



BRACKENRIDGE HOMEOWNERS ASSOCIATION
ACCEPTANCE OF THE
BUILDING TERMS AND CONDITIONS

We hereby acknowledge that we have received the Building Performance Agreement inclusive of the Estates' building terms and conditions. We have read the document and understand the content thereof and we agree to abide by all the provisions set out therein.

ERF NUMBER	
Homeowner telephone number	
Homeowner cell phone number	
Homeowner email address	

Signed at BRACKENRIDGE ESTATE on this day _____ 20____

NAME OF HOMEOWNER

SIGNATURE

DATE

RECEIVED:

SIGNATURE

DATE

**OCCUPATIONAL HEALTH AND SAFETY AND NOTIFICATION
OF COMMENCEMENT OF WORK**



INTRODUCTION

To ensure that the Brackenridge Homeowners Association complies with the Occupational Health and Safety Act 85 of 1993, the homeowner is to ensure his appointee completes and signs the 37 (2) Agreement. The following procedures have been compiled to assist the homeowner in this process.

WHO MUST COMPLY WITH THESE REQUIREMENTS?

All homeowners 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;
- (ii) the use of explosives;
- (iii) the dismantling of any structure;
- (iv) excavation work; and
- (v) working at heights.

HEALTH AND SAFETY REQUIREMENTS AT BRACKENRIDGE ESTATE

The HOMEOWNER shall ensure that when construction or building activities take place. Health and Safety requirements are followed at all times.

1. The Department of Labour should be notified in writing as required by Construction Regulation 3 and 4 before construction work commences;
2. Only competent contractors to be employed who are registered with the NHBRC and Compensation Commissioner;

3. The contractor must have a Health and Safety file on site with all relevant legal documentation; and
4. All incidents must be reported to the HOA office in writing the same day of the accident in compliance with the OHS Act General Administrative Regulation 9.

CONCLUSION

Homeowners may appoint Health and Safety Agents to ensure compliance with the obligations imposed upon them under Construction Regulations 5.5 and 5.6 allowing these responsibilities to be transferred, as far as reasonably practicable, to the appointed agent. The appointed Health and Safety Agent will then be responsible for conducting monthly audits in accordance with CR 5(1)(p) and CR 7(1)(vii).

Important Notice: The Homeowners' Association (HOA) will not authorize the commencement of any works until Universality Health and Safety, the designated Health and Safety Consultant for Brackenridge, has verified compliance with the requirements listed above. To avoid any potential delays, please reach out to Paul De Beer at paul@universalitysa.com or 082 772 0318 well in advance. Universality will issue a Start-Up/Compliance Certificate as part of the HOA's Health and Safety Management System.

SECURITY STANDARD OPERATING PROCEDURES FOR CONTRACTORS	
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The rules set out below cover both contractors and sub-contractors. It is stressed however that Principal Contractors are expected to ensure that their sub-contractors adhere to all the rules of the Estate and all building regulations.

1. ACCESS

- 1.1 If a contractor is required to operate on the Estate, the Building Performance Agreement will need to be completed before any access will be given. When asking for access, the contractor must complete the Access Request Form with all pertinent information, including the estimated period during which the Contractor will be operating on the Estate.
- 1.2 The principal contractor is entirely responsible for applying for access for his sub-contractors and staff with the Security office. Access registration fees are to be paid.
- 1.3 If a contractor or his staff are requested to provide identification by a Security Officer, or by any other HOA official on the Estate, and are unable to produce positive identification, a penalty per employee will be imposed on the principal contractor as per schedule of transgressions and penalties. If the same transgression is repeated the contractor or staff may be suspended from the Estate.
- 1.4 All contractors' access passes will only be active for the period indicated on the application form. Any deviances from the set times must be done via written application to the Security Office.
- 1.5 Contractors are encouraged to have marked vehicles using vinyl or magnetic door signs to display the company name and logo.

2. ROADWORTHINESS

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 applies to any delivery vehicle entering the Estate. Contractors must bring this issue to the attention of their delivery companies to avoid any delays, should access be denied.

3. RESTRICTIONS

The following restrictions apply to vehicles entering Brackenridge Estate.

- Maximum 10 tons
- Non-articulated vehicles only

4. DAMAGES

If any damage is caused by a contractor/ sub-contractor or a delivery vehicle or any other person affiliated with the contractor, on entering the Estate, or at the building site, or anywhere else on the Estate, the homeowners' appointees will in all instances be held liable for all damages regardless, and the amount will be deducted from the Homeowners' building deposit.

5. 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 any Brackenridge HOA public spaces (POS) such as verges and green corridors or on other properties, without prior written approval from the HOA. Transgressors will be penalized as per the penalty structure.

6. STAFF¹

- 6.1 Staff of the contractor entering the Estate are not permitted to walk to a site or between sites during the day whilst on the Estate. Should staff be found on sites other than what is specified on their access application form, a penalty per worker will be imposed as per the schedule of transgressions and penalties.
- 6.2 Should a contractor not be able to collect his staff and exit the Estate as prescribed, Security must be notified and alternative arrangements made by the contractor with Security or else penalties may be imposed.
- 6.3 Should staff tailgate upon exit and not exit the Estate properly in accordance with the Estates access control protocol, the Principal Contractor will be penalized per transgression.

¹ Staff refers to all workers/labourers associated to the Homeowners' Appointees

6.4 Private Security officers are only permitted on the Estate, as per clause 8.4 of the Building Performance Agreement document.

8.4 No private security officers employed by the property owner are permitted on any site unless they are registered with PSIRA. All private security officers must adhere to all HOA security procedures. The HOA Security/Operations Manager is the only person authorized to register a private security officer on a building site.

6.5 Security will not get involved with any salary or wage disputes between contractors and their staff. If any complaints are lodged with Security, the contractors and their staff will be removed from the Estate immediately. All registrations will be suspended until the matter has been resolved between the parties concerned.

7. HOURS OF WORK

- Heavy-duty machinery is only allowed to start from 08h00.
- The following entry and exit times are to be strictly adhered to:

WEEKDAYS	
ENTRY	07:00
EXIT	17:00

- No work allowed on weekends or public holidays

Should contractors need to pour concrete which requires an extension to the prescribed times, the HOA must be notified in advance and approval will be confirmed to the Security Office by no later than 15h00 on the day of the pour.

All contractors must leave the Estate at the hours specified; failure to do so will result in penalties being imposed on the contractor and/or his staff according to the schedule of infractions and penalties.

8. TRAFFIC RULES AND REGULATIONS

8.1 The 30km/h speed limit on the roads in the Estate must be observed at all times. Security staff will conduct random speed controls on the Estate.

8.2 Penalties will be imposed for disregarding road/traffic rules, signage and regulations set out in the Estate Rules.

8.3 All staff are to be transported to and from the construction site by the contractor. Transporting staff will be restricted to persons sitting only, standing or hanging over the sides of an open vehicle (truck or bakkie) will not be permitted.

9. GENERAL

9.1 Firearms or dangerous weapons are not permitted on the Estate at any time.

9.2 No Alcohol or habit-forming drug will be permitted on the Estate at any time by any one of the homeowners' appointees and his staff.

9.3 Any dispute between the contractor and his staff must be settled outside of the boundaries of the Estate.

9.4 The Brackenridge HOA Building Terms and Conditions require that the homeowners' appointees advise their staff of the rules that pertain to all activities on the Estate. A penalty per person per incident will be imposed, as per the penalty structure, on contractors or sub-contractors, should they be found guilty of breaching any of the above Security Rules and Regulations, the Estate Rules and/or the Building Performance Agreement and its terms and conditions. All penalties issued against contractors or sub-contractors will be deemed to have been issued against the homeowner, who will remain jointly and severally liable for the penalty, should the contractor or sub-contractor fail to pay same.

10. DISCLAIMER

The HOA accepts no liability whatsoever for any losses sustained by, for instance, the suspension of building activity as a result of the contravention of the above rules. Neither the contractor, any of its subcontractors, any of its suppliers nor the homeowner, for whom work is undertaken, will have any claim against the HOA. The HOA will have sole discretion in the interpretation of all of these rules, and shall not be liable for the wrong interpretation of such.

BRACKENRIDGE SECURITY ACCESS REQUEST FORM

ANNEXURE D

Erf Number:	
Date:	

Applicant

Name: _____
 Surname: _____
 ID: _____
 Company: _____
 Email: _____
 Cell: _____



Vehicle:

Make: _____
 Model: _____
 Registration: _____
 Colour: _____

Access Required:

From Date: _____ To Date / expiry date: _____

Times: _____

*By Signing this form you accept to adhere to the Estate Rules which can be found online at www.brackenridgeestate.co.za and agree to allow the Estate to use your personal information in line with the Protection of Personal Information (POPI) Act.

For Office Use:

Approved: Yes / No Management Signature: _____

Access Device: _____ Tag Number: _____

Receipt No.: _____ Deactivation Date: _____

Applicant's Signature: _____ Date: _____



PENALTY SUMMARY FOR OFFENCES ON THE ESTATE

This Schedule is a guideline, amended from time to time, with additions and deletions as deemed necessary by the Board of Trustees.

DESCRIPTION OF TRANSGRESSION	Rule reference	1 st Offence	2 nd Offence	3 rd Offence
ROAD/TRAFFIC				
Speeding.	Security	R1000 - for driving above 39 km/h up to 44 km/h R2000 - for driving above 45km/h up to 50 km/h R3000 – 50 km/h and above		
Skipping stop signs and the disobeying of the Road Traffic Ordinance.	Security	R1 000	R2 000	R3 000
Driving quad bikes anywhere on the Estate.	Security	R1 000	R2 000	R3 000
SECURITY				
Unauthorized access by any person.	BPA	R1 000	R2 000	R3 000
Treating the security staff in an abusive manner.	BPA	R1 000	R2 000	R3 000
Homeowners illegally bringing in construction staff onto the Estate without following the correct procedures in terms of access.	BPA	R2 000 pp		
Homeowners allowing anybody onto the Estate without following correct procedures.	BPA	R2 000 pp		

Tailgating <i>Unauthorised access into the Estate by slipping under the boom which was raised to allow access to the previous person</i>	BPA	R2 000 pp		
ENVIRONMENT				
Illegal dumping by Homeowners and his appointees. <i>No rubble, refuse or building material shall be dumped or discarded anywhere on the Estate.</i>	BPA	R1 000	R2 000	R3 000
Littering (by any person on the Estate).	Security	R1 000	R2 000	R3 000
BUILDING CONTROL & COMPLIANCE				
Hoarding and netting (site closure). Not complying with HOA standards	BPA	R1000	R2000	R3000
Unauthorised to commence work on site	BPA	R1 000	R2 000	R3 000
Exceeding the maximum load allowed on the Estate	BPA	R1 000	R2 000	R3 000
Damages to the Estate and cost of rehabilitation	BPA	Costs to be determined HOA		
Illegal parking	BPA	R1 000	R2 000	R3 000
Staff walking on the Estate outside of the demarcated site/erf	BPA	R2 000 pp		
Exceeding specified working hours on the Estate	Security	R2 000 pp		

Building without an HOA/BARC & Municipal approved plan	BPA	R2 000 and offsite till plans are approved		
Deviation from HOA/BARC & Municipal approved plan	BPA	Warning to stop work on affected areas and submit rider plan within 7 days. Thereafter R2 000 and offsite until plans are approved.		
Failure to provide the approved plan on-site <i>(BARC stamped and/or Municipal stamped plan)</i>	BPA	Warning to provide an approved plan within 7 days. Thereafter R2 000 and offsite until plans are in possession.		
Building not Completed New (12 months) from date of plan approval	BPA	Penalty levy of 2 x monthly levy per month		
Building not Completed New (24 months) from date of plan approval	BPA	Penalty levy of 4 x monthly levy per month until completion		
Failure to wear proper safety equipment	BPA	Warning to rectify immediately, thereafter R1 000 and contractor offsite until situation remedied		
Disposing of cement/mix water into a stormwater drain	BPA	R2 000 plus cost of rehabilitation		
Failure to comply with the HOA building control and compliance instructions	BPA	R1 000	R2 000	off-site until the situation is remedied

FEE STRUCTURE FOR BUILDING ACTIVITIES



PLAN SCRUTINY FEES	AMOUNT
NEW BUILD Plan Scrutiny Fee (allows for 1 review)	R7000
NEW BUILD – Re – submissions (3rd review onwards)	R5000
ALTERATIONS AND ADDITIONS	
Minor – less than 6 months	R5000
Major – more than 6 months	R7000
Resubmissions	R5000
OTHER PLAN SCRUTINY	R2000 max.
Ad hoc applications and approval for other; like solar heat generations/water storage (JoJo tanks)/grey water systems, generators, air conditioners, geysers etc.	or as per BARC discretion

BUILDING DEPOSIT AND MONTHLY FEES		
CONSTRUCTION CATEGORY	A	B
Building Period Penalties will be applied if the building term is exceeded.	1 to 6 months	6 to 12 months
	NEW Alterations/Renovations Plans Required	NEW Builds and Alterations/Renovations Plans Required
Building Deposit	R10000	R20000
Building refundable deposit 50/50	R5000	R10 000
Monthly fees* Infrastructure maintenance & upgrades Administration Security	R 350 R 350 R 350	R 350 R 350 R 350
Monthly Fee	R1 050	R1 050

* Monthly payments will be increased annually on 1 January according to the current CPI rate or as per the Board of Trustees discretion.



BUILDING COMMENCEMENT CERTIFICATE

SITE DETAILS

NEW BUILDS ADDITIONS & ALTERATIONS REPAIRS

ERF NUMBER	ADDRESS						
Date of plan approval	<table border="1"> <tr> <td>DD</td><td>MM</td><td>YY</td></tr> <tr> <td> </td><td> </td><td> </td></tr> </table>	DD	MM	YY			
DD	MM	YY					
Construction Completion Date	<table border="1"> <tr> <td>DD</td><td>MM</td><td>YY</td></tr> <tr> <td> </td><td> </td><td> </td></tr> </table>	DD	MM	YY			
DD	MM	YY					

HOMEOWNER / APPOINTEE

NAME	SURNAME
CONTACT NUMBER	EMAIL ADDRESS

Compliance Check List – Plans and documents		Compliant	Non- Compliant
1.	The Building Performance Agreement completed by the homeowner and his appointees and the Building Terms and Conditions have been accepted and signed.		
2.	Plans approved by the HOA and Brackenridge Architectural Review Committee (BARC) and a copy to be on-site at all times.		
4.	Plans approved by Bitou Municipality (copy supplied), and a copy to be on-site at all times.		
3.	Building fees paid and proof of payment submitted info@brackenridge.co.za Refer to Fee Structure (Annexure F) of the Building Performance Agreement.		

Compliance Check List – On-Site

Compliant

Non-Compliant

1.	Site beacons are identified and clearly marked.		
2.	Storage area approved and in place.		
3.	Green shade cloth erected 1.8m high with 80% cover. Pulled taught and securely fixed to supporting poles.		
4.	Chemical toilet in place. Location of sand, stone, bricks, and container approved.		
5.	A builders' board and OHS board erected and complies with the HOA requirements.		
6.	Legal water connection or supply identified		
7.	Legal electricity connection or supply identified.		
8.	Access route to building site approved.		
9.	Refuse control: skip on site		

Infrastructure and Environmental Checklist		Compliant	Non- Compliant
1.	Verge condition		
2.	Road condition		
3.	Kerbs/edging condition		
4.	Street infrastructure: long streetlights, fire hydrants, electricity kiosk, street signage		
5.	Conservation / environmentally sensitive areas. A site meeting was arranged with the HOA		
6.	Special notes and any comments:		

HOMEOWNER / REPRESENTATIVE			
NAME AND SURNAME <i>(PRINT)</i>			
SIGNATURE	Date of Signature		
	DD	MM	YY
HOA REPRESENTATIVE			
NAME AND SURNAME <i>(PRINT)</i>			
SIGNATURE	Date of Signature		
	DD	MM	YY

BUILDING COMPLETION CERTIFICATE



SITE DETAILS

NEW BUILD ALTERATIONS & RENOVATIONS REPAIRS

Erf Number

Construction Commencement Date

Construction Completion Date

HOMEOWNER

Name

Surname

Contact Number

Address

COMPLIANCE CHECKLIST

COMPLETED

Plans

1. Plans approved by the HOA/BARC.
2. Council approved plans – hard copy submitted to the HOA.
3. An electronic copy of the As-built plan was submitted to the HOA.
4. Geo Tech report submitted
5. Stormwater management plan submitted. The engineer certified the installation on completion of the build.
6. A landscaping plan illustrating soft-scaping and hard-scaping together with a list of plants to be planted from the plant palette, was submitted to the HOA

Certificates

1. Engineer certificate supplied re. stormwater management design and installation (if required).
2. Copy of engineer's completion certificate supplied (structural and mechanical where applicable).
3. Surveyor's certificate attesting to the finished height of the building in accordance with the approved plan.
4. Copy of electrical compliance certificate supplied.
5. Copy of surveyor's certificate supplied.

6.	Copy of heights certificate 5.5 / 8.5 meters	
7.	Copy of plumbers' compliance certificate supplied (sewer, stormwater).	
8.	Copy of gas installation certificate supplied (if applicable).	

Site Reinstatement

1.	Shade cloth removed.	
2.	Construction signage removed.	
3.	Chemical toilets removed.	
4.	Refuse and building rubble removed.	
5.	Stored materials removed.	

HOA Infrastructure Inspection

1.	Verge condition - No damage	
2.	Road condition - No damage	
3.	Kerbs/edging condition - No damage	
4.	Street lights, fire hydrants, electricity kiosk, street signage - No damage.	

HOMEOWNER / REPRESENTATIVE

Name and Surname (print)	Date of Signature	DD	MM	YY	
Signature					

HOA BUILDING COMPLIANCE OR ITS REPRESENTATIVE

Name and Surname (print)	Date of Signature	DD	MM	YY	
Signature					

ESTATE GENERAL MANAGER

Name and Surname (print)	Date of Signature	DD	MM	YY	
Signature					

HOA FINANCE

Deposit to be released and monthly building fees to stop.	Amount paid	Less amount (indicate reason)	Reason
	R	R	
Account details:	Bank	Account Number	

AUTHORIZED BY

PPM	NAME	SURNAME				
Signature		Date of Signature	DD	MM	YY	