



Section 4.55 (2) Modification Statement of Environmental Effects

Ancillary Battery Energy Storage System
to Approved Solar Farm



269 Marshalls Lane, Blayney
(Lot 500/-/DP1235915)

Ref: 24276

Ver. 4 | September 2026

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Battery Energy Storage System 269 Marshalls Lane, Blayney

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Version Control

Version	Description	Author	Approver	Date
1	Final	DL	-	05/12/2025
2	BESS Relocation	DL	-	26/04/2026
3	Client change	DL	-	29/04/2026
4	Removal of BESS	DL	-	16/09/2026

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1 Introduction

1.1 Overview

This report and Statement of Environmental Effects (SEE) has been prepared by Chris Smith & Associates on behalf of *Green Gold Energy* to modify development consent **DA2024/7**, issued for an “*Electricity Generating Facility sub-5mW AC Solar Farm*” on 20 August 2024.

In response to submissions to previous iterations of this modification application, the proposal has now removed any proposal to add battery energy storage systems (BESS). The installation of any additional BESS units would be subject to a separate development consent outside of the ambit of this application.

The proposed modification now seeks to reconfigure the layout of the solar farm via the relocation of some solar arrays and the central inverter within the approved solar farm at 269 Marshalls Lane, Blayney (Lot 500/-/DP1235915) which is referred to as the ‘subject site’ herein.

This proposed modification would not result in any increase in the footprint of the facility.

The approved development is for a 9-ha solar farm designed to generate and store electricity and integrate with the local distribution network. The proposal will not require additional staffing or materially change the operation or function of the approved solar farm.

There would be no other variation to the approved development consent. Thus, the proposed modification is considered to be *substantially the same development* and can therefore be modified via the Section 4.55 (2) modification pathway.

1.2 Scope of Statement of Environmental Effects

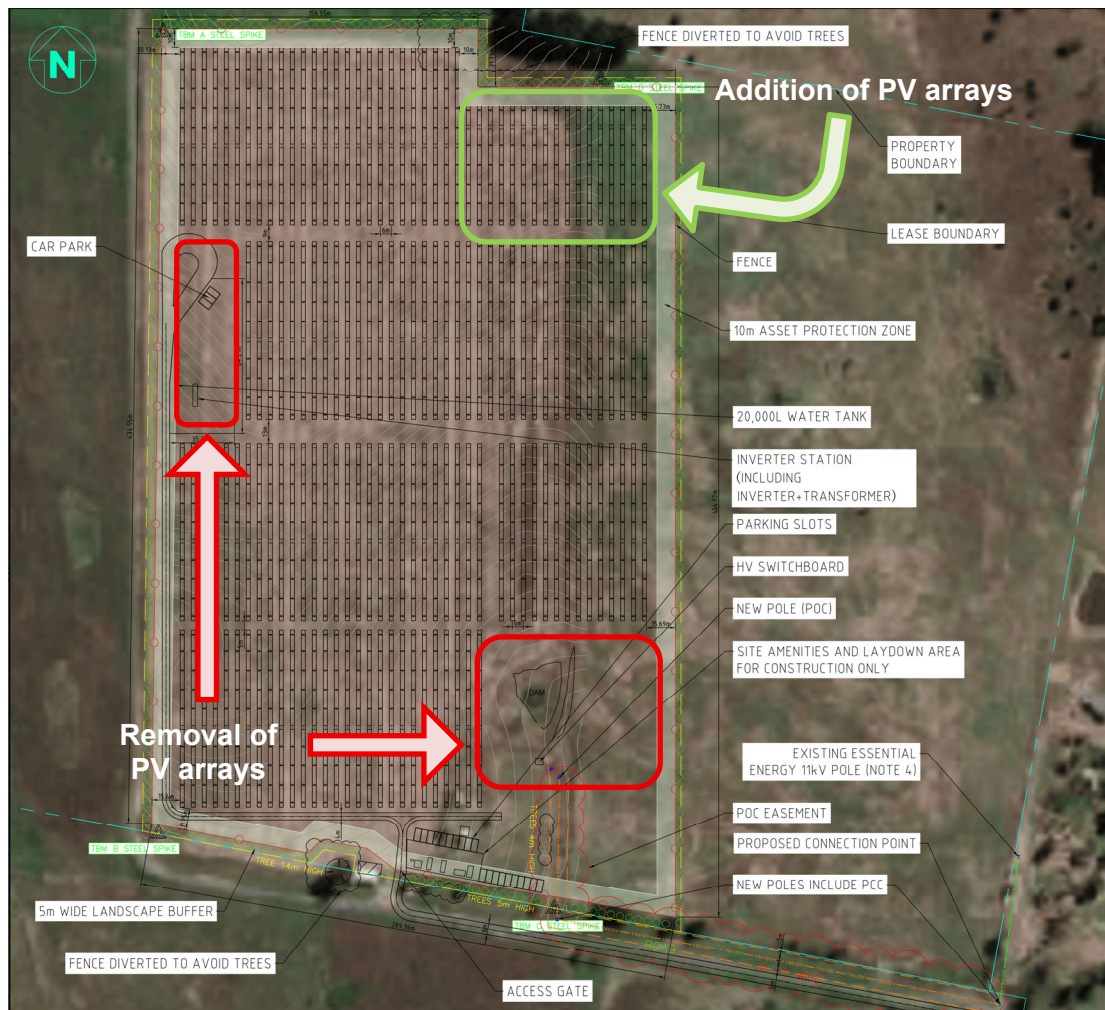
This Statement of Environmental Effects (SEE) accompanies a development application for the proposed development. It has been prepared on behalf of the applicant and includes the matters referred to in Section 4.15 and 4.55 (2) of the *Environmental Planning and Assessment Act 1979* and the matters required to be considered by the consent authority.

1.3 Summary of Proposed Changes

The proposed modifications are primarily an internal reconfiguration of the solar farm, as follows:

- Relocation of approved inverter to the north-west of previous location
- Relocation of PV arrays as follows:
 - Addition of PV arrays to the north-east corner of the solar farm
 - Deletion of PV arrays along western side, and south-east corner of the solar farm

The general location of these changes is illustrated in the below figure, which illustrates the changes from both the approved site plan that are sought with the site plan now submitted for approval.



Proposed Site Plan

Changes to array layout outlined with red line

2 Statutory Framework and Assessment

2.1 Environmental Planning & Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning & Assessment Act 1979* No. 203 (*“the Act”* herein)

Under the Act, the consent authority is required to consider the full range of matters listed under Division 4.3, Section 4.15 of the Act in its assessment of a development application. Each of the relevant matters are addressed below:

Matters for Consideration – General

The consent authority must take into consideration:

(a) *the provisions of:*

- (i) *any environmental planning instrument, and*
- (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) *any development control plan, and*

- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

that apply to the land to which the development application relates,

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

Accordingly, the proposal and potential impacts are now considered – in accordance with the above provisions of Section 4.15, under the following headings:

Impacts on the Natural Environment

The proposed modification is accompanied by conceptual plans, as well as an updated visual impact assessment to demonstrate that there will not be any undue detrimental impacts as a result of the proposal – either on-site or off-site.

In considering the minor nature of the changes, the internal relocation of equipment within the approved solar farm not significantly impede natural flow paths or surrounding habitat conditions.

There would be no change to the operation of the approved solar farm, and the proposed changes would not meaningfully impact the required civil works, which will be designed to maintain stormwater from the site at pre-development levels.

The proposed reconfiguration of equipment would remain consistent with the RFS requirements, principal of which is a 10 metre APZ around the facility's perimeter.

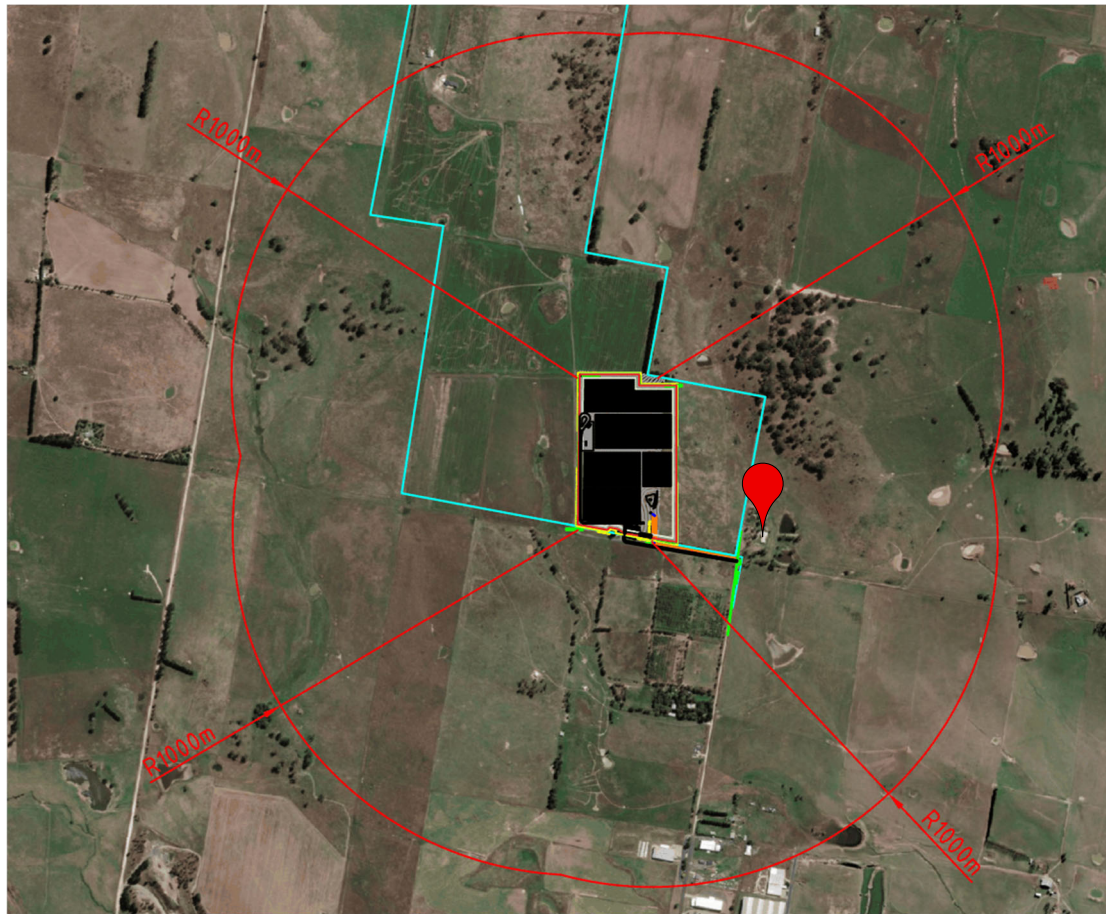
Impacts on the Built Environment

It is acknowledged that potential visual impact was one of the key considerations of the original development application, particularly with respect to nearby dwellings.

In considering the size and magnitude of the equipment to be installed, the relocation of equipment that has already been approved is not likely to fundamentally change the visual bulk of the approved solar farm.

The proposal would relocate several arrays in the south-east corner of the site, which would result in a greater separation of the PV arrays from the nearest dwelling – to the south east of the site. The location of this dwelling is marked with a red pin in the below figure.

The subject land is situated within the RU1 Rural Landscape Zone, and is primarily surrounded by agricultural land, along with some rural dwellings and industrial land to the south.



Locality Plan Extract (nearest dwelling marked with red pin)
Showing the nearby land uses to the approved solar farm

Social and Economic Impacts

The proposed development will support the economic growth of the Blayney Shire municipality.

The proposal is for a minor reconfiguration of an approved development and would not unduly alter the social and economic impacts of the

It is estimated that during construction, a large portion of the work will be undertaken by local contractors. The proposal will provide available renewable energy at peak user times in the evenings, contributing to the affordability of NSW's electricity prices, resulting in both cheap and renewable energy.

There would be no change to traffic from the previous development consent. The scale of the facility and the consequential equipment numbers is generally in accordance with the existing development consent.

The proposal is not expected to have any adverse impacts on ecology or Aboriginal heritage.

The Suitability of the Site

The subject site is a largely cleared farming property that contains limited environmental constraints.

There are limited land use conflicts that would arise as a result of the proposal that have not already been considered as part of the initial development consent. The site is largely surrounded by farming land; however, impacts to dwellings unlikely to be

significantly impacted given the footprint will remain generally consistent with the approved development consent.

Any submissions made in accordance with this Act or the Regulations

Any relevant representations will need to be considered by the Council as part of the determination of the development application. In considering the minor nature of the proposed modification, any reasonable submissions can be addressed if/as they arise.

The public interest

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant context of the site within the LGA and in accordance with the prevailing planning controls.

Based on the above considerations, and direction from Blayney Shire Council the proposed modifications can be processed via the 4.55 (2) statutory pathway for modifications that involve substantially the same development.

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) it has notified the application in accordance with—*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

The proposed modification would amount to a reshuffling of the layout of the approved solar farm and does not materially alter the originally approved development. As such, the modified proposal remains substantially the same as the initial development approval, with no significant changes beyond the original scope.

The proposal is consistent with the relevant local statutory considerations; primarily the Blayney Local Environmental Plan (LEP) and the relevant State Environmental Planning Policies (SEPPs).

2.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Part 2 – Division 4 – Electricity generating works or solar energy systems

2.36 Development permitted with consent

(1) ***Development for the purpose of electricity generating works may be carried out by any person with consent on the following land***

(b) ***any land in a prescribed non-residential zone.***

The proposed use of the land for an energy storage facility remains consistent with the original development consent for *electricity generating works*.

The RU2 zone is a prescribed non-residential zone under the SEPP pursuant to the 2.35 definitions.

2.3 Blayney Local Environmental Plan 2012

2.3.1 Zone Objectives and Land Use Table (Clause 2.3)

DA2024/7 approved use of the site for ‘electricity generating works’, under the *State Environmental Planning Policy (Transport & Infrastructure) 2021*.

The proposal is for ‘electricity generating works’, which is defined in the LEP as:

“electricity generating works means a building or place used for the purpose of—
(a) *making or generating electricity, or*
(b) *electricity storage.”*

The proposal does not involve a change of land use from the land use approved under DA2021/21.

The subject property is zoned RU2 Rural Landscape, which has the following zone objectives:

- *“To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To encourage development that will not have an adverse impact on the environmental and scenic qualities of the existing landscape.”*

The proposal will not result in any meaningful change to the approved use as originally assessed against the RU2 Rural Landscape Zone, which the proposal is considered as a compatible rural land use.

The proposal would largely accord with the approved solar farm, which has measures in place to reduce environmental impacts so that there would be minimal potential for land use conflict.

2.4 Blayney Shire Council Development Control Plan 2018

Upon review of the Blayney Shire Council Development Control Plan 2018 (DCP) and the original documentation submitted in support of the initial development application, the proposed modification does not invoke any new provisions of the DCP.

2.5 Blayney Local Strategic Planning Statement

The Blayney Local Strategic Planning Statement provides the overarching strategic direction for the Blayney Shire Council and includes key planning priorities that are intended to inform decision making and policy development within the municipality.

Of relevance to the development of a renewable energy facility on rural land are the planning priorities 5 and 6:

- **Planning Priority 5** – *Promote and support growth in the renewable energy industry sector*
- **Planning Priority 6** – *Protect and conserve the natural environment and heritage qualities while adapting to the impacts of hazards and climate change*

The proposed modification will uphold both of the above priorities, and it is not anticipated that the inclusion of ancillary battery energy storage would fundamentally change the nature of the approved solar farm.

3 Conclusion

The proposal reconfiguration of an approved solar farm within the Blayney Shire aligns with relevant State, regional, and local strategic plans and policies.

The proposed changes to the current development consent do not result in a substantial transformation to the approved solar farm. The external dimensions of the facility remain largely the same and all material alterations to the layout remain internal to the facility.

Moreover, its proximity to existing electrical infrastructure ensures enhanced energy security and employment opportunities for the local community.

It is considered that the information provided within this report demonstrates that the proposal will result in benefit and positive outcomes to the community and thus warrants modification of the development consent.

Chris Smith & Associates
September 2026