

KLEIN SLANGKOP

ENVIRONMENTAL MANAGEMENT PLAN

Version 1.3

VERSION HISTORY

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List of Abbreviations

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| HOA | Klein Slangkop Homeowners Association |
| EMP | Environmental Management Plan |
| EP | Environmental Particular Specification |
| ESA | Environmentally Sensitive Areas |
| SPM | South Peninsula Municipality |

Definition of Terms

| | |
|--|--|
| Klein Slangkop Homeowners Association (HOA) | The legally constituted body corporate comprising members who are owners of erven at Klein Slangkop. The Klein Slangkop HOA is governed by the terms and provisions of the Constitution. |
| Homeowners | All persons and/or organizations owning property at Klein Slangkop. All Homeowners are required to be Members of the HOA. Homeowners are not necessarily resident at Klein Slangkop. The property developer is deemed to be a member until such time as his properties have been disposed of. |
| Constitution | The document containing the terms and provisions relating to membership of the HOA, and the management of the township of Klein Slangkop. The Constitution contractually binds all Homeowners of Klein Slangkop to certain duties, responsibilities and behavior, effective from the date of transfer until disposal of the property. |
| Trustees | Members (Homeowners) elected by the HOA to act on its behalf, in particular to implement the terms and provisions of the Constitution and its subsidiary documents, including the Building Guidelines and EMP |
| Resident | Any person and/or organization resident at Klein Slangkop, generally either a Homeowner, or family members, guests or tenants of the Homeowner. |
| Environmental Officer | The person appointed by the Trustees or HOA to assume overall responsibility for monitoring the implementation of the EMP. |
| Contractor | Any agent contracted by Homeowners, Developer, Residents or the Trustees acting on behalf of the HOA to perform services at Klein Slangkop. Such services may include inter alia construction or maintenance of homes and maintenance of public open space, renovations, site works, gardening and landscaping. |
| External Auditors | The independent person and/or organization appointed by the Environmental Officer to audit the implementation and efficacy of the EMP. |
| Responsible Party | Individuals and/or organizations not complying with the relevant environmental specifications, or committing and act that contravenes the provisions of the EMP. Generally the 'responsible party' will be a Contractor or a Homeowner. |
| Principal | The party (either the Homeowner or the HOA) that engages or contracts with a Contractor to carry out works or services on their behalf at Klein Slangkop. Where the works or services take place on a private erf, the Homeowner shall be deemed to be the Principal, whether or not the Homeowner personally engaged the Contractor or not. |
| Local Authority | The government designated authority, charged with township, building and environmental planning and management. Currently this is SPM. |

1. COMMITMENT TO IMPLEMENT THE EMP

Environmental management and administration at Klein Slangkop is governed by three important documents, listed below in order of precedence:

- the Klein Slangkop Home Owners Association Constitution
- the Klein Slangkop Design Manual, including building and landscaping guidelines
- the Klein Slangkop Environmental Management Plan (EMP)

As such the EMP is one of the control documents listed in the HOA constitution, and can only be changed through the Constitution

The EMP provides specifications to minimize adverse environmental impacts of activities (e.g. home construction, maintenance, gardening etc) at Klein Slangkop. In most instances the Homeowners Association (HOA), Homeowners, and/or their Agents (Le. building and maintenance contractors) will be responsible for the implementation of the EMP.

The Trustees, Homeowners and their agents (hereafter "Contractor") are responsible for the effective implementation of the EMP. The Trustees and Homeowners must ensure that:

- Contractors are aware of the EMP;
- a copy of the EMP is provided to the Contractor on demand;
- The Contractor is contractually bound to implement the specifications the EMP that pertain to the work of Contractors.

The EMP includes a requirement for Contractors to develop their own methods/system for ensuring that the requirements of the EMP are met and that this system is operating effectively.

Not all environmental specifications in the EMP apply to all parties. The EMP has been structured accordingly into:

- **General Environmental Specifications**, which apply to all parties at Klein Slangkop
- **HOA Environmental Specifications**, which apply to the HOA, and which will be implemented by the Trustees acting on its behalf
- **Homeowners Environmental Specifications**, which apply to all homeowners and residents at Klein Slangkop
- **Contractor's Environmental Specifications**, which apply to all agents (mainly Contractors) engaged to carry out works or perform services at Klein Slangkop

It should be noted that the commitment to and implementation of the EMP does not suspend or replace relevant (environmental) legislation and all parties at Klein Slangkop must fulfill their obligations in terms of such legislation. A list of some of the relevant environmental legislation is presented later in the EMP.

2. ORGANISATIONAL REQUIREMENTS

This section outlines the required management structure for the administration of the EMP, with particular emphasis on the responsibilities of key individuals and groups.

2.1 RESPONSIBILITIES

2.1.1 Homeowners Association (HOA)

The Trustees, acting on behalf of the HOA shall:

- assume overall responsibility for the administration and implementation of the EMP;
- ensure that a copy of the EMP is included in tender documents issued to prospective Contractors engaged by them for the provision of services within Klein Slangkop, or ensure that said Contractors are aware of the relevant provisions of the EMP;
- ensure, through a contractual agreement, that appointed Contractors undertake to abide by and implement the relevant provisions of this EMP; appoint an Environmental Officer as the representative of the HOA to ensure effective implementation of the EMP;
- keep a record of contracts and agreements entered in respect of the EMP.
- appoint or engage a suitably qualified external environmental auditor to produce an EMP Compliance Report at least once a year, and additionally, when reasonably required by the Local Authority;
- provide a copy of any EMP Compliance Report to the Local Authority;
- implement the "General specifications" and "HOA specification" in the EMP

2.1.2 Homeowner

The Homeowner shall:

- assume responsibility for the implementation of this EMP on his erf/site and agrees to be bound by the conditions, obligations and provisions of this EMP. ensure that a copy of the EMP is included in tender documents issued to prospective Contractors for the provision of services within Klein Slangkop, or ensure that said Contractors are aware of the relevant provisions of the EMP;
- ensure through a contractual agreement that appointed Contractors undertake to abide by and implement the relevant provisions of this EMP;
- *pay the required building deposit before building or site clearance begins. This sum will be managed by the Estate Manager and will be utilised to rectify any non-compliance of building regulations should the Contractor fail to do so. Once the building is complete this sum or the balance thereof will be deposited into the Homeowner's levy account¹;*
- advise the Environmental Officer of the commencement of any construction operations prior to contractors moving on site;
- be liable, in the first instance, to the HOA for any damages or non-compliance by any Contractor engaged to undertake works on the Homeowners erf;
- implement the "General specifications" and "Homeowners specifications" in the EMP.

¹ Deposit agreed AGM 2003, amendment of EMP agreed AGM 2005.

2.1.3 Contractor

Each Homeowner shall ensure that all Contractors engaged by said Homeowner shall:

- enter into an agreement with the Homeowner in which they agree to comply with the relevant specifications in the EMP, especially those relating to Contractors;
- ensure that all employees, workers and sub-contractors working on the site comply with the relevant environmental specifications in the EMP;
- inform the Principal and/or Environmental Officer of potential and actual difficulties in implementing the EMP;
- inform the Principal and/or Environmental Officer of accidents and incidents which may occur;
- inform the Principal and/or Environmental Officer of any complaints received and corrective action taken;
- not have recourse to the HOA in relation to expenses incurred in the implementation of the EMP, including costs arising from corrective actions taken.

2.1.4 Residents

All residents should monitor the implementation of the EMP and report any breaches and concerns to the Environmental Officer.

2.1.5 Environmental Officer

The Environmental Officer:

- Shall be appointed by the Trustees to implement the EMP on behalf of the HOA, and monitor compliance with the EMP
- shall undertake frequent inspections (preferably daily) of any construction work at Klein Slangkop to determine whether Contractors are implementing effectively the EMP in the course of their work.
- may demand corrective actions (including a Stop Works Order) in case of noncompliance with the EMP.
- shall undertake regular (monthly) inspections of Klein Slangkop to determine overall compliance with the EMP
- shall keep a register of incidents, complaints and other documentation related to the EMP
- shall ensure that a list of emergency services (fire, hospital etc) and contact details is readily available at a suitable location at Klein Slangkop (e.g. security gate)
- shall present an interim environmental assessment and report at every Trustees meeting during the year, which shall be entered into the minutes of that meeting;
- shall assist the external environmental auditor in the preparation of the annual EMP Compliance Report;
- shall present the annual EMP Compliance Report to the Members of the HOA at the AGM;

2.1.6 External Environmental Auditors

Upon appointment, the External Auditors shall:

- review the efficacy of the management of the EMP (Le. the systems to ensure that the various parties listed in the EMP are aware of and undertaking their responsibilities).
- inspect Klein Slangkop in order to ascertain whether the EMP is being effectively implemented.
- assess the level of compliance with the provisions of the EMP
- produce an audit report for the HOA, reporting on the level of compliance and the efficacy of the management of the EMP, and listing any systematic breaches and concerns and recommending appropriate actions.

3. GENERAL ENVIRONMENTAL SPECIFICATIONS

The General Environmental Specifications apply to the HOA, Homeowners, the Environmental Officer and Contractors.

3.1 ENVIRONMENTAL LEGISLATION

South African Legislation concerning the natural environment, pollution and the built environment must be strictly complied with. This legislation includes but is not limited to:

- National Water Act 36 of 1998
- Environment Conservation Act No. 73 of 1989 including the noise regulations' promulgated thereunder
- National Heritage Resources Act no 25 of 1999
- Hazardous Substances Act 15 of 1973
- Drainage and Sewage Bylaws
- National Forests Act
- National Monuments Act 28 of 1969
- Nature and Environment Conservation Ordinance 19 of 1974
- Environmental Health Bylaw 314/1990
- Nuisance Regulations 137/1974 as amended
- Suppression of Nuisance and Preservation of Public "Health" 41/1945
- The National Building Regulations and Building Standards Act No 103 of 1977
- Nature Conservation Ordinance 19 of 1974 and any subsequent legislation which is promulgated
- National Environmental Management Act (107 of 1998)
- Pending legislation dealing with the control of alien vegetation
- Conservation of Agricultural Resources Act No 43 of 1983 and the regulations dealing with declared weeds and invader plants as amended from time to time

3.2 SITE CLEARANCE

3.2.1 Vegetation

Site clearance should be limited in favour of retaining the natural vegetation for incorporation into landscaped areas and gardens. Areas containing natural vegetation which will not be built on should be temporarily fenced off until construction is complete. Areas outside individual sites/erven may only be cleared.-with the written permission of the Environmental Officer.

In terms of a condition of the original subdivision of Klein Slangkop, no milkwoods shall be removed without an appropriate permit from the relevant authority together with the written permission of the HOA and the Local Authority. Homeowners are discouraged from applying for permission to remove milkwoods and buildings should be positioned in such a way that removal of milkwoods is not required.

Invasive alien vegetation, or any vegetation which in the opinion of the Environmental Officer, jeopardizes the environmental integrity of Klein Slangkop, shall be cleared.

Non-invasive alien vegetation shall be confined to individual erven and must be controlled within containers, vegetable patches or borders, .The costs of eradicating any spread or contamination of other erven or public open spaces by such vegetation will be recoverable from the Homeowner.

Due to the sensitivity of the dune vegetation habitats, access to the beach shall be through designated walkways/boardwalks only.

3.2.2 Removal of topsoil

Following removal of vegetation from previously uncleared areas, all topsoil (up to a maximum of 30cm depth) shall be removed and stockpiled for re-use in subsequent landscaping activities (or immediately). The stockpiles shall not be higher than 2 m in order to minimize composting. The stockpiles of topsoil shall be located so as to minimize dust generation. Should stockpiling outside the boundary of an elf be required, it may only be done with the prior permission of the HOA, and at a site designated by the Environmental Officer.

3.2.3 Stabilization of steep slopes and work areas

The disturbance of steep slopes and work areas may result in slope instability and erosion by rain and surface run off. All disturbed areas shall be immediately stabilized to prevent erosion. The method of stabilization is to have the prior approval of HOA and the Local Authority. Where re-vegetation of slopes is undertaken, this shall be in accordance with the Landscaping Guidelines in the Klein Slangkop Design Manual.

3.3 REFUSE

Refuse refers to all solid waste, including inter alia building rubble, construction debris (wrapping materials, timber, cans etc), waste and surplus food, food packaging.

All waste shall be collected and contained and no wastes shall be disposed of by burning or burying. The use of waste bins and skips is recommended. Bins shall not be used for any purposes other than waste collection and shall be emptied.

Waste should be removed before it becomes unsightly, or hazardous. Waste must be removed within 24 hours of written instruction to do so by the Environmental Officer. The disposal of all remaining waste shall be carried out no later than 24 hours after completion of works.

Where possible, waste shall be separated into recyclable and non-recyclable waste, and shall be separated as follows:

- Hazardous waste (including old oil, diesel, petrol tins, paint, bitumen, etc.)
- Recyclable waste (paper, tins, glass)
- General waste (especially construction rubble)

The HOA will provide a central collection depot/store for recyclable wastes (e.g. glass, paper, cans, and garden waste). Once this depot becomes available, recyclable wastes shall be deposited at this depot and regularly removed off site for recycling.

Hazardous waste, including waste oil, diesel and other chemicals (e.g. paints, solvents) shall be stored in (an) enclosed area(s) approved by the Environmental Officer, and shall be clearly marked. Such waste shall be disposed of off site by a specialist waste contractor, at a licensed hazardous waste disposal site.

3.4 PROTECTION OF FLORA AND FAUNA AND NATURAL FEATURES

Indigenous flora is to be protected throughout Klein Slangkop. It is illegal, in terms of Nature Conservation Ordinance 19 of 1974, to remove or pick any protected or unprotected indigenous flora (e.g. milkwoods) without the written permission of Cape Nature Conservation. Offenders will be prosecuted in terms of CPA Ordinance 19 of 1974 or other relevant legislation.

All fauna within and around the site shall be protected. Wild animals, birds and reptiles shall not be caught or killed by any means. Offenders may be prosecuted in terms of Nature Conservation Ordinance 19 of 1974 or other relevant legislation.

Pet owners are required to abide by the KSHOA Pet Regulations, and shall be held liable for the predatory actions of their pets. Owners of pets that repeatedly destroy flora and fauna or fail to abide by the KSHOA Pet Regulations will be obliged to remove such animals from the Estate if requested to by the Trustees.²

Defacement of, removal of, or damage to any natural features, such as rock formations, dunes, streams and ponds shall not occur without the prior written permission of the Environmental Officer.

3.5 PROTECTION OF ARCHAEOLOGICAL AND PALAEOLOGICAL SITES

If any palaeontological/archaeological material (e.g. fossils, bones, artifacts) is found the Environmental Officer shall be informed. If necessary, the Environmental Officer shall order work to cease and shall inform the South Africa Heritage Resources Agency and arrange for a palaeontologist/archaeologist to inspect, and if necessary excavate, the material, subject to acquiring the requisite permits from the NMC. Costs incurred will be for the account of the relevant property owner (if a private erf is involved) or HOA (if private areas are involved).

3.6 WATER MANAGEMENT

Activities in and near the Wildevoelvie estuary and the artificial stormwater retention pond (in the northwest of the township) shall be strictly controlled, and no water shall be pumped to or abstracted from either of these sources. Water shall not be wasted (e.g. leaving taps running, watering areas excessively etc).

Pollution of the ground or surface water shall not be permitted. Therefore, any mechanical equipment used shall be clean, free from leaks of oil, petrol, diesel, hydraulic fluid, etc. and contaminated compounds.

Chemicals and other hazardous materials, including poisons, shall be stored and handled as directed in this EMP, so as to prevent the contamination of natural water resources. Spills or incidents involving hazardous materials shall be reported to the Environmental Officer, who shall report same to the Local Authority and the Water.

3.7 DUST AND NOISE CONTROL

Existing residents at Klein Slangkop and in adjacent areas, and users of the nearby beaches are sensitive to dust pollution. Therefore, dust- and noise-generating activities, however caused, shall be kept to a minimum. The noise regulations promulgated under the Environment Conservation Act No. 73 of 1989 must be adhered to. All reasonable precautions shall be taken to minimize noise generated on site, especially when working in areas or on activities that may impact on neighboring land users.

² Amendment agreed AGM 2003

All activities which may create dust, disturbance or noise shall be limited to normal working hours (Le. Monday to Friday, 8h00 - 17h00) and Saturday until 13h00, unless written approval has been granted by the Environmental Officer.

Additional working hours may not exceed those set out in the National Building Regulations. Contractors engaged in dust or noise-creating activities shall be cleared up and off site within 45 minutes of the end of the stipulated working periods.

3.8 EMERGENCY PROCEDURES

Contractors shall set up simple emergency procedures prior to commencing work.

Homeowners and/or Contractors shall advise the Environmental Officer of any emergencies, incidents or accidents on site, together with a record of action taken. The Environment Officer shall ensure that a register of emergencies is maintained, and that the Local Authority is notified of any emergencies.

No fires are permitted outside of individual erven.

3.9 LIGHTING

Lighting shall not be intrusive for surrounding residents/owners.

3.10 SITE REHABILITATION & LANDSCAPING

Upon completion of work, any cleared or disturbed areas shall be rehabilitated. All construction equipment and excess aggregate, gravel, stone, concrete, bricks, temporary fencing and the like shall be removed from the site upon completion of the work.

Topsoil removed from disturbed areas shall be replaced. Care must be taken not to mix the topsoil with the subsoil during shaping operations. Once the topsoil is in place, disturbed areas shall be vegetated in accordance with the "Recommended Planting List" in the Design Manual.

No kikuyu lawns may be planted in the township, because of the invasive properties of kikuyu and its heavy requirements for water during summer.

All rehabilitation is to be done to the satisfaction of the HOA and South Peninsula Municipality

4. HOA ENVIRONMENTAL SPECIFICATIONS

The Trustees, acting on behalf of the HOA:

- Shall ensure that the General Specifications of the EMP are applied and enforced in the private and public areas of Klein Slangkop;
- Shall ensure that all residents and Homeowners are aware of and in possession of a copy of the EMP;
- Shall maintain landscaping and irrigation systems on Private Open Space and within road reserves
- Shall appoint the Environmental Officer;
- Shall commission regular annual Environmental Audits by external auditors. Shall produce and implement a Landscaping Design for the Estate (as per clause 7.7 of the Constitution) and advise all Members of the same

5. HOMEOWNERS ENVIRONMENTAL SPECIFICATIONS

5.1 WATER CONSUMPTION

The Homeowner:

- shall endeavour to water/irrigate early in the morning or late in the evening.
- is encouraged to spread mulch on open areas to retain soil-moisture and reduce watering requirements for plants.
- shall consider re-using treated "grey water" (bath and shower) for irrigation.
- is encouraged to plant indigenous plants adapted to dry Cape summers, as recommended in the landscape guidelines in the Design Manual.

5.2 ROADSIDE VERGES

The Homeowner shall ensure that the roadside verge adjacent to his property is landscaped and maintained. This includes:

- planting appropriate vegetation, as per the Recommended Plant List in the Design Manual, and per the Landscaping Design for the Estate
- ensuring that the stormwater ditch is clear of obstructions and that the flow of water is not hindered. This might entail installation of a pipeline (if the ditch is filled) or construction of a "bridge" over the ditch.
- maintaining the roadside verge, and keeping it free of all alien vegetation.

The Homeowner shall submit a landscaping plan to the Environmental Officer for approval, before landscaping commences.

6. CONTRACTORS ENVIRONMENTAL SPECIFICATIONS

6.1 DEMARCATION OF THE WORK AREA

It is important that the construction and associated activities are conducted within a limited area so as to facilitate control and to minimize negative impacts on the existing natural environment (e.g. the milkwood trees), the beaches, other residents, thoroughfares and other construction activities in the vicinity.

The Principal (Homeowner or the HOA) shall ensure that the Contractor clearly demarcates the boundaries of the work area in order to restrict construction activities to within said work area. The Contractor shall determine the method of demarcation. For Homeowners, the work area shall be restricted to the confines of their own erf.

No construction activity shall commence prior to demarcation of the site and before the demarcation has been approved by the Environmental Officer. All plant, labour and materials shall remain within the boundaries of the work area. Failure to do so may result in the Homeowner being required to fence the boundaries of the site at own expense to the satisfaction of the HOA.

No work is permitted outside of boundary of the work area, with the exception of the roadside verge immediately adjacent to the erf. If additional areas (e.g. for laydown, rest areas for workers) are required, the Homeowner must approach the developer, HOA (and implicated neighbouring property owners) for written permission to gain access to these areas. No areas outside the site may be cleared or levelled. If permission is not granted, then access will be refused and the Homeowner will have to make other arrangements.

A single container is permitted for storage of tools during initial construction of the dwelling for a reasonable period (but not exceeding 4 months). The container may not be stored outside of the work area. Homeowners are urged to use their garages for the safe storage of goods during building operations.

6.2 DEMARCATION OF ENVIRONMENTALLY SENSITIVE AREAS

Contractors shall not enter Environmentally Sensitive Areas (ESAs), including those listed below, unless they have received authorisation from the Environmental Officer.

- Private Open Spaces
- stormwater retention pond
- foredunes
- milkwood thickets
- Klein Slangkop peak and surrounds
- Wildevoelwei estuary
- other sensitive areas as designated by the HOA from time to time.

6.3 ABLUTION FACILITIES

Contractors shall provide and use chemical toilets unless other arrangements have been approved by the Environmental Officer.

In the case of chemical toilets, a minimum of one toilet per 15 persons shall be provided. Toilets shall be easily accessible and shall be transportable. The toilets shall be secured to prevent them from blowing over, and shall be provided with an external closing mechanism to prevent toilet paper from being blown out. Toilet paper dispensers shall be provided in all toilets. Toilets shall be cleaned and serviced regularly by a reputable toilet-servicing company. Toilets shall be emptied before long weekends and builders' holidays. Toilets shall be locked after working hours. No chemicals and/or waste from toilet-cleaning operations are to be spilled on the ground at any time.

Defecation or urination by Contractor Employees anywhere other than in the toilets shall not be permitted.

6.4 DUST AND NOISE CONTROL

During building operation dust control shall be exercised, through measures including, but not limited to, spraying of water on bare areas, rotovating straw bales and the scheduling of dust-generating activities. If water is used to minimize dust pollution, as little water as possible shall be used. limiting site clearance to below the 50% maximum will also prevent dust generation.

All Contractors shall comply with the National Building Regulations with regard to noise. Compliance with National Noise Regulations is required

6.5 WATER MANAGEMENT

6.5.1 General

Contractors must ensure that pollution of the ground or surface water does not occur as a result of site activities. Pollution could result from the release, accidental or otherwise, of contaminated runoff from construction camps, discharge of contaminated construction water, chemicals, oils, fuels, sewage, run off from stockpiles, solid waste, litter, etc.

All mechanical equipment used in construction activity is required to be clean, and free from leaks of oil, petrol, diesel, hydraulic fluid, etc. and contaminated compounds.

6.5.2 Storm water

Natural (storm water) run-off shall be diverted away from the (construction) sitecamps towards the stormwater drains where these are available. Preventive measures shall be taken by the Contractor to ensure that sand, silt and silt-laden water do not enter the stormwater drain system.

6.5.3 Discharge of construction water

Construction water refers to all water polluted as a result of construction activities.

Polluted runoff (excluding silt "pollution" and cement washings), shall not be discharged overland, but shall be directed into the local sewerage main. Silt-laden water shall not be discharged directly into any surface watercourses (Le.' Wildevoevlei estuary, retention pond).

In the construction of buildings limited quantities (less than 50_ of cement-laden water may be discharged overland, *i.e.* washings from trowels, wheelbarrows and the like. No concrete washing shall take place within 50m of ESAs. Water from washing large concrete-mixing equipment (trucks, mixers and the like) shall not be discharged overland, but shall be collected and removed from the site.

6.6 MATERIALS HANDLING

No oil, petrol, diesel, etc. shall be discharged onto the ground. Pumps and other machinery requiring oil, diesel, etc. that are to remain in one position for longer than two days shall be placed on drip trays. The drip trays shall be emptied regularly and the contaminated water disposed of off site at a facility capable of handling such wastewater. Drip trays shall be cleaned before any possible rain events that may result in the drip trays overflowing, and before long week ends and holidays.

Refuelling of heavy machinery and equipment shall take place outside Klein Slangkop or in a designated sealed area in order to protect against pollution caused by spills and/or leaks. Measures shall be taken to prevent spills, e.g. when filling machinery with petrol, oil, diesel, etc and all leaking equipment shall be repaired immediately or removed. All waste (e.g. oil-, petrol-, and diesel-soaked sand) shall be collected and disposed of off-site in an approved manner.

Concrete shall be mixed on mortarboards, and not directly on the ground, and the visible remains and aggregate shall be physically removed immediately and disposed of as waste.

Any material, substance or chemical that is hazardous or has the potential to pollute (e.g. paints, solvents, herbicides, pesticides, poisons) shall be stored in appropriate containers, and stored and handled in such a way that the environmental integrity of

Klein Slangkop is always safeguarded, and the safety of its inhabitants is never prejudiced.

The disposal of such materials and substances shall be done off site by a specialist contractor, at a licensed hazardous waste disposal site.

No chemical fertilisers are permitted.

All relevant national, regional and local legislation with regard to the transport, use and disposal of hazardous materials shall be strictly complied with.

A register of any spills or incidents involving hazardous materials shall be kept, and forwarded to the Environmental Officer on a regular basis.

6.7 EMERGENCY RESPONSE

6.7.1 Fire

No open fires shall be permitted on site. Closed fires or stoves shall only be permitted at a designated safe site to be determined by the Contractor. Sparks generated during welding, cutting of metal or gas cutting can cause fires. Every possible precaution shall therefore be taken when working with this equipment near potential sources of combustion. Such precautions include having an approved fire extinguisher immediately available at the site of any such activities.

6.7.2 Safety

Contractors shall:

- comply with the Occupational Health and Safety Act 85 of 1993 and any other relevant national, regional or local regulations with regard to safety on site.
- take all reasonable measures to ensure the safety of staff and residents.
- ensure that all construction vehicles using public roads are in a roadworthy condition, that they adhere to the speed limits, that their loads are secured and that any local, provincial and national regulations are adhered to. Vehicles transporting materials such as sand and stones shall be covered to prevent their contents falling or blowing off.
- record all accidents and incidents resulting in injury or death and reports these in accordance with the Occupational Health and Safety Act 85 of 1993 and inform the Environmental Officer immediately of these incidents, together with steps taken to treat injuries and prevent repeat occurrences.

6.8 LIVING AND RECREATION AREAS

Construction personnel shall not be housed on site, with the exception of security personnel. Security personnel shall be supplied with adequate rest and ablution facilities, water and refuse collection facilities and facilities for cooking and heating. Open fires are not permitted.

7. MANAGEMENT

This section focuses on the procedure for dealing with non-compliance and failure to implement environmental specifications. There are procedures for non-compliance and emergencies.

7.1 REPORTING AND MONITORING

All residents, visitors and Homeowners at Klein Slangkop should monitor the Environment at Klein Slangkop and its surrounds.

Any transgressions of the provisions of this EMP should be brought to the attention of the Environmental Officer for action.

The Environmental Officer shall undertake regular inspection of the Estate, as prescribed in the section on Responsibilities, to monitor environmental issues and identify and report on instances of non-compliance.

7.2 TYPICAL INSTANCES OF NON-COMPLIANCE

The following is a non-exhaustive list of possible instances of non-compliance:

- Carrying on, or permitting building activities, or noise or dust-creating activities outside of stipulated working hours.
- Using areas outside the site boundary (work area) without permission for storage, waste or other works
- Commencing building on an area in excess of permitted (50%) coverage Clearing and/or levelling area outside of the site boundary
- Clearing milkwoods without a permit
- Using the river for any purposes other than non-destructive recreation; Littering of the site and surrounds;
- Failure to manage Contractors and their operations;
- Burying waste on site and surrounds;
- Making fires outside designated areas;
- Defacement of natural features;
- Using the veld for ablution purposes, or failure to provide toilet facilities during construction activities;
- Spillage onto the ground of oil, diesel, and other liquid waste; Picking/damaging plant material;
- Introduction or planting of alien vegetation or vegetation not one the prescribed list
- Damaging/killing wild animals.

7.3 NON-COMPLIANCE

7.3.1 Procedure

1. The Environmental Officer shall attempt to identify the party responsible for non compliance (Responsible Party) as well as the Principal who engaged the Contractor.
2. In all cases where a Contractor has been engaged to undertake works on a private erf, then the Homeowner Shall be deemed to be the Principal, regardless whether or not the Homeowner personally engaged the Contractor or not.
3. The Environmental Officer shall be entitled to seek compliance and/or rectification directly with the Principal or (at his sole discretion) the Responsible Party, or both
4. The Environment Officer shall advise the Principal or Responsible Party verbally and in writing that they are in non-compliance with a particular environmental specification. This advice will normally state:
 - The relevant environmental specification
 - nature of the offence
 - suspected or observed date and duration of the offence
 - corrective action required by the Principal or Responsible Party
 - the deadline for completion of corrective action
 - consequences of non-compliance
5. The Environmental Officer shall inform the Trustees of the transgression and action taken.

6. If the Principal or Responsible Party does not take corrective action, then they shall be considered in breach of the EMP and the Constitution, and the Environmental Officer will

- inform the Trustees of the default;
- take such action is necessary to protect the environmental integrity of Klein Slangkop;
- recover the costs of remedial action, including damages, directly from the Principal and/or the Contractor (where a Contractor is involved) or Responsible Party (where no Contractor is involved) *using the building deposit if necessary*³;
- embark on the processes and remedies defined in the Constitution regarding Breach.

7. In the event where non-compliance contravenes existing legislation, the HOA shall take such steps as are necessary to bring the contravention to the attention of the relevant authority, and will assist in ensuring that prosecution results.

8. In the event of disputes, a mutually acceptable third party may be appointed as arbitrator, or the Trustees may take such legal action as is provided for in terms of the Constitution.

7.4 EMERGENCIES

1. Environmental emergencies include any occurrence that affects the environmental integrity of Klein Slangkop, including fire, pollution or toxic spillage, or industrial accidents.
2. Any person who identifies an environmental emergency that require immediate attention should report these to the Environmental Officer, Estate Manager, Chairman of Trustees or any other Trustee as soon as possible.
3. If none of the above is available, then said person should immediately notify the relevant Emergency Service. Emergency Numbers are kept at the Security kiosk at the main gate.
4. If time permits, the Environment Officer shall embark on the procedures outlined in 7.3.
5. Where time does not permit, the Environmental Officer will arrange for suitable action to be taken to contain the environmental emergency, and to rectify it.
6. Costs of remedial action will be recoverable from the Responsible Party or Principal as outlined above.

7.5 PENALTIES & REMEDIES

In all instances where the HOA incurs costs in rectifying a breach of the EMP, enforcing the provisions of the EMP, or in taking remedial or preventative action to safeguard the environmental integrity of Klein Slangkop, the costs will be recovered jointly or severally from the Principal, Responsible Party, or the Contractor. I

³ Agreed AGM 2005

Since the onus is on the Principal (e.g. homeowner) to ensure that any Contractor engaged by him/her complies with the provisions of the EMP, the HOA shall be entitled to recover such costs directly from the Principal (Homeowner) in the first instance and at its sole discretion, from the Responsible Party, in the second instance.

- Actions that the Environmental Officer, or the Trustees shall be empowered to take in carrying out their responsibilities in respect of this EMP may include:
- Instructing the Security guard to refuse admittance to Contractors;
- Requesting issuance of a Stop Works Order;
- Employing its own Contractors to carry out such remedial works as may be required;
- Proceeding with legal judgement against defaulting Principals or Contractors for costs or damages incurred;
- Any other reasonable action permitted in terms of the Constitution.