



Taronga Zoo – Upper Australia Precinct

State Significant Development Assessment SSD 10456

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Cover image: *View of the Macropod walkthrough (Source: Applicant)*

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Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
Applicant	Taronga Conservation Society Australia
BC Act	Biodiversity Conservation Act 2016
BDAR	Biodiversity Development Assessment Report
CBD	Central Business District
CEMP	Construction Environmental Management Plan
CIV	Capital Investment Value
Council	Mosman Council
CTMP	Construction and Traffic Management Plan
Department	Department of Planning, Industry and Environment
DPI	Department of Primary Industries, DPIE
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
GSC	Greater Sydney Commission
HAA	Historical Archaeological Assessment
HIS	Heritage Impact Statement
ICNG	Interim Construction Noise Guidelines
LEP	Local Environmental Plan

LGA	Local Government Area
LoS	Level of Service
LSPS	Local Strategic Planning Statement
Minister	Minister for Planning and Public Spaces
PCT	Plant Community Type
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RtS	Response to Submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TCSA	Taronga Conservation Society Australia
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment

Executive Summary

Introduction

This report provides an assessment of an application seeking approval for the redevelopment of the Upper Australia Precinct located in Taronga Zoo in Mosman, NSW (SSD 10456).

The proposed development includes a new Koala Exhibit and upgrades to the existing Nocturnal House and Macropod Walkthrough. The proposed development also includes a new western pavilion, walkways and amenities, back-of-house and infrastructure upgrades, landscaping, and demolition of the Avian Wetland Ponds and partial demolition of the Nocturnal House and Ropes Course.

The Department notes the existing infrastructure in the Upper Australia Precinct is outdated and no longer meets the safety standards or operational requirements for animals and staff. The proposal seeks to improve the exhibit enclosures for the welfare of animals and enhance the Upper Australia Precinct to provide guests with a more immersive and unique wildlife experience.

The Applicant is the Taronga Conservation Society Australia (TCSA) and the site is located within the Mosman local government area (LGA). The Minister for Planning and Public Spaces is the consent authority for the application.

Engagement

The Department publicly exhibited the application for 28 days from Friday 7 August 2020 until Thursday 3 September 2020. The Department received a total of eight submissions, comprising seven submissions from government agencies and one submission from Council all making comments. No submissions were received from members of the public.

Key issues raised in the government agencies' submissions include biodiversity impacts, construction impacts, noise impacts, traffic impacts, heritage impacts and Aboriginal heritage impacts. Key issues raised in Council's submission include landscaping and tree replacement.

The Applicant submitted a Response to Submissions (RtS) to address the issues raised during the exhibition period. The RtS revised the design of the proposed fence along Bradleys Head Road and included a revised Biodiversity Development Assessment Report (BDAR), Aboriginal Cultural Heritage Assessment Report (ACHAR) and Historical Archaeological Assessment (HAA).

Assessment

The Department has undertaken a detailed assessment of the development and has carefully considered the issues raised in submissions. The Department considers the development is acceptable for the following reasons:

- it would help reinforce Taronga Zoo as one of Sydney's premier tourist attractions, create an improved experience for visitors and provide upgraded animal facilities to meet current standards
- the scale and design of the development is considered to be modest and in keeping with the scale of the surrounding zoo facilities
- the proposed materials and landscaping are consistent with the existing development on the site and would help minimise the built form and visual impacts of the proposal

- the development would not result in any adverse visual impacts as it would sit below the tree canopy and would be screened from the surrounding area by mature vegetation, the topography of the site and the proposed fence along Bradleys Head Road
- the development would not result in any significant amenity impacts on neighbouring properties given the site's context within Taronga Zoo and distance from the nearest residential property (approximately 200 m north of the site)
- the development would not result in any significant traffic or car parking impacts as any increase in traffic would be minor and limited to the initial opening weeks. The development does not propose any additional car parking and any temporary increase in car parking demand can be accommodated within the existing car park
- the development would not result in any adverse heritage impacts and the approach to heritage management is consistent with the Conservation Strategy and Landscape Management Plan for Taronga Zoo
- construction impacts would be temporary and would be appropriately mitigated and managed in accordance with the project's Construction Environmental Management Plan and the recommended conditions of consent
- the development would not involve the removal of any trees that have high retention value or heritage significance
- while the proposal would result in some removal of native vegetation and potential foraging habitat for the Southern Myotis Bat, the Department is satisfied the impact has been minimised and avoided where possible and any residual impacts would be offset by planting new trees and vegetation and the purchase of biodiversity credits.

Conclusion

The Department considers the proposed development is acceptable as it would create an improved experience for visitors and upgrade animal facilities to meet current standards.

The proposed development would also support the growth of an internationally recognised tourism destination and would create 800 construction and 12 full-time operational jobs and is unlikely to result in any significant adverse impacts on the environment or amenity of surrounding receivers.

The Department's assessment concludes the proposal is acceptable and recommends the application be approved, subject to conditions.

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1 Introduction

Taronga Conservation Society Australia (TCSA) (the Applicant) seeks approval for the redevelopment of the Upper Australia Precinct located in Taronga Zoo in Mosman, NSW.

The development includes a new Koala Exhibit and upgrades to the existing Nocturnal House and Macropod Walkthrough. The development also includes a new western pavilion, walkways and amenities, back-of-house and infrastructure upgrades, landscaping and demolition of the Avian Wetland Ponds and partial demolition of the Nocturnal House and Ropes Course.

1.1 Site Context

Taronga Zoo is located approximately 2.5 km north-east of the Sydney Central Business District (CBD) and is situated in the Mosman local government area (LGA) (**Figure 1**).

Taronga Zoo is located on Bradleys Head Road at the southern end of Mosman on the Bradleys Head Peninsula. Taronga Zoo is approximately 28 hectares and is surrounded by Bradleys Head Road to the east, Athol Wharf Road to the south, Little Sirius Cove to the west and Whiting Beach Road to the north. Taronga Zoo comprises a variety of animal exhibits, associated pathways, buildings and structures and the Australia Habitat and Wildlife Retreat within a landscaped setting.

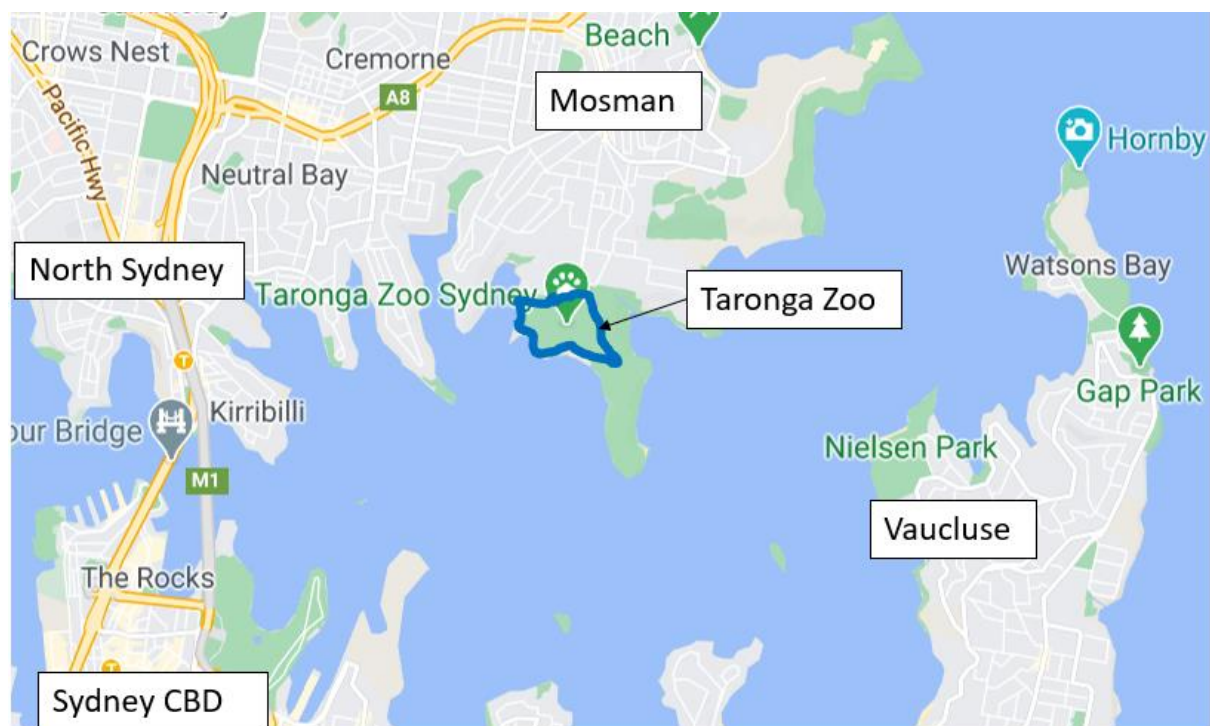


Figure 1 | Regional Context Map (Source: Google Maps 2020)

1.2 The Site

The Upper Australia Precinct (the site) is located in the north-eastern corner of Taronga Zoo and has an area of approximately 7,900 m² (**Figure 2**).

The site contains existing animal exhibits and facilities including the Avian Wetlands, Nocturnal House, Macropod Walkthrough, Koala Experience, Platypus House and Wild Ropes Course. The site contains a significant level of tree cover with approximately 198 trees located within the site.

Taronga Zoo is heritage listed in the Mosman Local Environmental Plan 2012 (MLEP). The item is identified as “Rainforest Aviary”, “Elephant House”, bus shelter and office, floral clock and upper and lower entrance gates’. None of the items individually noted in the MLEP listing are located within the Upper Australian Section (subject site). A total of 14 items listed on the Zoological Parks Board Section 170 Heritage and Conservation Register are located within the site and are discussed further in **Section 6.2**.

Views of the site are shown in **Figure 3** to **Figure 7**.

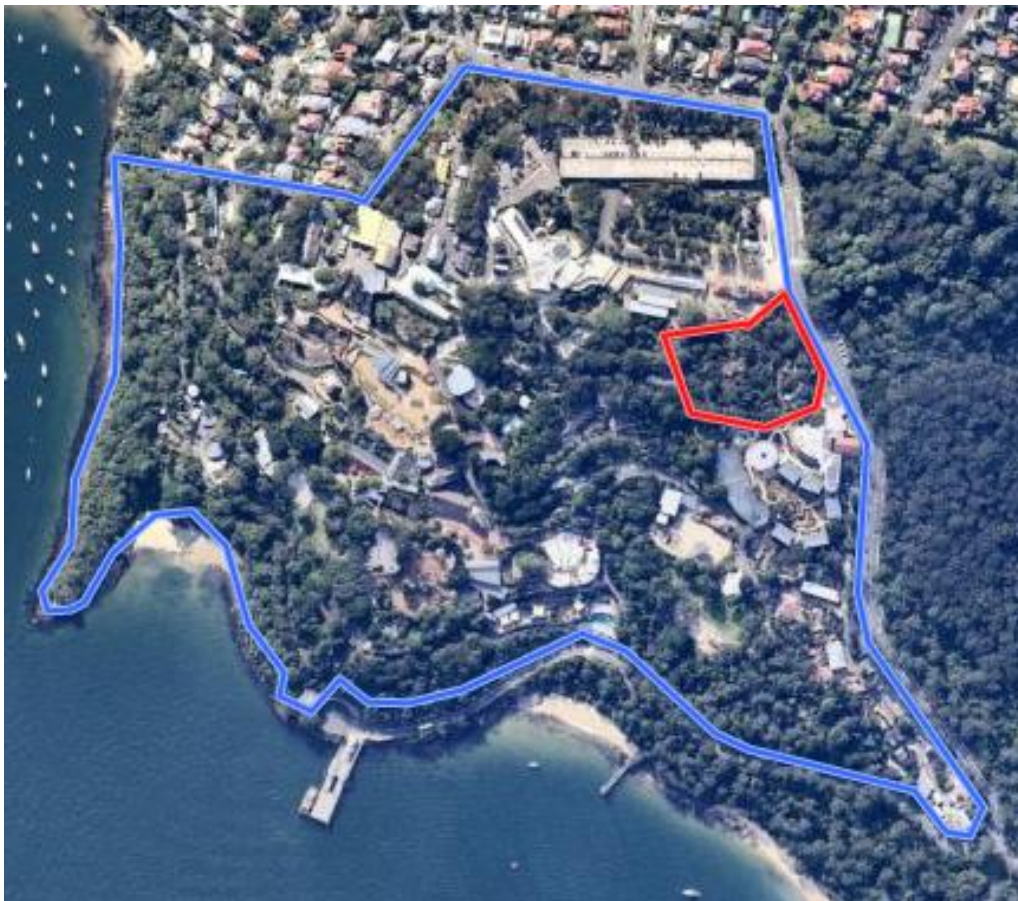


Figure 2 | The site shown in red outline and Taronga Zoo shown in blue outline (Source: NearMap 2020)



Figure 3 | Avian wetlands (Source: Department)



Figure 4 | Wild Ropes Course along Dingo Road (Source: Department)



Figure 5 | Nocturnal House (Source: Department)



Figure 6 | Platypus House (Source: Department)



Figure 7 | Koala experience (Source: Department)

1.3 Surrounding Site Context

The site is surrounded by existing zoo facilities to the north, south and west, including the Australia Habitat and Taronga Zoo Wildlife Retreat which is located south of the site. The site is bound by Bradleys Head Road to the east.

To the north of Taronga Zoo is the residential area of Mosman which comprises one and two-storey dwelling houses. To the east of Taronga Zoo is Sydney Harbour National Park. To the south of Taronga Zoo is Sydney Harbour and Taronga Zoo Ferry Wharf. To the west of Taronga Zoo is Little Sirius Cove.

The surrounding site context is shown in Figure 8.



Figure 8 | Surrounding site context (Source: NearMap 2020)

2 Project

The development seeks approval for the redevelopment of the Upper Australia Precinct. The existing infrastructure in the Upper Australia Precinct is outdated and no longer meets the safety standards or operational requirements for animals and staff.

The development would improve the exhibit enclosures for the welfare of animals and enhance the Upper Australia Precinct to provide guests with a more immersive and unique wildlife experience.

The main components of the development are outlined in **Table 1** and shown in **Figure 9**.

Table 1 | Main Components of the development

Aspect	Description
Demolition and excavation	<ul style="list-style-type: none"> Demolition of the Avian Wetland Ponds and partial demolition of the Nocturnal House and Ropes Course Excavation along the western boundary of the Avian Wetland Ponds and southern boundary of the precinct.
Animal exhibits	<ul style="list-style-type: none"> Refurbishment of the Nocturnal House including a new exhibit design and layout and reconfiguration of the access arrangements to provide a separate entry and exit point Construction of a Koala Treehouse and elevated walkway Extension of the Macropod walkthrough.
Other built structures	<ul style="list-style-type: none"> Construction of a new western pavilion which will be the formal entrance into the Upper Australia Precinct New Ropes Course access bridge Upgrades to back-of-house facilities for animal care Additional toilets and amenities for staff and visitors A new fence along Bradleys Head Road.
Landscaping and access	<ul style="list-style-type: none"> Removal of 37 trees consisting of low to moderate retention value Additional native plantings Construction of the 'Escarpment Walk' and 'Southern Link' to provide an accessible path from the Koala Treehouse to the Nocturnal House and Dingo Road.
Utilities	<ul style="list-style-type: none"> Utility adjustments.
Site area	<ul style="list-style-type: none"> 7,900 m².
Capital Investment Value (CIV)	<ul style="list-style-type: none"> \$14,978,103.
Jobs	<ul style="list-style-type: none"> 800 jobs during design and construction 12 full time jobs and additional casual jobs during operation.

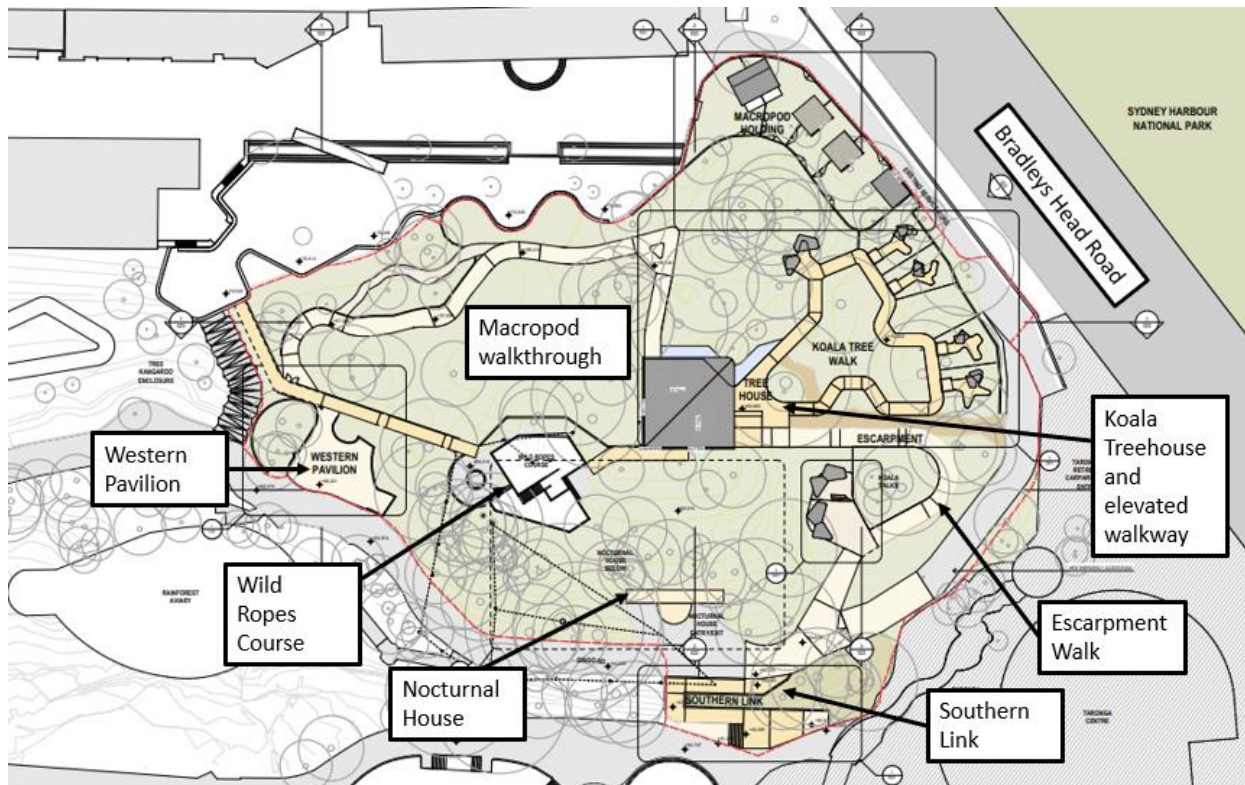


Figure 9 | Proposed site plan (Source: Applicant)

2.1 Related development

Early works development application

On 16 September 2020, Mosman Council (Council) approved an early works development application (DA 8.2020.98.1) for site preparation and demolition of the Platypus House and surrounding pathways.

The early works development application was lodged in order to undertake the most disruptive works while visitation numbers are low.

Exempt development works

The Applicant proposes to undertake the following works within the site as exempt development in accordance with Schedule 2 of the Mosman LEP 2012 as the works have a CIV of less than \$1 million:

- demolition of structures used for the exhibition, conservation and care of animals, which do not have any heritage significance and are in accordance with the conservation policy outlined in the Taronga Zoo Conservation Strategy
- animal relocations to temporary facilities and/or off-site removal to other facilities. The temporary enclosures would house some of the animal species during the construction of the exhibits.

3 Strategic context

3.1 Greater Sydney Region Plan and North District Plan

In March 2018, the Greater Sydney Commission (GSC) published the Greater Sydney Region Plan (the Region Plan) and the associated District Plans. The Region Plan outlines how Greater Sydney will manage growth and change and guide infrastructure delivery. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The development is consistent with the Region Plan as it supports the economic growth of NSW by upgrading an important attraction within Taronga Zoo which will contribute to the tourism sector, creating jobs and protecting Sydney Harbour and its foreshore through sensitive design and landscaping.

The site is located within the North District area. The development is consistent with the objectives of the North District Plan, as it would:

- support the growth of an internationally recognised tourism destination
- provide upgraded facilities and contribute to the ongoing operation of a historically significant facility
- create and support jobs in the area.

3.2 Mosman Local Strategic Planning Statement 2020

The Mosman Local Strategic Planning Statement (LSPS) identifies Council's 20-year vision for land use planning in Mosman and contains 14 planning priorities. The development is consistent with the Mosman LSPS as it would:

- provide improved facilities to meet community needs, and foster a culturally rich, creative and socially connected Mosman community
- protect, conserve and enhance Mosman's urban tree canopy, landform, waterways and bushland setting
- protect, conserve and enhance the natural, visual, environmental and heritage qualities of Mosman's foreshore scenic area, and significant views to and from foreshore slopes
- upgrade zoo facilities, which provides a unique combination of recreational, cultural, tourism and amenity benefits to Mosman LGA
- provide opportunities for local employment during operation and construction.

3.3 Taronga Zoo Master Plan 2002 and Visitor Experience Program

The Taronga Zoo Master Plan was adopted in 2002 by the Minister for Planning and comprises a suite of documents including the Zoo 2000 'The View to the Future' (December 1999), Taronga Zoo Master Plan Urban Design Principles and Visual Analysis (May 2001) and the Taronga Zoo Conservation Strategy (July 2002).

The development is consistent with the Taronga Zoo Master Plan as it would improve the exhibit enclosures for the welfare of animals and enhance the Upper Australia Precinct to provide guests with a more immersive and unique wildlife experience. The development is also consistent with the Taronga Zoo Master Plan as it would not result in any adverse biodiversity, heritage or visual impacts.

The Visitor Experience Program was announced by the NSW Government in March 2015 and includes \$150 million of Taronga funded and government co-funded projects to transform visitor experiences and create vital animal habitats.

The enhanced Australian Habitat was identified to be delivered in two phases. The first phase included the Australian Habitat and Taronga Wildlife Retreat, which was completed in 2019. The proposed redevelopment of the Upper Australia Precinct forms part of the second phase of revitalisation for Australian animals at Taronga Zoo.

4 Statutory Context

4.1 State significance

The development is SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is development located in the Taronga Zoo Site and has a CIV in excess of \$10 million under clause 2(h) of Schedule 2 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Therefore, the Minister for Planning and Public Spaces is the consent authority for the project.

The application can be determined by the Executive Director, Key Sites and Regional Assessments under delegation as:

- a political disclosure statement has not been made
- there are less than 50 public submissions (other than Council) in the nature of objections
- the Council of the area in which the development is to be carried out has not made an objection under the mandatory requirements for community participation in Schedule 1 of the Act.

4.2 Permissibility

The site is zoned 'SP1 Zoological Gardens' under the Mosman LEP 2012. Development for the purpose of 'Zoological Gardens' including any development that is ordinarily incidental or ancillary to development for that purpose is permitted with consent.

The development involves the construction of new animal exhibits and the upgrade of existing animal exhibits and facilities and therefore is permissible with consent.

4.3 Exhibited Animals Protection Act 1986

The *Exhibited Animals Protection Act 1986* identifies the need for approvals to be given for a zoo to exhibit animals, with certain animals requiring specific permits. The Applicant has advised it proposes to submit a separate application to the NSW Department of Primary Industries to obtain any permits or approvals required under the *Exhibited Animals Protection Act 1986*.

4.4 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act outlines the matters that a consent authority must take into consideration when determining development applications. These matters are summarised as:

- provisions of environmental planning instruments (including draft instruments), development control plans, planning agreements, and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)
- the environmental, social and economic impacts of the development
- the suitability of the site
- any submissions

- the public interest, including the objects of the EP&A Act and the encouragement of ecologically sustainable development (ESD).

The Department has considered all these matters in its assessment of the project, as well as the Applicant's consideration of environmental planning instruments (EPIs) in its EIS as summarised in **Section 6** of this report. The Department has also given consideration to the relevant provisions of the EPIs in **Appendix C**.

4.5 Biodiversity Development Assessment Report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all applications for SSD to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

As part of its application, the Applicant prepared a BDAR, which concluded that the proposed development is not likely to have any significant impact on biodiversity values, subject to mitigation and management measures and the purchase of biodiversity credits.

The Department has assessed biodiversity impacts in **Section 6.3**.

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from Friday 7 August 2020 to Thursday 3 September 2020 (28 days). The application was made publicly available on the Department's website.

The Department placed a public exhibition notice in the Mosman Daily on Thursday 6 August 2020, and notified adjoining landholders, and relevant government agencies in writing. The Department has considered the comments raised in Council and government agencies' submissions during the assessment of the application (**Section 6** and **Appendix B** of this report). The Department notes no public submissions were received.

5.2 Summary of submissions

The Department received a total of eight submissions, comprising seven submissions from government agencies and one submission from Council all making comments.

No public submissions were received. Copies of the submissions may be viewed at **Appendix A**.

5.3 Key issues – Government agencies

The key issues raised by Government agencies are summarised in **Table 2** below.

Table 2 | Government agency submissions

Government agency	Comments
Environment, Energy and Science Group (EESG)	<ul style="list-style-type: none">The BDAR should contain a more detailed description of the development and should be updated to reflect the correct date and version of the reportSurveys of the site should be undertaken to determine habitat characteristics and identify what species are likely to use the site.
Environment Protection Authority (EPA)	<u>Noise</u> <ul style="list-style-type: none">Any walls or fences should be erected early in construction to assist in mitigating construction noiseConcur with the noise management measures set out in the Acoustic AssessmentThe mechanical plant and public address systems should be designed to comply with the Noise Policy for Industry (EPA, 2017) Project Noise Trigger Levels detailed in the Acoustic Assessment

- Traffic and patron noise need to be managed, however it is not expected operational noise will differ vastly from existing operations.

Contamination

- The site has a low risk of contamination and can be managed in accordance with an unexpected contaminated land and asbestos finds procedure which is recommended as a condition of consent
- A hazardous building material survey must be conducted on the buildings prior to the commencement of any demolition or constructions works and is recommended as a condition of consent.

Soil and erosion management

- Earthmoving or vegetation removal must not commence until appropriate erosion and sediment controls are in place
- Erosion and sediment controls should be inspected daily.

Transport for NSW (TfNSW)

- The existing Green Travel Plan should be updated in consultation with TfNSW prior to the commencement of use
- A detailed Construction and Traffic Management Plan (CTMP) should be prepared in consultation with TfNSW prior to the commencement of works.

Heritage Council of NSW

- Overall, the proposed approach to heritage conservation complies with the Conservation Strategy
- Additional photomontages and design palate information of the proposed fence along Bradleys Head Road should be submitted
- An unexpected finds procedure should be implemented to manage historical archaeology and should be included as a condition of consent
- A designated historical archaeological program is not recommended for this development
- The significance of previous historical occupation of the site has not been adequately detailed in the Statement of Heritage Impact or Historical Archaeological Assessment
- Further consultation should be undertaken with Council to ensure local heritage items are appropriately managed.

Heritage NSW – Aboriginal Cultural Heritage Division

- The Aboriginal Cultural Heritage Assessment Report (ACHAR) is interim and consultation with the registered Aboriginal parties has not been completed
- There is insufficient evidence of consultation
- There is insufficient evidence to justify the findings of low archaeological potential and low scientific (archaeological) significance for the site.

Fire & Rescue NSW (FRNSW)

- FRNSW are satisfied with the risk and hazard aspects of the development
- A comprehensive Emergency Response Plan (ERP) should be developed for the site and include FRNSW's recommendations

- Prior to the commencement of use, the Applicant must contact the relevant local emergency management committee (LEMC)
- The performance solutions identified in the BCA Report must be addressed and approved through consultation with FRNSW and through the submission of a fire engineering brief questionnaire.

NSW RFS

- NSW RFS recommended the following plans be updated:
 - Bushfire Emergency and Evacuation Plan
 - Vegetation Management Plan,
 - Landscaping Plan
- Where possible, non critical structural elements should be constructed from non-combustible materials and any necessary timber construction should utilise hardwood species where possible.
- Water, electricity and gas comply with *Planning for Bushfire Protection 2019*.

5.4 Key issues – Council

Council did not object to the development and provided the following comments:

- landscaping is recommended in front of the proposed fencing along Bradleys Head Road to minimise its visual impact and should be included as a condition of consent
- suitable tree replacements should be provided and included as a condition of consent.

5.5 Response to submissions

Following exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 9 November 2020, the Applicant provided a Response to Submissions (RtS) on the issues raised during exhibition of the application. The RtS revised the design of the proposed fence along Bradleys Head Road and included a revised Biodiversity Development Assessment Report (BDAR), Aboriginal Cultural Heritage Assessment Report (ACHAR) and Historical Archaeological Assessment (HAA).

The RtS was made publicly available on the Department's website. The Department forwarded the RtS to EESG, Heritage Council of NSW and Heritage NSW - Aboriginal Cultural Heritage Division for comment. The Department received three additional submissions which are summarised in **Table 3** below.

Table 3 | Government agency submissions

Government agency	Comments
Environment, Energy and Science Group (EESG)	<ul style="list-style-type: none"> • The revised BDAR adequately addresses previous recommendations and EESG have no further comments.

Heritage Council of NSW

- The proposed fence along Bradleys Head Road is unlikely to visually dominate or detract from the significance of the sandstone boundary wall located in front.
 - Recommended that an unexpected finds condition is included in the development consent.
-

Heritage NSW – Aboriginal Cultural Heritage Division

- The revised ACHAR adequately addresses the SEARS and previous recommendations and Heritage NSW – Aboriginal Cultural Heritage Division have no further comments.
-

6 Assessment

The Department has considered the development, the issues raised in submissions and the Applicant's RtS in its assessment of the application. The Department considers the key issues associated with the development are:

- built form and visual impacts
- heritage
- tree removal and biodiversity
- landscaping.

Each of these issues are discussed in the following sections of this report. The Department's consideration of other issues relating to the application are addressed in **Section 6.5** of this report.

6.1 Built form and visual impacts

Built form

The Department notes there are no height or floor space controls for Taronga Zoo. As such, the Department has undertaken a merit assessment of the built form elements of the proposal.

The key built form elements of the proposal include:

- a new western pavilion providing a formal entry to the site located along the western boundary. The pavilion would contain an aluminium sculpture that would be approximately 16.6 m in length, 2.5 m in height and raised approximately 4 m above the ground (refer to **Figure 10**)
- a new Ropes Course bridge located along the northern boundary of the pavilion spanning from the western end of the site to the Wild Ropes Course building (refer to **Figure 10**). The bridge would be approximately 46.3 m in length, 2.3 m in width and raised approximately 2.7 m above the ground.
- a new Treehouse located in the centre of the site approximately 13.9 m in length and width and 6.1 m in height (**Figure 11**).
- a new Koala Exhibit located in the north-eastern section of the site consisting of an elevated open public boardwalk, one viewing platform and four private koala encounter bays (**Figure 12**). The boardwalk would be approximately 78 m in length and would be raised approximately 2-3 m above the ground.
- a refurbished Nocturnal House located at the southern end of the site (**Figure 13**). The proposal would expand the existing entry by removing the existing concrete walls and roof and inserting a new keeper storage access
- a new fence along Bradleys Head Road up to 4 m in height consisting of coloured fibre cement panels with a landscaped strip at the front (**Figure 14**).

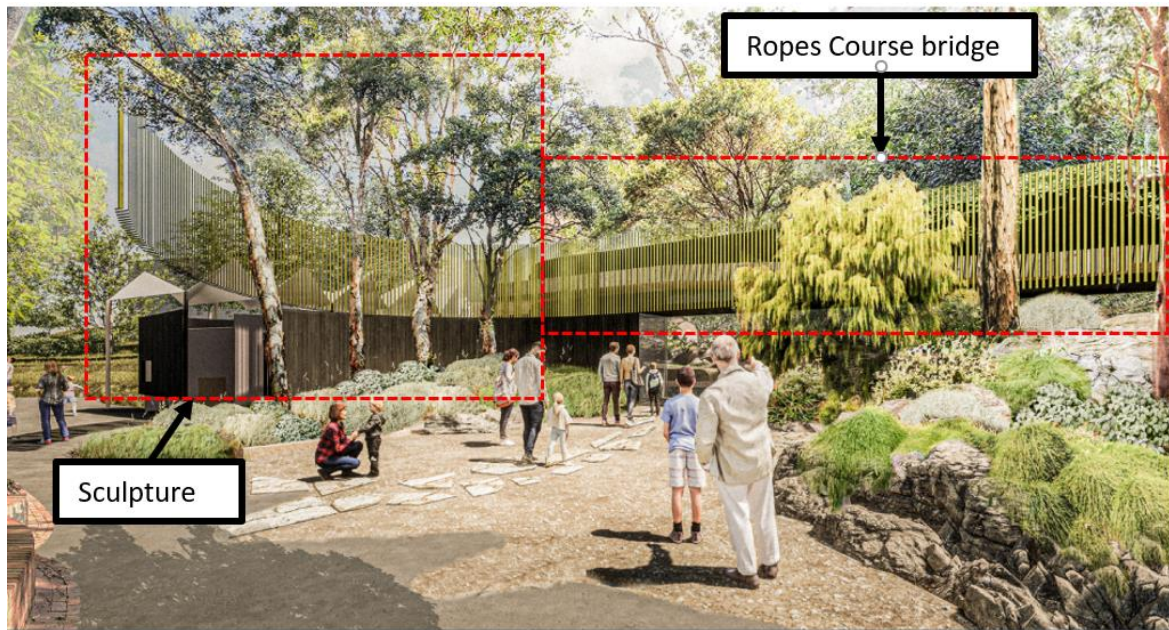


Figure 10 | View along Dingo Road towards western pavilion (Source: Applicant)



Figure 11 | View looking out from Koala Treehouse (Source: Applicant)

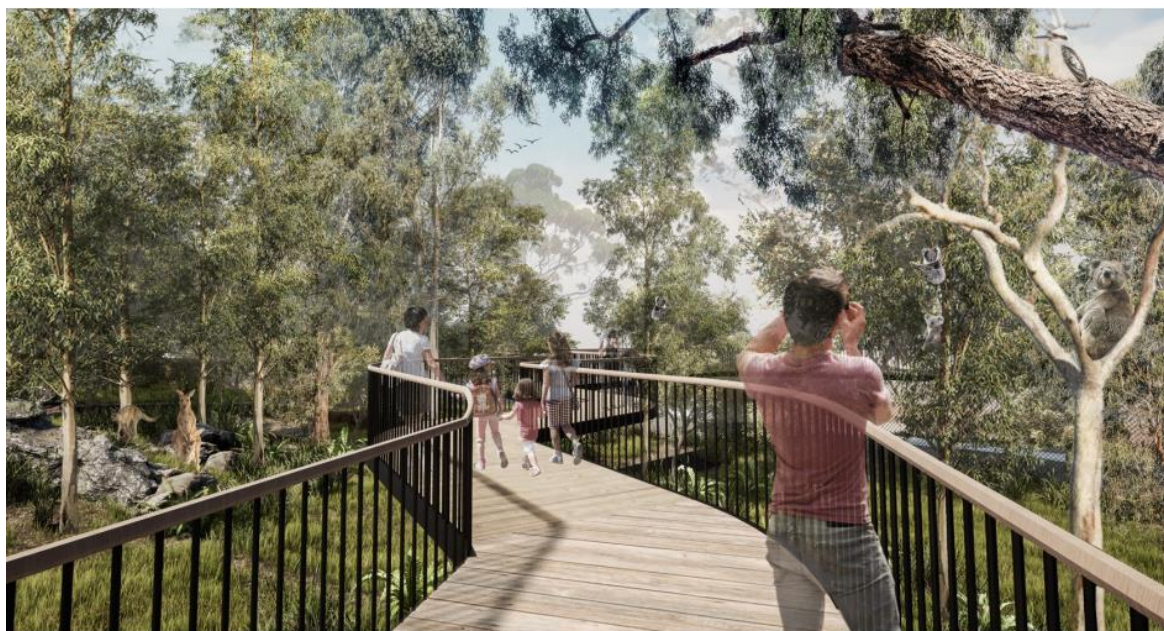


Figure 12 | View along Koala boardwalk (Source: Applicant)

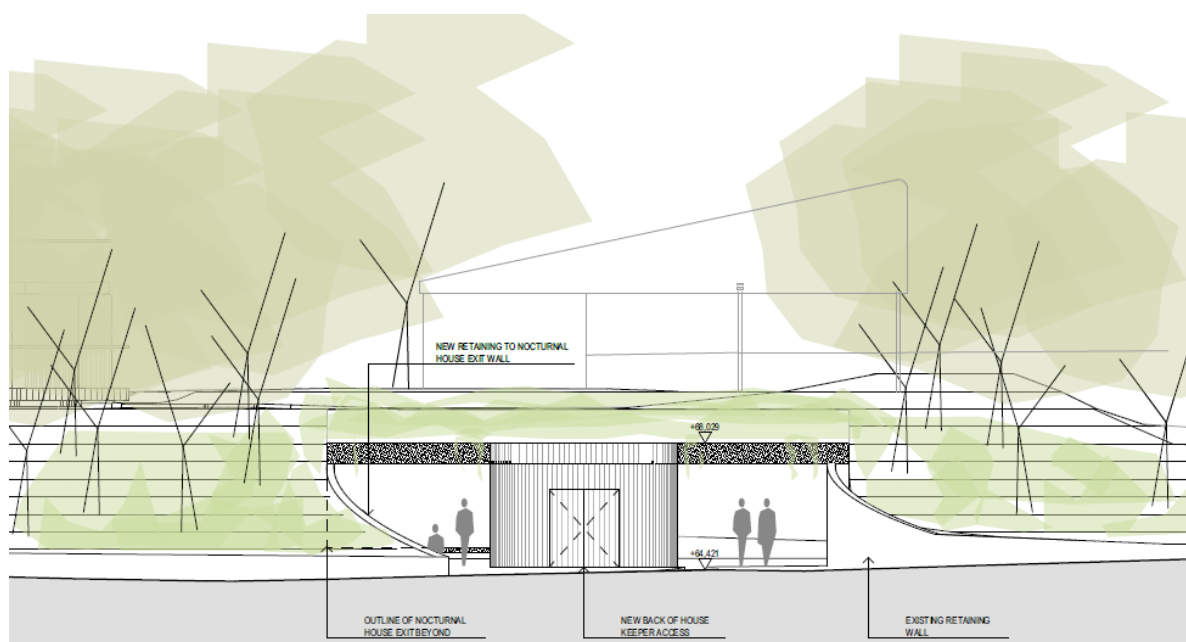


Figure 13 | Nocturnal House Elevation (Source: Applicant)



Figure 14 | Photomontage of proposed fence along Bradleys Head Road (Source: Applicant)

The Department notes the proposed fence along Bradleys Head Road would be visible from Bradley Head Road. All other built form elements would not be visible from outside of Taronga Zoo, including Bradleys Head Road or Whiting Beach Road or from Sydney Harbour.

Council recommended that landscaping is provided in front of the proposed fence along Bradleys Head Road to minimise its visual impact and should be included as a condition of consent. The Heritage Council of NSW also recommended that additional photomontages and design palate information of the proposed fence is submitted to assist Council in its review.

In response, the Applicant revised the design of the proposed fence from timber to coloured fibre cement panels with a landscaped strip at the front. The landscaping would consist of mature plantings that would grow approximately 4-5 m high and would contain dense foliage. The Applicant notes the proposed design would be further developed in consultation with an Aboriginal Art Consultant to reflect the character of the site.

Heritage Council of NSW reviewed the RtS and noted that the proposed fence along Bradleys Head Road is unlikely to visually dominate or detract from the significance of the sandstone boundary wall located in front.

Overall, the Department considers the proposed built form and visual impacts are acceptable as:

- the scale and design of the development is considered to be modest and sympathetic with the scale of the surrounding zoo facilities and has been sympathetically integrated into the zoo's topography, where possible
- the proposed materials and landscaping are considered consistent with the Australian theme of the site and would help minimise built form and visual impacts
- the development would not result in any visual impacts to Sydney Harbour or the surrounding area as it would sit below the tree canopy and would be shielded from the surrounding area by mature vegetation, the topography and the proposed fence along Bradleys Head Road
- the proposed fence along Bradleys Head Road would improve the acoustic and visual privacy for animals and its visual impact would be minimised through landscaping and the incorporation of Aboriginal artwork

- no submissions raised concerns about built form or visual impacts of the main exhibits.

The Department recommends that the design of the proposed fence is further developed in consultation with an Aboriginal Art Consultant to reflect the character of the site. The Department also recommends that landscaping in front of the proposed fence is maintained during operation.

Subject to the recommended conditions, the Department concludes the built form and visual impacts of the development are acceptable.

6.2 Heritage

Taronga Zoo is heritage listed in the MLEP. The item is identified as “Rainforest Aviary”, “Elephant House”, bus shelter and office, floral clock and upper and lower entrance gates’. None of the items individually noted in the MLEP listing are located within the Upper Australian Section (subject site).. A total of 14 items listed on the Zoological Parks Board Section 170 Heritage and Conservation Register (S170 Register) are located within the site.

The Heritage Impact Statement (HIS) noted the development would directly impact on five heritage items listed on the S170 Register, of which three would have an adverse impact. The HIS concluded these adverse impacts are not significant when considered in the context of Taronga Zoo and would be minimised through the management measures detailed in the HIS.

The Historical Archaeological Assessment (HAA) noted that the site is subject to high levels of disturbance and has low potential for archaeological remains to be located in areas of excavation.

The Heritage Council of NSW supported the proposed approach to heritage management and notes that it complies with the Conservation Strategy for Taronga Zoo. The Heritage Council of NSW recommended that the Applicant consider its own state records when assessing the significance of previous historical occupation of the site. The Heritage Council of NSW also recommended historical archaeology is managed in accordance with an unexpected finds procedure and that a designated historical archaeological program is not required.

In response, the Applicant revised the HAA in consultation with the Heritage Council of NSW. The revised HAA confirmed that Taronga Zoo’s state heritage records have been considered in the HAA and also included a recommendation for the development of an unexpected finds procedure.

The Heritage Council of NSW reviewed the RtS and recommended that an unexpected finds condition is included in the development consent.

The Department considers the proposed heritage impacts are acceptable as:

- the development would not result in any significant heritage impacts and the development’s purpose and approach to heritage management is consistent with the Conservation Strategy and Landscape Management Plan for Taronga Zoo
- the impact on the Avian Wetlands Ponds would be minimised through the retention of a section of the upper wall as a relic to show the original extent of the ponds
- the impact on the Nocturnal House is considered minor and would not impact on the original fabric of previous Monkey Pitt. The impacts on the Nocturnal House would be minimised by salvaging and reusing items

- the impacts on the items listed on the S170 Register would be managed in accordance with the management measures detailed in the HIS including archival recording, notifying items to be demolished to Heritage Council NSW and tree protection zones
- the development would not remove any trees listed on the S170 Register and the proposed landscaping would be consistent with the character and existing landscaping of the site
- the development would not impact on any significant heritage views as it is located below the tree canopy and would be not visible from Sydney Harbour.

The Department recommends that an unexpected finds procedure is implemented in accordance with Heritage Council of NSW's recommendation. The Department also recommends that heritage impacts be mitigated and managed in accordance with the management measures detailed in the HIS and HAA.

Subject to the recommended conditions, the Department concludes the heritage impacts of the development are acceptable.

6.3 Tree removal and biodiversity

The Applicant submitted an Arboricultural Impact Assessment (AIA) which concluded that the development would require the removal of 37 trees. The AIA identified that the trees to be removed are of low to moderate retention value and are not listed on the S170 Register.

The Applicant also submitted a BDAR which noted that the development has been positioned to minimise impacts on native vegetation and habitat as much as possible. The BDAR noted that the majority of the development is located within a highly modified environment and impacts have been minimised through native plantings in disturbed areas.

The BDAR concluded that development would directly impact on approximately 0.17 ha of the Smooth-barked Apple – Coast Banksia / Cheese Tree open forest on sandstone slopes on the foreshores of the drowned river valleys of Sydney Plant Community Type (PCT). The Department notes the PCT is not listed as a threatened ecological community under the BC Act and four ecosystem credits would be required to offset impacts to this PCT.

Council recommended that suitable tree replacements should be provided and included as a condition of consent. EESG recommended that the BDAR should contain a more detailed description of the development and should be updated to reflect the correct date and version of the report. EESG also recommended that surveys of the site should be undertaken to determine habitat characteristics and identify what species are likely to use the site.

In response, the Applicant requested that the tree replacement condition is amended to ensure tree replacement species remain compatible with the unique nature of the site including exhibit and animal welfare and containment requirements as well as Taronga Zoo's own horticulture and public safety requirements. The Applicant also revised the BDAR in consultation with EESG. The revised BDAR identified that the development would remove native vegetation that has the potential to support foraging habitat for the Southern Myotis Bat and three species credits are required to offset this impact.

EESG reviewed the RtS and noted that the revised BDAR adequately addressed their recommendations and had no further comments.

The Department considers the proposed tree removal and biodiversity impacts are acceptable as:

- none of the trees that would be removed are of heritage significance and of the 37 trees that would be removed, 28 are of low retention value and nine are of moderate retention value
- the trees that would be removed would be replaced by 18 trees that are compatible with the different landscape zones of the site (refer to **Section 6.4**).
- while the proposal would result in some removal of native vegetation and potential foraging habitat for the Southern Myotis Bat, the Department is satisfied the impact has been minimised and avoided where possible and any residual impacts would be offset by planting new trees and vegetation and the purchase of biodiversity credits
- the trees that would be retained would be managed in accordance with recommendations detailed in the AIA including development of a specific tree protection plan, monthly site inspections and protection of trees in accordance with relevant Australian standards
- biodiversity impacts would be managed in accordance with management measures detailed in BDAR including assigning an experienced, suitably qualified and licenced wildlife expert to undertake pre-clearing survey, dewatering supervision of the wetland ponds, and clearing supervision all vegetation in relation to the proposed development

The Department recommends the following conditions:

- trees that would be retained must be managed in accordance with recommendations detailed in the AIA
- suitable tree replacements must be provided in accordance with Taronga Zoo's requirements
- a specific tree protection plan must be included in the project's construction environmental management plan (CEMP)
- the CEMP must include the management measures detailed in the BDAR
- the Applicant must purchase the biodiversity credits identified in the revised BDAR to offset the biodiversity impact prior to the commencement of any vegetation clearance.

Subject to the recommended conditions, the Department considers the proposed tree removal and biodiversity impacts are acceptable.

6.4 Landscaping

The development would include planting and landscaping which will create six distinct Australian landscape zones (**Figure 15**). Each zone would be landscaped with native trees and vegetation as well as hard landscaping consisting of pathways, rocks and boulders and seating.

The proposal also involves extension of the existing Macropod Walkthrough located in the northern section of the site (**Figure 16**) and the construction of two main pathways known as "The Escarpment Walk" and the 'Southern Link' (**Figure 17**).



Figure 15 | Landscaping zones (Source: Applicant)



Figure 16 | View along Macropod Walkthrough looking east towards the Koala Treehouse (Source: Applicant)



Figure 17 | View of the Escarpment Walk (Source: Applicant)

The Department considers the proposed landscaping is acceptable as:

- the proposed planting and landscaping is consistent with the six landscape zones and reflect the Australian character of the precinct
- it would help soften the appearance of the development and would improve the amenity for visitors by providing respite from the weather, seating and places for socialising
- it would provide accessible paths around the site
- no submissions raised concerns about the proposed planting or landscaping.

The Department does not recommend any additional conditions in relation to landscaping and concludes that the proposed landscaping associated with the development is acceptable.

6.5 Other issues

The Department's consideration of other issues is provided at **Table 4**.

Table 4 | Department's assessment of other issues

Issue	Findings	Recommendations
Traffic and car parking (operation)	<ul style="list-style-type: none"> • The Applicant submitted a TIA to assess the potential traffic and car parking impacts associated with the proposal. The TIA noted that the development would result in a temporary increase of up to 43 vehicle trips per hour during the initial opening weeks. The TIA also noted that the development does not propose any additional car parking. • The TIA concluded that the temporary increase in vehicle trips would not impact on the level of service (LoS) of the surrounding 	<p>The Department recommends the following conditions:</p> <ul style="list-style-type: none"> • The existing Green Travel Plan is updated in consultation with TfNSW prior to the commencement of use.

key intersections. The TIA also concluded that the existing car park which contains 846 car parking spaces can accommodate the temporary increase in parking demand.

- TfNSW recommended that the existing Green Travel Plan be updated in consultation with TfNSW.
- Based on the findings of the TIA, the Department is satisfied the proposed development would not result in any adverse traffic impacts on the surrounding road network. The Department also considers that any increase in parking demand would be minor and temporary and can be accommodated within the existing car park.
- The Department recommends that the Green Travel Plan is updated as recommended by TfNSW.
- Subject to the recommended conditions, the Department considers the proposed traffic and car parking impacts are acceptable.

Noise and Vibration (operation)

- The application was supported by an Acoustic Assessment which concluded that the predicted patron noise levels comply with the noise level criteria during the day and evening. The Acoustic Assessment noted that details of the proposed mechanical plant and equipment and public address system are not available yet but would be designed to meet the EPA's requirements.
- The EPA recommended that the mechanical plant and public address systems are designed to comply with the Noise Policy for Industry (EPA, 2017) Project Noise Trigger Levels detailed in the Acoustic Assessment. The EPA also notes that traffic and patron noise need to be managed, however it is not expected operational noise will differ vastly from existing operations.
- The Department concludes that the operational noise impacts of the development are acceptable as the development would not result in significant increases in patronage or traffic generation. The Department is satisfied that the patron noise levels comply with the relevant criteria and can be managed in accordance with existing operational management of the zoo.
- The Department recommends the mechanical plant and public address systems are designed to comply with the Noise Policy for Industry (EPA, 2017) Project Noise Trigger Levels detailed in the Acoustic Assessment as recommended by the EPA.

The Department recommends the following conditions:

- The mechanical plant and public address systems should be designed to comply with the Noise Policy for Industry (EPA, 2017) Project Noise Trigger Levels detailed in the Acoustic Assessment.
- Certification from an appropriately qualified acoustic engineer that the proposed noise mitigation measures for all mechanical plant will achieve compliance with the requirements of the NSW Noise Policy for Industry.

- Subject to the recommended conditions, the Department concludes the proposed operational noise impacts are acceptable.

Aboriginal Heritage

- The Applicant submitted a revised ACHAR as part of the RtS.
- The ACHAR concluded that the site does not contain any registered Aboriginal objects or places. The ACHAR notes the site contains a highly modified creek to the north of the Avian Wetland Ponds that still has intangible values for the local Aboriginal people. The ACHAR also notes there is low potential for the remains of sandstone outcrops buried under the imported fill and landscaped environment that might be associated with grinding grooves or engravings.
- Heritage NSW (Aboriginal Cultural Heritage Division) reviewed the RtS and noted that the revised ACHAR adequately addressed their recommendations and had no further comments.
- The Department notes that the site has been subject to high levels of disturbance and therefore it is considered unlikely that the development would impact on any unknown Aboriginal objects or archaeological deposits. The Department is satisfied that the proposed recommendations detailed in the ACHAR can manage potential Aboriginal heritage impacts.
- The Department recommends that the recommendations detailed in the ACHAR be implemented to manage potential impacts, including an Aboriginal Cultural Heritage Induction, Archaeological Chance Find Procedure, Human Remains Procedure and Registered Aboriginal Parties (RAP) consultation.
- Subject to the recommended conditions, the Department considers the potential Aboriginal heritage impacts acceptable.
- The Department recommends that the recommendations detailed in the ACHAR are implemented, including an Aboriginal Cultural Heritage Induction, Archaeological Chance Find Procedure, Human Remains Procedure and Registered Aboriginal Parties (RAP) consultation.

Construction impacts

Traffic

- During construction, the development would generate approximately 20 vehicle trips per hour during the peak periods. The Traffic Impact Assessment (TIA) concluded that traffic impacts would be minor and would not adversely impact on the surrounding road network.
- TfNSW recommended that a detailed Construction and Traffic Management Plan

The Department recommends the following conditions:

- A detailed Construction and Traffic Management Plan (CTMP) is prepared in consultation with TfNSW prior to the commencement of works.
- Any walls or fences should be erected early in construction to assist in

(CTMP) is prepared in consultation with TfNSW.

Noise

- The Acoustic Assessment submitted with the development predicted that the noise levels for closest residential receivers (approximately 200 m north of the site) could exceed the Interim Construction Noise Guidelines (ICNG) by up to 2 dBA during standard construction hours. No receivers are predicted to be 'highly affected' (experience noise levels of LAeq (15 min) 75 dBA or above) during any stage of the works.
- The EPA recommended that any walls or fences should be erected early in construction to assist in mitigating construction noise.

Other

- The EPA recommended that earthmoving or vegetation does not commence until appropriate erosion and sediment controls are in place. The EPA also recommended that the erosion and sediment controls are inspected daily.

Assessment

- The Department is satisfied that any potential construction impacts can be appropriately mitigated and managed in accordance with the project's CEMP, CTMP and CNVMP.
- The Department recommends that the recommendations from TfNSW and EPA be included in the conditions of consent.
- Subject to the recommended conditions, the Department considers the potential construction impacts can be appropriately mitigated and managed to an acceptable level.

mitigating construction noise.

- Construction noise and vibration should be managed in accordance with the management measures detailed in the Acoustic Assessment.
- A detailed CEMP is prepared and includes an Erosion and Sediment Control Plan to manage potential construction impacts.

Stormwater and flooding

- The proposed stormwater system consists of a series of pit and pipe systems that reticulate south and connect into Taronga Zoo's existing private stormwater drainage system.
- The site is not subject to flooding due to the topography of the site as it slopes towards Sydney Harbour.
- The Department has reviewed the Stormwater, Flooding and Utility Impact Assessment and is satisfied the development would not increase the discharge flows and that the proposed stormwater system has the capacity to discharge flows for all storms up to and including the 1% AEP storm.
- The Department recommends that the stormwater system is design in accordance with the recommendations detailed in the Stormwater, Flooding and Utility Impact Assessment.

- The Department is also satisfied the stormwater can be adequately discharged through proposed stormwater system without any adverse impacts to the quality of the private stormwater drainage system or Sydney Harbour.
- The Department recommends that the stormwater system is design in accordance with the recommendations detailed in the Stormwater, Flooding and Utility Impact Assessment.
- Subject to the recommended conditions, the Department considers the potential stormwater and flooding impacts are acceptable.

Contamination and hazardous materials

- The Applicant submitted a preliminary site investigation (PSI). The PSI concluded that the site has low potential for contamination and that remediation of the site is not required and the site is considered suitable for the proposed development.
- The PSI recommended that an unexpected finds protocol (UFP) is prepared and a hazardous building materials survey is conducted on the buildings prior to demolition. The PSI also recommended that an asbestos register is obtained prior to demolition or refurbishment. The PSI also provided waste management recommendations.
- The EPA noted that the site has a low risk of contamination and recommended that an unexpected contaminated land and asbestos finds procedure is prepared. The EPA also recommended that a hazardous building material survey is undertaken prior to the commencement of any demolition or construction works.
- The Department considers the site has a low risk of contamination given its ongoing use as a zoo and that any potential contamination and hazardous materials can be managed in accordance with the recommendations detailed in the PSI.
- Subject to the recommended conditions, the Department considers the potential contamination and hazardous materials impacts are acceptable.

The Department recommends the following conditions:

- Contamination and hazardous materials are managed in accordance with the recommendations detailed in the PSI.
- An unexpected contaminated land and asbestos finds procedure is prepared.
- A hazardous building material survey is conducted on the buildings prior to the commencement of any demolition or construction works.

Bushfire impacts

- The site is mapped as bushfire prone land in Council's bushfire prone land map. The Applicant prepared a Bushfire Assessment in accordance with the *Planning for Bushfire Protection 2019*.
- The Bushfire Assessment concluded that during a bushfire the site could potentially be

The Department recommends the following conditions:

- Update the ERP to include specific reference to the Upper Australia Precinct and include the

subject to radiant health levels exceeding 40kw/sqm. The Bushfire Assessment also notes that the development would not impact on Taronga Zoo's existing excavation procedures and recommends that structural elements comprise of non-combustible materials where possible and that the emergency management and response procedure for Taronga Zoo are updated to clearly document the evacuation procedures for the site.

- FRNSW noted that they were satisfied with the risk and hazard aspects of the development and provided recommended conditions including the development of an ERP and notifying the LEMC. FRNSW also recommended that the performance solutions identified in the BCA Report must be addressed and approved through consultation with FRNSW and through the submission of a fire engineering brief questionnaire.
- RFS did not raise specific concerns about the application but recommended a series of conditions relating to an updated Bushfire Emergency and Evacuation Plan, Vegetation Management Plan and Landscaping Plan. RFS also recommended a condition to ensure that water, electricity and gas comply with *Planning for Bushfire Protection 2019* and that, where possible, non-critical timber structural elements should utilise hard wood species.
- The Department notes that Taronga Zoo has an existing ERP. The Department recommends that the ERP is updated to include specific reference to the Upper Australia Precinct. The Department also recommends all other recommendations from the Bushfire Assessment, FRNSW and RFS are included in the consent.
- Subject to the recommended conditions, the Department considers the potential bushfire impacts are acceptable.

details recommended by FRNSW

- Structural elements should comprise of non-combustible materials where possible
- The Applicant must notify the relevant LEMC prior to the commencement of use
- The performance solutions identified in the BCA Report must be addressed and approved through consultation with FRNSW and through the submission of a fire engineering brief questionnaire.
- Updated Bushfire Emergency and Evacuation Plan, Vegetation Management Plan, Landscaping Plan be prepared.
- Water, electricity and gas comply with *Planning for Bushfire Protection 2019*
- Where possible, non-critical timber structural elements should utilise hard wood species.

Animal welfare

- The EIS notes that the development aims to improve the exhibit enclosures for the welfare of animals.
- The Applicant proposes to submit a separate application to the NSW Department of Primary Industries (DPI) to obtain any permits or approvals required under the *Exhibited Animals Protection Act 1986*.
- The Department notified NSW DPI of the development on 6 August 2020 and no response was received. No other
- The Department recommends that the Applicant obtain all necessary permits and approvals required under the *Exhibited Animals Protection Act 1986* prior to the commencement of works and prior to the commencement of operation.

submissions raised concerns about animal welfare.

- The Department considers the proposed exhibits are consistent with contemporary animal welfare requirements and would achieve best-practice operations and management outcomes.
 - The Department recommends that the Applicant obtain all necessary permits and approvals required under the *Exhibited Animals Protection Act 1986* prior to the commencement of works and prior to the commencement of operation.
-

7 Evaluation

The Department has reviewed the EIS and RtS, and assessed the merits of the development, taking into consideration advice from government agencies. Issues raised by Council have been considered (as outlined in **Appendix B**) and all environmental issues associated with the development have been thoroughly addressed.

The Department has considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD (as outlined in **Appendix C**).

The Department has carefully considered the impacts associated with the development, and considers it should be approved for following reasons:

- it would help reinforce Taronga Zoo as one of Sydney's premier tourist attractions, create an improved experience for visitors and provide upgraded animal facilities to meet current standards
- the scale and design of the development is considered to be modest and in keeping with the scale of the surrounding zoo facilities
- the proposed materials and landscaping are considered to be consistent with the existing development on the site and would help minimise the built form and visual impacts of the proposal
- the development would not result in any adverse visual impacts as it would sit below the tree canopy and would be screened from the surrounding area by mature vegetation, the topography of the site and the proposed fence along Bradleys Head Road
- the development would not result in any significant amenity impacts on neighbouring properties given the site's context within Taronga Zoo and distance from the nearest residential property (approximately 200 m north of the site)
- the development would not result in any significant traffic or car parking impacts as any increase in traffic would be minor and limited to the initial opening weeks. The development does not propose any additional car parking and any temporary increase in traffic can be accommodated within the existing car park
- the development would not result in any adverse heritage impacts and the approach to heritage management is consistent with the Conservation Strategy and Landscape Management Plan for Taronga Zoo
- the construction impacts would be temporary and would be managed in accordance with the project's Construction Environmental Management Plan and associated sub plans
- the development would not involve the removal of any trees that have high retention value or heritage significance
- while the proposal would result in some removal of native vegetation and potential foraging habitat for the Southern Myotis Bat, the Department is satisfied the impact has been minimised and avoided where possible and any residual impacts would be offset by planting new trees and vegetation and the purchase of biodiversity credits.

The Department's assessment therefore concludes the development is in the public interest and recommends the application be approved, subject to the recommended conditions.

8 Recommendation

It is recommended that the Executive Director, Key Sites and Regional Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of SSD 10456, subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see **Appendix D**).

Recommended by:



Minoshi Weerasinghe
Planning Officer
Key Sites Assessments

Recommended by:



Cameron Sargent
Team Leader
Key Sites Assessments

Recommended by:



Anthony Witherdin
Director
Key Sites Assessments

9 Determination

The recommendation is **Adopted** by:



Anthea Sargeant

Executive Director

Key Sites and Regional Assessments

Appendices

Appendix A – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department's website as follows:

Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/32596>

Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/32596>

Submissions Report

<https://www.planningportal.nsw.gov.au/major-projects/project/32596>

Appendix B – Community Views for Draft Notice of Decision

Issue	Consideration
Landscaping Council recommended that landscaping is provided in front of the proposed fencing along Bradleys Head Road to minimise its visual impact and should be included as a condition of consent	<p>A landscaping strip is proposed in front of the proposed fence along Bradleys Head Road. The landscaping would consist of mature plantings that would grow approximately 4-5 m high and would contain dense foliage. The Department is satisfied that the proposed landscaping will assist in minimising the potential visual impacts of the proposed fence.</p> <p>The Department recommends that landscaping in front of the proposed fence is maintained during operation.</p>
Tree replacement Council recommended that suitable tree replacements are provided and included as a condition of consent.	<p>The Department recommends that suitable tree replacements are provided in accordance with Taronga Zoo's requirements.</p>

Appendix C – Statutory Considerations

In line with the requirements of section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the Department's assessment of the development has provided a detailed consideration to a number of statutory requirements. These include:

- the objects found in section 1.3 of the EP&A Act; and
- the matters listed under section 4.15(1) of the EP&A Act, including applicable environmental planning instruments and regulations.

The Department has considered all of these matters in its assessment of the development and has provided a summary of this assessment in **Tables 1** and **2** below.

Table 1 | Consideration of the objects of the EP&A Act

Objects of the EP&A Act	Summary
(a) 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	The proposed development would have a positive impact as it would create an immersive experience for visitors and upgrade animal facilities to meet current standards. The proposed development would not impact on any natural or artificial resources, agricultural land or natural areas.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	The principles of Ecologically Sustainable Development (ESD) are considered below.
(c) to promote the orderly and economic use and development of land	The proposed development would promote the orderly and economic use of land by improving the ongoing use of Taronga Zoo, supporting the tourism industry and creating jobs.
(d) to promote the delivery and maintenance of affordable housing	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposed development would not result in any adverse biodiversity impacts. The proposed biodiversity impacts can be managed through the management measures details in the BDAR, the planting of suitable tree replacements and the purchase of biodiversity credits (refer to Section 6).
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The proposed development would not have an adverse impact on any built or cultural heritage items, as addressed in Section 6 .
(g) to promote good design and amenity of the built environment	The proposed design is considered modest and sympathetic with the scale of the surrounding zoo facilities and has been sympathetically integrated into

	the zoo's topography where possible as discussed in Section 6.1 .
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	Recommended conditions would ensure the proposed works would be constructed in compliance with all relevant building codes and health and safety requirements.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The development is SSD and therefore the Minister is the consent authority. The Department consulted with relevant government agencies on the development.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	Section 5 of this report sets out details of the Department's public exhibition of the development.

Table 2 | Consideration of the matters listed under section 4.15(1) of the EP&A Act

Section 4.15(1) Evaluation	Summary
(a)(i) any environmental planning instrument	The proposed development is permissible with consent (Section 4.2 and Section 6). The Department's consideration of other relevant EPIs is provided below.
(a)(ii) any proposed instrument	See below.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation), including the procedures relating to applications (Part 6), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(a)(v) Repealed	Not applicable.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Appropriately mitigated or conditioned - refer to Section 6 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as addressed in Sections 4 and 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the EIS exhibition period and following

lodgement of the RTS. See **Sections 5** and **6** of this report.

(e) the public interest

The development is considered to be in the public interest. Refer to **Section 6** of this report.

Environmental Planning Instruments (EPIs)

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

The proposed development is SSD under section 4.36 (development declared SSD) of the EP&A Act as it is development located in the Taronga Zoo Site and has a CIV in excess of \$10 million under clause 2(h) of Schedule 2 of the SRD SEPP. Therefore, the Minister for Planning and Public Spaces is the consent authority.

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

Tourist facilities and recreational facilities with 50 or more car parking spaces with access to a classified road require referral to the TfNSW. The site is accessed via Bradleys Head Road which is classified as a regional road under the *Roads Act 1993*. No additional car parking is proposed as part of this development as the works sought are part of the redevelopment of an existing animal precinct of the Zoo. The proposed development however was referred to Transport for NSW for advice during the exhibition period (refer to **Section 5**).

The Department has considered TfNSW advice in **Section 6** and considers the proposed development to be consistent with the ISEPP given the consultation and consideration of traffic and parking impacts in **Section 6**. The Department also recommends TfNSW proposed conditions, including development of a CTMP and updating the existing Green Travel Plan.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure potential contamination issues are considered in the determination of a development application. SEPP 55 requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the purposes of the proposed development.

The EIS included a PSI which concluded that the site has low potential for contamination and that the site is considered suitable for the proposed development. The PSI recommended that an unexpected finds protocol (UFP) is prepared and a hazardous building materials survey is conducted on the buildings prior to demolition. The PSI also recommended that an asbestos register is obtained prior to demolition or refurbishment.

The Department considers potential contamination and hazardous materials can be managed in accordance with the recommendations detailed in the PSI including the implementation of an UFP and undertaking a hazardous building materials survey.

The Department therefore considers the site is suitable for the ongoing use of the site as a zoo. This is addressed in detail in **Section 6.4**.

Draft Remediation of Land State Environmental Planning Policy

The Department is reviewing all State Environmental Planning Policies to ensure they remain effective and relevant and SEPP 55 has been reviewed as part of that program. The Department recently published the draft Remediation of Land State Environmental Planning Policy (Remediation SEPP), which was exhibited until April 2018.

Once adopted, the Remediation SEPP will retain elements of SEPP 55, and add the following provisions to establish a modern approach to the management of contaminated land:

- require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant
- categorise remediation work based on the scale, risk and complexity of the work
- require environmental management plans relating to post-remediation management or ongoing management of on-site to be provided to Council.

The new SEPP will not include any strategic planning objectives or provisions. Strategic planning matters will instead be dealt with through a direction under section 117 of the EP&A Act.

The Department considers the proposed development is consistent with the draft Remediation SEPP subject to the recommended conditions.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHREP 2005) provides planning principles for development within the Sydney Harbour catchment. Taronga Zoo falls within the Sydney Harbour Catchment area. The site is located within the foreshore and waterways area of SREP 2005 and is identified as a “Strategic Foreshore Site”. The relevant provisions of SREP 2005 are addressed in **Table 3** below.

Table 3 | Consideration of the matters listed under the SHREP 2005

Clause	Department’s consideration
Clause 13 – Sydney Harbour Catchment	<p>The Department is satisfied that the development would not result in any significant visual impacts as it would sit below the tree canopy and would not be visible from Sydney Harbour (refer to Section 6).</p> <p>The Department is also satisfied the stormwater can be adequately discharged through proposed stormwater system without any adverse impacts to the water quality of Sydney Harbour (refer to Section 6).</p>
Clause 14 – Foreshores and Waterways Area	<p>The Department is satisfied that the development would not result in any significant visual impacts as it would sit below the tree canopy and would not be visible from Sydney Harbour (refer to Section 6).</p>

Clause 15 – Heritage Conservation	The site does not contain any heritage items listed under SHREP 2005. The development would not result in any adverse heritage impacts (refer to Section 6).
Clause 21 - Biodiversity, ecological and environmental protection	<p>The proposed development would not result in any adverse biodiversity impacts. The proposed biodiversity impacts can be managed through the management measures details in the BDAR, the planting of suitable tree replacements and the purchase of biodiversity credits (refer to Section 6).</p> <p>The Department is also satisfied stormwater can be adequately discharged through the proposed stormwater system without any adverse impacts to the water quality of Sydney Harbour (refer to Section 6).</p>
Clause 25 - Foreshore and waterways scenic quality	<p>The Department considers the scale and design of the proposed development to be modest and sympathetic with the scale of the surrounding zoo facilities and notes the design of the proposed development has been sympathetically integrated into the zoo's topography, where possible.</p> <p>The Department is also satisfied that the development would not result in any significant visual impacts as it would sit below the tree canopy and would not be visible from Sydney Harbour (refer to Section 6).</p>
Clause 29 – Consultation required for certain development applications	<p>Development listed in Schedule 2 of the SHREP 2005 (demolition) is required to be referred to the Foreshores and Waterways Planning and Development Advisory Committee (Foreshore Committee) prior to determination.</p> <p>The Department referred the application to the Foreshore Committee on 30 July 2020 and did not receive a response from the Foreshore Committee.</p>
Clause 41 – Requirement for Master Plans	<p>Development consent must not be granted for development on the site, being a strategic foreshore site unless there is a master plan for the site and consideration has been made to this master plan.</p> <p>The Taronga Zoo has an approved master plan “Zoo 2000 – The view to the future”, which provides a basis for the continuing process of renovation, refurbishment and redevelopment of the site.</p> <p>The development is consistent with the Taronga Zoo Master Plan as it would improve the exhibit enclosures for the welfare of animals and enhance the Upper Australia Precinct to provide guests with a more immersive and unique wildlife experience. The development is also consistent with the Taronga Zoo Master Plan as it would not result in any adverse</p>

biodiversity, heritage or visual impacts (refer to **Section 3.3.**)

Clause 57, 58 and 59 – Heritage	These provisions do not apply as the site is not identified as a heritage item under the Heritage Map and Schedule 4 of SHREP 2005. The Department considers that the development would not result in any adverse impact on non-Aboriginal or Aboriginal heritage items (refer to Section 6).
Clause 63 – Wetland Protection matters for consideration	The site is not mapped as a “wetland protection area”. The Department notes that the development would implement measures to preserve the quality of surrounding wetlands including implementation of appropriate stormwater quantity and quality control measures during the construction and operational phases and implementing soil and erosion control measures during construction.

Mosman Local Environmental Plan 2012

The Department considers the development is consistent with the relevant provisions of the Mosman LEP 2012. Consideration of relevant provisions of the Mosman LEP 2015 are addressed in **Table 4** below.

Table 4 | Consideration of the Mosman LEP 2012

Clause	Department's consideration	Compliance
Clause 2.3 – Zoning and land use	The site is zoned ‘SP1 Special Activities’ under Mosman LEP 2012 and is identified on the zoning map as “Zoological Gardens”. The only uses permitted on the site with development consent is for the purpose shown on the Land Zoning Map including any development that is ordinarily incidental or ancillary to development for that purpose. The development involves the construction of a new animal exhibit and the upgrade of existing animal exhibits and facilities and therefore is permissible with consent.	Yes
Clause 4.3 – Building height	No maximum building height applies to the site.	N/A
Clause 4.4 – Floor Space Ratio	No maximum floor space ratio applies to the site.	N/A
Clause 5.10 – Heritage Conservation	The entire zoo is listed as a local heritage item in the Mosman LEP 2012 and is listed as the “Rainforest Aviary”, “Elephant House”, bus shelter and office, floral clock and upper and lower entrance gates’. Although the entire zoo is listed as a local heritage item, none of the items identified in the listing are located within the site.	Yes

A total of 14 items listed on the Zoological Parks Board Section 170 Heritage and Conservation Register (S170 Register) are located within the site.

The development would not result in any adverse heritage impacts and any impacts on the items listed on the S170 Register would be managed in accordance with the management measures detailed in the HIS, including archival recording, notifying items to be demolished to the Heritage Council NSW and tree protection zones.

Clause 6.4 – Scenic Protection	<p>The site is identified as a “Scenic Protection Area”.</p> <p>The Department considers the scale and design of the proposed development to be modest and sympathetic with the scale of the surrounding zoo facilities and notes the design of the proposed development has been sympathetically integrated into the zoo’s topography, where possible.</p> <p>The Department is also satisfied that the development would not result in any significant visual impacts as it would sit below the tree canopy and would not be visible from Sydney Harbour (refer to Section 6.1)</p>	Yes
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Other Policies

Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The proposed development incorporates a number of design initiatives including:

- incorporating low-impact materials, locally sourced materials, and recycled materials into the project's design to reduce overall emissions and improve the overall life cycle of the project
- prioritising tree retention and cover across the site
- using energy efficient fixtures for heating, lighting and sewer lines in the site
- use of recycled water for irrigation.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the development.

Overall, the development is generally consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

Appendix D – Recommended Instrument of Consent

The recommended conditions of consent can be found on the Department of Planning, Industry and Environment's website at: <https://www.planningportal.nsw.gov.au/major-projects/project/32596>