

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 06-0270

(FILE NO. S06/00809-1)

**NEW BULL ELEPHANT FACILITY, TARONGA ZOO
LOT 22, DP 843294 BRADLEYS HEAD ROAD, MOSMAN**

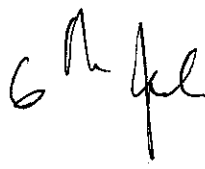
I, the Minister for Planning, having considered the following, pursuant to Part 3A of the *Environmental Planning & Assessment Act, 1979*, Section 75J Clause (2) determine the major project referred to in the attached Director-General's Environmental Assessment Report, by **giving of approval** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2.

This approval applies to the plans, drawings and documents cited by the Proponent in their Environmental Assessment identified in Appendix D and the Proponent's Statement of Commitments in Schedule 3, subject to the conditions of approval in the attached Schedule 2.



Frank Sartor MP
Minister for Planning

Sydney,

 2007

SCHEDULE 1

PART A—TABLE

Application made by:	Zoological Parks Board of NSW
Application made to:	Minister for Planning
Major Project Application:	MP 06-0270
On land comprising:	Lot 22, DP 843294 Bradleys Head Road, Mosman
Local Government Area	Mosman
For the carrying out of:	New bull Elephant facility, comprising a new barn, paddock, yard and associated landscaping.
Estimated Cost of Works	\$ 5.1 Million
Type of development:	Major Project
S.119 Public Inquiry held:	No
Determination made on:	
Date approval is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act.

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06-0270

Responsibility for other consents / agreements

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Appeals—Third Party

A third party right to appeal to this approval in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

Council means Mosman Council.

CPI means Consumer Price Index.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department.

Environmental Assessment means the Environmental Assessment prepared by Jackson Teece and dated April 2007.

Minister means the Minister for Planning.

MP No. 06-0270 means the Major Project described in the Proponent's Environmental Assessment.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Proponent means Zoological Parks Board of NSW or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 06-0270

PART A—ADMINISTRATIVE CONDITIONS

A1 *Development Description*

Development approval is granted only to carrying out the development described in detail below:

- A new single storey barn structure with 3 holding pens, Elephant Restraint Device, keeper equipment store, food preparation and storage with a 370m² floor plate and height ranging from 7.2 to 9.3 metres;
- An exhibit paddock with pool, wallow, exhibit enrichment devices, containment fences, landscaping and shade structure and an exercise yard with pool, wallow, exhibit enrichment devices, containment fences, landscaping and shade with a total area of 2612m² including stalls.

A2 *Development in Accordance with Plans*

The development will be undertaken in accordance with the Environmental Assessment dated April 2007 prepared by Jackson Teece Architecture including all Appendices and the following drawings:

Architectural (or Design) Drawings prepared by <i>Jackson Teece Architects</i> at Appendix 2 of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
A010	Issue 05	Site Plan	21.06.2007
A110	Issue 03	Barn Ground Floor	22.05.2007
A040	Issue 03	Site Elevations	21.06.2007
A300	Issue 03	Barn Elevations	21.06.2007
A301	Issue 02	Barn Elevations	21.06.2007
Landscape Drawings prepared by <i>Context</i> at of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
L06640-001	Issue B	Landscape Plan	June 2007

except for:

A3 *Development in Accordance with Documents*

The development will be undertaken in accordance with the following documents:

- (1) *Environmental Assessment Report* prepared by Jackson Teece Architecture on behalf of Zoological Parks Board of NSW, dated April 2007;

- (2) Heritage Impact Statement dated April 2007 (appendix 1 to *Environmental Assessment*);

A4 *Inconsistency between documents*

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

A5 *Lapsing of Approval*

In order that the development as approved is carried out within a defined period of time, the approval shall lapse 5 years after the determination date in Part A of Schedule 1 of this approval.

A6 *Prescribed Conditions*

The Proponent shall comply with the prescribed conditions of development approval under clause 98 of the Regulation.

PART B—PRIOR TO CONSTRUCTION

Design Details and Changes

B1 *Details of Materials, Colours and Finishes*

Final design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours, shall be submitted to and approved by the Director prior to the commencement of Construction for above ground works.

Erosion and Sediment Management

B2 *Erosion and Sedimentation Control*

Sediment controls, to ensure that no sediment, fines, and like material can enter the waterway or drainage system are to be in place for the duration of the works. The applicant is to carry out works generally in accordance with the Construction Management Plan in respect to environmental management and safeguards. These controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good. Soil erosion and sediment control measures and methods shall be designed in accordance with the document *Managing Urban Stormwater—Soils & Construction Volume 1 (2004) by Landcom*. Details are to be complied with prior to Construction.

Construction and Traffic Management

B3 *Construction and Traffic Management Plan*

Prior to commencement of Construction, a Construction Management Plan shall be prepared and a copy submitted to the Department. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work;
- (2) contact details of site manager;
- (3) noise management;

- (4) waste management (see also B5 below);
- (5) erosion and sediment control (see also B2 & D1);
- (6) ingress and egress of vehicles to the site;
- (7) loading and unloading, including construction zones;
- (8) predicted traffic volumes, types and routes;
- (9) heavy vehicle traffic to and from the site be required to use Military Road and Bradleys Head Road only;
- (10) surrounding residential streets not to be used for heavy vehicles or contractor parking; and,
- (11) pedestrian and traffic management methods.

The Proponent shall also submit a copy of the plan to Council.

B4 Construction Waste Management Plan

Prior to commencement of Construction, a Waste Management Plan shall be prepared by a suitably qualified person. The Proponent shall submit a copy of the plan to the Department and Council.

PART C—PRIOR TO COMMENCEMENT OF WORKS

C1 Contact Telephone Number

Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Erosion and Sediment Control

All erosion and sediment control measures, as designed in accordance with Condition B1, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

D2 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

D3 Stormwater Pits

Any existing stormwater pits that do not comply with AS 3500 will be upgraded as part of the development.

Structural Works**D4 Setting Out of Structures**

The barn building shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to the Department certifying that structural works are in accordance with the approved project application.

Construction Management**D5 Approved Plans to be On-Site**

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department or Council.

D6 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, the Architect and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D7 Contact Telephone Number

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D8 Protection of Trees – On-site Trees

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

D9 Dust Control Measures

Adequate measures shall be taken to prevent dust from affecting the amenity of the immediate area during construction. In particular, the following measures must be adopted:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,

- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
- (3) All materials shall be stored or stockpiled at the best locations,
- (4) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) Cleaning of footpaths and roadways shall be carried out regularly.

Noise

D10 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- (2) between 7:00 am and 1:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (4) the delivery of materials is required outside these hours by the Police or other authorities;
- (5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (6) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

Archaeology

D11 Signage

Adequate signage and other protective measures should be erected in the vicinity of the heritage items and in the vicinity of the work site to alert contractors and subcontractors to the existence and fragile nature of these heritage items.

D12 Impact of Below Ground (Sub-surface) Works – Aboriginal Objects

If any Aboriginal archaeological objects are exposed during construction works, the Proponent shall immediately notify the Department of Environment and Climate Change (DECC) in accordance with Section 91 of the National Parks and Wildlife Act, 1974 and obtain any necessary approvals to continue the work. The Proponent shall comply with any request made by the DECC to cease work for the purposes of archaeological recording.

D13 Referral to Heritage Office

The proponent must ensure that any excavation which reveals Aboriginal objects is referred to the Aboriginal Liaison Officer at the Heritage Office (telephone 9873 8567) as well as DECC.

D14 Work on Site to Cease

If any unidentified historical archaeological remains or deposits are exposed during the works, excluding remains identified in the Archaeological Management Plan January 2004 by Godden Mackay Logan, excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with Section 146 of the NSW Heritage Act, 1977.

ADVISORY NOTES

AN1 Use of Mobile Cranes

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the Proponent shall ensure the following matters are complied with:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN2 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN3 Noise Generation

Any noise generated during the construction of the development shall not exceed the limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act 1997*, or exceed approved noise limits for the site.

AN4 Disability Discrimination Act

This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

SCHEDULE 3

MP 06-0270

NEW BULL ELEPHANT FACILITY, TARONGA ZOO

LOT 22, DP 843294 BRADLEYS HEAD ROAD, MOSMAN

STATEMENT OF COMMITMENTS

**Statement of commitments Taronga Zoo Bull Elephant Facility Dept Planning
NSW MP06-0270 June 2007**

Scope of Development.

The proposed development will be carried out in accordance with the described development as detailed in section 4.7 of this application for Development Approval and the architectural plans as prepared by Jackson Teece Architects.

Mitigation of Construction impacts

The demolition and building contracts will stipulate conditions for carrying out these works with the Zoos environmental protections. These include:

Construction will be limited to normal construction work hours. This work will be from 7.00 am to 6.00 pm Mondays to Fridays and 8.00 am to 1.00pm Saturdays with no work allowed on Sundays or Public holidays;

Construction vehicles over 3 tonnes will be restricted to use of major roads only and not Prince Albert St;

Noise minimisation and suppression techniques will be employed on all construction equipment;

Erosion and sediment control measures to be installed and maintained around the site during construction;

Stormwater run-off from the site of works as proposed development will not exceed the existing levels of run-off from the site;

Measures for protection of non affected trees will be implemented;

Control of vehicular movements within the Zoo;

Various signage to warn or protect visitors;

Erection of hoardings to protect the general public;

Compliance with BCA and other applicable statutes; and,

Protection of Heritage items.

The ZPB Conditions of Entry to and for working at Taronga Zoo impose strict conditions for control of noise.