

Electric Vehicle Charging Infrastructure on Public Land Policy

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Approval date:	7 August 2023
Policy owner:	Director Regional Activation
Next review:	September 2025

Background

In line with national, state and local net zero emission targets governments are driving the transition away from the use of internal combustion engine vehicles through various policies and funding mechanisms. The uptake of electric cars, bicycles and other vehicles is increasing and will accelerate significantly over the next few years.

The *NSW State Environmental Planning Policy (Transport & Infrastructure) Amendment (Electric Vehicles) 2023* (Transport & Infrastructure SEPP) makes provisions for installation of EV charging infrastructure by private and public entities in a number of different scenarios.

- Development permitted without or without consent by (or on behalf of) public authorities and electricity supply authorities
- Development permitted with consent on 'relevant public land' adjacent to residential premises
- Development permitted with consent for buildings used for recharging or exchanging batteries
- Exempt development on certain premises such as a depot or service station
- Exempt development on existing electricity or lighting poles and street furniture by (or on behalf of) public authorities and electricity supply authorities.

The Transport & Infrastructure SEPP outlines the permissibility of electric vehicle charging infrastructure and provides a framework of minimum requirements.

Purpose & Scope

The scope of this Policy relates to publicly available EV charging infrastructure on Council owned and controlled land only (including Crown land). The Policy sets out the criteria considered by Council when deciding whether to permit commercial EV charging infrastructure on public land, and to support equitable access to EV charging for residents and visitors. The Policy seeks to facilitate the community uptake of EVs while providing value for money, accountability and transparency.

Policy Provisions

The Policy provides additional guidance to ensure a fair and equitable selection of providers and to give added direction as to Council's specific requirements related to:

- Location
- Installation
- Operation & Maintenance
- Parking
- Decommissioning
- Leasing, Licencing & Fees

General provisions

- Council will seek to leverage private sector investment as its preferred service model and thereby foster a sustainable service model where costs are born by users rather than ratepayers. This includes market-based compensation for use of public land.
- Council may invite Expressions of Interest (EOI) from service providers to deliver and operate public EV chargers from time to time.
- Council may seek to lead delivery of EV charging infrastructure in appropriate circumstances, utilising government grants when available.
- A preference for land that is classified as 'operational' though 'community' land may be considered where the proposal is appropriate under the provisions of the Local Government Act 1993 and the Crown Land Management Act 2016.

Location of public EV charging infrastructure

Locations that Council may consider for public EV charging infrastructure include any locations where there is currently public parking available such as:

- Council managed off-street carparks
- Sporting, recreation and leisure centres and other community facilities
- Other sites may be considered on a case-by-case basis if they meet other criteria and legal permissibility.

When determining an appropriate site for an EV charging station, Council and any third-party proponent will consider:

- The likely demand for EV charging in the area
- The impact on parking supply for activity centres and local businesses
- Benefits to local economy in attracting visitors
- The speed and type of chargers required for the expected user type and linger time
- Accessibility for people with additional mobility needs
- Proximity to facilities including restrooms, seating, food and water, key destinations, and activity centres
- Access to existing grid connection with appropriate capacity
- Physical space for charger, transformer, and expected vehicle type, so that charging station does not encroach on other nearby uses or create a safety hazard
- Visibility of the charging station, including signage
- Impacts on vegetation that has a biodiversity or urban canopy value

- A preference for off-street parking locations, to minimise interference with key pedestrian networks, active travel routes, public transport routes and access, and other uses of public space
- Any other factors considered relevant by Council.

Operation of public EV charging infrastructure

- Council will require full life-cycle responsibility to be held by the service provider, including installation and consultation costs, operation, maintenance and decommissioning. This includes submitting planning permit applications for associated signs and works.
- The use of advertising by any provider is to be disclosed to Council in the initial application process. Separate planning approvals may be required for the presence of advertising in accordance with relevant legislation and standards.
- Service providers will be responsible for leading consultation with electricity network service providers to ensure appropriate capacity.
- Charging connections must comply with requirements for CCS2 and CHAdeMO for DC fast chargers and Type 2 for AC chargers in order to allow all types of EVs access.
- EV charging infrastructure will preferably have a minimum input capacity of 22kW to allow a reasonable charge time adding ~100km range per hour.
- The charging station must be compliant with relevant Australian Standards and Regulations for workplace health and safety. Charging station hardware must be located a safe distance away from hazards (e.g. dangerous goods and fuels).
- Adequate lighting must be provided for the safety and security of drivers, passengers, vehicles and associated infrastructure (in accordance with AS 1158 Lighting of Public Roads and Public Spaces).
- EV charging infrastructure will preferably use electricity from 100% renewable sources.
- A maintenance schedule including regular inspections shall be implemented by the Service Provider and all works are to be carried out in a timely manner.

Parking restrictions

- All EV parking spaces are to be constructed in accordance with the relevant Australian Standards for car parks (AS 2890 (set) Parking Facilities) and the Disability Discrimination Act 1992 to ensure full accessibility for people with a disability.
- In Council carparks, a specified EV charging space will be reserved strictly for EV charging. Vehicles not using the EV charger, including EVs, will not be allowed to occupy the spaces and fines may apply.
- All public EV charging stations will be accompanied by parking restrictions to ensure their efficient use and accessibility by multiple users.
- Restrictions may vary for different locations, charger types and preferred linger times.

Application requirements

- Council will apply a clear and transparent process for applications from third-party service providers and these may be updated from time to time.
- Council may seek applications or proposals periodically from service providers. Should it do so, it will ensure that this is managed in line with Council's applicable policies to ensure good governance and best value for community.

- Any provision of EV charging stations on public land will be subject to licensing or leasing arrangements with Council or the relevant Minister if required in relation to Crown Land and any leases or licences entered into will be in accordance with Council's Acquisition, Disposal and Management of Land Policy.
- Lease and/or licensing agreements will be designed on a site-by-site basis and include a fee structure or other form of remuneration.
- Any agreement with a service provider will be able to be terminated at the end of the charging infrastructure life, or within 10 years, whichever is sooner. Removal of above and below ground infrastructure would be the responsibility of the service provider.
- Council will reserve the right to decline any application for public EV charging stations.

Legislative Context

- *NSW Crown Land Management Act 2016*
- *NSW Environmental Planning & Assessment Act 1979*
- *NSW Local Government Act 1993*
- *NSW Roads Act 1993*
- *NSW Transport & Infrastructure SEPP 2021*
- *Disability Discrimination Act 1992*

Related Documents

- AS/NZS 1158:2020, Lighting of Public Roads and Public Spaces
- AS/NZS 4282:2019, Control of the obtrusive effects of outdoor lighting
- AS/NZS 3000:2018, Electrical installations
- AS/NZS 4417.2:2020, Regulatory compliance mark for electrical and electronic equipment
- AS/NZS 2890:2004, Parking Facilities (set)
- Future Transport 2056 – NSW Electric and Hybrid Vehicle Plan
- National Construction Code
- National Electric Vehicle Strategy
- NSW Electric Vehicle Strategy
- NSW State Infrastructure Strategy
- Wagga Wagga Community Net Zero Emissions 2050 Roadmap (draft)
- Acquisition, Disposal and Management of Land Policy (POL 03)
- Activities in Public Road Reserves Policy (POL 008)
- All Abilities Inclusion Plan

Definitions

Term	Definition
CCS2 charger	Combined Charging System is an industry-standard vehicle connector for DC charging of Electric Vehicles (EV)
CHAdeMO charger	Charge de Mode is a standard vehicle connector for DC charging of electric vehicles (EV)
Type 2 charger	Type 2 inlets and plugs supporting AC & DC Charging standards of Europe and Australia
Community land	Restrictions around leasing, licencing and use of the land must be in accordance with a Plan of Management
Operational land	No special restrictions on use of the land parcel

Revision History

Revision number	Council resolution	Council meeting date
1	Resolution: 23/186	7 August 2023