

## **ANNEXURE “F”- 2 –CIRCULAR X Procedures and process correcting non-compliance**

All contractors shall comply with the environmental specifications and requirements.

Any failure on his part to do so will entitle the ESTATE MANAGER to impose a penalty.

- 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 ESTATE MANAGER shall at all times have the right to stop work and/or certain activities on site in the case of EMP non-compliance or failure to implement remedial measures!***

### **Fines and penalties**

- Vehicles, persons and equipment related to Contractors operations within the “no-go” areas or outside demarcated boundaries;
  - N\$2 000.00
- Any vehicle guilty of driving recklessly or with excessive speed;
  - N\$1 000.00
- Any material stored outside the demarcated boundaries;
  - N\$2 000.00
- Persons repeatedly walking outside the demarcated walking areas;
  - N\$1 000.00
- Persistent and un-repaired spilling of hazardous materials and materials causing pollution;
  - N\$3 000.00
- Persistent littering on site;
  - N\$500.00
- Contractors whose employees do not use the designated toilet facilities;
  - N\$1 000.00
- Individual employees who do not use the designated toilet facilities;
  - N\$200.00

- Disposal of waste in a manner other than what was agreed upon on site or the prescribed method in the waste management plan;
  - N\$5 000.00
- Deliberate lighting of illegal fires on site;
  - N\$2 000.00
- Felling of trees and or collection of wood;
  - N\$2 000.00
- Spilling and or wasting of water; Taps left open to run unattended. Water connections leaking water.
  - N\$2 000.00

### **The request**

The ESTATE MANAGER is hereby requesting all parties concerned in the development of Elisenheim to read this Circular at least a few times.

Please call all your employees together and 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.

Once this is done, please clean up your site! This circular is clear enough for you to know what to do.

### **You are hereby given seven work days from receipt 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.

I already anticipate a lot of excuses about the practicality of this clean up exercise therefore I discuss a few of the matters below.

- 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.***
  - Please do not tell me that your open sewerage lines are waiting for Municipal inspections; I KNOW THAT, in this case leave it open.
- IMMEDIATELY remove ALL building sand, stone and bricks from the sidewalks and streets.
  - Clean the streets and sidewalks and keep it clean.
  - ***Do NOT have your sand, stone and bricks offloaded on the street and or sidewalk again!***
    - If you do not have enough space, you shall 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.
  - I do not to enter into endless arguments about whose rubble it is please. 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***

I started this Circular with the lifestyle philosophy that our homeowners wish to experience. 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,

SCHALK KRUGER  
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