

ASSESSMENT REPORT

LINDT FACILITY, SYDNEY BUSINESS PARK, MARSDEN PARK SSD 6620 MOD 2

1. BACKGROUND

This report is an assessment of an application seeking approval to modify a 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 PJEP Environmental Planning Pty Ltd on behalf of 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 to the warehouse facility.

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**).

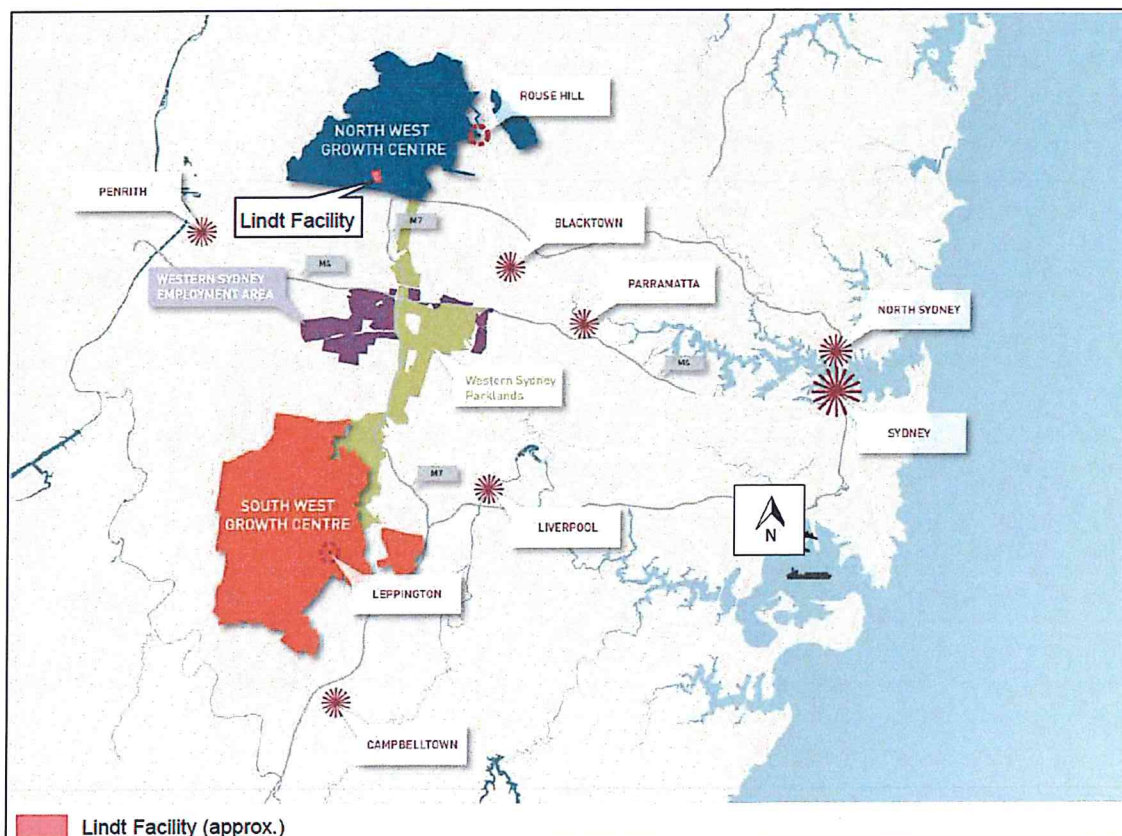


Figure 1: Site Location in regional context (Source S961A MOD 2 SEE)

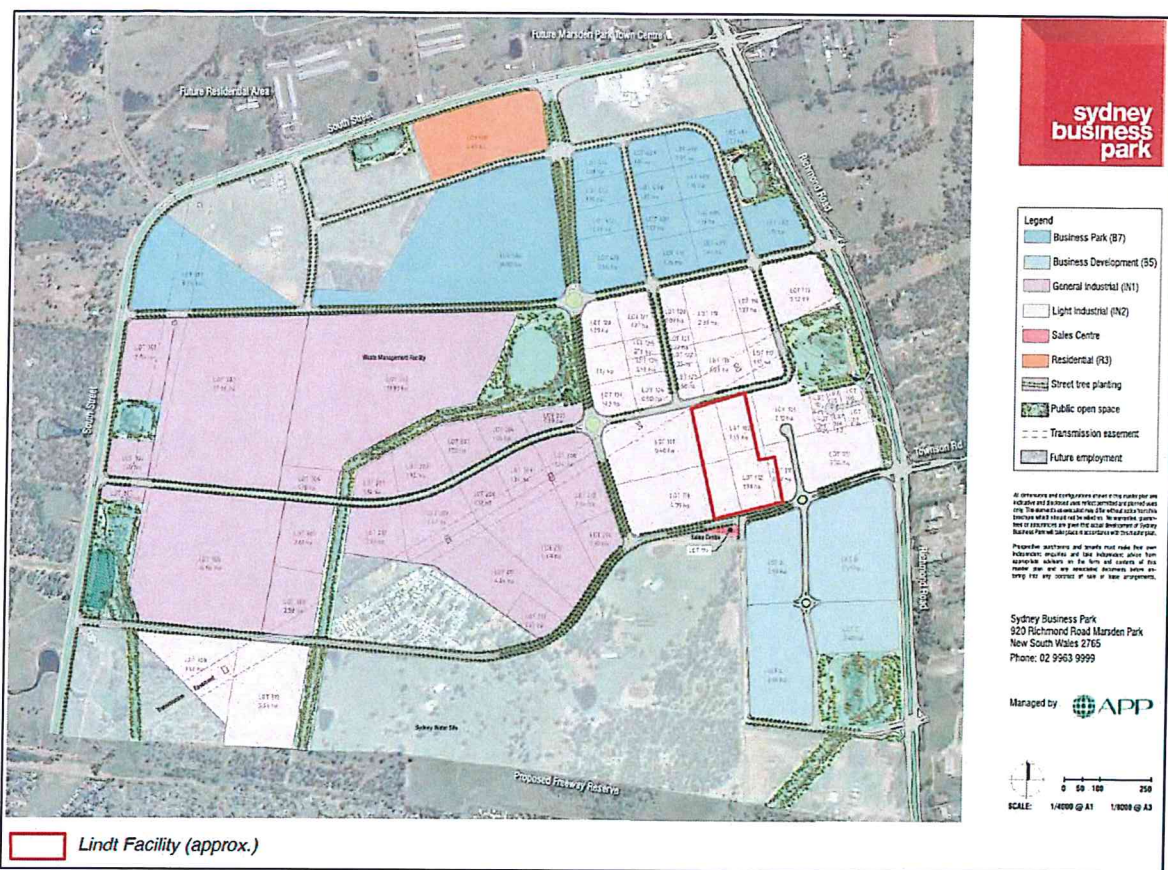


Figure 2: Location Plan – Sydney Business Park Master Plan (Source S961A MOD 2 SEE)

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.

On 20 July 2015, SSD 6620 Modification 1 was approved under delegation that included:

- a new enclosed link way to the eastern elevation connecting the warehouse and manufacturing area with the showroom/factory outlet;
- relocation of external plant and equipment;
- additional windows at the southern elevation of warehouse;
- amended external colour schedule;
- new skylight and plant located on the office roof; and
- amendments to the design of the stormwater system.

4. PROPOSED MODIFICATION

On 5 August 2015, the Proponent lodged an application (SSD 6620 MOD 2) seeking approval for a number of minor alterations to the approved facility including:

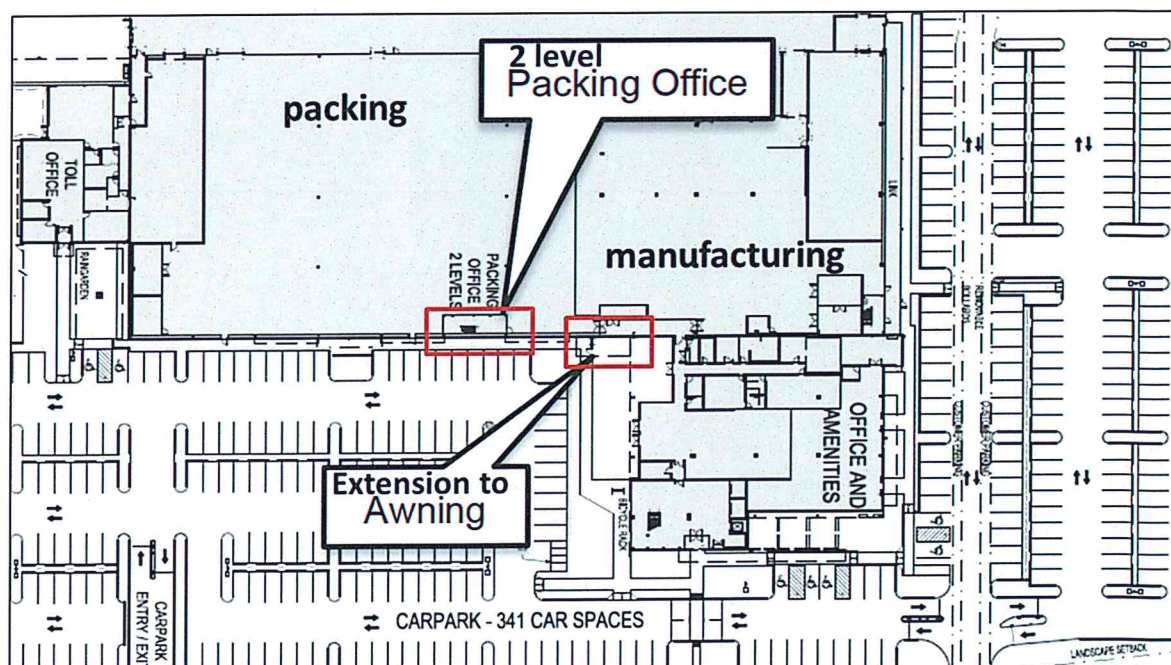
- the addition of a two level internal office to service the packing area; and
- an increase to the size of the awning over the staff outdoor area (see **Figure 3**).

A summary of the amended floor areas, as outlined in the modification application, 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 ²	65,940 m ²	No change
Building Areas			
- Warehouse ¹	20,445 m ²	20,445 m ²	No change
- Manufacturing and Packaging	4,950 m ²	4,920 m ²	-30 m ²
- Ancillary Office	3,450 m ²	3,520 m ²	+70 m ²
- Showroom/Factory Outlet	315 m ²	315 m ²	No change
- Gross Floor Area ²	29,160 m ²	29,200 m ²	+40 m ²
- Total Ground Floor Building Area	26,930 m ²	26,930 m ²	No change
Awning Area	1,800 m ²	1,845 m ²	+45 m ²
Hardstand Area	20,990 m ²	20,990 m ²	No change
Landscaping Area	15,500m ² (approx.)	15,500m ² (approx.)	No change
Site Cover	41%	41%	No change
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)	14.5 m	14.5 m	No change
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

1 Includes 315m² battery charging area and 125m² linkway
2 Excludes lift, stairs, store and balcony areas

**Figure 3: Location of proposed modifications (outlined in red) (Source S961A MOD 2 SEE).**

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 approval:

Table 2: Matters for consideration

Section 96(1A) matters for consideration	Comment
That the proposed modification is of minimal environmental impact	Section 7 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 Section 6 of this report.
Any submission made concerning the proposed modification has been considered.	The Department received one submission from Blacktown City Council which did not raise any issues with the proposal.

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 Acting 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 application was made publicly available on the Department's website and referred to Blacktown City Council (Council). Due to the minor nature of the proposal, the modification application was not exhibited by any other means.

Council advised that it did not object to the proposed modifications.

No public submissions were received.

7. ASSESSMENT

Following further detailed design of the project, additional internal and external changes are proposed to the approved building. The proposed modifications are considered below:

Internal Modifications

The proposed internal changes result in a net increase in floor space of 40 m². This comprises:

- an ancillary two level office space inside the packing area with a floor area of 70 m² (30 m² on the ground floor level and 40 m² on the mezzanine level); and
- an associated reduction in the warehousing space of 30 m² on the ground floor level.

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

Table 3 Floor space comparison

Aspect	As Approved (condition B7)	Proposed	Change
Warehousing/manufacturing and packaging	25,395m ²	25,365m ²	- 30m ²
Office/showroom/factory outlet	3,765m ²	3,835m ²	+ 70m ²
Total GFA	29,160m²	29,200m²	+ 40 m²

The additional floor space of 40 m² 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 would not result in any additional impacts beyond those already assessed and approved other than a minor change to parking requirements.

This additional floorspace marginally increases the car parking provision under the Growth Centres DCP from 314 to 315 spaces. The approval as modified provides for 341 spaces which remains in excess of the DCP car parking requirement.

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.

It is therefore recommended that Condition B7 be amended to update the approved floor space areas.

External Modifications

The proposed external modification to the facility includes a 45 m² increase in the size of the awning over the staff outdoor area on the western side of the building (from 1,800 m² to 1,845 m²). The proposed amendment to the awning is considered to be acceptable as:

- the larger awning would improve the amenity of the outdoor area for staff adjacent to the main office;
- the height of the awning remains below the maximum height limit under the Growth Centres SEPP; and
- the awning would integrate with the design and scale of the building.

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 additional impacts.

8. CONCLUSION

The Department has assessed the modification application 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; would provide greater amenity for staff; and would improve the functionality of the facility.

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

9. RECOMMENDATION

It is RECOMMENDED that the Acting 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**).

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 13.8.15

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APPENDIX A: NOTICE OF MODIFICATION

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=7203

APPENDIX B: SUPPORTING INFORMATION

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:

1. Modification Application

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7203

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7203