

## ASSESSMENT REPORT

### LINDT FACILITY, SYDNEY BUSINESS PARK, MARSDEN PARK SSD 6620 MOD 1

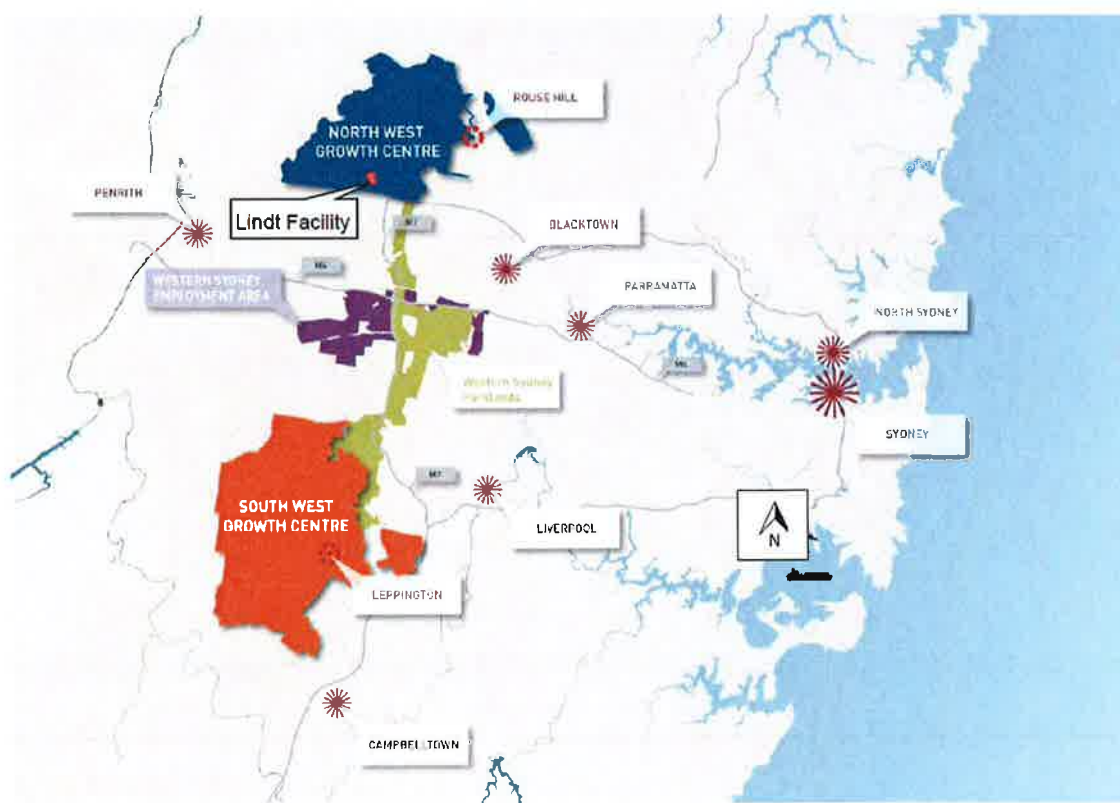
#### 1. BACKGROUND

This report is an assessment of an application seeking approval to modify State Significant Development approval (SSD 6620) for the construction and operation of a new warehouse and manufacturing facility located within the Marsden Park Industrial Precinct, in the Blacktown local government area.

The application has been lodged by Qanstruct (Aust) Pty Ltd pursuant to section 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval for a number of minor internal and external alterations and additions to the approved facility and an amended stormwater design.

#### 2. SUBJECT SITE

The subject site forms part of the Sydney Business Park Industrial Estate located within the Marsden Park Industrial Precinct of the North-West Growth Centre (NWGC) (see **Figure 1**).



 Lindt Facility (approx.)

**Figure 1:** Site Location in regional context (Source S961A SEE)



**Figure 2: Location Plan – Sydney Business Park Master Plan (Source S961A SEE)**

### 3. APPROVAL HISTORY

On 26 November 2014, SSD 6620 was approved under delegation for the construction and operation of a warehouse and distribution facility with an ancillary office and showroom/factory outlet. The facility will be used to store and distribute Lindt's range of packaged chocolates; limited chocolate making; and food baking. The facility is currently under construction.

This application is the first modification of the original SSD approval for the site.

### 4. PROPOSED MODIFICATION

On 13 May 2015, the Proponent lodged an application (SSD 6620 MOD 1) seeking approval for a number of minor alterations and additions to the approved facility including:

- new enclosed link way added to eastern elevation near the south-eastern corner of the facility to link the warehouse and manufacturing area with the showroom/factory outlet;
- relocation of external plant and equipment, including the rainwater tanks which are proposed to be located underground below the eastern outdoor/park area;
- additional windows at the southern elevation of warehouse;
- amended external colour schedule;
- a new skylight and plant located on the office roof including screening; and
- amended stormwater design by relocating the proposed stormwater discharge from the north-western corner to the north-eastern corner of the site.

A summary of the amended floor areas, as outlined in the SEE, are detailed in **Table 1** overleaf:

**Table 1: Lindt Facility Development Schedule**

Aspect	Facility Detail		
	As Approved	As Proposed	Difference
Site Area	65,940 m <sup>2</sup>	65,940 m <sup>2</sup>	No change
Building Areas			
- Warehouse <sup>1</sup>	20,330 m <sup>2</sup>	20,445 m <sup>2</sup>	+115 m <sup>2</sup>
- Manufacturing and Packaging	5,010 m <sup>2</sup>	4,950 m <sup>2</sup>	-60 m <sup>2</sup>
- Ancillary Office	3,420 m <sup>2</sup>	3,450 m <sup>2</sup>	+30 m <sup>2</sup>
- Showroom/Factory Outlet	315 m <sup>2</sup>	315 m <sup>2</sup>	No change
- Gross Floor Area <sup>2</sup>	29,075 m <sup>2</sup>	29,160 m <sup>2</sup>	+85 m <sup>2</sup>
- Total Ground Floor Building Area	26,865 m <sup>2</sup>	26,930 m <sup>2</sup>	+65 m <sup>2</sup>
Awning Area	1,740 m <sup>2</sup>	1,800 m <sup>2</sup>	+60 m <sup>2</sup>
Hardstand Area	20,980 m <sup>2</sup>	20,990 m <sup>2</sup>	+10 m <sup>2</sup>
Landscaping Area	15,500m <sup>2</sup> (approx.)	15,500m <sup>2</sup> (approx.)	No change
Site Cover	41%	41%	No change

Aspect	Facility Detail		
	As Approved	As Proposed	Difference
Floor Space Ratio	44%	44%	No change
No. Office Levels	3	3	No change
Building Height (exc. plant)	13.9 m	13.9 m	No change
Building Height (inc. skylight, rooftop plant)	Not defined	14.5 m	n/a
Minimum Building Setbacks			
- Hollinsworth Road	28 m	28 m	No change
- Northern Road (Road 5)	46.5 m	46.5 m	No change
Parking Spaces	341 car spaces (inc. 7 disabled) 4 motorbike spaces	341 car spaces (inc. 7 disabled) 4 motorbike spaces	No change

<sup>1</sup> Includes 315m<sup>2</sup> battery charging area and 125m<sup>2</sup> linkway

<sup>2</sup> Excludes lift, stairs, store and balcony areas

## 5. STATUTORY CONSIDERATION

### 5.1 Modification of approval

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters (outlined in **Table 2**) are addressed in respect of all applications that seek modification approvals:

**Table 2: Matters for consideration**

Section 96(1A) matters for consideration	Comment
That the proposed modification is of minimal environmental impact	<b>Section 7</b> of this report provides an assessment of the impacts associated with the proposal. The Department is satisfied that the proposed modifications will have minimal environmental impacts.
That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).	The proposed modification seeks approval for minor changes and does not result in any additional adverse impacts on the surrounding area. On this basis, the proposal would result in development that is substantially the same as the originally approved development.
The application has been notified in accordance with the regulations	The modification application has been notified in accordance with the regulations. Details of the notification are provided in <b>Section 6</b> of this report.
Any submission made concerning the proposed modification has been considered.	The Department received a submission from Blacktown City Council on the proposal in relation to stormwater. The issues raised in submissions have been considered in <b>Section 7</b> of this report.

## 5.2 Environmental Planning Instruments

The following EPIs are relevant to the application:

- SEPP (State and Regional Development) 2011;
- SEPP (Infrastructure) 2007;
- SEPP (Sydney Region Growth Centres) 2006;
- SEPP No. 33 – Hazardous and Offensive Development;
- SEPP No. 55 – Remediation of Land; and
- SEPP No. 64 – Advertising and Signage.

The Department undertook a comprehensive assessment of the redevelopment against the above mentioned EPIs in its original assessment. The Department has considered the above EPIs and is satisfied that the modification is generally consistent with the EPIs.

## 5.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, the A/Director, Regional Assessments may determine the application under delegation as:

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

## 6. CONSULTATION

The application was notified in accordance with the *Environmental Planning & Assessment Regulation 2000*. The modification request was made publicly available on the Department's website and referred to Blacktown City Council (Council), and Transgrid for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

**Transgrid** did not object to the proposed modification. Transgrid made comments relating to the truck exit for the facility. However, it is noted that there are no proposed changes to the approved truck exit for the facility.

**Council** did not object to the proposed modification. However, Council requested a number of minor amendments be made to the proposed stormwater drainage plan. In response, the applicant provided amended plans, which were supported by Council's Stormwater Engineer.

## 7. ASSESSMENT

The Department considers the key issues associated with the proposed modification are:

- Built form; and
- Stormwater management.

All other issues are considered in **Table 4** below.

## 7.1 Built form

The proposal seeks approval for a number of internal and external modifications to the approved building which are assessed as follows:

### *Internal modifications*

The proposal results in a net increase in floor space of 85m<sup>2</sup>, consisting of 30m<sup>2</sup> additional office and 55m<sup>2</sup> additional warehouse area. This results in a revised total floor space of 29,160m<sup>2</sup>.

Condition B7 of the original approval limits the floor areas for the facility as shown in **Table 3**:

**Table 3 Floor space comparison**

Aspect	Approved (condition B7)	Proposed	Change
Warehousing/manufacturing	25,340m <sup>2</sup>	25,395m <sup>2</sup>	+ 55m <sup>2</sup>
Office/showroom/factory outlet	3,735m <sup>2</sup>	3,765m <sup>2</sup>	+ 30m <sup>2</sup>
<b>Total GFA</b>	<b>29,075m<sup>2</sup></b>	<b>29,160m<sup>2</sup></b>	<b>+ 85 m<sup>2</sup></b>

The total additional floor space of 85m<sup>2</sup> represents less than 1% of the total approved floor space for the building. The Department's assessment concludes that the proposed increase in floor space is negligible and the proposal would not result in any additional impacts beyond those already assessed and approved. It is therefore recommended that Condition B7 be amended to update the approved floor space areas.

### *External modifications*

The proposed external modifications are considered to result in no adverse impacts as:

- the inclusion of windows on the southern elevation add visual interest and improves the appearance of the façade;
- the additional walkway improves amenity by providing covered access between the factory outlet and manufacturing area, and is considered to integrate with the design and scale of the warehouse;
- both the relocated rooftop plant and the skylight roof feature remain below the maximum height limit under the Growth Centres SEPP, are set back from the building lines so they are not visually prominent and appropriate screening is provided to the rooftop plant area; and
- the revised colour scheme, which incorporates a wide range of grey tones is appropriate given the industrial context of the locality, while still providing visual interest to the external facades.

The Department's assessment concludes the internal and external modifications to the approved building are minor, remain generally consistent with the Growth Centres DCP and would not result in any adverse impacts.

## 7.2 Stormwater Management

The proposal seeks approval to modify the approved stormwater management plan to discharge stormwater at the north eastern corner of the site. The proponent submitted an amended stormwater management plan for the site including updated MUSIC modelling to demonstrate compliance with the stormwater quality criteria in the Growth Centre DCP.

Council reviewed the proposal and raised a number of technical issues relating to the proposed trench gates and enviropods proposed in the drainage plan. The applicant submitted a revised drainage plan fully addressing Council's concerns.

The Department's assessment concludes that the revised stormwater design as detailed in the amended stormwater plan is acceptable and would not lead to any adverse impacts. The

Department recommends that the consent be modified to incorporate the amended drainage plan.

## 7.2 Other Issues

**Table 4: Assessment of Other Issues**

<b>Issue</b>	<b>Consideration</b>	<b>Recommendation</b>
Noise, air quality, odour	<ul style="list-style-type: none"> <li>The proposed amendments to the building primarily relate to minor internal and external design changes to improve the functionality of the facility. It is also noted that the proposal seeks a reduction in manufacturing and packaging floor area of the facility.</li> <li>The proponent advises that the proposed modifications would not involve significant changes to air, noise or odour emissions.</li> <li>Following a review of the proposed modifications, the Department's assessment concludes that the proposed design changes would not lead to adverse impacts relating to noise, odour or air quality.</li> <li>The Department also notes that potential noise, air quality and odour impacts would be appropriately managed by the existing conditions of consent.</li> </ul>	No additional conditions or amendments necessary.
Traffic & parking	<ul style="list-style-type: none"> <li>The proposed amendments seek a net additional floorspace of 85m<sup>2</sup>, representing an increase of less than 1% of the total approved floorspace.</li> <li>This additional floorspace marginally increases the car parking requirement under the Growth Centres DCP.</li> <li>The original approval required 315 spaces under the DCP.</li> <li>The proposal provides for 341 spaces, which remains in excess of the DCP car parking requirement.</li> <li>The Department's assessment concludes that the additional floorspace is negligible and given the proposal provides car parking in excess of the DCP requirements, the modification is acceptable.</li> </ul>	No additional conditions or amendments necessary.
Waste & Hazards	<ul style="list-style-type: none"> <li>The proponent advises that the proposed modifications do not involve significant changes to waste or hazards.</li> <li>Following a review of the proposed modifications, the Department concludes that the proposed design changes will not lead to adverse impacts relating to waste or hazards.</li> <li>Further, the Department notes that the existing conditions of consent would appropriately manage: wastes during construction and operation of the facility; and storage and handling of dangerous goods.</li> </ul>	No additional conditions or amendments necessary.

## 8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the proposed amendments are minor and provide greater amenity for workers and functionality of the facility;
- the amendments to the façades and roof will not lead to any adverse impacts on the public domain or adjoining properties; and
- the revised stormwater design for the site is supported by Council and will not lead to any environmental impacts.

Consequently, it is recommended that the modification be approved subject to the recommended conditions.

## 9. RECOMMENDATION


It is RECOMMENDED that the A/Director, Regional Assessments as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 96 (1A), subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

Prepared by:  
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 17.07.2015

Natasha Harras  
Team Leader  
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 20/7/2015

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Acting Director  
Regional Assessments

## **APPENDIX A: NOTICE OF MODIFICATION**

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The Notice of Modification can be found on the Department of Planning and Environment's website as follows:

1. Notice of Modification

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7062](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7062)

## **APPENDIX B: SUPPORTING INFORMATION**

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The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

2. Modification request

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7062](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7062)

3. Submissions

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7062](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7062)

4. Response to Submissions

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7062](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7062)

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