

NSW Government Response to the Report of the NSW Parliamentary Inquiry into electric and hybrid vehicle batteries

March 2025

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Recommendation 1

That NSW Fair Trading carry out ongoing inspections of personal mobility devices, to ensure that they comply with relevant safety standards.

Government response: Support in principle

NSW Fair Trading continues to work on strengthening the regulations for e-micromobility devices¹, notably the recent declaration in August 2024 of e-micromobility devices and their batteries and chargers as ‘declared electrical articles’ under the *Gas and Electricity (Consumer Safety) Act 2017* (NSW) (G&E Act).² This includes the prescription of mandatory product standards, as well as strict testing, certification and marking requirements to ensure only compliant products may be sold in NSW.

Further, NSW Fair Trading is collaborating with other NSW Government agencies to prepare a mandatory Information Standard to ensure that crucial safety and use information is provided to consumers at the time of sale.³

NSW Fair Trading currently undertakes proactive compliance inspections, including inspecting online sellers of e-micromobility devices. These inspections are currently limited to declared electrical articles i.e., charging devices to ensure compliance with the G&E Act.

NSW Fair Trading and Fire and Rescue NSW (FRNSW) work collaboratively to investigate e-micromobility devices which have been involved in fires.

NSW Fair Trading is working on campaigns to increase awareness of businesses selling e-micromobility and lithium-ion battery (Li-ion) devices. This includes awareness about the commencement of new product standards for e-micromobility devices from February 2025 which will enhance consumer safety by reducing the risk of fires associated with these devices. NSW Fair Trading will undertake ongoing inspections in the marketplace to ensure compliance with the new standards.

Recommendation 2

That NSW Fair Trading work with e-commerce platforms to remove listings of personal mobility devices that do not demonstrate compliance with New South Wales safety standards.

Government response: Support

NSW Fair Trading is undertaking ongoing engagement with e-commerce platforms to better regulate the online marketplace and remove unsafe and non-compliant products from sale in NSW.

Recommendation 3

That the NSW Government advocate for reform at the Federal level to strengthen the quality control of personal mobility devices and ensure consistent safety standards across all jurisdictions.

Government response: Support

The NSW Government will continue to advocate for improvements in both product and road safety requirements for e-micromobility devices, including at the point of importation. This involves continuing to engage in national forums and processes to review and update relevant instruments

¹ This NSW Government Response uses the term “e-micromobility devices” as the umbrella term for e-scooters, e-bikes, e-skateboards and hoverboards.

² [Nation leading standards for battery powered devices | NSW Government](#)

³ [Nation-first Information Standard for lithium-ion e-bikes and e-skateboards | NSW Government](#)

that define electric bicycles and other e-micromobility devices under federal road vehicles legislation.

The NSW Minister for Better Regulation and Fair Trading is engaging with other state and territory consumer affairs ministers and electrical safety ministers, advocating through national forums for a nationally consistent approach in regulating these devices. Consumer affairs ministers across Australia and New Zealand agreed at the Consumer Ministers Network meeting on 10 December 2024 to establish a cross-jurisdictional working group, led by NSW, to pursue a national approach under the Australian Consumer Law to address the safe use and disposal of lithium-ion battery powered e-micromobility vehicles. The NSW Government is also a member of the cross-agency National Electricity Safety Taskforce (NEST) and continues to engage in intergovernmental discussions regarding strengthening electrical safety of e-micromobility devices.

Recommendation 4

That Building Commission NSW work with the Australian Building Codes Board to review building codes to ensure that EV fire risks are mitigated in new and existing buildings.

Government response: Support

The Building Commission NSW is working closely with the Australian Building Codes Board (ABCB) on the ongoing development and reform of the National Construction Code Series, including appropriately managing EV fire risks.

Changes to some fire safety provisions have been proposed in the next version of the National Construction Code (NCC 2025) to address fire-related risks in carparks from larger modern vehicles with increased fuel loads and new energy sources (e.g. EVs). These proposed changes will be considered by the Building Ministers' Meeting during 2025.

Building Commission NSW supports proposed national reporting led by the Commonwealth Government on the number and nature of electric vehicle related fire incidents. This information is proposed to be reported annually to the Building Minister's Meeting.

Recommendation 5

That NSW Health work with Fire and Rescue NSW and SafeWork NSW to collect data on injuries and health impacts caused by electric and hybrid vehicle battery fires, to support research and policy development.

Government response: Support in principle

NSW Health will, together with FRNSW, SafeWork NSW and other relevant agencies, explore the feasibility of collecting information specific to injuries and health impacts caused by EV and hybrid vehicle and e-micromobility fires within existing data collections. Each agency collects data for different purposes. For example, FRNSW collect data on the number of injuries associated with incidents as part of their incident reporting system. SafeWork NSW only collects data in connection with the performance of its functions under the work, health and safety legislative framework.

NSW Health has two existing data collections that could support the implementation of this recommendation – the Emergency Department Data Collection and the Admitted Patient Data Collection. Neither of these data sets currently have specific codes or diagnoses to collect information specifically about injuries or health impacts caused by electric and hybrid vehicle battery fires.

Changes to enable this information to be collected would require interjurisdictional collaboration and agreement, including consultation with the Australian Digital Health Agency and the Independent Health and Aged Care Pricing Authority (IHACPA). The process for implementation of new ICD-10-AM codes managed through IHACPA is impacted by a 3 yearly development cycle.

Data governance and privacy obligations will need to be carefully considered by agencies in the collection, storage, and release of data for research and policy development purposes. Consideration will also need to be given to the operation of any confidentiality provisions contained within the legislation administered by the respective agencies.

Recommendation 6

That the NSW Government ensure that all emergency services workers and first responders are provided with targeted, consistent and coordinated training on the safe management of electric and hybrid vehicle battery fires, and that the training is actively promoted to the emergency services sector state-wide.

Government response: Support

The NSW Government is committed to prioritising the safety of its emergency workers⁴ by ensuring that they have adequate training to assist them in safely managing the risks related to EV fires and other related incidents. As outlined in the NSW Government submission to the Inquiry, FRNSW and Transport for NSW in collaboration with TAFE NSW developed an Emergency Responder Electric Vehicle Incident Response online course. This course has been made available to all first responders in NSW free of charge since December 2023. FRNSW, NSW Rural Fire Service (RFS) and NSW Ambulance have begun offering this course to their staff and members. Transport's emergency response workers have undertaken the six-hour face-to-face Electric Vehicle Roadside Management training course facilitated by TAFE NSW for its emergency workers.

The Australasian Fire and Emergency Service Authorities Council (AFAC) is also undertaking the Electric Vehicle Emergency Responders' Essential Safety Training Project to deliver a national EV safety training program for emergency responders. FRNSW and RFS are actively supporting this project which will benefit all emergency service organisations.

The NSW State Rescue Board is a statutory body constituted under section 42 of the *State Emergency and Rescue Management Act 1989*. It consists of representatives from NSW government and non-government rescue agencies. Its principal function is to ensure the maintenance of efficient and effective rescue services throughout the state. This involves overseeing the development of multi-agency training packages for rescue operators, which includes a Road Crash Rescue Training Manual and skills sheets. This package includes some details related to rescue response to EVs specifically, identifying EVs and working with high voltage systems. The Rescue Training Advisory Committee of the SRB will coordinate inclusion of additional guidance in the Road Crash Rescue Training Manual to address the fire and chemical risks posed by EV batteries.

Recommendation 7

That the NSW Government research the impact of EV battery fires on personal protective equipment (PPE) and ensure that the PPE used by emergency services workers effectively protects them from EV battery fires and other hazards.

Government response: Support

FRNSW is currently leading the Safety of Alternative and Renewable Energy Technologies (SARET) Research Program. Part of this program is focused on fire service response to Li-ion-related incidents, including the effectiveness of PPE.

SARET aims to assess the effectiveness of new and existing agents, products, and delivery systems for use in fires involving Lithium-ion cells, batteries, and battery systems in comparison with water. It also aims to provide guidance on the effectiveness of current personal protective equipment and

⁴ The NSW Government Response uses the term "emergency workers" to include emergency services workers and Transport frontline workers.

clothing in protecting firefighters from exposures to gases, vapours, liquid electrolytes, chemical residue, and electrical energy present in Li-ion-related incidents.

Recommendation 8

That the NSW Government provide emergency services workers with access to industrial cleaning facilities for decontaminating personal protective equipment and personal protective clothing.

Government response: Support in principle

FRNSW currently has in place a world-leading program for the management of contaminated personal protective clothing. It is proposed to undertake testing of this laundry system as part of the SARET program to ensure that Li-ion fire contaminants can be effectively removed.

The contamination risks associated with exposure of personal protective equipment to Li-ion-related incidents is still an area where further research is required.

The RFS supports in principle access by all RFS members to industrial cleaning facilities for decontamination of PPE/PPC. There are a number of logistical challenges for RFS, given the remoteness of some brigades and their access to reliable and sustainable delivery methods, as well as the appropriate surplus stock requirements to maintain service delivery. The RFS is currently undertaking a 'Clean Member' program to better understand the requirements, limitations and possible practical solutions to address these challenges.

Recommendation 9

That Fire and Rescue NSW, NSW Rural Fire Service, VRA Rescue NSW, NSW State Emergency Service and NSW Ambulance collaborate to develop and implement standardised emergency response guidelines for responding to EV battery fires and other EV battery incidents.

Government response: Support in principle

Please refer to comments in Recommendation 6 regarding the development of training. This will also inform the development and implementation of Standard Operational Guidelines and Procedures for emergency services workers.

Recommendation 10

That the NSW Government run a co-ordinated safety and education campaign on lithium-ion battery risks, including clear and accessible guidance on purchase, usage, storage and disposal of batteries

Government response: Support

The NSW Government is committed to ensuring that the public has access to consistent, accessible information on Li-ion safety to help mitigate fire risks.

Consumer and worker safety

Since January 2024, NSW Fair Trading, NSW EPA, SafeWork NSW and FRNSW have collaborated to establish an integrated agency communications approach to raise safety awareness across all stages of the Li-ion lifecycle. This includes a joint media announcement, social media, website, stakeholder engagement, council resources and internal communications.

In November 2024, NSW Fair Trading, in collaboration with NSW Environment Protection Authority (EPA) and FRNSW, launched a coordinated safety and education campaign addressing the risks associated with Li-ion batteries.⁵ Key elements of the campaign include:

⁵ [Lithium-ion batteries: shop, charge, and recycle safely | NSW Government](#)

1. **Purchasing guidance** - highlighting reputable sources and safety-compliant products for consumers.
2. **Usage recommendations** - providing instructions on safe charging, battery management, and avoiding potential hazards associated with misuse.
3. **Storage and disposal** - promoting safe storage practices and disposal information, including accessible options for proper battery disposal.

Ongoing education and communications will be incorporated into existing activities regarding product safety awareness and existing Li-ion safety campaigns, which are scheduled for March to May 2025.

NSW Fair Trading is also collaborating with other NSW Government agencies and industry to prepare an Information Standard for e-micromobility devices. This Information Standard will require sellers to provide consumers with crucial safety information about the e-micromobility device at the time of sale.

SafeWork NSW is engaging with industry bodies and councils on matters relating to Li-ion batteries and associated risks in a work, health and safety context. Safework NSW provides practical advice and guidance in relation to the management of Li-ion risks in the workplace.

SafeWork NSW has published two dedicated webpages on Li-ion batteries and EVs on its website. These resources provide guidance for workers and persons conducting a business or undertaking their respective work, health and safety legislative duties and obligations:

- <https://www.safework.nsw.gov.au/hazards-a-z/lithium-ion-batteries>
- <https://www.safework.nsw.gov.au/hazards-a-z/electric-vehicles>

SafeWork NSW has also published guidance for the food delivery industry in relation to the safe charging of e-bikes: <https://www.safework.nsw.gov.au/your-industry/transport,-postal-and-warehousing/food-delivery-industry>

Improving safety for emergency workers

Transport for NSW and FRNSW, in collaboration with TAFE NSW, have developed an online training package for emergency responders to raise awareness of EV hazards and risks and provide guidelines to handle EVs safely. The work includes a project to develop a specialised trailer capable of moving EVs experiencing thermal runaway.

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