



TRANSCRIPT OF MEETING

RE: 21 ALPINE ASH WAY AND 5 MELLIODORA PLACE, TRALEE
(PP-2024-1370) – GATEWAY DETERMINATION REVIEW GR-2025-16

PROPONENT MEETING

PANEL: DUNCAN MARSHALL AM (Chair)

OFFICE OF THE IPC: BRAD JAMES
ISAAC CLAYTON

PROPONENT
REPRESENTATIVES: WILL PEARSON
CHRISTIAN KNIGHT
JAMIE CREGAN

LOCATION: ZOOM VIDEOCONFERENCE

DATE: 3:00PM – 3:45PM
MONDAY, 18th MAY 2026

<THE MEETING COMMENCED

MR DUNCAN MARSHALL: I'll just check that we've got everybody from The Village Building Company who is going to join this soon?

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MR WILL PEARSON: Yes, do you want us to introduce –

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MR MARSHALL: Hang on a moment, we'll get to the formal introductions. So, I'll do some formal setup for the meeting, I've got a statement that needs to be read, and then we'll get into the introductions and the formalities and the presentation.

MR PEARSON: Sure.

15

MR MARSHALL: So, good afternoon and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Gadigal land, and I acknowledge the traditional owners of all the lands from which we virtually meet today and pay my respects to Elders past and present.

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Welcome to the meeting today to discuss the Gateway Determination Review for 21 Alpine Ash Way and 5 Melliadora Place, Tralee (PP-2024-1370) currently before the Commission for advice.

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My name is Duncan Marshall, and I am the Chair of this single-member Commission Panel. We are also joined by Brad James and by Isaac Clayton from the office of the Independent Planning Commission.

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In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website.

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This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its advice.

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It is important for the Commission to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and are not in a position to answer, you may take the question on notice. Following the meeting, the Commission will advise you in writing of any questions taken on notice that the Panel considers requires a formal response to. Any subsequent response or information provided to the Commission will then be published on our website.

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I request that all participants here today introduce themselves before speaking for the first time, and for all members to ensure that they do not speak over the top of each other, to ensure accuracy of the transcript.

So, with that formality, we will now begin. And perhaps this is the moment for introductions from the Proponent's side and then we will go further.

MR JAMIE CREGAN: If I can, before we do that, I too would like to acknowledge the traditional owners of the lands on which we meet and acknowledge their Elders past and present as well as emerging. We are meeting on Ngunnawal country.

5 **MR MARSHALL:** Thank you.

MR PEARSON: Yes, I'm Will Pearson. I'm the Planning Manager with Village Building Company. I've been leading this planning proposal now for a couple of years. I've got Christian Knight with me in the middle, he's the Senior Development
10 Manager at South Jerrabomberra. And Jamie Cregan, who spoke before, is our General Manager for Strategic.

MR MARSHALL: Okay, thank you.

15 **MR PEARSON:** So, I do have a presentation that I think was circulated, so I'm happy to share that for – yes, sort of –

MR MARSHALL: Yes, please lead us through. I mean, we have seen the presentation and are grateful for that submission. But if you wish to speak to that as a way of
20 introducing the proposal, that would probably be a good way to proceed.

MR PEARSON: Great.

MR MARSHALL: I think the technologists are just checking about the sharing.
25

MR BRAD JAMES: Yes, Will, it should be good to go.

MR PEARSON: Great.

30 **MR JAMES:** I think we've got sharing screen on, so ...

MR MARSHALL: So, is Mr Pearson sharing?

MR JAMES: There we go.
35

MR PEARSON: Yes, sharing now? Great – everyone can see that?

MR MARSHALL: Now it's up and running, thank you very much.

40 **MR PEARSON:** Great. So, yes, as you said, Commissioner Marshall, you introduced the site. So, oops ... So, I'll just quickly discuss our justification for the proposal.

The seniors housing in particular is in a critical shortage in the region and nationally. The site is considered well located at the northern tip of our residential neighbourhood also known as South Jerrabomberra. It's contiguous with existing residential zoned
45 land. It's a large, flat site with a landscape setting and rural outlook. It's between existing residential, some water detention ponds, and rural land known as the Environa property. And critically, it is within walking distance to the future town park – sorry,

the existing town park and the future town centre which is the commercial hub for South Jerrabomberra.

5 It's got local community and political support. You would have seen in the pack the Gateway Review submission includes letters from the Tralee Community Association, and the Hon Steve Whan MP who is the member for Monaro, and Queanbeyan Council included a letter of support from the General Manager, which should supersede their original Assessment Report from July 2025 which confirms Council staff as well as councillors support the proposal.

10 And generally, we consider this site – it's been touched on before and we'll sort of get to that in terms of our response to the matters, but we consider this site to be the only suitable site regardless of other residential zoned land in South Jerrabomberra because of the distance from the town centre and because of the slope in the area.

15 So, here's a few images. Really, this first one to the left is looking north, you can see the context of Hume with the residential area in the foreground. And then in terms of looking south as well with the buffer and the landscape area. Can you see my cursor as well, sorry?

20 **MR MARSHALL:** I'm sorry, what are you asking us? Can we see –

MR PEARSON: Can you see the cursor?

25 **MR MARSHALL:** Yes, I can, yes.

MR PEARSON: Yes, so this area here is the rail corridor, so you can see that in itself is a vegetated area. And you can see we've done extensive planting along here. So, those trees are already sort of 3 metres tall and will continue to grow as a visual screen, which is one of the requirements for the buffer regardless of development types.

30 **MR CREGAN:** Just if I can, those trees, Leighton Greens gets to 20 metres and they are very fast growing and they're used across the country as a screening tree as well, so. But when you get on site, you'll see the scheme is not that visible anyway from ground level.

MR MARSHALL: Okay. I assume the trees are evergreen or ...?

MR PEARSON: Yes.

40 **MR CREGAN:** Yes. Leighton Greens are a pine, they're a conifer.

MR MARSHALL: Thank you.

45 **MR PEARSON:** And if you're familiar with the, I guess, the context for the zoning, this street, if you extend the line alone north, that's where the point comes in of the residential zoned land. So, you have this development here which is almost complete, and then another residential development site here. So, again, it's not an isolated parcel, it is immediately within the residential estate.

MR CREGAN: And as you can see there – sorry – as you can see there, the connectivity to Alpine Ash, it's actually connected to Alpine Ash, not to Environa Drive. There's actually quite a big swale down that – you'll see that on Friday, so.

MR PEARSON: And, of course, this pond here is that corner there. So, that's the town park, the connectivity right there, and this big dirt area is the future town centre, the commercial development which is approved and we're working through the pre-construction process at the moment.

MR MARSHALL: Okay.

MR PEARSON: So, a bit more context of the noise and odour. So, we provided technical studies as part of the planning proposal, they've been provided again as part of the documents for the Gateway Review. The only other technical report that exists that we are aware of is the one prepared by Todoroski Air Services for the Regional Jobs Precinct Master Plan, and that is a similar time – our two reports, both from SLR Consulting, the air quality and odour was done in May 2024, the noise assessment was January '23, and Todoroski did their assessment in April 2023, so they're all essentially contemporaneous reports.

Both the odour reports demonstrate that the site experiences low or negligible odour from the Downer Asphalt Plant which is the key point source emitter. The SLR noise assessment confirms that the existing noise environment is consistent with noise limits, which means that internal noise permissivity is achievable generally and likely to comply with those noise limits, but also to specifically comply with local clause 7.10 of the LEP. And based on this, there's no greater health risk at the subject site than there is compared to the existing residential area, and when compared with the Todoroski report, in most cases the subject site is at lower risk than existing residential further south.

And critically, from a noise and odour perspective, a reasonable assessment elsewhere in New South Wales, if it weren't a cross-border development, for example, it would be considered suitable for the proposed uses in a similar proximity. Queanbeyan East and Queanbeyan West, for example, have residential within closer proximity to E4 zoned land (General Industry land). Goulburn, Blair Athol near Campbelltown; there's countless examples of residential development in closer proximity that would be subject to a similar assessment if all things being equal in terms of zoning.

So, just going through the refusal reasons then. I've structured this based on the Gateway Determination Report – sorry, not the Gateway Determination Report, the summary that the Department sent through. So, yes, they list out the four Gateway refusal reasons, the first being local and regional strategic planning.

So, really, this can be summarised as being satisfied that the three or four key matters, sorry, the Direction 22, 24, 25 and 27 were satisfied or partly satisfied. So, again, in a reasonable assessment, we believe that it should conclude that each merit is satisfied based on the 2036 Regional Plan and then the assessment should proceed to a site-

specific assessment. What seems to be the case here is the Department has introduced quite site-specific matters to try and justify an inconsistency on a strategic level.

Continuing with the local and regional plan but the 2041 matter. What's interesting that's happened since our Gateway Review Application is we've had the Determination Report come through for another proposal at South Jerrabomberra, in which the Department has advised that we need to remove references to the Draft Regional Strategic Plan. So, it's only reasonable to conclude that that is no longer relevant and shouldn't form part of any assessment against the – sorry, for strategic merit against the site.

And then, it was that area of the assessment that brought in the Regional Jobs Precinct Master Plan. Essentially, there's no suggestion that the strategic intent of the Master Plan is at risk from our planning proposal, especially if the Environa precinct were to develop in accordance with the Master Plan. We're not aware of any planning proposals that are in the works at the moment.

But the Determination Report, I guess, inaccurately states that the technical studies did not find the location suitable for residential development because of the proximity to Hume. That's not an explicit conclusion from any of the reporting for the Regional Jobs Precinct Master Plan. And that question was not posed to begin with for the Regional Jobs Precinct Master Plan process; it's looking at developing a high technology economic development supported by light industry, that's at the Environa site. But, like I said, there's no suggestion that that would not be achieved if the proposed development in our site were to go ahead.

MR CREGAN: If I can there, if you have a look at the existing North Tralee development that is industrial, it's particularly close to Jerrabomberra, much closer than the Regional Jobs Precinct will be to South Jerra, and again, this is about the ACT Government's preference as opposed to complying with NSW Government requirements. And, you know, while I'm not disregarding the ACT, the reality is that you've got a lot of stuff there that won't be replaced by heavy, dirty industry because it'll be too expensive to do so. Anyway, we'll keep going.

MR PEARSON: So, just, I guess to summarise then, with the Draft Regional Plan no longer being relevant and the current Regional Plan 2036 being satisfied, it seems reasonable to conclude that the strategic merit is satisfied for the site.

MR MARSHALL: Before you move on from that slide, can I just drill down into that 2041 draft plan issue. So, are you proposing to essentially re-frame your request for review taking out the 2041 Master Plan or do you still think that the 2041 Master Plan somehow still applies with its consequential – sorry, 2041 Regional Plan – with its consequential link to the Jobs Master Plan?

MR PEARSON: There is, like I said, we demonstrated a consistency with the intent of the objectives. When it's drilled down to the specifics of the Regional Jobs Master Plan, it's not inconsistent because the conclusions aren't there that are suggested by the Department. But I think overall there's a decision to make whether or not it is relevant at all, so it doesn't matter what we're arguing, if the instruction by the Department is

on the planning proposal that it is no longer relevant, then it should not be relevant, and no assessment is required against the draft plan.

MR MARSHALL: Sorry, I thought Mr Cregan was going to offer a comment, were you, sir?

MR CREGAN: No, no, I was listening to Will. But I think also there, when you look at the Regional Jobs Master Plan, the fact that they didn't engage with us and they've never ever, never tested any sites down where we are for anything with Hume. Now, what, I mean, you'll see it later on in the slides and it's in the proposal what's opposite us. They have never done a test. Everyone is talking about the problems. The reality is no one, apart from us, has ever tested the site. We're the only ones who've done the testing.

Everybody else is talking about things that suit the ACT and what have you, so I'm not knocking them. But you're not going to knock down an Optus data exchange/communication exchange to put in some oil refinery or some massive polluting industry in Hume. It's just – it's an act of fiction. I mean, people will say what they want, but you're not going to go backwards economically.

MR MARSHALL: Okay. I'm still swirling in my mind about the issue of the Draft Regional Plan as the higher order document. Are you still leaving it in the frame, uncertain of whether or not to accept the Department's view, or are you accepting that the Draft Regional Plan doesn't apply and therefore we look to other documents, the 2036 Regional Plan as the determining document?

MR PEARSON: I mean, we offer a rebuttal. It's to the assessment against the objectives.

MR MARSHALL: Yes.

MR PEARSON: But that's as, based on the information that we have at hand in our submission, since then I think the preference is that the overall document is no longer relevant.

MR MARSHALL: The preference from the Proponent that it's no longer –

MR PEARSON: Yes. But also, it's an instruction from the Department. So, I can't see how that could be relied on if that is something that is being used to justify an inconsistency with regional strategic planning when – yes. It's unreasonable for that to still apply in this context but not in one in which they've decided that it should proceed. And then from a local, it's whether or not the Regional Jobs Precinct is considered a relevant local strategic plan.

MR CREGAN: And just on that front, we do have a number of other things with the Department at the moment where the Southeastern Tablelands Regional Plan we've been advised will not be made. There's a new NSW Regional Plan. It's not going to – it has to be redone, the government hasn't accepted it, we've had all of this

correspondence with the government. And now the government's using it to suit a different narrative, which we think is inappropriate.

MR MARSHALL: Okay.

MR PEARSON: And I do think if the assessment were made again, I'd be surprised if they were, if it was a relevant document for consideration.

MR MARSHALL: Yes. So, noting that part with regard to the Draft Regional Plan, your contention is, or that possibly the Jobs Master Plan might be viewed as a strategic plan to be considered. Is that what I'm hearing correctly?

MR PEARSON: Yes, in the context, I guess, its only reference is part of the Draft Regional Plan. So, I guess it would require some direction overall how it should be considered. I would suggest it is a local plan, a local strategy although it's made by the Department and not by Council. In any case, I think we've demonstrated that we are not inconsistent with the intent.

MR MARSHALL: Yes, and I've certainly heard that message not inconsistent. I just wanted to clarify that. Sorry, please continue.

MR CREGAN: With the Regional Jobs Plan, as I said before, they did not engage with Village Building; we found out late in the piece. They never came to our site until right at the end and they weren't going to change reports – that was the exact wording out of the guy who was running it. He came down to the Queanbeyan office, "It's too late in the piece, we're not changing reports." Because it had taken them so long to get where they were. They'd never looked at our site and hadn't tested our site. But the intent of the zoning for our current site, there are examples where that's been used for residential around the state, so, yes.

MR MARSHALL: Okay. I think the important point is there the contention that you regard the work you're proposing as not being inconsistent. I mean

MR PEARSON: Yes.

MR MARSHALL: – that its something that not tested, but it's an important contention.

MR PEARSON: Yes. And particularly, just in terms of an overall assessment of regional strategic merit is there was no question that the overall objectives of the 2036 Regional Plan were met, with some additional site-specific merit matters brought in.

MR MARSHALL: Yes.

MR PEARSON: And that that is the key conclusion for this.

MR MARSHALL: Sorry. Can you say that again, just to make sure that I keep that in my mind. So, say that last bit again.

5 **MR PEARSON:** Yes. So, I guess, the refusal reason 1 was based around consistency or otherwise of local and regional strategic plans. The key conclusion of this is that the objectives, the strategic objectives of the 2036 plan, which is the active plan, were met with an additional subsidiary conclusion of some inconsistency based on site-specific merit, which should not be assessed in combination with the strategic merit, in our opinion

MR MARSHALL: Okay, thank you. Thank you. Sorry for that long detour.

10 **MR PEARSON:** No, that's helpful, that's not a problem.

MR MARSHALL: Just to clarify for us. Please continue.

15 **MR PEARSON:** Sure, sure. So, I'm just moving on to refusal reason 2, which is the incompatibly with Hume. And I guess the connection there, [why mark a 00:26:44] connection to the Regional Jobs Precinct, is Hume is not part of the Regional Jobs Precinct. Hume is a neighbouring area, it is just something that exists that may have benefits or otherwise, but it is not part of the study area. So, that's just, I guess, a fact.

20 So, the Determination Report did not raise its own concerns with odour. As I alluded to before, we've done our own technical reviews. There was the technical assessment for the Regional Jobs Precinct but that's not – that was for a specific purpose, there was no sort of additional assessment or technical assessment done via the Department as part of the assessment of incompatibly with Hume or otherwise.

25 And our main concern is that the Determination Report has accepted the ACT Government's position without evidence. That's without evidence from the ACT Government of any other technical assessments or any evidence that supports the ACT Government's position from the NSW Department of Planning.

30 There is no strategic plan for Hume. The ACT Government has never had a strategic planning document that deals directly specifically with industrial land in its almost 40 years of self-government now.

35 So, the key question then becomes what is the impact now and what is the likely impact into the future? And as referred to before, the current point source polluter that is of concern is the Downer Asphalt Plant. Our odour report and the Todoroski report both demonstrate that as a point source emitter, the subject site is at lower risk of any odour impacts than some of the existing residential land that is already developed. And
40 there's an ongoing trend away from heavy industry, that's discussed in the Regional Jobs Precinct Master Plan. It's a general trend across Australia.

45 As Jamie referred to before, the two sites directly opposite, and I'm sorry I don't have the reference, but there is an image in our submission, an aerial that sort of labels a lot of the sites close by. There's an Optus, essentially a data centre, they have just invested almost \$8 million in a solar array, a ground-mounted solar array. Nothing is happening, no one is buying that site and redeveloping it for something of a lower order heavier industry; that industry doesn't exist in the ACT. And Downer is the exception, not the rule.

So, our concern is that the ACT Government's view is being privileged over the evidence that's presented in our report and just general industry trends around industrial land.

MR MARSHALL: Thank you.

MR PEARSON: Alignment with the RE2 zone objectives was the third reason for refusal. The Department didn't offer an assessment against the zone objectives; it just raised the concern that it doesn't specifically even consider residential land so therefore it is inconsistent. I don't think that's an appropriate consideration. We demonstrated that residential use is not inconsistent as part of our submission.

But really, just to summarise, the Queanbeyan LEP permits a wide range of non-recreational uses in the zone, including residential. There are existing additional permitted uses, so from a site-specific context, there are areas elsewhere within the buffer land that permit additional uses that are in addition to the standard RE2 zone uses. The site is defined as "urban use" in the Development Control Plan, and RE2 supports senior housing as part of a registered club in combination with the Housing SEPP.

So, there are possibilities in which a merits assessment of residential use or similar sensitive uses in any other situation could be considered as development with consent, which would be subject to the same level of scrutiny as any potential residential use would be, as we're proposing for the site.

The RE2 zoning as well recognises opportunities for non-recreational development. As I said, if it were intended to remain as general open space, it would have been zoned to do so. It's a buffer. It's zoned as RE2 because Queanbeyan has no need for it, they didn't want to take the land on. We own the land, they haven't ... Other than zoning it for some sort of transitional E3 productivity support zone, there was no, I guess, there is no use for it.

And in terms of recreation, the sporting facilities that were identified for the subject site that the Department mentioned, they've been superseded by the requirements for the Regional Sports Complex, and that is in a state voluntary planning agreement, so the Department should have been aware of that when they made that observation that it was inconsistent with a requirement for local recreation. It's their own document that superseded that requirement.

MR CREGAN: And it's worth noting here that the Council staff, when we went on a site visit, the Council staff actually did acknowledge, Ruth Ormella was one of them, did acknowledge that there is no more need for recreational land out at South Jerrabomberra we have got lots of it. We've got over 25 acres in the suburb already, with more to come, and the Regional Sporting Complex just down the road.

So, what the opportunity is existing, and I'm waiting, I'm just trying to find out, but I believe it's over 20 years since a seniors housing proposal has been proposed in Queanbeyan. And I was a former councillor, I can tell you that the buffer was proposed

to be at one stage by Council if it wasn't for a delay, at 106 metres. It was voted on in a Council meeting and it was voted on by the staff, acknowledged by the staff, however, that meant that it was going to be another 9 months of reports going back out to consultation. And that was changed at the following meeting because both the
5 proponent and the Council wanted to get on with the work out there.

MR PEARSON: And I've got another, a picture later on that sort of describes that process. If you don't have any questions on this refusal reason, I'll move onto the final item.
10

MR MARSHALL: Yes, please.

MR PEARSON: So, I've sort of alluded to this as well, but the fourth reason for refusal is that it sets a precedent. The precedent already exists. So, shop-top housing is
15 permitted with consent in the E1 zone, that is directly across from the Downer Asphalt site. Hotel and motel accommodation are additional permitted uses for the south in the E1 zone. And then you've got things like caravan parks, land lease communities that have been developed with consent in the RE2 zone. Childcare, cafés and restaurants, respite daycare centres.
20

There are numerous sensitive uses that would be considered sensitive in proximity to any of the noise and odour emitters that we're discussing for the subject site, that are already permitted with development consent and would already be required to go through the same assessment as we've been undertaking to demonstrate site suitability.
25 That's clause 7.19 of the LEP.

MR CREGAN: Now, with that, we recently got a DA approved for the town centre. We did not lodge shop-top housing because we did not deem that a suitable location. We didn't try for it because we recognise where there is suitable and where there isn't.
30

And the other point that's worth noting is, having a look at the design of the suburb, you'll see that Environa Drive comes down, hugs the rail, then comes out and around. That site is actually connected to the residential.

MR PEARSON: You can see that it's coming through along the rail corridor and then stays out wide. And then the road essentially is the 250-metre buffer.
35

MR MARSHALL: Right.

MR CREGAN: It's not as obvious and it's certainly not something that we're planning to do is head into that space as you saw, as you would find out, sorry, if you had a look at our town centre, not even a thought of putting residential in there.
40

MR MARSHALL: Okay, all right.
45

MR PEARSON: So, then we just had a few sort of site considerations and other things. This hasn't actually, it wasn't presented in the pack, these proposed site controls, because it was put to Council and sort of rejected by the ACT Government, so then rejected by Council. So, Jamie mentioned that 105-metre buffer that was

considered in the original planning proposal to zone South Jerrabomberra, to rezone it from rural to residential in 2015. So, that puts it along the edge of the lot 1, with a 22-metre landscape buffer that we are proposing. That was referred to the ACT Government and it's referenced in their letter from 2025 which I believe was part of the pack anyway. So, it was not considered suitable by the ACT Government.

MR CREGAN: And you will notice there that that buffer line is actually the border, not the edge of the block from within the source of odour would be, and you can see there the three satellite arrays there from the Optus exchange.

MR PEARSON: So, that –

MR MARSHALL: That's the eastern side of the rail line or rail corridor?

MR PEARSON: Yes.

MR CREGAN: We're the eastern side. That's the western side.

MR MARSHALL: All right, sorry.

MR PEARSON: So, the yellow is the rail corridor and then there's – you can see a bit clearer where this warehouse is and the sort of hardstand areas, there's almost a similar width, it's about 30 metres all the way through that contributes to further separation from any of those developments.

One of the things that we have been considering internally is essentially a compromise development that may result in a reduced buffer but not give up entirely on the proposal. So, the lot 4 which is part of it, the very northwest corner here, that separation to the border is about 130 metres, which then, when you include the additional separation is 160 metres separation. What we have been considering is limiting the development – sorry, limiting the planning proposal to lot 4 and retaining lot 1 as the existing zoning, so without the additional permitted uses, I should say, because the zoning remains. So, that's something that we have been considering.

MR CREGAN: Our preference is not to do that.

MR MARSHALL: Well, I think we're working with the proposal as it stands at the moment, so I don't think we're contemplating a revised proposal as such.

MR PEARSON: Sure. And then the only other thing I'll say to that is, when you consider the separation distances, yes, there's the 250-metre buffer in place in the LEP, but the ACT separation distance guidelines which would be applied to any other development is something new to be proposed in Hume in an industrial zoned land in the ACT. It would have to comply with the separation distance guidelines, that what the ACT Government is saying is that the subject site is not – would restrict potential future development.

As we've alluded to, the trend is away from that sort of development. It's based on the existing buildings, so the Mitchell Resource Recovery Centre, which we've referenced

in our documents, there's a high school that was developed within 300 metres of that development, but they have based that on –

5 **MR MARSHALL:** Mr Pearson, I might interrupt there, because we are starting to run a little short on time.

MR PEARSON: Sure.

10 **MR MARSHALL:** And I'm mindful that we perhaps are not quite at the end of your presentation.

MR PEARSON: Sure. That's fine, that's fine. The only other slide was what we've already referenced, was the – oh sorry, that is actually the end of the presentation.

15 **MR MARSHALL:** Okay, all right. Thank you. I mean, we're going to move quickly, I think, through some questions if we may. And of course, you can provide, I think, additional information at this stage if you wish. So, we'll see how the questions go, but there's the opportunity to give us any more information that you wish us to see.

20 I might just check with Mr James, who's running on low ...

MR JAMES: The power's back on, so I'm here for the rest of the meeting.

25 **MR MARSHALL:** Very good. Well, we might, we started a few minutes late, so we might run a few minutes late as well just in the interest of fairness. So, if I might, I'll turn to a few questions. And again, if they're short answers, that's good. If it requires a bit of explanation, then maybe you could take questions on notice and come back to us with a more considered response.

30 So, the first question is: the Land Use Considerations Report for the, and again, I've got an acronym ...

MR ISAAC CLAYTON: It's the South Jerrabomberra Regional Jobs Master Plan.

35 **MR PEARSON:** Yes.

MR MARSHALL: So, that plan notes the 250-metre buffer is suitable. Have you preferred any technical studies that propose an alternative buffer?

40 **MR PEARSON:** No, because we're not seeking to amend the buffer. We're seeking an exception to the buffer in this circumstance. I think I said before, the design of the suburb with Envirova Drive kicking into, or kicking further east, essentially provides that delineation. This is the one exception to that.

45 **MR CREGAN:** And the Regional Jobs Master Plan, I don't believe they had a technical air quality analysis or anything like that done. It was an assumption based on what was already there.

MR PEARSON: Yes. I guess the ...

MR CREGAN: We're wanting the site-specific ...

5 **MR PEARSON:** Yes, it's a site-specific approach. So, no, the short answer, and also the – yes, the buffer, I guess, was identified – the Regional Jobs Precinct Master Plan identifies it as a sort of a landscaped open space precinct.

MR MARSHALL: Yes.

10 **MR PEARSON:** That is based on the existing zoning, we believe, and it was not the intent of the Master Plan to consider any alternatives for that land, because that's not the strategic objective of the Master Plan, to establish a jobs precinct.

15 **MR MARSHALL:** Okay, all right. My next question. The Land Use Considerations Report notes, "The existing permitted uses in the buffer may be potentially incompatible with Hume." Do you have any comments on this report finding?

20 **MR PEARSON:** Well, I think as Jamie said before, we decided not to include shop-top housing, for instance, as we believe it would be unsuitable even if we could demonstrate it were to be suitable from a noise and odour perspective. I guess, the comment is those existing uses are existing and permitted with consent. We are seeking to have the two proposed uses added in this specific location, subject to the same site-specific merits and environmental impacts as any other development within that 250 metres, regardless of use.

25 **MR MARSHALL:** Sure, sure. I mean, it seems to me that the submission you've made is partly trying to argue for a performance solution in this, or performance assessment in this instance, rather than the prescriptive approach. But I'm wondering, because there are so many documents involved in this planning consideration, I'm
30 wondering which documents you think are the formal documents that need to be considered when assessing this matter?

MR PEARSON: Well, I guess ...

35 **MR MARSHALL:** That partly goes back, of course, to the discussion we had earlier.

MR PEARSON: Let me look at my document list.

40 **MR CREGAN:** We can take that one on notice, I think. And we'll give you a formal list.

MR MARSHALL: That's good, thank you.

45 **MR CREGAN:** Yes, we'll take that one on notice.

MR MARSHALL: Let me turn to Mr James and Mr Clayton and see whether ...?

MR CLAYTON: Nothing further on my end.

MR MARSHALL: Mr James?

MR JAMES: No, I'm just looking at my notes, sorry, Duncan. I think that last question, Will, will build on your – I'm just trying to find the exact slide around the draft, the discussion we had around the Draft Plan being relevant or not. But anyway, there are no specific questions from me, Duncan.

MR MARSHALL: All right. Thank you very much. I mean, I was interested in the comment that was made about the development of the E1 zone, and tempted to ask, I mean, you were allowed shop-top housing under that zoning requirement, I think, and you decided not to. But you applied a prescriptive approach to that rather than a performance one; you didn't try to contemplate saying, well, we can push housing, shop-top housing to some extent into the E1 zone. But I think that might lead us down a rabbit hole which we don't ...

MR CREGAN: No, no, I'm actually quite comfortable with that. Because the E1 zone is actually directly opposite Downer Asphalt. And the prevailing winds obviously go to the west and that sort of thing, and there was, if we were going to put shop-top housing, you're not going to put it 50 to 100 metres away from an asphalt plant.

MR PEARSON: In direct eyesight, especially like, when you come to the site visit, you'll understand the visual separation that exists from Hume.

MR MARSHALL: Yes.

MR PEARSON: If you take a, I don't know if you, if we will be able to take you through the rest of the estate, but you will understand if you go to the town park site, you are directly opposite and it is quite exposed, compared to the subject site.

MR CREGAN: I would recommend that we do take you through South Jerrabomberra and show you – not just the site, but the benefits of that site and the location of that site, and why this is the one and only opportunity at South Jerrabomberra for seniors. And you'll understand that really quickly, when you look at those slides looking at the pictures going up the hill, it's a hill, it's not suitable for significant aged care or seniors or whatever it is.

MR MARSHALL: We might talk on Friday when we meet you about the sort of boundary between the site inspection and looking at the broader area, because I think, with Mr James, we were proposing to have a look around the general area, but I think we do that independently. But let's talk about that on Friday.

MR CREGAN: Sure. The reason that I raised that is there's areas you can't get to on site.

MR MARSHALL: Okay.

MR CREGAN: Unless we get you onto the site, that's all.

MR MARSHALL: Okay, okay. Well, again, we might talk about where we can get to and where we can't get to and what we need to see.

MR CREGAN: Yes.

MR MARSHALL: I think we are well and truly up against our time. And I'm just wondering, I think there are no more questions from this side, but I'm just wondering in closing whether there are any final comments that you wish to make at this point.

MR CREGAN: Personally, I think that I look forward to the site visit because what we discovered when we took the Council on the site, was they hadn't been there. Once they got on site, they went, "Oh wow, this is not what we envisaged from the maps."

MR MARSHALL: Okay.

MR CREGAN: And we recommend that, in particular, because it is dramatically different from what [unintelligible].

MR MARSHALL: Okay. Well, we look forward to – and please arrange nice weather on Friday for a site inspection.

MR CREGAN: Yes, we'll do our best.

MR MARSHALL: So, if I can take that as a closing comment, I might thank you for your sharing of information with us today. I think we have at least one follow-up question which we'll put in writing and give you timeframes and things like that. I'm guessing that we might hold that letter until after the Friday site inspection, just in case anything pops up on that day. So, don't expect it tomorrow. So, thank you very much for your time and thank you in advance, and I'll thank you again for the opportunity to see the site on Friday. And we all look forward to a Sydney warm day rather than a brisk Queanbeyan ...

MR PEARSON: It can be quite windy, so prepare yourselves. Bring your jacket.

MR MARSHALL: I live in Canberra, so I'm quite aware of the wind issue.

MR PEARSON: It can have its own micro-climate, I guess, even for Canberra.

MR CREGAN: And we really do appreciate you guys coming down and actually looking at this openly, so thank you very much.

MR MARSHALL: We're here to explore. Thank you very much for your time today.

[Multiple people say thank you]

>THE MEETING CONCLUDED