

**Item 3.4****Regulating Shared and Private E-Mobility Devices****File No: S051491****Minute by the Lord Mayor**

To Council:

Between January and September this year, there were almost 2.5 million share bike trips in our area. Share bikes are a useful and sustainable transport option that have helped increase cycling and reduce reliance on cars.

However, the NSW Government has let share bike companies operate unregulated for too long. I have been raising concerns and calling for them to regulate this sector since 2017.

I welcome the NSW Government's introduction of the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025, 2 weeks ago. The Bill proposes a statewide framework for safe and orderly shared e-mobility schemes, which could include e-scooters as the NSW Government announced it will legalise them via amendments to the Road Rules.

This legislation, and the regulations that will follow, will have significant implications for shared e-mobility operators and users. They also promise a fairer outcome for footpath users who have long called for stronger regulation to address the issue of inappropriately parked share bikes and illegal footpath riding. I support the NSW Government's recognition that unregulated shared mobility schemes have caused 'frustration and stress in communities'.

**Approval and authorisation**

The Bill sets out a 2-step process for potential shared-scheme operators:

- Step 1: Approval from Transport for NSW (TfNSW) to confirm ability to comply with statewide standards and
- Step 2: Authorisation from the City, subject to local conditions and operating rules.

However, at a briefing held at Parliament House on 13 October 2025, representatives from Transport for NSW said that there will be 'very limited' grounds that councils can refuse to authorise an operator to provide a shared e-mobility scheme in our area. However, we know our area best and need to ensure the regulations allow us to set clear rules that ensure we get a scheme that balances user requirements with the local context and amenity.

Councils should be allowed to set the scale of shared e-mobility operations, including the number of operators and bikes deployed within an areas. Briefings indicate the regulation will allow us much greater control over where and how devices can operate. We want to set rules about parking including requiring operators to enforce bike parking in designated areas and prohibit parking in certain zones, 'go slow' areas, time limits for relocating devices and performance standards for timely operator responsiveness.

**Fees**

The new regulatory framework will set fees to be paid by shared mobility scheme operators to help pay for the costs of administering and operationalising the new framework. At the same briefing, Transport for NSW advised that the fee split between Transport for NSW and Councils would be 75/25 (in favour of Transport for NSW).

I am concerned about the time and resources that will be required of City staff to effectively manage shared e-mobility schemes without appropriate reimbursement. Currently, there is only a commitment that fees 'help' to reimburse Council for the additional infrastructure we need to install and staff time to plan for, monitor and enforce these schemes.

The new rules must include a fair share of revenue for local councils. Without proper funding, Councils cannot keep these services safe and well managed to meet community expectations.

**Enforcement**

As noted by the Minister in her Second Reading speech, the City has been installing designated bike parking areas for share bikes. This has helped reduced footpath clutter and will be a crucial element when we are working with operators to determine where their shared e-mobility devices can be parked.

Whilst the legislation introduces new powers for councils to issue removal orders for non-compliant share e-mobility devices, it is unclear whether these removal orders extend to inappropriately parked bikes. The Public Space Unattended Property (PSUP) Act 2021 remains the legal basis for impounding and disposing of unattended devices.

However, the PSUP Act is not an effective tool for councils to manage poorly parked share bikes. The City does not have the resources or storage to impound thousands of poorly parked bikes noting there is up to 13,000 trips a day in our area.

There needs to be a much more flexible process than the PSUP Act allows for enforcing poorly parked e-bikes.

The Bill allows councils to impose local conditions for shared e-mobility operators, but the scope of these powers remains unclear. Local conditions should enable Council to set rules regarding how shared mobility scheme operators will monitor their fleet to ensure appropriate parking so it doesn't rely on members of the public making complaints. The rules should also enable Council's to issue fines for non-compliance with parking rules without reliance on the PSUP Act.

**E-scooters**

The Bill will also amend 3 Acts to legalise e-scooters on roads, shared paths and cycleways in New South Wales.

Medical staff from Hospital Emergency Departments in other states have raised concerns about serious injuries from e-scooter crashes. The NSW Government's report on their shared e-scooter trial released in July 2025 relied only on self-reported crash data provided by the shared e-mobility operator. This approach likely vastly underestimates the true number of injuries, as share e-mobility scheme users may be reluctant to disclose incidents, particularly if they fear they have damaged an operator's e-scooter or caused harm to a pedestrian.

Illegal footpath riding is hard to enforce by NSW Police with current resourcing.

I remain concerned about the risk to pedestrians from legalising e-scooters due to illegal footpath riding, underage use and poor helmet compliance, noting it is already happening with share bike riders.

Because the potential risks of this new form of transport have not been properly assessed in our area, inner-city councils should have the power to refuse authorisation for shared e-scooter schemes in our area until the necessary cycleway infrastructure is in place to reduce the likelihood of footpath riding.

Ideally, e-scooters should not be legalised until the supporting regulations for the Bill are consulted on and the parameters around share schemes are clear.

## **Recommendation**

It is resolved that:

- (A) Council welcome the introduction of the Road Transport and Other Legislation Amendment (Micromobility Vehicles and Smartcards) Bill 2025 that seeks to regulate the provision and management of shared mobility schemes and legalise e-scooters in NSW;
- (B) Council note that the City of Sydney has led the way in NSW in developing strategies to manage shared e-mobility schemes including allocation of on and off street designated parking areas, despite having limited regulatory powers;
- (C) the Chief Executive Officer be requested to:
  - (i) prepare a formal submission on the draft regulations when released and continue to work constructively with the NSW Government and participate in future consultation processes; and
  - (ii) provide updates to Council via the CEO Update as the legislation progresses through Parliament and provide advice about the implications for the City of the future regulations when released, including:
    - (a) key requirements, including local authorisation conditions (parking and riding rules, caps on device numbers, and operator performance reporting such as usage and complaints;
    - (b) resource implications, including staffing needs for planning, monitoring, enforcement and parking infrastructure;
    - (c) funding requirements to appropriately administer the scheme; and
    - (d) enforcement options and alternative compliance measures to ensure we can effectively manage share schemes in our area; and

- (D) the Lord Mayor be requested to write to the Minister for Transport and the Minister for Roads with a copy of this Minute strongly supporting the introduction of a legislative framework around the management of shared e-mobility schemes and requesting ongoing consultation with councils and the community about the future regulations to address issues outlined in the Minute, including the capacity of councils to set operating conditions, parking rules, enforcement powers, data-sharing and a fair division of fees between councils and the NSW Government from operators.

**THE RT HON CLOVER MOORE AO**

Lord Mayor of Sydney