

## Sally Munk

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**From:** Carlos Ferguson on behalf of EPA Environment Protection Planning Team Mailbox  
**Sent:** Wednesday, 4 June 2025 2:55 PM  
**To:** Sally Munk  
**Subject:** EPA comment on BESS referrals in SAPs

Dear Sally,

I refer to your recent enquiry to Darren Wallett regarding referrals to the EPA for BESS projects within the Special Activation Precincts (SAPs).

At the current time, the EPA would appreciate being consulted on BESS projects with the SAP areas, especially where these may be associated with other potentially scheduled activities under the POEO Act. The EPA is working with RGDC to assist with SAP related projects, and referral of BESS projects to EPA will help with awareness and understanding of issues arising in the SAPs, and provide any relevant comments.

While the EPA has been consulted on previous BESS projects, it is noted these were generally associated with scheduled activities under the POEO Act (such as wind farms). Most stand-alone BESS projects within NSW would generally not be considered scheduled activities, nor require an EPL, under the POEO Act.

In previous consultations involving waste batteries, in the absence of any particular matters relating to EPA regulatory areas, the EPA has provided comment on standard waste and fire safety considerations. We have provided examples of these below for your consideration.

We hope this advice is of assistance. If you have any further questions regarding this matter, please contact us at [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au).

### **GENERAL COMMENTS FOR BATTERY ENERGY STORAGE SYSTEMS (BESS) PROPOSALS**

#### **1. Fire safety considerations**

The storage of waste batteries presents a fire safety risk, including water runoff during fire events. Proposals should identify potential fire risks and proposed measures and controls to minimise the likelihood and severity of any fire events, and how any fire events will be managed. Consideration should be given to engineering, monitoring and fire controls, such as concrete bunkers, thermal monitoring cameras and deluge fire systems. Consideration should also be given to storage of and access to adequate fire-fighting water for worst-case scenarios, and bunding and storage capacity for firefighting water (which should not be reduced/impacted by stormwater). The EPA suggests the proposal consider the Victorian EPA guideline Storage and Management of Waste Batteries (2018), which assists with assessment fire risks, and identifying controls to prevent fire spread, associated with waste batteries.

#### **2. Waste batteries**

An Environment Protection Licence is required to transport higher risk wastes (classification of waste batteries should be applied in accordance with EPA's waste classification guidelines) and waste tracking requirements also apply. Compliance with relevant dangerous goods transport legislation is required when transporting batteries considered as dangerous goods (as per the Dangerous Goods (Road and Rail Transport) Act 2008).

Kind regards,

Senior Environment Planning and Assessment Officer – Environment Protection Planning  
Strategy and Policy  
NSW Environment Protection Authority

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The EPA acknowledges the Traditional Custodians of the land, waters and sky where we work. As part of the world's oldest surviving cultures we pay our respect to Aboriginal Elders past and present.

