

**Submission  
No 152**

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

**Organisation:** Waverley Council

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Our ref: D24/85735

12 August 2024

Ms Cate Faehrmann, MLC  
Chair, Portfolio Committee No.6 – Transport and the Arts  
Legislative Council, NSW Parliament  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Via email: [Cate.Faehrmann@parliament.nsw.gov.au](mailto:Cate.Faehrmann@parliament.nsw.gov.au)

Dear Ms Faehrmann,

**Re: Inquiry Into Use of E-Scooters, E-Bikes and Related Mobility Options**

**Introduction**

Waverley Council welcomes the Upper House Inquiry into the Use of E-Scooters, E-Bikes and Related Mobility Options including shared use schemes (collectively called “e-mobility” herein). With the second highest population density of all Local Government Areas (LGA) in New South Wales, Waverley Council consists of a compact urban form with vibrant streets, popular public spaces, and active residents. To retain and enhance these characteristics, our street spaces must be carefully managed to provide effective place and movement outcomes.

E-mobility presents a significant opportunity to make more efficient use of limited urban street space and provide more affordable means of access. Waverley Council already has a relatively high active transport mode share, many e-bike users, and is one of the most popular LGAs for bike share use and operation. These positive trends also present unique challenges, particularly with respect to shared use schemes. As more LGAs throughout NSW see growth in e-mobility modes, they will also face similar issues to those experienced by Waverley Council. To better minimise the negative impacts of e-mobility modes, and leverage their potential for wide-ranging community benefits state-wide, the regulatory frameworks must evolve.

**Key Areas of Focus**

Waverley Council’s submission provides four areas of focus in response to the Inquiry’s Terms of Reference. These areas of focus reflect the concerns and significant experience Waverley Council has with e-mobility modes and shared use schemes. However, they are broadly applicable to all communities.

### **1. Enable the Safe Use of E-Scooters and other emerging E-mobility Devices**

E-scooters currently have a status as 'unregistered motor vehicles'. The state government should establish a clear legal definition for e-scooters and other e-mobility devices to enable their safe use. We see value in treating e-Scooters similarly to bicycles/compliant e-bicycles, as some other jurisdictions already do (including Victoria). This would mean that they are legally accepted vehicles and are generally permitted to operate where and how bicycles do. To complement this, the allowable speeds need to be regulated, and LGAs needs to be provided with the means or legal framework to impose catered speed zones against state-led guidelines, as well as spearhead trials or catered approaches to other emerging e-mobility modes (e.g. e-skateboards, hoverboards, one-wheels, etc.).

### **2. Provide Enhanced Regulation of Current Shared Schemes**

LGAs require legislative support to better regulate shared schemes. This would include the ability to limit the number of operators or impose key contractual requirements as part of an operating license. In the absence of delegating this authority directly to LGAs, the State should consider establishing contracting or operating regions in close collaboration with LGAs.

In any case, LGAs require the legal means to be able to specify mandatory geofencing, parking controls, and data-sharing requirements within today's operating context.

### **3. Directly Administer Shared Schemes**

Based on how shared schemes function (specifically bike share) in many other jurisdictions around the world, we believe there is significant potential for Transport for New South Wales to more directly administer and support shared schemes. Shared schemes should be considered an extension of the public transport network, as the patronage of one, promotes the patronage of the other.

This would mean that Transport for New South Wales would take an active role in planning and financially supporting shared schemes with LGA collaboration. This would also lay a more supportive groundwork for integration with the Opal system, station-based parking management, more inclusive and equitable pricing, and more diverse vehicles to serve user needs (electric tricycles, cargo-bikes, etc.).

It should be noted that this approach may supersede elements of the discussion in Area of Focus 2 above.

#### **4. Further Fund and Legitimise Supportive Infrastructure**

A key challenge with respect to regulating the use of e-mobility, is the current transport infrastructure and network context wherein they operate. Jurisdictions where these modes have been safely and more effectively introduced typically provide more dedicated infrastructure, including protected cycleways and on-street parking opportunities. The negative public view toward private and shared e-mobility devices, in terms of them being ridden and parked on footpaths, is inextricably linked to the limited opportunities for safe riding, and dedicated parking spaces.

The State Government should continue to increase funding toward Safe Active Transport Infrastructure and empower LGAs to do the same. As well, regulatory clarity should be provided in terms of using on-street space for parking opportunities so to legitimise their presence in the urban fabric.

#### **Summary**

In essence, the Inquiry should work toward regulatory frameworks that provide roads authorities with more direct control over e-mobility modes, and in particular shared schemes. This would include tools for both the state and local government but requires that the state government take strong leadership.

Waverley Council also welcomes on-going intergovernmental collaboration on this and similar matters. We also welcome the opportunity to act as a witness through the Inquiry process and would seek to nominate the appropriate delegate.

Yours sincerely,

Sharon Cassidy  
Director, Assets and Operations