

**Submission
No 120**

INQUIRY INTO USE OF E-SCOOTERS, E-BIKES AND RELATED MOBILITY OPTIONS

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LGNSW DRAFT

**Inquiry into the use of
e-scooters, e-bikes
and related mobility
options**

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Introduction

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing all 128 NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

LGNSW welcomes the opportunity to engage and provide feedback to the NSW Parliamentary Inquiry into the [use of e-scooters, e-bikes and related mobility options](#). LGNSW on behalf of councils in NSW, plays a key role in advocating for policy and legislation to enable and regulate active transport, including for e-scooters and e-bikes.

This submission is in draft form until it is considered by the LGNSW Board. The Committee is asked to consider this current version. If there are any changes following Board endorsement these will be separately provided to the Committee.

Background

The popularity of e-bikes and e-scooters has surged in response to the community's growing demand for more efficient transport options amid rising travel costs and times. Their usage soared during the pandemic, driven largely by the increased demand for food delivery services in NSW. This shift has resulted in a reduced reliance on traditional forms of transport, such as cars, buses, and trains. E-scooters are also gaining recreational popularity with youth.

It is important to distinguish the current regulations for e-bikes and e-scooters in NSW:

- **E-bikes** are generally legal to ride on roads in NSW as long as they are power-assisted or electrically power-assisted and do not exceed 25 km/h when the motor is engaged¹. Users must follow the same road rules as traditional bicycles.
- NSW regulations prohibit the use of **personal e-scooters** on all roads, footpaths and shared bicycle paths. The only legal option for legally riding personal e-scooters is on private property. Personal e-scooters do not meet the safety standards under the Australian Design Rules or insurance requirements, making them ineligible for registration and thus cannot be legally used on roads.
- **Shared e-scooters** operated by shared operators such as Beam Mobility or Neuron are permitted to be ridden in designated trial areas. Currently, these trial areas are being conducted in five council areas: Georges River, Albury, MidCoast, Wollongong City and Armidale. Previous trials have been conducted in Western Sydney Parklands, Australian Botanic Gardens and Lake Macquarie.

¹ Transport for NSW, [E-bikes | Transport for NSW](#)

- **Shared e-bikes** are available in six inner-city council areas: the City of Sydney, Inner West, Woollahra, Waverley, Randwick and Bayside.

The submission will look at opportunities for regulatory reform to achieve safer outcomes for riders and the community. It will investigate the current and future role of all spheres of government in enabling and encouraging the safe use of these e-mobility devices.

In preparing this submission, LGNSW consulted with stakeholders including councils and the NSW Roads & Transport Directorate (RTD). The RTD is a long-standing partnership between Institute of Public Works Engineering Australasia (IPWEA) NSW/ACT and LGNSW, focused on addressing road and transport-related matters.

LGNSW Response

LGNSW's submission aims to highlight the opportunities and challenges associated with e-scooters and e-bikes from a local government perspective. LGNSW will address specific sections of the Terms of Reference (**Appendix A**) for this Inquiry that align with our policy focus and expertise.

The current and anticipated role of all three spheres of government in enabling and encouraging safe electrified active transport options

All spheres of government are increasingly supporting the use of e-bikes and e-scooters as active transport solutions, aligning with net zero emissions targets by reducing last-mile carbon emissions². This support is evident in evolving initiatives such as e-scooter trial programs and current policies regulating their safe use. However, all spheres of government are also struggling with the many of the safety, infrastructure and amenity issues arising from the growing use of e-bikes and e-scooters.

Federal Government

The Federal Government is responsible for developing national policies and frameworks. For example, the [National Electric Vehicle Strategy](#) outlines State Government initiatives to lower transport emissions, including financial support to businesses, decarbonising public transport, setting government fleet targets, and providing incentives for e-bike and e-scooter use. The Federal Government also funds research and development and offers subsidies to encourage e-mobility adoption.

² Bicycle NSW, [Joint Standing Committee on Road Safety Submission](#)

State Government

As aforementioned, personal e-scooters in NSW can currently only be legally used on private property despite their proliferation on roads and footpaths. There has clearly been a lack of enforcement to date. Over the past two years, the NSW Government has been working closely with councils to facilitate [trials of shared e-scooters](#) in both metropolitan and regional NSW. These trial periods can extend up to 12 months.

The NSW Government has played an active role in facilitating the safe use of e-scooters through legislative measures such as mandating helmet use, setting speed limits and establishing designated trial areas. Moving forward, it is anticipated that the NSW Government will establish clear regulations for e-scooter use, following the trial periods.

Local Government

Local governments manage local and regional roads, cycleways, parks and other open spaces. Councils actively engage with local communities on matters such as road safety. Together with the NSW Government, councils conduct public education campaigns about e-mobility usage. For example, earlier this year, the [Northern Beaches Council](#) developed a community awareness and e-bike safety campaign targeting young riders, promoting safe behaviour such as observing safe speed limits and the use of helmets when riding.

Public e-scooter and e-bike use in Australian capital cities

City	Average trips per day	Total trips	Total distance (km)
Adelaide Central	2,000	2,790,300	3,975,418
Canberra	2,900	3,326,700	6,277,002
Brisbane	6,800	10,639,500	22,167,309
Hobart	1,100	789,300	1,321,216
Melbourne	6,900	7,552,600	14,185,678
Sydney	1,900	2,471,500	4,887,747

Table: The Conversation • Source: [Public Ride Report's Global Micromobility Index](#) • [Get the data](#) • Created with [Datawrapper](#)

Source: [Public Ride Report's Global Micromobility Index](#)

The table above depicts Sydney falling behind other Australian jurisdictions like Brisbane and Melbourne in e-mobility usage³. According to the University of New South Wales (UNSW), a significant barrier to uptake is often due to the lack of active transport infrastructure, such as

³ The Conversation, [E for Equity? E-scooter and e-bike schemes can help people on low incomes and with disabilities](#)

separated cycling lanes, especially in areas like Greater Sydney⁴. Further, a city's terrain can also pose challenges that hinder the effective adoption of active transport solutions. Local governments are responsible for delivering the infrastructure to accommodate e-mobility options. As usage grows, so will the need for greater investment in dedicated infrastructure such as bike lanes and bike/scooter parking stations.

However, it is important that Federal and State governments recognise the costs of developing and maintaining new infrastructure, given local government's ageing assets. The Australian Local Government Association (ALGA)'s [National State of the Assets 2024](#) report revealed that that \$23.1 billion of council roads are in poor condition with replacement costs as much as \$19.2 billion.

Councils are reporting a deterioration in their financial position, with an infrastructure backlog estimated at \$5.6 billion in 2021-22 period. These substantial figures clearly indicate a financial sustainability problem for local government in NSW. To accommodate the growing demands of e-mobility usage in communities, councils will require grant funding and investment from the NSW Government for the development of new active transport infrastructure.

Local council, industry and stakeholder perspectives on the utilisation and impact of e-mobility devices in the community

NSW Councils

As part of this submission, LGNSW consulted with some councils participating in the e-scooter trials, including Wollongong City Council and Armidale Regional Council. Both councils are part of the E-Scooter Advisory Working Group, which also includes representatives from the NSW Police, NSW Health, Transport for NSW and industry groups. Based on our consultation, the consensus is that the trial programs are currently progressing well. However, councils have requested more clarity from the NSW Government on the future legislation for e-scooters post-trial to enhance communication with the local community.

Significant uptake of shared e-scooters has been observed in Armidale by the University of New England (UNE) students to access commercial, retail and education centres and connecting. This has led to greater mobility choices and reduced dependence on traditional forms of transportation such as cars and buses.

However, common issues observed in the shared e-scooter trial programs include users riding on footpaths and disorderly parking of these devices following their use. This affects vulnerable community members, such as those with poor vision or mobility impairments. In response, councils have implemented designated geofenced parking locations with appropriate signage and stickers. Concurrently, there has been a notable increase in illegal private e-scooter use in public spaces. These devices lack safety features like GPS tracking, geofencing, and speed-limiting technology observed in shared operators like Beam. It is important to note that the

⁴ University of New South Wales (UNSW), [E-scooters could make cities better, so why are we still outlawing them?](#)

enforcement of regulations for private e-scooters is the responsibility of NSW Police. This is not responsibility councils are empowered to undertake, and it is appropriate that it be the responsibility of NSW Police.

In Sydney, similar issues with e-bikes have led the City of Sydney to request the NSW Government to limit e-bike operators, cap the number of vehicles and enforce speed limits in certain geofenced areas⁵.

Industry and stakeholders

Industry and stakeholder perspectives on e-mobility utilisation have demonstrated its positive impacts. Bicycle NSW highlights that e-mobility offers a quick, energy-efficient, and cost-effective way to cover short distances, reducing traffic congestion and providing environmental benefits⁶. E-bikes with their low acquisition and running costs, present a cost-effective option in large cities like Sydney, contributing efforts to alleviate traffic congestion.

However, the rise in e-mobility transportation and its popularity has been accompanied by a significant increase in related injuries and hospital admissions. A study at the Royal Melbourne Hospital revealed \$1.9 million was spent treating 256 e-scooter related injuries in one year⁷. Further, concerns about lithium-ion battery fires have emerged, with numerous incidents in NSW linked to [incompatible chargers](#), resulting in severe fires in [apartment complexes](#).

Fire and Rescue NSW has reported nearly 100 lithium-ion battery fires in NSW this year alone, averaging 5.7 per week⁸. E-bikes and e-scooters pose a particularly high fire risk, heightened by the absence of a government-approved Emergency Response Guide (ERG) for these fires. These issues underscore the need for a nationally consistent regulatory framework for lithium-ion batteries, covering testing, labelling, transportation, storage, recycling and disposal.

Opportunities across governments to improve outcomes in regard to e-scooters, e-bikes, and related mobility options

Addressing the challenges related to e-scooters and e-bikes usage requires a coordinated effort across all levels of government. LGNSW urges the NSW Government to develop policies and legislation to effectively enable and regulate e-scooters.

Shared e-scooters will become a permanent fixture in Victoria from October this year, noting that the Victorian Government recently passed legislation which has made all trials of e-scooters and e-bikes permanent⁹. However, LGNSW understands that very recently, shared e-scooters are set to be banned by the City of Melbourne due to rise of unsafe and dangerous riding. There

⁵ Sydney Morning Herald, [Geofence technology to be used in Sydney share bike crackdown](#)

⁶ Bicycle NSW, [Electrification of Transport in the City - Strategy and Action Plan](#)

⁷ [Melbourne doctors call for greater regulation of e-scooters as injuries rise, clogging up hospitals - ABC News](#)

⁸ Sydney Morning Herald, [Chippendale e-bike store fire: 50 people evacuated \(smh.com.au\)](#)

⁹ ABC, [Share hire e-scooters to be permanently legalised across Victoria](#)

were 860 collisions involving e-scooters since December 2021, including 7 fatal crashes¹⁰. Despite legislation being passed, ultimately it is up to councils to enter into contracts with operators that permit them to operate their e-scooters in council areas under the scheme.

The development of a sound regulatory framework will require more comprehensive data than what is currently available. This includes data on the following:

- **Accidents, deaths and injuries** data which is accurate and timely involving e-bikes/scooters such as pedestrian deaths or injuries.
- **Fires, deaths and casualties** data caused by lithium-ion batteries.
- **Battery life span and disposal**
- **Journey length and purpose**
- **Modal shifts** to assess whether e-mobility devices are replacing car trips or if they are being used by users who previously walked, cycled, or used public transport.
- **Cost of regulation and enforcement** will aid in planning and resource allocation.
- **Infrastructure costs**

E-scooters and e-bikes that are predominantly used in motorised modes should not be classified as active transport. Consideration should be given to the registration of e-bikes if they are being used in a manner comparable to conventional motorbikes.

Governments have a significant opportunity to create a nationally consistent regulatory framework for lithium-ion batteries, with clear standards for testing, labelling, transportation, storage, and disposal. LGNSW acknowledges the recent formation of the [E-micromobility Interagency Group](#) taskforce by the NSW Government. This taskforce includes agencies such as Transport for NSW, NSW Police, Office of Local Government, NSW Police, to develop a comprehensive regulatory framework covering device standards, battery safety, infrastructure and compliance. Such efforts will ensure a coordinated national approach to this growing issue of battery safety in e-mobility devices, and LGNSW along with councils, are supportive of such initiatives to ensure community safety.

Integration of e-scooters and e-bikes into the existing transport system is essential. This requires the alignment of policies and regulations to support their effective incorporation. Strategic and road network planning should be guided by State agencies such as Transport for NSW for implementation by councils as the leading local road authorities.

On balance, LGNSW recommends the following actions across governments to improve outcomes with regards to e-scooters and e-bikes:

- **Regulation of e-scooters:** Establishing a nationally consistent regulatory framework that clearly outlined provisions for device standards to ensure user safety and effective integration into the existing transport network.

¹⁰ Sydney Morning Herald, [Council poised to ban hire e-scooters from Melbourne's CBD](#)

- **E-scooter trial insights:** Feedback from councils participating in the trial indicates that , restrictive guidelines of Road Safety Audits have limited the trials' ability to provide meaningful insights into e-scooter trial use in NSW. It is recommended that trial areas should be better positioned to increase community engagement and provide more comprehensive data.
- **Road Safety Data:** The [Australian Medical Association](#) emphasises the need for better road safety data and a consistent approach to road rules and safety education. Comprehensive data across various areas such as accidents, injuries and modal shifts will be integral in developing a sound regulatory framework.
- **Dedicated Infrastructure:** State resources and budget should be allocated to improve active transport infrastructure. E-bikes should be confined to dedicated bike lanes and cycleways, separate from pedestrian paths. The NSW Government should commit to an ongoing review of available lanes and shared paths to manage potential conflicts between traditional bicycles and motorised bikes.
- **Funding for Infrastructure:** Councils need financial support to upgrade and maintain infrastructure. Capital grant programs should be established to fund safety improvements, infrastructure upgrades and safety campaigns.
- **Infrastructure Planning:** Transport for NSW should update its guidelines and manuals (e.g. Transport Management Access Plan Guidelines, Traffic Impact Assessments) to better address micro-mobility needs. A dedicated micro-mobility streetscape should be developed. Transport for NSW has a leadership role in directing councils and the public with more detail on e-mobility to enhance these new documents.
- **Statewide Education Campaign:** LGNSW supports the NSW Government's [2026 Road Safety Action Plan](#), which includes resources for community education on mobility scooter safety. There are further opportunities for the NSW Government to collaborate with councils for further state-wide education and education campaigns focused on the safe use of e-mobility transportation in the community.
- **Enforcement support:** Greater support for NSW Police to enforce current rules and regulations within key locations. Enforcement should support the transition towards more appropriate use of e-bikes and other related options, through the support of riders that are acting within the requirements of existing laws.
- **Collaboration with operators:** Councils should continue working closely with shared e-scooter and e-bike operators to enhance community safety. This includes addressing risky behaviours, enforcing rules and determining suitable parking zones. Advanced technology features, such as helmet-use enforcement for scooter activation, could also be explored.

Conclusion

The anticipated growth in the use of e-bikes and e-scooters brings both significant opportunities and challenges to our existing transport networks. To effectively manage this shift, a coordinated approach across all spheres of government is crucial. E-mobility safety remains a concern with the increasing usage of e-mobility devices. Addressing the associated risks such as injuries and lithium-ion battery fires requires robust safety measures to protect the community.

The infrastructure required to accommodate the expected rise in e-mobility usage in NSW must be adequately funded by the State government. This includes the expansion of dedicated cycling lanes which are integral in ensuring the safe use of these devices. Further, it is also important to acknowledge and address potential conflicts between these devices on cycleways, ensuring that infrastructure planning considers the diverse needs of all users. Accurate and comprehensive data will guide informed decisions on the infrastructure investments and policy developments with the usage of e-mobility.

LGNSW urges ongoing collaboration across Federal, State, and Local governments to develop comprehensive policies and regulations that address these evolving transport challenges. By working together, we can ensure the safe integration of e-mobility devices into our transport infrastructure and support a sustainable and efficient future for the local communities in NSW.

For further information or to discuss this submission, please contact

Appendix A - Terms of Reference

Inquiry into the use of e-scooters, e-bikes and related mobility options

TERMS OF REFERENCE

That Portfolio Committee No. 6 - Transport and the Arts inquire into and report on the use of e-scooters, e-bikes (including shared schemes), related mobility options, and in particular:

- (a) the current and anticipated role of all three levels of government in enabling and encouraging safe electrified active transport options
- (b) opportunities to reform the regulatory framework to achieve better and safe outcomes for riders and the community
- (c) local council, industry and stakeholder perspectives on the utilisation and impact of e-mobility devices in the community
- (d) opportunities to improve mobility, the customer experience, safety for users and the community
- (e) the potential benefits and risks of existing regulatory and policy settings, including the *Roads Act 1993*, Road Rules and Road User Space Allocation Policy and other related legislation regarding safety, traffic, and personal convenience
- (f) the extent that e-mobility devices have positive community benefits such as encouraging mode shift, relieving congestion, addressing social disadvantage and tourism
- (g) opportunities across government to improve outcomes in regard to e-scooters, e-bikes, and related mobility options
- (h) best practice in other Australian and international jurisdictions
- (i) the economic analysis of e-mobility contribution to safe transport at night for shift workers and women, to mode shift and to first and last mile transport, and
- (j) any other related matters.

The terms of reference for the inquiry were referred to the committee by the Legislative Council on 6 June 2024.

Committee membership

Ms Cate Faehrmann MLC	The Greens	<i>Chair</i>
Hon Sam Farraway MLC	The Nationals	<i>Deputy Chair</i>
Hon Mark Banasiak MLC	Shooters, Fishers and Farmers Party	
Hon Anthony D'Adam MLC	Australian Labor Party	
Hon Dr Sarah Kaine MLC	Australian Labor Party	
Hon Bob Nanva MLC	Australian Labor Party	
Hon Natalie Ward MLC	Liberal Party	