Statement of Environmental Effects

Australasia Audio Video Facilities

Prepared for International Bible Students Association

at 12—14 Zouch Road, Denham Court, NSW 2565

Issue 2 – 15 November 2019

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1 INTRODUCTION

This statement of environmental effects (SoEE) relates to the Development Application (DA) for alterations and additions to the existing religious establishment owned by the International Bible Students Association (IBSA) and operating as the headquarters of Jehovah's Witnesses in Australasia, located at 12-14 Zouch Road, Denham Court, NSW 2565, and referred to as "Bethel", meaning 'House of God'.

The development involves alterations to the existing printery building, the addition of a new office building and the construction of a replica of an historical Biblical site.

1.1 INTRODUCTION

This SoEE has been prepared to accompany the DA, made under Part 4, s.78A of the *Environmental Planning and Assessment Act 1979* (NSW) (the Act).

The proposed development has been prepared with the assistance of a number of specialist consultants who have guided design development and assisted with this assessment. Watchtower Bible and Tract Society of Australia engaged a number of these third-party specialist consultants on behalf of IBSA. The project team is listed in Table 1.

TABLE 1: PROJECT TEAM

Client	**International Bible Students Association (IBSA)**
Project Management	IBSA
Architecture	IBSA
Legal	Peake Legal
Land Survey	TSS Total Surveying Solutions Ltd
Civil and Environmental	Nastasi & Associates - Consulting Civil & Structural Engineers
Geotechnical	Morrow Geotechnics Pty Ltd
Energy	Integreco Consulting Pty Ltd
Hydraulic	Gary Chan – C & M Consulting Engineers Pty Ltd
Electrical and Mechanical	IBSA
Fire Engineer	EURODAN Fire Safety Engineering
Arboriculture	Horticultural Management Services
Bushfire hazard	Bushfire Consulting Services Pty Ltd
Landscape	Paul Scrivener Landscape Architect; Raw Zone Pty Ltd
Contamination	AIRSAFE & Reditus Consulting
Quantity Surveyor	GOITQS Quantity Surveyors
Traffic engineer	Lindsay Thorpe - IBSA

1.2 SUPPORTING DOCUMENTATION

This DA is accompanied by:

- SoEE
- Architectural Drawings (incl. finishes and 3D renderings) (refer ANNEXURE A)
- Civil Drawings and Design (refer ANNEXURE B)
- Landscape Drawings (refer ANNEXURE C)
- Land Survey Drawings (refer ANNEXURE D)
- Film Management Plan (refer ANNEXURE E)
- Printery Chemical Index (refer ANNEXURE F)
- Preliminary Site Investigation (Contamination Report) (refer ANNEXURE G)
- Soil Vapour Assessment (refer ANNEXURE H)
- Groundwater Monitoring Event (refer ANNEXURE I)
- Geotechnical Report (refer ANNEXURE J)
- Salinity Management Plan (refer ANNEXURE K)
- Bush Fire Assessment Report (refer ANNEXURE L)
- Arboricultural Report (refer ANNEXURE M)
- Traffic and Parking Assessment (refer ANNEXURE N)
- Essential Services Report (refer ANNEXURE O)
- Waste Management Plan (refer ANNEXURE P)
- Quantity Surveyors Report (refer ANNEXURE Q)

1.3 ADDITIONAL INFORMATION

The SoEE has been prepared by Nicholas Simitzis RAIA, registered as an architect in NSW, registration No. 7006 under the Architects Act 2003, member of Royal Australian Institute of Architects on behalf of International Bible Students Association (IBSA).

The proposed alterations have been designed in accordance with principles laid out in the Liverpool Local Environmental Plan 2008 (LLEP) and the Liverpool Development Control Plan 2008 (LDCP).

2 BACKGROUND TO APPLICATION

2.1 PROJECT REFERENCE DETAILS

TABLE 2: PROJECT REFERENCE DETAILS

Subject Land	12-14 Zouch Road, Denham Court, NSW 2565 Deposited Plan: Lot 2 on DP 1111318
Applicants	International Bible Students Association (IBSA) ABN 53 599 087 376
Owners	International Bible Students Association (IBSA) ABN 53 599 087 376
Present Use	Place of Public Worship - Religious establishment
Zoning	RU2 - Rural Landscape
Heritage Status	The building or site is not a designated item, or located within an environmental heritage area
Conservation Area	Land is not located in a conservation area
Proposal	Alteration to part of existing printery building to transition from hard-copy printing of religious educational materials to a film studio inside part of former printery for production of digital religious educational materials. Addition of new office building and replica of an historical Biblical site in an existing farm paddock to be used for filming to produce digital religious educational materials for the purpose of religious worship, instruction and training.
Permissible Under	Environmental Planning and Assessment Act 1979 (NSW) • ~~Existing Use Rights~~ Liverpool Local Environmental Plan 2008 (LLEP) • "Places of Public Worship" State Environmental Planning Policy (Exempt And Complying Development Codes) 2008 • Exempt Development - Filming
Regional Environmental Plan(s)	Greater Metropolitan Regional Environmental Plan No. 2 - Georges River Catchment
Draft Regional Environmental Plan(s)	Nil
Critical Habitat	The land does not comprise or include critical habitat
Flood Related Development Controls Information	Part of this property is affected by flood inundation and therefore the controls applying to development contained with the LLEP and the LDCP apply to this property
Contribution plans	Liverpool Contributions Plan 2001

Bush Fire Prone Land	Part of the subject land is bushfire- prone land, as defined in the Environmental Planning and Assessment Act 1979, and the legislative requirements for development in bushfire prone areas are applicable to part of the project.
Property Vegetation Plans	The land subject to this certificate is not affected by the Local Land Services Act 2013, and the Biodiversity Conservation Act 2016
Tree Preservation Provision	The land is subject to a tree preservation provision under Section 2 of Part 1 LDCP
Potentially Saline Soils Land	Yes, please refer to Section 11 of Part 1 of LDCP
Potentially Contaminated Land	Yes, please refer to section 10 of Part 1 of LDCP
Environmentally Significant Land	Yes, the subject property is identified as containing environmentally significant land under Division 2, General provisions of the LLEP. (1) The objectives of this clause are as follows: (a) to maintain bushland, wetlands, and wildlife corridors of high conservation value; (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands, and wildlife corridors;, (c) to protect rare and threatened native flora and native fauna, and (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent

2.2 TOWN PLANNING HISTORY

The original development approvals were for the erection of an ecclesiastical centre for IBSA (please refer to Consent No. LCC: 1174/79). This included the erection of literature storage and printery building, office, chapel building and link buildings and was associated with DA 382/79.

The existing Bethel complex has had a number of development application approvals. The overall site planning approval for additions to the existing religious establishment is Development Application No. 806/92. For the full town planning history, please refer to the *Table 3 - Previously Approved Development Applications* below.

TABLE 3: PREVIOUSLY APPROVED DEVELOPMENT APPLICATIONS

DA REF:	DATE	DESCRIPTION OF DEVELOPMENT
382/79	11/04/1979	Erection of an ecclesiastical centre by comprising a services building, swimming pool complex and meter/switch building with associated sewage treatment plant.
1174/79	31/10/1979	Erection of literature storage and printery building, office chapel and link buildings.
437/80	5/05/1980	Erection of a four storey residential building for the ecclesiastical centre development with associated amenities and car park area.
315/82	22/06/1982	Alterations to existing store building incorporating mezzanine floor for use as games room.

244/86	11/06/1986	Erection of a three (3) storey office building to be used for administration purposes.
499/87	11/09/1987	Erection of additions to the existing meter switch room.
226/87	21/09/1987	Additions to existing development for the purposes of (A) Bible and Bible literature storage and printing; (B) Residential Accommodation (C) Car parking facilities.
810/89	22/12/1989	Extensions to the existing room, kitchen and storage facilities.
850/89	5/01/1990	Additions comprising of farm equipment storage area and chicken (layers) shed.
537/90	9/11/1990	Erection of a place of public worship.
909/92	30/11/1992	Erection of temporary accommodation buildings and construction of a temporary concrete batching plant.
806/92	6/04/1993	Additions to an existing religious establishment comprising the erection of a garage and workshop building, a power generator building, a 3 storey office building; a 5 storey residence building and a 3 storey car park building.
77/97	13/08/1996	Change of existing temporary class 3 and 1 residences to permanent class 3 and 1 residences for use as accommodation by ministers of religion.
1853/05	12/08/2005	Building a small boiler house, building a retaining wall and replacing concrete path of linkway.
26/2011	13/12/2010	Alterations and additions to Watchtower kitchen and dining facilities.
721/2011	17/01/2011	Alterations and additions to include two carports, a garage, an awning, driveway modification and additional car parking to the existing development and external lighting to the existing playing field.
1564/2012	11/03/2012	Demolishing of existing greenhouses and erection of a storage shed.

2.3 PRE – DEVELOPMENT APPLICATION MEETING

To assist with design development and to inform LCC of the proposed works, a Pre-Development Application meeting was held on 15 May 2019 with Peter Nelson (LCC Senior Development Planner) and Robert Micallef (LCC Development Assessment Officer) refer to PL-30/2019 dated 24 May 2019.

Key items from this meeting are summarised and addressed in the table below:

TABLE 4 – SUMMARY OF PRE-DEVELOPMENT APPLICATION MEETING

√	CATEGORY	REFERENCE	COMMENT
√	**Zoning**	*RU2 – Rural Landscape*	Please refer to 5 – Design Process and 6 – Compliance tables in this SoEE.
√	**Permissible Development**	*The proposed film studio and associated sets are defined as "high technology industry" under the Liverpool Local*	~~The proposed alterations to part of the printery building to transition from the current light industry printing works to the proposed "high technology" light industry (filming use)~~

		Environmental Plan 2008. The use is prohibited in the zone.	~~are within the existing use rights of the subject site.~~ See Addendum "Places of public worship" are permissible in RU2 – Rural Landscape zoning. The proposed new office building is ancillary to the subject site's use as a place of public worship. The proposed replica of an historical Biblical site is consistent with the place of public worship meaning (as a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training).
√	**Relevant Environmental Planning Instruments & Codes**	*State Environmental Planning Policy No. 55 – Remediation of Land*	Please refer to: **ANNEXURE G – PRELIMINARY SITE INVESTIGATION (CONTAMINATION REPORT)** **ANNEXURE H – SOIL VAPOUR ASSESSMENT** **ANNEXURE I – GROUNDWATER MONITORING EVENT** **ANNEXURE J– GEOTECHNICAL REPORT** **ANNEXURE K – SALINITY MANAGEMENT PLAN**
√		*The Greater Metropolitan Regional Environmental Plan (GMREP) No. 2 – Georges River Catchment is now a deemed SEPP and must be addressed.*	Please refer to: **ANNEXURE B – CIVIL DRAWINGS AND DESIGN** **ANNEXURE D – LAND SURVEY DRAWINGS** **ANNEXURE J – GEOTECHNICAL REPORT** **ANNEXURE K – SALINITY MANAGEMENT PLAN**
√		*State Environmental Planning Policy Infrastructure*	Not Applicable
√		*State Environmental Planning Policy (Exempt and Complying Development Codes (2008).*	The proposed filming at the replica of an historical Biblical site will comply with this SEPP, with the exception of only one requested variation, please refer **SECTION 4.5** of this SoEE
√		*Liverpool Local Environmental Plan 2008 (LLEP 2008)*	Please refer to **SECTION 6** and **SECTION 7** of this SoEE
√		*Liverpool Development Control Plan 2008 (LDCP*	Please refer to **SECTION 6** and **SECTION 8** of this SoEE

		2008)	
√	**Relevant External Referrals**	*Roads and Maritime Services (State Environmental Planning Policy (Infrastructure) 2007*	Not Applicable, please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT**
		Transgrid / Endeavour Energy - Cl.45 of State Environmental Planning Policy (Infrastructure) 2007	Not Applicable
		Department of Primary Industries –Water - S91 of Water Management Act 2000)	Not Applicable
		Sydney Water- Section 78 of the Sydney Water Act 1994.	Not applicable, water and sewer drainage of the proposed works will be connected to the existing water and drainage system within the lot. Section 73 application is not applicable.
		Rural Fire Service – NSW Rural Fires Act 1997	Please refer to **ANNEXURE L – BUSH FIRE HAZARD ASSESSMENT**
√	**Other Relevant Matters**	*Any proposal to rely on "Existing Use rights" must demonstrate compliance with Division 4.11 of the Environmental Planning and Assessment Act 1979 and Part 5 of the Environmental Planning and Assessment Regulation 2000*	~~Please refer to **SECTION 4.4** of this SoEE~~

3 THE PROPERTY AND ITS CONTEXT

3.1 THE SITE

The subject property is located on the western side of Zouch Road. Lot 2 on DP 1111318 is rectangular in shape with a truncated frontage of 375.635m to Zouch Road and an area of 40.47ha, and is owned by International Bible Students Association (IBSA).

The site has two road entrances. The main entrance to the complex is from Zouch Road and there is a secondary entrance from Church Road.

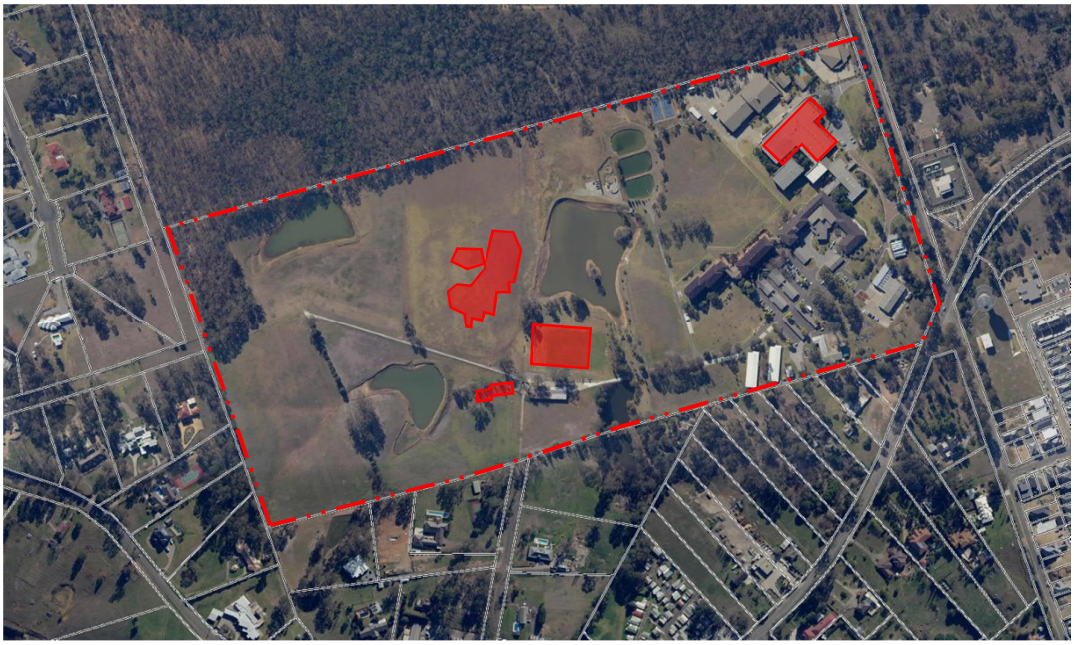

Figure 3.1 Aerial view of site (copy from Lands Department SIX Viewers site) showing proposed alterations shaded in **red**.

3.2 PRESENT AND PREVIOUS USES

The complex is used as the headquarters of Jehovah's Witnesses in Australasia, as it has been since 1980. The land and buildings belong to IBSA, a religious body, and are used for public worship, including religious teaching, training and instruction, as well as for residences for ministers of religion. It is referred to as "Bethel", which means 'House of God'.

The existing printery has been instrumental in the publication and distribution of religious educational materials in Australia and the Pacific Island groups. In the case of *IBSA v Liverpool City Council*, Appeal No 30014 of 1990, when referring to the Bethel complex, the NSW Land & Environment Court, held that:

> *"The Court is satisfied on the evidence that Bethel is a place which is conducive to right mindedness and most activities would be in the broad sense for the purpose of religious teaching and training.*
>
> *The publication of instructive booklets in 20 languages for distribution in Australia and Pacific Island groups, in the opinion of the Court, must be seen as part of the teaching mission of the Association. The Court heard that Watchtower, an important publication of the International Bible Students Association, is printed on site in 17 languages. Examples of these came to Court as Exhibit E and are clearly on the evidence designed to disseminate the Christian message."*

3.3 SITE SUITABILITY

The existing site is zoned RU2 - Rural Landscape. This SoEE demonstrates that the proposed works can successfully meet the planning objectives on the basis of ~~either~~:

- ~~Existing Use Rights; and/or~~
- Permissible use as a Place of public worship.

The proposed works ~~not only maintain the existing use of this site, but~~ are ~~also~~ integral to the function of the existing premises as a place of public worship, in particular for the purpose of religious teaching and training.

In consideration of the rural environment of the subject site, it is of note that the LDCP Part 5, clause 9.9 states that:

> "*Some places of public worship seek to operate in rural areas. There is a trend for places of public worship to locate in rural areas, sometimes in conjunction with an Education Establishment*."

The subject site has operated as a place of public worship in a rural area since 1980, before the "trend" referred to above, however, the proposed works will provide that the site remains compatible with the rural environment, minimise impact on the surrounding area, and minimise any adverse impact on road safety and traffic movement.

Further, the site now finds itself located in a developing rural area, in close proximity to the newly developed Edmondson Park, as well as the Ingleburn and Liverpool town centres. The subject site and the proposed works will continue to maintain a rural buffer for these housing developments.

3.4 DESCRIPTION OF THE PROPOSAL

In the case of *IBSA v Liverpool City Council*, Appeal No 30014 of 1990 in the Land and Environment Court of NSW, it was held that: "The Court is also satisfied that the Bethel complex is a building used or occupied for the purpose of religious teaching or training."

The proposed works involve additions and alterations to parts of the Bethel complex to facilitate the transition from hard copy religious educational materials to a digital platform, featuring short video presentations and website materials. As part of the commencement of this transition, the four colour off-set web press has been sold and its enclosure removed.

The responsibility for the bulk of the production of religious education materials will shift from the printery to the Audio/Video Services (AVS) Department. AVS now takes the lead in producing audio and video publications for worship and for educational and training purposes. Media produced is of a religious educational nature and is not sold nor is it produced for profit. The religious educational material is often made up of dramatising modern scenarios and re-enacting life in Bible times. In all instances, the videos give insight and practical guidance on how to apply Bible principles. The videos produced by the AVS Department become a regular part of worship for Jehovah's Witnesses and are broadcast worldwide to the public via the JW Broadcasting website (https://tv.jw.org/#en/home), where the videos can be downloaded into some 300 languages for free. There are currently 15 global teams assisting with the production of videos by the AVS Department, including one on the subject site in Australia. The proposed works will enable the AVS Department to provide high quality material to continue the use of the site for "religious teaching or training".

The proposal includes:

1. Sound-proofing some of the existing printery space to convert it to a film studio and the addition of some light-weight stud partition walls to form associated production support areas and upgrade of existing amenities.
2. Replacement of a few existing windows to the printery space with insulated panels for sound-proofing of the proposed film studio, and new glazed shopfront doors as an entry to the production support areas. These will maintain the existing articulation and materials palette of the printery building.
3. Addition of a new office building, to accommodate offices, including an office breakout area and amenities, grouped with the existing farm shed and cattle yards.

4. Addition of a replica of an historical Biblical site with permanent structures for filming, including landscaping, to be used by the AVS Department for the purpose of religious instruction and training.

Existing volunteers, who are all ordained ministers of religion, are accommodated on-site and are members of a worldwide religious order. Volunteer numbers that were involved with the printery will now be used for the AVS Department. Existing accommodation already exceeds the amount needed for volunteers (including guest rooms).

Figure 3.4.1 View of existing printery - external north west/south west walls. No external changes are proposed to this section.

Figure 3.4.2 View of existing printery - external north east/north west walls. Existing windows to audio/video studio will be replaced with cladding to match existing finishes. Existing loading dock and dock leveller at Dock 3 will be relocated further west on the northern façade to Dock 4. New AC packaged unit installed in existing dock area. Not visible from Zouch road.

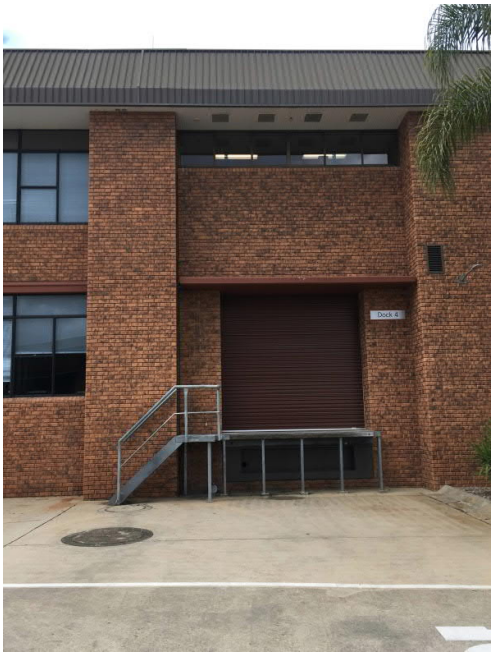

Figure 3.4.3 View of existing Dock 4 on printery - external north wall. Existing dock and dock leveller to be relocated to this existing dock location. Façade not visible from Zouch road,

Figure 3.4.4 View of existing printery - external north east wall. Existing windows to audio/video studio will be replaced with cladding to match existing finishes. A new opening in wall is proposed for an entrance door to the production support office reception area.

Figure 3.4.5 View of existing printery pre-production area. This area to include small modifications for additional offices for the AVS Department. Please refer to **ANNEXURE A – ARCHITECTURAL DRAWINGS**.

Figure 3.4.6 View of existing printery space to be sound-proofed for a film studio.

Figure 3.4.7 View of general storage area (to remain) and printery space to be converted to audio/video studio.

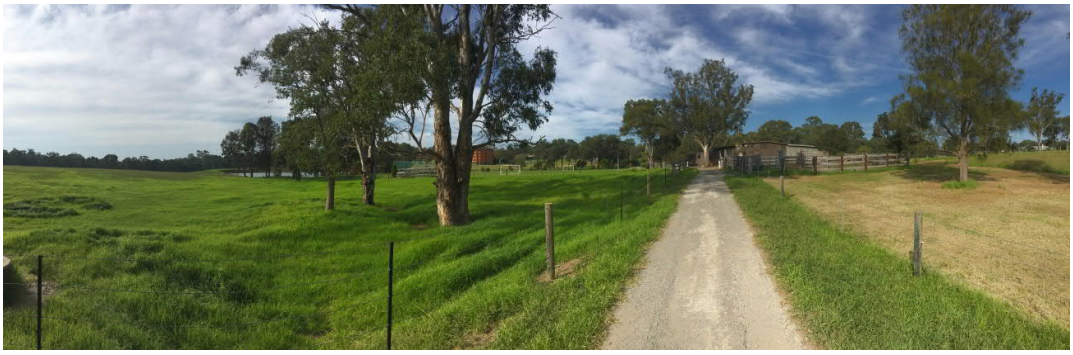

Figure 3.4.8 View down the existing farm road - back towards the main complex, with existing cattle yards and farm shed to the right. Proposed replica of an historical Biblical site to be located to the left of the road. Proposed new office building to be grouped with existing farm shed and cattle yards (which are to remain) to the right. Existing farm road to be widened.

Figure 3.4.9 View looking north east, towards the existing cattle yards and farm shed. Proposed new Office building to be grouped with these buildings and designed to reference the Australian farm shed vernacular.

Figure 3.4.10 View looking south, towards the secondary entrance gate from Church Rd. A new electric sliding gate and timber farmyard-style entrance fence is proposed in this location, along with a sweeping curve car park and new landscaping to maintain the rural character of the site.

3.5 GOODS

The religious establishment known as Bethel does not produce any goods (or services) for sale or profit.

3.6 VEHICLE MOVEMENT AND DELIVERIES

Main Entrance along Zouch Road:

Vehicle access to the site is via Zouch Road. The main entry (Gate 2) access driveway has a minimum two-way entry of 6.5m, exceeding the minimum requirements of Australian Standards 2890.1 (Parking Facilities).

All delivery vehicles can enter or leave in a forward direction. Turning circles for the size of delivery vehicles have been designed in accordance with AS 2890.2 and using AUSTROADS Design Vehicles and Turning templates.

Bulk deliveries leave the site generally via the second access (Gate 3) to Zouch Road.

The proposed alterations will reduce the vehicle load on the existing main entrance roadways and gates. There will be a significant reduction in the amount of delivery and pick-up vehicles

coming and going to the site, due a discontinuation of large paper roll deliveries and a dramatic reduction in the amount of printed material exiting the site. Please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT.**

Secondary Entrance along Church Road:

It is proposed, as part of this DA, to widen the existing entrance from Church Road with a new motorised sliding gate and to seal and widen the existing gravel road. Additional parking will be provided for the new office building and the replica of an historical Biblical site. This secondary entrance will only have light traffic use. Please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT.**

4 STATUTORY INSTRUMENTS

4.1 STATE PLANNING INSTRUMENTS

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy No. 55 – Remediation of Land
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Infrastructure) 2007

4.2 LOCAL GOVERNMENT PLANS

- Liverpool Local Environmental Plan 2008 (LLEP)
- Liverpool Development Control Plan 2008 (LDCP)

4.3 PERMISSIBLE USE RELATED TO LAND USE ZONING

The subject site is located in Zone RU2 - Rural Landscape. For reference, the following is a quote from the LLEP Land Use Table regarding this zone:

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To ensure that development is compatible with the rural character of the land and maintains the feasibility of agricultural uses.*
- *To preserve bushland, wildlife corridors and natural habitat.*

2 Permitted without consent

Extensive agriculture; Home-based child care; Home occupations

3 Permitted with consent

Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Farm

stay accommodation; Flood mitigation works; Helipads; Home businesses; Home industries; Horticulture; Places of public worship; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls

4 Prohibited

Any development not specified in item 2 or 3

According to the Land Use Table, the permissible uses include "places of public worship", which is defined in the LLEP dictionary as follows: "***place of public worship*** *means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training"*.

A comparison of the proposed works against the LLEP Land Use Table demonstrates that the works associated with a new office building and the replica of an historical Biblical site and associated filming are permissible use with consent, for the reasons set out below.

IBSA, the corporate entity used by Jehovah's Witnesses in this instance, is a religious body, which meets the requirement of a "congregation or religious group".

As referred to above, the NSW Land and Environment Court case of *IBSA v Liverpool City Council* held that: "*The Court is satisfied on the evidence that Bethel is a place which is conducive to right mindedness and most activities would be in the broad sense for the purpose of* ***religious teaching and training"*****.** [Emphasis added]

The proposed works will continue the use of the site for this purpose, namely the purpose of "religious teaching and training". While the purpose remains the same, it is proposed that the methods used will change to move with modern advancements in education and the dissemination of information. Society at large has seen a move away from print publications to digital media. The proposed works will enable the AVS Department to utilise the latest digital tools to provide religious educational materials. The nature of the new office and other permanent buildings, namely to support the filming of Bible educational materials, and the filming itself, are all to support the provision of such digital content to meet the needs of Jehovah's Witnesses and the public.

The permanent buildings constructed as a replica of an historical Biblical site will provide for sets to facilitate filming to produce religious educational films and Biblical re-enactments that will teach and train and provide uplifting, practical material relevant to modern life. The office building that supports the replica of an historical Biblical site will be specifically constructed as the support building for the film set.

Moreover, the design of all buildings will maintain the rural landscape character and be in harmony with the existing bushland and natural habitat.

For this reason, the development of the kind specified for the new office building and replica of an historical Biblical site, together with the filming, falls within the definition of permissible use, as it satisfies the definition of a "place of public worship", specifically for "instruction or religious training". Moreover, the structures satisfy the development standards under SEPP (Exempt and Complying Development Codes) 2008, as the buildings will be constructed so as to be permanent.

~~4.4 EXISTING USE RIGHTS~~

The approved use of the subject site as a religious establishment includes the use of the printery building for print works and dates back to 1980. The printery is still currently in use and it is proposed that the print works will continue to operate but on a significantly reduced scale.

Refer Addendum

~~In this regard, the **Environmental Planning and Assessment Act 1979** No 203, Division 4.11 Existing uses, states:~~

~~*"4.65 Definition of "existing use"*~~

~~*In this Division, **existing use** means:*~~

~~*(a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for this Division, have the effect of prohibiting that use, and*~~
~~*(b) the use of a building, work or land:*~~
~~*(i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*~~
~~*(ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*~~

~~***4.66 Continuance of and limitations on existing use (cf previous s 107)***~~

~~*(1) Except where expressly provided in this Act, nothing in this Act or an environmental planning instrument prevents the continuance of an existing use.*~~
~~*(2) Nothing in subsection (1) authorises:*~~
~~*(a) any alteration or extension to or rebuilding of a building or work, or*~~
~~*(b) any increase in the area of the use made of a building, work or land from the area actually physically and lawfully used immediately before the coming into operation of the instrument therein mentioned, or*~~
~~*(c) without affecting paragraph (a) or (b), any enlargement or expansion or intensification of an existing use, or*~~
~~*(d) the continuance of the use therein mentioned in breach of any consent in force under this Act in relation to that use or any condition imposed or applicable to that consent or in breach of any condition referred to in section 4.17 (1) (b), or*~~
~~*(e) the continuance of the use therein mentioned where that use is abandoned."*~~

~~Additionally, the Environmental Planning and Assessment Regulation 2000, Part 5, Existing uses, clause 41.1 states:~~

> ~~*(1) An existing use may, subject to this Division: (a) be enlarged, expanded or intensified, or (b) be altered or extended, or*~~
>
> ~~*(f) if it is a light industrial use – be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act).*~~

~~A comparison of the proposed works in harmony with the EPA Act 1979 and the Environmental Planning and Assessment Regulation 2000 demonstrates that the works associated with sound-proofing part of the existing printery space for a film studio and associated support spaces can be undertaken under existing use rights, for the reasons stated below.~~

~~Development consent for the subject site, including the erection of a printery (Consent No. LCC: 1174/79, associated with DA 382/79), was granted before the commencement of the RU2 – Rural Landscape zoning, which had the effect of prohibiting the use of the printery.~~

~~The printery commenced operation in 1986 and continues print works to this date.~~

~~**Figure 4.4.1** View of existing print works area still in use.~~

~~As evidence of the on-going print works since this time, please refer to Table 4 below:~~

~~TABLE 4: Machines used for print works with consent at 12-14 Zouch Rd Denham Court~~

~~**DATE**~~	~~**DESCRIPTION**~~
~~1986-2004~~	~~Web Press. Brand: TKS. 4-colour heat-set web offset press.~~
~~2004-2016~~	~~Web Press. Brand: Hantscho Mark 16. 4-colour web offset press~~
~~1986-2008~~	~~Sheet-fed Press. Brand: Heidelberg SORMZ 1-colour sheet-fed offset~~
~~**Current**~~	~~Sheet-fed Press. Brand: Heidelberg SORMZ 2-colour sheet-fed offset.~~
~~**Current**~~	~~Sheet-fed Press. Brand: KBA Rapida 104. 4-colour sheet-fed offset.~~
~~**Current**~~	~~Sheet-fed Press. Brand: Heidelberg TOK. 1-colour sheet-fed offset.~~
~~**Current**~~	~~Various other equipment – guillotine, folder, stitcher.~~

~~A variety of industry standard chemicals are used as part of the print works (please refer to **ANNEXURE F – PRINTERY CHEMICAL INDEX**). As instructed in the material data sheets, measures are taken to ensure users wear the appropriate personal protective equipment (PPE). Weekly team safety meetings, daily "tool box talks" and other health and safety measures are an integral part of the print works mode of operation.~~

~~These print works meet the definition of "light industry", most notably that definition in the dictionary of the Standard Instrument (Local Environmental Plans) Order 2006, which states:~~

> ~~*"light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:*~~
>
> ~~*(a) high technology industry,*~~
>
> ~~*(b) home industry,*~~
>
> ~~*(c) artisan food and drink industry".*~~

~~All print works are carried out with no interference to the amenity of the neighbourhood. The relatively small amount of waste chemicals are disposed of in the solvent holding tank located near the current carwash area. This is emptied by Enviro Waste Services Group, a company that specialises in handling hazardous chemicals to ensure that there is no environmental impact. Minimal noise or vibration can be heard outside of the print works area, and none can be heard within a short distance from the building, while still on the subject site. No smell, fumes or other waste products are released from the printery which would constitute a nuisance to volunteers on-site and the neighbourhood. A modest amount of paper waste is recycled along with other recyclable material from the subject site. The existing printery's standard of cleanliness is world class and rarely seen to this standard in other printeries.~~

~~Both the heat-set web offset presses were connected to a catalyst oxidizer system, which removed the volatile organic compounds (VOCs) from the ink during the drying process. The catalyst beads were tested regularly to ensure the equipment was working correctly. These presses are no longer in use and have been sold.~~

As reported on in **ANNEXURE H – SOIL VAPOUR ASSESSMENT REPORT,** contamination testing carried out in the area of the former printery reported concentrations of chemicals either below the laboratory limit of reporting (LOR) or below the adopted NEPC (2013) NEPM HSL-D and interim HIL-D assessment criteria and the adopted screening criteria. Furthermore, groundwater monitoring testing carried out downgradient of the former printery **(ANNEXURE I – GROUNDWATER MONITORING EVENT REPORT)** reported that no potential contaminants associated with the printery were encountered. The results indicate that the historical printing operations have not impacted the location of the proposed works within the subject site. See **Section 8.16** of this report for further contamination assessment results.

~~Additionally, print works are classed as a "light industry", according to the above-mentioned definition, as well as commonly accepted industry definitions. For example, Cordell Connect is a company and website that categorizes various developments. One of their categories is: Light Industry (Laundries, printing works, textiles, clothing). Another globally accepted definition of "light industry" is the taking of resources made by a heavy industry (e.g. paper production, steel and printing press production) and turning them into a finished product targeted toward the end user (e.g. magazines and leaflets). For example, according to https://www.britannica.com/technology/industry:~~

> ~~"*Light, or small-scale, industry may be characterized by the non-durability of manufactured products and a smaller capital investment in plants and equipment, and it may involve nonstandard products, such as customized or craft work. The labour force may be either low skilled, as in textile work and clothing manufacture, food processing, and plastics manufacture, or highly skilled, as in electronics and computer hardware manufacture, precision instrument manufacture, gemstone cutting, and craft work.*"~~

~~Therefore it is reasonable to categorize print works that produce leaflets and magazines as "light industry", along with high technology industries such as film production.~~

~~The printery building therefore has existing use rights for "light industry". Further, it is important to note that the film studio and associated support spaces portion of the proposed works also comply with all of the criteria in Environmental Planning and Assessment Regulation 2000, Part 5, Existing uses, clause 41.2. Please refer to table below.~~

~~**TABLE 5**: Environmental Planning and Assessment Regulation 2000 Part 5 Existing Uses~~

~~TABLE LEGEND~~

~~Clause from LEP or DCP)~~

~~√ Complies with this clause~~

~~■ Does not totally comply but appropriate to clause in principle, refer comment~~

~~X Does not comply with clause, may require alternative DA route~~

~~√~~	~~**CLAUSE**~~	~~**REFERENCE**~~	~~**COMMENT**~~
~~√~~	~~**41.2 (A)**~~	~~Involves only alterations or additions that are minor in nature~~	~~Proposed works involve no structural changes. Non-structural stud walls and plasterboard with insulation are utilised to improve sound-proofing of existing building and provide for support spaces. Minor, light-weight cladding infill to some existing openings is proposed to match existing materials.~~
~~√~~	~~**41.2 (B)**~~	~~Does not involve an increase of more than 10% in the floor space of the premises associated with the existing use~~	~~The proposed works do not increase the floor space of the premises associated with the existing use.~~
~~√~~	~~**41.2 (C)**~~	~~Does not involve the rebuilding of the premises associated with the existing use~~	~~The proposed works do not involve rebuilding the existing premises.~~
~~√~~	~~**41.2 (D)**~~	~~Does not involve a significant intensification of that existing use~~	~~The proposed works provide for a reduction in the intensity of the existing use through the transition to a digital, rather than a hard-copy platform for the distribution of religious educational materials. There will be less deliveries, less resources used and less waste produced as a result of the proposed works.~~

~~In summary, the proposal to sound-proof for a new film studio necessitates that the existing use of part of the printery, a "light industry", be changed to film production, another "light industry", more specifically a "high technology industry", which is in accordance with Environmental Planning and Assessment Regulation 2000, Part 5, Existing uses, 41(1)(f). In doing so, the portion of proposed works comprising sound-proofing part of the existing printery space for a new film studio and associated support spaces can be consented to under consideration of existing use rights.~~

~~4.5 STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008~~

~~The State Environmental Planning Policy (Exempt And Complying Development Codes) 2008 Part 2 Division 3 Subdivision 4 Filming outlines the exempt development requirements for filming. A comparison of the proposal to film at the proposed replica of an historical Biblical site with the exempt development requirements is contained in the table below.~~

~~**TABLE 6**: State environmental planning policy (exempt and complying development codes) 2008 Part 2 div 3 sub div 4 filming~~

~~√~~	~~**CLAUSE**~~	~~**REFERENCE**~~	~~**COMMENT**~~
~~√~~	~~**2.114 (A)**~~	~~Filming on land:~~ ~~(i) on which there is a heritage item, or~~ ~~(ii) within a heritage conservation area, or~~ ~~(iii) identified as an environmentally sensitive area~~	~~The subject site for the proposed filming does not contain a heritage item and is not within a heritage conservation area and is not identified as an environmentally sensitive area.~~
~~√~~	~~**2.114 (B)**~~	~~The filming must not create significant interference with the neighbourhood,~~	~~The location of the filming at the replica of an historical Biblical site will not create a significant interference either aurally or visually due to distance from neighbouring boundaries and screening by additional landscaping and/or farm buildings.~~
~~■~~	~~**2.114 (C)**~~	~~If the filming is carried out on private land—the filming must not be carried out for more than 30 days within a 12-month period at the particular location~~	~~The location of the filming is on private land owned by IBSA. The filming will be carried out for more than 30 days within a 12 month period at the particular location. A variation to the filming days is part of this DA.~~
~~√~~	~~**2.114 (D)**~~	~~If the filming is to be carried out for more than 2 consecutive days—a filming management plan must be prepared and lodged with the consent authority for the location at least 5 days before the commencement of filming at the location.~~	~~A filming management plan is included in this DA; please refer to **ANNEXURE E – FILM MANAGEMENT PLAN.** Filming is carried out internally by the AVS Department. The entity carrying out the filming will have in place a policy of insurance that adequately covers the public liability of the applicant and all related parties in respect of the filming for an amount of not less than $10,000,000.~~
~~√~~	~~**2.114 (E)**~~	~~If the filming is to be carried out for more than 2 consecutive days—the person carrying out the filming must, at least 5 days before the commencement of filming at the particular location, give notice in writing (by way of a letter-box drop) of the filming to residents within a 50m radius of the location.~~	~~There are no residents within a 50-metre radius of the proposed location where filming will occur.~~

~~As noted in the table above, there is one exception to the proposed development complying with the exempt development requirements for filming, as set out in the State Environmental Planning Policy (Exempt And Complying Development Codes) 2008 Part 2 Division 3 Subdivision 4 Filming, Clause 2.114 (c) as follows:~~

~~1) The filming will be carried out for more than 30 days within a 12 month period at the particular location.~~

~~Therefore, this one variation is requested as part of this DA, on the basis that the filming use is ancillary to the subject site's use as a "Place of public worship", which is permitted in the RU2 zone.~~

~~In this instance, the proposed filming satisfies the definition of a "place of public worship" being also used for "instruction or religious training". The proposed filming is integral to providing "instruction or religious training", by producing material used in worship, just as was the case with hard-copy printing material, only now in a digital format.~~

Refer Addendum.

5 DESIGN PROCESS

5.1 SITE ANALYSIS

The site analysis identified the following:

Existing visual or aural privacy of surrounding neighbours to the replica of an historical Biblical site, new single storey office building and associated car parking will not be affected.

Minor alterations to the printery building for the new film studio and associated support spaces are largely contained within the existing building, and the minor infill to existing windows are not visible to neighbours.

Existing roads are used and no traffic problems are created. Delivery traffic of printery materials to the property will be significantly reduced. The use of Church Road as a secondary entrance will not detrimentally impact on traffic flow (please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT REPORT** and the new carpark will mitigate any further load on existing carparks and internal site roads.

The new office building, associated with the replica of an historical Biblical site, will be consistent with the rural setting and consider aural and visual privacy to neighbors.

Though a portion of the site is affected by flood inundation, the LCC Flood Zone Planning Map indicates that the site is not 'flood-prone land'. The new works are not near the flood inundation area ~~and thus, will not need any special assessment~~.

Heritage Item 23, St Mary the Virgin Chapel and Cemetery Group, are in the vicinity. Due to its location and distance, the proposed works do not adversely affect the associated fabric, setting, or views of the listed heritage item.

A portion of the site is within the Bush Fire Vegetation Buffer zone; please refer to **ANNEXURE L – BUSH FIRE ASSESSMENT REPORT.**

The existing Bethel complex has been defined by previous Council development approvals as an "ecclesiastical centre" and "existing religious establishment".

Proposed works are consistent with the RU2 – Rural Landscape zoning objectives for "a place of public worship", including "instruction and religious training" and will not detrimentally impact existing use.

Beef cattle are periodically run on the property, encouraging sustainable primary industry and enhancing the natural resource base.

The rural character of the land will be maintained, and existing bushland, wildlife corridors, and natural habitat will not be affected.

Existing trees will be maintained and protections to all significant trees are supported by an Arboricultural Impact Assessment, please refer to **ANNEXURE M – ARBORICULTURAL REPORT.**

The proposed office building and replica of an historical Biblical site are located over 260m away from the Environmentally Significant Land zone.

Riparian corridors and salinity issues have been assessed please refer to Section 8 of this report and **ANNEXURE K – SALINITY MANAGEMENT PLAN REPORT.**

The proposed designs have taken these factors and constraints into consideration to ensure a development that is consistent with the rural zoning, attractive and manageable.

5.2 SITE PLANNING AND LAYOUT

The new buildings will maintain the required site setbacks and are in harmony with the character of a rural site and the existing Bethel complex, refer to site plan **ANNEXURE A – ARCHITECTURAL DRAWINGS**.

The proposed replica of an historical Biblical site is located on a portion of site further from neighbours and, while built to replicate an ancient middle-eastern village, will be finished with earthy colours that blend into the rural landscape and not adversely impact on existing views.

Figure 5.2.1 View standing on the subject site boundary looking north-east over the south western dam, towards the proposed replica of the historical Biblical site

Additional landscaping will be provided as part of the proposed works to screen the proposed works and enhance existing views, improving the amenity of the neighbourhood.

Figure 5.2.2 Excerpt of concept Landscape plan showing preservation of existing significant trees and new planting to improve the amenity of the neighbourhood.

The proposal will adhere to the principles of the LLEP and LDCP.

6 COMPLIANCE TABLES

The following is an evaluation of the development in regard to the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, the Liverpool Local Environmental Plan 2008 (LLEP), the Liverpool Development Control Plan 2008 (LDCP):

LEGEND

√ Complies with this clause
■ Does not fully comply but consistent with clause in principle; please refer to explanation in Comment
X Does not comply with clause, thus, may require a clause 4.6 variation

6.1 TABLE - LLEP 2008

√	CLAUSE	REFERENCE	COMMENT
√	**4.2**	**Rural subdivision**	No subdivision is proposed
√	**4.3**	**Height of buildings** (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. See LLEP map HOB-009, Height = 8.5m.	The proposed alterations to the printery are not changing the height, structure or fabric of the existing building. All proposed new works do not exceed 8.5m above natural ground
√	**4.4**	**Floor space ratio** LLEP map FSR-009, maximum floor space ratio = 0.1:1	LLEP map FSR-009, Floor space ratio for site is 0.1:1 (40.47 ha Existing FSR to complex is 0.088:1 Proposed additional FSR for office building and replica of an historical Biblical site is: 0.007:1 Thus, total FSR is under permissible 0.095:1. Please refer to **SECTION 7.3** of this SoEE

√	**5.9**	**Preservation of trees or vegetation** 3) A person must not ringbark, cut down, top, lop, remove, injure, or willfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by: (a) development consent, or (b) a permit granted by the council.	Please refer to **ANNEXURE M – ARBORICULTURAL REPORT** No environmentally significant or sensitive trees are to be removed nor any vegetation to which a development control plan applies, unless specifically recommended by arborist and approved by the Council.
√	**5.10**	Heritage conservation Heritage item: St Mary the Virgin Chapel	Due to its location and distance, the proposed works do not adversely affect the associated fabric, setting, or views of the listed heritage item.

6.2 TABLE - LDCP 2008 PART 1

√	CLAUSE	REFERENCE	COMMENT
√	**1**	**The Vision of Liverpool Development Control Plan 2008.** Liverpool Development Control Plan 2008 will guide growth to ensure high quality and sympathetic urban development outcomes are achieved, significant environmental land is protected, appropriate open space is provided and the rural character outside the Growth Centres will be maintained and enhanced.	The existing religious establishment has maintained a high quality, rural amenity, in harmony with the local character. The proposed works and landscaping will preserve and enhance the rural character, natural causeways, protection to existing trees and flora.
√	**2**	**Tree preservation**	Please refer to **ANNEXURE M – ARBORICULTURAL REPORT** No environmentally significant or sensitive trees are to be removed nor any vegetation to which a development control plan applies, unless specifically recommended by arborist and approved by council.
√	**3**	**Landscaping and incorporating existing trees**	The proposed works include landscaping that will preserve and enhance existing trees and landscaping. Please refer to **ANNEXURE C – LANDSCAPE DRAWINGS** and **ANNEXURE M – ARBORICULTURAL REPORT**

√	**4**	**Bushland and Fauna Habitat Preservation**	Adjacent bushland is preserved. Proposed alterations will not impact the existing scenic quality. There will be no impact to the existing biodiversity. No bushland clearance is involved. Please refer to **ANNEXURE C – LANDSCAPE DRAWINGS.**
√	**5**	**Bush fire risk**	Please refer to **ANNEXURE L – BUSH FIRE ASSESSMENT REPORT–** The proposed development will be constructed in accordance with the recommendations in the above report and the guidelines of the Planning for Bush Fire Protection 2006 and Australian Standard AS3959-2009
√	**6**	**Water cycle management**	Stormwater design and management ensures that there is no adverse impact downstream or upstream. Adequate drainage is provided for new office building and replica of an historical Biblical site and the design protects properties from localised flooding. Please refer to **ANNEXURE B – CIVIL DRAWINGS AND DESIGN**. The landscape design along the water course will enhance the rural character and maintain a natural look. Please refer to **ANNEXURE C – LANDSCAPE PLANS**.
√	**7**	**Development near a Watercourse**	As shown in **ANNEXURE B – CIVIL DRAWINGS AND DESIGN** the site has existing watercourses, and four man made irrigation dams. The width of the vegetated riparian zones (VRZ) between the development works and the adjacent level 1 and 2 watercourses is at a minimum 15 and 20m respectively according to the watercourse. The proposed development will not adversely impact on ecological and environmental health due to the distance of the development to the watercourses over the site.
√	**8**	**Erosion and sediment control**	Erosion and Sediment Control Plans have been developed to mitigate the effects of the civil and landscaping construction works, and to eliminate environmental harm to the downstream catchments. Please refer to **ANNEXURE B – CIVIL DRAWINGS AND DESIGN**.
√	**9**	**Flooding risk**	Works are not within a Flood Prone Land area, as identified in the LLEP.
√	**10**	**Contaminated land risk**	Potential contamination risks identified in the Phase 1 Preliminary Site Investigation (contamination report) have been investigated. All testing and results indicate that the site is not contaminated due to historic use, and that no unacceptable risk to human health or the environment exists due to the

			proposed works. **Please refer to ANNEXURE G – PRELIMINARY SITE INVESTIGATION (CONTAMINATION REPORT), ANNEXURE H – SOIL VAPOUR ASSESSMENT, ANNEXURE I – GROUNDWATER MONITORING EVENT, ANNEXURE J – GEOTECHNICAL REPORT, ANNEXURE K – SALINITY MANAGEMENT PLAN**
√	**11**	**Salinity risk**	The site was assessed to be slightly to moderately saline, with high sodicity. To mitigate and manage the effects of salinity and sodicity during and post construction works, please refer to **ANNEXURE I - SALINITY MANAGEMENT PLAN REPORT.** Please refer to **Section 8.16 Salinity Management Response and ANNEXURE K – SALINITY MANAGEMENT PLAN.**
√	**12**	**Acid sulphate soils risk**	The site is not within an acid sulfate soil area and according to the Preliminary Site Investigation (please refer to **ANNEXURE G – PRELIMINARY SITE INVESTIGATION (CONTAMINATION REPORT**); potential acid sulfate soils would not be an issue affecting the site.
√	**13**	**Weeds**	Not applicable.
√	**14**	**Demolition of Existing Developments**	All demolition work to comply with AS2601-1991, with required hoardings and site controls. A Waste Management Plan is provided as part of this DA, (please refer to **ANNEXURE P – WASTE MANAGEMENT PLAN**).
√	**15**	**On-site Sewage Management Systems (OSMS)**	The proposed works will maintain the current collection and discharge of sewage to this existing on-site sewer treatment plant. Additional sewage load due to increased number of water fixtures from the proposed office building has a minimal effect on on-site sewage treatment plant. Plant designed for a load of 750 people. Current site load including proposed development is 366 people.
√	**16**	**Heritage and Archaeological Sites**	No impact.
√	**17**	**Notification**	Drawings included with DA documentation.
√	**20**	**Car Parking and Access**	Alterations provide 24 additional car spaces to support the new office building. The existing secondary entry from Church Road will be upgraded

			with a new sliding gate and rustic timber fencing to match the rural character of the neighbourhood. The existing farm road within the site will be widened and the upgraded road and carpark design will incorporate curves and landscaping to maintain the rural aesthetic. Proposed Leasable Floor Area (LFA under LDCP definition) of new office building= 620m^2, thus, 18 carparks are required. Proposed works provide 24, (including 1 accessible car bay), plus a loading zone for 2 vehicles. The new carpark has carpark spaces 2.5m wide, 5.5m long with an aisle width of 6m minimum. Minimum of 1 tree is provided per 10 carparks. Landscaping is provided to maintain the rural setting. The total car park spaces required for the subject site are 266. Currently 375 car park spaces are provided on site (24 additional spaces are part of the proposed scope of works).
√	**22**	**Water Conservation**	Proposed works are not subject to BASIX. NCC Section J report will be submitted as part of Construction Certificate application. New water fixtures to meet minimum 3 stars under the WELS system. Recycled water collected into existing dam used to irrigate all landscaping.
√	**23**	**Energy Conservation**	Proposed works are not subject to BASIX. NCC Section J report will be submitted as part of Construction Certificate application. Natural light maximised, new energy efficient lighting installed.
√	**25**	**Waste Disposal**	A Waste Management Plan is provided as part of this DA refer **ANNEXURE P – WASTE MANAGEMENT PLAN**.

6.3 TABLE - LDCP 2008 PART 5

√	CLAUSE	REFERENCE	COMMENT
√	**1**	**Site planning**	Location of new office building is not located on a ridge and is set back from the street 70m. Proposed replica of an historical Biblical site will follow the natural

			topography so as not to project into the skyline and to nestle into the subject site when viewed from neighbouring boundaries. All existing trees will be retained, with the exception of two recommended to be removed, please refer **ANNEXURE M – ARBORICULTURAL REPORT** Visual impact to neighbours has been minimised to protect rural views. This has been accomplished by setbacks, selection of lower contours heights, minimising height of buildings, proposed additional tree planting. Site planning has been taken into consideration; including the existing natural contours, views to the pastures and solar access to incorporate passive design principles. The site planning and proposed landscaping will enhance the rural setting. Please refer to **ANNEXURE C – LANDSCAPE DRAWINGS**
√	**2**	**Setbacks**	The office building will be set back more than 70m to side boundary or from Church Road and the replica site over 130m to the side boundary and over 320m to the rear boundary as shown on the site plan, please refer to **ANNEXURE A – ARCHITECTURAL PLANS**
√	**4**	**Building Design, Style and Streetscape**	Alterations to the printery building to match existing building design. New office building will be single storey, with a ridge height 6.6m above NGL well below maximum height limit of 8.5m. Gable roof pitch is 15 degrees. The design of the new office building is sympathetic to the existing farm shed and rural farm buildings, designed to reference the Australian farm shed vernacular. Metal roofs and cladding are in harmony with the Australian rural heritage with silver greys, grey blues to match local native trees, with no highly reflective materials. Buildings that make up the replica of an historical Biblical site vary in height above NGL but all are below maximum height limit of 8.5m. Replica historical site buildings are all flat roofs to match historical architectural types. Replica historical site buildings are light ochre, mud brick and limestone look to match historical architectural types, and will tone with the colours of freshly

			mown paddock grass. No proposed hard paved areas are located in the front 20m setback. The landscaping preserves and enhances the natural rural setting Building elements have been located to maintain existing rural views from neighboring properties.
√	**5**	**Landscaping and Fencing**	All existing trees are retained, except two as noted in the Arborist's Report, please refer to **ANNEXURE M – ARBORICULTURAL REPORT.** Natural watercourses are preserved and maintained. Some landscaping for screening has been strategically placed to conceal the replica historical site and soften the office building and maintain the rural setting and scenic quality of the subject site, ensuring the visual impact of the development is minimized and integrated into natural surrounds. Natural features and built features such as sloping paddocks and cattle yards have been preserved and enhanced by the proposed landscape design using indigenous flora, incorporating larger trees and lower shrub trees, please refer to **ANNEXURE C – LANDSCAPE DRAWINGS** No solid fences are being proposed. Fencing to the upgraded secondary entry from Church Road will be timber post and rail up to 1.8m high to match the rural farm style of the site and a see-through automatic sliding gate to match the existing main entry gate.
√	**6**	**Car parking and Access**	Access and loading conforms to standards. Existing entry from Church Road will be used, however with a widened entry to provide safe and adequate entry and exit to meet AS/NZ 2890 and LDCP requirements. Existing complex has adequate parking for residents and visitors. Additional parking provided: 24, (including 1 accessible car bay plus a loading zone for 2 vehicles) new office building. Driveways will be paved to match existing internal roads and landscape character. Proposed driveways will follow natural topography and landscaping and minimise and cut and fill.
√	**7**	**Amenity and Environmental impact**	The proposed film studio, new office building and associated replica of an historical Biblical site will not create any pollution or odours. Traffic

			generated will be minimal as most of the volunteers live on site. Majority of traffic will be internal between existing main complex buildings. External traffic will be minimal as noted in the traffic consultant's report, please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT**
√	**8**	**Site Services**	The site has adequate services, its own sewage plant, waste management, dams for collecting rainwater, and backup electricity generating plant. Garbage receptacles will be screened from public view.
√	**9.9**	**Places of Public Worship**	Proposed works are designed to be compatible with the rural environment. Site area is 40.47ha, allowing sufficient distance from proposed works to surrounding properties to maintain the rural quality of the site. The site is not adjacent to activities which generate significant noise or air pollution. There will be negligible impact on road safety and traffic movement, please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT**. Proposed works are below 8.5m in height and are consistent with the surrounding amenity, and there are no spires or towers as part of the design. Overflow parking (special limited occurrences) for the office building is provided as a grassed area. Standard opening hours for the subject site are 8.00 am – 5.00 pm Monday to Friday, however, some of the proposed works that facilitate filming for religious instruction and training will require some extension of filming time, but will be used on average three days a week, please refer to **ANNEXURE E – FILM MANAGEMENT PLAN.** A landscape buffer zone of 20m is provided to the side boundary of the site closest to Church Road and is not used for parking areas or the like.

7 LIVERPOOL LOCAL ENVIRONMENTAL PLAN

7.1 LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008

The following environmental assessment of the proposed works has been undertaken pursuant to Section 79C (1) of the Act and the planning principles embodied in the Liverpool Local Environmental Plan (LLEP) 2008.The subject site is zoned RU2 - Rural Landscape under the provisions of LLEP 2008.

COMMENT:

The existing Bethel complex has been defined by previous Council development approvals as an “ecclesiastical centre” or “existing religious establishment”.

Proposed works are consistent with the RU2 – Rural Landscape zoning objectives for a “place of public worship”, including instruction and religious training, and will not detrimentally impact existing use, rather will maintain and enhance it:

● Beef cattle are periodically run on the property encouraging sustainable primary industry and enhancing the natural resource base.

● The rural character of the land will be maintained.

● Existing bushland, wildlife corridors, and natural habitat will not be affected.

Figure 7.1.1 View looking north east through farm paddocks, towards Bethel complex

Figure 7.1.2 View looking west over large dam

Figure 7.1.3 View looking west with large dam to the distant right, and Bethel complex to the right, farm road and landscaping to the left. Subject site extends to ridgeline of trees in the distance

7.2 HEIGHT OF BUILDING

The printery alteration works do not affect the present height and therefore, are below the LDCP 2008 maximum of 8.5m.

The proposed new office building will have a maximum height to ridge level of 6.6m.

The buildings comprising the replica of the historical Biblical site vary in height, with none being above 8.5m above NGL.

7.3 FLOOR SPACE RATIO

The proposed printery alteration does not affect the existing floor space ratio.

LLEP map FSR-009, Floor space ratio for site is 0.1:1 (40.47ha).

Existing FSR to complex is 0.088:1.

Proposed additional FSR for office building and replica of an historical Biblical site is: 0.007:1.

Thus, total proposed FSR is under the permissible allowable FSR at 0.095:1.

TABLE 7– EXISTING TOTAL FLOOR AREAS BY BUILDING

Building	**Area**
Residence 1	7116
Residence 2	3481
Residence 3	4311
Residence 4 and 5	1224
Office 1	1219
Office 2	1431
Office 3	2593
Office 4	287
Linkways	188
Printery	6357
Maintenance Workshop	3855
Kingdom Hall	702
Store Buildings 1 and 2	1623

Store Building 3	122
Farm Shed and Garden Shed	1397
Ancillary	253
TOTAL EXISTING AREA	**35884**

TABLE 8– TOTAL ADDITIONAL FLOOR AREAS BY BUILDING

Building	**Area**
Office 5	675
Replica of Historical Biblical Site – finished interior and exterior	678
Replica of Historical Biblical Site – exterior only	1310
TOTAL ADDITIONAL AREA	**2661**

7.4 TREE PRESERVATION

No environmentally significant or sensitive trees will be removed nor any vegetation to which a development control plan applies, unless recommended by an arborist and approved by Council. Please refer to **ANNEXURE M – ARBORICULTURAL REPORT and ANNEXURE C – LANDSCAPE DRAWINGS**.

7.5 HERITAGE CONSERVATION

The site or buildings are not listed as heritage significant items under the LLEP, nor are they within a conservation area.

However, the site is located in proximity to the state listed item, St Mary the Virgin Chapel.

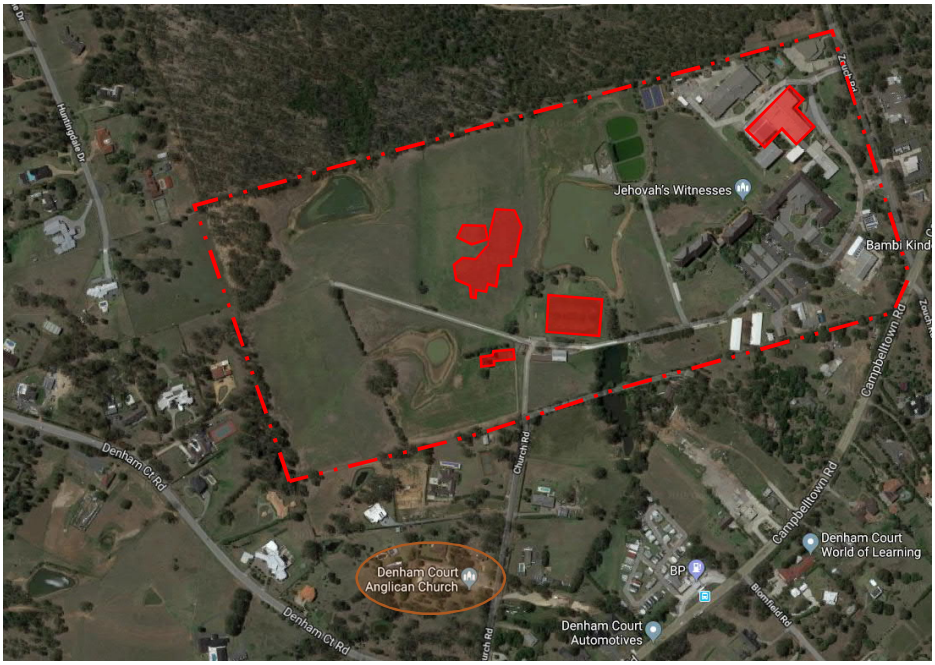

Figure 7.5.1 Aerial view showing distance from Chapel to proposed new buildings - minimum 280m away and screened by a number of existing tree lines

Australian Heritage Places Inventory: "St Mary the Virgin Chapel was designed by John Verge and built in 1838. It is one of few churches in NSW in the early Regency Gothic style - a suitable design for its rustic setting".

Proposed works are not visible from the heritage listed item due to the following:

- Distance to location of the new office building and the replica of an historical Biblical site;
- Existing trees and location of exiting farm shed screening, and
- Film studio located entirely within the walls of an existing building not within the line of site of the heritage listed item.

A heritage impact assessment is not required due to location and distance from the heritage listed building. The proposed works will have no adverse impact.

7.6 BUSH FIRE PRONE AREA

The proposed works comprising this alteration of the new film studio in the existing printery building and do not alter the existing Bush Fire Assessment Report. The Bush Fire Assessment Report for the office building and replica of an historical Biblical site shows they need only comply with the general fire safety provisions of the BCA, however, it is recommended to provide ember protection, please refer to **ANNEXURE L – BUSH FIRE ASSESSMENT REPORT**.

The recommendation in the report will be included in the Construction Certificate documentation.

7.7 ENVIRONMENTALLY SIGNIFICANT LAND

A small portion (approximately 2.7%) of the subject property in the north-western corner is designated "Environmentally Significant Land" in the LLEP 2008. This is a result of being part of the bushland that is mostly on an adjacent property under delayed rezoning as a nature reserve. However, the proposed works are over 250m away from environmentally significant land and therefore, are not affected by this restriction.

7.8 ACID SULPHATE SOIL POTENTIAL

The Acid Sulfate Soil Risk was assessed in the Airsafe Stage 1 Preliminary Site Investigation (refer to **ANNEXURE G - PRELIMINARY SITE INVESTIGATION (CONTAMINATION REPORT)**). The report states that the site is not within an acid sulfate soil area and that it was their opinion that potential acid sulfate soils would not be an issue affecting the site. The Geotechnical report (refer to **ANNEXURE J – GEOTECHNICAL REPORT**) assessed the aggressivity of the soil according to pH, chloride and sulfate content and electrical conductivity of the soil against the guidelines provided in AS2159-2009. The report concluded that the soil should be treated as mildly aggressive to buried concrete and steel structural elements. The investigation results from the Geotechnical report will be used in designing any of the structures footings and floor slabs as part of the Construction Certificate documentation.

7.9 FLOOD MANAGEMENT PLAN

The subject property has been identified in the LLEP as containing the fringe of a residential flood planning area and flood policy area of the Cabramatta Creek Floodplain. See Figure 7.9.1 below.

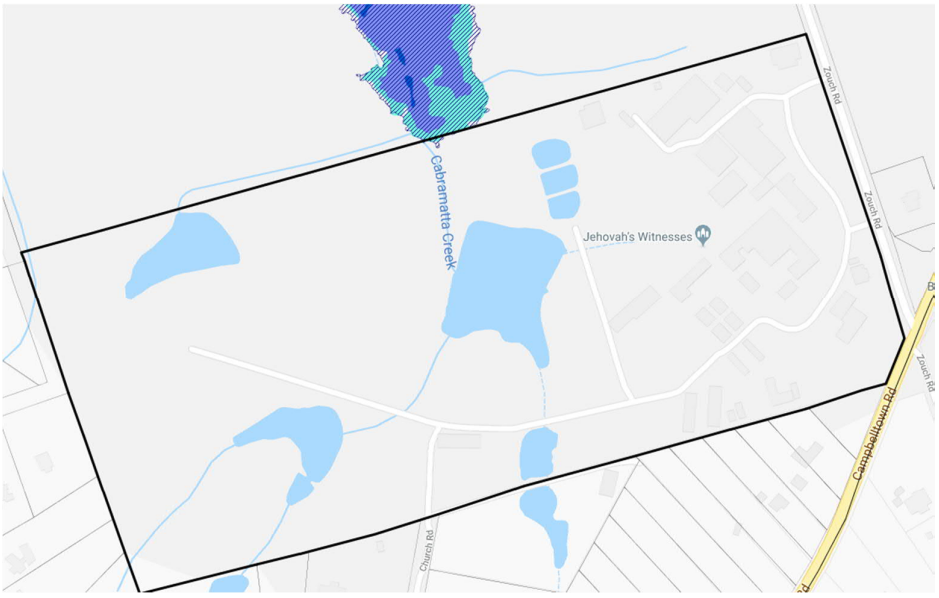

Figure 7.9.1 - The extent of the Flood Planning Area (1% AEP flood plus 0.5m freeboard) into the site

The part of the subject property affected by flooding is located downstream from the overflow of the existing 40 megalitre irrigation dam and is a minimum of 150m from any of the proposed works

The dam spillway has a Reduced Level (RL) of 65.77m, making it 2.13m lower than the lowest structure of area 2-5 at the historical site. The increased spillway height proposed as 0.1m will not affect flooding at the historical site either. The proposed office building has an RL of 71.0m which is 3.0m above the nearest watercourse. Accordingly, the proposed works, locations and uses are not flood affected.

8 PRINCIPAL DEVELOPMENT STANDARDS

8.1 LIVERPOOL DEVELOPMENT CONTROL PLAN 2008

Compliance with relevant provisions within LDCP.

8.2 TREE PROTECTION

No environmentally significant or sensitive trees will be removed nor any vegetation to which a development control plan applies, unless recommended by an arborist and approved by Council. Please refer to **ANNEXURE M – ARBORICULTURAL REPORT.**

8.3 FRONTAGE AND STREETSCAPE

The works will be carried out either internally in pre-existing buildings or more than 70m to the streetscape. The proposed carpark for the new office is located more than 20m from the secondary frontage.

8.4 PRIVACY AND OVERSHADOWING VIEWS

Due to the work being either internal or location on site, the proposed works will not overshadow the living or private open spaces of any neighbours.

8.5 VISUAL PRIVACY

Proposed works will have minimal impact to the visual privacy and rural views of neighbours. Some landscaping for screening will be strategically placed to conceal the historical site and soften the office building and maintain the rural setting and scenic quality of the subject site, ensuring the visual impact of the development is minimized and integrated into natural surrounds.

Figure 8.5.1 View standing on the subject site boundary, looking east over the south western dam towards the proposed replica of an historical Biblical site, before the addition of landscape screening

Figure 8.5.2 View standing on the subject site boundary, looking north towards the proposed replica of an historical Biblical site, before the addition of landscape screening

8.6 NOISE

The proposed studio is to be constructed within an existing building and replace a mechanical printing press, thus significantly reducing any noise impact. The proposed replica of an historical Biblical site is located a considerable distance from any neighbours and the Film Management Plan outlines some of the low noise impact methods that will be used when carrying out any filming, refer to **ANNEXURE E – FILM MANAGEMENT PLAN**.

8.7 ACCESS AND TRAFFIC

Vehicle access to the site is via Zouch Road. The entry access driveway has a minimum two-way entry of 6.5 m, exceeding the minimum requirements of Australian Standards 2890.1 (Off-Street Parking).

Overall master planning provides separation for private and public circulation. Existing internal driveways have been designed to accommodate delivery and service vehicles.

All residents and delivery vehicles can enter or leave in a forward direction. Turning circles for delivery vehicles have been designed in accordance with AS 2890.2 and using AUSTROADS Design Vehicles and Turning templates.

Overall numbers of religious volunteers for the site will not increase thus, providing no further vehicle load on site. Some temporary cast or crew will commute into site from time to time, however, this will represent a negligible, if any increase, in the number of cars coming on site each day, as many of the existing volunteer commuters will be utilised rather than utilising new commuters. Please refer to **ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT REPORT.**

Access and loading conforms to AS/NZ 2890 standard. Existing entry from Church Road will be used for the temporary commuter parking, however, with a widened entry to provide safe and adequate entry and exit to meet AS/NZ 2890 and LDCP requirements.

Driveways will be paved to match existing internal roads and landscape character. Proposed driveways will follow the natural topography and landscaping and minimise and cut and fill.

8.8 CAR PARKING

Overall numbers of religious volunteers will not change. Volunteer and visitor parking already exceeds LDCP requirements, thus there are technically no additional requirements for the overall subject site for car parking.

However, the DCP, outlines several different land use types and their requirements for off-street parking provision. The LDCP table 13 requires: "*Office premises: 1 space per 35sqm of LFA*". The proposed new office building has a LFA of 620m^2, thus 18 carpark spaces are required plus accessible car bay for < 20 spaces. The proposed works provide 24 carpark spaces (1 disabled access car bay plus 2 dedicated loading zones).

It is important to note that the volunteers using the proposed office building live on site and thus, they already have assigned car parking bays on site. The proposed new parking is for temporary commuting cast members. Provision has been made for temporary overflow parking for peak commuting cast members' car parking on a grassed area.

The replica of an historical Biblical site does not fit in any of the standard LDCP land use types. The permanent staff part of the film crew live on site and they already have assigned car parking bays on site. The additional temporary commuting cast members use the parking described above associated with the new office building.

TABLE 8 - On-Site Parking provided summary:

	Required	Total Provided	
Total car parking required according to LDCP	267	351	Includes reception, commuter parking, Kingdom Hall and maintenance workshop car parking.
Parking required for residences on-site	184	184	
Parking required for visitors on-site	33	33	
Parking required for offices on-site	0	0	This is included in residences as volunteers who work in the office live on site
Parking required for Kingdom hall on-site	50	50	

Additional parking car spaces available above LDCP requirements		84	
Proposed additional parking for new office building	18	24	Not including overflow parking for occasional peak times for peak temporary commuting cast (special events)

Design and location of car parking and loading:

Loading bays will be located in an area that is not visible from Church Road and is screened by landscaping.

Car parking areas will be screened from the street by the curved drive way design and proposed landscaping.

Please refer to ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT.

Figure 8.8.1 Proposed new office carpark and upgraded Church Road entry and designated overflow parking on grassed area

8.9 ENERGY CONSERVATION

The following energy conservation strategies have been adopted:

- New office building is oriented to minimise walls and openings facing the western sun;
- Provide fenestration to north and west elevations to minimize solar access during summer and maximize benefit from winter sun;
- Provide thermal massing to draw energy from winter sun let into the building;
- Provide cross ventilation;

- Zoned air condition spaces;
- Shaded glazed areas to provide natural light, while controlling glare;
- Glazing designed according to thermal performance requirements of Section J;
- Dedicated LED lights;
- Increase wall and roof insulation.
- Landscaping to assist passive cooling and heating
- Energy consultant to provided details to meet or exceed BCA Section J requirements with Construction Certificate documentation.

8.10 ON-SITE SEWAGE DISPOSAL

WASTEWATER TREATMENT

The subject property has annual approval to operate an on-site wastewater treatment facility as granted by Liverpool City Council in a letter dated 30 August 2018 (Reference Number: OSM-3141). The proposed works will maintain the current collection and discharge of sewage to this existing on-site sewer treatment plant. The additional sewage load due to the increased number of water fixtures from the new office has a minimal effect on the on-site sewage treatment plant, as these fixtures will generally be operated during the day, outside of the peak water consumption usage. The capacity of the plant was designed for a load of 750 people. The current site load including the proposed development is 366 people.

Sewer pipework discharging to the main site network will be installed and upgraded from the new office to the sewer treatment plant as required to meet the requirements of AS3500.2.

8.11 WATER CYCLE MANAGEMENT - STORMWATER DRAINAGE

EXISTING SITE CONDITIONS

Drainage pathways are conveyed to four separate Dams on the site. The main irrigation dam, (Dam 1) receives the overflow of Dam 2 and 3. The main dam, Dam 1, has an overflow spillway to the Upper Cabramatta Creek. For dam locations, catchment plan and proposed design please refer to **ANNEXURE B – CIVIL DRAWINGS AND DESIGN**.

The proposed printery alterations are largely internal and do not provide any additional runoff to the existing network or alter drainage pathways.

PROPOSED SITE DRAINAGE

The stormwater from the proposed roofs and paving constructed at this development will be connected to a new stormwater system that conveys excess surface water into three separate discharge locations. Two discharge locations are planned to drain to a nearby watercourse (generally a dried up creek), and two other discharge locations will convey stormwater to the main 40ML dam.

The designed stormwater system has been modeled for ARI events of 5, 20 and 100 years. The design includes upstream catchment analysis to manage overland flow from elevated areas above the site, and to determine the effect of the surface runoff into the main 40ML dam (refer to **ANNEXURE B CIVIL DRAWINGS AND DESIGN**).

Office building

Surface flow from the road paving between Church Road and the Farm Road is managed by a center V-channel with pipes and pits. Roof water from the office building is conveyed by means of pipes and pits, with the added protection of grass swales to intercept sheet flow generated upslope of the new office.

Historical Site – Area 1

This hardstand area is on a planar slope of 2.5% to approximately match the ground level of the existing contours. The surface water of this area collects along the northern slab edge in strip drains, which in turn drains to stormwater pits. The stormwater is then conveyed to the dam.

Historical Site – Area 2-5

Grass swales divert overland flow around areas 2-5 to a piped network. The road network throughout the site discharges to pits as shown. Roof water from the storage and non-habitable buildings with interior & exterior finishes is conveyed directly to the piped network. Non-habitable buildings with exterior finishes only have been designed to pipe roof water to the ground and then to allow the surface water to drain to pits and strip drains.

The stormwater system has been designed to effectively manage all stormwater in accordance with the LDCP 2008, part 1.

8.12 WATER CYCLE MANAGEMENT - ON-SITE STORMWATER DETENTION

Flow analysis of all catchments discharging to the three main site dams affecting the proposed works has been carried out (Refer to **ANNEXURE B – CIVIL DRAWINGS AND DESIGN, Stormwater Design Features Report).** The capacity of the main dam to attenuate flows in storm events has been assessed using DRAINS ILSAX Modelling. The use of Dam 1 as an irrigation dam for the rural activities of the site reduces the likelihood that the Dam would be at full capacity during an event such as a 1 in 100 year rain event..

To determine the net effect between pre and post development flows of stormwater discharging to Cabramatta creek during a 5, 20 and 100 year ARI event, it has been assumed that Dam 1 is initially 70% full

To determine compliance with Councils OSD requirements the total peak post-development discharge rates have been compared to the pre-development discharge rates for the 20, 5 and 1% AEP events. As shown in Table 9, by raising the Dam 1 spillway by **100mm** above the current level, the pre and post development flows are similar for the smaller storm events, and 15% lower flow during the larger 1% AEP event. Additional supporting information is contained in the design features report.

Table 9 – Peak Pre and Post-Development Discharge Rates to Cabramatta Creek Comparison

AEP Event	**Discharge rate to Cabramatta Creek (m3/s)**	
	Pre-Development	**Post-Development**
20%	0	0
5%	0.31	0.308
1%	1.36	1.17

Therefore, the development will adequately detain any additional flows generated from the impervious areas on site and will not add additional flow to the Cabramatta creek.

8.13 WATER CYCLE MANAGEMENT- RUNOFF QUALITY

CONSTRUCTION

See **Section 8.15** for Erosion and Sediment Control Details to mitigate the effects of erosion and sediment suspension during construction.

SALINITY MANAGEMENT

See **Section 8.16** regarding Salinity management so as to control runoff quality.

LANDSCAPING

Landscaping of the proposed entry to the site from Church Road, the surrounding of the office building and the replica of an historical Biblical site will be carried out as per the Landscape Architect Drawings (please refer to **ANNEXURE C – LANDSCAPE DRAWINGS**). The use of lawn, ornamental grasses, low shrubs and succulents will provide filtration of the overland flow and trap sediment, thus avoiding the suspension of fine sediment and problems caused by erosion.

PRE TREATMENT

Grass swales are used to intercept overland flow from the upstream catchment at the office building and the replica of an historical Biblical site (areas 2-5). Swales are also used adjacent the proposed roading around areas 2-5 of the replica of an historical Biblical site. The grass swales provide filtration and trap sediment.

BIO-RETENTION POND TREATMENT

All excess stormwater generated due to the proposed works is conveyed to Dam 1. As demonstrated in Section 8.12 of this report, even during a 100 year ARI event, the flow to Cabramatta creek for the proposed development is lower than previously. Therefore, Dam 1 will act as a bio-retention basin during rain events, which will further remove coarse to fine particles and nutrients from the stormwater.

Based on the similar treatment methods between the existing and proposed stormwater network and the similarity between the pre and post development stormwater discharge flows, we consider that the proposed development will not adversely impact the stormwater quality discharging from Dam 1 to Cabramatta creek.

8.14 DEVELOPMENT NEAR A WATERCOURSE

As shown in **ANNEXURE B – CIVIL DRAWINGS AND DESIGN (See Sheet C11 and C22)** the site has existing watercourses, and four man made irrigation dams. The proposed works at the historical site are situated adjacent the main irrigation dam, Dam 1, and a creek which is dried up for most of the year.

The minimum width of the vegetated riparian zones (VRZ), are as follows:

- Between the historical site areas 2-5 and Dam 1, 20m wide.
- Between the historical site area 1 and Dam 1, 20m wide
- Between the historical site area 1 and the small creek, 15m wide.

Maintaining the VRZ width in accordance with the above minimum setbacks ensures that bed and bank stability are maintained, bank and channel erosion is kept to a minimum, water quality is protected, and a natural buffer is in place between the development and waterways for ecological and environmental health of the watercourses.

See **Section 8.19** regarding landscaping measures taken as part of the proposed development, which will further improve the water quality entering the streams.

We consider that the proposed development will not adversely impact on ecological and environmental health due to the distance of the development from the watercourses over the site.

8.15 EROSION AND SEDIMENT CONTROL

Included with this application is an Erosion and Sediment Control Plan (ESCP), as required by the LDCP 2008, please refer to **ANNEXURE B – CIVIL DRAWINGS AND DESIGN.**

Measures that will be provided include the following:

- Clean water will remain directed around the work site (the exterior of the building) to minimise the amount of runoff water that needs to be treated for sedimentation

- Protecting sump grates with geotextile
- Limit the disturbance of soil when excavating
- Restricting vehicle movements to a stabilised access
- Installation of a sediment fence with geotextile embedded into ground
- Leaving as many areas as possible vegetated, and
- Site rehabilitation and landscaping will be carried out quickly

The proposed works will not adversely impact water quality and erosion during construction.

8.16 SALINITY MANAGEMENT RESPONSE

The Map of Salinity Potential in Western Sydney identifies that the site is in an area of Salinity potential. Consequently a Salinity Management Plan was prepared to ensure that the development mitigates all effects of Salinity during and post construction. Morrow Geotechnics carried a geotechnical assessment of the site in July 2019 (please refer to **ANNEXURE J – GEOTECHNICAL REPORT**), and subsequently provided a Salinity Management Plan (please refer to **ANNEXURE K – SALINITY MANAGEMENT PLAN**).

The site inspection by Morrow Geotechnics did not identify obvious signs of salinity such as the presence of salt-tolerant plant species, areas of erosion and/or salt deposits, however, laboratory testing indicated that in general the site is typically non-saline to slightly saline to a nominal depth of about 0.5m, and that slightly to moderately saline soils are present at the site at depths between 0.5m to 1.5m. Also, the soils are generally sodic to highly sodic. As such all aspects of the proposed site development should take into consideration potential impacts from saline soil and be managed appropriately.

Management options for displaced saline soils and to minimise the impact from disturbance of saline soils, as noted in DLWC (2002), part of the scope of works will include where possible:

- minimising cut and fill;
- ensuring soils are replaced in original order when cut and fill is undertaken;
- ensuring good compaction of cut and fill areas to minimise infiltration of water to saline soils;
- minimising infiltration of stormwater;
- minimising irrigation of plants or landscaped areas;
- ensuring the site is well drained;
- careful installation of damp proof courses beneath building slabs; and
- use of higher strength concrete with adequate cover over steel reinforcement.

Specific management options for the following proposed works of the development are provided in the Salinity Management Plan (refer to **ANNEXURE K – SALINITY MANAGEMENT PLAN**):

- Civil works and earthworks
- Building construction
- Services
- Stormwater and Drainage
- Landscaped areas
- Roads

The management options for saline soils provided in the Salinity Management Plan are not a prescription for undertaking the required works. Rather the recommendations have been made for consideration by the specialists designing and directing the various aspects of the development, and will be taken into account during the detailed design phase of the project. In accordance with the salinity management measures, we consider that the development will not adversely affect the environment, nor will any salinity adversely affect infrastructure or buildings.

8.17 CONTAMINATED LAND

The Airsafe Stage 1 Preliminary Site Investigation (PSI) (please refer to **ANNEXURE G – PRELIMINARY SITE INVESTIGATION**) was carried out over the property. The scope of the report was to:

- Identify all past and present potentially contaminating activities where possible.
- Assessment of site history available within the records and available aerial photographs where applicable.
- Site visit to assess site activities past and present.
- A search of historical title information at the Land and Property Information, Macquarie Street, Sydney, to assess prior ownership and potential for contamination.
- A review of the available geological, topological maps and acid sulphate soils maps.
- A search for any notices relating to the potential for site contamination as issued by the EPA NSW and WorkCover NSW.

Following the research and site visit, recommendations were made regarding whether the site is suitable for the proposed development and/or the need for further investigations. The Airsafe PSI concluded:

- The inspection, title search and historical aerial photos show evidence the property (development area) has been used for an activity that may have had an impact on the soil and/or groundwater with respect to contamination (development building used as a printing workshop, fuel station close nearby).
- The site is not listed on the EPA NSW Contaminated Lands database
- The matters as prescribed by Section 59(2) of the Contaminated Lands Management Act 1997 (documented in the Planning Certificate) do NOT indicate that the land is under any orders or notices issued by the EPA NSW.
- The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of per- and poly- fluoroalkyl substances (PFAS) use across NSW. The site is not part of the PFAS investigation program.
- The land appears to conform to the natural level of the land in the area and the general topography.
- There is no indication that significant amounts of fill have been imported onto the block. The layout of the construction with respect to the contours suggest a typical ‘cut and fill’ procedure.
- The site is not within an ASS (acid sulfate soils) area. It is our opinion that PASS (potential acid sulfate soils) shall not be an issue affecting the site.
- It is suspected that the warehouse/workshop and fuel station/depot has been used for this purpose for more than 10 years.
- Chemicals were located within the former printing workshop. A chemical waste holding tank is located on the east side of the printing workshop near the roller entrance. This waste is then pumped into a large liquid waste storage tank located within the embankment adjacent (south west) of the fuel station and USTs

- The re-use of the former printing workshop as a video production facility present potential sub-surface contamination issues. Sub-floor vapour accumulation and volatile organic compounds within the groundwater need to be investigated.
- The proposed replica of an historical Biblical site and hardstand adjacent to the dam are located within Salinity Potential of Western Sydney map zones: Areas of High and Moderate Salinity Potential. An investigation shall be undertaken to assess the 'salinity potential' of these sites.

To enable recommendations to be made on the suitability of the site for the proposed development, the following additional testing and reports have been carried out as recommended above by the Airsafe PSI report:

- **ANNEXURE J – GEOTECHNICAL REPORT** – Testing and reporting on the assessed level of salinity and sodicity of the site.
- **ANNEXURE K – SALINITY MANAGEMENT PLAN** – Management and mitigation of the effects of salinity and sodicity during and post construction, so that the proposed works do not adversely affect the environment.
- **ANNEXURE H – SOIL VAPOUR ASSESSMENT** – Investigation and testing in the former printery area to determine if measured soil vapour concentrations associated with the former printery pose an unacceptable vapour intrusion risk for the proposed development and establish if vapour mitigation measures are required to render the area suitable for the proposed development.
- **ANNEXURE I – GROUNDWATER MONITORING EVENT** – The report establishes representative concentrations of contaminants in groundwater within existing monitoring wells installed around the existing fueling station and down gradient of the former printery area and chemical wastewater tank. The report determines if measured concentrations of contaminant in groundwater pose an unacceptable risk to human health or the environment.

The Reditus Soil Vapour Assessment report concluded:

- that potential contaminants associated with the former printing press operations do not pose an unacceptable vapour intrusion risk for the proposed development. Therefore, **vapour mitigation measures (such as a vapour membrane) are not required** to render the site suitable from a vapour intrusion perspective.
- Based on the above, and the conclusions made in the Airsafe (2019) PSI, Reditus considers that **there is no unacceptable vapour risk** to the proposed development (as a film studio consistent with commercial/industrial land use).

The Reditus Groundwater Monitoring Event report concluded:

- potential contaminants associated with the use of the area as a vehicle maintenance workshop, fueling station and area down gradient of the former printery and chemical wastewater tank do not pose an unacceptable risk to human health or the environment.

Based on the above, and the conclusions made in the Airsafe (2019) PSI, Reditus considers that there is **no unacceptable risk to human health or the environment** from the operation of the vehicle maintenance workshop, fueling station, former printery chemical wastewater tank or upgradient former printery (i.e. commercial/industrial land use). All additional investigations recommended in the original Airsafe PSI have been carried out. The results of the investigations demonstrate that there is no unacceptable risk to human health or the environment due to the proposed development works.

8.18 EARTHWORKS

All works will be carried out in harmony with the Cut and Fill Grading Plans, and the Erosion and Sediment Control Plans (ESCP), please refer to **ANNEXURE A – ARCHITECTURAL PLANS** and **ANNEXURE B – CIVIL DRAWINGS AND DESIGN**.

Generally, the earthworks have been designed to achieve a balance of cut and fill with the exception of the earth mound placement. The bulk cut and fill for the development is:

- Total Cut volume: -740 m^3
- Total Fill volume: 5,677 m^3
- Total Balance volume: 4,937 m^3

Earthworks will be undertaken to:

- Remove top soil sufficient for new roads and access paths that keep to the natural grade and avoid the structural root zones of existing trees.
- Remove top soil over the extent of all historical site areas and office building and landscaping footprint.
- Cut and fill the construction platform for the office building. Low height landscaping retaining walls will restrict the placement of fill batter over the north west corner of the office building so as not to affect the adjacent tree protection zones.
- Construct an 8.3m maximum height stabilized natural earth mound with compacted and controlled clean fill as shown on the Civil Drawings.
- Filling to steepen and flatten the natural grade of the historical site areas as per the Civil Drawings.
- Earthworks for landscaping.

All earthworks will be carried out so as to minimize disturbed areas of soil and the erosion thereof, and maintain surrounding water quality and environmental and ecological health.

8.19 LANDSCAPE DESIGN

All existing trees are retained, except for two. Please refer **APPENDIX M – ARBORICULTURAL REPORT.**

The essential semi-open rural character of the area has been thoroughly assessed through the site analysis process. Multiple walk-throughs of the site have enabled the design to evolve as the site constraints and opportunities have been progressively identified. The landscape design seeks to respond by maintaining and supplementing this rural character. Open grassed paddocks are interspersed with groups of generally indigenous trees with sporadic exotic trees located throughout.

Natural watercourses feeding the various dams on the property have been identified and are preserved and maintained in an unchanged condition. The proposed development areas are kept well away from these locations.

Strategically located groups of trees and lower level shrubs seek to replicate the clumped tree groupings evident in the areas. These are located to ensure that adequate screening of the proposed buildings will be provided in relation to views into the site from adjoining properties. For these outlying areas the tree species will include Eucalyptus moluccana (Grey Gum), Eucalyptus teriticornis (Forest Red Gum), Casuarina glauca (Swamp Oak), Melalueca stypheloides (Prickly Paperbark), Syncarpia glommulifera (Turpentine), Corymbia maculata (Spotted Gum), Eleaocarpus reticulatus (Blueberray Ash), Acmena smithii (Lilly Pilly) and Banksia serrata (Old Man Banksia). A variety of native ornamental grasses and groundcovers supplement these outlying areas.

A full list of proposed plant species and numbers are located on sheet 7 (of 7) of the landscape drawing package.

Closer to the buildings, with the office building in particular, the landscape design seeks to integrate the structure into a substantial multi layered planting scheme. Subtle uses of levels, ramped paths and low walls will allow the building to visually recede into the proposed landscaped setting. In addition to indigenous and locally used native species are a variety of smaller deciduous trees for summer shade and winter solar access as well as autumn colour. This design style is historically typical of rural residences and buildings. The composition of multi layered trees, flowering and screen shrubs, groundcovers and ornamental grasses will provide a high quality visual amenity.

Some landscaping for visual screening purposes has been strategically placed in relation to the proposed historical site buildings and soften the proposed office building. The aim of this approach is to maintain the rural setting and scenic quality of the subject site, ensuring the visual impact of the development is minimized and integrated into natural surrounds.

The use of paved landings and seating areas allow for disabled access paths to form part of an entry seating area that clearly identifies for visitors where the main pedestrian entry to the office building located when approached from the main carpark. On the lower side of the office building are terraced gardens and lawns with some paved areas. These will be used as break-out areas for the users of the building with a variety of seating areas located throughout the adjacent gardens and lawn terraces.

Fill levels for the building platform and the adjacent terraced gardens and lawns will be provided by a series of grassed embankments and natural boulder retaining structures in a natural / planted style. These terraces range from 600-1200mm in height and configured to avoid the appearance of a vertical retaining structure and be perceived more as gentle transitional landscape zones.

Natural watercourses are preserved and maintained and development areas are kept well away from these areas. Other existing natural features as well as existing built features such as sloping paddocks and cattle yards have been preserved and enhanced by the proposed landscape design. The development has been carefully configured around these elements in recognition of their importance to the visual character of the area.

The front entry security gates have likewise been configured to incorporate the typical timber post and rail fence elements as part of the design. Again the adjacent proposed and existing plant species are important to integrate these structures into the landscape (see sheet 2 of the landscape drawings for detail layout, elevation and graphics images). No solid fences are being proposed. Fencing to the upgraded secondary entry from Church Road will be timber post and rail up to 1.2m high to match the rural farm style of the site. Behind that are visually subservient 1.8 metre black painted metal palisade fencing with vegetation to grow through. These will match the dual opening see-through black painted metal palisade automatic sliding gates.

The carpark levels are selected to provide balanced cut and fill with low level embankments with either paddock grass are garden beds throughout. There are no wall structures associated with the carpark areas. The entry road and carpark alignment has been kinked slightly to avoid any 'bowling alley' effect to visual site lines. The integration of the trees and shrubs will serve to visually separate the entry road, the main carpark and the office building from each other so they are not viewed as one element from the street or outlying areas.

In summary the importance of the rural semi open character of the site has been identified as an important element of the area. This has subsequently driven the decision making process in terms of siting of buildings, levels selections, road alignments and selection of adjacent use areas. The overall landscape strategy seeks to integrate the development into an appropriate landscaped setting that will reinforce the visual quality of the area.

Refer to **ANNEXURE C – LANDSCAPE DRAWINGS**.

8.20 ENVIRONMENTAL

The proposed works will be carried out so as to have no detrimental impact on the environment. Existing landscaping and bushland will be maintained and protected in accordance with the recommendations in **ANNEXURE M – ARBORICULTURAL REPORT** and enhanced with additional indigenous landscaping designed to comply with recommendations in **ANNEXURE L – BUSH FIRE ASSESSMENT**, please refer to **ANNEXURE C – LANDSCAPE DRAWINGS**.

No changes or work will occur to and near watercourses, leaving the hydrology of the site largely unchanged. Stormwater and waste water will be dealt with as noted in this SoEE so as to maintain the health of existing waterways and tributaries. Work areas will be separated from other areas of the site, and erosion and sediment control and waste management will occur in accordance with **ANNEXURE B – CIVIL DRAWINGS AND DESIGN** and **ANNEXURE P – WASTE MANAGEMENT PLAN**

Energy and water conservation principles will be applied in the design and construction of the new office building as detailed in this SoEE.

8.21 SOCIAL IMPACT

The proposed works will foster economic, environmental and social well-being for the Liverpool area.

Economic benefits through the considerable revenue construction and ongoing filming work will bring to the region.

Environmental benefits through the enhancement and protection of the existing rural site with low-impact, compatible and productive activities that exist alongside large expanses of rural green space.

Social benefits through the production of uplifting and practical educational materials that promote happy family life and community relationships, provide emotional support for those recovering from traumas, fortify ones dealing with severe health problems, prevent suicide and bullying, equip families and communities to protect children from abuse, help recovery from addictions, and promote self-esteem, well-being and a fulfilling purpose in life.

The works will serve to conserve, protect and enhance the environmental and cultural heritage of the Liverpool area, and continue the 80 year long productive partnership between IBSA and the Liverpool Community. The subject site is one of two large parcels of green space between medium to high density development on one side, and small scale rural lots on the other. Throughout the last 80 years, the subject site has become an important source of scenic quality for the neighbourhood, and this project will allow this site to continue its historical purpose and legacy.

The development will incorporate ecologically sustainable design as outlined in this SoEE.

9 NOMINAL NCC COMPLIANCE

The proposed alterations to the existing printery are to a Class 8 building.

The new office building will be a Class 5.

The new replica of an historical Biblical Site will consist of a mix of class 7b storage and class 10a non-habitable buildings.

The deemed to satisfy provisions of the NCC Vol 1 will be incorporated with the Construction Certificate drawings. An NCC Section J report will be submitted as part of the Construction Certificate application. The structures will be designed by a registered structural engineer and meet the relevant design requirements of the NCC and Australian Standards.

10 CONCLUSION

The proposed additions and alterations, have been assessed as satisfactory when measured against Part 4, of the *Environmental Planning and Assessment Act 1979* (NSW) (the Act), and the principal planning instruments that relate to this development, namely the LLEP, the LDCP and the ~~State Environmental Planning Policy (Exempt And Complying Development Codes) 2008.~~

As set out in this SoEE, it is requested that consent be given to the proposed works on the following basis:

Table 9 – Basis for Consent of Proposed Works

Proposed Works	Basis for Consent	Comment
Alterations to existing printery for film studio and associated support spaces	~~Existing Use Rights~~ Refer Addendum	~~Minor alterations to change from one existing light industry use (printing) to another light industry use (filming)~~ Refer Addendum
New office building New replica of an historical Biblical site	Permissible Use in RU2-Rural Landscape Zone	Place of public worship and ancillary uses. Purpose: worship, religious instruction and training
Filming on subject site	~~Exempt Development with variation on basis of Permissible Use~~ Refer Addendum	~~Request variation of one exempt condition on basis that purpose of filming on private land is integral to permissible use as Place of public worship. Purpose: worship, religious instruction and training.~~

As the above table demonstrates, the proposed works satisfies the intent of the RU2-Rural Landscape zoning.

Jehovah's Witnesses have a long history working with and for the local community. Moreover, the rural character and scenic quality of the site have been maintained to a high standard for over 80 years and will continue to be maintained to provide a harmonious environment, with a separation from neighbours who can continue living comfortably and unimpeded. This long standing religious establishment has continued to be used to provide religious instruction and training, all through the work of volunteers. The proposed works will ensure the subject site remains a scenic and green rural buffer for the local community amongst the nearby expanding growth centers.

Furthermore, the purpose of the proposed works for religious instruction and training will have a far-reaching and positive effect, not only amongst the millions of Jehovah's Witnesses who rely on the religious educational material produced as part of their worship, but also the broader community who seek spiritual support, especially in the digital format which teaches more effectively than hard-copy.

Yet, importantly, the history and rural character of the subject site is maintained.

The proposal of a new office building is consistent with the existing religious establishment's built form characteristics and rural setting through careful design of its scale, bulk, siting, materials and landscaping.

The addition of the replica of an historical Biblical site is specifically for the purpose of religious teaching and training and is ancillary to and consistent with permissible use under the RU2 zoning as a "place of public worship". It will also maintain the scenic views and privacy from the neighboring lots.

The proposed internal alterations to the printery ~~are consistent with the existing use rights of the approved printery. The proposal~~ will significantly decrease any environmental impact, ~~while continuing its light industry use in producing educational material for religious instruction~~. See Addendum.

The proposed alterations are consistent with the RU2 – Rural Landscape zoning objectives. Accordingly, it is concluded that the proposed works are entirely consistent with the objectives and principles of the LLEP and LDCP design principles.

It is therefore requested that the Council approve this DA, subject to any reasonable and relevant conditions of consent.

ANNEXURES ALL

ANNEXURE A – ARCHITECTURAL DRAWINGS

AUSB01_31-08 DA-001	OVERALL COVERSHEET
AUSB01_31-08 DA-002	SITE ANALYSIS
AUSB01_31-08 DA-003	OVERALL SITE PLAN
AUSB01_31-08 P_DA-201	PRINTERY DEMOLITION FLOOR PLAN
AUSB01_31-08 P_DA-202	PRINTERY PROPOSED FLOOR PLAN
AUSB01_31-08 P_DA-301	PRINTERY PROPOSED ELEVATIONS AND FINISHES
AUSB01_31-08 P_DA-401	PRINTERY PROPOSED SECTIONS
AUSB01_31-08 O5_DA-101	OFFICE 5 PROPOSED SITE PLAN
AUSB01_31-08 O5_DA-201	OFFICE 5 PROPOSED FLOOR AND ROOF PLAN
AUSB01_31-08 O5_DA-301	OFFICE 5 PROPOSED ELEVATIONS AND SECTIONS
AUSB01_31-08 O5_DA-302	OFFICE 5 PROPOSED FINISHES AND 3D VIEWS
AUSB01_31-08 HS_DA-201	HISTORICAL SITE AREA 1 PROPOSED FLOOR PLAN
AUSB01_31-08 HS_DA-202	HISTORICAL SITE AREA 2-5 PROPOSED FLOOR PLAN
AUSB01_31-08 HS_DA-203	HISTORICAL SITE AREA 2-5 PROPOSED ROOF PLAN
AUSB01_31-08 HS_DA-301	HISTORICAL SITE AREA 1 PROPOSED ELEVATIONS
AUSB01_31-08 HS_DA-302	HISTORICAL SITE AREA 2-5 PROPOSED ELEVATIONS 1 OF 2
AUSB01_31-08 HS_DA-303	HISTORICAL SITE AREA 2-5 PROPOSED ELEVATIONS 2 OF 2
AUSB01_31-08 HS_DA-401	HISTORICAL SITE AREA 1-5 PROPOSED SECTIONS
AUSB01_31-08 DA-601	DA NOTIFICATION PLAN SHEET 1 OF 8
AUSB01_31-08 DA-602	DA NOTIFICATION PLAN SHEET 2 OF 8
AUSB01_31-08 DA-603	DA NOTIFICATION PLAN SHEET 3 OF 8
AUSB01_31-08 DA-604	DA NOTIFICATION PLAN SHEET 4 OF 8
AUSB01_31-08 DA-605	DA NOTIFICATION PLAN SHEET 5 OF 8
AUSB01_31-08 DA-606	DA NOTIFICATION PLAN SHEET 6 OF 8
AUSB01_31-08 DA-607	DA NOTIFICATION PLAN SHEET 7 OF 8
AUSB01_31-08 DA-608	DA NOTIFICATION PLAN SHEET 8 OF 8

ANNEXURE B – CIVIL DRAWINGS AND DESIGN

C1	COVERSHEET, LOCALITY PLAN & DRAWING LIST
C2	GENERAL ARRANGEMENT PLAN
C3	CONCEPT SEDIMENT & EROSION CONTROL PLAN
C4	CONCEPT SEDIMENT & EROSION CONTROL PLAN (CONT')
C5	CONCEPT SEDIMENT & EROSION CONTROL PLAN (CONT')
C6	CONCEPT SEDIMENT & EROSION CONTROL PLAN (CONT')
C7	SEDIMENT & EROSION DETAILS
C8	BULK EARTHWORKS / CUT & FILL PLAN
C9	STORMWATER MANAGEMENT PLAN
C10	STORMWATER MANAGEMENT PLAN (CONT')
C11	STORMWATER MANAGEMENT PLAN (CONT')
C12	STORMWATER MANAGEMENT PLAN (CONT')
C13	COTTAGE LANE CROSS SECTIONS
C14	FARM ROAD CROSS SECTIONS
C15	TURNING BAY CROSS SECTIONS
C16	PADDOCK ROAD CROSS SECTIONS
C17	COTTAGE LANE LONGITUDINAL SECTION
C18	FARM ROAD LONGITUDINAL SECTION
C19	TURNING BAY LONGITUDINAL SECTION
C20	PADDOCK ROAD LONGITUDINAL SECTION
C21	LOADING BAY LONGITUDINAL SECTION
C22	STORMWATER CATCHMENT PLAN
C23	DRAINS MODEL RESULTS
	DESIGN AND CALCULATION PACKAGE

ANNEXURE C – LANDSCAPE DRAWINGS

SHEET 1: LANDSCAPE MASTERPLAN

SHEET 2: DETAIL PLAN A & FRONT ENTRY GATE DETAIL

SHEET 3: DETAIL PLAN B

SHEET 4: DETAIL PLAN C

SHEET 5: DETAIL PLAN D

SHEET 6: OVERALL SITE PLAN & STRATEGIC SCREEN PLANTING

SHEET 7: DETAILS, NOTES AND PLANTING SCHEDULE

ANNEXURE D – LAND SURVEY DRAWINGS

SHEET 1: PLAN SHOWING DETAIL AND LEVELS SHEET 1 OF 4

SHEET 2: PLAN SHOWING DETAIL AND LEVELS SHEET 2 OF 4

SHEET 3: PLAN SHOWING DETAIL AND LEVELS SHEET 3 OF 4

SHEET 4: PLAN SHOWING DETAIL AND LEVELS SHEET 4 OF 4

ANNEXURE E – FILM MANAGEMENT PLAN

ANNEXURE F – PRINTERY CHEMICAL INDEX

ANNEXURE G – PRELIMINARY SITE INVESTIGATION (CONTAMINATION REPORT)

ANNEXURE H – SOIL VAPOUR ASSESSMENT

ANNEXURE I – GROUNDWATER MONITORING EVENT

ANNEXURE J – GEOTECHNICAL REPORT

ANNEXURE K – SALINITY MANAGEMENT PLAN

ANNEXURE L – BUSH FIRE ASSESSMENT REPORT

ANNEXURE M – ARBORICULTURAL REPORT

ANNEXURE N – TRAFFIC AND PARKING ASSESSMENT

ANNEXURE O – ESSENTIAL SERVICES REPORT

ANNEXURE P – WASTE MANAGEMENT PLAN

ANNEXURE Q – QUANTITY SURVEYORS REPORT

ANNEXURE R – LIVERPOOL CITY COUNCIL SUBMISSION FORMS

This information bound into office copy only