



Sydney Zoo

*State Significant
Development
Modification Assessment
(SSD 7228 MOD 4)*



July 2019

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Glossary

Provide a clear and succinct list of the terms not commonly used in everyday language (below is a guide only and needs to be customised for the report).

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Blacktown City Council
Department	Department of Planning, Industry and Environment
DPI	the former Department of Primary industries
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
OEH	Office of Environment and Heritage
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
WSP	Western Sydney Parklands
WSP SEPP	State Environmental Planning Policy (Western Sydney Parklands) 2009
WSPT	Western Sydney Parklands Trust



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1. Introduction

This report provides an assessment of an application to modify the State significant development consent (SSD 7288) for the construction and operation of the Sydney Zoo in Bungaribee located within the Western Sydney Parklands. The application has been lodged by Ethos Urban on behalf of Sydney Zoo Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The modification application seeks the approval of two additional sheds at the rear of the Nocturnal and Reptile Building and Primate Back-of-House (BOF) spaces, including holding spaces, landscaping and access pathways.

1.1 Background

The site is located approximately 33 kilometres (km) west of the Sydney Central Business District (CBD) and approximately 4.5 km south-west of the Blacktown town centre. The site (Lot 11 in Deposited Plan 1247378) has frontage to the Great Western Highway and occupies approximately 16.5 hectares (ha) in the Blacktown local government area (see **Figure 1**).

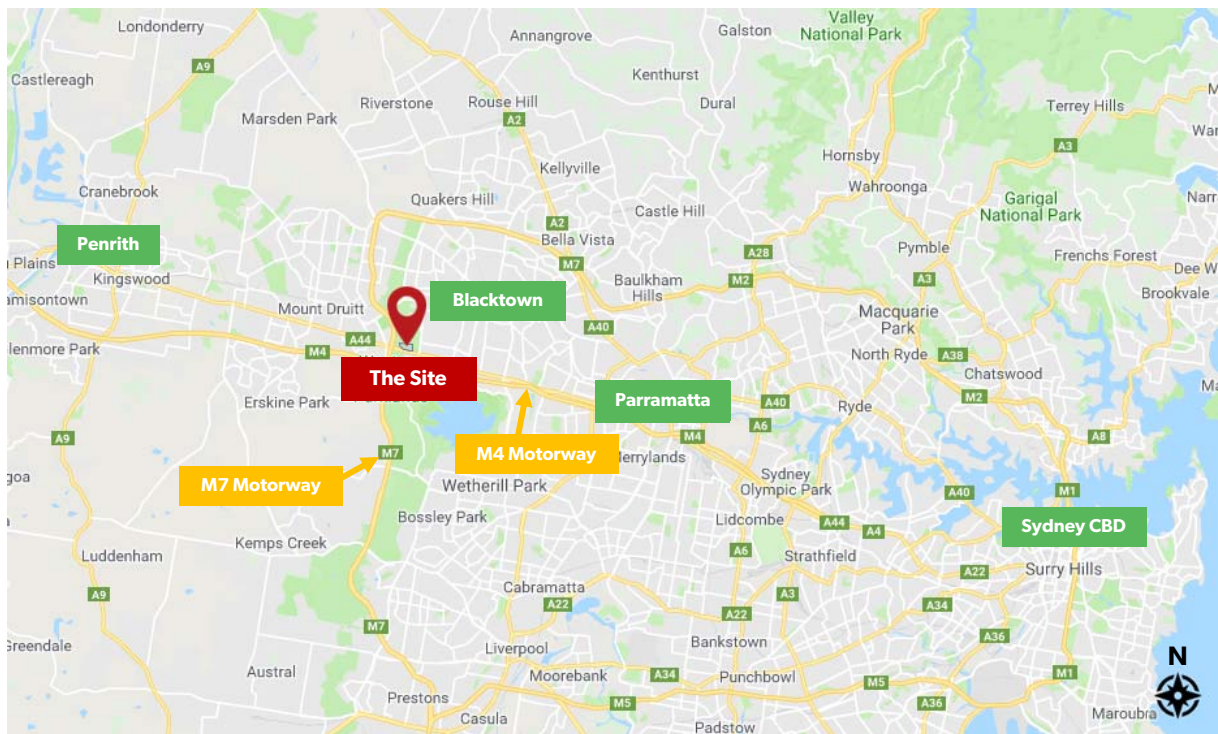


Figure 1 | Site Location

The site is located within the Bungaribee Precinct of the Western Sydney Parklands (WSP) which is managed by the Western Sydney Parklands Trust (WSPT). The State Environmental Planning Policy (Western Sydney Parklands) 2009 (WSP SEPP) enables the WSPT to develop the Western Sydney Parklands into a multi-use urban parkland, allowing for a range of recreational, entertainment and tourist facilities.

The site is predominantly cleared of vegetation with small areas of Cumberland Plain Woodland and River Flat Eucalypt Forest. Construction of the zoo commenced in December 2017 and is ongoing (refer **Figure 2**).



Figure 2 | Site Context

Industrial land uses surround the site to the immediate east and south and detached residential dwellings are located to the north and the west beyond the M7 Motorway. The closest residential receiver is a single detached dwelling approximately 275 metres (m) to the south on the opposite side of the Great Western Highway (refer **Figure 2**).

The Applicant has advised the modification provides a more appropriate response to animal welfare requirements and does not alter the environmental assessment completed as part of the original SSD 7228 application. The minor changes to the Australiana Exhibit will not adversely impact on the bulk and scale of the zoo and are of minimal environmental impact.

1.2 Approval History

On 8 September 2017, development consent was granted by the former Planning Assessment Commission for the construction and operation of a zoological facility within the Western Sydney Parklands. The approved zoo comprises animal exhibits and associated infrastructure (see **Figure 3**). The development consent permits the following works:

- subdivision of the site (Lot 101 DP 1195067) into two lots:
 - Lot 11 (comprising the zoo)
 - Lot 10
- site preparation works including bulk earthworks
- construction of a new zoological facility including:
 - animal exhibits for a range of native and exotic animals
 - entry/ retail building
 - restaurant
 - administration, curatorial, and veterinary facilities
 - show arena

- back of exhibits and work depot buildings
- other buildings including two kiosks and restroom facilities
- construction of vehicular access roads and parking
- instillation of signage
- stormwater drainage and design and construction of site services
- landscaping.



Figure 3 | Approved site layout under SSD 7228

The development consent has been modified on two occasions with one modification currently under assessment (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Consent Authority	Type	Approval Date
MOD 1	Amendments to the location and design of buildings on the site and the design of the stormwater management system.	Department	4.55(1A)	8 May 2018
MOD 2	Amendments to the boardwalk access path to the aquatic habitat and the layout and built form of the aquarium building.	Department	4.55(1A)	20 September 2018
MOD 3	Changes to hours of operation.	Independent Planning Commission	4.55(1A)	Under Assessment



2. Proposed Modification

The Applicant has lodged a modification application under section 4.55(1A) of the EP&A Act to amend the conditions of the consent (SSD 7228, as modified) to include two sheds as part of a new BOH enclosure associated with the Australiana Exhibit.

The proposed BOH area will be 2.9m x 10.4m and will be enclosed by a Colorbond fence, with a planting zone separating the enclosure from the Baboon Enclosure to the immediate west. The proposed BOH enclosure will include two sheds, known as Building A and Building B as shown in **Figure 4** and **Figure 5** below. Building A will be 40m² and Building B will be 38.7m². Both buildings will have a maximum height of 2.7m.

A 2.4m wide service path will provide access to the two buildings and a stormwater pit will be included within the enclosure. The stormwater pit will connect to the existing stormwater system outside of the enclosure. The new enclosure sits within the broader boundaries of the existing Australiana exhibit and will provide a refined design based on operational needs of the zoo. The BOH buildings will provide off-exhibit animal care and improved animal welfare – increasing Sydney Zoo’s capacity to ensure the highest standards of animal welfare standards are achieved as specified in Conditions C18 to C20 of SSD 7228.

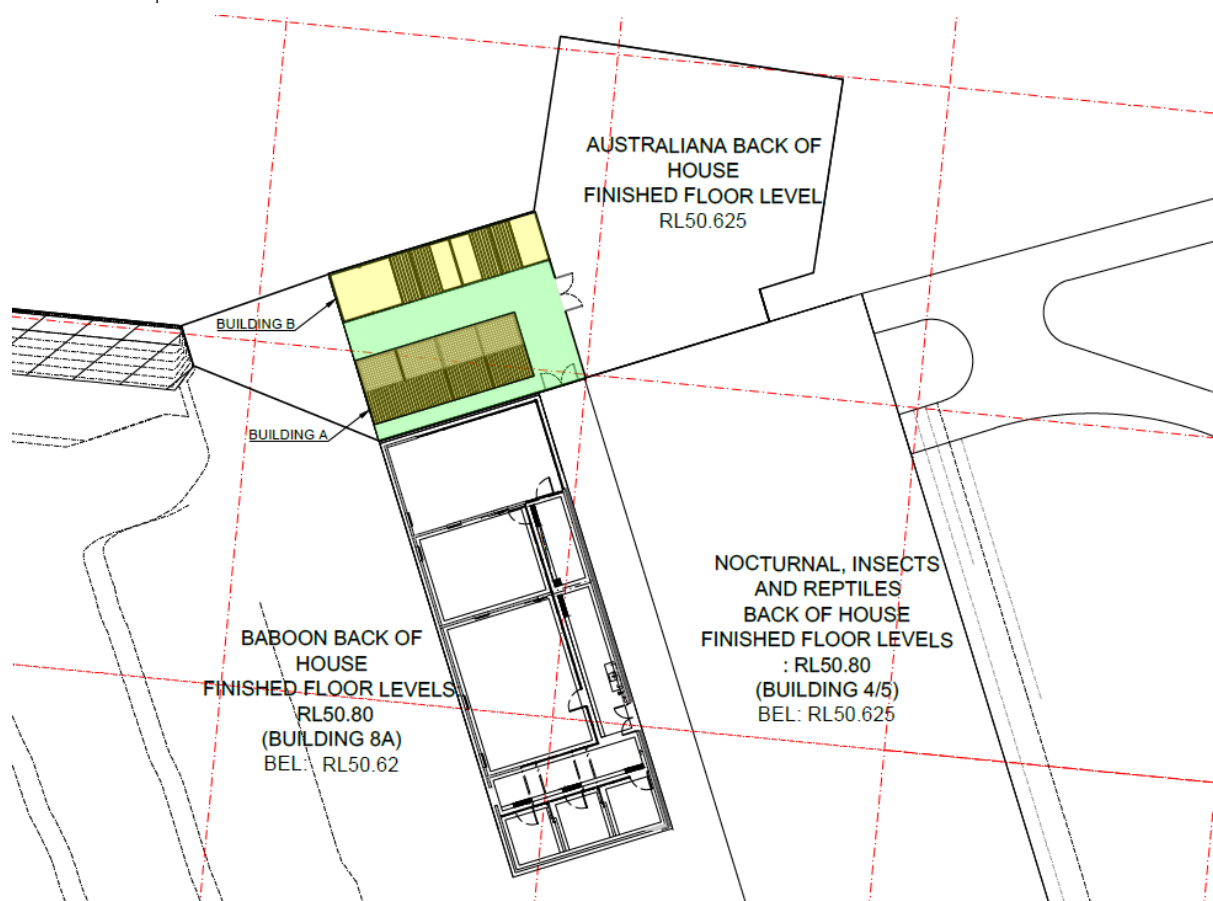


Figure 4 | Proposed Back-of-House Sheds – Site Plan

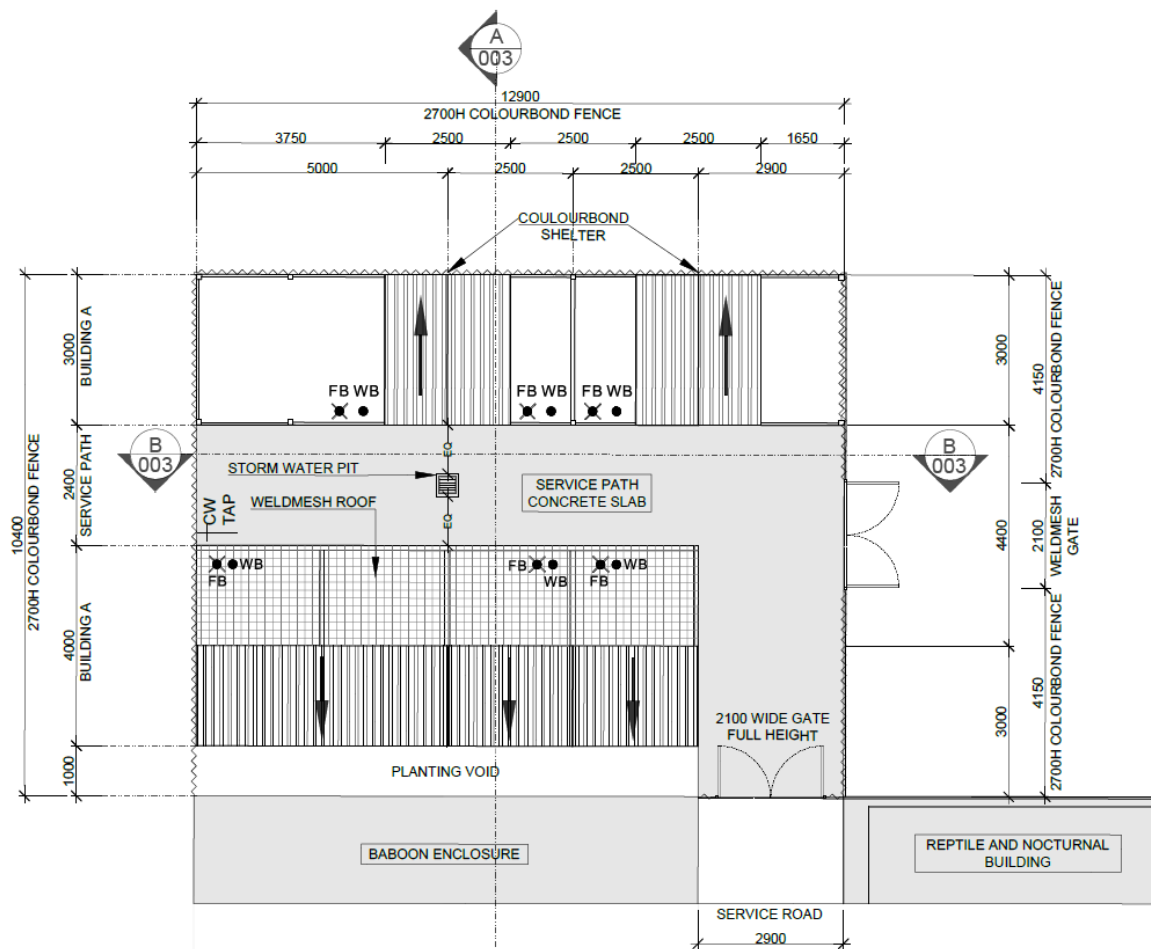


Figure 5 | Proposed Back-of-House Sheds – Floor Plan



3. Strategic Context

The Department has considered the strategic context of the site and is satisfied the proposed modification is consistent with the following strategic planning documents:

- Parklands Plan of Management 2020
- Parklands Plan of Management 2020 Supplement
- A Metropolis of Three Cities – Greater Sydney Region Plan
- Western City District Plan

3.1 Parklands Plan of Management 2020 and Supplement

The Sydney Zoo site is located within the Bungarribee Precinct of the WSP, identified as Precinct 4 in the Parklands Plan of Management 2020 (the Parklands POM). The desired future character of the precinct is to be a regional recreation, entertainment and tourism destination, used throughout the week for unstructured recreation, tourism, community facilities and cultural events and activities. Key management priorities for the precinct include:

- expanding the precinct's regional recreation, entertainment and tourism
- creating an entertainment and tourism precinct with programs and events to attract a wide variety of future users and age groups.

The proposed modification will assist the Sydney Zoo in achieving animal welfare requirements, as required under Conditions C18 to C20 of the development consent, by ensuring positive socio-economic impacts for Western Sydney through provision of a high-quality tourism facility. The success of the Zoo will contribute to the economic growth of Western Sydney. The zoo remains in accordance with the Parklands POM which identifies the Bungarribee Precinct as suitable for a tourist and commercial hub. The modification therefore remains consistent with and further supports the desired future character of the Bungarribee Precinct.

The Parklands POM also includes strategic directions for the WSP which includes the promotion of the WSP as a visitor and tourist destination. The proposed modification will support the successful operation of the zoo and therefore provide a greater opportunity for tourists to visit and enjoy the WSP. The Department considers the proposed modification is consistent with the Parklands POM.

3.2 A Metropolis of Three Cities – the Greater Sydney Region Plan

The proposed modification is consistent with the goals, directions and actions outlined in A Metropolis of Three Cities - the Greater Sydney Region Plan as it will:

- provide for additional jobs closer to where people live to support the 30-minute city (Objective 14)
- support tourism, identified as a priority economic sector in NSW (Objective 24).

3.3 Western City District Plan

The Western City District Plan provides a guide for implementing A Metropolis of Three Cities - the Greater Sydney Region Plan. The proposed modification would assist in meeting one of the productivity priorities of the plan through supporting the growth of tourism infrastructure in the Western Parkland City.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers the application can be characterised as a modification involving minimal environmental impacts and relates to substantially the same development as the original development consent on the basis that:

- the primary function and purpose of the approved development would not change as a result of the proposed modification
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent Authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Industry Assessments may determine the application under delegation as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no public submissions in the nature of objections.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 27 May 2019 and was referred to Blacktown City Council (Council), WSPT, Environment Protection Authority (EPA) and the former Department of Primary Industries (DPI) for comment.

5.2 Summary of Submissions

Council raised no objection to the proposed modification.

WSPT declined to comment on the proposed modification.

Neither the EPA nor DPI provided a response to the proposed modification.



6. Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- SEE provided to support the proposed modification (see **Appendix A**)
- documents associated with the original development application, including the Department's assessment report and conditions of consent, and as modified
- submissions from State government authorities and Council (see **Appendix A**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department's assessment of the proposed modification is provided in **Table 2**.

Table 2 | Summary of other issues raised

Issue	Findings	Recommended Condition
Amended Site Layout	<ul style="list-style-type: none">• As part of the conditions of consent, the Applicant is required to ensure appropriate animal welfare conditions are met (see conditions C18 to C20)• The proposed changes to the site layout to include two additional sheds at the rear of the Nocturnal and Reptile Building and Primary Back of House spaces, including holding spaces are a response to these conditions• Consequential changes to landscaping, provision of access pathways and a new stormwater connection are proposed to accommodate these minor additions.• The Department is satisfied the two proposed buildings provide a refined design based on operational needs of the zoo and are required to improve animal welfare needs. The modifications do not otherwise affect the overall footprint of the development or its interaction with the public domain and urban design.• The proposed buildings are in keeping with the overall architectural style of the zoo and the landscaping blends with the existing landscaping approved for the site• No concerns were raised by Council to this modification and no other government authority provided a response• The Department is satisfied the changes are minor and of minimal environmental impact. The proposed new buildings will not result in an increase in the exhibit area for the display of native animals and will provide optimal off-exhibit animal care.	<ul style="list-style-type: none">• Amendment to condition B2 to add the proposed modification and supporting documents to the list of documents that must be complied with

- No amendments to the existing animal welfare conditions of the development consent are proposed. The existing conditions of consent such as the requirement for a construction management plan will adequately address the proposed modification.
- The Department's assessment concludes the proposed modification is appropriate and will improve animal welfare to ensure the highest animal welfare standards are achieved and maintained.



7. Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. On balance, the Department considered the proposed modification is appropriate on the basis that:

- the proposed modification will result in minimal environmental impacts beyond the approved development
- proposed changes are consistent with the original consent for the construction and operation of a zoo
- proposed changes are in response to meeting the animal welfare obligations required under conditions C18 to C20 of the development consent
- the new BOH buildings will improve animal welfare and provide optimal off-exhibit animal care.

Following on from its assessment of the modification, the Department considers the modification request is in the public interest and is approvable, subject to the recommended conditions of consent which refer to the submitted application with updated plans.

The Department has concluded that with the recommend conditions and the existing management and mitigation measures (Appendix B to the consent), the development will operate with minimal adverse environmental, social and economic impacts. The Sydney Zoo will provide social benefits to the community through increased opportunities for social interaction and the enhancement of regional tourism.

The Department concludes the proposed modification is in the public interest and the application is approvable, subject to conditions (refer to **Appendix A**).



8. Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 7228 MOD 4 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- **modify** the consent SSD 7228
- **signs** the attached notice of modification (**Appendix B**).

Recommended by:

Joanna Bakopanos

Team Leader

Industry Assessments



9. Determination

The recommendation is **adopted** by:

Chris Ritchie

Director

Industry Assessments

4/7/19.



Appendices

Appendix A – List of Documents

Modification Application (SSD 7228 MOD 4)

Submissions for SSD 7228 MOD 4

Sydney Zoo Development Consent (SSD 7228), as modified

These documents may be found at: <https://www.planningportal.nsw.gov.au/major-projects>,
<https://www.planningportal.nsw.gov.au/major-projects/project/12336>

Appendix B – Notice of Modification