

28 April 2022

218335

Michael Cassel
Planning Secretary
Department of Planning and Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Dear Mr Cassel,

SECTION 4.55(1A) MODIFICATION APPLICATION TO SSD7228 SYDNEY ZOO – MODIFICATION 9

This application has been prepared by Ethos Urban on behalf of Sydney Zoo, pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to modify State Significant Development Consent 7228 (SSD) for the Sydney Zoo in Bungarribee Park, Western Sydney Parklands (the site).

This modification application seeks to delete Condition B10C, which relates to the 300-person visitor cap between the hours of 7:30am and 9:00am. The deletion of Condition B10C is proposed to extend Sydney Zoo's operating hours so that the zoo can accommodate additional morning tour groups. This minor operational change is necessary for the zoo to diversify its offering to provide for additional tourists, which includes increasing the variety of private zoo experiences and small group tours, as part of the economic recovery from the impacts of the COVID-19 pandemic.

This modification application identifies the consent, describes the proposed modification and provides an assessment of the relevant matters contained in section 4.55(1A) of the EP&A Act. This application is supported by the following documentation:

- Traffic Impact Assessment prepared by The Transport Planning Partnership (**Attachment A**); and
- Social Benefits brochure prepared by Sydney Zoo (**Attachment B**).

1.0 Consent proposed to be modified

On 8 September 2017 the Planning Assessment Commission (PAC) approved SSD 7228 for the construction and operation of a zoological facility within the Western Sydney Parklands, the Sydney Zoo. The development provides a new recreational facility for Western Sydney which opened to the public on 6 December 2019.

The development as approved by the PAC comprised a zoological facility containing animal exhibits and associated infrastructure over the site, being a total area of approximately 16.5ha, for the following key components:

- Animal exhibits across several enclosures of varying design for a range of native and exotic animals;
- Back-of-house buildings for exhibits;
- Main entrance building comprising entry/exit, and gift shop;
- Restaurant and café, kiosks and amenities;
- Educational show arena;
- Picnic areas and gardens;
- Wetlands and waterways;
- Service building containing administration areas; curatorial and food preparation areas; and veterinarian space;

- Service yard with maintenance shelter;
- Internal services and utilities to support the zoo, including water, sewer, electricity and telecommunications;
- Car parking for approximately 1,053 vehicles, bus and coach parking; and
- Wayfinding signage and landscaping of the site associated with all of the above.

A number of modifications have been lodged and approved by the Department of Planning and Environment (DPE) since the consent was issued and as a result of design development refinement:

- Modification 1 sought to provide for design refinement based on the operational needs of the zoo and after consultation with the Department of Primary Industries (Exhibited Animals) in relation to improving animal welfare, handling and management. The modification provided for the reconfiguration of exhibits, buildings and back-of-house facilities within the zoo site and was approved by the Department on 8 May 2018.
- Modification 2 related to the reconfiguration of the aquatic habitat, realignment of the boardwalk access path and amendments to the Landscape Masterplan. MOD 2 was approved on 20 September 2018.
- Modification 3 relates changes to the hours of operation and was lodged on 4 December 2018. The modification was approved on 25 November 2019;
- Modification 4 related to the addition of new back of house sheds and was approved on 4 July 2019;
- Modification 5 proposed amendments to conditions, however this application was withdrawn;
- Modification 6 proposed design changes to the Farm Experience exhibit, and was approved on 3 June 2020; and
- Modification 7 proposed to extend the operating hours of the zoo, and was approved on 28 June 2021.
- Modification 8 proposed the installation of a permanent Ferris wheel as an additional guest experience offering which was approved on 15 February 2022.

2.0 Proposed modifications to the consent

This modification application seeks approval under Section 4.55(1A) of the EP&A Act to modify the approved SSD to provide for the removal of the 300-person visitor cap between the hours of 7:30am and 9:00am, which is currently enforced by Condition B10C of the existing approval. Condition B10B relating to the maximum patronage for each private zoo experience and tour is to be retained.

2.1 Modifications to conditions

The proposed modification described above necessitates the deletion of Condition B10C, as shown below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

~~**B10C The maximum number of visitors permitted on site for private zoo experiences / small group tours commencing between the hours of 7:30 am and 9 am is limited to a maximum total of 300 visitors.**~~

2.2 Justification

The proposed deletion of Condition B10C is required to extend accommodate additional morning tour groups before the general public opening hours commence at 9am. The removal of the 300-person visitor cap between 7:30am and 9:00am is sought by Sydney Zoo to increase the variety of guided tours and private zoo experiences, in addition to supporting the operation of morning events and activities. This will enable the zoo to further diversify its offering, which will attract additional visitors and create additional revenue opportunities.

The inclusion of B10C came from Modification 3 which looked to amend the operating hours of the Zoo and allow for early morning tours to be conducted on the site. It is noted that Modification 3 was also lodged prior to the Zoo commencing operation and the estimate of demand for these activities was based on estimates (which indicated

600 persons). Modification 3 was approved for 300 persons as noted in the current wording of Condition B10C. The assessment report for Modification 3 does however note that the original sought 600 person cap would not have any unacceptable environmental impact. It also notes that impacts to the benefits provided by other recreational facilities is a matter for consideration with respect to the overall social and economic benefits provided by similar attractions. Social and economic benefits are displayed in the brochure provided at **Attachment B**, and are further discussed in **Section 4.3**.

The proposed modification is a fundamental part of the zoo's broader post-COVID recovery plan, following closure of the zoo from April 2020 until September 2020, with another shutdown between June 2021 and October 2021 due to Government health restrictions. Noting financial hardship endured by the zoo due to these closures, additional revenue opportunities afforded by the proposed modification are essential to ensure the zoo remains competitive as a high-quality tourist attraction of regional significance, contributing to the broader tourism cluster of Western Sydney tourist facilities and attractions.

Notwithstanding the closures from April 2020 until September 2020 and from June 2021 until October 2021, Sydney Zoo continued to stimulate the local visitor economy throughout 2020/2021. This benefit is expected on the basis that even during the COVID-19 affected year of 2020, Sydney Zoo recorded approximately 720,000 visitors. Visitation to Sydney Zoo during this period was greater than recent visitation reported at Taronga Zoo (approx. 650,000), and greater than what Sydney Zoo understands has been achieved recently at Featherdale Wildlife Park.

These visitation numbers demonstrate the success of Sydney Zoo in respect to expanding the local tourism offering. This reinforces the value of Sydney Zoo in regarding the need for a robust tourism offering within Western Sydney, which has historically been underserved in respect to the availability of high-quality regional tourist attractions of this type. Furthermore, Sydney Zoo has been actively building the tour group market with the aim of increasing overall visitation to Western Sydney, rather than to build competition with existing services offered by other facilities.

The above-listed visitation numbers further indicate the value of Sydney Zoo as a popular attraction that provides opportunities for visitor engagement and wildlife conservation education. Noting the zoo's demonstrated ability to 'weather hard times', the essential function of Sydney Zoo as a robust regional catalyst for wildlife conservation and education must be considered. This is further discussed in **Section 4.3.3**.

Additional revenue opportunities afforded by the proposed modification will further enable the zoo to activate the local visitor economy during periods of economic downturn. Since the operation of the Zoo commenced, amended estimates for tours is now more accurate based on interest by tour market operators (once tourists begin returning to Western Sydney). As reflected by these numbers, the Zoo has continued to provide a strong visitor and recreational destination. As stated, the social benefits of this are displayed at **Attachment B**, and are further considered at **Section 4.3**.

It is further noted that the offering of attractions at 'West HQ' in Rooty Hill continues to expand. This flagship entertainment, fitness, lifestyle and accommodation destination has been monumental in respect to the diversification of the local visitor offering across Western Sydney. The proposed modification represents a suitable opportunity to contribute to a growing local tourism cluster that will provide leisure, employment and revenue opportunities across Western Sydney.

Noting also that the zoo is an important employment generator that delivers substantial community benefits, the improved commercial viability enabled through this modification is extremely important. This will further enable the zoo to make a positive contribution to the post-COVID recovery of Western Sydney.

2.2.1 Private zoo experiences and guided tours

Private zoo experiences and tours currently may operate on site for groups of up to 60 persons per group under Condition B10B, including between 7.30am and 9am in accordance with condition B10C of the existing approval. However, the 300-person visitor cap under Condition B10C between 7:30am and 9:00am imposes an unreasonable restriction on the number of tours that may operate simultaneously during this period. The proposed modification is necessary to accommodate present and future operational requirements of private zoo experiences and tours (noting these will operate within the overall patronage for the zoo), including:

- Additional morning tour groups and private zoo experiences, which may vary in size and duration. This will allow the zoo to diversify its service offering with respect to exclusivity and pricing. Patronage for each tour will remain regulated by Condition B10B of the existing approval.
- Capacity for additional morning tour groups that may require access to the zoo before 9:00am to synchronise with tour operators that will visit multiple attractions across Greater Sydney over the course of one day.
- Future scheduling adjustments to provide capacity for additional tour groups in the afternoon and evening, which is likely to be necessary as the zoo continues to strengthen its brand image as a destination of choice. This will be essential as international tourist numbers increase upon the easing of COVID-19 travel restrictions.

3.0 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The proposed modification comprises a minor amendment to the approved operational scope of Sydney Zoo. No material change is proposed to fundamental aspects of the approved development, including land use characteristics and built form. As detailed in **Section 4.2**, all activities at the zoo will remain regulated by existing conditions of consent with respect to noise, tour patronage, event capacity, and event frequency. Noting also that the proposed modification will not result in any adverse traffic impacts (refer to **Section 4.1**), the modification is not considered to alter environmental impacts considered by the Department in the original assessment of SSD 7228.

In order to be considered substantially the same development as the existing approved development, a comparative assessment is required between the development as originally approved and the development as it is proposed to be modified (by the deletion of Condition B10C). This analysis is outlined in **Table 1**.

Table 1 Comparative analysis

Test	Analysis
<p>The assessment requires comparison of the development as originally approved and the development as proposed to be modified.</p>	<p>The proposed deletion of Condition B10C reflects a minor change to the approved operational scope for Sydney Zoo. Associated impacts will be negligible, and within scope of the environmental impacts considered by the Department as part of the original assessment of SSD 7228 because:</p> <ul style="list-style-type: none"> • As detailed in Section 4.2, no change is proposed to the suite of existing conditions that regulate activities on site with respect to noise generation, event patronage, tour patronage and other necessary matters. • Traffic and transport impacts are negligible, and will be within the scope of impacts considered as part of the original assessment of SSD 7228. This is established in Section 4.1. • The proposed removal of the 300-person visitor cap is only applicable to private zoo experiences and tours that operate on site between 7:30am and 9:00am. This is considered to be an extremely minor change with respect to the overall operation and capacity of the zoo, as approved under SSD 7228. • Condition B10C was added as part of Modification 3 and therefore its removal has no effect on the comparison with the SSD as originally approved.
<p>The comparative task involves a comparison of the physical features or components of the development in context.</p>	<p>Contextually, the site is located within the Bungarribee Super Park, which is intended to be a major tourist and recreation destination. The deletion of Condition B10C within this context is reasonable because:</p> <ul style="list-style-type: none"> • As detailed in Section 4.5, the minor operational change proposed under this modification is considered to support the intended function of Sydney Zoo as a high quality tourist attraction. This remains consistent with the Western Sydney Parklands Plan of Management, which identifies Bungarribee Super Park as suitable for a tourist and commercial hub. • As detailed in Section 4.4, the removal of the 300-person visitor cap between 7:30am and 9:00am is considered appropriate in context to the variety and frequency of private zoo experiences and tours available at other major tourist facilities outside public entry hours. The deletion of Condition B10C is consistent with the broader national trend of major tourist

Test	Analysis
	attractions having to diversify their offering to remain competitive and address customer demand.
The comparative task requires a qualitative as well as quantitative appreciation of the differences.	From a quantitative perspective, the proposed deletion of Condition B10C is trivial because it relates only to private zoo experiences and tours that operate on site between 7:30am and 9:00am. The proposed change is negligible with respect to the zoo’s overall operational scope and capacity. As established, no material change is proposed to the existing approved development, including the approved built form and land uses on site.
The comparative task needs to be undertaken in context (including the circumstances in which the development consent was granted).	Relevant to the context of the comparative task is the characterisation of the land use. A key issue of the assessment of the EIS for the zoo was the socio-economic impact of the Sydney Zoo as a major recreational facility on similar facilities in western Sydney – from both a beneficial and negative perspective. Relevant land uses identified in relation to this context are a range of recreational and tourism related facilities. Sydney Zoo was clearly assessed as a recreational facility. The minor operational change proposed is intended to augment the function of the zoo, including existing approved land uses on site. No change in land use is proposed. Therefore, the proposed modification reflects a negligible change to the nature of the development as originally approved.
The comparative task needs to assess the physical features that are changed, but also the environmental implications of the changes.	As established, no material change is proposed to the existing approved development, including the approved built form and land uses on site. The environmental assessment provided in Section 4.0 confirms associated impacts will be negligible, and within scope of the environmental impacts considered by the Department as part of the original assessment of SSD 7228. The assessment provided in Section 4.1 considers traffic and transport impacts, which will be inconsequential. Existing parking facilities on site are suitable in relation to the minor operational change proposed, given public opening hours (9:00am – 11:00pm) will remain unchanged, as enforced by Condition B10 of the existing approval. Section 4.2 outlines conditions of consent that relate to the regulation of noise generation, event patronage, event frequency, and tour patronage. No change is proposed to these conditions, which will remain enforceable to all activities on site.
While the comparative task involves comparison of the whole of the development, this should not diminish a feature of the development that is important, material or essential.	As above, the proposed deletion of Condition B10C is trivial because it relates only to private zoo experiences and tours that operate on site between 7:30am and 9:00am. The proposed change is therefore negligible with respect to the zoo’s overall operational scope and capacity. It is established throughout this report that environmental impacts attributed to the proposed modification will be negligible and within scope of the environmental impacts considered by the Department as part of the original assessment of SSD 7228. Noting also that the modification does not comprise any material change with respect to built form or land use, it is therefore considered that the proposal will not diminish any feature or characteristic of the existing approved development that is important, material or essential.

3.1.1 Summary

The proposed modification is therefore substantially the same development as the development for which consent was granted as:

- The proposed modification does not alter the key components of the approved development description. The modified proposal remains consistent with the Western Sydney Parklands Plan of Management, which identifies Bungarribee Super Park as suitable for a tourist and commercial hub.
- The proposed modification does not add any new physical structures or built form, and does not affect the overall footprint of the development, or its interaction with the public domain and urban design outcomes;
- The minor operational change proposed is negligible with respect to the zoo’s overall operational scope and overall operational capacity, noting Condition B10C relates only to private zoo experiences and tours between 7:30am and 9:00am. The proposal will not diminish any feature or characteristic of the existing approved development that is important, material or essential.
- The proposed operational change will provide for an improved variety of private zoo experiences and tours. This is consistent with the broader national trend of major tourist attractions having to diversify their offering to remain competitive and address customer demand. The minor operational change proposed is therefore reasonably anticipated.

- Private zoo experiences and tours are already permitted to operate on site, including within the hours that are currently subject to Condition B10C. No change is proposed to the approved mix of land use activities on site, such that the proposed modification is inconsequential with respect to land use characterisation.
- There are no changes to car parking areas, access arrangements or vehicular/pedestrian circulation paths.
- The proposed modification results in no changes to sensitive views from the public domain.
- Environmental impacts of the modified development remain consistent with the approved development.

For these reasons, the Department can be satisfied that the modified proposal is substantially the same development for which consent was originally granted.

As the changes result in minimal environmental impact, the modification application can be appropriately assessed and determined under Section 4.55(1A) of the EP&A Act. Further discussion is provided in **Section 4.0**.

4.0 Environmental assessment

Under section 4.55(3) the consent Authority must take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact. In particular, the proposed modifications will not create any additional environmental impacts beyond those already considered by the Department as part of the original assessment of SSD 7228 with regard to the following:

- Air and odour;
- Aboriginal Heritage;
- Landscaping;
- Built form;
- Visual Impact;
- Social and economic impacts;
- Vegetation and biodiversity;
- Waste management;
- Bushfire management;
- Hazards and risk;
- Ecologically sustainable development; and
- Infrastructure and servicing.

Where considered appropriate, additional environmental assessment has been undertaken below.

4.1 Traffic and transport

A Transport Impact Assessment (TIA) has been prepared by The Transport Planning Partnership, which is included at **Attachment A**. The assessment considers traffic and parking implications of the proposed modification, which does not propose any change to the current access arrangements or operation of the car park on site. Key factors that have informed the TIA include that the proposed modification may:

- Attract 1,500 visitors that will attend private zoo experiences and small group tours commencing before 9am.
- Introduce an additional 50 coach movements (25 inbound and 25 outbound) onto the road network prior to 9:00am to accommodate these visitors.

The TIA confirmed that the existing coach/bus layover area is sufficient to accommodate the forecasted volume of coach movements attributed to the proposed deletion of Condition B10C. Former swept path analysis for a 14.5m long rigid bus (coach) was undertaken as part of the Operational Traffic Management Plan submitted for SSD 7228, which shows that coaches are able to adequately enter and exit the site, and circulate internal to the car park.

In addition, detailed SIDRA results were generated to assess the capacity of the intersection of Great Western Highway, Rudders Street and the Sydney Zoo access drive. These results indicated that this intersection would operate satisfactorily with level of service of “B”, during both existing and post-modification traffic scenarios.

It is further noted that the TIA was prepared under the conservative assumption that all 1,500 visitors would arrive within the morning peak hour between 7:30am and 8:30am. In reality, it is likely that visitor arrivals will not be concentrated between 7:30am and 8:30am, noting Condition B10C applies between 7:30am and 9:00am. However, this conservative assumption was made to ensure the full extent of potential traffic and transport impacts was considered.

The TIA concluded that the proposed modification is acceptable from a traffic and parking perspective and is not expected to result in any noticeable adverse traffic impacts on the surrounding road network. It is therefore considered that any traffic and transport impacts attributed to the proposed modification are substantially the same to those already considered under the original assessment of SSD 7228.

4.2 Noise impacts

As established in **Section 2.2**, the proposed modification will allow for a greater variety of private zoo experiences and tours, in addition to supporting morning events at the zoo. No change is proposed to the suite of existing conditions under the existing approval that regulate activities on site with respect to noise generation, event patronage, tour patronage and other necessary matters. These conditions include:

- Condition C5D, which limits temporary and community events to a maximum of eight events per calendar year, until such time the Planning Secretary is satisfied that the requirements of Condition C5D and C32C have been met.
- Condition B10B, which limits the maximum patronage of tours and private zoo experiences to 60 people for each tour.
- Condition B10F, which prohibits fireworks, loud concerts, and any event that would breach noise restrictions under Condition C32 (refer to **Table 2**).
- Definition of ‘temporary event’ in the Consolidated Consent, which limits the maximum daily patronage for temporary and community events to 8000 persons.

With respect to noise generation, all activities at the zoo are required to comply with noise thresholds established under Condition C32, such that any noise impact will be negligible and within scope of the existing approval. Applicable noise thresholds are outlined in **Table 2**.

It is therefore considered that any additional noise impact would be extremely minor, and within scope of the environmental impacts considered by the Department as part of the original assessment of SSD 7228.

Table 2 Operational noise limits specified under Condition C32 of the existing approval

Receiver Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	10:00 pm to 12:00 midnight L _{Aeq} (15 minute)	Night (after midnight) L _{Aeq} (15 minute)
Bungarrabee, Eastern Creek	51	50	47	40
Place of residence at R1 (Great Western Highway)	57	50	50	40
S1 (Eastern Creek Primary School)	45	N/A	N/A	N/A

4.3 Social and Economic Impacts

As detailed in **Section 2.2.1**, the proposed deletion of Condition B10C will provide for an improved variety of private zoo experiences and tours. This will create opportunities for the Zoo to continue providing community benefits and facilities for Western Sydney. Additional revenue opportunities are required to secure adequate funding for ongoing community benefits and activities offered by the zoo, including:

- The Sydney Zoo Foundation, providing for long-term conservation and recovery programs. This is further discussed in **Section 4.3.3**.
- Educational programs including Bungarribee Dreaming.
- Continuing involvement in RunWest.
- Community food festival and community group visitation days.
- World's Biggest Playgroup.

In addition, the improved variety of private zoo experiences and tours enabled by the proposed modification will diversify the zoo's offering to provide for a positive visitor experience. Continuous improvements to the variety of private zoo experiences and tours are essential to ensure the zoo remains competitive as a high-quality regional tourist attraction, noting the range of morning tours and experiences offered at other major Australian zoos and wildlife parks (refer to **Section 4.4**). It is therefore considered that the proposed modification is necessary to ensure the zoo continues to remain competitive and provide a catalyst for tourism and recreation in Western Sydney.

It is further noted that the appropriateness of the subject visitor cap for private zoo experiences and small group tours was considered in the assessment of SSD 7228 Modification 3, where it was concluded that the 300-person visitor cap between the hours of 7:30am and 9:00am was appropriate. However, this visitor cap no longer accounts for the above-listed social and economic benefits provided by Sydney Zoo because:

- Modification 3 was lodged prior to the opening of Sydney Zoo. The forecasted demand for private zoo experiences and general admission to the zoo during this time is significantly different from existing demand which has almost doubled.
- The expected increase in demand for private zoo experiences and tours at the Zoo is based on recent market interest expressed by inbound tour operators (ITOs) due to the reopening of international borders.
- There has been a significant increase in social and economic benefits provided by the zoo since it was first opened, including growth in the number of employees (refer to **Section 4.3.1**) and ongoing conservation efforts and recovery programs (refer to **Section 4.3.3** and **Section 4.5.3**). The proposed modification represents a proportionate response to this change.
- Noting the benefits associated with private zoo experiences and tours discussed in this section, it must be acknowledged that recent demand modelling has indicated that 30% of will opt in for an animal encounter of some sort. This is inconsistent with the level of demand that is assumed by the 300-person visitor cap between the hours of 7:30am and 9:00am, and is not sustainable with respect to the future of Sydney Zoo as a high-quality regional tourist attraction

In addition to the above, it is discussed in **Section 2.2** that the proposed modification will further enable the zoo to activate the local visitor economy during periods of economic downturn. This benefit is assumed on the basis that:

- During 2020, Sydney Zoo recorded approximately 720,000 visitors. Visitation to Sydney Zoo during this period was greater than Taronga Zoo (approx. 650,000) and Featherdale Wildlife Park.

The above-listed visitation numbers reinforce the value of Sydney Zoo in respect to the need for a robust tourism offering within Western Sydney. Additional revenue opportunities afforded by the proposed modification will support the zoo in continuing to provide this essential function.

4.3.1 Employment Benefits

In addition to the social and economic benefits identified in **Section 4.3**, Sydney Zoo is a significant local employment generator with over 236 employees.

It is noted revenue opportunities provided by the proposed modification will assist the zoo in achieving its goal to retain existing staff. It is further noted that additional private zoo experiences and tours enabled by the proposed modification may require more staff to be hired at the zoo. This is highly likely, given the demand for morning tours and experiences is expected to increase upon the easing of Covid-19 travel restrictions, which will see the number of international tourists visiting the zoo rise.

Further to the above, Sydney Zoo is committed to ensuring the visibility of Aboriginal people and culture across its staff workforce. The zoo has established a meaningful aboriginal employment program, which is committed to a minimum full-time equivalent Aboriginal employment target of 10%.

4.3.2 Impacts to existing tourist attractions and facilities

It is necessary to consider potential social and economic impacts to other recreation facilities and businesses. The proposed modification will have a negligible impact on the operation of existing recreation facilities and businesses across Western Sydney, and is considered to have an overall positive impact with respect to the enhancement of regional tourism.

Potential impacts to existing tourist attractions and facilities are addressed in **Table 3**, which demonstrates that the proposed modification will be inconsequential with respect to the operation of these facilities. A summary overview of the assessment is that is provided in **Table 3** is listed below:

- The proposed modification represents a negligible change to the overall operational scope of the zoo, which will remain substantially the same as the initial approval SSD 7228.
- The proposed modification will contribute to the enhancement of regional tourism.
- Any economic or social impact to other local recreation facilities and businesses, albeit highly unlikely, would be negligible. Notwithstanding this, the proposed modification will have an overall positive social and economic impact.
- The proposed modification is also expected to promote collaboration and synergies between the zoo and other recreation facilities and businesses.
- Consideration of competitive conflict is not appropriate in the planning context, as noted in the Department's assessment report for SSD 7228 Modification 3. Notwithstanding this, the critical function of Sydney Zoo as a catalyst for tourism and recreation in Western Sydney must be acknowledged and supported.

Table 3 Impacts to existing tourist attractions and facilities

Matter / Impact	Assessment
Enhancement of regional tourism.	As detailed in Section 4.3 and Section 4.5 , the proposed modification is necessary to ensure the zoo remains competitive as a regional tourist attraction and continues to catalyse tourism and recreation activity across Western Sydney.
Consultation with local recreation facilities and businesses.	<p>Whilst the proposed modification represents a negligible change to the overall operational scope of Sydney Zoo, it will improve the diversity of private zoo experiences and tours on offer. Further, the deletion of Condition B10C will create additional capacity for morning tour groups that may require access to the zoo before 9:00am to synchronise with tour operators that will visit multiple attractions across Greater Sydney over the course of one day.</p> <p>It is therefore considered that the proposed deletion of Condition B10C will promote regional tourism and further collaboration between local recreation facilities and businesses.</p>

Matter / Impact	Assessment
<p>Economic and social impacts to other local recreation facilities and businesses.</p>	<p>As above, the proposed deletion of Condition B10C represents an extremely minor change to the approved operational scope of Sydney Zoo, and will be inconsequential with respect to economic and social benefits attributed to the operation of other local recreation facilities and businesses, for the following reasons:</p> <ul style="list-style-type: none"> • The proposed deletion of Condition B10C represents an extremely minor change to the approved operational scope of Sydney Zoo, such that any associated contraction or loss of social or economic benefits offered by other local recreation facilities and businesses would be negligible. The range of benefits and opportunities enabled by the proposed modification are substantial relative to the small operational change proposed (refer to Section 4.3 and Section 4.5). On balance, the proposed modification will have an overall positive social and economic impact. • As established in Section 4.4, Australian zoos and wildlife parks are diversifying their offering through increasing the variety of private zoo experiences and tours offered outside of public opening hours. The proposed deletion of Condition B10C is appropriate in context to the variety and frequency of private zoo experiences and tours available at other major tourist facilities. • The proposed deletion of Condition B10C will create additional capacity for morning tour groups that may require access to the zoo before 9:00am to synchronise with tour operators that will visit multiple attractions across Greater Sydney over the course of one day. This will promote collaboration and synergies between local recreation facilities and businesses that cater to visitors. • Consideration of competitive conflict is not appropriate in the planning context, as noted in the Department’s assessment report for SSD 7228 MOD 3. This matter is discussed below. <p>It is therefore considered that any economic or social impact to local recreation facilities and businesses would be negligible.</p>
<p>Competitive conflict with other local recreation facilities and businesses.</p>	<p>Consideration of competitive conflict is not appropriate in the planning context, as noted in the Department’s assessment report for SSD 7228 MOD 3. Notwithstanding this, it is reiterated that the proposed modification represents a negligible change to the overall operational scope of the zoo. It is considered that any associated business contraction and/or revenue change at other recreation facilities and businesses, albeit highly unlikely, would be negligible.</p> <p>The proposed modification is also expected to promote collaboration and synergies between the zoo and other recreation facilities and businesses. The significance of Sydney Zoo as a regional tourist attraction should be acknowledged when considering opportunities for collaboration and growth of the local visitor economy because:</p> <ul style="list-style-type: none"> • Ongoing enhancement and diversification of ‘anchor’ attractions across Western Sydney is essential to the attraction of visitors to the area. • The attraction of additional visitors to Western Sydney is necessary to support local recreation facilities, businesses and other enterprises that cater to tourists. • Sydney Zoo is located in Bungarribee Super Park, which is intended to be a major tourist and recreation destination. The Western Sydney Parklands Plan of Management identifies that the Bungarribee Precinct has capacity to be significantly improved to become an important recreational and tourism hub within Greater Sydney. Providing for an improved variety of tours and private zoo experiences at the zoo supports this objective, which seeks to support local recreation facilities, businesses and other enterprises that cater to tourists. <p>While competitive conflict is not a relevant matter for consideration in context to the assessment of this modification, the critical function of Sydney Zoo as a catalyst for tourism and recreation in Western Sydney must be acknowledged and supported.</p>

4.3.3 Wildlife Conservation and Education

In addition to community benefits and activities identified in **Section 4.3** the proposed deletion of Condition B10C will provide for the continued delivery and growth of benefits associated with wildlife conservation and education. Additional revenue opportunities are required to secure and grow funding for wildlife conservation and education initiatives offered by the zoo, including:

- Wildlife and Conservation Education for School Children:
 - Sydney Zoo offers two formal education streams that are tailored to the NSW syllabus, which are listed below. In 2021, 69,902 school children visited Sydney Zoo as part of their school curriculum.
 - Bungarrabee Dreaming: Aboriginal guides create a personal narrative as students learn about history, artefacts, art and their obligation to care for Country.
 - Living World: This education stream explores environments, animal features, classification and adaptations and provides opportunities for up-close animal encounters.
 - Further to the above, Sydney Zoo provides cost-free, downloadable syllabus linked resources online for the use of school children. These resources facilitate learning in the areas of wildlife, habitats and conservation. Use of these resources is encouraged prior to, during, and following school excursions to Sydney Zoo. There are time and cost inputs associated with the provision and ongoing development of these resources.
 - Sydney Zoo has invested a significant amount of time in the scoping of potential charitable partnership arrangements and the maintenance of existing charitable partnership arrangements. Such arrangements are important in respect to the availability of wildlife education opportunities.
 - In respect to the point above, 75,000 year 2 school students were offered a free school excursion to the zoo during 2021 (in partnership with a commercial partner).
- Donations:
 - Sydney Zoo's Corporate and Social Responsibility Overview Document (March 2022) notes the Sydney Zoo Foundation's contribution of \$383,000 (cash and in-kind) in donations towards charitable initiatives for wildlife conservation and community causes.
- Education Principles:
 - Sydney Zoo is committed to integrating three core education principles throughout the private zoo experiences, small group tours, and other offerings at the zoo:
 - Choose: This relates to consumer responsibility in respect to making wildlife conscious purchasing decisions.
 - Change: This relates to the daily behaviours and living habits of visitors that impact upon wildlife conservation efforts.
 - Contribute: Visitors to the zoo are encouraged to contribute within their means to charitable efforts that relate to wildlife conservation.
 - There are no direct financial benefits associated with this initiative in respect to revenue from public admission. However, it is essential to ensure these core education principles are integrated across the attraction and experience offerings at Sydney Zoo. An overview of the of the above-listed core education objectives is provided at **Figure 1** over page.

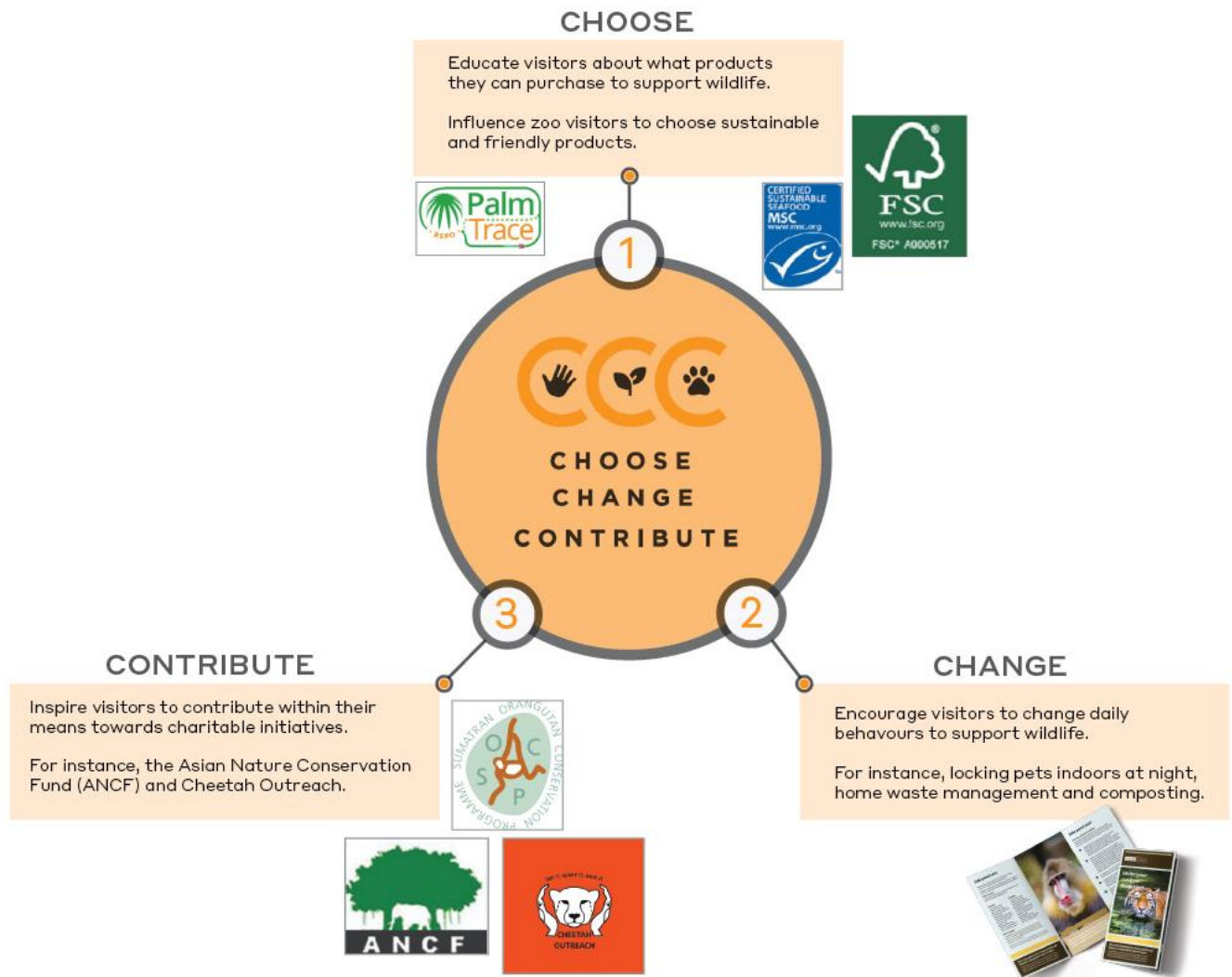


Figure 1 Core Wildlife Conservation Education Principles

Source: Sydney Zoo / Ethos Urban

4.4 Morning tours and experiences at other major zoos in Australia

It is essential for Sydney Zoo to maximise its offering of morning tours and experiences to remain competitive as a regionally significant tourist attraction. Further, the demand for morning tours and experiences is anticipated to increase upon the easing of Covid-19 travel restrictions, which will see the number of international tourists visiting Sydney rise, and Sydney Zoo aims to attract these visitors to Western Sydney.

To address growth in demand for unique visitor experiences, a number of other Australian zoos and wildlife parks are diversifying their offering through increasing the variety of private zoo experiences and tours offered outside of public opening hours. The proposed removal of the 300-person visitor cap between 7:30am and 9:00am is therefore considered appropriate in context to the variety and frequency of private zoo experiences and tours available at other major tourist facilities, including:

- Symbio Wildlife Park, which runs the ‘Junior Keeper Camp’ and ‘Keeper for a Day’ programs (9:00am commencement) outside of public opening hours between 9:30am and 5:00pm.

- Taronga Zoo, which runs the 'Keeper for a Day', 'Junior Keepers' and 'Cadet Keepers' programs that generally commence outside of public opening hours between 9:30am and 5:00pm.
- Melbourne Zoo (Victoria), which runs the 'Roar and Soar Overnight Camp', and offers the 'Elephant Behind the Scenes' encounter (8:00am commencement) outside of public opening hours between 9:00am and 5:00pm.
- Perth Zoo (Western Australia), which offers various 'Be a Keeper' experiences (7:30am commencement) and runs the 'Best of Australia' tour (8:00am commencement) outside of public opening hours between 9:00am and 5:00pm.
- Adelaide Zoo, which offers the 'Meet the Primates' experience (8:45am commencement) and the 'Keeper for a Day' program (8:30am commencement) outside of public opening hours between 9:30am and 5:00pm.
- Currumbin Wildlife Sanctuary (Queensland), which offers 'Breakfast with the Koalas' (8:00am commencement) outside of public opening hours between 9:00am and 4:00pm.
- Australia Zoo (Queensland), which runs the 'Zoo Keeper for a Day' program (8:30am commencement), 'Platinum Zoo Adventure' private day tour (8:00am commencement), and 'Tiger Walk Encounter' (8:30am commencement) outside of public opening hours between 9:00am and 4:30pm.

4.4.1 Compatibility with the scale of Sydney Zoo

Noting comparisons made to other major Australian zoos and wildlife parks in **Section 4.4**, it is necessary to consider the appropriateness of the proposed modification in context to the scale of Sydney Zoo.

As discussed, the proposed removal of the 300-person visitor cap is necessary to improve the offering of private zoo experiences and tours offered outside of public opening hours. This would be compatible with the scale of Sydney Zoo because:

- Sydney Zoo is a regionally significant tourist attraction. Australian zoos and wildlife parks that were exemplified in **Section 4.4**, many of which are regionally significant tourist attractions, therefore present an appropriate baseline for general comparison. Notwithstanding this, it is noted:
 - Given the general nature of the comparative analysis provided in **Section 4.4**, it should only be treated as supplementary information to support the Department's assessment of this modification.
 - It is essential that Sydney Zoo continues to remain competitive. The critical function of Sydney Zoo as a catalyst for tourism and recreation in Western Sydney must be acknowledged and supported. The proposed modification is appropriate with respect to the surrounding local context of the zoo.
- As discussed in **Section 4.1** the proposed modification is acceptable from a traffic and parking perspective and is not expected to result in any noticeable adverse traffic impacts on the surrounding road network beyond impacts considered in the original assessment of SSD 7228.
- As discussed in **Section 4.2**, no change is proposed to the suite of existing conditions under the existing approval that regulate activities on site with respect to noise generation, event patronage, tour patronage and other necessary matters.
- It is further considered that revenue opportunities provided by the proposed modification will assist the zoo in achieving its goal to retain existing staff. As discussed in **Section 4.3**, this will help ensure that Sydney Zoo remains a significant local employment generator. Sydney Zoo's function as a significant local employment generator is appropriate in context to the scale of its operation.
- The welfare of animals will not be adversely impacted, as detailed throughout **Section 4.5** of this report.

4.5 Animal welfare

The proposed modification will be inconsequential with respect to the welfare of animals at the zoo. There is no proposed change to existing approved conditions of consent that relate to animal welfare and management practices, including:

- Condition C18, under which the applicant is required to comply with all relevant guidelines, including but not limited to the *National Zoo Biosecurity Manual 2011*, to ensure exceptional standards for animal welfare are met and maintained throughout the life of the Development.
- Condition C19, under which the applicant is required to comply with the *NSW Exhibited Animals Protection Act 1986*, the *NSW Exhibited Animals Protection Regulation 2010*, and the *NSW Biosecurity Act 2015*.
- Condition C20, under which the applicant is required to obtain all relevant approvals and design all exhibits in consultation with the Department of Primary Industries.

Notwithstanding this, it is necessary to consider potential impacts to maintenance and animal welfare activities, in addition to the level of exposure to visitors that animals will experience. These matters are further considered in **Section 4.5.1** and **Section 4.5.2**. Awards and recognition to Sydney Zoo as a result of its activities in respect to animal welfare matters are summarised at **Section 4.5.3**.

4.5.1 General maintenance and animal welfare activities

The approved scope of general maintenance and animal welfare activities will not be impacted by the proposed modification. The approved hours of operation for the following activities will remain unchanged:

- Staff maintenance activities will continue to operate between 5:30am and 11:00pm in accordance with the existing approval. These activities include:
 - Cleaning of animal enclosures;
 - Animal curation;
 - Animal feeding; and
 - Other miscellaneous maintenance and animal caretaking tasks.
- Emergency responses to animal medical events will remain permitted at any time.

The proposed removal of the 300-person visitor cap between 7:30am and 9:00am will not result in any significant disruption to the undertaking of general maintenance and animal welfare activities at the zoo.

The proposed modification will only enable the admission of additional visitors to the zoo for 1.5 additional hours beyond existing approved public opening hours. This change is negligible with respect to the approved hours of operation for general maintenance and animal welfare activities, which are unchanged from the approval of SSD 7228 MOD 3.

Notwithstanding this, it is not considered that the admission of additional visitors to the zoo between 7:30am and 9:00am will not impact upon the nature of general maintenance and animal welfare activities during this short time period. This is because:

- It is not expected that there will be any associated impact on the ability that zoo staff currently have to access animal enclosures as required.
- Any direct or 'close up' encounters between visitors and animals will continue to be managed appropriately, as discussed in **Section 4.5.2**.

4.5.2 Exposure to visitors

As discussed in **Section 2.2.1**, the proposed modification will provide for the offering of additional morning tour groups and private zoo experiences, in addition to allowing future scheduling adjustments that will provide capacity for additional tour groups in the afternoon and evening. This minor change to the operational scope of private zoo experiences and tours will not result in an inappropriate or excessive level of visitor exposure to animals, noting:

- Condition B10B of the existing approval will continue to restrict tour patronage to a maximum of 60 people per tour outside of general public opening hours (9:00am – 11:00pm), which will also remain unchanged.
- Private zoo experiences and tours are already permitted to operate before official public opening hours from 7:30am. The operation of these activities between 7:30am and 9:00am is therefore reasonably anticipated.
- The proposed modification will only enable the admission of additional visitors to the zoo for 1.5 additional hours beyond what is currently approved. This change is negligible with respect to the existing approved hours of operation for private zoo experiences 7:30am-11:00pm.
- No change is proposed to the suite of existing conditions under the existing approval that regulate activities on site with respect to noise generation and event patronage, as discussed in **Section 4.2**.
- Private zoo experiences and small group tours will not be limited to direct contact or ‘up-close’ encounters with animals at the zoo. Sydney Zoo remains committed to promoting animal welfare by ensuring the level of contact between visitors and animals provides for safe, respectful and informative encounters.
- To build on the point above, recent demand modelling has indicated a substantial demand for Aboriginal cultural tours and a passive walk-around offering. Sydney Zoo has developed Australia’s largest integrated Aboriginal and natural heritage program through what is known as the ‘Australia’ exhibit. This represents a major growth avenue for the zoo as international tourist numbers increase due to the easing of Covid-19 travel restrictions.
- There is no proposed change to existing approved conditions of consent that relate to animal welfare and management practices, as discussed in **Section 4.5**.

4.5.3 Awards and Recognition

Sydney Zoo’s commitment to promoting animal welfare and wildlife conservation causes has resulted in a number of awards to the zoo, in addition to formal recognition of the zoo’s exemplary approach to the care taking of animals. Rewards and formal recognition afforded to Sydney Zoo in respect to animal welfare is summarised as follows:

- Sydney Zoo is operating at the Gold Standard for animal welfare.
- In May 2020, Sydney Zoo achieved Zoo Aquarium Association (ZAA) accreditation for animal welfare.
- Sydney Zoo is an active participant in ZAA administered endangered animal breeding programs.
- Further to the above, Sydney Zoo reports to an external Animal Welfare Committee comprised of industry leaders, microbiologists and animal welfare specialists across a variety of academic institutions, animal welfare organisations and other zoos across Oceania.

4.6 Site suitability and public interest

The Western Sydney Parklands Plan of Management identifies Bungarribee Super Park as suitable for a tourist and commercial hub. With respect to the tour and event opportunities identified in **Section 2.2.1**, all of which are attributed to the deletion of Condition B10C, the minor operational change proposed under this modification is considered to support the intended function of Sydney Zoo as a high quality tourist attraction.

In addition, the improved variety of private zoo experiences and tours enabled by the proposed modification will diversify the zoo’s offering to provide for a positive visitor experience. Continuous improvements to the variety of private zoo experiences and tours are essential to ensure the zoo remains competitive as a high-quality regional tourist attraction, noting the range of morning tours and experiences offered at other major Australian zoos and wildlife parks (refer to **Section 4.4**).

Given also that the proposed modification will further enable the zoo to make a positive contribution to the post-COVID recovery of Western Sydney, it is considered that the proposal is suitable in context to the site and in the public interest.

5.0 Conclusion

The proposed modification seeks to delete Condition B10C, which will remove the 300-person visitor cap between 7:30am and 9:00am. This minor amendment will have no significant adverse environmental impacts and will not result in any material change to the approved development.

The assessment provided in **Section 4.0** confirms that the modification does not alter environmental impacts considered by the Department under SSD 7228, and is necessary to secure the continuation of various social and economic benefits attributed to programs and events at the zoo. This will allow the zoo to remain a catalyst for tourism and recreation in Western Sydney.

In accordance with section 4.55(1A) of the EP&A Act, the Minister may modify the consent as:

- the proposed modification is of minimal environmental impact;
- the proposed modification is consistent with the Western Sydney Parklands Plan of Management; and
- the proposed modification will accommodate for the reasonable operational requirements of private zoo experiences, tours and temporary events that are already permitted on site under the existing approval.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Yours sincerely,



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