



N239915

FILE 16.20.2.38

Project Name:

Licence use of Community Land - 2 Jubilee Drive, Port Lincoln

Consultation Report

Submission Summary

1 October 2023 – 14 November 2023

Report generated on 14 November 2023

Project Overview

Council invited the community to give feedback on Licence use of Community Land located at 2 Jubilee Drive, Port Lincoln from Thursday 19 October 2023 to Friday 10 November 2023.

RAA approached Council to identify two (2) suitable locations for 7kW charging stations, which are referred to as 'Destination' charging sites, with three charging stations at each site. All charging stations are used on a 'user pays' basis. RAA suggested the Port Lincoln Leisure Centre as a suitable site.

Although other potential locations were put forward for consideration, the Port Lincoln Leisure Centre remains RAA's preferred location for a charging site on Council land. RAA are in separate negotiations with other parties regarding CBD locations, and the interactive mapping shown on RAA's website shows an additional planned 150kW 'Rapid' charging site, currently described as being located at a Shopping Centre.

To enable the installation and operation of the charging stations at the site, Council were requested to enter into an agreement over the land that forms three (3) car parking bays (nominally 45m²) and an additional area for a footpath. The proposed location (Site Map can be found in the Key Documents section on the right) was selected by RAA after an onsite assessment regarding access to suitable power supply and other project cost considerations.

It is to be noted that it is intended for these car parks to remain available for all users and are not reserved solely for EV's, unless required under future legislation. The selected car parks are at the rear of the premises and are seldom used currently.

The keys terms being requested by RAA are:

- A licence term of 5 years with an optional 5-year renewal.
- Council is to supply power to the charging stations. Usage to be separately metered and on charged to RAA at cost.
- All installation, maintenance and other ongoing costs are to be borne by RAA.

Council resolved, as per resolution CO 23/188 to enter into a new Licence Agreement Pursuant to Section 202 with RAA Innovation Pty Ltd in respect to a portion of land comprised within Certificate Title Volume 6105 Folio 588, commonly known as 2 Jubilee Drive, Port Lincoln and a portion of adjacent Road Reserve for a period of five (5) years with a further right of renewal of five (5) years to establish electric-vehicle (EV) charging stations as part of the statewide EV Network Program.

Hardcopies of the proposed Licence were made available in an information sheet at the Council Administration Office and Port Lincoln Library from Thursday 19 October 2023 to Friday 10 November 2023.

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Licence use of Community Land - 2 Jubilee Drive, Port Lincoln Submission Summary

Number of Submissions: 9

Respondent	Subject	Description	Attachments
1	EV Charging Stations	I support the RAA proposal. Also include a station in the CBD. Encourage EV purchase and visitors with EV's. Show leadership the future is now.	-
2	Submission - Licence use of Community Land - 2 Jubilee Drive	I don't have any issues with this proposal [REDACTED] [REDACTED]	-
3	EV Charging station at the Leisure Centre	Hello, I am not against EV charging stations, however I don't think this space alongside the leisure centre should be one. Port Lincoln has a very strong and competitive swimming club and it would be great to one day see the pool deck expanded to allow seating so the Port Lincoln Leisure Centre and swim club can benefit from hosting an annual competitive swimming event. These events see swimmers from all over SA attend and currently due to lack of deck space our swimming club has to host our event elsewhere. Thank you for your consideration.	-
4	Port Lincoln Leisure Centre	Good evening. I wish to voice my opposition to the proposed lease to RAA for charging station adjacent the southern wall of the port lincoln leisure centre 25m	-

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Respondent	Subject	Description	Attachments
	charging station	<p>pool. I raise the following points for a consideration. - 7kw chargers are basically pointless given the need to spend 6+ hours to charge an Electric Vehicle. 12/15kw should be the minimum to avoid future congestion. Visiting the leisure centre for a couple of hours and even having a meal at the hotel, it is still not enough time spent to charge a Ev at 7kw. There is little detail given as to what the RAA is actually paying for- Will RAA pay for new electric circuit from board to kerbside, Will council be responsible for potential upgrade to power boards at the leisure centre, additional cabling/trenching, electrical meter or is RAA paying for applicable costs/upgrades. - the proposed location is adjacent the window looking straight into the 25m pool, what kind of weirdos will be looking in at kids swimming, swimming lessons etc. - the proposed lease will prevent any future development/expansion of the pool. Expansion of the leisure centre/pool to allow for additional space to the south of the 25m pool to allow space for spectators for swimming events, club and school carnivals should be in the near term plans for the city council. Longer term plans should include a 50m pool. - does this lease fit with the Marina Prescient Plan? Considerable public and industry consultation took place 3-4 years ago then absolutely nothing has happened since- all the money has been spent at the foreshore and the marina can't even get a street rubbish bin with parking and traffic management an absolute joke. This lease will prevent any future endeavour to use the considerable car park that already exists to the south of the leisure centre. Meanwhile, private land to the north of the leisure centre/south quay blvd is used for parking regularly by leisure centre patrons. A more suitable location for the EV chargers would be in the SW corner of the western carpark (nearest the existing petrol station). I can be contacted at any time to discuss.</p>	

Respondent	Subject	Description	Attachments
5	Objection to proposed EV charging station site	<p>The proposed site for the EV charging stations is illogical on many levels. Firstly, as a member of an active family with children who use the swimming and basketball facilities regularly, I hoped that the council would consider expansion of the aquatic area to allow for more competition and leisure based zones for our community. This has happened in other regional communities a similar size to ours including Mount Gambier. Siting an EV station in the proposed area would delay or preclude any plans for expansion. Secondly, the leisure centre is frequented by many children and the site is located next to large windows looking directly in to the swimming pool area. This allows extended viewing from the car occupants which I feel is inappropriate. Finally, there are other much more appropriate sites for EV charging in that area, including adjacent to the basketball courts where there are no windows in to the building. I hope this proposal does not go ahead and a more suitable site is found. Kind regards, [REDACTED]</p>	-
6	EV charges	<p>To Whom It May Concern: I would like to express my say regarding the 7kW charging stations proposed for 2 Jubilee Drive Port Lincoln. I am in favour of the community having the chargers available for EV's in town a supporter of electric vehicles, but I am opposed to having them located at 2 Jubilee Drive. My concerns are –</p> <ul style="list-style-type: none"> • Whilst there is no plan to expand the leisure centre, I have high hopes that one day the council will consider expanding the centre to accommodate extra seating to hold events attracting other swimmers to the area. • In even bigger dreams it would be amazing to have a 50m pool one day. • For this to be 	Refer Attachment 1

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Respondent	Subject	Description	Attachments
		possible leasing these parks will limit the opportunity for this to happen for a minimum of 10 years as this space will be used. • They are small chargers and will take hours for a car to charge, I do not think it is right for cars to be sitting there close to pool potentially just watching kid's swim. I believe the better location would be in the car park closer to the fuel station. I hope you will reconsider the proposed location and find a more suitable position that does not restrict the future developments of the marina and the leisure centre. Thank you. [REDACTED]	
7	No to jubilee drive raa ev charge program	Please put this elsewhere as it inhibits growth of the leisure centre! Children have swimming lessons and train there regularly and it exposes those vulnerable children to very awkward situations where they may feel uncomfortable or insecure. Maybe consider the parks near the yacht club or near dominoes as those drivers then have access to the businesses down the foreshore to spend their time while they wait for their cars to charge.	-
8	Written submission to the License use of Community Land - 2 Jubilee Drive, Port Lincoln	Please accept this written submission to the Licence use of Community Land - 2 Jubilee Drive, Port Lincoln. Please acknowledge receipt and acceptance of this email to [REDACTED] before 9am Friday 10th November . Thank you [REDACTED]	
Amended Respondent	Written	Hi, In my haste this morning I submitted a document that I found to have some	Refer

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Respondent	Subject	Description	Attachments
8	submission to License Use of Community Land - 2 Jubilee Drive, Port Lincoln - Amended submission	errors. Please destroy my earlier submission - the attached document supersedes the previous upload. If you have any queries, please do not hesitate to contact me. [REDACTED]	Attachment 2
9	Dangerous proposal	A ridiculous proposal that impacts the safety of the public and risks harm to the environment and our industries. In the event of a thermal runaway event, toxic off-gassing and fire risks will place lives and community infrastructure at risk. In the event of a fire the location is in close proximity to the recreation centre, a hazchem storage area and large LPG storage tank. Significant flammable material adjoins the site and is also located to the south. A thermal runaway event would require 20,000-30,000 litres of water to extinguish, with contaminated and toxic water run off entering the marina. The proposed location is poorly lit and is not readily observable for the safety of users, the minimisation of vandalism or an efficient response if an emergency event takes place. Residents, ratepayers and visitors deserve better.	-

To Whom It May Concern:

I would like to express my say regarding the 7kW charging stations proposed for 2 Jubilee Drive Port Lincoln.

I am in favour of the community having the chargers available for EV's in town a supporter of electric vehicles, but I am opposed to having them located at 2 Jubilee Drive.

My concerns are –

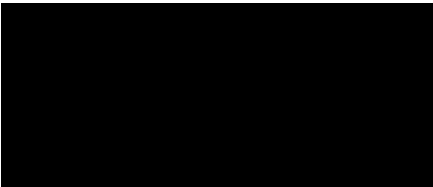
- **Whilst there is no plan to expand the leisure centre, I have high hopes that one day the council will consider expanding the centre to accommodate extra seating to hold events attracting other swimmers to the area.**
- **In even bigger dreams it would be amazing to have a 50m pool one day.**
- **For this to be possible leasing these parks will limit the opportunity for this to happen for a minimum of 10 years as this space will be used.**
- **They are small chargers and will take hours for a car to charge, I do not think it is right for cars to be sitting there close to pool potentially just watching kid's swim.**

I believe the better location would be in the car park closer to the fuel station.

I hope you will reconsider the proposed location and find a more suitable position that does not restrict the future developments of the marina and the leisure centre.

Thank you.





9 November 2023

City of Port Lincoln
Attention: Peter Bond
Acting Chief Executive Officer

Via email: yoursay@plcc.sa.gov.au

CC: Brad Tolley brad.tolley@plcc.sa.gov.au

Dear Peter,

WRITTEN SUBMISSION TO 'PROPOSED LICENSING AGREEMENT BETWEEN PORT LINCOLN CITY COUNCIL AND RAA INNOVATION PTY LTD TO ESTABLISH EV CHARGING STATIONS'.

I have numerous questions about the proposal that I would like to see the City of Port Lincoln obtain answers to on behalf of the ratepayers before approving a licensing agreement.

1. I acknowledge that under the Local Government Act 1999 – Sect 202, that
 - (2) *Before council grants a lease or a licence relating to community land, it must follow the relevant steps set out in its public consultation policy.*
 - (3) *However, a council need not comply with the requirements of subsection (2) if-*
 - a) *The grant of the lease or licence is authorised in an approved management plan for the land and the term of the proposed lease or licence is five years or less; or*
 - b) *The regulations provide, in the circumstances of the case, for an exemption from compliance with a public consultation policy.*

Given that a 5 plus 5 licence is being proposed, and that this is a new and unknown area of development, will the council be prepared to put this development to public consultation in the interest of ratepayers by a special resolution?

2. In the Information Sheet provided to the public, one of the key terms being requested by the RAA is:

"All installation, maintenance and other ongoing costs are to be borne by RAA".

Does this only apply to the EV charging units, or the whole of the land, including the parking bays and footpath?

Does Indemnity Insurance come under the RAA's 'ongoing costs? If not, whose insurance will be liable for any and all potential issues that may occur on the licensed site? Will RAA Innovation Pty Ltd indemnify the City of Port Lincoln and all of its employees and contractors from any claims pertaining to this site? Will they indemnify the City of Port Lincoln from any third-party claims?

3. The Marina is home to electricity dependent residential, tourism and commercial businesses. Has a capability study been provided to evaluate if the grid that supplies the Marina precinct has the capacity to support the 3 EV charging stations at full capacity usage, and any effect that it may have on the existing electricity supply to the precinct? Will the power to the EV chargers be able to be isolated in the occurrence of a hazard event? If not, could a capability study please be undertaken before any leasing arrangement is agreed upon, and then discussed in public consultation?
4. Has a Risk Management Plan been conducted for the site? I note that the Licence Agreement Report has Risk Implications at "Low Risk". Have the specifications of the EV charging units been provided to the council? If not, I would ask that risk management consultants be engaged at the cost of RAA Innovation Pty Ltd and provided to the council so that any hazards and risks can be properly evaluated and considered for the site. I have attached to this letter links to doctrines from the Australasian Fire Council (afac.com.au), namely "*Electric Vehicles (EV) and EV charging equipment in the built environment*" and "*Incidents involving Electric Vehicles*" providing more information for the Councillors and yourself.
5. Has a review been conducted on the Councils' Long Term Financial Plan (LTPF 2024-2033) to forecast any impact this proposed licensing agreement may have? If RAA Innovations Pty Ltd do not take on the second five-year licensing agreement, what is the exit strategy and will that affect the LTPF 2024-2033?

RAA Innovations Pty Ltd have requested the council to supply power to the charging stations, and to separately charge onto the RAA at cost. I note that the Budget Implications of the Licence Agreement Report state that it is "Not Applicable". How can that be? Separate metering is needed to be installed, and ongoing invoicing is going to be required by council staff. If a new business was seeking approval in the council area, it would be up to the owner of that business to act on a commercial basis and provide their own requirements of power. There are numerous commercial recipients (such as electricity companies) and beneficiaries of funding for the charging trials. Resources in our council are precious, and it makes no financial sense to have a third party (Council) involved in the on-charging of electricity. Also, given the nature of the funding, I would expect that electricity companies and the RAA would possibly be eligible for R&D tax deductibility that Council would not have access to. I would request that RAA Innovations Pty Ltd procure funding for the supply of power and the associated metering required for the site from their commercial partners, and that the City of Port Lincoln not provide any funding toward this, nor provide third party invoicing at cost.

6. At a macro level, fuel excise is currently collected by the Federal Government, and “*over the past decade only about 59% of this excise was put back into Australia’s road system.*” (Source: Australian Automobile Association <https://www.aaa.asn.au/fuel-excise-explained/>).

On October 18th, 2023, the Victorian High Court ruled that it was unconstitutional for States to tax EV’s, as it is an excise which only the Commonwealth can impose. (Source: High Court of Australia <https://www.hcourt.gov.au/assets/publications/judgment-summaries/2023/hca-30-2023-10-18.pdf>).

As EV’s are not subject to any fuel excise, the income base for the maintenance of our roads is diminishing in relation to the usage. It is no secret in this council area, and numerous Eyre Peninsula councils, that our roads have deteriorated drastically since the closing down of the trains. This has put financial pressure on both councils and the State to provide funding for the upkeep of our road system. This major issue needs to be resolved.

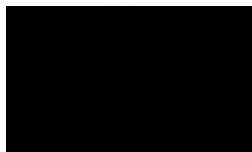
As you can see, I have many questions of this proposed licensing agreement.

I do not support the proposal until these, and possibly any further questions, are addressed.

I ask that you accept and table my written submission to Council, and acknowledge receipt of it via return email.

I would be pleased to speak to this if required.

Yours sincerely



Attachments:

“Electric Vehicles (EV) and EV charging equipment in the built environment”

https://www.afac.com.au/docs/default-source/doctrine/afac_evs-in-built-environment_2022-12-22_v1-0.pdf?sfvrsn=4&download=true

“Incidents involving Electric Vehicles”

https://www.afac.com.au/docs/default-source/doctrine/incidents-involving-electric-vehicles_v1-0.pdf?sfvrsn=0&download=true