

Strata Waste & Batteries: Legal, Fire & Insurance Risks

With the rapid rise of battery-powered devices from smartphones to e-bikes owners corporations are increasingly facing a modern and potentially dangerous dilemma: should strata schemes provide dedicated on-site battery disposal facilities for residents?

The answer, from a fire safety perspective alone, should give every strata committee serious pause. Lithium-ion batteries are one of the fastest-growing causes of catastrophic residential building fires.

A communal collection box might seem like a helpful, proactive initiative, it is a move fraught with fire, legal, insurance, and safety liabilities that no owners corporation should take lightly.

Here's what schemes need to know about their fire safety obligations, legal responsibilities, and the risks of managing battery waste on common property.

Onsite Battery Disposal: Is it Legally Required?

The short answer under New South Wales strata law is no. There is no legislative requirement forcing an owners corporation to provide a battery disposal facility inside a strata building.

While the *Strata Schemes Management Act 2015 (NSW)* obliges schemes to manage health, safety, and proper waste control on common property, this does not extend to mandating specialist infrastructure for hazardous or problem waste.

Individual resident responsibilities: Under standard council

frameworks and EPA guidelines, the responsibility for safely disposing of batteries rests entirely with the individual resident.

Strictly Prohibited from Standard Bins: Batteries are a major fire hazard – they are strictly prohibited from being thrown into standard kerbside red, yellow, or green bins. Instead, residents are expected to take them to [designated community recycling drop-off points](#), such as retail B-cycle points or local council Community Recycling Centres.

The Fire Risk: Why Lithium Batteries Are Uniquely Dangerous

Lithium-ion batteries are found in an enormous range of everyday items – smartphones, laptops, vapes, power tools, e-bikes and e-scooters and they pose a fire risk unlike almost any other household item. Strata committees must understand this risk clearly before making any decisions about on-site battery handling or storage.

Thermal Runaway: A Fire That Cannot Be Stopped

The principal danger is a chemical process known as thermal runaway. When a lithium-ion battery is damaged, punctured, crushed, exposed to heat, or simply reaches the end of its usable life and begins to degrade internally, it can enter an uncontrollable self-heating cycle. This is not an ordinary fire. Once thermal runaway begins it:

- Accelerates rapidly and is self-sustaining
- Produces toxic gases
- Extremely difficult to extinguish

For strata schemes, the conclusion is clear: an unmonitored

communal battery collection point is not a recycling initiative – it is a potential ignition point in the heart of a shared building

The Liability Trap: Legal and Insurance Risks

Setting up an unmonitored battery dump on common property, however well-intentioned, introduces substantial risks that strata committees should carefully weigh:

- **Insurance Implications:** Strata insurers are acutely aware of these risks. Many now require strict disclosures regarding the storage and charging of lithium-ion batteries. Establishing a communal collection point for dangerous goods without proper infrastructure could jeopardise a building's insurance coverage or dramatically spike premiums.
- **Work Health and Safety (WHS):** By creating a dedicated zone for hazardous waste, a scheme may inadvertently assume a duty of care under WHS legislation. This could necessitate implementing formal handling procedures, installing specialist fire-resistant storage, and providing dedicated training for building managers.

The Challenge for Owners Corporations

The challenge for owners corporations is keeping pace with the progressive change of reform as technology shifts. Ultimately, keeping batteries out of strata waste streams entirely is the safest and most legally sound strategy for any owners corporation with:

- **Targeted Waste Disposal By-Law** via special resolution. This by-law clearly shifts the onus, explicitly

prohibiting residents from disposing of batteries within the building's standard waste streams and clarifying that individuals must utilise external recycling facilities.

- **Proactive communication.** Committees and strata managers should implement clear signage in common waste areas directing residents to their nearest safe disposal points. A simple reminder to residents to tape over battery terminals and drop them off at local retail collection points can significantly reduce the risk of a catastrophic fire event.

If your owners corporation needs to update existing by-laws or implement a tailored Waste Disposal By-Law or a comprehensive Lithium-Ion Battery Safety By-Law contact our specialist strata team today.

[PROTECT YOUR STRATA SCHEME WITH A LITHIUM BATTERY SAFETY BY-LAW](#)



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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](#)

Contact Us

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