

URBIS

# S4.55 (1A) MODIFICATION

Taronga Zoo  
Upper Australia Precinct

Prepared for

**TARONGA CONSERVATION SOCIETY AUSTRALIA**

19 April 2021

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# 1. INTRODUCTION

This report has been prepared by Urbis on behalf of Taronga Conservation Society Australia (TSCA - the 'Applicant') in support of a Section 4.55(1A) application to modify the original State Significant Development (SSD) Application SSD-10456 relating to the Upper Australia Precinct of Taronga Zoo.

## 1.1. REPORT STRUCTURE

This planning report identifies the subject site and the surrounding locality, details the approved development and subsequent work, describes the proposed modifications and provides an assessment against the relevant matters for consideration, pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

- Section 1: Introduction and Project Background
- Section 2: Strategic Context
- Section 3: Description of Modifications
- Section 4: Statutory Context
- Section 5: Engagement
- Section 6: Assessment of Impacts
- Section 7: Evaluation of Merits

## 1.2. PROJECT BACKGROUND

Taronga Zoo is located at Bradleys Head Road, Mosman and is situated in the Mosman Local Government area (LGA). The site is bounded by Bradleys Head Road to the east, Athol Wharf Road and Sydney Harbour to the south, Little Sirius Cove to the west and Whiting Beach Road to the north. Taronga Zoo is legally described as Lot 22 on DP843294 and is Crown Land managed by the TCSA (the Zoological Park Board).

Taronga Zoo has evolved over time from a Zoo that simply provides the traditional visitor experience of viewing animals in exhibits, to a Zoo that focusses on wildlife conservation, animal welfare and providing a range of visitor learning experiences. Taronga Zoo is one of Australia's most popular attractions, and together with Taronga Western Plains Zoo hosts more than 1.5 million visitors annually and contributes an estimated \$249 million per annum to the NSW economy. Taronga Zoo is a significant tourism attractor to the Mosman area and plays an important role in Mosman LGA, providing employment opportunities and contributing to the local economy.

The Upper Australia Precinct is surrounded on three sides by existing zoo facilities and adjoins Bradleys Head Road near the northern main zoo entrance. Adjoining the subject site, to the south, is the Australia Habitat Phase 1 and Taronga Wildlife Retreat which is completed and was open until the current COVID-19 pandemic forced its temporary closure. On the opposite side of Bradleys Head Road to the east of the site is Sydney Harbour National Park. The nearest residential areas to the proposed site are approximately 200 metres to the north on Bradleys Head Road and Whiting Beach Road. These areas are separated from the project site by the National Park and the zoo's car parking, forecourt and main entrance building.

The current Precinct contains existing exhibits and infrastructure for Australian animals. The existing facilities largely comprise open air exhibits, animal enclosures, pathways, landscaping and associated infrastructure/servicing areas. Existing uses and facilities in the Upper Australia Precinct area include:

- Avian Wetlands;
- Wild Ropes Course;
- Nocturnal House;
- Macropod Walk-through;
- Koala Encounters venue; and
- Platypus House.

### 1.3. EXISTING SSDA APPROVAL

SSDA-10456 was approved on 21 December 2020 for the redevelopment of an animal exhibit known as the 'Upper Australia Precinct', which will complete the entire Australian precinct, including key attractions such as the Nocturnal House, Macropod walk and the commercial Koala Encounters venue. The Upper Australia Precinct is one of the pillars of Taronga's Centenary Capital Plan and will be a major tourist destination for international tourists to view Australian wildlife. The renewal of this area of the zoo will enhance the native landscape strategy of the existing precinct and greater communicate the connection of wildlife and the environment. The proposal aims to enhance the guest experience and presentation of Taronga Zoo with a focus to improve the welfare of animals.

The approved development will completely refurbish the existing Upper Australia Precinct, including a new exhibit design and layouts. This includes demolition of existing structures and some excavation works, while still remaining sympathetic to the design intent of the original 1970s exhibits. The Upper Australia Precinct will display critically endangered Australian animals that form part of Taronga's wildlife conservation and education programs and upgrade "star" attractions including kangaroo, koala, platypus, wombat and emu exhibits. The approved development will incorporate three main exhibits:

- The existing Nocturnal House building will be reconfigured to improve functionality and accessibility as well as creating an immersive experience for guests with new exhibit design in a simulated night-time setting. The completion of Nocturnal House will provide Taronga Zoo with an innovative space to display nocturnal Australian animals.
- A new Koala Encounter and public koala canopy walk will be constructed to provide guests with a more naturalistic experience with koalas. An elevated walkway and tree house located 3-4 metres above the ground will be constructed within existing trees, the area will be supplemented with additional trees to create a forest. This will be located in the same vicinity as existing koala facility along Bradley's Head Road and provide a new space for educational koala talks within the Precinct.
- Macropod walkthrough will be extended to replace the existing wetland area. The topography is to be retained and the exhibit will be heavily landscaped to enhance the presentation and welfare of the various macropod/kangaroos that will be housed in this large open range exhibit.

Additional works approved as part of the Upper Australia Precinct redevelopment include the following:

- Creation of a new defined western entry for the precinct;
- Upgrades to back of house facilities for animal care;
- Additional toilets and amenities for staff and visitors;
- Other supporting infrastructure and walkways; and
- Modifications to the existing Wild Ropes Course including removal and reinstatement of poles necessary to accommodate the design and the construction of a new entrance.

## 2. STRATEGIC CONTEXT

The following table provides an overview of the consistency of the proposed modifications with the relevant strategic plans. As outlined below, the approved development as proposed to be amended remains consistent with the strategic planning objectives for the site and locality.

Strategy	Comment
NSW Premier's Priorities	The modification will remain consistent with a key Premier priority to maintain a strong economy via the creation of 800 jobs including design, project management and construction over the 18-month design development and construction period as well as ongoing operational jobs, TCSA maintains its international reputation as a world class zoo, with immersive and educational animal exhibits.
Greater Sydney Region Plan: A Metropolis of Three Cities	The Upper Australia proposal will continue to improve and enhance the existing zoo facilities and is generally consistent with the various objectives of the Greater Sydney Region Plan. In particular, the project will continue to: <ul style="list-style-type: none"> <li>▪ Modernise an important attraction within Taronga Zoo, strengthening Sydney's tourism sector;</li> <li>▪ Strengthen Sydney's competitive economy by providing economic benefits and contributing to job creation; and</li> <li>▪ Protect Sydney Harbour and its foreshore through sensitive design and landscaping.</li> </ul>
Zoo 2000 – 'The View To The Future' Master Plan	Notably the modified proposal will continue to: <ul style="list-style-type: none"> <li>▪ Provide for the continued use of the site as a Zoological Garden, with this precinct housing Australian animals;</li> <li>▪ Preserve the unique topography of the site;</li> <li>▪ Retain significant trees;</li> <li>▪ Not impact on significant views within and from the site; and</li> <li>▪ Promote the evolution of enclosure design with the exhibits improving animal conditions in accordance with best-practice.</li> </ul>
Taronga Zoo Centenary Master Plan 2015	Will result in the completion of a government funded project to finalise the 2015 Centenary Plan.
Our Greater Sydney 2056: North District Plan 2018	The proposed redevelopment of the Upper Australia Precinct will continue to align with the District Plan by: <ul style="list-style-type: none"> <li>▪ Supporting the growth of an internationally recognised tourism destination.</li> <li>▪ Providing upgraded facilities to meet changing needs of visitors and contribute to the ongoing operation of a historically significant facility.</li> <li>▪ Providing continued job opportunities within the District.</li> </ul>
Mosman Local Strategic Planning Statement 2020	In particular, the project will continue to: <ul style="list-style-type: none"> <li>▪ Provide improved facilities to meet community needs, and foster a culturally rich, creative and socially connected Mosman community</li> </ul>

Strategy	Comment
	<ul style="list-style-type: none"> <li data-bbox="523 215 1423 277">▪ Protect, conserve and enhance Mosman’s urban tree canopy, landform, waterways and bushland setting.</li> <li data-bbox="523 295 1423 394">▪ 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.</li> <li data-bbox="523 412 1423 474">▪ Upgrade zoo facilities, which provides a unique combination of recreational, cultural, tourism and amenity benefits to Mosman LGA.</li> <li data-bbox="523 492 1423 528">▪ Provides opportunities for local employment during construction.</li> </ul>

### 3. DESCRIPTION OF MODIFICATIONS

This section describes the proposed modifications to the architectural and civil drawings including a summary of the key changes and the rationale underpinning the amendments. Copies of the amended drawings prepared by Lahznimmo Architects are attached as **Appendix A**.

Table 1 Plan Modifications

Proposed Amendment	Intended Outcome
Replacement of the approved Koala Talks area with a Dingo exhibit	<p>Taronga Life Sciences representatives have reviewed the portion of the site previously intended to be a koala exhibit area referred to as ‘Koala Talks’ and have identified that the site does not provide positive animal welfare conditions for koalas. Interrogation over the summer months has identified that the site is exposed to unacceptable levels of sun and heat exposure for koalas.</p> <p>To ensure the safety of all animals within the precinct, an amended design has been proposed to incorporate a Dingo exhibit in the Upper Australia Precinct. To ensure adequate space and a high standard of welfare is provided for the dingoes, minor adjustments are proposed to the existing Wild Ropes course and the public walkway, identified as the Southern Link.</p> <p>The proposed amendments will not result in a reduction in koala numbers within the precinct and the inclusion of the Dingo exhibit will provide a greater representation of Australian animal species within the precinct. It is intended to reflect these changes in the approved drawing list and relevant technical reports, including access and DDA.</p> <p>This amendment to the overall precinct will improve koala husbandry and provide a greater representation of Australian animal species within the precinct.</p>
Replacement of Bradley’s Head fence with lower koala containment fence	<p>Further review of the approved Bradley’s Head Road fence has identified that there is no significant benefit to the animals or the precinct in regard to the attenuation of noise or animal safety. It is proposed to replace the current fence with a much smaller ‘koala containment fence’ which will not be visible from Bradley’s Head Road. The amended fence will improve animal welfare and have a lesser visual and heritage impact from Bradley’s Head Road. The purpose of the fence will be to provide animal containment for koalas.</p> <p>With the removal of the fence, TCSA also seek the removal of Condition B57 which relates specifically to the design of the fence.</p>
Deletion of Conditions B16 and B17 relating to ‘Fire Safety’	<p>It is proposed to delete Conditions B16 and B17 at the recommendation of the Australian Bushfire Assessment Consultants, as these Conditions are unnecessary given the scale of the development and are not relevant to the approved scope of works.</p> <p>Further detail and justification is included in the Bushfire Advice Letter (<b>Appendix B</b>) prepared by Australian Bushfire Assessment Consultants.</p>

Proposed Amendment	Intended Outcome
<p>Amend Condition D3 Emergency Management Plan in relation to Bushfire Evacuation</p>	<p>As discussed in December 2020 (during the final stages of the determination of the approved Upper Australia Precinct), the current conditions in relation to bushfire evacuation will result in inconsistencies with the current Taronga Zoo Emergency Response Plan.</p> <p>The current condition identifies evacuation routes towards the west rather than the overflow carpark to the north which is a muster point in the Taronga Zoo Evacuation Plan. The bushfire assessment incorporated into the original EIS recommended evacuation out of the precinct to the west (away from the National Park) but did not remove the possibility for evacuation routes leading to the northern car park. Evacuation to the north provides the most direct access out of the Zoo site and has been confirmed by Australian Bushfire Consultants (<b>Appendix B</b>) as the most appropriate evacuation route.</p> <p>Given the size and nature of the precinct within the Zoo, it is proposed that the condition is updated to reflect the current Taronga Zoo Emergency Response Plan rather than providing individual evacuation methods for one animal precinct.</p>
<p>Amend Conditions D22 and D23 in relation to Tree Planting and Landscape Works</p>	<p>The current conditions in relation to bushfire and vegetation management were also discussed in December 2020 with DPIE. During these discussions the current wording of the conditions was identified as resulting in an unacceptable burden on the site, animal welfare and visitors to the Upper Australia Precinct.</p> <p>Taronga is a leader in wildlife conservation and the development and maintenance of zoo exhibits that provide exemplar welfare conditions for captive animals.</p> <p>The intention of the Upper Australia Precinct is to present a native habitat and feeling of the Australian bush. The current conditions will restrict landscaping on site and does not reflect the vision of the approved landscape plans or the Zoo's own horticulture and public safety requirements. Overall, the landscaping has been designed to provide both food and shelter to animals within the precinct and to reflect the Australian landscape.</p> <p>If the Precinct was to meet the current conditions, this would reduce potential habitats, access to shade and hiding places and food sources for animals within the precinct. The proposed amendments to conditions provided below better reflect the unique nature of the Zoo and the ongoing maintenance of the site undertaken by Zoo staff to ensure safety and the welfare of visitors, staff and animals on site.</p>

## 3.1. AMENDED CONDITIONS

This section outlines the proposed replacement and/or rewording of the conditions of consent imposed by DPIE in accordance with the modifications outlined in **Section 3.1**. The proposed modifications to the conditions of the consent are shown by a strike through the deleted text and red text for new text.

It is proposed to the following conditions:

### D3 Emergency Management Plan

The intention of the recommendations within the Bushfire assessment is that people are initially evacuated away from the bushfire hazard outside the eastern boundary of the site. The relevant recommendation of the Bushfire Assessment was that the evacuation routes be into the Zoo site towards the west, obviously because this is the opposite direction to the east. There is no apparent issue with eventual evacuation to the overflow carpark to the north, especially if this would facilitate the ability for persons to safely leave the site altogether.

Most of Condition D3 is unnecessary in relation to the specific development being considered here and would unnecessarily complicate the existing emergency response procedures for the Zoo.

~~D3. The existing Bush Fire Emergency Management and Evacuation Plan/Bushfire Management Plan must be updated to include the redevelopment of the Upper Australia Precinct and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. Specific updates should include:~~

- ~~a. emphasis that evacuation routes are to be into the zoo site toward the west (away from the bushfire hazard outside the eastern boundary of the zoo) and not to the overflow carpark to the north.~~
- ~~b. re-assessment of the bushfire risk rating considering the Mosman North Sydney Willoughby Bush Fire Management Committee Bush Fire Risk Management Plan 2017-2022 assessment of the likelihood of a bush fire as 'Likely' and the consequence as 'Catastrophic'~~
- ~~c. consideration should be given to the planned closure of the zoo based on specific triggers such as Extreme and/or Catastrophic Fire Danger Rating forecasts.~~

~~The updated Bush Fire Emergency Management and Evacuation Plan/Bushfire Management Plan shall: be prepared by a suitably qualified bushfire consultant in consultation with FRNSW and Mosman Council; demonstrate compliance with the above requirements; and be submitted to and approved by NSW RFS prior to the release of any Occupation Certificate. Any variations to the above requirements must be made to the satisfaction of NSW RFS. A copy of the updated plan shall be submitted to NSW RFS, FRNSW, Planning Secretary, the Certifier, Mosman Council and the Local Emergency Management Committee prior to the commencement of the use.~~

~~The Taronga Zoo Emergency Response Plan shall be updated to incorporate the Upper Australia Precinct. The update to the plan should include provisions so that evacuation routes from the Upper Australia Precinct are to be away from the bushfire hazard outside the eastern boundary of the site.~~

~~Two copies of the updated Emergency Response Plan must be stored in a prominent 'Emergency Information Cabinet' located in a position directly adjacent to the site's main entry point/s.~~

### D22. Vegetation Management Plan

The current requirements are not achievable on site and will impact on animal welfare within the Upper Australia Precinct. The Vegetation Management Plan should be 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.

~~D22. The Zoo's Vegetation Management Plan is to be updated to include the plan required by Condition D23. include the approved development and associated landscaping, including a proposed schedule of maintenance to ensure the provisions of fire and asset protection management zones as an Outer Protection Area (OPA) in accordance with Appendix 4 of Planning for Bushfire Protection 2019. When establishing and maintaining an OPA the following requirements apply:~~

- ~~a. tree canopy cover should be less than 30%;~~
- ~~b. canopies should be separated by 2-5 metres;~~
- ~~c. shrubs should not form a continuous canopy;~~
- ~~d. shrubs should form no more than 20% of ground cover;~~

- ~~e. grass should be cover mown to a height of less than 100 mm; and~~
- ~~f. leaf and other debris should be removed.~~

A copy of the updated plan demonstrating compliance with the above requirements shall be submitted to RFS, FRNSW and the Planning Secretary.

### **D23. Landscaping**

~~D23. The landscaping and revegetation within the proposed exhibit should incorporate the principles of Appendix 4 of Planning for Bushfire Protection 2019, including:~~

- ~~a. A species list of all plantings including estimated size at maturity and a preference for species with low flammability;~~
- ~~b. a maintenance regime that provides for ongoing adequate canopy separation between trees i.e thinning and regular pruning to avoid adjoining canopies, and provides for ongoing pruning of lower limbs of trees;~~
- ~~c. adequate spacing between plantings to avoid continuous vegetation pathways resulting in the creation of fire paths toward vulnerable buildings;~~
- ~~d. regular removal of fine fuels to maintain a fuel reduced landscape;~~
- ~~e. suitable impervious areas are provided immediately surrounding the building such as pathways;~~
- ~~f. grassed areas, mowed lawns or ground cover plantings are provided in close proximity to the building;~~
- ~~g. species are avoided that have rough fibrous bark, or which keep flash shed bark in long strips or retain dead material in their canopies;~~
- ~~h. smooth barks species of trees are chosen which generally do not carry fire up the bark into the crown; and~~
- ~~i. planting of deciduous species are avoided which may increase fuel at surface/ground level.~~

~~A copy of the updated plan demonstrating compliance with the above requirements shall be submitted to RFS, FRNSW and the Planning Secretary.~~

A plan for landscaping and revegetation within the proposed exhibit should be prepared in consultation with an accredited bushfire consultant and should address (in order of priority);

- a. compatibility with animal welfare, creation of habitat within the exhibit and containment requirements;
- b. Taronga Zoo's own horticulture and public safety requirements; and
- c. Relevant principles of Appendix 4 of Planning for Bushfire Protection 2019.

The plan required by the Condition is to form part of the updated Vegetation Management Plan as per Condition D22.

## 4. STATUTORY CONTEXT

This section assesses the proposed modifications in accordance with section 4.55 of the EP&A Act including a comprehensive assessment of whether the modified proposal is substantially the same as the original approval.

The EIS submitted with the original SSDA application addressed the development against the following planning instruments and policies (in accordance with the project SEARs):

- *Environmental Planning and Assessment Act 1979*
- *Exhibited Animals Protection Act 1986*
- *State Environmental Planning Policy (State & Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No.55 – Remediation of Land*
- *State Environmental Planning Policy No 64 – Advertising and Signage*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Draft State Environmental Planning Policy (Environment)*
- *Mosman Local Environmental Plan 2012*

Further to the assessment provided under the original SSDA application, the proposed modifications are consistent with the relevant provisions and objectives of these instruments and policies as detailed in the table below:

Table 2 EPI Assessment

<b>SEPP</b>	<b>Comment</b>
<b>State Environmental Planning Policy (Infrastructure) 2007</b>	The proposed modifications to the approved development do not alter the conditions of the Infrastructure SEPP as the proposal only results in updates to an existing animal precinct within Zoo.
<b>SEPP (State &amp; Regional Development) 2011</b>	The proposed modifications do not affect the development's classification as SSD as approved in the original SSD.
<b>SEPP No. 55 – Remediation of Land</b>	The proposal mainly seeks to amend and reduce the approved building footprints across the site. As such, the site remains suitable for the proposed development without the need for remediation works in addition to those approved by SSD-10567.
<b>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</b>	<p>The site is located within the foreshore and waterways area of SREP 2005 and is identified as a "Strategic Foreshore Site". The original SSD demonstrated that the proposed development was consistent with the provisions of the plan. The proposal remains consistent with the planning principles relating to the Sydney Harbour Catchment Authority as it will not have any significant adverse impacts on the Sydney Harbour Catchment.</p> <p>Scenic and visual qualities of the Sydney Harbour catchment area will continue to be maintained and protected as the proposed works will</p>

SEPP	Comment
	replace an existing exhibit, will remain below the existing tree canopy and will not be visible from the Harbour.
<b>Mosman Local Environmental Plan 2012</b>	
Aims of MLEP 2012	<p>The proposed modified works reflects the various aims of the MLEP 2012 by:</p> <ul style="list-style-type: none"> <li>▪ Enhancing an existing recreational and tourist facility for local and international visitors;</li> <li>▪ Retaining a design that will preserve the natural, visual, environmental and heritage qualities of Mosman and Sydney Harbour including items of European and Aboriginal heritage items on the site;</li> <li>▪ Maintaining views from public streets and private properties towards Sydney Harbour; and</li> <li>▪ Continuing to advocate the importance of ecological sustainability through the overall design of the proposed exhibit and adopting sustainable building materials and construction methods.</li> </ul>
Zoning and Permissibility (Clause 2.3)	<p>The site is zoned SP1 Special Activities and is identified on the zoning map as “Zoological Gardens” under MLEP 2012. 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.</p> <p>The proposed modified development is permitted with consent and will remain consistent with the SP1 zone objectives in that it will:</p> <ul style="list-style-type: none"> <li>▪ Preserve the special use of the site as the dominant purpose by maintaining an approved animal precinct;</li> <li>▪ Protect the natural characteristics of the site including vegetation; and</li> <li>▪ Minimises any adverse impacts on surrounding land by incorporating manageable bushfire safety conditions.</li> </ul>
Height (Clause 4.3)	No maximum building heights apply to the site. However, the proposed modification will not result in any changes to the height of the approved development.
Floor Space Ratio (Clause 4.4)	No maximum floor space ratio applies to the site.
Preservation of Trees (Clause 5.9)	The modified design will result in the loss of an additional two low-moderate retention trees to accommodate the amended Southern Link path. This will result in a total of 39 trees being removed within the precinct but will not reduce the overall tree canopy of the Precinct.
Heritage Conservation (Clause 5.10)	Taronga Zoo site contains several locally listed heritage items, identified as Item I34 being the “Rainforest Aviary”, “Elephant House”, “bus shelter and office”, “floral clock” and “upper and lower entrance gates”. None of these items are located within the Upper Australia Precinct.

<b>SEPP</b>	<b>Comment</b>
	There will not be any adverse impact on any locally listed items as a result of the proposed modification.
Scenic Protection (Clause 6.4)	<p>Pursuant to clause 6.4 of MLEP 2012, the site is identified as a “Scenic Protection Area”. Development consent must not be granted to any development on land in a Scenic Protection Area unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the proposed development, to minimise the visual impact of the development to and from Sydney Harbour, and the development will maintain the existing natural landscape and landform.</p> <p>The proposed works will remain below the existing tree canopy of the precinct and will not be visible from Sydney Harbour or the foreshore.</p> <p>Further, the proposed works will not impact upon existing view corridors.</p>

## 5. ENGAGEMENT

### 5.1. MOSMAN COUNCIL

A meeting with Mosman Council was held at Council offices on 30 March with TSCA representatives and Urbis to discuss current projects being undertaken at Taronga Zoo including the current modification to the Upper Australia Precinct. Council was generally supportive of the overall redevelopment of the Upper Australia Precinct as an animal precinct and will be notified of the proposed development during public exhibition of the Modification Report.

We trust that this initial consultation will assist to understand the scope of works proposed to be assessed by Council and DPIE.

### 5.2. DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT

In accordance with the Department of Planning, Industry and Environment's (DPIE) protocol of conducting 'scoping meetings' prior to formal lodgement of SEARs, a meeting was held on 22 February via teleconference between the members of the project team and members of the Key Sites team at DPIE including:

- Cameron Sargeant, DPIE
- Minoshi Weerasinghe, DPIE
- True Swain, TSCA
- Sarah Horsfield, Urbis
- Brigitte Bradley, Urbis

The key areas of discussion included the following:

- No issues were raised in relation to the overall design changes.
- The proposed amendments are considered as a Section 4.55 (1A) Application.
- The original SEARs issued for the SSDA is not required to be modified.
- TSCA must consult with NSW Rural Fire Service and Fire & Rescue NSW prior to lodging the modification application to discuss potential changes to conditions.
- The Green Travel Plan (GTP) referenced in the current conditions of consent relates specifically to the Upper Australia Precinct – If a new master plan is to be prepared, DPIE recommend incorporating a holistic GTP.
- Further stakeholder engagement excluding RFS is not required.

### 5.3. RURAL FIRE SERVICE

As noted above, DPIE specifically requested additional consultation with RFS prior to lodgement of the modification report to discuss the proposed amended to the conditions of consent.

As noted in the Bushfire Assessment prepared by Australian Bushfire Solutions (**Appendix B**), discussions between Simon Carroll from Australian Bushfire Consultants and RFS staff did occur in March 2021 to discuss the overall complexity of conditions in comparison to the relatively minor nature of the proposed works.

During these discussions, Simon tried to organise an onsite meeting to discuss how the conditions would impact on the welfare of animals within the Upper Australia Precinct. While there were multiple attempts to organise the meeting, no times were provided by RFS who confirmed they would review the application when it was referred by DPIE during the formal assessment process.

## **5.4. REGISTERED ABORIGINAL PARTIES**

Consultation was undertaken with Registered Aboriginal Parties (RAPs) to ensure that the proposed design has no impacts on items of Aboriginal significance on the site. The proposed modifications do not result in any additional excavation which could impact on items of Aboriginal significance. Internal stakeholders have been involved with the modified design to ensure that the proposed design acknowledges the traditional custodians of the site with opportunities for educational activations to educate visitors on Indigenous culture.

# 6. ASSESSMENT OF IMPACTS

## 6.1.1. Built Form and Visual Impacts

As noted in Section 3, the proposed modification does seek to incorporate the following minor design updates which do not impact on the overall visual character of the site for the following reasons:

- The introduction of dingoes into the Upper Australia Precinct will result in minimal changes to the overall built form and will remain within the existing tree canopy of the site (see **Figures 1 and 2**).
- Replacement of the approved fence along Bradley's Head Road will provide less visibility from the road frontage and allow for potential views into the precinct from the public domain. (see **Figure 1**).
- Amendments to the conditions of consent relating to vegetation management will ensure that the existing tree canopy will be maintained to ensure the proposed precinct will not result in any significant adverse visual impacts on the Sydney Harbour Catchment.

Overall, the proposed works have no visual impacts from Sydney Harbour or key views surrounding Taronga Zoo.

Figure 1 Amended fence on Bradley's Head Road



Picture 1 Amended fence on Bradley's Head Road



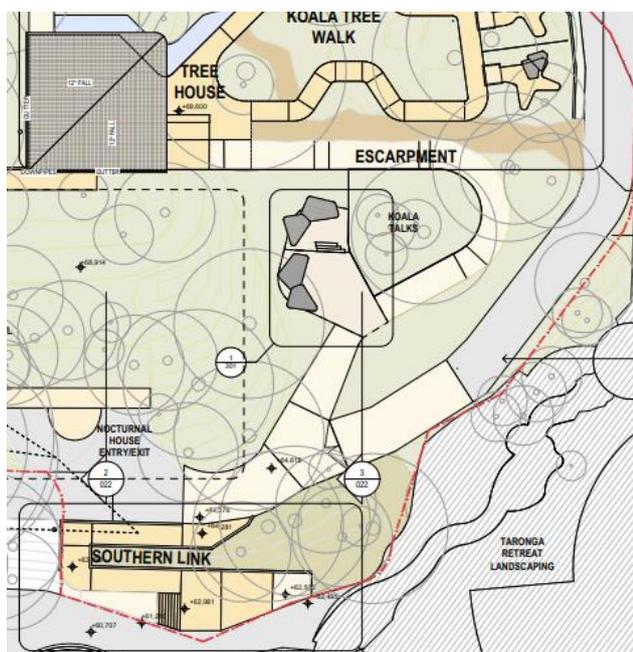
Picture 2 Updated views from Sydney Harbour

Source: Lahznimmo

## 6.1.2. Access

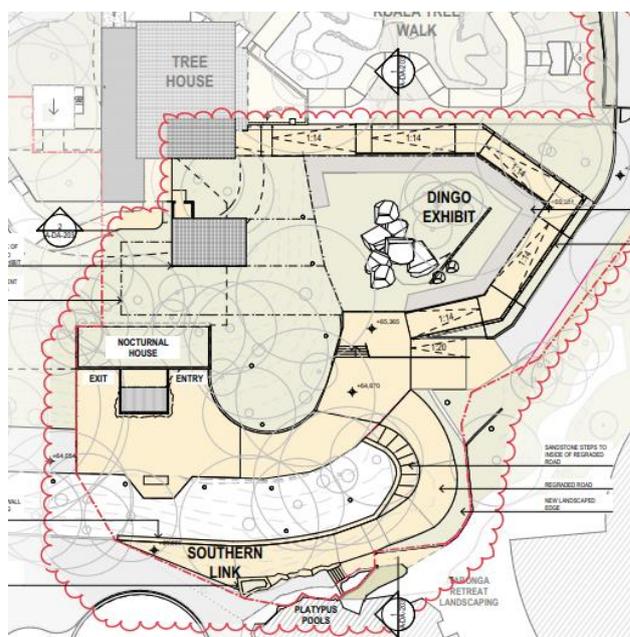
As illustrated in **Figure 2**, the redesign of the precinct will result in the extension of the Southern Link walkway. The works proposed to the existing 'Southern Link' generally involved the widening and repositioning of the path resulting in an overall shallower grade. An assessment of the overall accessibility of the modified design has been prepared by Matt Shuter and Associates (**Appendix E**). The report confirms that the proposed modification to the overall design are considered to be capable of compliance with the relevant accessibility requirements and Australian Standards.

Figure 2 Proposed modifications to Southern Link



Picture 3 Approved site plan

Source: Lahznimmo



Picture 4 Proposed site plan

Source:

## 6.1.3. Tree Removal

Two additional trees are proposed for removal as part of the modified layout of the Southern Link. An amended Arborist Report prepared by Sydney Trees (**Appendix F**) has assessed the impacts on the additional tree removal. None of the approved or proposed trees to be removed are listed on the Section 170 Register or identified to have a high retention value. The removal of the trees can be undertaken in accordance with the recommendations of the approved development.

A Biodiversity Development Assessment Report (BDAR) has been prepared by Narla Environmental (**Appendix G**) to reflect the additional tree removal and amended design. Vegetation within the Upper Australia Precinct is largely comprised of planted vegetation that is subject to landscaping, regular maintenance and has been historically cleared for the purpose of creating suitable animal enclosures and wetlands.

## 6.1.4. Bushfire

Overall, the current bushfire conditions will have detrimental impacts on the welfare of animals within the Upper Australia Precinct. The proposed amendments to the Bushfire conditions have been reviewed by Australian Bushfire Assessment Consultants in **Appendix B** and reflect the assessment and recommendations of their approved Bushfire Report.

Overall, the amended conditions will ensure that Taronga maintains its reputation as a global leader in exhibit design and providing positive welfare conditions for the animals in our care.

Changes to the bushfire and vegetation conditions will ensure the ongoing success of the Upper Australian Precinct for the following reasons:

- The overall tree canopy is required to provide habitat and shade to exhibit animals and for wild animals that inhabit the zoo.
- Exhibit animals cannot leave the exhibit so the provision of appropriate shade is critical to their comfort and welfare. Shrubs are also required to provide vital habitat and shade for exhibit animals that provides positive animal welfare.
- The precinct provides a habitat for wild native animals and the maintenance of shrubs assists in the conservation of habitat for these species.
- Taronga maintains plants, shrubs, trees and leaf matter with a full-time horticulture team. Gardens including mulch are managed on a daily basis.
- Retention of mature trees on site is critical to the zoo wide habitat, including migratory birds and maintains the overall tree canopy of the site.

### 6.1.5. Heritage

Taronga Zoo is well recognised as place of heritage significance and has been subject to a number of heritage and archaeological studies. The Taronga Zoo Conservation Strategy 2000 (the Conservation Strategy) by GML is the key document that guides the future management of heritage resources within the Zoo.

The significance of Taronga Zoo as a whole is articulated in the Conservation Strategy, with developments in the precinct required to have regard to this sensitive and important environment. Approval for SSD- 10456 was partly granted on the basis that the development has minimal impact to the heritage significance of the precinct.

The proposed modifications will not cause any additional impacts to surrounding heritage items and will not detract from the heritage amenity of the zoo.

While the Upper Australia Precinct does not include any locally listed heritage items, the approved development did result in minor impacts to heritage items identified as having heritage significance under the Zoological Parks Board (ZPB) Section 170 Heritage and Conservation Register.

A review of the proposed modifications has been undertaken by Urbis (**Appendix C**) to assess any additional impacts on Section 170 Register items within the precinct. Overall, the proposed development is considered to be acceptable from a heritage perspective for the following reasons:

- The replacement of the Koala Talks exhibit with a Dingo exhibit would represent a minor reconfiguration of the approved elements in the area and a similar level of intervention. There are no additional visual impacts assessed as a result of the modification of this approved element.
- The amendment to the Southern Link would result in a requirement to remove two additional trees (trees 90 and 91). Both trees are not individually listed on the relevant Section 170 Register and the impact of its removal is considered from an Aborigicultural perspective in the accompanying report (**Appendix F**). While it is noted that the two additional trees to be removed are not individually identified to be significant from a cultural heritage perspective, their contribution to the presentation of Item 123L (Australian Sections Landscaping) is acknowledged. It is considered that the removal of two additional trees is of minor significance in the context of the precinct overall.
- The replacement of the approved fence on Bradley's Head Road with a lower containment fence will continue to provide animal protection and is significantly less visible behind the early stone wall with vegetation planted between the two walls. This is considered to provide a better outcome and provides improved visual separation with vegetation providing screening between the stone wall and containment fence.
- The proposed amendments to the current bushfire and vegetation management are considered to result in less intervention to landscape/vegetation of the site would have a positive impact in terms of generally retaining the landscape character of the precinct and showcasing native Australian landscapes in an unobtrusive way which continues to meet the relevant animal welfare requirements
- No additional excavation is proposed as part of the modification.

In summary, the proposed modifications have no detrimental impacts on the heritage significance of the subject site.

## **6.2. SECTION 4.55 OF THE EP&A ACT**

### **6.2.1. Minimal Environmental Impact**

The proposed modifications are considered minor in nature and will not have a major impact on surrounding land uses. No new land uses are proposed on the site and the modification will result in minor design changes to an approved animal exhibit. Changes to conditions relating to bushfire management reflect the unique use of the site and high level of safety currently undertaken by the Zoo.

In accordance with Section 4.55(1A)(a), the amended scheme is considered to have a minimal environmental impact for the following reasons:

- The modifications do not result in any changes to the approved bulk, scale and height of the structures on the site.
- Does not result in any operational changes to the Zoo including hours of operation, use of the site and staff and visitor numbers.
- The proposed modification can satisfactorily meet existing conditions of consent relating to SSD-10456, other than a limited number of conditions which are proposed to be modified.
- Does not result in intensification of use and reflects the vision of the site to provide conservation and education of Australian animals within the Zoo.

### **6.2.2. Substantially the Same Development**

The proposal has been assessed to determine whether the modified development would be substantially the same as the approved development.

The proposed modification does not result in any changes to the following key features of the approved development:

- The proposal does not deviate from the key purposes of the Zoological Act and continues to provide opportunity for the public to view animals.
- The proposal will ensure the redevelopment of the Zoo's Australian Precinct is complete, which is a major focus of the TSCA Centenary Plan and a key attraction for international visitors to the Zoo.
- Amendments to conditions reflect the approved use of the site and ensure that the development can successfully reflect the approved vision and design by providing a range of Australian animals for public display.
- As demonstrated in this report, no additional environmental impacts are expected compared to the approved development.

Based on the above, the proposed modifications do not substantially change the development for which consent was originally granted are substantially the same under section 4.55(1A) given the modifications are minor in nature and do not change approved use of the precinct as an animal exhibit.

## **7. EVALUATION OF MERIT**

### **7.1. SOCIAL AND ECONOMIC IMPACTS**

The modifications will result in improvements to an improved animal precinct within Taronga Zoo, an iconic tourist destination within Sydney and NSW and will have the following social and economic impacts:

- The provision of greater safety and comfort to visitors and guests through improved evacuation procedures.
- Ensures the ongoing animal welfare requirements within the Precinct are met to reflect the Zoo's reputation as a world-class animal welfare and conservation centre.
- The modifications will increase the variety of Australian animals within the Australian Precinct to attract a range of visitors to the Precinct for educational and immersive experiences.
- Assists Taronga Zoo in recovering from bushfires and COVID-19 and create/sustain on-going operational jobs.

### **7.2. SUITABILITY OF THE SITE**

The site is considered highly suitable for the proposed development for the following reasons:

- The proposed works are permitted with development consent.
- The proposed works are compliant with the relevant state and local planning instruments.
- The site provides a continuation of the current use of the site for Zoological Gardens and will provide an improved visitor experience including site accessibility as well as overall improvements to animal care.

### **7.3. PUBLIC INTEREST**

The proposed development is considered in the public interest for the following reasons:

- The project will reinforce Taronga Zoo's position as a major tourist attraction and therefore improve NSW tourism sector when it recovers after the COVID-19 pandemic.
- It will create approximately 800 jobs including design, project management and construction over the 18-month design development and construction period and will sustain direct and indirect jobs during its ongoing operation.
- During the preparation of the EIS, no feedback was received from the general public.

### **7.4. CONCLUSION**

This Modification Report has been prepared in support of SSD-10456 to assess the environmental, social and economic impacts of the Upper Australia Precinct for Taronga Zoo. The EIS has addressed the issues identified in the SEARs and has been prepared in accordance with Schedule 2 of the EP&A Regulation. For the reasons outlined in this report, the site is suitable for the proposed development for the following reasons:

- The modified design positively responds to the site conditions and existing landscape character of the locality.
- The proposed amended works will facilitate the continued use of the site as an animal exhibit, which is permissible with consent and consistent with the zone objectives. Further, there are no significant environmental constraints that would limit the proposal from being developed at the site.
- The proposed works are respectful of the heritage significance of the overall Australia Precinct and will enhance the original design intent of the Precinct to showcase Australian native animals.
- The modified works will not have any significant detrimental impact on the scenic, visual and natural bushland setting of Sydney Harbour.

- The proposal has been prepared having regard to State and Council planning policies and complies with the aims and objectives of the controls for the site.
- Subject to the various mitigation measures recommended by the specialist consultants, the modified proposal does not have any unreasonable impacts on adjoining properties or the public domain in terms of views, traffic, acoustic and environmental impacts.
- The site is well serviced by public transport and various walking and cycling routes. Further, the proposal greatly encourages the use of non-private vehicle options to access the site.
- The project will continue to deliver genuine economic benefits in these challenging times, particularly in creating full-time jobs during construction, and will sustain direct and indirect jobs during its ongoing operation.

This project is fully funded and 'shovel ready' for commencement of construction to begin shortly. Given the site is suitable for the development and the modified proposal has minimal environmental impacts and is in the public interest, this application should be subject to a fast-tracked approval by the Minister or his delegates.

# DISCLAIMER

This report is dated 19 April 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Taronga Conservation Society Australia (**Instructing Party**) for the purpose of s4.55(1A) Modification (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

# APPENDIX A – ARCHITECTURAL PLANS

# APPENDIX B – BUSHFIRE REPORT

# APPENDIX C – HERITAGE IMPACT STATEMENT

# APPENDIX D – CIVIL PLANS

# APPENDIX E – ACCESS STATEMENT

# APPENDIX F – ARBORIST REPORT

# APPENDIX G – BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT

# APPENDIX H – QS CERTIFICATE



