



Shepherds Ground Build Code

Introduction

The Build Code describes requirements associated with building at Shepherds Ground. It incorporates Shepherds Ground performance standards as well as compliance requirements associated with Port Stephens Council Development Conditions of Consent.

Documentation required by the Board at each stage

1. Prior to the submission of your Development Application to Council

- A. Submit your house design to the Board for approval. If your house design is not based on or consistent with the GBA designs that are available to all members, please submit your “concept” design before proceeding with drawings by an architect or draftsman. Each member who is building is responsible when submitting their house plans to the Board to demonstrate how they meet both the essence and the detail of the build code. Your submission must demonstrate in writing that:
- the house position is reasonably consistent with the Master Plan
 - the proposed structure fits with typology
 - immediate neighbours have been consulted
 - the structure has no apparent adverse effect on neighbours
 - additional structures have been thoughtfully located
 - DA plans are consistent with the accompanying application.
- B. The Completed Development Application must be signed by two board members, and include house plans, BASIX and a Statement of Environmental Effects specific to your lot. Ensure all your documentation complies with PS Council requirements. An application for a Construction Certificate (CC) may be submitted at the same time as your DA application if you want PSC to be your principle certifying authority. All relevant fees are due at this time.

2. Prior to commencement of any site works

- Stamped, approved Development Application
- Construction certificate
- Insurance Certificate of Currency (for self-build)
- Builder/contractor’s Insurance Certificate of Currency
- Volunteers Insurance Certificate of Currency (if using volunteers)

3. Prior to Occupancy

- An interim Occupancy Certificate or
- An Occupancy Certificate
- A certificate of Currency of Public Risk Insurance

1. Design & Build Elements

1.1 Style - Individual houses but one whole village.

1.1.1 The beauty of a village is the way the houses talk to each other, the way they create a whole as an expression of the diversity of its inhabitants. At SG members' individual house designs should be sympathetic to the house designs in the original Port Stephens Council approved Masterplan. These houses all reflect a certain, similar typology with inspiration coming from the existing historic barn and from an approach led by Greg Burgess that relates to the built environment and the landscape.

1.1.2 An indicative colour palette is included in the original Masterplan. The palette identifies colours reflective of the surrounding bushland. With the intention of creating a harmonious whole, these colours or similar tones that reflect the natural colours of the site, should be used for the exteriors of all homes and any additional buildings such as sheds & parking bay carports. Please refer to the Masterplan approved by Council for the indicative colour palette. A useful guide is the Colourbond equivalent paint names that approximate the Master Plan indicative colour range. Indicative colour swatches are available in the Community Centre. Intended colour choices should be accurately indicated when you submit house plans to the Board for approval.

1.2 Choice of Materials

1.2.1 Wherever possible materials should reflect the principles of sustainable housing. When choosing building materials, members need to consider the embodied energy and durability of materials; and the thermal and insulation properties of materials, as well as the toxicity of materials. All materials choices used on site must consider relevant fire safety regulations.

1.2.2 Examples of building materials that may be used include hemp masonry (highly recommended because of its unique environmental properties, but not mandatory), Weather-tex panels, timber, corrugated iron, recycled and low carbon footprint materials.

1.3 House footprint – minimising impact

1.3.1 The maximum size of each house should reflect, within a few meters, the footprint as indicated on the Masterplan.

1.3.2 Some house sites may be conducive to the construction of two storeys. Reference to Councils' height limitations are required.

1.4 Additional structures

1.4.1 Any additional, non-house structures such as sheds or studios need to be included in your DA and must adhere to the Build Code of Australia (BCA), the SEPP 15 for Land sharing Communities guidelines and the SEPP for Exempt and Complying Development and the Development Consent issued by Port Stephens Council.

1.4.2 Other permanent and temporary structures, not incorporated into your DA, need approval by the Board and must comply with NSW Exempt and Complying Development legislation, PSC requirements and be subject to neighbourhood agreements and community consultation processes. They also need to follow the general aesthetic intent of the Masterplan and comply with safety issues such as construction, wind and fire exposure. Such structures can include but not be limited to bike sheds, cubby houses, greenhouses, skate ramps and other like structures.

1.4.3 Consideration of how your design affects others both directly and indirectly is required. Dialogue could include issues such as access to the site and the potential impact on

views as well as peace and quiet. Designs must be available to members for consideration prior to board approval. Clear and empathic conversations will minimise any potential for tension and the need to adjust design elements at a later stage.

1.4.4 The Board must approve all permanent and temporary structures before building, and members will need to demonstrate to the Board their compliance with all relevant regulations.

1.5 Zone of influence – personal space within the village

1.5.1 The environment surrounding each house is the site specific 'sphere of influence'. This is the area/green space around your house. The boundary of this space is half-way between your house and the house of your neighbour or to the edge of either an adjacent roadway, farm fence or walking path, or to another indicator as approved by the Board. The boundaries of the 'sphere of influence' can change by agreement with your neighbours and the Board, and recorded in a Neighbourhood Agreement.

1.6 Landscaping

1.6.1 Landscaping of a member's 'sphere of influence' is an individual member's responsibility, however relevant aspects of the DA and SG Landscape Plan will need to be incorporated. Consult relevant neighbours and the Board when considering the planting of large tree varieties that may block views, obstruct or cast shade on solar panels, or affect the village precinct.

1.6.2 Residents are encouraged to:

- i. facilitate the creation of functional and productive ecosystems through the application of natural principles;
- ii. create a microclimate that enhances the energy efficiency of dwellings;
- iii. not restrict the solar rights of neighbours by inappropriate planting;
- iv. provide for efficient and safe management of rainwater onsite to reduce evaporation, decrease run-off and ensure that water run-off on site, and leaving the site, creates no damage and contains no contaminants;
- v. not plant inappropriate large trees such as eucalyptus or pines around housing and other sensitive areas;
- vi. provide habitats for natural pest predators;
- vii. reduce fire risk through the use of fire-retarding plant species;
- viii. not involve the use of any natural or artificial biocides other than those approved by the Farming and Environment Community Working Group as appropriately safe;
- ix. aim for an organic closed-cycle approach for soil enrichment;
- x. ensure efficient nutrient management so that the natural fertilisers and manures that are used and/or created onsite do not contribute to nutrient run-off;
- xi. employ water conservation techniques to minimise the use of irrigation water in the landscape;
- xii. use species with low water requirements e.g. drought-tolerant species and species that thrive on greywater reuse;

- xiii. ensure that no plant species in the landscape of a block be allowed to invade a neighbouring block or community property and that the licensee(s) or user of a block will be responsible for the removal of any invading plant outside of the block;

1.6.3 Fences are generally not required in the village precinct. Exceptions may include the need to protect people and/or restrict domestic, native and wild animals. Plantings to screen and contain specific spaces and create movement corridors are encouraged.

1.6.4 House fencing standards regarding height and style of fence, will be set by the Board, in consultation with community, with consideration to the aesthetics of a rural environment. Respective licensees of adjoining member or Company sites are mutually and equally responsible for the care, maintenance, and cost of the screens/fences they share.

1.7 Utilities – underground connections

1.7.1 All houses need to be self-sufficient with regard to power, sanitation and rainwater collection and storage. A Council approved common grey-water system services all homes.

1.7.2 The grey-water trenching throughout the village also contains a separate pipe that, potentially, can carry additional communication cables.

1.7.3 Members must install a services pit near each house, with the position recorded on the detailed Masterplan. Services are provided by the Company, to the edge of the sphere of influence of each house, but in some instances, they may pass through your site. It is the members cost to take the services from the edge of their 'sphere of influence' to the house.

1.8 Water harvesting, storage and use

1.8.1 Roofs must be designed for rainwater collection and fitted with appropriate storage tanks and plumbing. Responsible use of water and the use of water-conserving fittings and technologies is required to minimise domestic water consumption.

1.8.2 The minimum water holding capacity required for each house specified by Council must include provision for firefighting. Steel and zinc-alum water tanks are recommended to increase our resilience in the event of a fire. The Board may approve additional water storage, including use of alternative materials when screened with suitable materials. Impact on neighbours is crucial when placing water tanks.

1.9 Energy, heating and cooling

1.9.1 Incorporation of both active and passive solar principles into your house will improve comfort and facilitate the required BASIX ratings.

1.9.2 Houses will perform best when oriented towards the north, and are of best-practice passive solar design that encompasses a combination of effective insulation, good passive solar design, good ventilation, well-planned thermal mass and appropriate landscaping.

1.9.3 In addition, well designed modern energy efficient heating and cooling methodologies are encouraged. Efficient slow-combustion wood-fired heating incorporating techniques that reduce pollution and ecological impacts, particularly when selecting fuels for burning, are acceptable. Emission control standards for NSW need to be met, when selecting appliances. These can be found [here](#) or at <https://www.rms.nsw.gov.au/about/environment/air/emission-standards.html>

1.9.4 The Company may explore and introduce the use of shared power options such as wind or solar farming. Members to consider whether their solar system installation has the capacity to connect to some form of mini-grid within the village.

2. Construction Process

2.1 Licence Agreement

2.1.1 Ensure you have signed your Licence Agreement and that you are aware of the time frame for completion of your build.

2.2 Select a house design or design your own

2.2.1 You can choose to use one of the house designs developed by Greg Burgess Architects. You can request a copy of a particular house design to use free of charge.

2.2.2 A house designed with your architect or drafts person will need to comply with the SG Build Code, the Conditions of Consent issued by Port Stephens Council, the Build Code of Australia (BCA), SEPP 15 for Land-sharing Communities and the SEPP for Exempt and Complying Development.

2.2.3 A document is accessible to all Members on the website detailing building professionals, suppliers and businesses approved by and previously contracted by members during their build. Consult to see which members may be able to provide further information or make a recommendation about a particular 'expert'.

2.3 Community Consultation with immediate neighbours

2.3.1 Discuss your design with as many community members as possible during the design process. This will enable you to gain from the experience of others and make sure you are not planning anything that will impact negatively on others.

2.3.2 Concept and draft plans should be

- a) shown or emailed to immediate neighbour members;
- b) placed on Google Drive and
- c) a hard copy must be displayed on the Community Hub notice boards.

Please ensure you follow up with your immediate neighbours.

2.4 Obtain a BASIX certificate

2.4.1 Generally, the BASIX is completed by your designer/draftsman. Those choosing to undertake their own design process should obtain a certificate via the BASIX Website. (Note: an approximate cost for the Certificate is \$50 per certificate and \$50 for each subsequent change).

2.5 Board Approval process and comments from members

2.5.1 Following feedback, and adjustment if relevant, your final plans must be circulated by email to all members when they are submitted to the Board. You should demonstrate how your house meets principles of sustainable housing and how it fits with the typology of the village. The Board will need up to 20 days to approve your plans, in accordance with this Code.

2.5.2 Two Board members must sign your Development Application prior to submission to Council.

2.5.3 Plans not approved by the Board that require alteration, are required to be resubmitted with the full consultation process and 20-day board approval process again.

2.6 Lodgment of your Development Application (DA) with Port Stephens Council

2.6.1 Your DA can be lodged as a stand-alone application, however the council fees for lodgment can be shared if other members are ready to submit at the same time. (N.B. You can apply for your DA and your Construction Certificate at the same time.)

2.6.2 To ensure lodgment and assessment progresses smoothly, ensure plans of your house respond to all relevant requirements of Council.

2.6.3 As part of your application, you will need to submit a Statement of Environmental Effects (SOEE). A generic copy of the Shepherds Ground SOEE is available which your designer can amend. The town planner, Paul McLean, has done all member SOEEs to date. It is quick and easy for him to 'amend' the SOEE for each Lot (just email him your plans) OR you and/or your designer can prepare your own SOEE

2.6.4 You are responsible for paying all the Certifier fees relating to your individual build, including all Council fees, payments and monetary contributions.

2.6.5 When approved, submit a copy of your DA to the Board.

2.7 Changes to your DA after Council Approval

2.7.1 If changes to the approved DA are needed you will need to again consult with the community (see 2.3 Community Consultation).

2.7.2 You must obtain approval from the Board before resubmitting your amended application to Council.

2.7.3 The Board requires a copy of the Council approval.

2.8 Structural Engineer

2.8.1 Develop a Building Brief for the Structural Engineer. For example; foundations such as Surefoot footings; hemp masonry to what loading capacity; and other structural considerations.

2.8.2 Your architect or draughts person will guide you on the best time to include your engineer.

2.9 Hunter Water Approval

2.9.1 You may need to take your STAMPED house plans to a Hunter Water office, fill out a form and pay approx. \$19.00 to confirm that Hunter Water has no assets in the area of the build. You should take the original Shepherds Ground Development Approval details with you in case this is required.

2.9.2 The Hunter Water approval is submitted with your Construction Certificate application to your certifier NO later than 14 days after being stamped by Hunter Water.

The development has had Hunter water Approval with the initial application. This should not be needed again.

2.10 Principal Certifying Authority (Certifier) and Construction Certificates (CC)

2.10.1 You can organize your own private certifier or engage the Council certifier.

2.10.2 Submit your Application for a CC to your certifier. You must pay Port Stephens Council the Section 7.11 Contribution of approximately \$7000 per site. (Note: you must have your CC application signed by two board members prior to submission)

2.10.3 Your certifier will issue your CC enabling you to build. The CC is required prior to commencement of any site works, earthworks or building construction.

2.10.4 Supply the Board with a copy of your CC prior to commencement of any works.

2.11 Construction Phase

2.11.1 Provide prior notification to your certifier of your intention to commence construction, by you if you are a self-builder or by your builder. The DA and CC conditions generally set out the requirements regarding notifications.

2.11.2 The build, including site preparation and earthworks, can now commence.

2.11.3 The certifier will undertake all the necessary inspections.

2.11.4 You are solely responsible to all your contracted builders, suppliers and other contractors for all related costs associated with the construction of your individual house and all associated structures.

2.11.5 You are also solely liable for the safe management of your build site and for compliance of your construction team with all standards.

2.12 Build Site management

2.12.1 Ensure that you maintain liason with the designated Build Site Manager, following instructions and directions given to you and your contracted workers. Build site requirements can include, but are not limited to issues, co-ordination and directions in relation to matters such as:

- a. traffic,
- b. noise,
- c. deliveries and materials storage,
- d. tradespeople,
- e. large trucks and earth moving equipment and
- f. general site procedures.

2.13 Site Safety Management

2.13.1 Members must liaise with the Building Site Manager (BSM) at all times and ensure correct use and management of the construction site and adjacent areas, and all roads. All directions of the BSM are final.

2.13.2 Access to a building construction site during the building phase must be restricted in a manner as negotiated with the BSM.

2.13.3 Temporary fencing of a building site may be required.

2.13.4 The storage of construction materials should be within the relevant approved site. Alternatively, an agreement can be negotiated with Shepherds Ground Pty Ltd, regarding the use of specific areas for storage. A *Neighbourhood Agreement* may be reached by individuals regarding the use of a neighbours' site.

2.13.5 Noise limitations must comply with Port Stephens Council requirements. As a general rule there should be no construction noise before 7am and after 6pm Monday to Friday. On Saturday no construction noise before 8am or after 1pm and no construction noise Sundays or Public Holidays.

2.13.6 All builders on site at SG need to follow all relevant council guidelines including, but not limited to, noise, erosion management, water pollution and storage of materials on the construction site.

2.13.7 Members who are building, are required to meet regularly with the BSM to confirm compliance with Shepherds Ground Build Code.

2.14 Build completion and Occupancy

2.14.1 Once all inspections are completed the building will be approved by the Certifier and an 'Interim Occupancy' or an 'Occupancy' Certificate will be issued. The Board must receive a copy of this certificate prior to taking up occupancy.

2.14.2 You have a maximum of two (2) years to complete your house construction from the date of your signed License Agreement. In exceptional circumstances, the SG Board retains the right to consider a change of the expected time-line for completion.