

# Modification of Development Consent

## Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

The Independent Planning Commission, as the declared consent authority under clause 8A of the State Environmental Planning Policy (State and Regional Development) 2011 and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Member of the Commission

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Sydney

2019

File: DOC19/286759

### SCHEDULE 1

<b>Application No:</b>	SSD 7228
<b>Applicant:</b>	Sydney Zoo Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Development:</b>	Construction and operation of a zoological facility within the Western Sydney Parklands
<b>Date of Original Consent:</b>	8 September 2017
<b>Modification:</b>	SSD 7228 MOD 3 – including modifications to: <ul style="list-style-type: none"><li>• clarify public opening hours</li><li>• extend hours of operation for the Development for:<ul style="list-style-type: none"><li>- maintenance and emergency activities</li><li>- temporary and community events</li><li>- delivery of goods, waste collection, specimen related services</li><li>- private zoo experiences</li></ul></li><li>• rectify an administrative error in referencing</li></ul>

### SCHEDULE 2

This consent is modified as follows:

#### In the Definitions:

1. Insert the following definition for MOD 3:

MOD 3 The development as described in modification application SSD 7228 MOD 3, the supporting documentation submitted with SSD 7228 MOD 3, the conditions of this consent and Appendix A of this consent

2. Delete the definitions for "Department", "Minister" and "Secretary" and replace with the following in alphabetical order:

"Department" Department of Planning, Industry and Environment

"Minister" Minister for Planning and Public Spaces

**In Schedule B: Administrative Conditions**

3. In Condition B2:

- a. delete the "and" at the end of clause (e)
- b. delete clause (f) and insert new clauses (f) and (g) as follows:
  - (f) the modification application SSD 7228 MOD 3 and supporting documentation; and
  - (g) the modification application SSD 7228 MOD 4 and supporting documentation.

4. Delete all references to "Secretary" and replace with "Planning Secretary".

5. Delete Condition B10 and replace with the following:

B10. The hours of operation for the Development are restricted, on any day, to the hours specified in Table 1 below:

*Table 1: Hours of Operation*

<b>Activity Description</b>	<b>Hours of Operation</b>
Public opening hours	December and January: 9am – 10pm February to November: 9am – 6pm
Maintenance activities conducted by staff of the Development including cleaning, animal curation, feeding and general maintenance activities	5:30am – 11pm
Emergency activities (including animal medical events)	24 hours, 7 days a week
Temporary and community events	December and January: 7am – 11pm February to November: 7am – 8pm
Delivery of goods, waste collection and specimen related services including animal and food delivery	December and January: 7am – 10pm February to November: 7am – 6pm
Private zoo experiences / small group tours	December and January: 7:30am – 10pm February to November: 7:30am – 6pm

*Note: The operational noise limits specified in Condition C32 apply to all activities specified in Table 1: Hours of Operation.*

6. Insert new conditions B10A, B10B and B10C immediately after Condition B10, as follows:

- B10A. Temporary and community events are limited to a maximum of eight events per calendar year.
- B10B. Private zoo experiences / small group tours that take place outside of general public opening hours are limited to a maximum patronage of 60 persons per tour.
- B10C. The maximum number of visitors permitted on site for private zoo experiences / small group tours commencing between the hours of 7:30 am and 9 am is limited to a maximum total of 300 visitors.

**In Schedule C: Environmental Performance and Management**

7. Delete all references to "Secretary" and replace with "Planning Secretary".

8. Insert new Conditions C5A and C5B immediately after Condition C5 as follows:

- C5A. The Applicant must update the Operational Traffic Management Plan for the Development prior to the commencement of any activities approved under MOD 3 to the consent. The updated plan must:
  - a) be prepared by suitably qualified and experienced person;
  - b) be prepared to the satisfaction of the Planning Secretary; and

- c) include details of specific management measures for parking, traffic and transport to facilitate the private zoo experiences / guided tours that are carried out between 7:30 am and 9 am at the site.

#### **Traffic Verification Report**

- C5B. Within six months of the commencement of operation of the Development the Applicant must prepare and submit a Traffic Verification Report to the satisfaction of the Planning Secretary. The Report must:
- a) be prepared by a suitably qualified traffic consultant;
  - b) quantify the mode share between coach and private vehicles for the private zoo experiences / small group tours commencing between the hours of 7:30 am and 9 am;
  - c) verify the total traffic impacts of the private zoo experiences / small group tours commencing during the hours of 7:30 am and 9 am on the capacity, efficiency and safety of the road network using SIDRA or similar traffic modelling; and
  - d) provide details of any management of mitigation measures required, including any upgrades or changes in services required for the Development.
9. In Condition C29:
- a. Delete the references to "Table 1" and replace with "Table 2"
  - b. Delete the reference to "B7" in Table 2: Hours of Work and replace with "B10".
10. In Condition C32 delete the references to "Table 2" and replace with "Table 3".
11. Insert new Condition C32A immediately after Condition C32, as follows:

#### **Noise Verification Report**

- C32A. Within six months of the commencement of operation of the Development the Applicant must prepare a Noise Verification Report for the Development to the satisfaction of the Planning Secretary. The report must:
- a) be prepared by a suitably qualified acoustic consultant, with qualifications and experience consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants or the Australia Acoustical Society;
  - b) be prepared in consultation with Council;
  - c) include an analysis of compliance with the noise limits specified in Condition C32 for all activities specified in Condition B10;
  - d) include an outline of management actions to be taken to address any exceedances of the limits specified in Condition C32; and
  - e) describe contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

#### **In Schedule D: Environmental Management and Reporting**

12. Delete all references to "Secretary" and replace with "Planning Secretary".
13. In Condition D7 delete the word "and" at the end of clause (d), insert the word "and" at the end of clause (e) and insert new clause (f) immediately after clause (e) as follows:
- f) verify the total daily visitor numbers for private zoo experiences / small group tours commencing between the hours of 7:30 am and 9 am has not exceeded the limit of 300 persons and include an outline of management actions to be taken to address any exceedance of the limit on visitor numbers and ensure ongoing compliance with the requirements of this consent.