

# **New EV Strata Laws: Threatens Power Capacity**

## **Strata EV Charging Trap: Deemed Approval Threatens Building Power Capacity**

The landscape for electric vehicles (EVs) in New South Wales is undergoing a quiet but rapid shift. Under the *Strata Schemes Legislation Amendment (Miscellaneous) Bill*, a statutory 'Right to Charge' introduces a profound mechanism for owners corporations: the deemed approval.

The premise is simple, plain English. A lot owner can formally request to install an EV charger in their allocated car space. If the strata committee does not provide a reasonable objection in writing within three months, the request is legally deemed approved. While this cuts through historic red tape, it sets a subtle structural trap for the unprepared.

## **How Does the 'Right to Charge' Deemed Approval Work?**

The mechanics of the new legislation mean that silence or delay from a committee equals consent. Once a formal installation application is submitted by a lot owner, a strict three-month countdown begins.

If the strata committee fails to issue a valid, written, and reasonable objection within that 90-day window, infrastructure approval is automatically granted by default. This structural shift removes the traditional hurdles for pro-EV residents, but it places a heavy administrative burden on committees to

act decisively and quickly.

## **The Switchboard Capacity Trap for Strata Committees**

The true risk for strata committees rarely lies with the first or second request. An early applicant installs their charging unit seamlessly, drawing on the building's existing power allocation. The real crisis occurs at the fifth, sixth, or tenth request, when the main switchboard suddenly hits maximum capacity.

Approving installations on an ad hoc, first-come, first-served basis is a recipe for future financial inequity, structural gridlock, and highly complex legal disputes between neighbours.

When electrical capacity runs out, the next owner in line faces a staggering cost to upgrade the building's main infrastructure, an expense that should never fall on a single individual, yet cannot easily be absorbed by the capital works fund without prior planning. Without a clear framework, committees risk gridlock – either shutting down future green energy access or exposing the building to unmanaged infrastructure risks.

## **Why Owners Corporations Need an EV Infrastructure Master Plan**

To navigate the progressive change of reform, owners corporations must move away from reactive decision-making. The solution lies in establishing a comprehensive, forward-thinking framework before the three-month clock starts ticking on individual applications.

A proactive master plan assesses total building capacity,

outlines technical integration requirements, and establishes fair rules for access before the switchboard hits its limit.

## **Safeguard Your Building's Capacity: Custom EV Infrastructure By-laws**

Do not let individual installations compromise your common property. A custom-drafted EV Infrastructure By-law establishes a clear master plan, it:

- Safeguards your building's electrical capacity
- Regulates technical standards
- Clarifies exact cost recoveries for electricity consumption and maintenance
- Ensures your committee stays ahead of the legislative clock

Contact our specialist strata legal team today to arrange an EV framework and by-law review.

[CLICK NOW TO ARRANGE YOUR EV FRAMEWORK AND BY-LAW REVIEW](#)



### **Adrian Mueller I BCOM LLB FACCAL I Partner**

Since 2002 Adrian has specialised almost exclusively in the area of strata law. His knowledge of, and experience in strata law is second to none. He is the youngest person to have been admitted as a Fellow of the ACSL, the peak body for strata lawyers in Australia. [Profile](#) I [Linked](#)

## **Need Expert Strata Law Advice?**

Whether you are navigating a complex dispute or looking to protect your scheme, our specialist NSW and Sydney strata lawyers are here to help. We provide clear, practical advice on all aspects of strata law, including by-laws, building defects, and fast levy collections. Call our team on 02 9562 1266 or [email us here](#) today.