# Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025

Submission No:	493
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Submitter Comments:	

#### **RE: Submission to Qld Government re BESS**

I am writing to make a submission to the Qld Government in relation to the **Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025.** 

My submission focusses on the need to include **Battery Energy Storage Systems (BESS)** in the amendments to Renewable Energy Reforms, as is in progress for wind farms and large-scale solar farms. It is noted that BESS are impact assessable developments, but there should be much more scrutiny, substantive notification periods, community consultations and commitments from developers to the communities they impact.

### 1) DA Public Notice Requirement

My current and direct experience with BESS developments comes from a Development Application lodged with Fraser Coast Regional Council DA MCU24/0107. By chance, a neighbour spotted a Public Notice sign out the front of a rural property and posted the picture on our local community Facebook group. Without this chance sighting, no one in the area would have been aware of the proposed development. Two submissions were properly made to this DA.

https://pdonline.frasercoast.qld.gov.au/#/applications/details?id=1144728&applicationId=MCU24/0107

A DA lodged 5 months earlier for a proposed BESS a few kilometres away from the above proposed BESS, received no submissions, despite now well-known local objections, and was immediately approved.

Changes to the DA Public Notice requirements should be applied to all BESS projects, even if they are added to an existing approved solar farm development.

## 2) No Assessment Benchmarks

BESS development applications currently are impact assessable developments as a 'Material Change of Use' and the proposed use is called "Undefined". This is often associated with and in locations where the current land use is 'Rural', where a BESS application clearly would change that use to 'Industrial'. Local Councils have no benchmarks to assess the developments so there is no clear standard for evaluating the potential impacts of the BESS on the environment, public safety and community including the community's wellbeing. This gap in the planning framework could lead to inadequate consideration of the risks and challenges associated with BESS projects, resulting in decisions that may not protect the interests of local residents or the environment, now or in the future. Due to the lack of planning guidance and possibility due to the current perceived government appetite for renewables, most proposed BESS facilities are approved by local councils.

Once a site has been approved for a BESS, changing land use from Rural to Industrial, it becomes easier for developers to apply for additional projects (e.g. double the size of the BESS), potentially leading to an incremental and unchecked expansion of industrial activity in rural zones.

Specific and clear benchmarks should be developed for local council to assess BESS applications and BESS projects should not be approved until there is.

### 3) Known Risks of BESS, Lithium Batteries

Battery Energy Storage Systems (BESS) require a smaller land area than wind or solar, but contain toxic, volatile and hazard chemicals, such as lithium-ion, housed in container-like structures placed near to the Queensland Electricity Grid. In a DA, MCU24/0107 to Fraser Coast Regional Council, the developers report

states that "hazardous materials" will be stored on site and that "these batteries are known hazards if they catch fire".

A guidance report for the Australian Energy Council Limited in Sep 2024 clearly shows the risks of Battery Energy Storage Systems. This is a "must read" to understand the risks associated with BESS developments and how safety and design requirements are lagging well behind the construction of these renewable storage facilities. The link to this document is:

# [LINK] <u>https://www.energycouncil.com.au/media/v3gfijdo/12591546-rep-1\_bess-guidance-report-1-compiled.pdf</u>

The dangers of BESS and lithium battery storage systems are not merely theoretical. It is now well known that BESS and lithium battery fires can be difficult to extinguish due to the intensity of the blaze, increasing the potential for contamination of air and ground. A BESS fire in Bouldercombe burned for several days and released toxic smoke. The Moss Landing fire in the USA this year started due to a suppression system failure inside a battery storage area.

During a thermal runaway event, the affected battery cells can reach temperatures exceeding 1,000°C, releasing toxic gases, smoke, and potentially causing adjacent cells to ignite, leading to a rapidly escalating fire. These fires are challenging to extinguish with conventional firefighting methods, requiring specialised equipment and extensive resources to be employed. Thermal runaway can be triggered by various factors, including internal short circuits, physical damage or overheating, and once initiated, extremely difficult to control.

Due to the risks associated with BESS facilities there is talk of an exclusion zone of 20km during a fire incident. This was referenced recently by the Bundaberg Regional Council Mayor's speech relating to a proposed BESS near Gin Gin. A state wide benchmark for an exclusion zone and for a fully equipped fire brigade to deal with BESS fires and potential toxic hazard should be established.

Any DA for a BESS should include risk reduction and fire control plans which are specifically designed for the location of the proposed project. Community consultation about the site and risks are essential to ensuring the right Emergency Management Plan is developed. As an example, DA MCU24/0107 to the Fraser Coast Regional Council, the extent of an emergency management plan in the DA is to 'Call 000'.

### 4) No Integrated Plan

It is imperative that renewable energy projects, including BESS (along with solar and wind infrastructure), be assessed, not in isolation, but as part of a broader, collaborative approach that considers the cumulative impact on the regions and the state. A larger and complete project vision and plan would be one way to do this rather than a piecemeal approach, where each project is evaluated individually without considering its interaction with other developments and where it fails to account for the broader environmental, social, and economic impacts.

### 5) Community Consultation, Predatory Tactics

DA for BESS projects are currently not required to provide any community consultation. The limit of consultation is a physical sign out the front of a rural lot with a headline "Have your say"

While the DA applicant has months, if not years to prepare their submission, including the hiring of expensive consultants, the public, if they even know about the DA, given they are largely in rural areas, have 15 business days to respond. Even if the local community is made aware of the very short "Have your say" period, there will more than likely be very few written objections. This is due to time constraints of already

busy people, their ability to read and understand the hundreds of pages of a professionally prepared development application and to learn how the BESS will impact them, the community and the environment. Then, in the short 15 days, people have to articulate their concerns and put together their formal objection following the rules to make it 'properly submitted'.

Applicant companies proposing projects such as a BESS well understand the probability that few formal objections will be received, especially within a rural environment, even though a large portion of the community is likely to be opposed. This, together with an aging local population, feeling overwhelmed by the constant and ideological push for renewables and in some cases apathy, the relatively lower land values make rural Queensland "ripe for the picking".

In most business settings this would be classed as predatory tactics with development companies targeting these rural areas and people simply because they know what is likely to occur. One example that we know of is where two neighbouring land holders who have Qld power lines running through their properties were approached by the same renewable developer. Both land holders were open to have a development, but the land holder selected was the one that had 3 mortgages listed on their land title search.

Substantive change of use applications for BESS projects must have commitments to extensive and substantive community consultations, before and during any such proposals and definitely prior to any approvals.

#### 6) Decommissioning Renewable Energy Projects, Including BESS

Renewable energy developers acknowledge the project will have an end of life and the site would need to be decommissioned and the land re-habilitated, returned to its pre development state. With each DA there should be a decommissioning plan to deal with the removal of hazardous waste and a monetary bond held to ensure this can be achieved.

Without a decommissioning plan, no bond or sizeable amount withheld to fund the decommissioning there is little to compel the project owner of any renewable energy project to complete the necessary work. In effect, the owner, especially a project controlled by a foreign company, could simply walk away from the project due to economics, fire, fault, damage, obsolescence or state of repair at any point in the project's life, leaving the responsibility to the remnant land holder/farmer. Should the land holder/farmer not have any capacity to remediate the land, it will be left to the community, local, state and federal governments to pick up the pieces.

For example, at the end of the project's life, the decommissioning cost could be \$20 million and the land asset worth \$2 million. This does not create an incentive for a company, especially a wholly foreign owned entity or the land owner to fulfil their obligations. This could result in government owning and taking responsibility for the clean-up of derelict and hazardous renewable projects.

Based on the above clear impacts to communities we again request that consideration be given to include BESS projects in the **Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025.**