

## 10.9. Proposed DCP amendment - electrification of new residential developments

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<b>ATTACHMENTS</b>	1. Section 10 - Environmental Sustainability - Draft Amendment - Electrification - track [10.9.1 - 12 pages]
<b>CSP LINK</b>	<b>Outcome 1 – A healthy environment with thriving ecosystems and strong climate resilience</b> E3. Build climate resilience

### PURPOSE:

The purpose of this report is to seek Council’s endorsement of a draft amendment to the *North Sydney Development Control Plan (NSDCP) 2025*, for exhibition, that seeks to discourage gas connections and gas appliances in new residential development for environmental, health, and economic reasons.

### EXECUTIVE SUMMARY:

- On 11 December 2023, Council considered a Mayoral Minute to ban the installation of gas appliances in new residential dwellings. Council resolved that a report on amending Council’s planning controls to require that all new residential developments be all-electric be prepared for Council’s consideration. This report has been prepared in response to that resolution.
- On 17 June 2024, a Councillor Briefing was held to discuss a preliminary review of options and potential approaches.
- A further Councillor Briefing was held on 21 July 2025 providing updated information on the use of gas and recommending that draft Development Control Plan (DCP) controls be prepared to prohibit the gas connections and appliances in new residential developments.
- This report recommends that Council pursue a staged amendment of the NSDCP 2025, initially to prevent gas in new residential developments, with consideration to potentially expanding to non-residential developments, and alterations and additions to residential developments in the future, subject to further investigation and research.

### RECOMMENDATION:

- 1. THAT** Council endorse the draft amendment to the *North Sydney Development Control Plan 2025* to prevent gas connections and the installation of gas appliances in new residential development, as outlined in this report and detailed in Attachment 1, for the purposes of public exhibition.
- 2. THAT** the draft amendment to the *North Sydney Development Control Plan 2025* be placed on public exhibition for a minimum of 28 days.

- 3. THAT** Council delegate to the Chief Executive Officer the authority to make minor modifications to correct any numerical, typographical, interpretation, and formatting errors, if required, in preparation for the public exhibition.
- 4. THAT** the outcomes of the public exhibition be reported to Council.

## Background

On 11 December 2023, Council considered a Mayoral Minute seeking to ban the installation of gas connections and appliances in new residential dwellings. This was in the context of representations made by Doctors for the Environment Australia (DEA) which cited that the burning of gas indoors for cooking and heating, once thought to be a clean and healthy energy source, is now recognised to cause harm and is therefore no longer regarded as a healthy choice. Council subsequently resolved:

- 1. THAT a report on amending Council's planning controls to require all new residential developments to be all electric be prepared, a Councillor Briefing be held, and a report come to the next meeting of Council.*
- 2. THAT Council write to the Premier of NSW, The Hon. Chris Minns and The Hon Penny Sharpe, MLC, Minister for Climate Change, Energy, Environment, and Heritage urging the State Government to:*
  - (a) adopt the ACT and Victorian policy approach and develop a plan, supported by incentives or rebates, to transition homes and businesses from gas to renewable energy; and*
  - (b) not expand the State's gas industry.*

Letters to the NSW Premier and Minister for Climate Change, Energy, Environment, and Heritage were sent on 9 February 2024, in response to the second part of the Resolution.

In response to the first part of the above Resolution, a Councillor briefing was held on 17 June 2024 to provide Councillors with the results of a preliminary investigation into options for electrifying new residential developments. Council staff presented their findings and outlined available options, and Councillors expressed general support for a staged implementation. The key outcomes of the briefing and matters that Council staff were to report back to Council included:

1. address research undertaken to date
2. provide options to move towards all-electric buildings, with a general preference given to a staged implementation, comprising:
  - Stage 1 – Residential development (immediately)
  - Stage 2 – Non-residential development (later)
3. draft an amendment to the DCP.

On 21 July 2025, another Councillor briefing was held to provide a research update from Council staff, available options to Council, and to seek direction as to the preferred option. It was generally agreed that Council should pursue DCP amendments in stages, with the first stage applying to new residential developments followed by a second stage, potentially applying to non-residential developments and alterations and additions to residential developments, subject to further research and compelling evidence to justify the amendment.

This report specifically seeks to address the actions under the first part of the Resolution of the 11 December 2023 Council meeting, as well as matters and outcomes arising from the Councillor briefings.

## **Report**

### Reasons for moving away from gas and towards electricity

The shift away from gas towards electricity is increasingly recognised as essential for achieving both public health and environmental goals. Health professionals, including DEA NSW, have raised concerns about the harmful effects of gas use in building, such as indoor air pollution and associated respiratory illnesses. At the same time, Australia's commitment to the Paris Agreement requires significant reductions in greenhouse gas emissions, prompting all levels of government to act. In alignment with these national efforts, local councils are also pursuing stronger environmental outcomes through planning and policy reform. Transitioning to all-electric buildings powered by renewable energy not only supports Council's sustainability objectives but also contributes to a safer, healthier, and more resilient community which is aim of Council's 10 Year Strategies as well as the *North Sydney Community Strategic Plan*, and Delivery and Operational Plans.

### Doctors for the Environment (DEA) NSW

In December 2023, representations were made by a resident who is a member of the DEA NSW to Council in support of banning gas appliances and connections to new homes<sup>1</sup>.

DEA is a charitable organisation of doctors who recognise that human health and wellbeing require an environment free of pollution, capable of providing nutritious food, rich in biodiversity, and able to provide for current and future generations sustainably (<https://dea.org.au/>).

The DEA NSW supports the ban on gas appliances and connections for new homes and buildings, for the following reasons:

- *Increase the risk of asthma*

Research that tracked children in households with gas stoves, compared to those using other types of stoves, reveals a higher incidence of asthma. A 2013 review of existing studies found that children exposed to gas stoves faced a 42% greater risk of developing asthma. Based on this evidence, Australian scientists estimate that 12% of childhood asthma cases may be linked to gas stove use<sup>2</sup>.

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<sup>1</sup> DEA, Asthma and Indoor Gas Appliances Fact Sheet, October 2022.

<sup>2</sup>International Journal of Epidemiology, Meta-analysis of the effects of indoor nitrogen dioxide and gas cooking on asthma and wheeze in children, August 2013.

– *Increased respiratory symptoms*

A controlled trial of flued versus unflued heaters in NSW classrooms showed increased respiratory symptoms during the weeks when unflued heaters were in use<sup>3</sup>.

– *Increased respiratory disease*

The United States Environmental Protection Authority (EPA) conducted an exhaustive review known as an “Integrated Science Assessment” in 2016 in which results from epidemiology, human exposure studies, and animal exposure studies were combined. They concluded that short term exposure to nitrogen dioxide is causative of respiratory disease<sup>4</sup>.

In addition, the burning of gas results in a series of gaseous bi-products (nitrogen dioxide, formaldehyde, carbon monoxide, and benzene) which are harmful to human health. A minimisation approach for existing homes that utilise gas appliances requires public education about improving ventilation whenever a gas appliance is used and the phasing out of indoor gas appliances. Preventing gas appliances in new dwellings should be considered based on health considerations for residents.

### Paris Agreement

The Paris Agreement is a legally binding international treaty adopted in 2015 that aims to limit global warming to well below 2°C above pre-industrial levels, and preferably to 1.5°C, by reducing greenhouse gas emissions worldwide. Australia is a party to the Paris Agreement, which came into force in 2016, with global efforts specifically focused on addressing climate change. Australia is committed to reducing its greenhouse gas emissions by 43% below 2005 levels by 2030, in line with its obligations under the Paris Agreement and other international treaties, including the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol.

### Research on Electrification of Developments – City of Sydney (Cos) Council

In March 2025, the City of Sydney (CoS) Council released a Discussion Paper on the electrification of new development to support amendments to planning controls to not allow new gas connections in new residential and non-residential development<sup>5</sup>.

The Paper highlights the potential health risks associated with using gas in buildings. Burning gas for cooking and heating produces harmful indoor air pollutants like carbon monoxide, nitrogen oxides, and formaldehyde—even when appliances are turned off. These pollutants can lead to substantial health issues, particularly respiratory problems such as asthma. While venting gas appliances outdoors may help, pollutants can still find their way back indoors. Health experts, including the Royal Australian College of General Practitioners, support the

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<sup>3</sup> Environmental Health Perspective, Respiratory Health Effects of Exposure to Low-NO<sub>x</sub> Unflued Gas Heater in the Classroom: A Double-Blind, Cluster-Randomized, Crossover Study, July 2010.

<sup>4</sup> US EPA, Integrated Science Assessment for Oxides of Nitrogen – Health Criteria, January 2016.

<sup>5</sup> Aurecon, Research on Electrification of Developments, August 2024.

shift to electric appliances, which eliminate these harmful byproducts<sup>6</sup>. Electric options like induction cooktops and reverse-cycle air conditioning not only reduce emissions but also create cleaner, safer indoor environments - especially important for children, people with asthma, and other vulnerable groups.

Furthermore, there are strong environmental and economic benefits to transition from gas to electricity in buildings. Electric appliances such as induction cooktops and heat pumps are significantly more energy-efficient than their gas counterparts, meaning they use less energy and offer long-term cost savings. As the electricity grid continues to incorporate more renewable energy, using electricity instead of gas helps reduce greenhouse gas emissions and supports key climate goals.

Fully electric homes can also lower annual energy bills by hundreds to thousands of dollars, especially when combined with rooftop solar. Many councils and State Governments have already introduced restrictions on new gas connections, and electric alternatives are now widely available and suitable for all building types. While green hydrogen is sometimes suggested as an alternative, it remains costly, less efficient, and impractical for widespread use in buildings. Overall, electrification is a key step towards reducing emissions and creating a more sustainable built environment.

#### North Sydney Community Strategic Plan (CSP) 2025-2035

At its meeting on 28 April 2025, Council adopted the *North Sydney Community Strategic Plan 2025-2035* (CSP) which is underpinned by eight informing strategies, covering the environment, social inclusion, open space and recreation, integrated transport, economic development, culture and creativity, housing, and governance. The CSP aims to foster a connected, active, and inclusive North Sydney community that encourages creativity and supports a healthy, vibrant environment.

A key environmental outcome is to establish a healthy environment with thriving ecosystems and strong climate resilience. Specific objectives include reducing community greenhouse gas emissions by 65% by 2035 (based on a 2018 baseline of 973,984 tCO<sub>2</sub>e) and achieving carbon neutrality for Council's operations by 2035<sup>7</sup>.

#### North Sydney Delivery Program 2025-2029 and Operational Plan 2025-2026

At its meeting on 30 June 2025, Council adopted the *Delivery Program 2025-2029* and the *Operational Plan 2025-2026* which highlight a number of actions to be delivered in the next two to four years, including the following:

*E3.1 - Review and implement new planning controls in the Development Control Plan to support the transition away from fossil fuels, reduce urban heat island effects and drive a lower embodied carbon footprint during the design, construction and operation phase of*

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<sup>6</sup> RACGP, Health Risks from indoor gas appliances, December 2022.

<sup>7</sup> North Sydney Council, Community Strategic Plan 2025-2035, April 2025, P 35

*both commercial and residential buildings. This includes requirements for electric vehicle charging infrastructure.*

*E3.7 - Replace the gas boiler at Stanton Library with an electric heat pump and work towards electrification of Council's operations, excluding plant and fleet, by 2030.*

*E3.8 - Complete a feasibility report for transitioning Council's plant to electric by 2035.*

The objectives and actions within Council's recently adopted strategies highlight Council's position in building a resilient and sustainable future for the local community<sup>8</sup>.

## **Legislative framework**

### Commonwealth Legislation

To date, there is no Commonwealth (federal) law that specifically prohibits the usage and installation of gas in residential and commercial properties across Australia.

### State Legislation

#### *State Environmental Planning Policy (Sustainable Buildings) 2022*

The Sustainable Buildings SEPP sets out the basic requirements and standards for the design and delivery of sustainable residential and non-residential BASIX developments. Under the Environmental Planning and Assessment Regulation 2021 (the Regulation):

BASIX development means the following development if it is not BASIX excluded development—

- (a) development that involves the erection, but not the relocation, of a BASIX building,
- (b) development that involves a change of building use by which a building becomes a BASIX building,
- (c) development that involves the alteration of a BASIX building, if the estimated development cost is \$50,000 or more,
- (d) development for the purposes of a swimming pool or spa, or combination of swimming pools and spas, that—
  - (i) services 1 dwelling only, and
  - (ii) has a capacity, or combined capacity, of 40,000 litres or more.

Clauses 3.3 and 3.4 of the SEPP provide other considerations for large commercial and certain State significant development where the consent authority must consider if the development minimises the use of on-site fossil fuels, in conjunction with the goals of achieving net zero emissions in NSW by 2050.

Schedules 1, 2, and 3 of the Sustainable Buildings SEPP specifies energy and water use, and thermal performance standards for the erection, change of use, and alteration to a BASIX

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<sup>8</sup> North Sydney Council, Delivery Program 2025-2029 and Operational Plan 2025-2026, July 2025.

building, and larger commercial developments. However, the SEPP does not prevent the usage and installation of gas in residential and commercial developments and permits gas hot water systems, including for swimming pools and spas.

#### *SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP)*

The Codes SEPP permits certain development as exempt (not requiring consent) or complying (approval via a complying development certificate), such as hot water systems, internal alterations and additions, and new residential, commercial and industrial buildings. However, the SEPP does not specify any requirements regarding the use of gas.

#### Local Legislation

##### *North Sydney Local Environmental Plan (NSLEP) 2013*

The NSLEP 2013 does not have the legislative function to impose regulations and restrictions regarding energy sources. In addition, the aims and objectives of the LEP and zones cannot specifically prohibit the use and connection to gas.

##### *North Sydney Development Control Plan (NSDCP) 2025*

Section 10 – Environmental Sustainability of the NSDCP 2025 provides guidance to achieving environmentally sustainable building designs for both residential and commercial developments.

The NSDCP 2025 currently does not specifically discourage the use and installation of gas home appliances. However, this part of the DCP encourages and promotes the installation of renewable sources of energy and sustainable architectural building design practices. Of particular note, the current DCP does not contain objectives that promote health.

#### **Approaches to moving away from gas at different levels of government**

Across Australia, multiple jurisdictions have rolled out measures to phase out gas use in buildings to reduce emissions and improve indoor air quality.

#### NSW Government

In response to Australia's commitments under the Paris Agreement and the goal of reducing emissions, the NSW Government has introduced the *Net Zero Plan*, which sets out a pathway to achieve net zero emissions by 2050. To achieve this, the NSW Government has established a wide range of sustainable strategies to assist with the transition, including delivering a *Gas Decarbonisation Roadmap*<sup>9</sup>. The roadmap aims to provide clarity to industries and households on gas decarbonisation, including supporting business and household electrification and energy bill reduction. The NSW Government has also committed to setting targets for 2035

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<sup>9</sup> NSW Climate and Energy Action, Delivery a Gas Decarbonisation Roadmap, July 2025 update.

and 2050 to increase electrification of homes and local business in NSW as per the NSW Consumer Energy Strategy.

### ACT Government

As part of its plan to phase out fossil fuel energy use in Canberra by 2045, the ACT Government has introduced regulations that ban new gas network connections across all residential, commercial, and community facility land use zones, as well as for residential buildings located in non-residential zones. These rules have applied to new gas connections since 1 March 2024, following a transition period. The regulation covers all residential developments and most other building types, meaning that renovations involving the removal of an existing gas connection are also subject to the restriction. However, existing gas connections are not affected. Exemptions are allowed for certain connections in commercial or community facility zones, but these require review and approval by the relevant Minister<sup>10</sup>.

### Victorian Government

Similar to the ACT Government, the Victorian Government established its *Gas Substitution Roadmap*, which implemented a statewide ban on residential reticulated gas connections from 1 January 2024 to reduce emissions and improve indoor air quality. The prohibition applies to planning applications for new dwellings and residential subdivisions. It does not apply to other building types and does not restrict the use of bottled gas. Furthermore, the Victorian Government has committed to all new government buildings, including schools and hospitals, being constructed without gas and investigating options to progressively electrify most commercial buildings where appropriate electric appliances are readily available<sup>11</sup>.

### NSW Councils

A number of councils in NSW have implemented gas reduction or prevention measures in residential and commercial developments via a DCP amendment, education program, or environment strategy. Table 1 on the next two pages provides a summary of other councils' approaches to this issue.

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<sup>10</sup> ACT government, Regulation to prevent new gas connections starts in December, November 2023.

<sup>11</sup> Department of Transport and Planning and the Department of Energy, Environment and Climate Action, Victoria's Gas Substitution Roadmap, June 2025 update.

**Table 1 – Status of Electrification Across NSW Councils (as of July 2025)**

Council	Implementation Approach	Justification	Residential	Commercial	Application Location	Application type
Lane Cove	Implemented via DCP	Environmental sustainability, indoor air quality, and cost savings			Whole LGA	New Buildings
Newcastle	Implemented via DCP	Indoor air quality and cost savings			Whole LGA	New Dwellings
Waverley	Implemented via DCP	Indoor air quality			Whole LGA	New Dwellings All Alts and Adds
Parramatta	Implemented via DCP	Environmental sustainability, indoor air quality, and cost savings			Precinct – city centre	New Buildings
City of Sydney	Implemented via DCP	Environmental sustainability, indoor air quality, and cost savings	From 1 January 2026	From 1 January 2027 (proposed amendments on exhibition until 12/8/25)	Whole LGA	New Dwellings
Inner West	Implemented via education program	Environmental sustainability, indoor air quality, and cost savings			Whole LGA	New Buildings
Hornsby	Implemented via DCP	Indoor air quality			Whole LGA	New Dwellings
Canada Bay	Amendment to DCP was not supported by Council	Environmental sustainability, indoor air quality and cost savings			Whole LGA	New or Replacement Dwellings

Council	Implementation Approach	Justification	Residential	Commercial	Application Location	Application type
Blue Mountains	Implemented via an environment strategy	Environmental sustainability, indoor air quality and cost savings			Whole LGA	New Buildings
Ryde	Implemented via an environmental strategy	Environmental sustainability, indoor air quality and cost savings			Whole LGA	Council assets and infrastructure
Canterbury-Bankstown	Implemented via DCP	Environmental sustainability and indoor air quality			Precinct – city centre	New Buildings

*Note: Where the gas restriction applies to residential and commercial developments the box is coloured green, and the box is red for developments where the restriction is not applicable.*

## City of Sydney (CoS) Council

In 2024, CoS Council supported the exhibition of amendments to the CoS DCP to prohibit gas cooking appliances, to improve indoor air quality and mitigate the health impacts from burning gas. In March 2025, the CoS published a discussion paper regarding the electrification of all new development, exploring how planning controls could help phase out fossil fuel use in new building, and explaining the health, cost, and equity benefits of electrification.

The CoS's discussion paper proposes making all-electric systems mandatory for both new buildings and major renovations to achieve its net-zero emissions targets by 2035. It argues that eliminating fossil fuel gas connections in new developments is crucial for reducing greenhouse gas emissions, improving public health by avoiding indoor air pollution from gas appliances and combustion activities, and is increasingly cost-effective due to the falling price of renewable energy and efficient electric technologies such as heat pumps and induction cooking.

The paper also outlines the significant emissions reduction potential from this shift, noting that gas use in buildings accounts for a substantial portion of the City's emissions. It addresses potential challenges such as ensuring grid capacity and reliability, managing upfront costs for developers and residents, and supporting equitable access. The proposal seeks community and stakeholder feedback regarding transitioning away from gas infrastructure in new developments, and emphasising all-electric buildings as the cleaner, healthier, and more future-proof standard for Sydney's sustainable development<sup>12</sup>.

In June 2025, CoS Council unanimously endorsed the amendments to the DCP, adopting planning controls requiring electric indoor appliances (cooktops, ovens, and space heating) in new residential developments for development applications (DAs) lodged after 31 December 2025. A further amendment to the DCP was also endorsed for public exhibition seeking feedback on proposed planning controls that will require new residential accommodation and larger office buildings (over 1000sqm), hotels (over 100 rooms) and serviced apartment buildings (over 100 apartments) to be all-electric for DAs lodged after 31 December 2026. The proposal does not impact on the ability for food and beverage businesses and industrial uses to use gas and the controls will not apply to existing buildings or when changes are proposed to existing buildings. The proposed planning controls were on exhibition from 15 July 2025 to 12 August 2025.

### **Options to move away from gas**

As discussed above, electrifying buildings and phasing out gas connections and appliances would reduce greenhouse gas emissions, and improve residential amenity and health. It is also considered a more cost-effective and energy-efficient approach that future-proofs developments for emerging electric technologies and avoids costly retrofits. All-electric buildings could further benefit households by eliminating gas connection costs, support the transition towards long-term environmental equity and resilience, and advance North Sydney's emission targets.

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<sup>12</sup> City of Sydney, Discussion Paper Electrification of new development, March 2025.

Given the legislative constraints and the limited statutory power of local councils, North Sydney Council has few options to prohibit gas and require the electrification of developments. Whilst it is acknowledged that local council planning frameworks do not have the power to override State policies like SEPPs, implementing these changes through a Council DCP is considered to be the most appropriate mechanism; as demonstrated in Table 1, many metropolitan Sydney councils have adopted this approach. However, it should be noted that the function of a DCP is to provide guidance for local development; it does not carry determinative legislative weight. To provide additional statutory power to enforce the DCP provisions, Council could impose a development consent condition on applicable Development Applications requiring appliances to be electric.

As demonstrated in Table 1, all councils who have implemented a policy of restricting gas have applied this to residential developments, with a small number also applying it to commercial developments. Similarly, almost all councils apply this policy to new buildings across the whole LGA, with a couple of councils only applying it to the city centre.

Based on the above analysis of different types of approaches, Council has a number of options when applying discouragement of new gas connections and gas appliances, including:

1. Type of development
  - a. New residential accommodation developments
  - b. New residential accommodation developments, and residential alterations and additions
  - c. All classes of development
2. Applicable location
  - a. LGA-wide
  - b. Precinct-based
3. Do nothing/no action

These options for applying a policy of banning gas are discussed in Table 2 below, along with the advantages and disadvantages/challenges of these approaches.

Table 2: Options for electrifying developments

Option		Advantages	Disadvantages/Challenges
1a.	New residential accommodation developments	Reduces risk of exposure to air pollutants. Results in healthier indoor amenity.  Future-proofing & ongoing cost savings for consumers. Lower energy bills. Avoids need for costly future retrofits.	Power plant/grid dependence with additional burden and demand on local electricity grid during peak hours.

Option		Advantages	Disadvantages/Challenges
		<p>Provides a clear, simple, and unambiguous policy position which can be consistently applied.</p> <p>Allows industry &amp; stakeholders to adjust to this change gradually, minimising disruptions to the development industry.</p> <p>Progress towards achieving Council's environmental targets.</p>	
1b.	New residential accommodation developments, and residential alterations and additions	<p>Reduces risk of exposure to air pollutants. Results in healthier indoor amenity.</p> <p>Future-proofing and on-going cost savings to consumers. Lower energy bills. Avoids need for costly future retrofits.</p> <p>Progress towards achieving Council's environmental targets.</p>	<p>Power plant/grid dependence with additional burden and demand on the local electricity grid during peak hours.</p> <p>Complexity of banning gas for developments involving alterations and additions, given many developments are undertaken through complying development and do not need to consider the DCP controls.</p> <p>To avoid uncertainties and inconsistencies, consideration needs to be given to the threshold that would trigger a requirement for electrification, particularly if the development does not involve any amendments to the gas connection or appliances.</p> <p>Retrofitting older buildings can involve higher upfront costs, particularly if electrical capacity or equipment upgrades are needed.</p>

Option		Advantages	Disadvantages/Challenges
1c.	All classes of developments (residential and commercial – new buildings, and alterations and additions)	<p>Reduces risk of exposure to air pollutants, and results in healthier indoor amenity.</p> <p>Future-proofing and on-going cost savings to consumers. Lower energy bills. Avoids the need for costly future retrofits.</p> <p>Progress towards achieving Council’s environmental targets.</p>	<p>Power plant/grid dependence with additional burden and demand on the local electricity grid during peak hours.</p> <p>Limited research undertaken to date on impact of banning gas on businesses. E.g., may be issues related to availability of appropriate technologies and appliances, and businesses may not be ready or feasible (operational performance and efficiency) for the transition. Concerns are also raised regarding capacity of existing power grid, as a sharp increase in electricity demand could lead to grid strain during peak periods and raise the risk of instability or blackouts.</p>
2a.	LGA-wide	<p>Equitable and consistent approach across the LGA.</p> <p>Significant progress towards achieving Council’s environmental targets.</p>	<p>Power plant/grid dependence with additional burden and demand on the local electricity grid during peak hours.</p>
2b.	Precinct-based	<p>Allow Council to target specific localities for transitioning away from gas, allowing for a more coordinated and strategic rollout of electrification measures, and ensuring that all DAs within the precinct are aligned with broader electrification and sustainability goals.</p> <p>Council can better plan infrastructure upgrades, target education and support programs, and engage with local</p>	<p>May create unnecessary inequalities between different locations.</p> <p>Concentrated increases in electrical demand within a precinct could place pressure on the local grid, especially during peak usage periods, raising concerns about power stability and potential outages.</p>

Option		Advantages	Disadvantages/Challenges
		<p>stakeholders to ensure a smooth implementation.</p> <p>Council can lead precincts towards becoming Net Zero exemplars, ensuring that all developments, regardless of type, demonstrate reliance solely on electricity.</p>	
3.	Do nothing/ No action	Nil	<p>Impacts on Council's ability to achieve its environmental targets to reduce greenhouse gas emissions.</p> <p>Residents, workers and visitors being exposed to additional air pollutants.</p> <p>Higher energy costs for residents and businesses.</p> <p>May lead to Council falling behind other councils with regards to best practice environmentally sustainable and health planning policies.</p>

Options 1a and 2a, discouraging new gas connections and gas appliances for all new residential dwellings across the LGA is the recommended option for the following reasons:

- it brings Council in line with many other councils in Sydney who have implemented similar policies;
- it allows industry and stakeholders to adjust incrementally, minimising disruptions to the development industry;
- it provides a clear, simple, and unambiguous policy position which can be consistent applied;
- captures the residential development sector that is currently experiencing major growth;
- it ensures that Council is promoting the desired future direction for environmental sustainability within the LGA; and
- it minimises the community's exposure to harmful combustion gases and promotes a healthy indoor residential amenity.

It is proposed that new gas connections and gas appliances be discouraged in all new residential developments from 1 January 2026, subject to feedback received during the exhibition of the draft DCP amendment.

It is also proposed that future amendments to the DCP be explored to expand the application of the gas ban to alterations and additions to residential development, and non-residential development, subject to further investigation.

### **Proposed DCP Amendments**

In light of the above recommendation, amendments to the NSDCP 2025, as shown in Attachment 1 to this report and summarised below, are proposed.

## ***Section 10 – Environmental Sustainability***

### *10.2 Energy efficiency*

Various minor administrative amendments, including the reordering of provisions, and amendments to reflect best practice of heat pump hot water systems over gas and solar hot water systems.

### *10.3 Passive solar design*

An amendment to reflect best practice of heat pump hot water systems over solar hot water systems.

### *10.7 All electric developments*

*Insertion of a new clause, objectives, and provisions to prohibit gas connections and appliances in new residential developments, as detailed below.*

#### *Objectives*

- O1 To improve indoor air quality and promote personal health by reducing the risk of exposure to harmful airborne byproducts from the combustion of gas.*
- O2 Minimise the need for costly future installations and retrofits, and to reduce operational costs by avoiding ongoing gas connection standing charges.*

#### *Provisions*

- P1 All development involving the erection of new residential accommodation (including the replacement of an existing dwelling) must only use electricity for all daily and operational needs (including cooking, space heating and water heating appliances). Compliance with this provision must be demonstrated on the development application plans.*
- P2 Where a development involves only alterations and additions to an existing dwelling, consideration is to be given to the replacement of existing gas fuelled appliances with electric only appliances.*

## **Proposed Development Consent Condition**

It is also proposed to impose a development consent condition on applicable DAs prohibiting gas connections and requiring appliances to be electric. This would provide Council with additional statutory power to enforce the DCP provisions. An example of a consent condition is provided below.

### ***All electric development – Residential accommodation***

*Prior to the issue of an occupation certificate, all appliances (including cooking, space heating, and water heating appliances) must be electric-only, to ensure that no harmful airborne byproducts are produced from the combustion of gas appliances.*

Reason: To protect and improve indoor residential amenity of harmful air pollutants from gas associated combustion activities.

## **Consultation Requirements**

The draft DCP amendment is proposed to be publicly exhibited for a minimum of 28 days in accordance with the requirements of the Environmental Planning and Assessment Act (EP&A Act) 1979 and its Regulation (2021) with regard to the exhibition and making of DCPs. Community consultation will also be undertaken in accordance with Council's Community Engagement Strategy 2025-2029.

Exhibition material including plain-English explanatory information and a copy of the amended DCP will be available for viewing during the exhibition period on Council's website with hard copies available at Council's Customer Service Centre and Stanton Library.

Notification of the public exhibition will be through:

- Exhibition notice on Council's website;
- Community engagement project webpage on Council's Have Your Say website;
- Notices in Council's Customer Service Centre and Stanton Library; and
- Notification to Precinct Committees.

A further report will be submitted to Council following the public exhibition period on the outcomes of the community consultation.

## **Financial/Resource Implications**

There will be minimal financial and resource implications in pursuing the proposed draft DCP amendment and development condition which can be accommodated within existing budget lines. The proposal will result in an improvement of indoor amenity for all new residential development and contribute to the net reduction of greenhouse gas emissions across the whole LGA. Furthermore, cost savings are expected for residents and tenants who convert to electrical appliances.

## Legislation

Compliance with the relevant provisions of the following legislation have been addressed throughout this report:

- *Environmental Planning and Assessment Act 1979* and its accompanying Regulation (2021)
- *Local Government Act 1993*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *North Sydney Local Environmental Plan 2013.*



## SECTION 10 ENVIRONMENTAL SUSTAINABILITY

### 10.1 INTRODUCTION

#### **Residential**

Nearly half the energy consumption in buildings is through heating, cooling, ventilation and lighting. By incorporating passive solar design and technologies that reduce energy consumption it is possible to reduce costs to the resident (e.g. lower energy bills) and to the environment (e.g. a reduction in greenhouse gases and use of non-renewable resources), both of which contribute to sustainable development.

#### **Commercial development**

The commercial and retail sectors are significant users of electricity and are major contributors to greenhouse emissions in Australia. Improving energy efficiency is one of the most cost effective ways of reducing greenhouse gas emissions. The pursuit of energy efficiency can bring economic, social and environmental benefits. Another reason to encourage energy efficiency is the reduction in maintenance costs and improved leaseability and saleability of the building.

Nearly half of energy consumption in buildings is due to heating, cooling, ventilation, office equipment and lighting. Most commercial buildings or premises could reduce their energy consumption by at least 20% by investing in the latest energy efficient equipment. Such investment invariably offers a highly profitable rate of return, resulting in cost-effective energy savings with the positive result of reducing emissions.

The main sources of energy use in commercial buildings include heating and cooling (air-conditioning), lighting and the use of office equipment. A typical energy bill is 25% of a building's total operating costs. By incorporating passive solar design strategies and using building techniques that minimise energy use, it is possible to reduce energy associated costs by up to 60%. The way the occupants operate and maintain a building is crucial to its energy efficiency so just having a smart design does not guarantee an efficient building. Controls in this section of the DCP seek to acknowledge these facts by addressing both building design and maintenance.

### 10.2 ENERGY EFFICIENCY

#### **Objectives**

- O1 To ensure that developments minimise their use of non-renewable energy resources.
- O2 To ensure that buildings are designed such that the air conditioning plant meets performance requirements, while minimising energy usage.
- O3 To encourage the use of energy efficient lighting.

#### **Provisions**

- P1 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
  - (a) orientation or shape of the block;
  - (b) existing overshadowing due to either the surrounding terrain or existing development;
  - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction; and
  - (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.



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- P2 Ensure that the development does not reduce the energy efficiency of neighbouring buildings in the vicinity.
- P3 Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating and cooling, not the whole building.
- P4 Where ~~the proposed~~ development involves the installation of or replacement of any of the following:
- (a) hotwater systems;
  - (b) clothes drier;
  - (c) dishwasher;
  - (d) fixed air conditioning systems (including reverse cycle systems);
  - (e) fixed heating systems;
- they must have a minimum energy star rating of 4.5 stars.
- ~~P5 Improve the efficiency of hot water systems by insulating hot water systems.~~
- ~~P6 Wherever possible solar heat pump hot water systems should be provided.~~
- ~~P7 The use, location and placement of photovoltaic solar panels takes into account the potential permissible building form on adjoining properties.~~
- ~~P5P1 Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient LED lighting.~~
- ~~P6P8~~ Car parking areas should be designed and constructed so that electric vehicle charging points can be installed at a later time.
- ~~P7P9~~ Where appropriate and possible, the development of the public domain should include electric vehicle charging points or the capacity for electric vehicle charging points to be installed at a later time.
- ~~P8P1 Improve the efficiency of hot water systems by insulating hot water systems.~~
- ~~P9P1 Wherever possible solar hot water systems should be provided.~~
- P10 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P11 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P12 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P13 Energy efficient lighting and technology should be used to reduce energy consumption.  
~~Consider the use of solar powered illumination.~~
- ~~P14~~ Use solar powered lighting for external areas.
- ~~P15 Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient LED lighting.~~
- ~~P14P1 The use, location and placement of photovoltaic solar panels take into account the potential permissible building form on adjoining properties.~~
- Non-residential development***
- ~~P15P16~~ In multi-floor or multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for light, air-conditioning and power within each floor and/ or tenancy and/or strata unit. Locations are to be identified on the development plans.

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Electricity sub-metering should be provided for significant end uses that will consume more than 10,000 kWh/a.

~~P16~~P17 Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.

~~P17~~P18 Locate appliances and equipment that generate waste heat, (such as copiers) in areas separated from the spaces requiring cooling.

**10.3 PASSIVE SOLAR DESIGN****Objectives**

- O1 To ensure that site layout and building orientation allows for maximum solar access , especially to living areas of dwellings, and are adapted to local climatic conditions and prevailing site characteristics.

**Provisions**

- P1 To achieve maximum solar access orient the building within 20° west of north to 30° east of north.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Orient the long axis or length of the building to the northerly aspect.
- P4 East and west facing glazing on building elevations should be minimised and incorporate shading in summer.
- P5 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the eaves or shading device should reach this line.
- P6 Optimise natural light access to reduce the amount of energy used to run artificial lighting (limiting the internal depth of the building allows efficient use of natural light).
- P7 If landscaping is proposed as part of the development, a documented landscape design concept demonstrates how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west facing windows and open car parking areas, and enabling winter sunlight to penetrate outdoor and indoor living and working areas.
- P8 Buildings are designed, wherever possible, to include a north facing roof where ~~a solar panels hot water system or collector~~ can be installed.

**Residential**

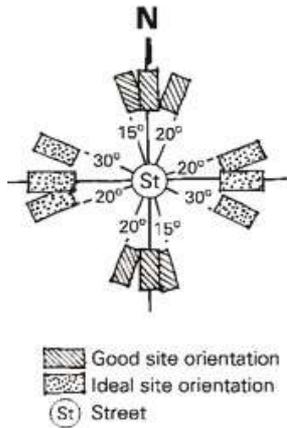
- P9 Locate the main daytime living areas (e.g. family, dining and meal rooms) on the northern side of dwellings.
- P10 Ensure windows of living areas that face north will receive at least three hours of sunlight between 9am and 3pm over a portion of their surface during the winter solstice.
- P11 Where main living areas are oriented northwards, aim to achieve a glazed area of 30% of the dwelling's floor area in this direction.
- P12 Provide adjustable awnings, shutters and external louvres on east and west facing windows.
- P13 Consideration should be given to using north facing pergolas to shade walls and windows (deciduous vines can be trained over the pergola to provide effective cooling in warm weather).
- P14 Where a north facing pergola contains fixed louvres, space and orient the louvres so that a line between the top of one blade and the bottom of the next makes an angle of 70°.



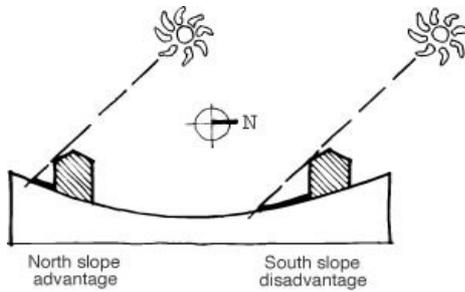
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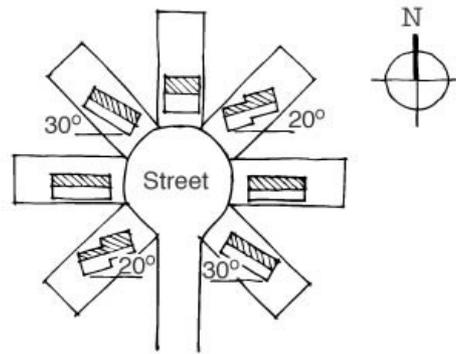
- P15 Angle louvres to correspond to the lowest altitude angle the sun reaches at noon in winter (31° in Sydney).
- P16 South facing glazing should be kept to a minimum to reduce winter heat losses.



**Figure B-10.1:**  
Good passive solar performance can be achieved at minimal cost if the development is appropriately oriented.

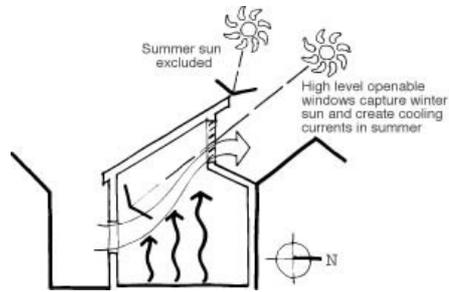


**Figure B-10.3:**  
A north facing slope increases the potential for access to northern sun and is ideal for higher housing densities. A south facing slope increases the potential for overshadowing



Day time living areas shown shaded

**Figure B-10.2:**  
Where possible, orient the development such that daytime living areas and outdoor spaces are north-facing.



**Figure B-10.4:**  
Poor orientation can exclude winter sun, and cause overheating in summer by allowing low angle east or west sun to strike glass surfaces

**10.4 THERMAL MASS AND INSULATION**

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.

Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

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Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

**Objectives**

- O1 To achieve more even, year-round average temperature, making the dwelling more comfortable to live in and resulting in less demand for artificial heating or cooling.

**Provisions**

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. A concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.
- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.
- P7 Heat loss/gain is minimised through the use of awnings, shutters or high performance glazing (e.g. double glazing).

**10.5 NATURAL VENTILATION**

Ventilation is essential for good health and prevention of condensation. However, the lack of natural ventilation can cause discomfort for occupants and waste energy if artificial ventilation is installed.

**Objectives**

- O1 To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.
- O3 To ensure that workers in commercial development are provided with direct access to fresh air and to assist in promoting thermal comfort for occupants.

**Provisions**

- P1 Locate windows and openings in line with each other on opposing walls and with prevailing breezes.
- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

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## **10.6 COLOURS AND MATERIALS**

Colours and materials can be used to absorb or reflect heat from the sun. Dark colours tend to absorb the sun's rays whereas light colours are more reflective. There is little advantage in using dark external colours to absorb heat in winter. However, the use of lighter colours, particularly on the roof area and on east and west facing walls, are particularly advantageous during summer to reflect the sun's heat. Glare effects and streetscape issues need to be considered when choosing external colours.

### **Objectives**

- O1 To maximise the energy efficiency of buildings.
- O2 To encourage the use of materials which have a low environmental impact during their life cycle.
- O3 To encourage the use of toxin free material to minimise the health impact of materials used indoors.

### **Provisions**

- P1 Buildings should use lighter coloured materials and finishes on main external parts of the building.
- P2 Products with the least life cycle impact should be favoured.
- P3 The use of the following types of building materials are to be maximised wherever possible:
  - (a) materials which are sourced from renewable and abundant resources;
  - (b) materials which are durable;
  - (c) locally manufactured and produced materials;
  - (d) materials with a low embodied energy content;
  - (e) salvaged and/or recycled materials;
  - (f) timber obtained from certified sustainable sources;
  - (g) materials with a high recycled content (>50%);
  - (h) low volatile organic compound (VOC) emitting materials;
  - (i) mechanical fixings instead of adhesives and glues, wherever possible;
  - (j) when using Medium Density Fibreboard, ensure that it has a low formaldehyde content;
  - (k) toxin-free floor finishes.
- P4 Avoid the use of the following:
  - (a) copper, chrome, cadmium, lead, mercury, cyanide, and formaldehyde;
  - (b) materials, sealants and adhesives containing PVC;
  - (c) wood treated with CCA;
  - (d) solvents.
- P5 Use physical termite barriers (made of granite or stainless steel) instead of chemicals where possible.

North Sydney Development Control Plan 2025 – **DRAFT AMENDMENT****Section 10 – Environmental Sustainability****10.7 ALL ELECTRIC DEVELOPMENTS****Objectives**

- O1 To improve indoor air quality and promote personal health by reducing the risk of exposure to harmful airborne byproducts from the combustion of gas.
- O2 Minimise the need for costly future installations and retrofits, and to reduce operational costs by avoiding ongoing gas connection standing charges.

**Provisions**

- P1 All development involving the erection of new residential accommodation (including the replacement of an existing dwelling) must only use electricity for all daily and operational needs (including cooking, space heating and water heating appliances). Compliance with this provision must be demonstrated on the development application plans.
- P2 Where a development involves only alterations and additions to an existing dwelling, consideration is to be given to the replacement of existing gas fuelled appliances with electric only appliances.

**10.7.10.8 HOT WATER SYSTEMS IN RESIDENTIAL ACCOMMODATION****Objectives**

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

**Provisions**

- P1 Gas hot water systems are not permitted in developments involving the erection of a new dwelling with electricity and heat pump hot water systems preferred.
- ~~P1~~P2 Where a new hot water systems is proposed to be installed in an existing dwellings, must not solely it should rely on solar and/or electrical mains power only to heat the water (n.b. sole electrical the use of gas hot water systems are not encouraged permitted in new dwellings).
- ~~P2~~P3 Install solar powered Where heat pump hot water heaters are to be installed they should only be on any residential development. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.
- ~~P3~~ Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.
- P4 Locate solar cells, heat pumps or any associated structures so as to as avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- P5 Centralise solar or heat pump hot water systems in larger scale residential flat buildings or attached dwelling developments, to achieve economies of scale.
- P6 Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

**10.8.10.9 ADAPTIVE REUSE OF BUILDINGS****Objectives**

- O1 To encourage the adaption and reuse of buildings.



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**Provisions**

- P1 Where feasible, existing buildings are to be reused in preference to demolition.
- P2 Buildings should be designed to encourage adaptable office floorspace to accommodate changing occupier requirements.

**40.910.10 GREEN ROOFS**

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building’s running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

**Objectives**

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.
- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.
- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.
- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

**Provisions**

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces must submit a roof plan demonstrating how the new available roof space<sup>1</sup> contributes to the achievement of at least three of the above objectives.
- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

**40.1010.11 WIND TURBINES**

**Objectives**

- O1 To manage the impacts of wind turbines.

**Provisions**

- P1 Wind turbines are:

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<sup>1</sup> "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.

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- (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
  - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
  - (c) not to affect the structural integrity of the building;
  - (d) should not detract from the significance of a heritage item or a heritage conservation area;
  - (e) not to be located along a bat or bird flyway; and
  - (f) to be installed in accordance with manufacturer's specifications.
- P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
- (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am; and
  - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

**40.11.10.12 SUSTAINABILITY REPORTING****40.11.110.12.1 Residential Accommodation****Objectives**

- O1 To ensure that development for residential accommodation minimises their use of non-renewable energy resources.

**Provisions**

- P1 A BASIX Certificate is required to be submitted with all developments incorporating residential development types nominated under [SEPP \(Sustainable Buildings\) 2022](#).

**Note:** BASIX assessments and certificates can be obtained on-line via the NSW Planning Portal at [www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au)

**40.11.210.12.2 Non-Residential Development**

The commercial and retail sectors are significant users of electricity and are major contributors to greenhouse emissions in Australia. Improving energy efficiency is one of the most cost effective ways of reducing greenhouse gas emissions. The pursuit of energy efficiency can bring economic, social and environmental benefits. Another reason to encourage energy efficiency is the reduction in maintenance costs and improved leasability and saleability of the building.

Reducing waste has environmental, social and economic benefits. There are many opportunities in the development process to reduce the amount of waste and to maximise the amount of material that is recycled and reused, rather than going to landfill.

The amount of stormwater runoff in an area relates directly to intensity of development in that area. The more impervious to stormwater an urban area is, the larger the runoff quantities are and thereafter the impact on the environment.

**National Australian Built Environment Rating Scheme (NABERS)**

North Sydney Council encourages developers to obtain a NABERS rating for commercial and commercial components of buildings. The rating assesses a building's performance in terms of its Greenhouse gas emissions during its operation.

The Rating Scheme, which is managed by the NSW Department of Climate Change, Energy, the Environment and Water (DCCEE), allows owners and occupiers of commercial and



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commercial components of buildings to benchmark the greenhouse performance of their premises on scale of one to five. One represents the most polluting and five, the least polluting, with three representing best market practice. New commercial buildings, refurbishments, tenancies and fitouts will have to demonstrate compliance with this DCP by signing DCCEEW's NABERS – Energy Commitment Agreement and achieving a minimum 4.5 star rating for the base building, whole building for tenancies (as appropriate).

#### **Green Star**

North Sydney Council encourages developers to obtain a Green Star rating for developments involving the provision of substantial commercial floor space. The Green Star rating system, which is managed by the Green Building Council of Australia, is a comprehensive, national, voluntary environmental rating system that evaluates the environmental design and construction of buildings. Approximately, 11 per cent of Australia's CBD<sup>2</sup> commercial office buildings are Green Star certified, reinforcing that building "green" is now a business imperative.

The following Green Star Certified Ratings are available:

- **4 Star Green Star Certified Rating** (score 45-59) signifies 'Best Practice' in environmentally sustainable design and/or construction
- **5 Star Green Star Certified Rating** (score 60-74) signifies 'Australian Excellence' in environmentally sustainable design and/or construction
- **6 Star Green Star Certified Rating** (score 75-100) signifies 'World Leadership' in environmentally sustainable design and/or construction

Although Green Star certification requires a formal process, any project can freely download and use the Green Star tools as guides to track and improve their environmental attributes. Refer to [www.gbca.org.au](http://www.gbca.org.au).

#### **Objectives**

O1 To ensure that developments minimise their use of non-renewable energy resources.

#### **Provisions**

P1 Applications are to demonstrate compliance with the requirements for non-residential development types nominated under [SEPP \(Sustainable Buildings\) 2022](#). Where there is an inconsistency between the targets set under [SEPP \(Sustainable Buildings\) 2022](#) and this DCP, those under the SEPP will prevail.

P2 Development must comply with the submission requirements and performance targets set out in Table B-10.1 in order to demonstrate the proposed development will achieve an efficient use of resources.

**TABLE B-10.1 Non-residential thresholds, submission requirements and performance targets**

Threshold/size	Submission requirement	Performance target
<b>Alterations affecting less than half the original building or tenancy (measured over the roof and the outer walls)</b>	An <a href="#">Efficient Use of Resources Commitment Table</a> (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within this section of the DCP.

<sup>2</sup> Figures obtained from the Green Building Council of Australia, circa October 2010.

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<b>TABLE B-10.1 Non-residential thresholds, submission requirements and performance targets</b>		
<b>Threshold/size</b>	<b>Submission requirement</b>	<b>Performance target</b>
<b>Alterations affecting more than half the original building or tenancy (measured over the roof and the outer walls)</b>	The development must comply with the relevant submission requirements as if it were a new development.	The development must comply with the relevant performance targets as if it were a new development.
<b>Less than 2000m<sup>2</sup> GFA</b>	<a href="#">An Efficient Use of Resources Commitment Table</a> (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within this section of the DCP.
<b>2000m<sup>2</sup>-5000m<sup>2</sup> GFA</b>	<a href="#">An Efficient Use of Resources Commitment Table</a> (to be completed by the applicant); AND A NABERS Energy Commitment Agreement and associated documentation (see s.10.12.2 (P2) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	Compliance with / consideration of (as relevant) DCP provisions within this section of the DCP.  The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.
	A WSUD report from a suitably qualified consultant.	Compliance with / consideration of (as relevant) DCP provisions within this section of the DCP, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
	<b>&gt;5000m<sup>2</sup> GFA</b>	A NABERS Energy Commitment Agreement and associated documentation (see s.2.6.1(P3) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND  A WSUD report from a suitably qualified consultant; AND  Evidence that the building design has been awarded a Green Star rating; OR



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**TABLE B-10.1 Non-residential thresholds, submission requirements and performance targets**

Threshold/size	Submission requirement	Performance target
	If evidence of a Green Star rating being awarded is not available at DA stage or if a Green Star rating tool is not available for the particular type of non-residential development proposed, a Sustainability Report including an <a href="#">Efficient Use of Resources Commitment Table</a> (to be completed by suitably qualified consultants) must be submitted.	occupy the whole building, must achieve a 5 star Green Star rating; OR If a Sustainability Report which includes an <a href="#">Efficient Use of Resources Commitment Table</a> is required it must demonstrate compliance with / consideration of (as relevant) DCP provisions within this section of the DCP and demonstrate that the development will achieve a very high degree of environmental sustainability.

- P3 Buildings, or the non-residential components of mixed use buildings, that have a gross floor area 2000m<sup>2</sup> or greater and less than 5000m<sup>2</sup> must be capable of achieving a minimum 4.5 star rating under DCCEEW's NABERS Energy. In this regard, the following information is required to be lodged with the relevant certifying authority (Council or an accredited certifier) prior to the issue of a Construction Certificate:
- Evidence that a Commitment Agreement has been entered into with DCCEEW, to deliver this Star rating for the base building (i.e. services traditionally supplied as 'common' to tenants, such as air conditioning, lifts and common area lighting) or for the whole building where the applicant is to occupy the entire building.
  - An independent energy assessment report that follows the guidelines in DCCEEW's *NABERS Energy and Water for Offices Rules for collecting and using data*. This document can be obtained from [www.nabers.gov.au/](http://www.nabers.gov.au/);
  - A computer building simulation in accordance with DCCEEW's *NABERS Energy Guide to Building Energy Estimation*. This document can be obtained from [www.nabers.gov.au/](http://www.nabers.gov.au/). The computer building simulation is required to demonstrate to the satisfaction of Council, or the private certifier if Council is not the certifying authority, that the building can reasonably be expected to achieve the proposed rating under realistic operating conditions.
- P4 Developments involving the provision of 5,000m<sup>2</sup> or more of non-residential floor space must demonstrate that the development can achieve a minimum 5 star rating under the Green Building Council of Australia's Green Star – Office rating tool. The rating tool can be obtained from the Green Building Council of Australia's website - [www.gbca.org.au](http://www.gbca.org.au).
- P5 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in this subsection for the whole of the building.