

Electric Vehicle (EV) Charging Stations on Public Land

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Contents

1. Purpose	1
2. Context	1
3. Glossary	1
4. Fair and Equitable Selection of Providers	2
5. Site Selection Criteria	2
6. EV Charging Station Design Considerations	3
6.1. Visibility and Identification	3
6.2. Parking Configuration	3
6.3. Charging Technology	4
7. Leasing Arrangements	4
7.1. Terms of Lease/License	4
7.2. Public /Private Partnership	5
7.3. Installation, maintenance and removal	5
8. Relationship to Other Policies	5
9. Implementation	5
10. Review	5

1. Purpose

The purpose of this Policy is to provide criteria for the provision, installation, management, maintenance, and removal of EV charging stations on public land in the Shoalhaven City Council Local Government Area (LGA). The Policy outlines the principles for planning EV charging infrastructure on public land and seeks to support the selection of the correct type of infrastructure at the right location.

This policy does not apply to the provision of EV charging stations on private land. Council does not preference provision of EV charging stations on public land over private land.

2. Context

The transport sector contributes significantly to carbon pollution and greenhouse gas emissions across the Shoalhaven LGA, making up approximately 21% of community emissions. This is due to the combustion of fossil fuels in petrol, diesel, and gas vehicles. Electric vehicles (EVs) and other electric transport modes, powered by renewable energy, present a key opportunity to reduce transport emissions and contribute towards Shoalhaven City Council and the NSW Government's targets to achieve net zero emissions by 2050.

According to the International Energy Agency, global demand for EVs increased by 43% in 2020 compared to 2019, with three million new EVs registered in 2020 (IEA, 2020). EVs are expected to become more established in the Australian market in the coming decade, with EVs predicted to be similar in terms of upfront costs as early as 2024. Research shows that the main barriers currently stalling greater uptake of EVs in Australia are the high cost of the vehicles, inadequate incentives, inadequate policy supports and the lack of public charging infrastructure away from home, leading to "range anxiety". A suitable network of EV charging infrastructure will be required across the Shoalhaven and New South Wales to support the use of EVs now and in the future.

In addition to supporting the uptake of EVs by local residents, appropriately sited, installed, and managed EV charging stations have the potential to encourage more visitors and boost regional tourism in the Shoalhaven.

The NSW Government has a number of initiatives aimed to facilitate the uptake of EVs in NSW. Three important documents are:

- [NSW Electric Vehicle Strategy \(2021\)](#)
- [Future Transport 2056 - NSW Electric and Hybrid Vehicle Plan;](#)
- [State Infrastructure Strategy 2018-2038.](#)

The objective of this Policy is to support and encourage the increased uptake of EVs. This Policy applies where it is considered that provision of EV charging infrastructure on public land within the Municipality is in the public interest. Where EV charging stations are proposed for public land in locations which serve the public interest, Council may support the installation of charging infrastructure through a leasing arrangement, as outlined in this Policy. Council is not in the business of owning and managing charging infrastructure, as this is not considered councils core business, however sites may be considered on a case-by - case basis, subject to funding opportunities.

3. Glossary

Ancillary infrastructure means any and all physical items that relate to the EV charging station, whether at the site of the EV charging station, or elsewhere.

Electric Vehicle Charging Stations on Public Land

Council means Shoalhaven City Council or any officer authorised to act on behalf of Shoalhaven City Council.

DDA Compliant means compliance with the [Disability Discrimination Act 1992](#).

Electric vehicle (EV) means both fully (battery) electric vehicles and plug-in hybrid electric vehicles.

Public land, is as defined in the *Local Government Act 1993*, means any land (including a public reserve) vested in or under the control of the council, but does not include:

- a) a public road*, or
- b) land to which the [Crown Lands Management Act 2016](#) applies*, or
- c) a common, or
- d) a regional park under the [National Parks and Wildlife Act 1974](#).

* For the purpose of this Policy, a public road and Crown reserve may also be considered suitable for an EV charging station.

Strategic tourism location means:

- a) a place of recognised tourism significance, including a natural place or built form place; or
- b) a tourist visitor centre, or the like.
- c) a place zoned for tourism purposes under *Shoalhaven Local Environmental Plan 2014* or the relevant environmental planning instrument applying to that land.

Town or village centre means a centre in the Shoalhaven LGA that is zoned for business or village purposes under *Shoalhaven Local Environmental Plan 2014* or the relevant environmental planning instrument applying to that land.

4. Fair and Equitable Selection of Providers

The provision of EV charging stations on public land must be fair and equitable. This includes:

- Providing universal charging facilities, or reasonable provision made for the adaptation of the infrastructure to support all types of EVs (refer to Section 6.3 for preference of connector types); or
- An expression of interest process when an applicant (other than Council) proposes exclusive use of EV charging infrastructure for a particular vehicle type, group of users or any other exclusionary particulars.

Council, unless in exceptional circumstances or for the purpose of charging vehicles in Council's fleet, will not be the owner or manager of EV charging station infrastructure.

5. Site Selection Criteria

A site may be considered suitable for an EV charging station where the proposal demonstrates to Council's satisfaction that:

- The land is public land, as defined in Section 3; and

- The land classification has been considered: Land classified as operational land is preferred, however community land may be considered suitable where the proposal is in accordance with the *Local Government Act 1993*, *Crown Land Management Act 2016* and the relevant Plan of Management for that land; and
- EV charging stations are permissible under the relevant legislation at the proposed location (e.g., Shoalhaven Local Environmental Plan 2014, State Environmental Planning Policy (Transport and Infrastructure) 2021, the *Roads Act 1993* and the like). Note: the provider is responsible for securing development consent or approval, where applicable, from the relevant planning authority on a case-by-case basis; and
- Environmental constraints and characteristics have been considered; and
- The electricity supply infrastructure capacity of the existing electrical supply network is suitable (or can be reasonably upgraded). Note: Council will bear no cost or responsibility for the provision of, or upgrade to, electrical supply infrastructure to service a proposed EV charging site, unless by prior agreement; and
- The land is located within a reasonable walking distance (generally within 400m) of a town or village centre or strategic tourism location; and
- The land has a reasonable connection to the wider road network; and
- The facility and its operation will not adversely impact upon the amenity of surrounding development or the public domain; and
- The facility is safe with adequate lighting, and pedestrian and vehicular access available at all times of day and night; and
- The facility is compliant with relevant Australian standards and road design guidelines; and
- The facility is compliant with relevant Australian Standards and Regulations for occupational health and safety. Charging station hardware must be located a safe distance away from hazards (e.g., dangerous goods and fuels); and
- Consultation with the local community and relevant stakeholders is satisfactorily undertaken in conjunction with site selection.

Permission granted by Council for the provision of a charging station on Council land will not preclude Council from allowing other providers, including Council, to offer charging facilities on nearby land or through the use of 'Smart Poles' or similar infrastructure, with or without charging fees to end users.

6. EV Charging Station Design Considerations

6.1 Visibility and Identification

The facility and all ancillary infrastructure (inclusive of signage, parking bays and charging infrastructure) shall be easily visible and accessible for users to find, and meet the design requirements of Council's relevant procedures.

6.2 Parking Configuration

The following must be considered at a minimum:

- All aspects of EV charging bays are to be designed and constructed in accordance with relevant Australian Standards; and

- All EV carparking spaces/charging bay pavements shall be constructed to Council's specifications including sealing, kerb and guttering, pram ramps, signage and line marking, where upgrades are required by Council; and
- Preference is given to the provision of EV charging infrastructure at a minimum of two (2) related (e.g. adjoining/adjacent) carparking spaces in any given location; and
- All EV charging bays are to be DDA compliant which includes compliance with current standards for access (AS2890.5/AS2890.6); and
- Where appropriate, the location of EV charging stations should not be in premium, high demand parking spaces that would encourage non-EVs to occupy the charging bay; and

Note: This does not exclude the consideration of EV charging stations in high demand areas, however these areas will only be considered where other nearby locations have been demonstrated to be inappropriate.

6.3 Charging Technology

Council's objective is to facilitate the provision of EV charging infrastructure in an efficient, inclusive, and accessible manner.

The installation of EV charging infrastructure on Public Land in the Shoalhaven shall be consistent with the State Government Policy *Future Transport 2056 – NSW Electric and Hybrid Vehicle Plan*.

The charging cable shall have the capability to reach all points of the carparking space, to cater for EVs with front, rear, or side charging ports. Cables should not be a hazard for pedestrians, cyclists, or other vehicles at any given time, whether in use or idle.

6.4 Energy source

The charging station must utilise renewable electricity that may include onsite solar, green power, or a Renewable Power Purchase Agreement.

7. Leasing Arrangements

Any provision of EV charging stations on public land will be subject to licensing/leasing arrangements with Council. Licence and/or lease terms shall be in accordance with Council Policy [Occupation of Council Owned or Managed Land](#).

Entering into a lease or licence agreement with Council to utilise public land for installation and operation of an EV charging station in no way guarantees development consent or approval.

7.1 Terms of Lease/Licence

Any provision of EV charging stations on public land will be subject to licensing/leasing arrangements, or similar, between the provider and Council. Licence and/or lease terms shall be in accordance with Council Policy [Occupation of Council Owned or Managed Land](#).

Council reserves the right to require appropriate remuneration for use of Public Land for the purposes of EV charging stations. This may be in the form of a lease/licence fee, apportionment of user fees, or other. This is to be determined on a case-by-case basis as part of any licence/lease (or other) arrangement.

Entering into a lease or licence agreement with Council to utilise public land for installation and operation of an EV charging station in no way guarantees development consent or approval, where required.

7.2 Public /Private Partnership

Council may consider entering into a Public/Private Partnership with relevant providers to deliver EV charging stations on Public Land. This will be subject to negotiation on a case-by-case basis.

7.3 Installation, maintenance, and removal

The installation, maintenance and removal associated with the operation of any given EV charging station is the responsibility of the provider, unless by prior agreement with Council. This includes ancillary infrastructure such as car parking spaces, signage, line marking, pavement marking, lighting and the like, and the future reinstatement of the site if required/proposed.

Prior to the commencement of any works, a security bond will be required to be paid to Council. This bond will be held by Council for the duration of any lease or licence agreement. Any costs incurred by Council in excess of the bond amount will be borne by the applicant/EV charging station operator. The detail will be specified within the lease or licence agreement.

Under the lease agreement the provider shall implement a maintenance schedule which includes regular inspections. All maintenance and works shall be carried out in a timely manner to avoid delays to service, with a requirement for providers offering 24/7 customer service based in Australia to be confirmed in the application submission. Third party providers should produce and maintain relevant insurances and all other hazards relating to the facility should be considered by them and managed appropriately. Non-compliance with this provision may lead to the termination of any agreement between the provider and Council and may result in the forced removal of EV charging and ancillary infrastructure, at the cost and responsibility of the provider.

The specific terms are to be determined as part of any licence/lease arrangement, or similar.

8. Relationship to Other Policies

Other Council policies may apply to particular aspects of the provision of EV charging stations on public land and must be considered.

9. Implementation

This Policy will be implemented by the City Services Directorate in accordance with the supporting EV charging infrastructure design and specification procedure.

10. Review

In accordance with section 165(4) of the *Local Government Act 1993*, this Policy will be reviewed within one year of the election of every new Council, or more frequently as operationally necessary.