



CURRAJONG

PLANNING, PROPERTY + PROJECT MANAGEMENT

DOCUMENT TITLE

Statement of Environmental Effects

CLIENT

Canowindra Challenge Incorporated

PROJECT

Temporary use of land for the Cabonne Community Balloon Glow event, including Lot 62, 192, 193, 194 and 195 DP 750147 and Lot 10 DP10595, Tilga Street, Canowindra

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01. INTRODUCTION

1.1. Project Overview

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of the Canowindra Challenge Incorporated to support a Development Application and Section 68 Approval for the temporary use of land for the Cabonne Community Balloon Glow event, including Lots 62, 192, 193, 194 and 195 DP 750147 and Lot 10 DP10595, 125 Tilga Street, Canowindra.

The Canowindra International Balloon Challenge is a hot air ballooning event held in the town of Canowindra over a two-week period, organised by the Canowindra Challenge Incorporated. Every year pilots from all over the world gather in Canowindra to showcase and celebrate the sport of competition ballooning. During this time, the town welcomes over 20,000 visitors to enjoy scheduled activities, including the signature event, the Cabonne Community Balloon Glow.

The temporary event activities that require consent from Cabonne Council are as follows:

- Cabonne Community Balloon Glow – located at the Canowindra Sports Oval comprising Lots 62, 192, 193, 194 and 195 DP 750147, Tilga Street, Canowindra to allow for event activities, including live music and entertainment, night markets with food and wine stalls, Balloon Glow with synchronised music, for a period five (5) years.
- Cabonne Community Balloon Glow Carpark – located on Lot 10 DP 10595, 125 Tilga Street, Canowindra, approximately 200m north of the Canowindra Sports Oval for temporary parking of up to 294 cars, for a period five (5) years.

This SEE aims to provide all relevant information to Cabonne Council for the proper assessment of the proposed development.

1.2. Approvals Required

The proposal requires development consent under Part 4 of the Environmental Planning and Assessment Act (EP&A Act) 1979. The proposal is local development, as it does not trigger any of the provisions listed below:

- The proposal is not 'designated development' pursuant to Part 1 of Schedule 3 of the EP&A Regulation 2021 and an Environmental Impact Statement is not required.
- The proposal does not trigger 'State significant development' or 'regionally significant development' because it is not designated development and is general development less than \$30 million, pursuant to State Environmental Planning Policy (Planning Systems) 2021.
- The proposal does not trigger 'integrated development' because it does not require any other approval listed under Section 4.46 of the EP&A Act 1979.
- The proposal does not trigger the Biodiversity Offsets Scheme threshold, because it does not involve the removal of native vegetation under the Biodiversity Conservation Act 2016.

A DA is to be lodged with Cabonne Council via the NSW Planning Portal along with an SEE (this report) and various plans in support of the proposal.

1.3. Application Details

The key details of the application are presented in Table 1.

Table 1 - Application Details

Detail	Description
Applicant	Canowindra Challenge Incorporated
Landowner	Crown Lands NSW and Gus Slattery
Proposed Site	Lot 62, 192, 193, 194 and 195 DP 750147 – Tilga Street, Canowindra and Lot 10 DPI0595 – 125 Tilga Street, Canowindra
Proposal	Temporary Use of Land (Event)
Zoning	RE1 Public Recreation and R1 General Residential
Consent Authority	Cabonne Council

1.4. Format of this Report

The information presented in this SEE covers all aspects of the proposal as specified under the EP&A Regulation 2021. The SEE has been prepared as a single document as described in Table 2.

Table 2 - Report Format

Detail	Description
Section 1	Introduces the proposal and the main project drivers
Section 2	Describes the main features of the site and surrounds
Section 3	Provides a description of the proposal
Section 4	Reviews the proposal against the relevant legislative requirements
Section 5	Assesses the potential environmental impacts of the proposal and documents the proposed mitigation and management strategies proposed to minimise impacts
Section 6	Reviews the proposal against the environmental, economic and social considerations
Section 7	Provides the conclusion for the SEE

1.5. Schedule of Plans and Drawings

The information presented in this SEE is supported by a number of plans and reports which are included as separate attachments to the SEE. A brief description of these documents is presented in Table 3.

Table 3 - Schedule of Plans and Drawings

Ref	Prepared by	Description	Date
Rev A	Currajong	Statement of Environmental Effects	27 September 2024
Rev A	Currajong	Site Plans	16 September 2024
TGS#41020241A	Mid-West Traffic Management	Traffic Management Plans	4 October 2024
-	Canowindra Challenge Incorporated	Plan of Management	-
-	Canowindra Challenge Incorporated	Event Risk Assessment	-

02. DESCRIPTION OF THE SITE

2.1. Site Description

The land, the subject of the DA, is formally described as follows:

Canowindra Sports Oval – Lot 62, 192, 193, 194 and 195 DP 750147, Tilga Street, Canowindra

- The site has frontage to Rodd Street on its eastern boundary, Ross Street on its southern boundary and Tilga Street on its western boundary. Vehicle access to the site is from Ross Street and Tilga Street via an existing access crossing. Pedestrian access to the site can be accessed via Rodd, Ross and Tilga Streets.
- The site contains two sporting ovals, tennis, basketball and netball courts, skate park, walking path and fitness equipment and ancillary buildings (club houses, canteen and amenities) used by community and sporting groups.
- 2m high wire mesh fencing exists on all boundaries.
- The site is connected to reticulated sewer and water, electricity and NBN telecommunication services.
- The site is generally cleared of native vegetation, except for established trees surrounding the two sport ovals.

Cabonne Community Balloon Glow Carpark – Lot 10 DP10595, 125 Tilga Street, Canowindra

- The site has frontage to Tilga Street on its eastern boundary and Longs Corner Road on its northern boundary.
- The site has an area of 4.11 hectares and contains an existing dwelling house and ancillary buildings towards the southern boundary.
- Standard rural fencing exists on all boundaries and internally throughout the site.
- The site is connected to reticulated sewer and water, electricity and NBN telecommunication services.
- The site is generally cleared of native vegetation, except for established trees along the property boundaries and internal fencing.

Figures 1 and 2 show the location of the sites in relation to the immediate and wider locality.

Figure 1 - Locality Map – Lot 62, 192, 193, 194 and 195 DP 750147, Tilga Street, Canowindra

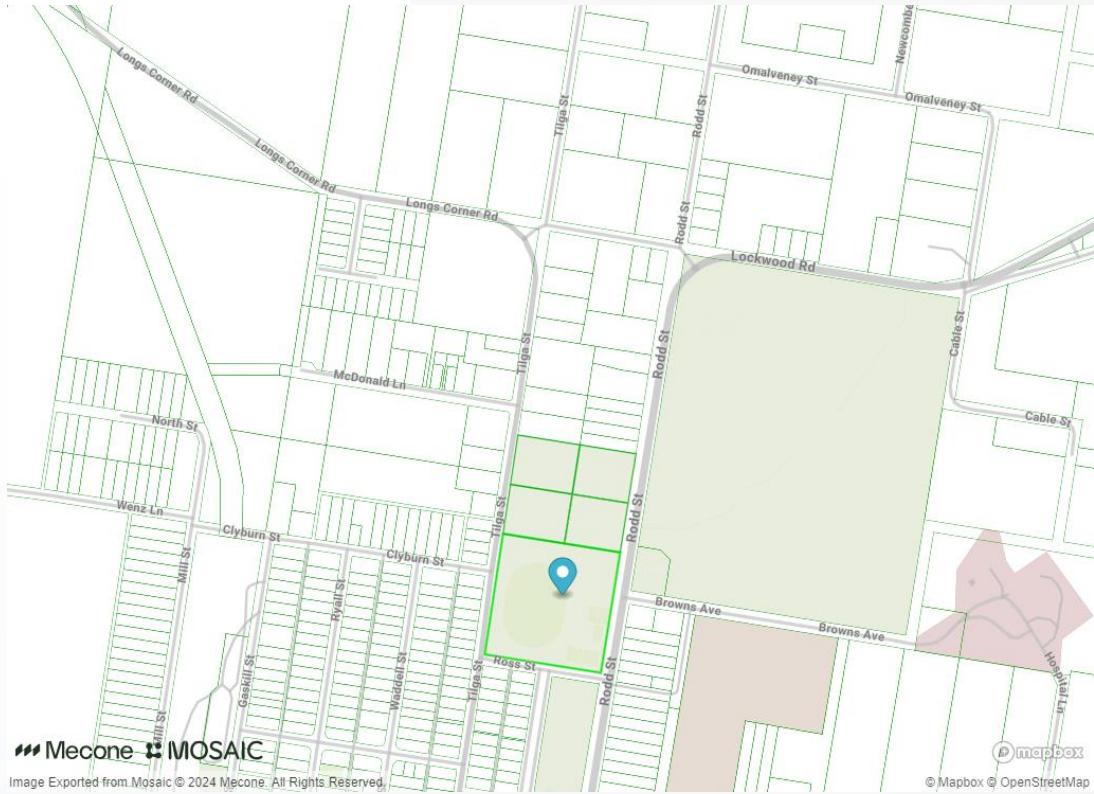
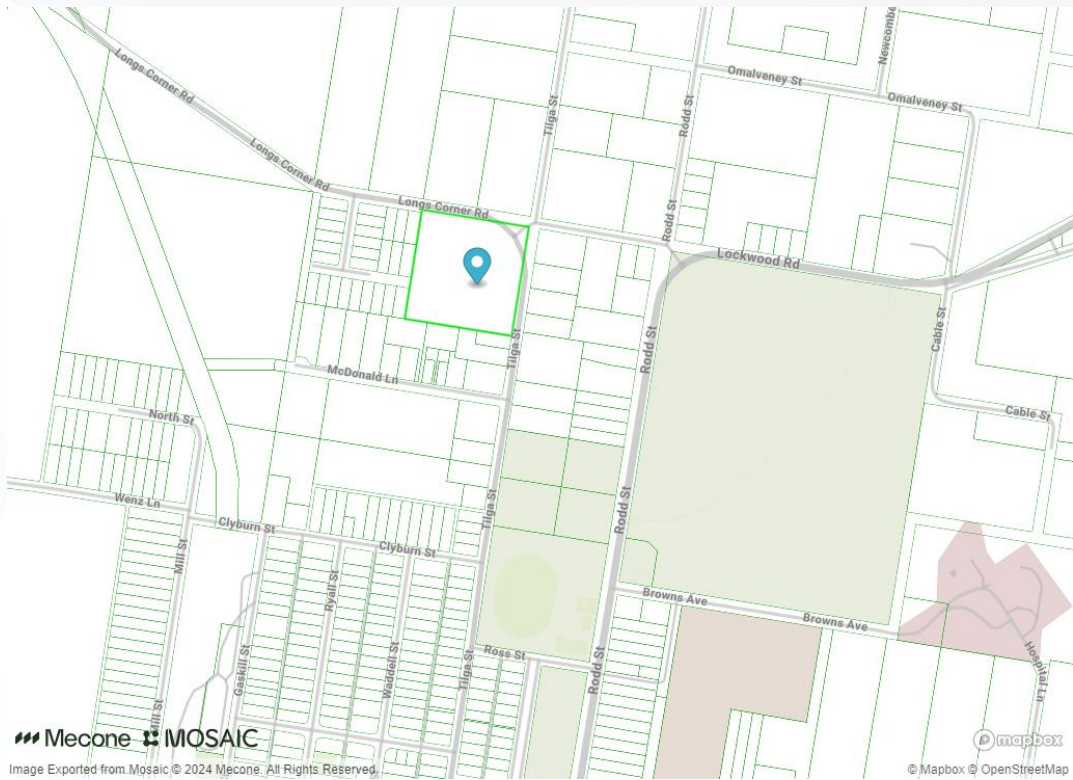


Figure 2 - Locality Map – Lot 10 DP 10595, 125 Tilga Street, Canowindra



Photographs 1 - 6 show key aspects of the sites.

Photograph 1 - Access via Tilga Street



Photograph 2 - Access via Ross Street



Photograph 3 - Balloon Glow Area



Photograph 4 - Pedestrian Walkway Area



Photograph 5 - Market Stall Area



Photograph 6 - Temporary Carpark Area



2.2. Surrounding Land-use

Surrounding land-uses to each site are described as follows:

- Canowindra Sports Oval (Lot 62, 192, 193, 194 and 195 DP 750147) - this site is surrounded by residential development to the north and south and a mix of residential and general industry land-uses to the west. The Canowindra Showground and Canowindra Golf Course are located to the east.
- Lot 10 DPI0595 – This site is surrounded by residential development.

2.3. Land Zoning

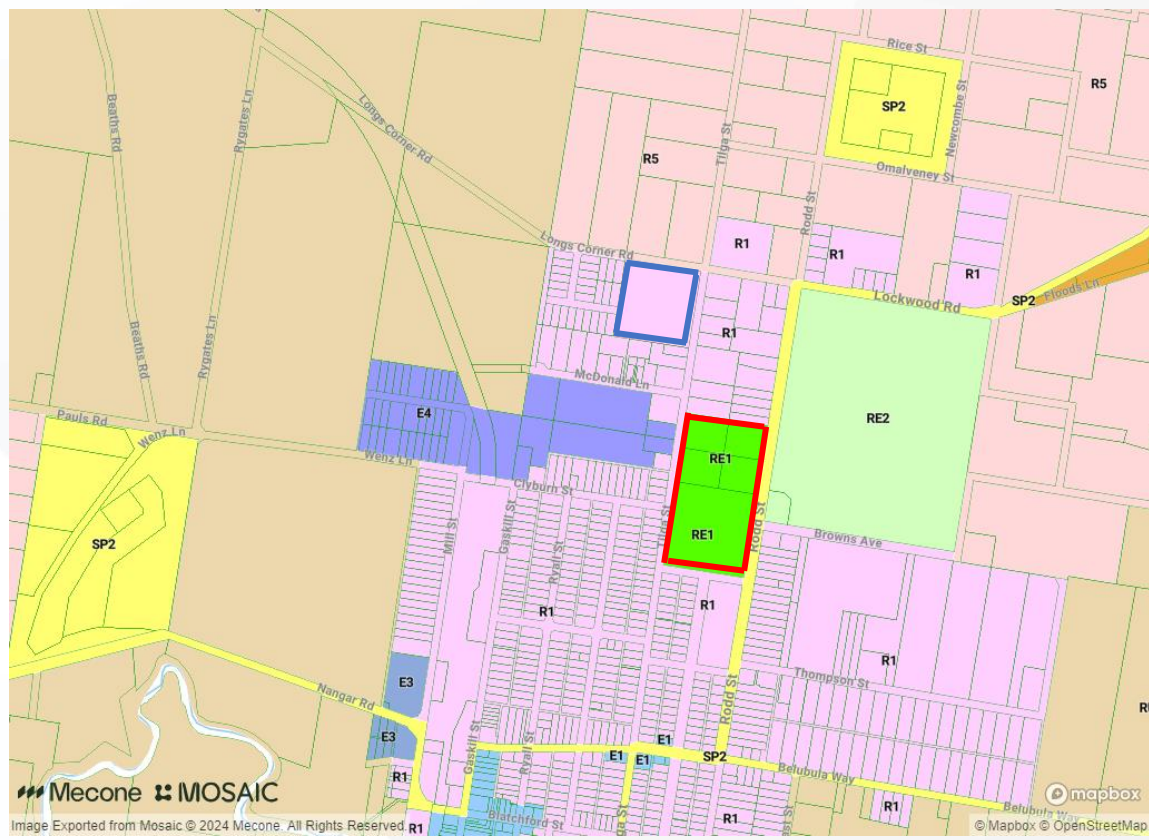
The sites are zoned RE1 Public Recreation and R1 General Residential under the Cabonne LEP 2012 as follows:

- Canowindra Sports Oval (Lot 62, 192, 193, 194 and 195 DP 750147) - is zoned RE1 Public Recreation.
- Lot 10 DPI0595 - is zoned R1 General Residential.

Pursuant to the Land Use Table of the Cabonne LEP 2012, the proposed temporary use of land zoned RE1 Public Recreation is permitted with consent. Pursuant to Clause 2.8 of the Cabonne LEP 2012, the proposed temporary use of Lot 10 DPI0595 for a carpark, is permitted on land zoned R1 General Residential with consent.

Figure 3 includes a map showing the zoning framework for the two sites, with the Canowindra Sports Oval shown in red outline and Lot 10 DPI0595 shown in blue outline.

Figure 3 - Zoning Map - Tilga Street, Canowindra



LEGEND - LAND USE ZONES

E1 E1 Local Centre	RE1 Public Recreation
E3 E3 Productivity Support	RE2 Private Recreation
C1 C1 National Parks and Nature Reserves	RU1 Primary Production
C2 C2 Environmental Conservation	RU3 Forestry
C3 C3 Environmental Management	RU4 Primary Production Small Lots
E4 E4 General Industrial	RU5 Village
R1 R1 General Residential	SP2 Infrastructure
R2 R2 Low Density Residential	SP3 Tourist
R5 R5 Large Lot Residential	W2 Recreational Waterways

03. DESCRIPTION OF THE PROPOSAL

3.1. Objectives of the Project

The objective of the project is to obtain approval from Cabonne Council for the temporary use of land for the Cabonne Community Balloon Event for the next five (5) years.

3.2. The Proposal

3.2.1. Temporary Use of Land (Cabonne Community Balloon Glow Event)

The Cabonne Community Balloon Glow is proposed at the Canowindra Sports Oval from 5pm – 9pm on the first Saturday of the Canowindra International Balloon Challenge. Approximately 10,000 people are to attend the event. The event includes live music and entertainment, night markets, food and wine stalls, and the Balloon Glow comprising up to 15 hot air balloons with synchronised music.

A breakdown of the main activities proposed to be conducted at the Canowindra Sports Oval is as follows:

Temporary Structures and Amenities

The event includes the following proposed temporary structures and infrastructure:

- Temporary Stage - The proposed temporary stage is located in the main arena of the cricket and athletics sports oval and will accommodate the live music and entertainment during the event. The stage will be constructed and maintained by a nominated contractor employed by the organisers of the Canowindra Challenge Incorporated. The stage will be installed two days before the Balloon Glow Night and dismantled two days after the event and will be constructed in accordance with relevant Australian Standards and National Construction Code of Australia.
- Markets Stalls and Temporary Structures - The market stalls will include 40 food / beverages stalls, 70 retail / merchandise outlets and one (1) bar area which will be located on the rugby / league sports oval. Market stall holders are required to apply to the Canowindra Challenge Incorporated each year to occupy a site. The applications generally indicate the type of stall / structure proposed (e.g. marquee tent or food / van rig) and if power and / or water are required. Stall holders begin setting up on-site from 10.30am and will vacate the site by 10pm. Market stall holders are required to comply with the terms and conditions of the application form prepared by the Canowindra Challenge Incorporated. This includes outlets serving food / beverages complying with the NSW Food and Authority Guidelines and any Cabonne Council requirements.
- Toilet Facilities - 40 portable toilets will be provided for the event and positioned throughout the site.

Traffic and Parking

Generally, no public parking is to be made available at the Canowindra Sports Oval during the Cabonne Community Balloon Glow event, other than parking required for stall occupiers, emergency services and other users approved by the Canowindra Challenge Incorporated.

To properly manage traffic and parking arrangements in and around the Canowindra Sports Oval during the Cabonne Community Balloon Glow event, a Traffic Management Plan (TMP) has been prepared by Mid-West Traffic Management to manage traffic and parking in and around the Canowindra Sports Oval, including surrounding streets and the temporary carpark on Lot 10 DPI0595, 125 Tilga Street, Canowindra. The TMP aims to manage traffic and parking for buses and light vehicles primarily on the Canowindra Road and Rodd Street through the use of traffic controllers, parking marshals and parking directional signage.

A copy of the TMP is separately attached to this report.

Practical and Legal Access

The site has frontage to Rodd Street on its eastern boundary, Ross Street on its southern boundary and Tilga Street on its western boundary. During the event, vehicle and pedestrian access is proposed via the following locations and during the following times:

- Vehicle access for contractors and market stall holders is via Tilga and Ross Street via an existing access location and is restricted to the following times, Saturday, 7am – 3pm and from 9pm – 10pm.
- Pedestrian access for the duration of the event (5pm – 9pm) is via Tilga Street and Ross Street via existing access locations. The gates will contain ticketing officers and security during the event.

Utilities, Services and Security

The following utilities and services are proposed during the event:

- The site contains existing amenities located in existing buildings, including, 15 female, 9 male and 4 accessible toilets. An additional 40 portable toilets will be provided during the event and positioned throughout the site. The existing and proposed amenities will be serviced and cleaned by a contractor employed by the organisers of the Canowindra Challenge Incorporated.
- The site contains existing waste bins located throughout the site. Eight (8) skip bins will be provided to accommodate the additional waste generated during the event. Contractors or volunteers will monitor and remove the waste generated during the event employed by the organisers of the Canowindra Challenge Incorporated.
- During the duration of the event, 10 security guards and 2 Responsible Service of Alcohol (RSA) Marshalls, will be employed by the organisers of the Canowindra Challenge Incorporated.
- Additional lighting will be located throughout the site, predominantly near pedestrian access pathways and amenities.

Temporary Use

The DA is seeking development consent for the temporary use of the Canowindra Sports Oval for the Cabonne Community Balloon Glow event a period of five (5) years.

3.2.2. Temporary Use of Land (Cabonne Community Balloon Glow Carpark)

The Cabonne Community Balloon Glow event is proposed to be serviced by a temporary carpark located approximately 200m north of the Canowindra Sportsground on Lot 10 DPI0595, 125 Tilga Street, Canowindra. The temporary carpark will provide for up to 294 cars that will be accessible to the public for parking from 4.30pm – 9.30pm on the first Saturday of the Canowindra International Balloon Challenge.

A breakdown of the main activities proposed to be conducted at the Cabonne Community Balloon Glow Carpark is as follows:

Temporary Structures and Amenities

Generally, no temporary structures or amenities are proposed on Lot 10 DPI0595, 125 Tilga Street, Canowindra, other than mobile flood lights with generators that will be located on the site for security and safety purposes.

Traffic and Parking

Public parking is to be made available on Lot 10 DPI0595, 125 Tilga Street, Canowindra for up to 294 cars. The temporary carparking area is located 200m north of the Canowindra Sports Oval, which facilitates people walking to and from the event / carpark.

To properly manage traffic and parking arrangements in and around Lot 10 DPI0595 during the Cabonne Community Balloon Glow event, a TMP has been prepared by Mid-West Traffic Management. The TMP covers the proposed temporary carpark as well as the surrounding street network to ensure the needs of motorists and pedestrian are incorporated into the plan. Traffic controllers, parking marshals and parking directional signage will be used to direct vehicles and pedestrians.

A copy of the TMP is separately attached to this report.

Practical and legal access

The site has frontage to Tilga Street on its eastern boundary and Longs Corner Road on its northern boundary. During the event, vehicle and pedestrian access is to be provided via a proposed access location off Tilga Street, that will be constructed to a temporary standard for the event in accordance with TMP / Council requirements.

Utilities, Services and Security

Generally, no utility services are proposed on Lot 10 DP10595 during the event, other than waste bins at the pedestrian entrance to the carpark and mobile flood lights with generators that will be located on the site for security and safety purposes.

Temporary Use

The DA is seeking development consent for the temporary use of Lot 10 DP10595, 125 Tilga Street, Canowindra for the Cabonne Community Balloon Glow Carpark for a period of five (5) years.

04. PLANNING AND LEGISLATIVE CONTEXT

The following section of the report describes the applicable local planning policies, State and Federal legislation and guidelines. The applicable documents are summarised in this section, followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.1. Commonwealth Legislation

Section 4.1 describes the applicable Federal legislation and guidelines followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.1.1. Environment Protection and Biodiversity Conservation Act 1999

Under the Federal Environment Protection and Biodiversity Conservation (EPBC) Act 1999, referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land. The EPBC Act 1999 identifies the following as MNES for which Ministerial approval is required:

- World heritage properties.
- Wetlands of international significance.
- Listed threatened species and communities.
- Listed migratory species protected under international agreements.
- National Heritage Places.
- Protection of the environment from nuclear actions.
- Commonwealth Marine environments.

Assessment of the proposal confirms there is unlikely to be a significant impact on relevant MNES or on Commonwealth land. The proposal would not warrant referral under the EPBC Act 1999.

4.2. New South Wales Legislation

Section 4.2 describes the applicable state legislation and guidelines followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.2.1. Environmental Planning and Assessment Act 1979

The EP&A Act 1979 forms the legal and policy platform for development assessment and approvals process in NSW. The objectives of the Act are:

- To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.
- To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.
- To promote the orderly and economic use and development of land.
- To promote the delivery and maintenance of affordable housing.
- To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.
- To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- To promote good design and amenity of the built environment.

- To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.
- To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.
- To provide increased opportunity for community participation in environmental planning and assessment.

Under the EP&A Act 1979, environmental planning instruments are made to specify planning controls for specific parcels of land and / or land-use. Applicable environmental planning instruments are discussed in later parts of this SEE. In general, development consent is required for the proposed temporary use of the land pursuant to the requirements of Cabonne LEP 2012.

4.2.2. Local Government Act 1993

Section 68, Part D of the Local Government (LG) Act 1993 specifies that approval is required for a number of activities carried out on community land, including:

- Engage in a trade or business.
- Direct or procure a theatrical, musical or other entertainment for the public.
- Construct a temporary enclosure for the purpose of entertainment.
- For fee or reward, play a musical instrument or sing.
- Set up, operate or use a loudspeaker or sound amplifying device.
- Deliver a public address or hold a religious service or public meeting.

Under Section 68, Part D – Community Land, the proposed development seeks the following approvals:

- Engage in a trade or business. The proposed development seeks approval for 110 market stalls that will engage in trade or business and includes 40 food and drink stalls, 70 retail stalls and 1 bar area.
- Direct or procure a theatrical, musical or other entertainment for the public. The proposed development seeks approval for entertainment of a temporary stage, including live music, performers, dancing and other scheduled events.
- Construct a temporary enclosure for the purpose of entertainment. The proposed development seeks development approval for entertainment on a temporary stage, including live music, performers, dancing and other scheduled events.
- Set up, operate or use a loudspeaker or sound amplifying device. The proposed development seeks approval for entertainment on a temporary stage, including live music, performers, dancing and other scheduled events.

4.2.3. National Parks and Wildlife Act 1974

The National Parks and Wildlife (NPW) Act 1974 is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW.

Unless a licence is obtained under the NPW Act 1974 (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat.

The NPW Act 1974 also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act 1974 provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community.

The sites comprise 'disturbed land', as defined under The NPW Regulation 2019. A search of the Aboriginal Heritage Information Management System (AHIMS) has been completed and there are no Aboriginal Sites or Places identified to be located within close proximity of the sites. No heritage issues / impacts have been identified and approvals under the Heritage Act 1977 or NPW Act 1974 are not required to be obtained for the proposal.

4.2.4. Biodiversity Conservation Act 2016

The Biodiversity Conservation (BC) Act 2016 provides the framework for the management of flora and fauna on lands within NSW. Under the BC Act 2016 the principles of ecologically sustainable development are used to achieve the conservation and protection of biodiversity values. Clause 7.2 of the BC Act 2016 identifies the following circumstances where a development is likely to significantly affect threatened species:

- It is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3.
- The development exceeds the biodiversity offsets scheme threshold if the biodiversity offset scheme applies to the impacts of the development on biodiversity values.
- It is carried out in a declared area of outstanding biodiversity value.

Inspection of the sites and surrounds confirms a general absence of native flora and fauna species in the immediate vicinity of the proposed event. There are no woodlands, water bodies, wetlands or cave systems in close proximity of the sites that would provide critical habitat for threatened species.

Section 7.3 of the BC Act 2016 specifies the assessment criteria to test impacts, as follows:

- In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of these species such that a viable local population of the species is likely to be placed at risk of extinction.
- In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
 - Is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
 - Is likely to substantially and adversely modify the composition of the ecological community such that its occurrence is likely to be placed at risk of extinction.
 - In relation to the habitat of a threatened species or ecological community:
- The extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
 - Whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
 - The importance of the habitat to be removed, modified, fragmented, or isolated to the long-term survival of the species or ecological community in the locality.
 - Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly).
- Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.

In conjunction with the BC Act 2016, the Biodiversity Assessment Method (BAM) is used as the model for undertaking biodiversity assessments on developments that require consent under the EP&A Act 1979. The BAM provides a classification and credit system to ensure that there is no net loss of biodiversity values across the State. In circumstances where the clearing of native vegetation is proposed, the BC Act 2016 makes provision for the retirement of biodiversity offsets (credit payments) under the Biodiversity Offset Scheme (BOS) as part of the determination of a DA for a proposal under the EP&A Act 1979. In this case no clearing of native vegetation is proposed.

Assessment of the impacts of the proposal on biodiversity values is undertaken in Section 5 of this SEE. Tests of significance completed for the site conclude the proposal is unlikely to cause significant impacts on any threatened species and does not trigger entry into the BOS. There is consequently no requirement for the proponent to offset biodiversity impacts associated with this proposal or to prepare a Biodiversity Assessment Report (BAR) or a Biodiversity Development Assessment Report (BDAR).

4.2.5. Water Management Act 2000

The objective of the Water Management (WM) Act 2000 is the sustainable and integrated management of the State's water sources for the benefit of both present and future generations by applying the principles of ecologically sustainable development to protect, enhance and restore water sources and their associated ecosystems, ecological processes and biological diversity and their water quality. No specific approvals are required under the WM Act 2000. Riparian land and vulnerable groundwater issues are not identified as key issues for the nature and scale of the proposed development.

4.2.6. Heritage Act 1977

The Heritage Act 1977 provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects, and precincts of State or local heritage significance which are at least 50 years old. The Heritage Act 1977 applies to non-Aboriginal relics only, as Aboriginal relics are protected under the NPW Act 1974. The subject site is not listed on the State Heritage Register and an approval from Heritage NSW is not required under the Heritage Act. No built heritage issues / impacts have been identified. No separate approvals are required under the Heritage Act 1977.

4.2.7. Protection of the Environment Operations Act 1997

The Protection of the Environment Operations (POEO) 1997 regulates air, noise, land and water pollution. The proposal would not operate under an Environment Protection Licence (EPL) and Cabonne Council is the Appropriate Regulatory Authority (ARA) for general pollution control matters on the sites.

4.2.8. Roads Act 1993

Under Section 138 of the Roads Act 1993 a person must not erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road, otherwise than with the consent of the appropriate road authority. The proposed temporary use of the land will be accessed from existing crossings off Tilga and Ross Streets.

4.2.9. Contaminated Land Management Act 1997

Cabonne Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 are available on the EPA website. Site inspection has not identified any current uses of the land, or evidence of historic uses of the land which give rise to concerns about potential land contamination.

4.2.10. Rural Fires Act 1997

The Rural Fires (RF) Act 1997 requires approval of development on bushfire prone land as identified by a bushfire prone land map prepared under Section 146 of the EP&A Act 1979. According to the mapping prepared by the NSW Rural Fire Service, the subject land is not identified as being bushfire prone.

4.3. State Environmental Planning Policies (SEPP)

A high-level assessment of the applicability of each SEPP to the proposed development is included in Table 4, with further assessment work completed in Section 4.3.1 as necessary.

Table 4 - SEPP Overview

Name of SEPP	Specific Assessment Required?
SEPP (Exempt and Complying Development Codes) 2008	No. The proposed development is neither exempt or complying development and a DA is to be lodged
SEPP (Planning Systems) 2021	Yes. See Section 4.3.2
SEPP (Biodiversity and Conservation) 2021	Yes. See Section 4.3.2
SEPP (Sustainable Buildings) 2022	No
SEPP (Housing) 2021	No

SEPP (Industry and Employment) 2021	No
SEPP (Primary Production) 2021	No
SEPP (Precincts - Central River City) 2021	No
SEPP (Precincts - Eastern Harbour City) 2021	No
SEPP (Precincts - Western Parkland City) 2021	No
SEPP (Precincts - Regional) 2021	No
SEPP (Resilience and Hazards) 2021	Yes. See Section 4.3.2
SEPP (Resources and Energy) 2021	No
SEPP (Transport and Infrastructure) 2021	Yes. See Section 4.3.2

4.3.1. SEPP Assessment

SEPP (Planning Systems) 2021

The Planning Systems SEPP 2021 identifies significant development and infrastructure and confers functions on Regional Planning Panels to determine development applications. The proposal is not classified as 'State significant development' or 'regionally significant development' and will be assessed and determined by Cabonne Council as 'local development'.

SEPP Biodiversity and Conservation 2021

The sites are majorly cleared of native vegetation. Tests of significance completed for the sites conclude the proposal is unlikely to cause significant impacts to any threatened species and does not trigger entry into the BOS. There is no requirement for the proponent to offset biodiversity impacts associated with this proposal or to prepare a BAR or BDAR.

SEPP (Resilience and Hazards) 2021

Clause 4.6(1) of the Resilience and Hazards SEPP 2021 requires that a consent authority must not consent to the carrying out of any development on land unless:

- It has considered whether the land is contaminated, and
- If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Clause 4.6(4) requires a preliminary investigation to be carried out if the land concerned is:

- Within an investigation area.
- Land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being or is known to have been carried out.
- To the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital - land - in relation to which there is no knowledge as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge.

The following background information has been established in order to determine the level of assessment required in relation to the issue of potential land contamination at the subject land:

- The land is not declared to be a significantly contaminated site within the meaning of the Contaminated Land Management Act 1997.

- The land is not and has not been regulated by the EPA or other regulatory authority in relation to land contamination.
- There are no other features of the sites that give rise to concern about potential land contamination.
- Site inspection did not reveal any physical evidence of contamination.

In the circumstances a Preliminary Site Investigation is not warranted.

SEPP – Transport and Infrastructure 2021

There are provisions contained within the Transport and Infrastructure SEPP 2021 which are triggers for the referral of the DA to certain authorities prior to a council being able to grant consent. With particular regard to the nature of the development proposed by this DA, the potential triggers for referral are summarised as follows:

Development Likely to affect an electricity transmission or distribution network

Clause 2.48 of the Transport and Infrastructure SEPP 2021 requires Council to give written notice to the electricity supply authority (and consider any response received within 21 days) when a DA involves:

- The penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower.
- Development carried out within or immediately adjacent to an easement for electricity purposes or substation, or within 5m of an exposed overhead electricity power line.
- Development involving the installation of a swimming pool within 30m of a structure supporting an overhead transmission line, or within 5m of an overhead electricity power line.
- Development involving or requiring the placement of power lines underground.

A review of the plans prepared in support of the DA do not identify any triggers for referral of the application to Essential Energy.

Development in or adjacent to road corridors and road reservations

Clause 2.122 of the Transport and Infrastructure SEPP 2021 requires Council to give written notice to Transport for NSW (and consider any response received within 21 days) when a DA involves traffic generating development of a kind specified in Column 1 of Schedule 3 of the SEPP.

The nature and scale of the proposed development does not trigger referral of the DA to Transport for NSW.

4.4. Local Environmental Plans

4.4.1. Cabonne Local Environmental Plan 2012

The Cabonne LEP 2012 applies to the land. The sites are zoned RE1 Public Recreation and R1 General Residential under the Cabonne LEP 2012 as follows:

- Canowindra Sports Oval comprising Lot 62, 192, 193, 194 and 195 DP 750147 is zoned RE1 Public Recreation.
- Lot 10 DPI0595 is zoned R1 General Residential.

An assessment has been completed to determine the potential applicability of key clauses in the Cabonne LEP 2012 to the proposed development. This work is presented in Table 5.

Where it is identified that a clause of Cabonne LEP 2012 applies to the proposed development, this assessment work is presented in Section 4.4.2.

Table 5 - Preliminary LEP Assessment

LEP Clause	Clause Name	Applicability
1.9A	Suspension of covenants, agreements & instruments	N/A
2.3	Zone objectives	Applicable. See Section 4.4.2
2.5	Additional permitted uses for particular land	N/A
2.6	Subdivision - consent requirements	N/A
2.7	Demolition requires development consent	N/A
2.8	Temporary use of land	Applicable. See Section 4.4.2
	Land-use Table	Applicable. See Section 4.4.2
4.1-4.1A	Minimum Lot Size Standards	N/A
4.1D	Boundary changes between lots in certain rural, residential and environmental zones	N/A
4.2	Rural Subdivision	N/A
4.2A	Erection of a dual occupancies and dwelling houses on land in certain rural zones	N/A
4.2B	Boundary adjustments in certain rural zones	N/A
5.1	Relevant acquisition authority	N/A
5.2	Classification and reclassification of public land	N/A
5.3	Development near zone boundaries	N/A
5.4	Controls relating to miscellaneous uses	N/A
5.5	Controls relating to secondary dwellings on land in a rural zone	N/A
5.8	Conversion of fire alarms	N/A
5.10	Heritage Conservation	N/A
5.11	Bushfire Hazard Reduction	N/A
5.12	Infrastructure development and use of existing buildings of the Crown	N/A
5.13	Eco-tourist facilities	N/A
5.16	Subdivision of, or dwellings on, land in certain rural, residential and conservation zones	N/A
5.18	Intensive livestock agriculture	N/A
5.19	Pond-based, tank based and oyster aquaculture	N/A
5.20	Standards that cannot be used to refuse consent - playing music	N/A
5.21	Flood planning	N/A
5.22	Special flood considerations	N/A
6.2	Stormwater management	N/A
6.3	Terrestrial biodiversity	N/A
6.4	Groundwater vulnerability	N/A
6.5	Drinking water catchments	N/A
6.6	Riparian land and watercourses	N/A

LEP Clause	Clause Name	Applicability
6.7	Land affected by karst	N/A
6.8	Essential services	Applicable. See Section 4.4.2
6.9	Location of sex services premises	N/A

4.4.2. Assessment of LEP Provisions

Clause 2.3 - Zone Objectives

Clause 2.3 of Cabonne LEP 2012 states that Council must have regard to the objectives for development in a zone when determining a DA in respect of land within the zone.

The objectives of the REI Public Recreation zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The objectives of the RI General Residential zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development is not inconsistent with the objectives for the REI Public Recreation zone or the RI General Residential zone. The proposed temporary use of the Canowindra Sports Oval will support the land being used for recreational purposes and not impact the natural environment of the site. The proposed development is not inconsistent with the objectives for the RI General Residential zone. The proposed temporary use of the site will enable and support a temporary event.

Clause 2.8 – Temporary Use of Land

The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.

Despite any other provision of the Cabonne LEP 2012, Clause 2.8(2) states that development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

Clause 2.8(3) states that development consent must not be granted unless the consent authority is satisfied that:

- a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
- b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
- c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
- d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.

Having regard to the above, the proposed temporary use of the Canowindra Sports Oval and Lot 10 DPI0595 for activities associated with the Canowindra International Balloon Challenge (CIBC) is considered to be consistent with Clause 2.8, as detailed below:

- The proposal will not compromise future development of the land or have detrimental effects on the land.
- The proposed development, being the temporary use of the land will be for one (1) day period each year, during the CIBC.
- The proposed development, being the temporary use of the land will not prejudice the subsequent carrying out of development on the land in accordance with this plan and any other applicable environmental planning instrument.
- The proposed development will not adversely impact adjoining land or the amenity of the neighbourhood due to the proposal operating for a one (1) day period and during outlined times to control noise and disturbance to the surrounding land uses.
- The proposed development will not adversely impact on environmental attributes or features of the land or increase the risk of natural hazards that may affect the land.
- At the end of the temporary use period of the land, the site will be restored to the condition in which it was before the commencement of the use.

Land-use Table – RE1 Public Recreation

Development for the purposes of a temporary use of land is permissible in the RE1 Public Recreation zone with the consent of Council.

Clause 6.8 - Essential Services

Clause 6.8 requires that consent must not be granted to development unless the Council is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- The supply of water.
- The supply of electricity.
- The disposal and management of sewage.
- Stormwater drainage or on-site conservation.
- Suitable vehicle access.

An assessment of the essential servicing requirements of the proposal is as follows:

- The Cabonne Council reticulated water supply is connected and available to the site.
- The Cabonne Council reticulated sewerage system is connected and available to the site.
- Electricity is connected and available to the site.
- Stormwater will be managed on-site and or diverted to the surrounding stormwater systems will Tigla, Ross and Rodd Streets.
- The site will be accessed from an existing crossing on Tigla and Ross Streets. The locations of the accesses are shown on the site plan submitted with the DA.

The proposed development is capable of being connected to essential services in accordance with the requirements of Clause 6.8.

4.5. Development Control Plans

An assessment has been completed in Table 6 to determine the potential applicability of each Development Control Plan in the Cabonne LGA to determine whether they are applicable to the proposed temporary use.

Table 6 - Preliminary DCP Assessment

Name	Statement of Applicability
DCP 2 – West Canowindra Rural Small Holdings	N/A
DCP 3 – Weemelah Rural Small Holdings	N/A
DCP 4 – Long Corner Road Rural Small Holdings	N/A
DCP 5 – General Rural Zones	N/A
DCP 6 – Rural Small Holdings	N/A
DCP 7 – North Street Canowindra Industrial	N/A
DCP 8 – North Molong Industrial	N/A
DCP 9 – Stathnook Lane Rural Small Holdings	N/A
DCP 10 – Flood Prone Land in Molong	N/A
DCP 13 – Advertising Signage in Conservation Areas (Molong & Canowindra)	N/A
DCP 15 – Relocatable and Transportable Homes – Amendment 1	N/A
DCP 16 – Interim Guidelines for Development of Flood Prone Land in Eugowra – Amendment 1	N/A

05. ASSESSMENT OF ENVIRONMENTAL ISSUES

The main environmental issues that have been raised and investigated as part of the design process for the proposed development have been documented in this section. Each issue is investigated by way of documenting existing conditions, assessing impacts and proposing management and mitigation measures.

5.1. Site Design

5.1.1. Assessment of Existing Conditions

The Canowindra Sports Oval contains two sporting ovals, tennis, basketball and netball courts, skate park, walking path and fitness equipment and ancillary buildings (club houses, canteen and amenities) used by community and sporting groups.

The temporary carpark has an area of 4.11 hectares and contains an existing dwelling house and ancillary buildings towards the southern boundary.

5.1.2. Assessment of Potential Impact

The site design for the temporary use of the land has been developed following consideration of relevant planning requirements as well as a site opportunities and constraints analysis. Key features of the site design are described as follows:

- The proposed temporary use of the land complies with the setback requirements of the NCC, Australian Standards and Council Policies.
- The temporary use of the land will be accessed from a safe location on the Tilga and Ross Streets.
- The proposed site is not flood or bushfire prone and avoids parts of the land which are impacted by natural overland drainage. The proposal will not impact on biodiversity or groundwater.
- The proposal is consistent with requirements of the Cabonne LEP 2012 without variation.

5.1.3. Management and Mitigation

No additional mitigation measures are proposed other than to construct and install the temporary structures in accordance with the plans submitted in support of the DA and Section 68 Approval.

5.2. Access and Traffic

5.2.1. Assessment of Existing Conditions

The Canowindra Sports Oval has frontage to Rodd Street on its eastern boundary, Ross Street on its southern boundary and Tilga Street on its western boundary. Vehicle access to the site is from Ross Street and Tilga Street via an existing access crossing. Pedestrian access to the site can be accessed via Ross and Tilga Streets.

The temporary carpark has frontage to Tilga Street on its eastern boundary and Longs Corner Road on its northern boundary.

5.2.2. Assessment of Potential Impact

The Canowindra International Balloon Challenge has engaged Mid-West Traffic Management to implement and manage the traffic during the event. A TMP prepared by Mid-West Traffic Management accompanies the application. Traffic controllers, parking marshalls and parking directional signage will be used to direct vehicles and pedestrians during the event, as outlined on the submitted TMP.

Parking is serviced via the surrounding street network system and a proposed temporary carpark located at Lot 10 DP 10595, 125 Tilga Street, Canowindra which will provide 294 off-street car parking spaces for

people attending the event. A temporary access location will be constructed to provide a physical and legal access to the site.

Bus and accessible parking are available on the Canowindra Road, Rodd Street and Ross Steet, as outlined on the TMP.

On the basis of the above, it is assessed that adequate arrangements will be made to accommodate the access and parking needs of the temporary event.

5.2.3. Management and Mitigation

No other specific transport or traffic mitigation measures have been identified as being necessary, other than to implement the TMP prepared by Mid-West Traffic Management.

5.3. Soil and Water Quality

5.3.1. Assessment of Existing Conditions

The subject sites are not mapped in Cabonne LEP 2012 as being located in an area that contains vulnerable groundwater, riparian lands or watercourses and there are no soil related impacts observed to be causing a problem at the site.

5.3.2. Assessment of Potential Impact

The proposed event is likely to cause some levels of soil disturbance, due to the large numbers of people, traffic, stalls and structures proposed at the site(s). In general, impacts are assessed to be minor and temporary in nature. Clean-up and repairs are generally carried out immediately following the event so as to avoid longer term impacts.

The proposal is unlikely to adversely impact on soil and water quality issues given substantive / long-term changes landform are not proposed.

5.3.3. Management and Mitigation

No additional mitigation measures are proposed other than general clean-up of the event areas and surrounds immediately after events being held.

5.4. Air Quality

5.4.1. Assessment of Existing Conditions

There are no significant air quality impacts created by existing site conditions.

5.4.2. Assessment of Potential Impact

The POEO Act 1997 sets and the statutory framework for managing air quality in NSW and the POEO (Clean Air) Regulation 2022 sets standards of concentration for emissions to air from both scheduled and non-scheduled activities, including odour, dust, emissions and excessive motor vehicle air impurities.

There is low potential for odour emissions to air resulting from the temporary event. Assessment of the proposal against the NSW EPA Technical Framework for the Assessment and Management of Odour from Stationary Sources in NSW 2006 is not considered to be necessary.

Air quality assessment has focused on the potential for dust emissions to air from vehicles movements as the main cause of potential air quality impacts. The specific pollutant of interest associated with dust is the total suspended particulate (TSP). Due to the temporary nature of the event, dust impacts can be properly controlled through the watering of ground surfaces if the conditions are dry and strong winds occur.

5.4.3. Management and Mitigation

No additional mitigation measures are proposed other than control of dust during the temporary use of the event.

5.5. Noise and Vibration

5.5.1. Assessment of Existing Conditions

The Canowindra Sports Oval is used daily by multiple community and sporting groups and individuals that all make noise, to some extent. Noise sources include, vehicle movements, loudspeakers and general noise created from people.

The temporary carpark area is currently used for rural-residential purposes and is surrounded by similar style development. Noise sources would be minimal and include, vehicle movements, farm machinery, livestock and pets and general noise created from households.

5.5.2. Assessment of Potential Impact

Noise and vibration impacts will be created as a result of the outlined temporary event. Noise sources will be from vehicle movements, music, loudspeakers and general noise from people attending the event. The main times when noise is to be expected to occur is from 3.00pm – 9.30pm. The impacts are expected to be temporary in nature and will only occur during the outlined times.

5.5.3. Management and Mitigation

No additional mitigation measures are proposed, other than alerting Cabonne Council and NSW Police Force of the event for monitoring and regulatory purposes.

5.6. Heritage

5.6.1. Assessment of Existing Conditions

A search of the Aboriginal Heritage Information System (AHIMS) has been completed for the subject land parcels. The search was completed to determine whether there are any items of cultural heritage significance either on the subject land or within 200m of the subject land. The search result found that:

- There are 0 Aboriginal sites recorded in or near the subject land.
- There are 0 Aboriginal places that have been declared in or near the above location.

The subject land parcels are not listed as a heritage item under the Cabonne LEP 2012 or State Heritage Register. There are no features of the site that are particularly rare or have significant heritage value.

5.6.2. Assessment of Potential Impact

Aboriginal Cultural Heritage

Whilst a search of the AHIMS has not identified the presence of any recorded sites or places, there is a need to consider whether the proposal will impact on potential items of Aboriginal cultural heritage significance. Based on the framework in the Due Diligence Code of Practice (DDCP) for the Protection of Aboriginal Objects in NSW, the following assessment statements are true:

- The proposal does not represent an activity that is a declared project under Part 3A of the EP&A Act 1979.
- The proposal is not an activity that is an exempt activity listed in the NPW Act 1974 or other legislation.
- The proposal will not involve harm to an Aboriginal object that is trivial or negligible under Section 86 of the NPW Act 1974.
- The proposal is not on land that is known to be in an Aboriginal Place declared by the Minister under Section 84 of the NPW Act 1974.
- The proposal is not a low impact activity for which there is a defence in the NPW Regulation 2019.

Having regard to the above, the correct procedure is to follow the generic due diligence process as per Section 8 of the DDCP. An assessment of the due diligence process is included in Table 7.

Table 7 - The Generic Due Diligence Process

Step	Question	Response
1	Will the activity disturb the ground surface or any culturally modified trees?	Yes. Proceed to Step 2.
2	Are there any: a) relevant confirmed site records or other associated landscape feature information on AHIMS? and/or b) any other sources of information of which a person is already aware? and/or c) landscape features that are likely to indicate presence of Aboriginal objects?	No. According to the DDCP, an AHIP application not necessary and it is possible to proceed with caution. If any Aboriginal objects are found, stop work and notify DECCW. If human remains are found, stop work, secure the site and notify the NSW Police and DECCW. Consideration of Steps 3, 4 and 5 (below) not necessary.
3	Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	N/A
4	Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?	N/A
5.	Further investigation and impact assessment	N/A

Built Heritage

Assessment of historic and built heritage is open for assessment, based on the matters for consideration under Section 4.15 of the EP&A Act 1979. This assessment reveals no impacts on heritage items. No heritage items / issues are particularly relevant due to the site separation from heritage sites / areas. Consequently, a Heritage Impact Assessment is not required.

5.6.3. Management and Mitigation

No additional mitigation measures are proposed, other than implementation of the unexpected finds procedure under the DDCP for the Protection of Aboriginal Objects in NSW.

5.7. Hazards and Safety

5.7.1. Assessment of Existing Conditions

The site is not mapped in Cabonne LEP 2012 as being located within a flood prone area.

According to the mapping prepared by the NSW Rural Fire Service, the subject land is not identified as being within a bushfire prone area.

A site inspection of the land has not identified any activities that are being carried out on the land which are likely to be direct sources of potential land contamination.

5.7.2. Assessment of Potential Impact

Section 4.3.2 of this SEE includes a detailed evaluation of the suitability of the subject land for a temporary use of the land having regard to the known current and historical uses of the land. The contamination risk is considered to be low, and a Preliminary Site Investigation is not considered to be

necessary in the circumstances. No flood or bushfire hazards are identified. Traffic issues are identified as the main safety concern, with a TCM being prepared to manage risks (as identified).

5.7.3. Management and Mitigation

No additional mitigation measures are proposed, other than to implement the TMP prepared by Mid-West Traffic Management.

5.8. Biodiversity

5.8.1. Assessment of Existing Conditions

The site is not mapped as being Terrestrial Biodiversity Map under the CLEP 2012. Generally, the land parcels are clear of any other significant vegetation.

5.8.2. Assessment of Potential Impact

A significance assessment under Section 1.7 of the EP&A Act 1979 which takes into consideration Part 7 of the BC Act 2016 has been undertaken to determine whether the proposal is likely to significantly affect threatened species and / triggers the Biodiversity Offsets Scheme. This assessment is provided in Table 8.

Table 8 - BC Significance Assessment

Test	Assessment
Section 7.3(1)(a) - likely adverse effect on the life cycle of threatened species	The potential for the site to significantly affect threatened species is assessed to be low, due to the absence of required habitat. There is no proposal to disturb any roadside vegetation or land that is mapped as containing terrestrial biodiversity. The proposal is unlikely to have an adverse effect on the life cycle of these species such that a viable local population of the species is likely to be placed at risk of extinction.
Section 7.3(1)(b) - likely adverse effect on the extent or composition of an endangered ecological community	The potential for the site to significantly affect an endangered ecological community is assessed to be low. The site is not observed to contain the necessary habitat for endangered ecological communities.
Section 7.3(1)(c) - likely adverse effects on habitat of threatened species or ecological community	As above.
Section 7.3(1)(d) - likely adverse effect on declared area of outstanding biodiversity value	The site is not a declared area of outstanding biodiversity value.
Section 7.3(1)(e) - potential for the development to be part of a key threatening / impact process	The proposal would not significantly increase the prevalence or risk of key threatening process. The site is not observed to contain the necessary habitat for endangered ecological communities. The potential for foraging over the site is already severely restricted given the context and setting of the site.

The potential impacts on the condition, ecological value and significance of the fauna and flora on the land are considered to be low and will not change as a result of the proposed development.

5.8.3. Mitigation and Management

No additional mitigation measures are proposed.

5.9. Services and Utilities

5.9.1. Assessment of Existing Conditions

The site is connected to Council's reticulated water supply, sewer system and electricity.

5.9.2. Assessment of Potential Impact

The Canowindra Sports Oval contains existing services, amenities and buildings, including, 15 female, nine (9) male and four (4) accessible toilets. An additional 40 portable toilets will be provided during the event and positioned throughout the site. The existing and proposed amenities will be serviced and cleaned by a contractor employed by the organisers of the Canowindra Challenge Incorporated.

The site contains existing waste bins located throughout the site. Eight (8) skip bins will also be provided to accommodate the additional waste generated during the event. Contractors or volunteers will monitor and remove the waste generated during the event employed by the organisers of the Canowindra Challenge Incorporated.

5.9.3. Mitigation and Management

No additional mitigation measures are proposed.

5.10. Social and Economic Impacts

5.10.1. Assessment of Existing Conditions

There are no significant social and economic impacts created by existing site conditions.

5.10.2. Assessment of Potential Impact

An assessment of potential impacts of the proposed development has been undertaken with regards to scoping methodology outlined in the Social Impact Assessment (SIA) Guideline 2017 published by the Department of Planning and Environment. Table 9 provides an assessment of the proposed development against the criteria in the SIA Guideline.

Table 9 - Social Impact Assessment

Matters	Key Links to Social Impacts	Risk of Impact without Mitigation	Nature of Impact	Assessment Findings
Amenity				
Acoustic	Way of life;	Likely	Negative	The development will generate additional noise during the scheduled event time being 5pm – 9pm.
Visual	Surroundings	Likely	Negative	The site and building design are likely to have an acceptable impact in terms of visual amenity.
Odour	Surroundings	Unlikely	Negative	The proposal will not produce odour.
Micro-climate	Surroundings	N/A	Nil	The proposal will not significantly impact microclimate.
Access				
Access to property	Way of life;	Likely	Negative	The proposal will impact on access to neighbouring properties during the scheduled event time being 5pm – 9pm.

Matters	Key Links to Social Impacts	Risk of Impact without Mitigation	Nature of Impact	Assessment Findings
Utilities and public transport	Access to infrastructure, services and facilities;	Unlikely	Negative	Connection to available services and utilities will be completed to requirements of relevant authorities.
Road and rail	Personal and property rights.	Likely	Negative	The proposed development is within the capacity of local road conditions.
Built Environment				
Public domain	Community;	Likely	Negative	The proposal will impact the public domain as the event will be located on recreational land.
Public infrastructure	Access to infrastructure, services and facilities;	Unlikely	Negative	The proposed land-use is capable of proceeding without connection to public utilities and infrastructure.
Other built assets	Surroundings; Personal and property rights	Unlikely	Nil.	The proposal will not preclude public access to built assets.
Heritage				
Natural	Way of life;	N/A	Nil	Natural heritage of the site is not compromised by the proposed development.
Cultural	Community;	Unlikely	Negative	The proposal will not impact on cultural values in the public domain.
Aboriginal culture	Culture;	Unlikely	Negative	The proposal has considered the likelihood that the proposal will impact on items of known Aboriginal cultural significance.
Built	Surroundings.	Unlikely	Negative	There are no built heritage items registered on the site.
Community				
Health	Health and wellbeing;	Unlikely	Negative	The proposal does not create any health risks.
Safety	Surroundings	Unlikely	Negative	The proposal has been assessed as not increasing a known safety risk.
Services and facilities	Way of life, Access to infrastructure, services and facilities;	Unlikely	Negative	The proposal does not impact access to public services or facilities.
Cohesion, capital and resilience	Way of life; Community; Culture	Unlikely	Negative	The proposal is unlikely to generate impacts.
Housing	Way of life, Personal and property rights.	N/A	Nil	The proposal does not create a new housing opportunity.

Matters	Key Links to Social Impacts	Risk of Impact without Mitigation	Nature of Impact	Assessment Findings
Economic				
Natural resource area	Way of life;	Unlikely	Negative	The proposal will utilise available natural resources in a sustainable manner.
Livelihood	Surroundings;	N/A	Nil	The proposal is unlikely to generate impacts.
Opportunity cost	Personal and property rights	N/A	Nil	The proposal is unlikely to generate impacts.
Air				
Air emissions	Surroundings	Unlikely	Negative	The proposal is unlikely to generate impacts.
Biodiversity				
Native vegetation and fauna	Surroundings	Unlikely	Negative	Vegetation clearing is not proposed on site.
Land				
Structural stability, land capability, topography	Surroundings	Unlikely	Negative	The proposal will not result in significant disturbance to the receiving environment.
Water				
Quality, availability, hydrological flows	Surroundings	Unlikely	Negative	The proposal is unlikely to generate impacts.

Considering the proposal in the context of surrounding land-use as well as the previously addressed issues related to water, soil and air quality, noise, traffic, heritage, hazards, servicing and utilities, the proposal would be unlikely to have an unacceptable impact on the environment within or surrounding the site. The social and economic impacts of the proposal are determined to be acceptable.

5.10.3. Management and Mitigation

No additional mitigation measures are proposed.

06. EVALUATION AND JUSTIFICATION FOR THE PROPOSAL

6.1. Objectives of the EP&A Act 1979

Development consent is being sought under Section 4.16 of the EP&A Act 1979 and must therefore satisfy the objectives of the Act. The objectives of the Act are:

- To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.
- To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.
- To promote the orderly and economic use and development of land.
- To promote the delivery and maintenance of affordable housing.
- To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.
- To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).
- To promote good design and amenity of the built environment.
- To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.
- To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.
- To provide increased opportunity for community participation in environmental planning and assessment.

The proposal is considered to be consistent with the above objectives. An objective of the EP&A Act 1979 is for the encouragement of ecologically sustainable development (ESD), which is assessed in the next section.

6.2. Ecological Sustainable Development

ESD is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in multiple pieces of Federal and State legislation. Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as:

'Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.'

The proposal has endeavoured to address long established ESD principles, as follows:

- The precautionary principle - No serious environmental threats have been identified. No delays to the final design investigations or assessment process are recommended to allow for additional information / studies / surveys to take place under different climatic or seasonal conditions.
- Inter-generational (social) equity - Social equity provides a notion of preservation of environmental aspects that cannot be replaced for the enjoyment of future generations. Generally, such aspects relate to biodiversity, cultural heritage, land-use and the transformation of the locality as a result of the development. The proposal has considered such aspects and the SEE assessment concludes that environmental impacts will be minimal. By adopting the recommendations in this SEE for the and operational phases and temporary use of the land, intergenerational equity can be maintained.

- Conservation of biological and ecological integrity - Given the highly disturbed / modified nature of the sites, no significant flora or fauna issues have been identified. Procedures will be implemented during operational and the temporary use of the land to minimise potential risks on the environment.
- Improved valuation, pricing and incentive mechanisms - The volumes of waste generated from the proposal will be appropriately managed to minimise impacts on common public areas, the appropriate pricing mechanism are used to reflect the user pays approach to environmental management.

6.3. Other Relevant Considerations

6.3.1. Safety, security and crime prevention

During the event, 10 security guards and two (2) RSA Marshalls, will be employed by the organisers of the Canowindra Challenge Incorporated. The security guard provider will manage crowd control, potential risks at the event and responsible service of alcohol. A Risk Assessment Plan is submitted with the application.

Additional lighting will be located throughout the site, predominantly near pedestrian access pathways and amenities.

6.3.2. Cumulative Impacts

The potential environmental impacts of the proposal have been detailed in the relevant sections of the SEE. The proposal will not generate unacceptable environmental impacts. Overall, the proposal makes a neutral contribution to the environment.

6.3.3. Suitability of the site for the development

The environmental assessment work completed and detailed in this SEE demonstrates that the subject land is suitable for the proposed development. The development has been designed to be consistent with the Cabonne LEP 2012.

6.3.4. Public interest

Due to the nature and scale of the proposed development, the public interest in the matter is assessed to be low, with the likely impacts concentrated on nearby land-use. Relevant State Government planning policies and guidelines have been identified and considered as part of the preparation of the project design and assessed in this report. Compliance can be achieved. The proposal is assessed to pose no significant detrimental impacts on the public interest.

07. CONCLUSION

This Statement of Environmental Effects has been prepared by Currajong Pty Ltd on behalf of the Canowindra Challenge Incorporated to support a Development Application and Section 68 Approval for the temporary use of land for the Cabonne Community Balloon Glow event.

The temporary event activities that require consent / approval from Cabonne Council are as follows:

- Cabonne Community Balloon Glow – located at the Canowindra Sports Oval comprising Lots 62, 192, 193, 194 and 195 DP 750147, Tilga Street, Canowindra to allow for event activities, including live music and entertainment, night markets with food and wine stalls, Balloon Glow with synchronised music, for a period five (5) years.
- Cabonne Community Balloon Glow Carpark – located on Lot 10 DP 10595, 125 Tilga Street, Canowindra, approximately 200m north of the Canowindra Sports Oval for temporary parking of up to 294 cars, for a period five (5) years.

This SEE aims to provide all relevant information to Cabonne Council for the proper assessment of the proposed development. The assessment of the proposed development has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021. The assessment also extends to other legislation, including the Local Government Act 1993. The assessment concludes the proposed temporary event is permissible in the RE1 Public Recreation and R1 General Residential zone and is consistent with the special provisions contained in the Cabonne Local Environmental Plan 2012 relating to the temporary use of land.

It is recommended that sufficient information has been submitted with the Development Application to allow Cabonne Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development is capable of being supported by Council.

