



**Australian Competition and Consumer Commission (ACCC)  
Consultation – Lithium-ion Batteries**

*Strata Community Association (Vic) Submission*

**3 February 2023**



## Introduction

Strata Community Association (Vic) Ltd is the peak body for the Owners Corporations sector, which comprises commercial, industrial, and recreational properties ranging from two units in a suburban street to many hundreds of units in inner city apartment buildings. Owners Corporations represent property valued at over \$300 billion dollars and encompass commercial, retail, lifestyle resorts, retirement villages, car parks, storage facilities, industrial and, increasingly, mixed developments. More than \$1 billion per year is collected and spent. There are currently more than 85,000 active owners corporations in Victoria, covering more than 772,000 individual lots. It is estimated that around 1.5 million Victorians — a quarter of the state’s population — either live in, or own property in, an owners corporation.

## Background – Strata Community Association (Vic)

SCA Victoria was established in 1990, it succeeds Owners Corporations Victoria (OCV) and Institute of Body Corporate Managers Victoria (IBCMV). SCA (Vic) members comprise more than 80 per cent of all professional owners corporation managers, with over 800 members managing upwards of 450,000 lots. SCA (Vic) Associate members are industry suppliers, including waste management providers, Essential Safety Measures managers, quantity surveyors, insurers, lawyers, accountants, facility managers, property valuers, building maintenance and tradespeople. Members benefit from representation, support, advice, and promotion. With Continuing Professional Development (CPD), Best Practice Guidelines on regulatory and legislative amendments, updates on VCAT determinations and emerging issues, SCA members are best placed to manage OCs and empower Lot Owners and occupiers.

In Victoria, the Owners Corporations Act 2006 defines an Owners Corporation as a ‘body corporate which is incorporated by registration of a plan of subdivision or a plan of strata or cluster subdivision.’ The individual Lot Owners form a collective known as an Owners Corporation (OC). This is a legal entity which must comply with its governing legislation and enabled regulations. Owners Corporations can choose to appoint a registered manager who will act on their direction, including engaging contractors for maintenance and repairs, on behalf of the OC. The responsibility to maintain common property and shared services is that of the owners corporation. The manager assists the OC to meet these and other obligations. As part of the Annual General Meeting, Lot Owners collectively agree on a budget to fund ongoing maintenance and shared service costs. Items agreed can include the management fee, caretaking costs including gardening, utility charges, repairs to essential services, insurance premiums and waste management expenses. These are funded through fees/levies.

**For further information about this submission, please contact Liam Straughan, Policy and Advocacy Officer, SCA (Vic). [Liam.straughan@strata.community](mailto:Liam.straughan@strata.community).**

# Strata Community Association (Vic) Response to Australian Competition and Consumer Commission (ACCC) Consultation on Lithium-ion Batteries

Strata Community Association (SCA) Victoria welcomes the opportunity to contribute to the ACCC consultation concerning the increasing number of incidents involving Lithium-ion (Li-ion) batteries, and the impact on safety and property.

## Executive Summary

At a high level, the SCA (Vic) makes the following overarching comments:

- 1. SCA (Vic) endorses a three-pronged approach to a safety regime with each element given equal weighting. That is one which focuses on solutions encompassing:**
  - **Education**
  - **Engineering**
  - **Enforcement**

This is a model around which to frame a policy response on safety issues and is proven methodology in other areas of public policy. Accordingly, the ACCC's response and any advice to governments should embrace all these elements.

We note that there are multiple agencies covering different elements associated with Li-ion batteries - in such policy environments, there is a clear and present risk that a lack of policy coordination will result in either mission-critical gaps, or worse, significant unintended economic costs and consequences from well-intentioned but misguided policy interventions.

Accordingly, consideration should be given to expand and broaden existing policy arrangements and regulatory frameworks at the State and Territory level, with a single agency given overarching responsibility for policy coordination.

**SCA (Vic) believes that the appropriate arrangements should be based around both the Electrical Regulatory Authorities Council (ERAC) and the Australian Building Codes Board (ABCB), respectively.**

Both need to be chartered with developing the regulatory arrangements and approving any engineering interventions and being tasked with educating both suppliers and end users (consumers) on Li-ion battery operation and safety. Leaving these elements spread across multiple agencies is a recipe for disaster.

- 2. SCA (Vic) believes that The Electrical Regulatory Authorities Council (ERAC) should become the primary body to set technical standards and monitor performance of any device that is connected to an external power source.**

ERAC (<https://www.erac.gov.au/>) is responsible for the safety standards and regulating the installation of devices hardwired including the charger but if the electrons are then stored in a battery rather than being immediately applied to the operation of the device their jurisdiction ceases at the charger device connection.

This boundary needs to be expanded to cover both the device and its battery management system. (e.g., a leaf blower that is connected to a power source for its operation is covered by ERAC, but if it uses a Li-ion battery for its power, only the charger is covered by ERAC).

**Expanding ERAC to cover the Li-ion used in devices will bring the engineering, consumer education on use, and enforcement of Li-ion safety within ERAC's model of Risk Levels, depending on application.**

ERAC's State level agencies already have responsibility for regulatory oversight of electrical safety and industry and community education. This further reinforces the need to ensure that ERAC and State bodies are to be the parties chartered with responsibility.

**3. SCA (Vic) believes that the National Construction Code (NCC) Standards developed by the Australian Building Codes Board (ABCB)( <https://www.abcb.gov.au/>) should inform best practice in design of retrofitting Class 2 and Class 5 Residential Buildings to enable charging of Registered Battery Electric Vehicles and Renewable Energy DC Storage Devices.**

An associated intervention relates to issues of Building Code in retrofitting both Class 2 (domestic apartment buildings) and Class 5 (office buildings for professional and/or commercial purposes) buildings to accommodate Battery Electric Vehicle charging systems, e-scooter and e-bike charging, and DC storage devices associated with renewable generation in all building classes.

The ABCB is the agency established to put these arrangements in place across all States and Territories, and **the ABCB Building classification provides the framework against which risk-weighted regulatory interventions should be designed.**

Usefully, in the ABCB's analysis of the amendments to the National Construction Code (NCC) to mandate that in all new Class 2 Strata buildings from 1 October 2023 involved detailed consideration of Li-Ion battery fires in Registered Battery Electric Vehicles by an eminent consultant Fire Engineer, he **concluded that the risks of fire from a RBEV was no greater than an Internal Combustion Engine.**

He also examined the risk profile of various options for RBEV charging and concluded the lowest risk solution was a 7kW smart charger on a dedicated circuit and a load management system.

The NCC applying from 1 October 2023 provides that there must be dedicated infrastructure and Load Management systems to enable individual in car park lot charging for Registered Battery Electrical Vehicles (RBEV) in all Class 2 residential buildings. The system that will be required will enable a smart charger to operate at 7kW on a 32A single phase circuit connected to a load management system.

**ERAC, within the framework of the existing NCC relating to "Modifications to a Building", needs to develop regulations and best practice guidelines when retrofitting a Class 2 and Class 5 buildings with infrastructure for RBEV charging, consistent with the amendments to the NCC for new buildings. This work needs to be carried out by Registered Electrical Contractors, the parties ERAC's members regulate.**

ERAC's risk-based model can be adjusted to ensure regulatory installation compliance and the Certification of Electrical Safety registration process operated by ERAC State members can be adapted readily to enable monitoring and mapping the location of all RBEV Charging equipment contained in these buildings.

**Separately, ERAC also needs to develop procedures relating to installation compliance and Certification of Renewable DC Battery Storage devices, so that once installed, product recalls and monitoring of performance of different equipment types can readily occur.** Such an approach would also meet the Energy Security Board (ESB)'s registration processes for the same devices, minimising duplication, as well as any gaps between the two organisations' respective registration processes.

**Finally, ERAC needs to develop regulations relating to the charging of e-scooters and e-bikes in an individual's apartment or determine if such practices should be prohibited.**

**4. SCA (Vic) believes that a risk weighted approach to responding to the Li-ion battery issue is required. Such a framework should recognise not only the use but also the supplier's credentials.**

For example, there is a danger to conflate the risk profiles within and between the five Li-ion use cases identified by the ACCC. For example, treating manufacturers of passenger Registered Battery Electric Vehicles (RBEV) as having the same risk profile as manufacturers of e-scooters or e-bikes is wrong.

The risk profile of the former given the engineering resources devoted to design, battery management systems, consumer education at the sale point combined with an ability to track the location of every vehicle from manufacture to end user and onto aftermarket sales is comparatively low when compared to the latter. E-Scooters and e-Bikes are best described as the "wild west" of personal transportation.

There is a strong case to rely on existing approval arrangements for RBEV are more than adequate but in the case of e-scooters and e-bikes no extensive approval regulatory and approval mechanisms exist. RBEV are already the subject to motor vehicle standards, ADRs, homologation requirements at importing, and independent ACAP safety testing. There is no comparable comprehensive regulatory regime surrounding e-scooters and e-bikes. Accordingly, these forms of personal transportation devices require specific regulatory coverage with respect to importation, the Li-ion batteries used, their charging and storage in residential settings.

**5. SCA (Vic) is concerned that there is a significant amount of disinformation and fake news being propagated by parties about RBEV creating fear uncertainty and doubt in many strata communities.**

**SCA (Vic) urges the ACCC, with ERAC, move to disinfect the effects of this disinformation especially as it relates to fire risk in RBEV. This is critical as Australia transitions to a low-carbon economy in transportation, key to the Australian Government's climate change objectives.**

Much of this disinformation is directed at seeking to require supply of unnecessary professional services or upgrading of systems in buildings which could be best described as professional service rent seeking.

Unless addressed:

- **This will not only deprive owners in Class 2 Strata Buildings from RBEV ownership.**
- **It will needlessly drive up the cost of new home and apartment construction costs by requiring installation of systems for which there is no objective engineering justification with respect to RBEV.**
- **It will result in a two-speed economy between new Class 2 buildings developments with RBEV charging mandated by the NCC and existing strata buildings prevented from making their building EV ready by professional service rent seeker imposing costly, unrealistic, and**

unnecessary alterations to a building's Essential Safety Systems, thus pricing retrofitting of Class 2 buildings out of the reach of Owners Corporations.

**6. SCA (Vic) is concerned that e-Scooters and e-Bike charging of equipment of uncertain engineering quality is exposing residents in Class 2 Strata buildings to a heightened risk of fire.**

These devices are cheaper and are frequently stored and charged un-attended in apartment buildings. Given the way these devices are operated and charged, and the lack of sophisticated engineering and battery management systems associated with their operation, they pose an unnecessary and unregulated risk of fire at present.

**This issue needs to be addressed as a matter of urgency with both education of users as to the risks, regulation of the battery management systems and battery standards, and clearer engineering guidance on operation of such devices, in particular the risk of battery damage from accidents, etc.**

**7. SCA (Vic) believes that the education of Fire Services across Australia needs upgrading to be able to better assess and manage fires when they involve Li-ion batteries.**

This work needs leadership from outside fire services, as the issues involve a complex interplay of electrical engineering, chemical engineering, and computer science; a skillset well outside not only fire services, but also among fire engineers.

**Informing, upskilling, and educating fire services is essential for first responders, not only at accidents, but also so they can provide homeowners with accurate information and have the ability to handle emergencies efficiently when inevitably they arise in a dwelling.**

There is no regulatory framework or mandatory safety standard which squarely addresses the risks with Li-ion batteries in Australia. Suppliers of Li-ion batteries in Australia may currently choose to comply with aspects of relevant voluntary or international standards and regulations.

## In Summary:

### **SCA (Vic) strongly recommends:**

1. Different regulation solutions are applied for each of the five Lithium-ion battery classes:
  - a. Road-Registered e-vehicles
  - b. Renewable storage systems
  - c. Personal transport devices
  - d. Household devices
  - e. Personal devices
2. Any new or amended regulation is based on research, data analysis and is concise, evidence based, measurable and support an agile approach to regulation.
3. Any new or amended regulation leverages existing regulatory controls.
4. Any new or amended regulation includes tracking of serial numbers and location in the event of recall by the manufacturer or installer.
5. Use of the same risk-based approach, balancing the likelihood with implementation cost, especially in retrofit of existing buildings.

SCA (Vic) specifically endorses and supports the Electric Vehicle Council's (EVC) submission to the ACCC. We believe it adequately frames the issues associated with registered passenger Battery Electric Vehicles, which pose minimal risk in domestic dwellings.

Both EVC and SCA (Vic) are concerned that the ACCC's approach in its issues paper has the potential to conflate the risk and use case of Li-ion batteries in RBEVs with e-scooters and e-bikes. **Unless these applications are clearly separated, we are concerned that we could see quite inappropriate measures developed for RBEV, or conversely, measures which significantly understate the significant risk associated with e-scooters and e-bikes being charged in apartments.**

We detail below the low-risk nature of RBEV compared with other e-transport equipment and renewable DC storage devices. The EVC details in-depth, the situation concerning RBEVs, the level of regulation, the sophistication of the engineering and manufacturing systems, and the recall and product safety arrangements followed by automotive manufacturers, of which the ACCC is already aware. **These standards clearly contrast with the "wild west" regulatory regime applicable to e-Scooters and e-bikes, which remain of considerable concern.**

## Strata Community Association (SCA) Responses to Consultation Questions

### 1. Do you consider certain types of Li-ion batteries (see Table 1.1) are more hazardous than others?

Based on the ranking contained in Table 1.1, certain types of batteries are more hazardous than others, and without adequate regulation that matches reliability with use, safety and property damage, consumers will continue to be at risk.

**In particular, Lithium Cobalt (LCO) batteries are less safe, particularly when used in e-scooters and e-bikes.**

An Oct 2021 survey of all RBEV manufacturers and models indicates that none rely on such chemistry, but instead all apply high thermal stability technologies ([http://cleanfi.fi/data/documents/World\\_EVs.pdf](http://cleanfi.fi/data/documents/World_EVs.pdf)). **We also note that altering the composition of Lithium Methyl Carbonate (LMC) batteries increases their thermal stability when applied in RBEVs - that is, you cannot lump all LMC batteries in the one classification and use.**

As the ACCC's own literature search indicates there is extensive and ongoing research in this field, particularly in Universities in Europe, the United Kingdom and the United States into the materials science and chemistry to enhance battery life, solid state batteries, as well as recycling, particularly in RBEVs.

*Importance of the Battery Management system and the interface with Smart Chargers and Load Management Systems:*

As the ACCC's paper identifies, **many devices with Li-ion batteries lack effective Battery Management Systems (BMS). It is clear that RBEV manufacturers have invested heavily in sophisticated BMS designed to manage and protect the battery during both discharge and charging phases.**

**When a BMS in a RBEV is combined with a real time dynamic Load Management System (LMS) being retrofitted and installed for EV charging in strata buildings as envisaged in the NCC, then the issues associated with battery failure and catastrophic events outlined in the ACCC paper can be managed in real time with minimal risk to the surrounding infrastructure.**

There is an established communication protocol applied across all BMS in RBEV, and EV Chargers linked to LMS in strata known as Open Charge Point Protocol (OCPP) developed by the Open Charging Alliance (<https://www.openchargealliance.org/>) - all RBEV and smart chargers used with RBEV are built to this protocol.

This ensures that information can be shared across the LMS, and the RBEV attached to a smart charger in real-time, involving monitoring the condition and charging state of the RBEV via its BMS. All elements conform to either OCPP 1.6J or OCPP2.0.1 standards<sup>1</sup>. In the event of an issue during the charging of the RBEV in this environment, said charging is shut down.

**SCA (Vic) is concerned that no such sophisticated systems are built into e-scooters and e-bikes; thus, lumping all electric vehicles into one classification without differentiation is misleading in any risk assessment.**

---

<sup>1</sup> When OCPP2.0.1 is coupled with ISO 15118 in charging infrastructure it lends itself not only to demand management, but also more granular smart charging solutions integrated with a buildings total load.



If required, additional automatic shutdown infrastructure can be added to a Main Switch Board in a strata building, triggered by a signal from either a LMS or a fire panel, ensuring that there are multiple layers of protection in the RBEV environment, unlike e-scooters and e-bikes.

Thus, SCA (Vic) believes that a cascading level of risk analysis should inform the appropriate regulation level required.

### 3. Is there a stage at which Li-ion batteries are most dangerous?

SCA (Vic) is most concerned about the application of Li-ion batteries installed in personal transport devices (e-scooters and e-bikes) when stored in apartments in residential buildings. Delivery type e-bikes, e-scooters and electric skateboards are the types of devices that are easily damaged during use and have been the main source of fires worldwide.

Owners Corporations have no knowledge of how many are being stored in a building at any given time, where in the building they are located, or the condition of the equipment. Owners Corporations also have no control over how long or where residents charge any of their devices – portable or fixed, within their homes.

Owners Corporations are concerned about existing Li-ion batteries that are installed as part of the critical common property infrastructure, that need a framework for inspection and replacement on a regular basis.

Such applications include:

- **Battery back for fire services such as smoke alarms, emergency lighting, fire indicator panels.**
- **Battery backups for communications – NBN and lifts**
- **Renewable energy batteries**
- **All State and Territory fire services recommend the use of wired smoke detectors with 10year lithium batteries as the back-up power supply in all apartments.**

SCA (Vic) has minimal concerns involving Li-ion batteries used in Registered Battery Electric Vehicles supplied by the automotive industry given vehicle manufacturers' significant investment in engineering research, design, testing, quality assurance compliance and recall systems.

The retrofitting of EV infrastructure in Class 2 buildings comes under electrical regulations and compulsory electrical compliance certification of this work is required in all jurisdictions. **Adding the serial number and manufacturer details of the charger would be sufficient to allow the regulator to issue a recall if required.**

Importantly, such electrical work is subject to random and continuous audit regime by State and Territory electrical safety bodies. It is one of the few areas of building modifications Australia wide that are subject to such compliance and enforcement of quality assurance.

**Retrofitting EV charging infrastructure to a building in the manner described by the NCC [Part J9 Energy monitoring and on-site distributed energy resources – J9D4 Facility for Electric vehicle charging equipment] in Class 2 buildings, combined with a real time load management system to manage the fleet of chargers for RBEV represents a low-risk environment in a building, especially when a Class 2 building is fitted with comprehensive fire detection and sprinkler systems.** These elements combine to provide a low risk profile for buildings in relation to RBEV charging infrastructure.

#### **4. Can you provide any information or data (not already provided) on injuries, incidents, fatalities or near-misses involving a Li-ion battery?**

The independent analysis undertaken for the Australian Building Codes Board (ABCB) identifies that the fire risk from RBEV is no different from that of an ICE vehicle.

Amongst its significant findings are that:

- **The theoretical fire load of a RBEV battery is broadly similar to an ICEV fuel tank. AND**
- **RBEV charging equipment is not expected to introduce significant fire loads or fire rates, except for Type 4 (direct DC) equipment if combustible liquid coolant is used.**

SCA (Vic) are not aware of any fires in RBEVs in any Class 2 buildings in Australia, nor can we identify any such incidents in comparable buildings in Europe, Japan, or the United States.

#### **5. Do you consider that consumers are sufficiently educated on Li-ion battery safety hazards?**

SCA believes Owners Corporations or Strata Managers are not educated adequately on Li-ion batteries safety hazards. Owners Corporations are not generally aware of what equipment is installed that contain Li-ion batteries.

Residents generally are unaware of what equipment contains Li-ion batteries inside their homes, especially rental properties.

Residents would also not be aware of what specific actions to take in the event of a battery fire from their device.

#### **Do you consider that further consumer education is required, what should the message be and in what form?**

Yes, SCA (Vic) strongly recommends amending legislation to include:

- (a) **New buildings – require the builder to provide an itemised list of all equipment installed within the common property that contain Li-ion battery, the serial number, the manufacturer and the type (table 1.1).**
- (b) **New Buildings – require the builder to provide a list to owner of all equipment installed within the common property that contain Li-ion battery, the serial number. the manufacturer and the type (table 1.1).**
- (c) **New Buildings – require the installation of a specific power outlet labelled for charging Li-ion devices and power outlet has built in timer to cut-out power after a specific time ego 4 hrs.**
- (d) **Rental Properties – require the Minimum Standards to include the list of Li-ion batteries installed in the rental premises is issued to the tenant with any care instructions and fire safety instructions.**
- (e) **Rental properties and owner-occupied properties- required to retrofit timer-based power outlet for charging Li-ion devices**
- (f) **Owners Corporations – required to retro fit timer-based power outlet to bike storage rooms.**
- (g) **Owners Corporations – Model Rules to be updated to specific control Li-ion hazard management**

There is a need for wider community and consumer awareness of the signs to be alert to when using and charging devices with Li-ion batteries.

Such awareness campaigns should be the responsibility of State Electrical safety bodies especially if ERAC's mandate is expanded as SCA has set out above to cover not only the Charger but also the device it is charging.

## 6. What actions can consumers take to mitigate the risks presented by Li-ion batteries?

- Do not leave unattended while charging
- Use a power outlet with a timer set to stop charging the device beyond the required charging time
- Unplug the device if it noticeably hot while it is charging
- Do not leave the device in the sun or near hot equipment
- Inspect battery (or device) before charging for damage
- Have the appropriate hazard management instructions on hand and the equipment need to contain the hazard
- Do not throw away into the general rubbish any Li-ion battery

The Owners Corporation can help mitigate risks by:

- Waste disposal instructions for Li-ion batteries and any damaged devices
- Adopt specific Rules (bylaws) to reflect hazard management
- Circulate annually with Annual General Meeting materials, a reminder (as is currently done smoke detector batteries)

Rental Providers can help mitigate risks by ensuring their renters receive:

- Waste disposal instructions for Li-ion batteries and any damaged devices
- Specific Rules (bylaws) to reflect hazard management

## 7. As a consumer or retailer:

- a. **Do you assume the manufacturer has conducted safety testing on Li-ion battery products you purchase?**

The Owners Corporation assumes when it takes handover of a building that it is compliant with all building regulations. Unfortunately, this is not the case. The Owners Corporation is relying on the regulatory framework and ISO and Australian Standards referenced in the construction codes being delivered.

**SCA (Vic) believes that the responsibility of State Electrical safety bodies needs to be expanded along with ERAC's mandate to cover not only the charger, but also the device it is charging, thus filling a major lacuna in this policy area.**

**b. What safety-related factors influence your purchasing decisions?**

With respect to new buildings, the Owners Corporation has no control over the procurement process and inherits the safeguards provided by the regulatory framework.

With respect to retrofitting or repair and replacement of existing services, the owners corporation seeks to:

- **Use domestic building contracts for works greater than \$10,000**
- **Use a subject matter expert to compile a scope of works and if required project manage the works**
- **Use licenced trades**
- **Use contractors with public liability insurance**
- **Use contractors with an ABN**
- **Use contractors with a safe work method**
- **Use contractors with demonstrated experience in the field**

In the absence of a regulatory framework governing the quality of batteries for equipment, the owners corporation is reliant on the contractor selection, and in the absence of any other confirmation the owners corporation is likely to take the cheapest price.

**In order to seek confirmation of the type of battery (table 1.1), to make procurement easier, a manufacturer should be required to state the type.**

**14. Do you consider government intervention is required to manage Li-ion battery safety risks? If yes, what form of intervention do you recommend?**

**Government intervention is necessary to manage risks associated with all manner of products, inclusive of those including Li-ion batteries for both new builds and retrofitting of existing buildings.**

Owners Corporations have a statutory requirement to insure their buildings for full replacement value. Without proper regulation, insurers will assume a higher risk matrix which will force premiums to higher levels. Better regulation protects consumers from increased insurance costs.

**Equipment Supply Standards**

To protect consumers in their home, further standards for manufacture and import into Australia is required. For example, e-bikes imported and sold in Australia must be speed limited to 25 km/hr. A minimum standard of battery used, and battery management system should be specified as the risk during charging is as equally important as on road behaviour.

Based on Table 1.1, certain types of batteries are not suitable to be used equipment that is going to be used, stored or charged in a domestic setting.

**It is imperative that any regime includes the tracking of these products and a robust recall process. To import to Australia, the manufacturers should be part of a recognised ISO quality assurance program.**

**This is particularly the case with:**

- **Renewable energy DC storage devices**
- **e-Scooters**
- **e-bikes**
- **Electric skateboards**

No such intervention is required with respect to RBEVs, as they already are subject to registration and product recalls and safety standards.

Smart EV chargers (i.e., ones that are OCPP 1.6J compliant) are already subject to safety standards. **The registration of the location of such chargers by Electrical Safety Regulators as part of the installation process should be considered.**

The registration and the location of such Renewable energy DC storage systems by Electrical Safety Regulators as part of the installation process needs to be instituted as a matter of urgency to avoid an “infinity cable” issue in this category of Li-ion application.

**If the location of storage systems is not registered, this will impede efficient product recall if required. Since this is a nascent area, early intervention to set up such systems with State electrical safety bodies should be a priority.**

### **New Buildings**

Occupancy Permit – extend the list of equipment to include the list of equipment with Li-ion batteries. Extend the details of the information to include the table 1.1 type and any specific hazard management.

Reason: The Occupancy Permit is the only document an owners corporation and owners can obtain after handover. Note: The owners corporation very rarely receives the required “building manual” as it is not part of any regulatory framework containing enforcement and as a result, it is not handed over.

Special purpose power outlet (SPPO) – provide a specific power outlet labelled for charging Li-ion devices and power outlet has built in timer (e.g., push button) to cut-out power after a specific time e.g., 4 hrs. The area for the SPPO may be located in area to further contain/separate the hazard.

Reason: Higher compliance by occupiers if there is a clear instruction to only use the nominated SPPO for charging portable devices.

Bike storage rooms – where these are provided and if power is provided in these rooms, then include SPPO’s.

Reason: These rooms are unsupervised, and it is highly likely that the resident will just plug and forget.

Smoke Detectors – mandatory that Class 1 or Class 1a building garages include a smoke detector and Class 2 buildings where personal transport vehicles maybe stored (if not fitted with a sprinkler system) – all other classes as required.

Reason: Most residents if they have a secure garage will charge many of the personal transport devices and power tools in their garages.

Electrical Safety Compliance Certificates – amend the form to include a tick box that identifies equipment installed with Li-ion batteries over a specific rating such as 0.5 or 1 Kw/hr and a text box to add the Manufacture and serial number. This information is then stored and available to the relevant ERAC regulator to instigate a recall if required.

## **Retrofitting of Existing Buildings**

### Electrifying Buildings

Over the next 20 years all existing buildings in Victoria will embark on a huge retrofit of their buildings to remove domestic gas supply to the building.

All of this work (including conversion to basements for EV charging) will be undertaken in accordance with the current and relevant building codes. We note that the existing Building Code at Part 4 deals with Alterations to a building. If that building work:

**(c) will not adversely affect the safety of the public or occupiers of the building: AND  
(e) is not work in relation to, and will not adversely affect, an essential safety measure relating to the building.**

Such work does not require a Building Permit as it is undertaken by a Registered Electrical Contractor.

All electrical work is undertaken in accordance with the Wiring Standards (AS/NZ 3000:2018) and in particular Appendix P in relation to chargers.

A Registered Electrical Contractor is required to provide a certificate of electrical compliance (e.g., in Victoria known as a Certificate of Electrical Safety (CES) which must be lodged with the State Energy Safe Authority at the completion of the work. The State regulator registers all such work and arranges random independent audits of work to ensure compliance. This is the case with all electrical work small or large undertaken by Electrical Contractors. The CES should record the location of the installation but also the type of charger and its serial number to enable product safety recall notices to be targeted if needed.

### Amending the Electrical Safety Compliance Certificates in relation to Sustainable DC storage Devices –

The form should identify the equipment installed with Li-ion batteries over a specific rating such as 0.5 or 1 Kw/hr and a text box to add the Manufacture and serial number. This information is then stored and available from the Energy Safe Victoria, or its equivalent across Australia, to instigate a recall if required.

Bike storage rooms – where these are provided or created and if power is provided in these rooms, then provide a specific power outlet labelled for charging Li-ion devices and power outlet has built in timer (e.g., push button) to cut-out power after a specific time e.g., 4 hrs. The area for the SPPO may be in an area to further contain/separate the hazard. Such bike storage rooms/areas should have sprinkler and fire detection systems in their design.

Reason: These rooms are unsupervised, and it is highly likely that the resident will just plug and forget.

Smoke Detectors – mandatory retrofit to Class 1 or Class 1a building garages include a smoke detector and Class 2 buildings where personal transport vehicles maybe stored (if not fitted with a sprinkler system) – all other classes as required.

Reason: Most residents if they have a secure garage will charge many of the personal transport devices and power tools in their garages. A smoke detector hard wired to other detectors in the building will alert the occupants in the event of fire.

## Attachment 1

### **What is Strata?**

A **strata title** allows individual ownership of part of a property (called a **lot** and can include land, industrial, commercial, mixed use and residential (townhouse, villa, duplex, or an apartment), combined with shared ownership in the remainder of the property (usually referred to as **common property**, and which includes areas such as driveways, essential services, building structure, foyers, driveways and gardens) **through a legal strata structure, called owners corporations (OCs)** (also known as **bodies corporate, strata companies or strata corporations**, dependent on the jurisdiction).

### **Role of Owners Corporations**

**Owners corporations** are a legal entity comprising of individual lot owners, responsible for governance and caretaking of any common property in a strata-titled building or property, such as an apartment or unit block, townhouse estate, mixed use development or shopping centre.

An elected **owners corporation committee**, led by a **chairperson**, is responsible for making decisions as per the aforementioned duties of the owners corporation.

In some jurisdictions, dependent on its designation under legislation (often by number of individual lots), an owners corporation may be required to engage a **strata manager** so that the aforementioned duties and decisions can be planned and executed.

**Owners corporations may also elect to contract a strata manager where this is not a legislative requirement.**

### **Role of Strata Managers**

**Strata managers** are professionals who are responsible for the administrative duties of owners corporations. Put simply, the role of a strata manager is to coordinate the affairs of lot owners in strata communities, including (but not limited to):

- **Conducting meetings**
- **Collecting and banking levies**
- **Arranging property maintenance**
- **Advising on asset management**
- **Placing insurance**
- **Keeping financial accounts**

Importantly, strata managers are considered the agents of owners corporations, and are both legally and ethically required to act in the best interests of their clients in the provision of their services.

**Strata managers must also have the approval of the Owners Corporation to authorise any expenditure for applicable works to be completed where these occur outside of any specified budgeting.**

**SCA (Vic) is specifically concerned that the rollout and up-take of lithium-ion batteries will follow that of the Infinity Cable recall.**

Over 22,000 properties in Victoria were impacted, but without any tracking, the cost of searching and identifying if a building had the faulty product fell to the consumer. **In Victoria, the tracking could have been simplified if the Electrical Compliance Certificate included the details of the product used.**

**For further information about this submission, please contact Liam Straughan, Policy and Advocacy Officer, SCA (Vic). [Liam.straughan@strata.community](mailto:Liam.straughan@strata.community).**