

24 May 2022

Department of Planning, Industry & Environment
Planning Secretary
12 Darcy St
Parramatta NSW 2150

Aliro Management Pty Limited
Level 38
Gateway
1 Macquarie Place
Sydney NSW 2000
Telephone: 1300 310 085
aliro.com.au

To the Secretary,

**Prospect Logistics Estate, Pemulwuy
SSD 10399**

Aliro Management Pty Ltd as the development manager for the Prospect Logistics Estate on behalf of ISPT Pty Ltd write to seek dispensation to the approved earthworks and construction working hours with reference to Conditions B38 and B39 of SSD 10399 approved on the 2 July 2021, in line with previous approval from the Planning Secretary on 1 April 2022, which is due to expire on 31 May 2022.

Since the previous extended hours approval, the ongoing La Nina weather phenomenon has resulted in ongoing above-average rainfall with throughout April and May and is expected to continue through to August, as shown in Attachment 1. This has created a further loss of productive working days throughout April and May.

As a result, further dispensation is requested for the extended hours of work to continue through to 31 July 2022, in accordance with conditions outlined in the previous approval in Attachment 2 and the mitigation measures outlined in the original request dated 21 March 2022 (Attachment 3).

The hours of work are requested to remain as the following:

Activity	Day	Time
Earthworks and Construction	Monday - Friday	5:30am - 7:00pm
	Saturday	5:30am - 4:00pm
	Sunday (irregular occurrences only)	7:00am - 4:00pm
Operation	Monday - Sunday	24 hours

Yours Sincerely

Colin MacDonald
Development Manager

Cc: Adrian Grew, ISPT Pty Ltd

Attachments:

- 1) Bureau of Meteorology seasonal outlook dated 12 May 2022
- 2) Planning Secretary Approval Extended Hours Approval dated 1 April 2022
- 3) Previous request for dispensation dated 21 March 2022

Attachment 1: Bureau of Meteorology seasonal outlook dated 12 May 2022



Australian Government
 Bureau of Meteorology

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Climate outlooks—weeks, months and seasons

Issued Thursdays, one and two week outlooks also issued Mondays

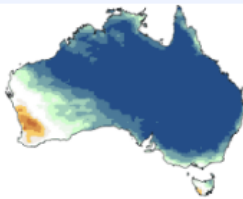
Overview—Summary

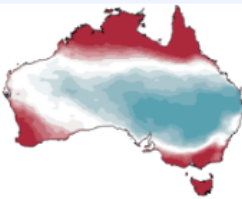
Overview

- Summary
- Climate influences
- Outlook video

Rainfall

- Temperature

Rainfall
 

Temperature: maximum
 

Outlook video
 

Climate outlook overview

Issued: 12 May 2022

- June to August rainfall is very likely to be above median for much of mainland Australia, but below median for parts of Western Australia's South West Land Division and south-western Tasmania.
- June to August maximum temperatures are likely to be above median for northern, south-western, and south-eastern parts of Australia, but below median for a broad area stretching from Central Australia, through most of pastoral South Australia, western, central, and northern New South Wales, and central to southern Queensland.
- Minimum temperatures for June to August are very likely to be warmer than median across almost all of Australia.
- The continuing La Niña, the chance of a negative Indian Ocean Dipole, warmer than average waters around northern Australia, and other localised drivers are likely to be influencing this outlook.


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Attachment 2: Planning Secretary Extended Hours Approval dated 1 April 2022

Mr Colin MacDonald
Aliro Group
Gateway Plaza
1 Macquarie Place
Sydney NSW 2000

01/04/2022

Dear Mr MacDonald

**Prospect Logistics Estate
Construction Out of Hours Request (SSD-10399-PA-19)**

I refer to your letter dated 21 March 2022 seeking the Planning Secretary's agreement to vary the approved hours of construction for the Prospect Logistics Estate, pursuant to Condition B39 of SSD-10399.

I understand you are requesting the following variation to the approved hours of construction:

Day	Time
Monday – Friday	5:30am – 7:00pm
Saturday	5:30am – 4:00pm
Sunday (irregular occurrences only)	7:00am – 4:00pm

The Department has reviewed the request and agrees to the variation in hours of construction until **31 May 2022**, subject to the following conditions:

- adjoining residences must be informed of the changes to construction hours and be provided with the Site Manager's contact details
- a complaints register must be kept on site at all times
- the works and associated mitigation measures undertaken during the extended hours must align with those identified in Table 1 of your letter dated 21 March 2022
- the variation can be terminated at any time by the Department if the Department deems unreasonable impacts are being generated through the increased construction hours which are not being managed appropriately.

If you wish to discuss the matter further, please contact Bianca Thornton at (02) 8217 2040 or via email at bianca.thornton@planning.nsw.gov.au.

Yours sincerely



Pamela Morales
Acting Team Leader - Industry
Industry Assessments

as delegate of the Planning Secretary

Attachment 3: Previous request for dispensation dated 21 March 2022

21 March 2022

Aliro Management Pty Limited
Level 38
Gateway
1 Macquarie Place
Sydney NSW 2000
Telephone: 1300 310 085
aliro.com.au

Department of Planning, Industry & Environment
Planning Secretary
12 Darcy St
Parramatta NSW 2150

To the Secretary,

**Prospect Logistics Estate, Pemulwuy
SSD 10399**

Aliro Management Pty Ltd as the development manager for the Prospect Logistics Estate on behalf of ISPT Pty Ltd write to seek dispensation to the approved earthworks and construction working hours with reference to Conditions B38 and B39 of SSD 10399 approved on the 2 July 2021.

Condition B38 and B39 of SSD 10399 provides:

B38. The Applicant must comply with the hours detailed in Table 3, unless agreed in writing by the Planning Secretary.

Activity	Day	Time
Earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation	Monday – Sunday	24 hours

B39. Works outside the hours identified in condition B38 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;*
- (b) works agreed to in writing by the Planning Secretary;*
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or*
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.*

It is proposed that the hours of work approved under Condition B38 be extended until 31st August 2022 in accordance with Condition B39 and in a similar fashion to the extended working hours provided to the construction industry as part of the NSW Government's response to the COVID-19 pandemic. The additional working hours will allow contractors to maximise productive work on days where the weather permits. Approval is sought for the following revised earthworks and construction working hours:

Activity	Day	Time
Earthworks and Construction	Monday - Friday	5:30am - 7:00pm
	Saturday	5:30am - 4:00pm
	Sunday (irregular occurrences only)	7:00am - 4:00pm
Operation	Monday - Sunday	24 hours

The dispensation is sought to assist with relieving some impacts of the recent extreme weather with consideration of the following:

- Contractors working on the site have not been able to perform productive works for approximately 4.5 out of 10 working weeks (45%) to date in 2022 as a result of inclement weather, putting further significant commercial strain on businesses and their employees following on from the impacts endured by the industry throughout the COVID-19 pandemic; and
- The incoming tenant for warehouse 2 (BUNZL) must vacate their existing premises in September 2022 and the recent prolonged rain is putting the timely completion of warehouse 2 in jeopardy.

The Bureau of Meteorology is forecasting ongoing above-average rainfall through Autumn and into the winter months as a function of the ongoing La Nina weather phenomenon (refer Attachment 1). This is anticipated to have further continued impacts to the construction programme.

Cognisant of the potential impacts to sensitive receivers a review has been undertaken of works that could be undertaken utilising extended construction working hours without materially impacting on sensitive receivers, with requisite noise mitigation measures as shown in **Table 1:**

Works	Location	Tasks undertaken	Noise Mitigation
Warehouse internal concrete pours	Inside warehouse	AM: Concrete pump set up, arrival of concrete trucks to park within site and inside warehouse PM: Final concrete pours and placement, packing up of concrete pump.	Works performed within enclosed warehouse with roofing, cladding and concrete panels installed. Trucks must enter the site and warehouse immediately upon arrival and not permitted to idle in the street.
Services installation	Inside Warehouse	Installation of essential services within warehouse including fire sprinklers.	Works completed within enclosed warehouse with roofing, cladding and concrete panels installed
External Concrete Pour	West of Warehouse 2	AM: Concrete pump set up, arrival of concrete trucks to park within site and inside warehouse PM: Final concrete pours and placement, packing up of concrete pump.	Works completed to the west of warehouse, adjacent to 24/7 operational neighbours. Works completed at western area of the site away from sensitive receivers.
Internal Finishes	Inside Office Area	Finalisation of internal finishes with including	Works completed within the internal office space

		joinery, door and floor installation.	to mitigate noise. Noisy works such as tile cutting will be completed within approved SSD hours.
External Painting	Outside Warehouse	Standard painting works	Quiet works which will not impact sensitive receivers. All plant such as boom lifts and EWP's will only operate within approved SSD hours.
Landscaping	External works	Soft landscaping works including soil distribution, planting and mulching.	Quiet works which will not impact sensitive receivers. All plant such as loaders and skid steers will only operate within approved SSD hours.
Estate Road construction	West of Warehouse 2	Earthworks, services installation and concrete/asphalt placement.	Works to take to the west of the Warehouse and adjacent to 24/7 operational neighbours.

Table 1: Proposed construction activities to be performed during extended construction working hours

It is noted that the arrival and departure of trucks from the development during construction does not materially differ in noise levels from those anticipated following commencement of 24/7 operations as permissible under SSD 10399.

Throughout the works contractors will ensure that appropriate mitigation measures are implemented including:

1. Continuation of existing noise and vibration monitoring in locations with appropriate consideration to sensitive receivers ensuring that noise emanating from works do not exceed the criteria;
2. Effective traffic management ensuring that all concrete trucks are to immediately enter the site and do not sit idle on Clunies Ross Street; and
3. A letterbox drop advising residents of the amended construction working hours as approved, including reiterating the available communication channels for queries and complaints.

Yours Sincerely



Colin MacDonald
Development Manager

Cc: Adrian Grew, ISPT Pty Ltd

Attachments:

- 1) Bureau of Meteorology seasonal outlook dated 10 March 2022

Attachment 1: Bureau of Meteorology seasonal outlook dated 10 March 2022



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Overview—

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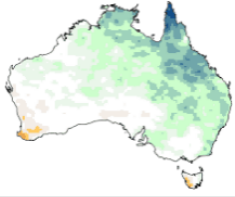
Climate influences

Outlook video

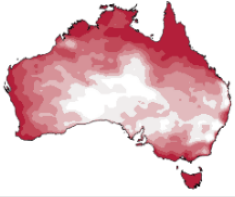
Rainfall

Temperature

Rainfall



Temperature: maximum



Outlook video



Climate outlook overview

Issued: 10 March 2022

- April to June rainfall is likely to be above median for most of northern and eastern Australia, with small areas of south-west WA and western Tasmania likely to be below median. Elsewhere, there are roughly equal chances of above or below median rainfall.
- April to June maximum temperatures are likely to be above median for western, northern and south-eastern parts of Australia. Elsewhere, there are roughly equal chances of warmer or cooler days.
- Minimum temperatures for April to June are likely to be warmer than median across virtually all of Australia.
- Climate influences include the weakening La Niña in the Pacific Ocean.

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