

11 November 2016

Cameron Sargent  
Team Leader, Key Sites Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention: Andy Nixey

Dear Cameron Sargent,

**Re: Proposed New Habitat and Eco-Tourist Facility at Taronga Zoo (SSD 7419) -  
Response to Submissions**

I am writing in response to your request, dated 12 October 2016 for final comments and recommended conditions regarding the proposed new habitat and eco-tourist facility at Taronga Zoo. Council considered the matter at its meeting on 8 November 2016. The Officer's report and Council resolution are attached.

After reviewing the Response to Submissions (RtS) material, additional comments have been prepared on each of the issues highlighted in Council's original submission. Concerns regarding the built form of the proposed development have also been raised.

**a) Permissibility of use**

Considerable attention was given in the RtS to the issue of permissibility which was raised in Council's submission. The opinion of the consultants for the applicant is that the proposal would be considered to be a use that is ordinarily incidental to a zoo.

Questions raised in council's previous submission are still valid and are not considered to be fully resolved. It is considered that:

- The previous approved uses for Roar and Snore and Zoosnooze are not comparable with the current proposal and do not provide a precedent for an approval of a hotel (or eco-tourist facility)
- The development is functionally separate from the Zoo and not dependent upon the Zoo.
- Other examples from around the world and Australia, as provided by the consultant, do not provide evidence that such as use is ordinarily incidental or ancillary.

**b) Suitability of use for site that is public land, equity issues and social impact**

The RtS has disputed Council's view that the development will restrict public access to public land.

The response asserts that more land will be available for animal exhibits as a result of this development. There is no reason to doubt the figures provided in the documentation, however,

the construction of new permanent structures on the Zoo site will remove that land from further expansion of Zoo exhibits or other core functions of the Zoo. The area shown on the plans as part of this development proposal is a significant part of the eastern side of the Zoo site and would in effect be functionally extracted from the site.

### **c) Parking**

After reviewing the RtS material, Council's engineering team consider that the following issues remain unresolved:

- The detailed calculations behind the traffic and parking estimates have not been provided.
- A breakdown of traffic and parking generation rates for each component/activity of the proposed development has not been provided.
- Material provided in the EIA and RtS does not demonstrate whether the existing entrances to the Zoo and the Zoo car parks have the capacity to meet the peak hour traffic movements to and from the Zoo site off Bradleys Head Road and Whiting Beach Road - that is peak hour for the Zoo and peak hour for traffic movements on Bradleys Head Road.
- An assessment is required on whether one or more loading bays are required to accommodate the proposed development by estimating future usage of the loading bays.

The following condition in relation to parking is recommended:

- *69 parking spaces be reserved specifically for the hotel and be separate to parking for General Admission Visitors.*

Council's engineering team have also received correspondence from Zoo visitors in recent months, raising concerns about the adequacy of disabled parking spaces. The Zoo should consider reviewing existing disabled parking arrangements to ensure that adequate disabled parking spaces are provided for their visitors.

### **d) Tree loss**

Council's Landscape team, after reviewing the RtS, is still of the view that the removal of trees may not be necessary however, with replacement trees as proposed, any canopy loss would be temporary. It is considered that a condition of consent should be imposed requiring:

- *Any tree removed from the site is to be replaced with advanced specimens of same species in 100 litre pot size, planted close to original location and maintained for the life of the development.*

### **e) Construction impacts**

The RtS has not clearly articulated that construction would be within the hours stipulated in council's standard conditions. A condition of consent (see below) should require compliance with Council's standard construction hours. The following conditions are recommended:

- *In order to maintain the amenity of adjoining properties, audible site works shall be restricted to between 7.00am and 6.00pm, Monday to Friday and 8.00am to 1.00pm Saturday. Inaudible site works may also take place between 7.00am and 8.00am on Saturdays. No site works shall be undertaken on Sundays or public holidays.*
- *Unless otherwise approved within a Construction Traffic Management Plan, construction vehicles, machinery, goods or materials shall not be delivered to the site outside the approved hours of site works.*

#### **f) Consistency with objectives of *Zoological Parks Board Act 1973***

Section 15 of the Act outlines the purpose of the board in relation to maintenance and control of Zoological Parks. The four key purposes are as follows:

1. Carrying out research and breeding programs for the preservation of endangered species
2. Carrying out research programs for the conservation and management of other species
3. Conducting public education and awareness programs about species conservation and management
4. Displaying animals for educational, cultural and recreational purposes.

In order to achieve the four objectives, it is considered not to be necessary for people to stay overnight in high quality accommodation. The accommodation would be more likely to be used by function centre patrons and visitors to, or residents of Sydney wanting a high end stay close to the city with views of the harbour.

#### **Built Form:**

If the Department was of a mind to approve the application there are certain matters relating to the built form which should be further considered. In particular:

- The view of the development from vantage points around Sydney Harbour: The significance of the sloping foreshore land in Mosman is an important matter for consideration in assessing development. The photos that form part of the EIS are taken from points on the harbour where the development would not be highly visible. Photos taken from Cremorne Point, however, clearly show the existing function centre and therefore the restaurant extension and some of the accommodation buildings would be visible as well. The assessment of this aspect by the applicant is considered to be unsatisfactory.
- Height of buildings: a significant extension to the existing function centre is proposed which would be at the highest point of the existing building. This structure would sit to the east and project south, above the proposed accommodation buildings. According to the information supplied by the applicant in the Operational Management Plan, dated 10 March 2016, the restaurant and terrace would be part of the facilities available to Retreat guests. This addition to the function centre would be visible from the harbour foreshores and a prominent structure. Further analysis of the impact of this building is required.
- The five accommodation buildings, referred to as 'pods' in the architectural plans vary in height from 2 storeys to four storeys. They are located on the sloping site to ensure views of the harbour are maintained from the existing function centre and views would be gained from the guest rooms. It is considered that a large 4 storey building would be incongruous with the objectives of the scenic protection area, the use of the site as a zoo and the context of other development on the vicinity. Despite the assessment in the EIS of visibility of the proposal from the harbour, it is considered likely that the development will be more visible than stated.

#### **Conclusion:**

It is considered that the matter of permissibility of the proposed use has not been fully resolved and it can be argued that the proposal is not permitted. Further it is considered that the application has not satisfied whether the development of the Zoo site for a 62 bed hotel (eco-tourist facility) is an appropriate use of public land.

As transparency in the planning system is both necessary and important for public confidence it is considered that if the Zoo's future plans for the site are for more diverse commercial operations it may be more appropriate for consideration of other planning options for the site, such as a change of zoning.

Should you require further information on this matter, please contact me on 9978 4041.

Yours sincerely



Linda Kelly  
MANAGER, URBAN PLANNING