

Fact Sheet - Management of lithium-ion battery powered e-bikes and e-scooters by law notes.

February 2024

The fact sheet explains OCN's template by-law. It does not constitute legal advice.

Introduction

OCN held a webinar in February 2024 "*Lithium-ion battery risks*" which is available to members on our website under "Events".

During the webinar we introduced a new template by-law which helps educate and protect owners corporations from the risks lithium-ion battery fire associated with e-bikes and e-scooters.

Management of lithium-ion battery powered e-bikes and e-scooters By-law

This is a template for a by-law and has no effect until it is accepted by a special resolution of an owners corporation and then registered.

The resulting by-law is specific to the scheme registering it and maybe be varied to meet the specific needs of that owners corporation. For example some schemes may have designated storage and charging areas and some not.

You do not need to be a lawyer to write a by-law – NSW Government "living in strata" says anyone can write a by-law. If an owners corporation feels they require legal advice, that is their prerogative.

This by-law contains the best available advice from many sources, far more than would normally be available to individual owners corporations or lawyers. These sources include:

- Initial draft by a specialist strata lawyer;
- Professor Cathy Sherry, who is a professor of strata law at Macquarie University;
- EV Firesafe, a Victorian based company funded by the Australian Department of Defence to research electric vehicle battery fires and emergency response – among the world leaders in this space;
- The Electric Vehicle Council;
- Fire NSW and other internationally recognised best practice organisations on lithium-ion battery fire management;
- Bicycle NSW and the Bicycle Industry association of Australia
- Experienced strata committee chairs and owners.

Our priority with this by-law is to educate owners corporations and residents on measures to minimise both the risk to them personally and the risk to the building and other occupants of the building.

It deals with safe charging practices, minimising risk, identification of compliance, advice on safe and unsafe charging practices and devices, advice on storing, notification to the owners corporation, and disclosure.

It does not seek to ban e-bikes or e-scooters, apart from those which are non-compliant.

Right of Use

The by-law and deed of release are single use by the purchaser. Copying and use by another person or organisation is prohibited.