

# EV Charging By-Law December 2020

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*This fact sheet explains OCN's EV Charging proforma by-law. It does not constitute legal advice.*

## Introduction

OCN held a webinar in Dec 2020 "Gear up for electric vehicles!" which is available to members on our website under "Events".

During the webinar we indicated that OCN had commissioned an experienced strata lawyer to prepare a detailed by-law dealing with the respective responsibilities of lot owners and Owners Corporations relating to EV Charging infrastructure, including allocation of costs.

This by-law relates to individual lot applications, where the charging device is installed within the individual lot and includes a building back bone or infrastructure connecting the charging device to the electricity supply, rather than installing the charging device on common property for shared use in the building.

## EV Charging

The top two consumer concerns with EV charging are range anxiety and lack of charging infrastructure. OCN is committed to providing support to our members to assist with the latter.

As well as the EV Webinar, we have an EV Fact sheet available to our members. It includes:

- Where do you start;
- addresses the myths of EV charging; and
- outlines simplified approaches an owners corporation should consider.

## EV Charging By-law

The EV Charging by-law is consistent with S108 of the Act, changes to common property. As it is a change to common property, the Act requires approval for each individual application by the owners corporation at a general meeting.

Rather than a series of individual special resolutions and by-laws per application to connect EV charging per lot, the by-law adopts a simplified approach for the scheme, containing a single set of definitions including, scope of work, rights, conditions and remedies, together with a **register** of connections and consent forms for the individual connections per unit, meaning you only require one special by-law for the scheme and it is updated by way of additions or changes to the **register** at a general meeting. This approach means that any new applications or changes to existing connections can be dealt with efficiently and avoids unnecessary paperwork.

## By-law Support

There is the assumption of user pays for the EV Charging infrastructure and the by-law allows for a range of charge back options for connection fees and usage fees. As there are many charge back options, included with the purchase of the by-law is a consultation on those options, from which the owners corporation can select the option which best suits your needs.

Included is a form application letter for use by the applicant and approval letter for use by the owners corporation and/or strata committee.

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