ITEM 9.5 **ALL ELECTRIC HOMES - POST-EXHIBITION REPORT**

Reporting Manager **Senior Strategic Planner**

Manager Strategic Planning

Attachments:
1. **Draft DCP_B12_Post council meeting 21 May 2024**
2. **Council Minutes_21 May 2024**

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. The amendment to *Canada Bay Development Control Plan* provided at Attachment 1, be adopted.
2. The Development Control Plan come into effect when it is published on the City of Canada Bay website.

PURPOSE

To report on the outcome of the public exhibition of a draft amendment to the *Canada Bay Development Control Plan* regarding the proposed restriction of gas use in new residential development.

EXECUTIVE SUMMARY

A draft amendment to the *Canada Bay Development Control Plan* (DCP) to restrict the use of gas in new dwellings was placed on public exhibition from 30 May to 26 June 2024.

Following the public exhibition period, 12 submissions were received. A number of submissions supported the proposed amendment to the DCP on health and environmental grounds. Issues raised in submissions relate to whether the proposed control will limit choice and whether appropriate alternatives are available to gas and electricity in the event of a black-out.

Arising from consideration of submissions, it is recommended that the draft DCP be adopted as proposed.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs

BACKGROUND/DISCUSSION

Background

At its meeting of 20 February 2024, Council resolved that:

1. Council write to the Minister for Energy to enquire what the intended strategy is for use of gas in new residential and commercial development

2. *The matter be deferred for further consideration of a draft amendment to the Canada Bay Development Control Plan as referred to in the report, following receipt of the Minister's response.*

At its meeting of 21 May 2024 Council resolved that:

1. *The letter from the Minister for Energy dated 24 April 2024 attached to the report be noted.*
2. *The attachment to the report that was previously presented to the Council Meeting of 20 February 2024 be adopted with the following change:*
    - *The draft amendment to the Canada Bay Development Control Plan which requires new or replacement residential dwellings to use only electricity for all energy requirements, as outlined in Attachment 1 attached to the report of 20 February 2024 [Item 9.5], be amended to refer only to new or replacement dwellings, and then placed on public exhibition.*
3. *A further report be provided to Council following the conclusion of the exhibition period.*

In line with this resolution, the draft DCP was amended to refer only to new or replacement dwellings, and to not refer to commercial buildings.

Draft Development Control Plan

The draft control proposed to be included in the *Canada Bay Development Control Plan* is provided below and at Attachment 1.

Objectives

O1 Reduce indoor air pollutants associated with the combustion of gas to improve the air quality for occupants.

O2 Reduce the cost to future occupants by minimising the need to upgrade gas infrastructure and for ongoing gas connection charges.

Controls

C1 All development involving a new or replacement dwellings are to use only electricity for all energy requirements.

C2 Where it is demonstrated that the intended use of the of the building requires a process or equipment that is not able to be served by electricity, fossil fuels may be provided to serve that service only. Evidence shall be provided with the application of market testing and equipment supplier advice to confirm that an electrically powered alternative is not technically possible.

C3 Where a development comprises residential dwellings and non-residential uses, the residential dwellings are to use only electricity for all energy requirements, and development applications are to demonstrate how this is achieved.

Note. The above control does not apply to external appliances that use bottled gas.

Public Exhibition

Public exhibition of the planning proposal took place from 30 May to 26 June 2024 (28 days), in accordance with Part 4 of the EP&A Regulations and the *Canada Bay Community Participation Plan*. Public exhibition was undertaken via the following platforms:

- City of Canada Bay Collaborate website
- Email newsletter
- A post on social media

Following the public exhibition period, 12 submissions were received with 4 submissions in support of the proposed amendment and 8 submissions objecting. A summary of the submissions and responses are provided in the table below.

	Submitter	Comments	Response
1	Individual	Objection. Council does not have the right to restrict what people want and can access.	Council plays an important role in safeguarding and improving the health and safety of the community. As well as having statutory responsibilities for public health protection under both the Public Health Act 2010 and the Food Act 2003, local government provides many additional services that contribute to community health and harm prevention. Councils also have a key role in relation to the preparation and application of development controls. In this regard, a number of Councils have introduced limits on the use of gas or are in the process of updating their DCPs to limit the use of gas for reasons related to health.
2	Individual	Objection. Electricity is prone to blackouts (storm damage, accidents) and there needs to be an alternative, instantaneous is expensive, hot water storage is wasteful, people need choice. Delay decision until alternatives are available.	Whilst blackouts are inconvenient, there are options for cooking without electricity that do not involve gas cooktops or electricity. Emergency options include outdoor gas BBQs, portable camping stoves, no-cook recipes, take-aways or dining out. Transitioning new homes in the City of Canada Bay to all-electric appliances will be incremental and is not expected to place a significant burden on the electricity network.
3	Individual	Objection. Council should also ban all fires (wood, coal) in commercial and residential, is not retrospective, no evidence has been provided to demonstrate that pollutants from electricity generation is cleaner than gas (manufacture, operation and disposal of wind and solar infrastructure).	Concerns in relation to the impacts of wood and coal fires are acknowledged, however the objectives of the draft DCP relate to the use of gas and electricity where it is used for energy requirements. The objectives of the draft DCP control relate to the health and financial benefits of banning gas. Pollutants associated with energy-generating infrastructure is beyond the scope of this proposal.
4	Individual	Objection. People should have choices, electrical cooking doesn't work for some cultural groups, retrofitted gas cooktops that use cylinder gas are dangerous.	Refer to response to #1 above.
5	Individual	Support. Thankful for taking the lead in reducing carbon emissions.	Noted.

6	Individual	Support. Will have environmental, economic and health benefits. Recent research has shown that potentially harmful gases are present throughout houses that use gas appliances.	Noted.
7	Individual	Support. Need to be replacing gas with electricity.	Noted.
8	Individual	Support. As much as possible should be done to reduce reliance on fossil fuels as soon as possible.	Noted.
9	Individual	Objection. Net zero will result in frequent blackouts, during which gas will be needed.	Refer to response to #2 above.
10	Individual	Objection. This is not future proofing. Gas might be alternative or cheaper in the future, gas is not a constant variable between households, electricity is prone to blackouts (power outages, storms, peak load), batteries have greater downstream environmental issues.	Refer to response to #2 and #3 above.
11	Individual	Objection. Concern that this requirement for new homes to be all-electric will transition to a requirement for all homes to be all-electric. Homeowners should have the right to choose.	The draft control relates to new or replacement dwellings only. Refer to response to #1 above.
12	Individual	Objection. Gas appliances, except gas cooktops, are required to be flued to outdoors. The only necessary change would be to require rangehoods to discharge to outdoors. Gas instantaneous hot water is efficient, visually pleasing/small, can be built into an external wall. Gas space heating that imitate burning wood cannot be created with electric heaters. Gas cooktops are preferred by chefs, including home cooks. AEMO states there is a shortage of electricity and homes can't function during a blackout. Gas is cheaper than electricity.	The Medical Journal of Australia has reported that high efficiency rangehoods reduce, but do not eliminate asthma-causing pollutants. It also cannot be assumed that all homes will have high efficiency range hoods. Refer also to #2 above. Converting apartment buildings and rental properties from gas to electric would be particularly challenging and expensive, therefore ensuring that new buildings are all electric will reduce built-in redundancy of infrastructure over time.

Arising from consideration of submissions, it is recommended that the draft DCP be endorsed.

FINANCIAL CONSIDERATIONS

There are no direct financial considerations for Council associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The draft amendments to the *Canada Bay Development Control Plan* are consistent with the requirements of *State Environmental Planning Policy (Sustainable Buildings) 2022.*