractor not being able to remedy environmental damage or destruction, have the right to undertake such remedial works as may be required to make good the damage as well as to recover from the contractor the full costs incurred in doing so.
- Any party shall have the right to refer any dispute to independent specialists for determination. (The procedures can be obtained from the Estate Manager)
- ***The ESTATE MANAGER shall at all times have the right to stop work, deny access to the estate and/or certain activities on site in the case of EMP non-compliance or failure to implement remedial measures!***

Fines and penalties

The fines and penalties are instituted in terms of the Articles of Association and governing documents of the estate. We attach Circular 15.2 – Complaints and Disciplinary Code of the Estate.

The document deals with all aspects of the Disciplinary Code as well as fines imposed.

The request

The ESTATE MANAGER is hereby requesting all parties concerned in the development of Elisenheim to familiarize themselves fully with the contents of this Circular.

It is important that owners and Building Contractors arrange a meeting with their staff to discuss the contents of this Circular with them.

Please make sure that they understand this as well as the consequences for not following the rules i.e. the issuing of fines in the case of non compliance.

We urge owners and Building Contractors to immediately clean up your site! This circular is clear enough for you to know what to do but should you require clarity you may contact the Estate Manager.

Owners and contractors are given seven work days from the date of this circular to do that. After this period, the ESTATE MANAGER will do an inspection of all the sites and only then, penalties will be enforced.

We urge owners and contractors:

- Remove all extra soil from excavations; the soil that you will not use for filling or anywhere else.
 - ***This will open up space on your site for other building material presently lying on the sidewalks and in the streets.***
 - ***It will also minimise the dust in the Estate.***
 - Open sewerage lines that are waiting for Municipal inspections must be case left open.
- IMMEDIATELY remove ALL building sand, stone and bricks from the sidewalks and streets.
 - Clean the streets and sidewalks and keep it clean.

- ***It speaks for itself that you should NOT have your sand, stone and bricks offloaded on the street and or sidewalk again!***
 - If you do not have enough space for the initial delivery, you will have to IMMEDIATELY after delivery reposition your material away from the street and or the sidewalk.
- Clean up your site from rubble like plastic pipes, steel off cuts, cement bags wood off cuts, dead trees and bushes etc, and take it to the dump.
 - The point of this cleaning exercise is to clean up the Estate so that the people living here do not have to look at the present mess.
 - ***Please arrange for the dumping of your rubble to be done on a weekly basis.***
- IMMEDIATELY service your water line couplings to ensure that it is not leaking.
- IMMEDIATELY remove all excavation material dumped on Public Open Spaces and other sites next to yours.
 - ***Nb! Rehabilitate the damage done on vegetation!***

A FINAL WORD

One of the most important elements of this lifestyle is peace and tranquility. The home owners do know and accept that building operations will carry on for the foreseeable future but it is our responsibility not to make things unpleasant for them.

Thank you,

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