

8 September 2017

NSW Planning Assessment Commission Determination Report Sydney Zoo (SSD 7228)

1. INTRODUCTION

On 22 November 2016, the Planning Assessment Commission received from the Department of Planning and Environment a State significant development application from Sydney Zoo Pty Ltd to construct and operate a zoological facility at Bungarabee, within the Western Sydney Parklands.

The Department referred the development application to the Commission for determination in accordance with the Minister for Planning's delegation because the Department received more than 25 submissions from the public in the nature of objections.

Ms Lynelle Briggs AO Chair of the Commission, Mr Roger Fisher and Mr Alan Coutts constitute the Commission to determine the development application.

1.1 Summary of Development Application

The development application proposes the construction and operation of a zoological park on about 16.5 hectares of land within the Western Sydney Parklands, near Blacktown. The site is located off the Great Western Highway, some 40 kilometres by road west of the Sydney central business district.

The Department's assessment report provides a detailed description of the zoo, and it is further described in Sydney Zoo's Environmental Impact Statement. In summary, the zoo would host a collection of native and exotic species within themed, safari-like exhibits corresponding to the species' habitat of origin. Described by Sydney Zoo as a 'full-service' offering, there would be large animals from the African savannah such as lions, tigers, rhinoceros and giraffe; primates from the African highlands and Asia; and a wide range of Australian native animals including mammals, marsupials, reptiles, fish and insects. Sydney Zoo describes its proposed approach to the design of the animal exhibits as:

"providing a lower number of high quality exhibits which provide large space for the animals ... [while] hiding barriers to provide a safari-like experience that is more immersive and engaging..."

The zoo proposal includes bulk earthworks and the importation of 4,500 cubic metres of fill to shape the 16.5-hectare site, the construction of an animal show arena and a restaurant, formal and informal parking for 1035 cars, as well as curatorial, veterinary, quarantine and other support services buildings. The zoo would be open to the public from 9am to 6pm, seven days, extending to 10pm during December and January. Sydney Zoo estimates its capital investment at \$28 million and employment of 59 full-time equivalent jobs and 160 construction jobs.

1.2 Clause 13 - State Environmental Planning Policy (Western Sydney Parklands) 2009

Among matters for consideration (dealt with later in this report) the *State Environmental Planning Policy (Western Sydney Parklands) 2009* specifies, at clause 13, a pre-condition to the Commission's authority to determine a development application within the parklands. The clause requires the Commission to be satisfied that:

- the development will have a neutral or beneficial impact on the quality of the water in the bulk water supply infrastructure shown on the Bulk Water Supply Infrastructure Map, and
- the development will not impact on the integrity or security of the bulk water supply infrastructure, and

- the development will not increase the risk of illegal access to the bulk water supply or security of the bulk water supply infrastructure, and
- access to bulk water supply infrastructure for maintenance and operation activities by Water NSW and Sydney Water Corporation will not be impeded by the development.

Prospect Reservoir is the primary bulk water supply infrastructure mapped in the Bulk Water Supply Infrastructure Map, along with major water supply pipelines connecting to the reservoir from the south and the west. The reservoir is located on Prospect Creek, with a catchment of only 10 square kilometres. The reservoir's main purpose is a storage reservoir for water collected elsewhere.

The site of the proposed zoo is about 1.6 kilometres to the north-north-west of the nearest mapped area, and it is separated by both the M4 Western Motorway and the Great Western Highway. In addition, the site of the proposed zoo is not within the 10 square-kilometre catchment of the reservoir, instead draining to Eastern Creek, which connects to South Creek and then the Hawksbury River about 21 kilometres further to the north-north-west.

As the site of the proposed zoo is not nearby to any water supply infrastructure, and it is located within a separate catchment, the Commission is satisfied that the proposed zoo will not have an impact on water quality within the mapped bulk water supply infrastructure (corresponding to a neutral impact, as specified in the clause) and complies with all other provisions of clause 13.

2. DEPARTMENT'S ASSESSMENT REPORT

The Department of Planning and Environment has carried out an assessment of the zoo proposal under section 79C and other relevant provisions of the *Environmental Planning and Assessment Act 1979*, which was submitted to the Commission for consideration. The Department's assessment report addressed the project need and justification, a range of statutory and strategic matters, the results of the Department's public consultation, as well as a number of specific issues including biodiversity impacts, traffic and access, social impacts, economic impacts, stormwater and drainage.

The Department's report included a summary of its assessment against the objects of the *Environmental Planning and Assessment Act 1979* in chapter 3.9, a summary of its assessment under section 79C in Appendix B, and a summary of its assessment under relevant environmental planning instruments in Appendix C. The Department's report concluded that:

"... the impacts of the development can be appropriately managed through implementation of the recommended conditions of consent."

In respect of economic and social impacts raised by the operator of the Featherdale Wildlife Park, located six kilometres by road from the proposed zoo, the Department concluded:

"In considering the potential social and economic issues raised by Featherdale Wildlife Park, detailed assessments were undertaken of these issues. The Department concluded that whilst the proposed development is unlikely to result in an economic impact, the Department considers there is potential for social impacts in the locality. As such, the Department has recommended a number of conditions to mitigate and minimise these impacts including a condition that the Applicant work with Featherdale to provide complementary tourist offerings to Western Sydney."

3. COMMISSION'S MEETINGS AND SITE VISIT

As part of its assessment of the proposal, the Commission met with the Department, Sydney Zoo, representatives of Elanor Investors Group (the owner and operator of Featherdale Wildlife Park), Blacktown City Council, and the Taronga Conservation Society. The Commission visited the site of the proposed zoo and Featherdale Wildlife Park. Notes from these meetings and the site visits are provided in **Appendix 1**. The Commission also conducted a public meeting. Notes from the public meeting are provided in **Appendices 2 and 3**.

3.1 Briefing from the Department

On 13 December 2016, the Department briefed the Commission on the assessment report and its conclusions, including the recommended conditions and impact management strategies.

3.2 Briefing from the applicant and site visit

On 14 December 2016, the Commission met with Sydney Zoo and visited the site. Sydney Zoo briefed the Commission on the project design and rationale, including design amendments, the response to submissions and its community and industry engagement.

Following its request for additional information (see Section 4 below) the Commission also met with Sydney Zoo on 31 March 2017. Sydney Zoo briefed the Commission on its approach to compiling the required information, including discussion on animal health and welfare issues and the scope of its social impact assessment.

3.3 Meeting with Blacktown City Council

On 13 December 2016, the Commission met with Blacktown Council and discussed Featherdale's community contribution and Sydney Zoo's response to Council's submission.

3.4 Meeting and Site Visit to Featherdale Wildlife Park

On 13 December 2016, the Commission met with representatives from Elanor Investors Group and visited the wildlife park on 19 December 2016. The Commission and Featherdale discussed the current level of community contribution, including social, animal welfare and conservation programs, education programs, employment levels and potential impacts to these programs and staffing levels with the proposed development of Sydney Zoo.

3.5 Public Meeting

The Commission held a public meeting at the Rooty Hill RSL in Rooty Hill, NSW, on 14 December 2016 to hear the public's views on the proposal. A list of the 12 speakers that presented to the Commission is provided in **Appendix 2**. A summary of the issues raised by the speakers and provided in written submissions is provided in **Appendix 3**.

There were speakers for and against the zoo at the public meeting. In summary, the main issues of concern included the potential social costs of impacts to the Featherdale Wildlife Park; impacts to local and regional biodiversity values; the privatisation and loss of public land and the loss of Landcare replanting schemes on the land. Speakers also noted that the development would increase employment opportunities in the region, including employment opportunities for Aboriginal people, and contribute to the development of Western Sydney as a tourism destination.

3.6 Meeting with Taronga Conservation Society Australia

On 11 January 2017, the Commission met with representatives from the Taronga Conservation Society Australia. The Commission and the society discussed the current trends in species collections at zoological parks, the complexities involved in maintaining animal welfare and contributions to conservation programs by Featherdale Wildlife Park.

4. ADDITIONAL INFORMATION

The Commission requested, and received, additional information to assist its evaluation of the proposal. The additional information included:

- from the operator of Featherdale Wildlife Park, information about its:
 - community engagement and investment in programs;
 - employment at the park; and
 - capital investment in infrastructure;
- from the Department and Sydney Zoo:
 - information about animal welfare and husbandry, including clearer identification of the proposed species list for Sydney Zoo (**Appendix 4**);

- a social impact assessment addressing potential social impacts of Sydney Zoo (**Appendix 5**); and
- details of the strategy to differentiate Sydney Zoo from Featherdale (**Appendix 6**).

The Commission provided the community an opportunity to comment on the social impact assessment and additional information about animal welfare and husbandry. This two-week period occurred between 12 July 2017 and 26 July 2017. The Commission received several further submissions in response to its request for comments, including from the operator of Featherdale (**Appendix 7**), to which Sydney Zoo also responded (**Appendix 8**). Sydney Zoo's information about the differentiation strategy was received after the two-week submissions period, and was not part of the information provided for comment.

5. COMMISSION'S CONSIDERATION

In reaching its decision, the Commission has carefully considered:

- all information provided by Sydney Zoo;
- the Department's assessment report;
- advice and recommendations from government agencies;
- all written and verbal submissions;
- additional information provided to the Commission and described above in Section 4;
- *State Environmental Planning Policy (Western Sydney Parklands) 2009*, including the matters clause 12 requires the Commission to consider;
- section 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the matters it requires the Commission to consider.

Key matters identified during the assessment process that have been considered by the Commission as part of its determination, including animal welfare, social and economic impacts, and other site specific matters for the proposed development, are referred to in detail below.

5.1 Animal welfare and conservation

The Taronga Conservation Society Australia expressed concern to the Department and the Commission about the design of Sydney Zoo; in particular, that the project site did not appear to be large enough to display the full range of animals proposed to be displayed. Taronga also expressed concern that the development application lacked important information about animal accommodation and exhibition space, as well as details about how Sydney Zoo would be staffed and operated to ensure adequate levels of welfare and safety. Taronga said that it was concerned that Sydney Zoo had incorrectly described its conservation initiatives in terms of its contributions to animal welfare, quarantine and veterinary care of animal collection, whereas conservation is defined and measured through positive impacts on wild populations of animals in wild areas.

Taronga is the operator of two of the State's major zoo facilities, in Mosman and Dubbo. The Commission arranged to meet with Taronga representatives in January 2017 (notes from the meeting in **Appendix 1**). At the meeting, the Commission learned of the importance of zoo operators maintaining a good animal welfare and conservation reputation for the sake of the whole zoological community. Poor welfare standards in one area, Taronga said, affected the reputation of zoos everywhere and undermined conservation more generally.

Taronga further explained that zoo collections across the world are currently tending toward reduced species diversity. This, it said, is in-line with increasing knowledge about the very high standards of accommodation and handling that are required to keep animals healthy and happy. Taronga also explained that a number of species proposed to be displayed at Sydney Zoo require very specialised accommodation and expert knowledge to provide adequate care.

The Department had indicated that these matters would be resolved as part of the licensing of the zoo under the *Exhibited Animals Protection Act 1986* by the Department of Primary Industries. It recommended conditions of consent that require Sydney Zoo to comply with this law, and other

relevant laws for the design of zoo exhibits and the keeping of animals. However, in view of the issues that had been raised, the Commission decided to put its consideration of the development application on hold in February 2017, and seek additional information from the Department and Sydney Zoo to ensure that Sydney Zoo would be able to achieve appropriate animal welfare outcomes and be appropriately licensed.

The Commission received a response to its request in July 2017 (**Appendix 4**). In the time between the Commission's request for additional information, and the July 2017 response, Sydney Zoo had obtained several licence approvals from the Department of Primary Industries, including approval to construct the facility. Several specific exhibit licences are yet to be obtained and the corresponding applications are either currently being prepared or under assessment. A licence to operate would also be required, and can only be granted once the facility is constructed.

Sydney Zoo set out its animal acquisition program in July 2017, highlighting that this program would help with zoo industry accommodation issues by taking bachelor groups or non-breeding females to alleviate housing pressures at zoos with active breeding programs. Sydney Zoo advised that it had established an Advisory Council to provide independent advice in relation to community values, and an Animal Welfare Committee to provide independent oversight and expert advice in relation to animal welfare.

Sydney Zoo provided a comparison of the proposed facilities with animal accommodation standards, and the facilities at other existing zoos. It suggested that:

- the proposed exhibits generally exceed the relevant size standards by 2.6 times on average;
- Sydney Zoo would hold the fewest species per hectare of any metropolitan zoo in Australia;
- the proposed veterinary facilities, food preparation area, food storage, and bulk dry food storage had been reviewed by the Department of Primary Industries, and would need to be inspected prior to any animal being accommodated; and
- there is sufficient capacity on site for three to four weeks dry feed inventory, while fresh fruit and meat would be delivered two or three times per week.

Sydney Zoo also highlighted its membership of the Australasian Zoo and Aquarium Association, and outlined the scope for potential participation in the association's species management programs. Sydney Zoo said:

"Sydney Zoo intends to work with ZAA [Australasian Zoo and Aquarium Association] to identify suitable species of Australian animals where we can make a meaningful contribution to the expansion of breeding programs or provide 'insurance populations' for threatened species. Our physical resources, including our aquarium, reptile house, nocturnal house and insectarium will allow us to contribute across a wide range of species to ensure that more of Australia's threatened species can be supported in the near future."

The Commission notes that, in addition, the Department of Primary Industries may, in granting a licence under the *Exhibited Animals Protection Act 1986*, prescribe standards for exhibition facilities and the conduct of animal displays, including standards in respect of:

- housing, fencing, caging and exercise facilities for animals;
- hygiene for the keeping and housing of animals;
- nutrition, general care and husbandry of animals;
- records to be kept in relation to the breeding, health, welfare, movement, acquisition, death and disposal of animals;
- destruction of animals and disposal of carcasses;
- educational and scientific requirements for animal exhibits; and
- public safety.

Moreover, the Commission notes that:

- it is a condition of every such license that education to the public concerning the conservation

- of animals to a standard approved by the Secretary, is to be provided;
- a condition requiring participation in the Australasian Species Management Program of the Zoo and Aquarium Association may be imposed, if necessary; and
- the capability of the licensee, whether the licensee is a fit and proper person, and other licensee specific matters would be considered by the Department of Primary Industries before deciding to grant a license to operate Sydney Zoo.

The Commission is satisfied that its earlier concerns about the design of the facility have been addressed by Sydney's Zoo's further work and is reassured that several of the relevant licences have been obtained from the Department of Primary Industries.

The Commission also notes that Sydney Zoo has established a range of internal and independent governance committees to oversee and provide expert advice on the operation of the zoo, and that the zoo could contribute to species conservation efforts administered by the Australasian Zoo and Aquarium Association. These measures will be relevant to Sydney Zoo's licence to operate from the Department of Primary Industries and its accreditation from the Australasian Zoo and Aquarium Association. While Taronga continues to be cautious of Sydney Zoo's expertise in animal acquisition and welfare, these issues are the subject of statutory requirements governed by the Department of Primary Industries under the *Exhibited Animals Protection Act 1986* and the *Biosecurity Act 2015*.

5.2 Social and economic impacts

The proposed zoo is located about six kilometres by road from Featherdale Wildlife Park in Doonside. Featherdale has a 43-year history of operation and is a widely respected community institution in Western Sydney. The Commission met with representatives of Featherdale, and two Commissioners visited the park to witness its configuration and features at first-hand.

In Featherdale's own words:

"Featherdale is the largest exhibitor of native Australian fauna in the world, caring for over 1,700 birds and animals on site, with more than 300 species of birds and animals being on display, including some of Australia's most iconic animals. Featherdale cares for the largest collection of koalas in the state and is an industry leader in the medical care of the species.

Featherdale is home to some of Australia's most endangered species ... the Park makes an invaluable contribution to the many challenges facing our wildlife today.

Featherdale specialises in educating school children on native Australian fauna, offering a hands on display with a range of species that is second to none.

The Park has received many conservation and tourism recognitions over many years and notably is a finalist in this year's NSW Tourism Awards under the category of 'Major Tourist Attractions'."

Featherdale said that it has hosted over 11.5 million visitors since opening 43 years ago, and now hosts almost 400,000 visitors every year, of whom 180,000 are from Australia, and 65,000 are from Western Sydney. In its submission to the Commission, Featherdale indicated that the proposed zoo is likely to impact on visitor numbers to its park, and therefore on Featherdale's ability to maintain its social, education and conservation programs, which have positive social, economic and environmental benefits.

The risk of Featherdale's closure featured prominently in public submissions addressed to the Commission. The submissions identified that Featherdale's programs, and its enduring social ties to the local community were cherished and that their loss would represent a significant social cost. The community expressed concern that two previous large wildlife parks in Western Sydney had closed (i.e Australian Wildlife Park in 2004 and African Lion Safari in 1991).

Blacktown Council suggested to the Commission that Featherdale was an important part of the local community and, while supportive of Sydney Zoo, Council said it would not like to see one facility at the expense of the other. Taronga indicated that Featherdale's efforts in the conservation of species were substantial, and their loss would constitute a significant impairment to the collaborative animal conservation efforts of many zoos in Australia.

The concern expressed by the community and Featherdale led the Department to commission an independent assessment of the potential economic impact on Featherdale that might result from Sydney Zoo. The independent assessment, prepared by HillPDA, indicated there would be sufficient demand across wider Sydney to sustain both facilities. However, it also found this would not necessarily mean that Featherdale could absorb an impact on its visitation numbers. It said that if Featherdale were to close, this would be a result of competition.

Legal authorities suggest that care should be taken in considering the economic impact of a proposed development upon private traders when assessing the economic and social impacts of that development. According to these authorities, the relevant issue in a planning context is the broader social and economic impacts stemming from any economic impact on existing businesses, rather than the fact of increased competition. The Commission's approach to this issue has been informed by those authorities.

Both the HillPDA report and the research underpinning Featherdale's submissions appeared to the Commission to highlight uncertainty about the impact of the proposed development on Featherdale's programs, the potential loss of these programs, whether some components of potential impacts to Featherdale are permissible considerations, and the impacts arising from the potential loss of these programs on the various communities to which Featherdale is connected. Consequently, the Commission requested a social impact assessment from the Department and Sydney Zoo (see **Appendix 5**), together with its request for more information about animal welfare (detailed above).

Featherdale Wildlife Park offers a range of highly valuable social goods

Featherdale provided an account of the education, conservation and community programs that it offers. It explained the qualitative value of these social programs and estimated their in-kind value at about \$546,200 per year, although it also suggested that the value of its programs is difficult to quantify because their broader social value is greater than their monetary value. Featherdale's submissions were comprehensive and highly detailed.

In summary, Featherdale offers a range of:

- education programs, including:
 - on-site program for primary school students, linked to the NSW syllabus;
 - a mobile education unit for secondary school students, linked to the NSW syllabus;
 - work experience placements for Year 10 students, linked to the VET curriculum;
 - TAFE placements, linked to Certificate III in Captive Animals; and
 - research access for final year students of Animal Science and Nutritional Studies at the University of Western Sydney;
- conservation programs, including:
 - Featherdale Wildlife Rescue Service;
 - endangered animal breeding program (Plains Wanderer, Tiger Quoll, etc); and
 - native animal conservation initiatives (Koala Genome Project, Tasmanian Devil breeding); and
- community programs, including:
 - community outreach program; visits to aged care facilities, disadvantaged schools;
 - free passes for charitable groups to use in fund raising, and others;
 - community events, including hosting various community groups; and
 - provision of retail space for local artists.

- employment for 114 people in 2016, paying a total of \$4.7 million in wages.

Featherdale explained that many of its programs are unique and difficult to replicate at the same scale, or to the same community. It said, for example, that it holds the largest collection of koalas in the State; that it was the industry leader in their medical care and that its entire collection had been genotyped to ensure the best possible breeding outcomes for the species.

Featherdale also pointed to the close association that it had developed over many years with its local community and the affection with which it was regarded by local families and visitors. This was confirmed in public submissions, which pointed to long-established habits and patterns of association and visitation that had been sustained across multiple generations. For these families, Featherdale was a site for family gatherings, valued as much for memories and traditions as for the specific services and programs that Featherdale offers.

Featherdale asserts that Sydney Zoo would reduce visitation at Featherdale

Featherdale carried out a number of studies, which suggested that Sydney Zoo would not grow the market for zoo visitors, and that Sydney Zoo would not be different or distant enough from Featherdale not to impact on Featherdale's visitation numbers.

In summary of its customer intercept survey about the new zoo, Featherdale submitted:

- supply induced demand is unlikely because only 17% of Sydney residents said they would visit new zoos more often, and only 15% of non-Sydney residents said they would extend their visit to Sydney to visit both Sydney Zoo and Featherdale; and
- Featherdale is vulnerable to another wildlife attraction nearby because 76% of Western Sydney residents said proximity (i.e. drive-time) is an important reason to visit Featherdale, while 92% said they would be interested in visiting Sydney Zoo.

Featherdale carried out an evaluation of 'drive-time' market catchment, suggesting that its drive-time catchment would reduce by 80% to 90%, and consequently reduce annual visitation at Featherdale by as much as 50% to 84%.

Featherdale also asserted that international day-trippers to the Blue Mountains are time constrained. They may not have time, it said, to visit both Sydney Zoo and Featherdale, and may choose only to visit Sydney Zoo because it is new. Featherdale also said that international day-trippers are price sensitive, and prefer close-up interactions with native animals, such as Featherdale's offering.

Featherdale said that if visitor numbers to its park were to reduce, it would be unable to maintain the socially beneficial education, conservation and community programs and the employment that it offers, resulting in extensive negative social and economic impacts on the local and broader community. It said that the development application for Sydney Zoo should be refused for this reason or, if approved, that a condition of consent be imposed to prohibit the exhibition of any native animals, so that the operations of Sydney Zoo and Featherdale could be "*differentiated and complementary*".

Sydney Zoo's Social Impact Assessment

In response to the Commission's request, Sydney Zoo engaged the University of Technology to carry out a social impact assessment of the proposed zoo (see **Appendix 5**), having particular regard to the social, education and conservation programs carried out in the locality, including those at Featherdale.

The assessment provides a useful description of the "localities" within which the social, education and conservation programs are beneficial. Those localities include the local area of Blacktown, the whole of Western Sydney, the whole of the Sydney region, NSW and Australia, depending on the nature of the program. Social outreach programs, for example, mainly benefit the local area, while education programs have a wider reach, and conservation programs mainly benefit other zoo operators across the State and nation.

The assessment presented the results of survey questions – reaching a wider audience than Featherdale’s customer intercept survey – relevant policy, and literature-based evidence about tourism clusters, attractions and visitor behaviour. The University of Technology advised that “Featherdale was contacted by the SIA [social impact assessment] authors to provide input into the SIA however this was not taken up”. The social impact assessment does, nevertheless, provide a detailed account of Featherdale Wildlife Park.

The social impact assessment found, in summary, that potential threats identified by Featherdale to its programs were unlikely to be realised because:

- Sydney Zoo is perceived by potential customers as different to Featherdale, so that a visit to Sydney Zoo is not mutually exclusive of a visit to Featherdale;
- a significant portion of potential customers said they would visit both Sydney Zoo and Featherdale, or prefer Featherdale over Sydney Zoo; and
- Sydney Zoo would increase overall market participation as it is both attractive and not currently available in Western Sydney.

In respect of international tourists, the social impact assessment reported that tourism operators said the market for international tourists, particularly for native animal displays, operated across the entire eastern seaboard because these tourists tend only to visit one such facility when visiting Australia. The tour operators observed that Featherdale had been successful in securing this market because its wildlife park had existed for many decades, co-existing at times with other strongly native animals focused facilities such as Australian Wildlife Park, and is conveniently located along the trip from Sydney to the Blue Mountains. The tourism operators said that Sydney Zoo may “*shift market conditions*”, with the creation of an additional draw card for international tourists to Western Sydney, and visitors may visit both Sydney Zoo and Featherdale as they would be complementary offerings.

The social impact assessment concluded overall that the most likely scenario would be that Featherdale would continue to operate alongside Sydney Zoo and that there is opportunity for the two facilities to cooperate as a wildlife-based tourism precinct. In any case, it also concluded:

“The development of Sydney Zoo offers significant social benefits, which, based on the empirical information and stakeholder interviews outweigh potentially adverse social impacts associated with the cessation of Featherdale’s programs or its existing market. Sydney Zoo will meet the needs, wants and preferences of this community for a full service offer that is not currently available in Western Sydney. In contrast, the programs offered by Featherdale are not particularly unique, and both Featherdale and Sydney Zoo are capable of providing them as are other zoos and wildlife parks across Sydney.”

Sydney Zoo’s social impact mitigation measures

The social impact assessment also highlighted several mitigation strategies, in the first instance to help avoid the loss of any social goods provided by Featherdale, and secondly to make-up for any such losses, if they occur.

First, Sydney Zoo would collaborate with other attractions located nearby, including Featherdale, to develop a wildlife-based tourism precinct and identity with the object of improving visitation at all facilities in the area. Sydney Zoo said the Department’s recommended condition C9 reflects this strategy and includes, additionally, a requirement for Sydney Zoo to detail how it would be different from existing recreational facilities and recreational businesses.

The Commission made further enquiries of Sydney Zoo about the nature of the arrangements proposed by Sydney Zoo to differentiate the offerings, in order to comply with condition C9, particularly in relation to Featherdale. In response to the Commission’s request, Sydney Zoo proposed **(Appendix 6)**:

- at least two-thirds of the exotic species collection would be present upon the zoo opening to the public (so that Sydney Zoo does not open as a native-only facility, like Featherdale);

- the Australian animal exhibit would include an aquarium, reptile house, insectarium and nocturnal house upon opening (so that Sydney Zoo’s native animal exhibits include species that are not included at Featherdale);
- for a period of three years after opening, there would be no aviaries that house birds that can fly (so that Sydney Zoo does not include most birds that are at Featherdale); and
- for a period of three years, visitors would not be able to touch a koala, except as part of an educational program or for school children as part of a school group (so that Sydney Zoo does not include a particular, and widely known, visitor experience that is offered at Featherdale).

Second, if the social benefits currently provided by Featherdale were to be lost due to its closure, or for any other reason, Sydney Zoo’s social impact assessment highlighted a range of mitigation measures. Sydney Zoo said these measures correspond to the requirements of the Department’s recommended condition C8, and include that Sydney Zoo would cooperate with the Australasian Zoo and Aquarium Association to ensure the orderly relocation of Featherdale’s animal collection; as well as identify opportunities to participate in the continuation of its breeding programs; work placements for students; employment for Aboriginal people; community engagement and outreach programs; and educational programs for school students.

Commission’s findings on potential social impacts and mitigation measures

While recognising the concerns Featherdale’s owners have about the potential impact of the proposed zoo, the Commission is not persuaded by the suggestion that it requires exclusive access to the drive-time visitor catchment to provide the social, educational and community programs that it currently offers. Featherdale’s assertion that this market would become inaccessible to it is challenged by the weight of the evidence before the Commission, including Featherdale’s historical success in remaining in operation despite the presence of other large-scale competitors, albeit located further away.

The Commission finds that some of the arguments advanced by Featherdale are based on incomplete information. The intercept survey, for example, only captured Featherdale’s customers, which may indicate that it understates supply-induced demand.

On the other hand, Sydney Zoo’s estimation of its economic benefits, and the outcomes considered likely by the social impact assessment are also based on information with limitations. Featherdale’s response to the social impact assessment highlighted concerns with several methodological and evidence issues underpinning the research by University of Technology, including that its survey questions were not neutral, and that there was no compelling evidence to suggest the visitation market was big enough for both Sydney Zoo and Featherdale.

While views vary as to the likelihood and severity of potential impacts from Sydney Zoo’s increased competition on Featherdale’s visitors, and therefore its programs, the collection of information available to the Commission represents a wide range of data; includes a range of possible outcomes; and describes a suite of contingency measures should the worst-case outcome eventuate.

If Sydney Zoo were to be built, Featherdale would be challenged, again, to compete for market share. Featherdale currently enjoys healthy annual visitation, it has long established programs, which are embedded in and enjoy support from various communities, and a widely-recognised reputation for its offering. While some aspects of Featherdale, such as its local community affiliations, are irreplaceable, the Commission also recognises Sydney Zoo’s particular efforts to provide a range of social goods of its own, and to differentiate its native animal offering from that of Featherdale. These factors support a conclusion that both facilities would be attractive to visitors.

If the risks of a significant contraction or loss of social benefits associated with Featherdale’s current operations do materialise, the Commission recognises that the social benefits that would be offered by Sydney Zoo, together with its proposed mitigation strategies, will generate other positive social outcomes for the localities in which Sydney Zoo would be present. The Commission does acknowledge that if this were to occur, the impacts would take time to develop, and any adjustments at Sydney

Zoo, or Featherdale, would also take time to implement fully and successfully, particularly given the depth of expertise and range of programs at Featherdale. Therefore, the Commission acknowledges that the most recent proposal from Sydney Zoo (described above and in **Appendix 6**) to differentiate its native animal offering from that of Featherdale, particularly over the first three years of Sydney Zoo's operation would go a long way toward mitigating impacts arising from the establishment of a new zoo.

Having considered the material relevant to the social and economic impacts of Sydney Zoo, the Commission is satisfied that the potential impacts to social goods in the localities that might be affected by Sydney Zoo do not warrant refusal of the Sydney Zoo proposal. The Commission is satisfied that if impacts arise, they are likely to be balanced by the social benefits offered by Sydney Zoo and its mitigation strategies, and as set out in the arguments above.

As Sydney Zoo's differentiation proposal was submitted after the Department referred the development application to the Commission for a decision, the details are absent from the recommended conditions of consent. Consequently, the Commission has imposed additional conditions, which itemise the details of Sydney Zoo's strategy. These conditions require:

- at least two-thirds of Sydney Zoo's exotic species collection are to be present upon opening;
- the Australian animal exhibit must include an aquarium, reptile house, insectarium and nocturnal house upon opening;
- for a period of three years after opening, Sydney Zoo would not include aviaries that house flying birds; and
- for a period of three years after opening, visitors to Sydney Zoo would not be able to touch a koala, except as part of an educational program for school children as part of a school group.

5.3 Use of public land in the Western Sydney Parklands

The Western Sydney Parklands is the largest urban parkland system in Australia. It is 5,280 hectares and stretches 27 kilometres from Quakers Hill to Leppington. First identified in 1968 and established in 2006, successive NSW Governments have spent over \$400 million acquiring the land, and almost 70% of its current area had been purchased by 1978. Much of the land is still to be developed for its long-term parklands purpose and 40 percent of the land continues to accommodate various interim land uses such as rural residential.

A number of speakers at the public meeting objected to the use of part of the parklands for Sydney Zoo because they considered this use a private and commercial purpose. These speakers felt that they had been promised a public parkland by the NSW Government, and that a proposal to develop the land by a private developer does not accord with the purpose of public parklands. Concern was also raised in relation to the proposed land clearing by Sydney Zoo because some of this land had earlier been rehabilitated and replanted through the voluntary efforts of community Landcare groups, carried out in order to make long-term environmental improvements.

Western Sydney Parklands is managed by the Western Sydney Parklands Trust under the *Western Sydney Parklands Act 2006*. The Trust is responsible for the preparation and implementation of the *Parklands Plan of Management 2020*. In May 2013, the Trust called for expressions of interest:

“requesting proposals for an outdoor entertainment, leisure or tourism facility. Facilities may include live performance venues, concert amphitheatres, educational/cultural centres and tourism parks, outdoor exhibition, animal parks and zoological wildlife gardens.”

State Environmental Planning Policy (Western Sydney Parklands) 2009 designates the whole of the parklands as unzoned land and it permits recreational facilities carried out by a non-public authority with development consent. Development consent must be obtained for the proposed zoo.

On 3 November 2015, the Trust granted landowner's consent for the lodgement of the development application for the proposed zoo, by authority of section 8 of *Western Sydney Parklands Act 2006*.

The Department reports that the proposed zoo responds to the need for one of three tourist hubs in the Western Sydney Parklands, identified in the NSW Government's *Parklands Plan of Management 2020* and *Parklands Plan of Management 2020 Supplement*. The tourist hubs were intended to create 50,000 international tourism visitor nights per year in Sydney.

The Department also reports that the site is readily accessible to planned residential areas in Western Sydney, providing employment and recreational opportunities for its growing population. It says the proposal is consistent with the outcomes set out in the NSW Government's *A Plan for Growing Sydney* as it will assist with the transformation of Western Sydney, provide employment, and support tourism.

The loss of trees and other vegetation on the site that were planted as part of the community's voluntary Landcare efforts is a particular concern to the Commission and the rehabilitated areas are an unfortunate inclusion in both the land area set aside for Sydney Zoo and its proposal to develop in these areas. At the same time, the Commission recognises that Sydney Zoo is required to purchase ecosystem credits, to protect areas of Cumberland Plain Woodland and to carry out (and maintain) woodland regeneration on the site as part of the conditions of consent recommended by the Department. While not a requirement of the relevant condition, the Commission encourages Sydney Zoo to involve local Landcare groups in its Community Engagement Plan.

Overall, the Commission is satisfied that the land is suitable for the proposal because it is accessible to the residents of Western Sydney for recreation and employment, it does not impact on the Prospect Reservoir or its infrastructure, and it is consistent with the strategic aims for the Western Sydney Parklands as set out in the *Parklands Plan of Management 2020*.

5.4 Other issues

The Commission considered proposals put forward, which sought to ban Australian birds and animals from the zoo, but does not think it is reasonable to exclude an Australian zoo from holding Australian birds and animals.

The Department's assessment report provided a detailed account of a range of other issues relevant to the Commission's determination of this development application. The Commission acknowledges and considers appropriate, the recommended conditions of consent that deal with:

- Aboriginal cultural heritage, including the requirements to collaborate with Muru Mittigar and Registered Aboriginal Parties to establish an Aboriginal cultural heritage experience at Sydney Zoo, and to manage impacts on existing cultural heritage sites on the site;
- community engagement, including the requirement to engage specifically with the local residents about construction and operational concerns;
- traffic, including a requirement to detail traffic and parking management measures during high visitation periods; and
- water quality, including a requirement to manage and monitor run-off from the site, and remediate any storm water incidents, if they occur.

5.5 State Environmental Planning Policy (Western Sydney Parklands) 2009

The aim of this policy is to put in place planning controls that will enable the Western Sydney Parklands Trust to develop the Western Parklands into a multi-use urban parkland for the region of Western Sydney. The policy sets out consent authority pre-conditions (i.e. clause 13, as dealt with earlier in this report), zoning and permissibility and matters for the Commission to consider when determining a development application on land with the parkland.

The matters for consideration specified in clause 12 range widely from the impact on drinking water catchments, to impacts on traffic and parking. The Department's assessment report includes a summary of its assessment of policy matters in Appendix 2, which stated:

“The proposed zoo is in line with the aims of the [policy]. The zoo is anticipated to be a significant tourist attraction that incorporates education and research aspects.”

The Commission has considered all matters for consideration specified in the policy, aided by the Department’s assessment, including its assessment of key issues. The Commission has found that the proposal is consistent with several policy aims, including facilitation of public access to and enjoyment of the parklands, as well as allowing commercial land uses that will deliver social and economic outcomes to Western Sydney, and it does not contravene any other policy aims. The Commission is satisfied that the Sydney Zoo is consistent with the *Parklands Plan of Management 2020* and that impacts on matters specified in clause 12 can be managed with appropriate conditions.

6. COMMISSION’S FINDINGS AND DETERMINATION

The Commission has considered carefully Sydney Zoo’s proposal, the Department’s assessment report and the relevant matters for consideration under section 79C of the *Environmental Planning and Assessment Act 1979* and *State Environmental Planning Policy (Western Sydney Parklands) 2009*. The Commission has noted the advice and recommendations from Blacktown Council and government agencies. The Commission has also heard from the community about their concerns for the proposal during the public meeting in Rooty Hill.

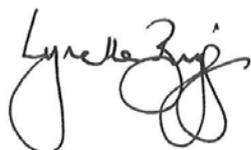
The Commission was persuaded by the depth of concern expressed at the public meeting, and by Featherdale and Taronga, to seek additional information from the Department and Sydney Zoo. The additional information dealt with the design and operation of Sydney Zoo, as well as the risks and costs of social impacts that could result from Featherdale closing if Sydney Zoo proceeds.

The Commission received this information in July 2017 and notes that both Featherdale, Taronga and others availed of the opportunity to provide comments on it.

The Commission has found that the risk and severity of potential impacts to Featherdale and the socially beneficial programs that it offers do not warrant refusal of the Sydney Zoo proposal. The Commission is satisfied that if impacts arise, they are likely to be balanced by social benefits offered by Sydney Zoo and its mitigation strategies. These include that Sydney Zoo would cooperate with the Australasian Zoo and Aquarium Association to ensure the orderly relocation of Featherdale’s animal collection; as well as identify opportunities to participate in the continuation of its breeding programs; work placements for students; employment for Aboriginal people; community engagement and outreach programs; and educational programs for school students.

The Commission has also found that Sydney Zoo would be located on a site that is readily accessible to many residents in Western Sydney, and would allow those residents access to a facility that would otherwise require more extensive travel to Sydney’s east. The proposal corresponds to the NSW Government’s objectives for the Western Parklands and for Western Sydney, and provides employment and tourism opportunities in the area.

On balance, and for the reasons set out above, the Commission has determined to grant consent to the development application subject to the conditions set out in the instrument of approval.



Lynelle Briggs AO
Chair of the Commission



Roger Fisher
Member of the Commission



Alan Coutts
Member of the Commission

APPENDIX 1

RECORDS OF COMMISSION MEETINGS

Briefing from the Department

| | | |
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| This meeting is part of the determination process. | | |
| Meeting note taken by David Way | Date: 13 December 2016 | Time: 10:30 am |
| Project: Sydney Zoo | | |
| Meeting place: Planning Assessment Commission Offices, 201 Elizabeth Street, Sydney NSW | | |
| Attendees: Commission Members: Lynelle Briggs AO (Chair), Roger Fisher and Alan Coutts Commission Secretariat: David Mooney (Team Leader) and David Way (Planning Officer) Department of Planning and Environment: Anthea Sargeant (Executive Director, Key Sites and Industry Assessments), Joanna Bakopanos (Team Leader, Industry Assessment), Chris Ritchie (Director, Industry Assessments) and Rebecca Sommer (Senior Planning Officer) | | |
| The purpose of the meeting: To discuss the assessment and management of the likely impacts associated with the development of Sydney Zoo. | | |
| The Department briefed the Commission on the following matters: <u>Project description and assessment process</u> <ul style="list-style-type: none">• Primate Boulevard to provide entry, with Sydney Zoo also containing an area of native species and species from south-east Asia and Africa.• Amendments to the project design and layout, removal of the overflow parking areas.• Composition <u>Socio economic impacts</u> <ul style="list-style-type: none">• The Department had considered the potential for social impacts in the locality of Sydney Zoo, principally through impacts to the Featherdale Wildlife Park, which has a strong community presence.• Viewed the impacts with reference to the independent review of the potential impacts provided by Hill PDA. The review found that there was sufficient population levels and difference in market offering that both facilities were capable of surviving, contingent upon Featherdale having a proactive response to the development.• The Hill PDA review did identify closure as a potential outcome, resulting in the Department setting conditions to facilitate co-operation between the entities and ensure that there is differentiation in the market offering between them. <u>Other likely impacts</u> <ul style="list-style-type: none">• Biodiversity: Low levels of clearing of native vegetation, with significant areas of native vegetation to be preserved as a result of the amended parking layout. The residual impacts to be offset through retiring biobanking credits with retained areas of vegetation to be maintained by the applicant.• Indigenous heritage: Management actions for the discovery of indigenous artefacts are included in the proposed conditions of consent.• Water quality: The applicant has since addressed the issues raised by the Environmental Protection Agency in relation to water quality and storm water management. These issues have been addressed in the revised management plans to be provided by the applicant and revisions to the project layout, specifically areas of native vegetation to be retained and augmented in the northeast corner of the project site. <u>The Commission raised the following matter</u> <ul style="list-style-type: none">• What capability is there to increase the assessment of socio-economic impacts which may eventuate | | |

as a result of the development of Sydney Zoo?

Documents [tabled at meeting/to be provided]: No documents tabled

Outcomes/Agreed Actions: Additional information requirements regarding the assessment of social and economic impacts to be provided by the Commission to the Department as soon as possible.

Meeting closed at 11:30 am

Briefing from Council

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| This meeting is part of the determination process. | | |
| Meeting note taken by David Way | Date: 13 December 2016 | Time: 9:30am |
| Project: Sydney Zoo | | |
| Meeting place: Planning Assessment Commission Offices, 201 Elizabeth Street, Sydney NSW | | |
| Attendees: Commission Members: Lynelle Briggs AO (Chair), Roger Fisher and Alan Coutts Commission Secretariat: David Mooney (Team Leader) and David Way (Planning Officer) Blacktown Council: Glennys James (Director Design and Development), Judith Portelli (Manager Development Assessment), Holly Palmer (Senior Town Planner Projects) | | |
| The purpose of the meeting: To discuss the Council's views in relation to the proposed Sydney Zoo | | |
| The Blacktown Council briefed the Commissioners on the following matters: <u>Status of Sydney Zoo</u> <ul style="list-style-type: none">• The opportunities for development and employment provided by the proposed Sydney Zoo, with a noted level of public interest in the project, especially in relation to employment.• The difference between the two zoological operations (Featherdale and Sydney Zoo), in particular the differentiation between the native versus exotic focus of the two businesses. <u>Featherdale Wildlife Park</u> <ul style="list-style-type: none">• The potential for impacts to Featherdale Wildlife Park from the development of Sydney Zoo and the need, as able, to manage these impacts, eg through Sydney Zoo focusing on exotic animals only.• The long history, approximately 45 years, of Featherdale's presence in the local community.• The community contributions of the Featherdale Wildlife Park, including social and educational programs.• Featherdale's positive relationship with Council, such as Council hosting events there.• A view by Council that the best outcome would be for the development of Sydney Zoo to be managed in a way which will allow both facilities to remain open. <u>Comments provided by Council</u> <ul style="list-style-type: none">• The nature of the comments provided by the Blacktown Council as part of its review of the EIS, including concerns raised in relation to traffic impacts and impacts to indigenous and European Heritage.• The Council's satisfaction with the response provided by Sydney Zoo Pty Ltd in the Response to Submissions. | | |
| Documents [tabled at meeting/to be provided]: No documents tabled | | |
| Outcomes/Agreed Actions: Further consultation and meetings to be scheduled as required. | | |
| Meeting closed at 10:30am | | |

Briefing from Sydney Zoo Pty Ltd (the applicant)

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| This meeting is part of the determination process. | | |
| Meeting note taken by David Way | Date: 14 December 2016 | Time: 9:30 am |
| Project: Sydney Zoo | | |
| Meeting place: 10 Valentine Avenue, Parramatta followed by a site visit | | |
| Attendees: Commission Members: Lynelle Briggs AO (Chair), Roger Fisher and Alan Coutts Commission Secretariat: David Mooney (Team Leader) and David Way (Planning Officer) The applicant: Jake Burgess (Managing Director and co-founder), John Burgess (chairman and co-founder), Justin Jan (Company secretary) and Julie Bindon (JBA) | | |
| The purpose of the meeting: To brief the Commission on Sydney Zoo Pty Ltd's proposed Sydney Zoo | | |
| The applicant briefed the Commissioners on the following matters: <u>Potential for a perceived conflict of interest</u> <ul style="list-style-type: none">Julie Bindon is attending the meeting on behalf of Tim Ward. It was discussed that Julie Bindon was formerly and is currently a member of the Western Sydney Parklands Trust. Julie Bindon confirmed that she had not had any previous role in meetings or preparation of assessment documentation for Sydney Zoo Project and was only attending in the absence of Tim Ward. <u>Project history and justification</u> <ul style="list-style-type: none">The project history and justification, including the tender process, finalising the lease arrangements with the Western Sydney Parklands Trust and the submission of the development application to the NSW Government.Emphasis on the requirements of competition policy in considering any impacts on Featherdale. <u>Project design and components</u> <ul style="list-style-type: none">Project amendments as a result of agency comments to reduce supplementary parking, including current options for addressing over flow parking requirements when required.Primate Boulevard to provide entry, with Sydney Zoo also containing an area of native species and species from south-east Asia and Africa.Will feature restaurant (the Boma) as part of the amenities in close proximity to a "low monitoring" area for kids / parents.Planned WiFi interactivity and linkages to exhibited species, age specific content. This will complement traditional signage. <u>Project impacts and management</u> <ul style="list-style-type: none">Major new investment and terrific initiative in Western Sydney, which is growing rapidly and needs more tourist facilities and local recreation opportunities for local people.Significant capital investment and commitment to ongoing investment in enhancing the zoo services and facilities over time.Biodiversity: Limited impacts to flora and fauna protected under NSW legislation. Initially impacts to 2 listed ecological communities, but project amendments have reduced impact to 0.25 ha of Cumberland Plain Woodlands (CPW), which will be offset. Retained areas of CPW will be managed to maintain and improve quality.Water quality: changes to the landscaping to retain storm water, in particular in the northeast area | | |

of the park.

- Indigenous and European heritage: Assessment noted that there may be areas of heritage value located within the project site. Management actions had been established to recover any discovered artefacts during construction.

Community and Educational contributions

- Has started establishing partnerships and agreements with Western Sydney University and Western Sydney TAFE in relation to a number of on-going studies and training opportunities.
- Looking to run strong schools program, similar to the Sydney Aquarium, with the aim of hosting 50,000 school students across all age groups / curriculums.
- Expected staffing levels based upon visitation rates. This will include a number of specialist roles, such as veterinarians and educational specialists. This will also incorporate a number of early age / entry level positions and a targeted 10% indigenous employment level.
- Sydney Zoo has formed a partnership with Muru Mittigar to provide indigenous cultural exhibitions for the development and to assist in indigenous support programs offered by Muru Mittigar. The memorandum of understanding has been signed.

Contribution to Western Sydney

- Employment and tourist benefits to the local Western Sydney community.
- Aboriginal initiative fills a gap in the education, cultural and employment support for the Muru Mittigar people.
- Several offers have been made to work and partner with Featherdale Wildlife Park, but these have been rebuffed to date. Sydney Zoo welcomes the opportunity to market the two zoos jointly and share ticketing arrangements.

Site Inspection

- Outline of where facilities and display zones would be located on the project site.
- Identification of attributes which would be impacted, such as stands of native vegetation.
- Identification of attributes which would be retained and managed, including areas of Cumberland Plains Woodland and River Red Gum Woodland and regeneration.

Documents [tabled at meeting/to be provided]: No documents tabled

Outcomes/Agreed Actions: Additional Information in relation to community contributions and likely socio-economic impacts from the development of Sydney Zoo as well as written notification of Julie Bindon's role within the Western Sydney Parkland Trust and involvement with Sydney Zoo project.

Meeting closed at 11:30am

Briefing by Featherdale Wildlife Park (Elanor Investments)

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| This meeting is part of the determination process. | | |
| Meeting note taken by David Way | Date: 13 December 2016 | Time: 11:30am |
| Project: Sydney Zoo | | |
| Meeting place: Planning Assessment Commission Offices, 201 Elizabeth Street, Sydney NSW | | |
| <p>Attendees: Commission Members: Lynelle Briggs AO (Chair), Roger Fisher and Alan Coutts</p> <p>Commission Secretariat: David Mooney (Team Leader) and David Way (Planning Officer)</p> <p>Featherdale Wildlife Park: Glenn Willis (CEO, Elanor Investors), Tony Chiefari (General Manager, Featherdale Wildlife Park), Chad Staples (Director of Life Sciences, Featherdale Wildlife Park), Penny Murray (Dibbs Barker Lawyers) and Ben Fuller (Gilbert and Tobin Lawyers)</p> | | |
| The purpose of the meeting: To discuss the potential social and economic impacts of the proposed Sydney Zoo. | | |
| <p>Featherdale briefed the Commissioners on the following matters:</p> <p><u>Customer base and economic position</u></p> <ul style="list-style-type: none"> Client / visitor numbers, including a breakdown by local, domestic and international visitors. <p><u>Community and education contributions</u></p> <ul style="list-style-type: none"> The educational programs run by Featherdale, including the coverage of areas of the NSW primary school syllabus, the establishment of the Wildlife Wanderer mobile program, secondary and tertiary partnerships for work experience placements and contributions towards TAFE certificates and collaboration with universities on research programs. Community Outreach / social programs run by Featherdale, including free admission for locals on Australia Day, mobile community visits (aged care homes) The Conservation Programs run by Featherdale, including the established Tiger Quoll and developing Plains Wanderer breeding programs and contributions to conservation research programs, such as the Koala Genome Project. Potential changes in program delivery based upon reduction in visitor numbers, as suggested in the various economic impact assessments. <p><u>Likely impacts to Featherdale Wildlife Park</u></p> <ul style="list-style-type: none"> Findings of the visitor experience research conducted by Urbis and the results of their assessment of the likely socio-economic programs managed by Featherdale. Featherdale's views on the current socio-economic impacts assessment conducted by the Department of Planning and Environment and concerns about the tender process. Historical impact on Featherdale's international tourism (Japanese tourists buses) from the last major new zoo initiative in Western Sydney | | |
| Documents [tabled at meeting/to be provided]: No documents tabled | | |
| Outcomes/Agreed Actions: Additional Information in relation to community contributions, capital investments, and likely socio-economic impacts from the development of Sydney Zoo. | | |
| Meeting closed at 12:30 pm | | |

Site Visit to Featherdale Wildlife Park

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| This meeting is part of the determination process. | | |
| Meeting note taken by David Way | Date: 19 December 2016 | Time: 3:00 pm |
| Project: Sydney Zoo | | |
| Meeting place: Featherdale Wildlife Park | | |
| <p>Attendees: Commission Members: Lynelle Briggs AO (Chair) and Roger Fisher</p> <p>Commission Secretariat: David Way (Planning Officer)</p> <p>Featherdale Wildlife Park: Tony Chiefari (General Manager, Featherdale Wildlife Park) and Chad Staples (Director of Life Sciences, Featherdale Wildlife Park)</p> | | |
| The purpose of the meeting: To discuss the context and see examples of Featherdale’s social and economic programs. | | |
| <p>The following aspects and facilities were discussed and displayed during the tour of Featherdale Wildlife Park:</p> <p><u>Layout and Collection Composition</u></p> <ul style="list-style-type: none"> Established as a mixture of open exhibits, such as “free range” macropods and closed exhibits, such as aviaries, reptile display other mammal displays. Designed to provide an example of the local / blue mountains environment first with small macropods (Pademelons). Size of the macropods increases as visitors make their way through the park, up to Agile Wallabies. Target visitor markets and average visitation rates. <p><u>Improvements and Facilities</u></p> <ul style="list-style-type: none"> Areas of capital improvement – redesign of the Drover’s hut (meeting and training area), the amphitheater (education area) and veterinary clinic. Improvements to displays, including Koala facilities. <p><u>Educational Programs</u></p> <ul style="list-style-type: none"> Orientation for work placement currently commencing. Contribution of bird species to programs at other wildlife parks. Educational programs offered by Featherdale Wildlife Park and learning outcomes. Noted transition of work placement and TAFE students to employment, including a number of current Featherdale staff. Financial considerations associated with maintaining educational programs <p><u>Conservation Programs</u></p> <ul style="list-style-type: none"> Level and timing of breeding success for a variety of species including: <ul style="list-style-type: none"> Tiger Quolls – current status as the sole captive breeder of this species; Cassowaries – logistics in breeding this species, in particular space requirements; Little penguins; and Plains Wanderer – a status update and importance of the program and proposed next steps. Financial considerations associated with maintaining conservation programs | | |
| Documents [tabled at meeting/to be provided]: No documents tabled | | |
| Outcomes/Agreed Actions: N/A | | |
| Meeting closed at 4:15pm | | |

Meeting with Taronga Zoo Conservation Society (Taronga Zoo)

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| This meeting is part of the determination process. | | |
| Meeting note taken by David Way | Date: 11 January 2017 | Time: 10:30 am |
| Meeting place: Planning Assessment Commission Offices, Level 3, 201 Elizabeth Street, Sydney | | |
| Project: Sydney Zoo | | |
| <p>Attendees: Commission Members: Lynelle Briggs AO (Chair), Roger Fisher and Alan Coutts Commission Secretariat: David Mooney (Team Leader) and David Way (Planning Officer) Taronga Zoo: Libby Hodgson (Acting Chief Executive/Director Marketing), Simon Duffy (Director Life Science and Conservation), Nick Boyle (Manager Animal Welfare) and Stephanie Hedt (EO - notes).</p> | | |
| <p>Representatives from Taronga Zoo discussed the following matters with the Commission:</p> <p><u>Introductions</u></p> <ul style="list-style-type: none"> • Introductions and roles of the attendees within the Taronga Conservation Society. • At face value, don't expect Sydney Zoo to draw tourists away from Taronga Zoo. <p><u>The current zoo landscape</u></p> <ul style="list-style-type: none"> • The importance of the industry as a whole maintaining a "good" reputation, especially in light of recent shifts in public perception and expectation. • The importance of public expectations and social license, in particular with driving animal welfare outcomes beyond statutory requirements. • The importance and nature of industry collaboration as a necessity of effective collection management, with reference to the difference between institutional and associate membership of the Zoo and Aquarium Association of Australia. <p><u>Animal welfare</u></p> <ul style="list-style-type: none"> • Observed trends in zoo collections towards reduced species diversity, especially in relation to zoo area and reducing the display of species with specialised and complex care requirements. Discussed in the context of Taronga's strategic changes to their displayed species. • Complexities of holding certain fauna groups, in particular noting large apes/primates and big cats need staff experienced in caring for these species. • The capital requirements for exhibit design and construction, noting Taronga's location impacts its funding requirements in many aspects. • Renovation of Taronga Zoo's Sumatran Tiger display - focus on animal welfare and employee safety <p><u>Conservation in zoos</u></p> <ul style="list-style-type: none"> • Importance of conservation outcomes in retaining social license in the community. • Financial impacts of maintaining effective conservation programs and the relationship between public and commercial zoological parks. • Higher conservation contributions of Featherdale Wildlife Park, specifically in the area of bird species. • Limitations in available space in the current zoo landscape for new conservation programs and the need for additional space for new programs. | | |
| Additional Documents tabled prior to meeting at meeting: No documents tabled | | |
| Outcomes/Agreed Actions: N/A | | |
| Meeting closed at 11:30am | | |

Meeting with Sydney Zoo Pty Ltd (Sydney Zoo)

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| This meeting is part of the determination process. | | |
| Date: 31 March 2017 | Meeting Notes prepared by: David Way | Time: 10:30 am |
| Meeting place: Planning Assessment Commission Offices, Level 3, 201 Elizabeth Street, Sydney | | |
| Project: Sydney Zoo | | |
| Attendees: Commission Members: Ms Lynelle Briggs AO (Chair), Mr Roger Fisher and Mr Alan Coutts. Commission Secretariat: Mr David Mooney (Team Leader) and Mr David Way (Planning Officer). The applicant: Mr Jake Burgess (Managing Director), Mr John Burgess (Executive Chairman), The Hon Robert Webster (Chair Sydney Zoo Strategic Advisory Council), Professor Roberta Ryan (Director of the UTS Institute for Public Policy and Governance), Mr Peter Clark (Director of Life Science Zoos SA, member of the Animal Welfare Committee), Mr Craig Sowden (Director Life Sciences, member of the Animal Welfare Committee), Mr Justin Jan (Company Secretary) and Mr Tim Ward (JBA Town Planning). | | |
| The purpose of the meeting: To provide Sydney Zoo with an opportunity to brief the Commissioners on the supplementary information being prepared for the Department of Planning and Environment (the Department). | | |
| The topics discussed included: <u>Composition of the board and advisory committees</u> <ul style="list-style-type: none">Names and qualifications of principle board membersGovernance structure, reporting and roles and relationships between advisory committees and the board.Current level of industry scale consultation and collaboration, including species availability for the proposed collection.Note: Mr Peter Clark did receive a fee for his representation, which has been donated to Zoos SA conservation foundation. <u>Animal Welfare and Zoo design</u> <ul style="list-style-type: none">Conceptual design of Sydney Zoo and exhibits in context of Australian exhibit standards.Status of Department of Primary Industry exhibit licence applications and the regulatory context and process.The role of Zoo design and species collection to social contributions, including educational programs and conservations partnerships. <u>Social Impact Assessment Status</u> <ul style="list-style-type: none">Principle structure and methodology of social impact assessment, including preliminary scope of the social impacts. No advice on the appropriateness of the scope of social impacts was provided by the Commission.Consultation between Professor Roberta Ryan and the Department.Expected timeframes for completion of social impact assessment and submission to Department Presentations provided to the Commission. | | |
| Meeting close: 12:30pm | | |



**Appendix 2
LIST OF SPEAKERS AT THE PUBLIC MEETING**

**Planning Assessment Commission
Sydney Zoo SSD 7228**

Date and Time: Wednesday 14 December 2016, 1 pm

Place: Rooty Hill RSL, 55 Sherbrooke Street, Rooty Hill NSW

List of Speakers

1. Jake Burgess (Sydney Zoo Pty Ltd)
2. Wayne Olling
3. Elizabeth Strat (Hurstville Grove Public School)
4. Kath Styant
5. John Wynne, Princess Ventura and Richard Lancaster SC (Featherdale Wildlife Park)
6. Anthony Lewis (Blacktown and District Environment Group)
7. Cheryl Miller
8. Peter Kerr
9. Maria Kaivananga
10. Susie Boyd (NSW P&C Federation)
11. David Archbold
12. Peter Chia (Muru Mittigar)

SUMMARY OF ISSUES FROM WRITTEN AND VERBAL SUBMISSIONS TO THE PUBLIC MEETING

The following issues were raised as objections to the development:

Impacts to Featherdale Wildlife Park

- Featherdale has a long, approximately 45 years, presence in Western Sydney.
- Sydney Zoo is likely to jeopardise the high level of community involvement by Featherdale Wildlife Park.
- Featherdale Wildlife Park has a high amount of social engagement with the local community.
- May result in job losses through impacts to Featherdale, creating a social impact in the region.
- No consideration of the worst case scenario, where both parks close and Western Sydney is left with nothing.
- Lack of consideration of the impacts to Featherdale in the assessment report and more importantly no consideration of how these impacts would affect local residents.

Biodiversity Impacts

- Clearing areas of Cumberland Plain Woodlands and isolating other, remaining patches
- Removal of community plantings, including reducing the natural regeneration of areas adjacent to the plantings
- Impacts on grazing areas for Eastern Grey Kangaroos and disrupting areas of green space important for local fauna, including birdlife.
- Potential for weed invasion in the Hawkesbury River through Eastern Creek, including the establishment of new noxious weeds.
- Decreasing water quality in Eastern Creek impacting the Australian Bass.

Appropriateness of the development of the Western Sydney Parklands

- Commitment by NSW Government for open space to be retained in Western Sydney through the Western Sydney Parklands.
- The lack of transparency in the terms of the lease for the project site, including financial contributions, through the Western Sydney Parklands Trust.

Planning and State Government

- Commitments by the state government that this land would be public space in perpetuity and a sense of the current government betraying that trust.
- It is poor planning to allow and support another major zoo type development in the locality, when the last two have failed

Other Matters Raised

- The lack of fitness of NSW Youth
- Inappropriate timing of public meeting in relation to school holidays
- Inappropriate notification for the public meeting

The following issues were raised in support of the development:

Economic Development

- The development of Sydney Zoo will meet an unmet need in the market

- Will provide a significant employment opportunity in the local area, including for young and indigenous job seekers.
- Will help establish a tourism precinct in Western Sydney, which is predicted to experience a high level of growth in the coming decades.

Social Benefits

- Will provide new social opportunities in Western Sydney, including closer access to high quality zoo facilities for disabled individuals.

Future Community Support and educational opportunities

- Has entered into a partnership with Muru Mittigar allowing the organization to maintain / increase capacity their current capacity
- Plans for Sydney Zoo to provide high quality educational programs, including partnerships for work experience placements and Western Sydney TAFE.