

TO WHOM IT MAY CONCERN

Please see attached copy of letter from

....

This is in regards to the DA Application for Material Change of Use - Application Reference # A0070071997 - Lots 19 & 20 on RP 33675 - 112-112A Racecourse Road, Ascot Qld 4007.

Kind Regards

....

August 13, 2026

City Planning and Economic Development Services
Development Services
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ATTENTION: Jack Woolston – Senior Planner

Dear Jack,

RE: Submission in accordance with the Development Assessment Rules in relation to Development
Application for a Material Change of Use for Multiple Dwelling at 112 Racecourse Road, Ascot

Council Reference: A007001997

This submission is made by
properly described as, which boundary of the land subject to the
current development application, being 112 Racecourse Road, Ascot (**the site**).

As residents of Ascot, we wish to raise several matters in relation to the current development application. This submission identifies key issues that, in our view, require further consideration and amendments to achieve an appropriate outcome for the site and its surroundings. We respectfully request that Brisbane City Council (**Council**) require the Applicant to adequately address these concerns through design amendments and further justification, ensuring the development achieves the outcomes intended by Brisbane City Plan 2014 (**City Plan**).

We understand the importance of continued investment in Racecourse Road and do not oppose the redevelopment of the site for higher-density residential purposes. We recognise that appropriate redevelopment can contribute positively to the vitality and long-term success of the precinct. However, any increase in density must be carefully balanced against the established character, amenity and expectations of the surrounding community.

In our view, the proposal as currently presented does not appropriately respond to its context, nor does it deliver a sufficiently high standard of amenity for existing and future residents. Furthermore, the proposal fails to adequately address its impacts on neighbouring residential buildings and is inconsistent with the intended outcomes of the Racecourse Road Neighbourhood Plan. Given the prominence of the street frontage, the community is entitled to expect a development outcome that demonstrates a higher degree of contextual responsiveness and respect for adjoining properties.

As such, the key matters which our submission relates to include:

- Built form outcomes, in respect of:
 - o Building height and rooftop garden;
 - o Setbacks and impacts of overshadowing;
 - o Interface with adjoining residential dwellings; and
- Impacts the active frontage, in respect of:

- o Active uses; and
- o Refuse arrangements and impact on street and amenity.

We respectfully request that Council carefully assess the proposal against the matters raised in this submission and require the Applicant to provide additional information and undertake further design refinement. Such amendments are necessary to ensure the development responds appropriately to the established character of Ascot, respects neighbouring residents, and delivers a high-quality built form outcome befitting this important location.

Proposal and site overview

Ascot is characterised by a predominately low-density residential environment, with increased density and activity concentrated along established corridors such as Racecourse Road. We recognise and support ongoing investment within the precinct, particularly where development aligns with the strategic intent of the area by providing opportunities for retail, commercial and dining activities while responding.... appropriately to the established residential character of Ascot.

The proposal seeks approval for a six (6) storey residential development at 112 Racecourse Road, Ascot (Lots 19 and 20 on RP33675). The site is immediately adjoining a number of residential properties, including

We acknowledge that increased residential density and additional building height along Racecourse Road can deliver wider benefits to the community and contribute to the ongoing vitality of the precinct. However, such outcomes should not come at the expense of residential amenity, or the established character of the locality. Future development must positively contribute to the high street environment, strengthen pedestrian activity and vibrancy, and provide a respectful interface with surrounding residential properties. The benefits of redevelopment do not justify a built form that ignores its context or that prioritises development yield over sound planning outcomes.

Collectively, the proposed height and setback arrangements will have a substantial impact on the amenity of adjoining residents through increased bulk, reduced privacy, diminished access to sunlight and compromised natural ventilation. We respectfully submit that Council should require the Applicant to undertake further design refinement to achieve a more appropriate transition to surrounding residential development and a more balanced planning outcome.

Built form and impacts of building scale

Building height and rooftop garden

The proposed building height introduces a level of scale, bulk and visual prominence that exceeds what is reasonably anticipated along this section of Racecourse Road. The resulting built form will have significant impacts on adjoining residential properties and is inconsistent with the strategic intent of the Racecourse Road neighbourhood plan.

Under Brisbane City Plan 2014 (**City Plan**), the site is located within the District Centre Zone and the Racecourse Road Neighbourhood Plan (Racecourse Road Precinct – NPP-001) (**the neighbourhood plan**). The application is subject to impact assessment under Table 5.5.9 – District Centre Zone because the proposed development exceeds the acceptable building height of four storeys identified in Figure A of the neighbourhood plan (**Figure 2**).



Figure 2: Building heights - Figure a from Racecourse Precinct neighbourhood plan (site outlined in green) (Source: City Plan 2014, 2026)

The Applicant seeks to rely on an alternative solution to **A01** of the neighbourhood plan by proposing a development that is effectively six (6) storeys in height. While the Applicant's planning reports and responses to Council's Information Request characterise the proposal as a five-storey development with a compliant rooftop garden, a detailed assessment (Appendix A) against the City Plan definition of a rooftop garden¹ demonstrates that this is inaccurate.

In particular:

- The lift core is positioned adjacent to the roof edge and is therefore incapable of satisfying the applicable height controls where located within 3 metres of the rooftop's outermost projection (**Figure 3**); and
- The rooftop incorporates private open space, rather than being solely communal in nature (**Figure 4**).

The practical consequence of these non-compliances is that the development is significantly larger than represented by the Applicant. The additional storey materially increases the perceived scale of the building and further exacerbates impacts on adjoining residents. When combined with the limited setbacks proposed, the result is a development that appears excessively bulky and imposing on both

¹ City Plan SC 1.2 Administrative Terms [definition of Rooftop Garden].

nearby development and the character of the precinct. A six-storey building of this form and intensity does not achieve an appropriate planning balance.

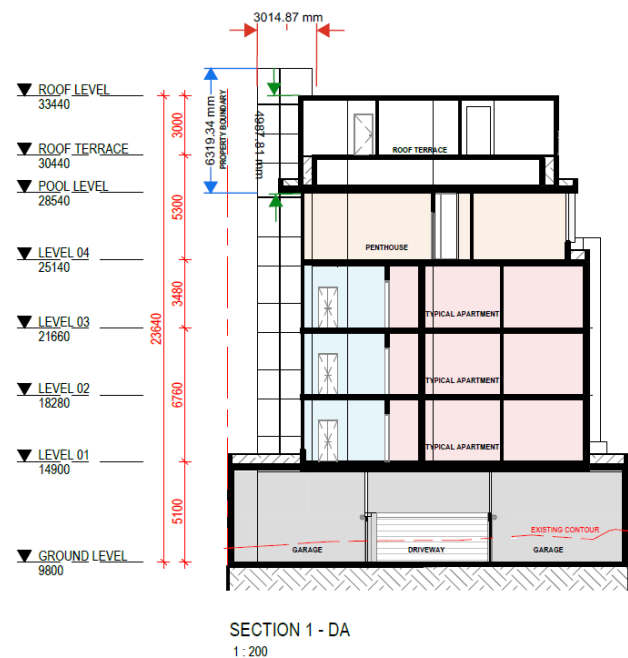


Figure 3: Extract of Section 1, Drawing Number DA.301 Revision 2 (A007001997), (Source: 111.company, 2026) with annotations applied showing height of lift core and setback from edge of roof

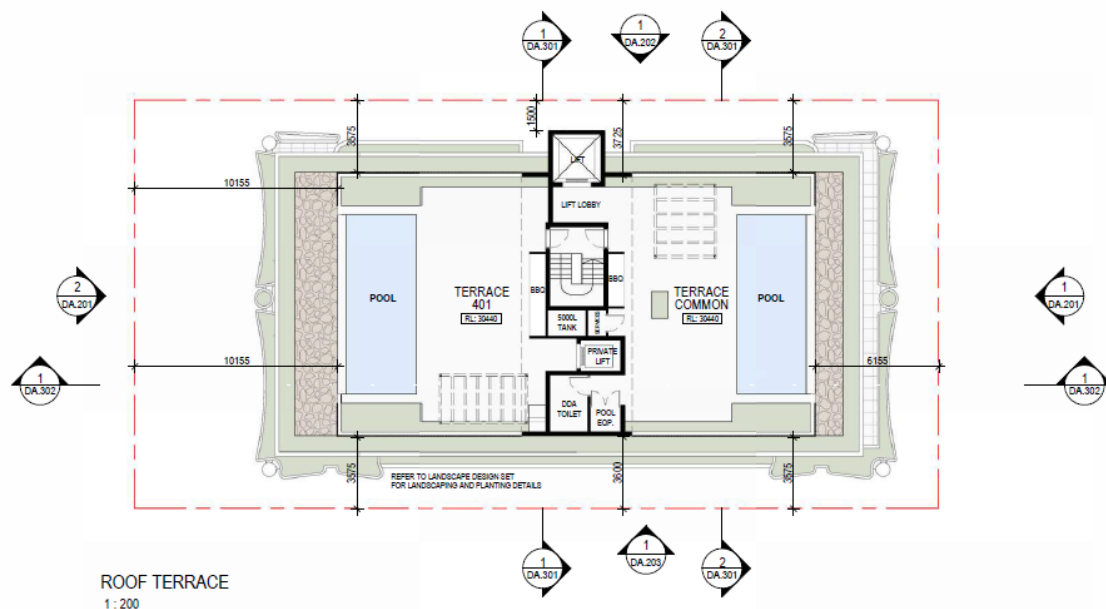


Figure 4: Extract of Roof Terrace Plan, Drawing Number DA.105 Revision 3 (A007001997), (Source: 111.company, 2026)

The proposal exceeds the planned height framework by two storeys and does not comply with **A01** of the neighbourhood plan. Furthermore, the proposed alternative outcome fails to satisfy a number of key provisions of the City Plan, including:

- **Overall Outcome (OO) 4(c), P01 or P05** of the neighbourhood plan;

- **00 5(a)-(d)** of the District Centre zone code;
- **00 2(d),(g), P021, P022, A021 and A022** of the Centre or mixed use code; and
- **00 2(a),(e) and (k), P01, P03, P04, A01, A03 and A04.1** of the Multiple Dwelling code.

The proposed alternative outcome is inappropriate. The additional height would cause significant impacts, including increased overshadowing and loss of privacy for adjoining residents, which are compounded by the inadequate setbacks discussed below. The built form is inconsistent with the prevailing and approved development pattern along this part of Racecourse Road and introduces a scale not reflected in surrounding development. It is therefore contrary to community expectations established by existing and recently approved projects in the precinct. The proposal also represents an overdevelopment of a constrained site of approximately 810m², with a frontage of only 20.9 metres. Larger sites within the corridor may accommodate additional height where they allow for upper-level articulation, greater setbacks and improved transitions; however, those opportunities are limited on this site, making the proposed outcome particularly inappropriate.

A comparison with nearby developments provided in **Table 1** clearly demonstrates that the proposed scale is out of character with both the locality and the physical dimensions of the site.

Table 1: Existing and approved build form outcomes on Racecourse Road compared to proposal

Street Address	Lot and Plan	Lot size (approximately)	Maximum building height provision	Building height
118 Racecourse Road, Ascot ('Silk')	Lot 0 SP289684	1565m ²	3 storeys	4 storeys (existing) (A005308383)
112 Racecourse Road, Ascot (Proposal)	Lots 19 and 20 on RP33675	810m ²	4 storeys	6 storeys (proposed)
110 Racecourse Road, Ascot	Lots 0 and 1 on SP244812	875m ²	4 storeys	3 storeys (existing)
128 Racecourse Road, Ascot	Lot 0 BUP1848	812m ²	4 storeys	5 storeys (approved - A006790424)
53 Racecourse Road, Hamilton	Lot 1 RP106267	1204m ²	4 storeys	4 storeys (approved A006815202)
65 Racecourse Road, Hamilton	Lot 1 on RP154039, Lot 149 RP33644, Lot 148 on RP33644 and Lot 147 on RP33644	3,515m ²	4 storeys	6 storeys (approved-A006915450)
77 Racecourse Road, Ascot	Lot 3 on RP126085	3,126 m ²	4 storeys	5 storeys (approved-A006992584)

The only six-storey approval within the precinct is the Gallery development at 65 Racecourse Road, Hamilton (**A006915450**). However, that approval is not directly comparable to the current proposal for several important reasons:

- The site benefits from three street frontages and a substantially reduced interface with neighbouring residential properties;
- The architecture utilises lightweight materials, extensive landscaping and high-quality pedestrian infrastructure that collectively reduce perceived bulk and enhance the streetscape experience;
- The Gallery occupies a site of approximately 3,515m², making it around 4.4 times larger than the subject site;
- The development incorporates an active ground-floor environment capable of accommodating retail, commercial and dining uses, thereby making a significant contribution to the public realm; and
- Significant landscaping is incorporated throughout the building, assisting in softening its visual appearance and integration within the precinct.

By contrast, the proposal at 112 Racecourse Road provides no active ground-floor uses, limited opportunities for pedestrian engagement, a substantial setback from the street frontage and comparatively little activation of Racecourse Road. As a consequence, it fails to demonstrate the same public benefits that justified a taller built form elsewhere within the precinct.

For these reasons, the proposed height is not responsive to the intent of the neighbourhood plan, the role and function of Racecourse Road, or the constraints of the site itself. No comparable approval exists within the immediate locality, and the proposed scale on a site of this size is inconsistent with established community expectations. Furthermore, when considered in conjunction with the proposed setbacks, the development creates unacceptable impacts on adjoining residential buildings and presents as an unduly bulky and dominant addition to the streetscape. The interface and amenity impacts arising from these matters are discussed further below.

Proposed side setbacks and amenity impacts

Irrespective of the additional height sought, the proposed setback arrangement fails to provide an appropriate interface between the development and adjoining residential properties, including our building at 118 Racecourse Road, Ascot. When considered in conjunction with the excessive building height, the setback deficiencies are further amplified and result in unacceptable impacts on neighbouring residents.

The proposed side setbacks are of particular concern given the scale of the departures identified in **Table 2**. The substantial reduction in setbacks results in an imposing and overbearing built form, particularly when viewed from Silk. The cumulative effect of the proposed height and setbacks creates a development outcome that will materially diminish the amenity enjoyed by our residents and is inconsistent with the planning outcomes sought by the City Plan.

Of particular concern is the proposal to maintain a setback of approximately 1.5 metres to the northern boundary across the majority of the building's height. This outcome fails to recognise the scale of the development and the proximity of existing residential apartments immediately adjoining the site. The limited variation in the built form, apart from the built-to-boundary treatment at ground level, further reinforces the visual bulk and dominance of the proposal across its full six-storey height.

The consequence of this design approach is a significant reduction in residential amenity for adjoining properties. Residents will experience reduced access to natural light, diminished opportunities for cross-ventilation, increased visual enclosure and heightened privacy impacts. These are not minor consequences but fundamental amenity issues that directly affect the liveability of neighbouring homes.

The proposal provides the setbacks outlined in **Table 2**, which are substantially less than those anticipated under the City Plan for a building of this scale.

While a setback of approximately 1.5 metres may be considered acceptable for lower portions of a building, the Applicant seeks to apply a similar setback outcome to a built form extending to

approximately 23.6 metres in height. This is clearly inconsistent with the intent of the planning scheme. For development exceeding 4.5 metres in height, side setbacks are generally expected to increase progressively, with setbacks in the order of 3 to 5 metres anticipated for the upper levels of development. Those provisions exist to ensure adequate separation between buildings, maintain privacy, preserve access to sunlight and ventilation, and reduce perceptions of bulk and dominance.

Table 2: Comparison of proposed setbacks to provisions of City Plan

Boundary	Proposal	Setback requirement
Side (Southern)	- Ground level – Built to boundary; - Level 1 – 3 – 1.46m; - Level 4 – 3m; and - Level 5 (Rooftop) – 3.6m.	- Ground level – Built to boundary; - Level 1 & 2 – 1.5m up to 4.5m building height, 2.0m up to 7.5m building height then 2.0m plus 0.5m/3m above 7.5m building height - Level 3 & 4 – An average of 4m with 5m to balconies or habitable rooms 3m to non-habitable rooms or blank walls - Level 5 (Rooftop) – 6m
Side (to Silk – our building) (Northern)	- Ground level – Built to boundary; - Level 1 – 3 – 1.5m; - Level 4 – 1.5m; and - Level 5 (Rooftop) – 1.5m.	- Ground level – Built to boundary; - Level 1 & 2 – 1.5m up to 4.5m building height, 2.0m up to 7.5m building height then 2.0m plus 0.5m/3m above 7.5m building height - Level 3 & 4 – An average of 4m with 5m to balconies or habitable rooms 3m to non-habitable rooms or blank walls - Level 5 (Rooftop) – 6m

The proposed setback arrangement does not comply with the requirements of Table 9.3.14.3.C and fails to demonstrate how the proposed alternative outcome satisfies **PO7** of the Multiple Dwelling Code. In particular:

- The proposed setbacks create unacceptable amenity impacts for neighbouring residents, including residents
- The development will directly overlook multiple habitable rooms and private open space areas within our building, resulting in a significant loss of privacy for existing residents (Figure 5);
- The proposed separation distances are insufficient to maintain reasonable access to natural sunlight and ventilation, particularly given the building's height and continuous northern elevation; and
- The proposal results in a level of visual intrusion that is far greater than that reasonably anticipated by the planning framework.

The extent of the privacy impacts is demonstrated by the approved floor plans for which identify numerous habitable rooms directly exposed to overlooking from the proposed development (**Figure 5**).

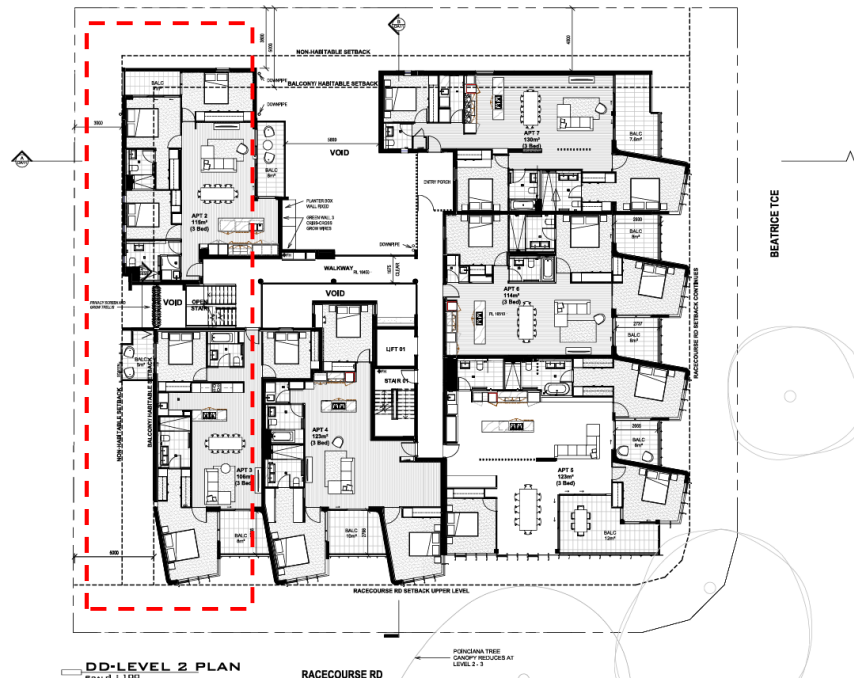


Figure 5: Extract of approved second level floor plans (A005308383) at 118 Racecourse Road, Ascot, impacted habitable rooms shown in red (Source: Loucas Zahos Architects, 2020)

The adverse impacts on sunlight access and ventilation are further evidenced by the Applicant's own shadow diagrams. Those diagrams illustrate extensive overshadowing of adjoining properties and confirm that many of the habitable rooms identified in **Figure 5** receive little to no direct sunlight for significant periods of the year. On both the March and September equinoxes, as well as the winter solstice, substantial portions of the adjoining residential development remain overshadowed throughout the day. Even during the summer solstice, sunlight access is noticeably limited when compared with the existing situation (**Figure 6**).

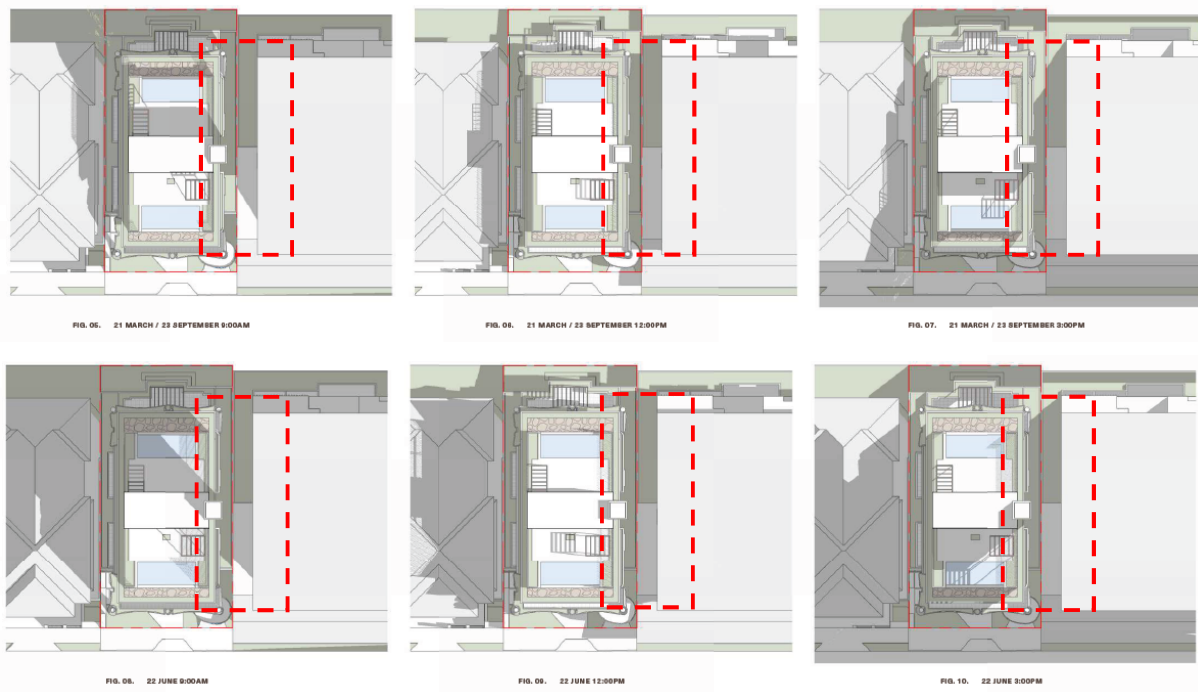


Figure 6: Submitted Shadow Diagrams as part of RFI Response (Source: 111.company, 2026)

The shadow impacts are not confined to Silk. Residents of 110 Racecourse Road will also be adversely affected by the proposal, particularly those dwelling units with a northern aspect that currently benefit from access to natural light. The cumulative overshadowing generated by a six-storey building with such limited setbacks is inconsistent with the amenity outcomes anticipated by the planning scheme.

Given the severity of these impacts, we respectfully submit that the proposal requires substantial design review and refinement. In particular, Council should require increased side setbacks to better reflect the scale of the proposed development and to achieve a more equitable relationship with adjoining residential buildings.

At a minimum, we request that the side setbacks be increased to 3 metres to the wall. Such an outcome would be more consistent with contemporary development approvals in the locality, including the approved development at 128 Racecourse Road, and would provide a more appropriate balance between redevelopment potential and the protection of residential amenity. A 3-metre setback would materially improve privacy outcomes, reduce visual bulk, enhance access to sunlight and ventilation, and deliver a more respectful interface with neighbouring properties.

Importantly, **A006790424** at 128 Racecourse Road, Ascot demonstrates that a 3-metre side setback is both achievable and appropriate on a site of comparable size. That approval successfully accommodates a larger-scale development while maintaining improved separation distances to adjoining residential properties. Given the similarities between the sites, there is no compelling planning basis for a materially inferior setback outcome at Accordingly, we respectfully request that Council seek a consistent and equitable outcome through revised setback provisions for the subject development.

Interface with adjoining character residential dwellings

While we acknowledge that the site is located within the District Centre Zone, it is equally important to recognise that the land directly interfaces with established low-density residential properties within the Character Residential Zone. In our view, the proposal fails to provide an appropriate transition between these contrasting built form contexts and does not adequately respond to the sensitivities of adjoining residential development.

The Racecourse Precinct Neighbourhood Plan is deliberately structured to facilitate commercial and residential growth while preserving the valued character of the surrounding neighbourhood. It is situated within a long-established residential area that contains a significant number of Traditional Character dwellings and seeks to balance redevelopment opportunities with the protection of local character and amenity. The planning framework is clear that new development must not merely achieve increased density but must also respect and respond to the established identity of Ascot.

Importantly, the neighbourhood plan states that:

- *'New development incorporates a built form that addresses the street, **respects the established character...**' of the Ascot area;² and*
- *'Development in the precinct [NPP-001] provides **a human scale** to the street while also **managing impacts on the adjoining Low density residential zone and the Low-medium density residential zone...**'³*

[Emphasis added]

These provisions establish a clear expectation that development within the precinct must carefully manage impacts on adjoining residential properties and deliver a built form that is respectful,

² Racecourse Precinct neighbourhood plan s 7.2.18.1.2 Purpose, Overall Outcome 3(g).

³ Ibid, OO 4(c).

appropriately scaled and responsive to its surroundings. In our submission, the current proposal does not achieve these outcomes.

Instead, the proposal pursues a scale and design outcome that:

- Undermines the setting and visual prominence of adjoining pre-1947 traditional character dwellings, contrary to **OO 3(g)**;
- Introduces a level of scale and massing that dominates the surrounding streetscape and provides few design elements capable of achieving the human-scale outcome sought by OO 4(c); and
- Fails to appropriately manage the interface with the adjoining Character Residential Zone and established residential properties.

Of particular concern is the relationship between the rear of the proposed building and the character dwellings located along Charlton Street. The proposal creates significant opportunities for overlooking and direct visual intrusion into these properties, resulting in unreasonable privacy impacts for existing residents.

For ease of reference, refer to **Figure 8**, which demonstrates the scale and character of the dwellings adjoining 112 Racecourse Road, to the west (along rear boundary).



Figure 8: 49 and 51 Charlton Street, Ascot adjoining 112 Racecourse Drive along the rear boundary (west) (Source: Google Maps, 2026)

Although the proposed rear setbacks generally align with the numerical expectations of the City Plan, the overall impact of the development cannot be assessed on setbacks alone. The proposal exceeds the neighbourhood plan's anticipated height outcome by two additional storeys, substantially increasing opportunities for overlooking and creating a level of visual dominance that is not anticipated by either the planning framework or the local community (**Figure 9**).

The elevated upper levels of the development will provide direct views into neighbouring private open space areas and residential windows. While some degree of mutual visibility is inevitable in urban environments, the extent of overlooking generated by a six-storey building adjoining low-set character housing goes well beyond what would reasonably be expected in this location. As a consequence, the proposal erodes the privacy and residential amenity currently enjoyed by adjoining landowners.

Furthermore, the information submitted by the Applicant does not adequately demonstrate the full extent of impacts on these adjoining dwellings. The shadow diagrams accompanying the application focus primarily on the properties located to the north and south of the site and do not provide a comprehensive assessment of effects on the low-set residential properties situated along the western boundary. As a

result, Council and the community have not been provided with sufficient information to fully understand the consequences of the proposal on neighbouring character homes (**Figure 9**).

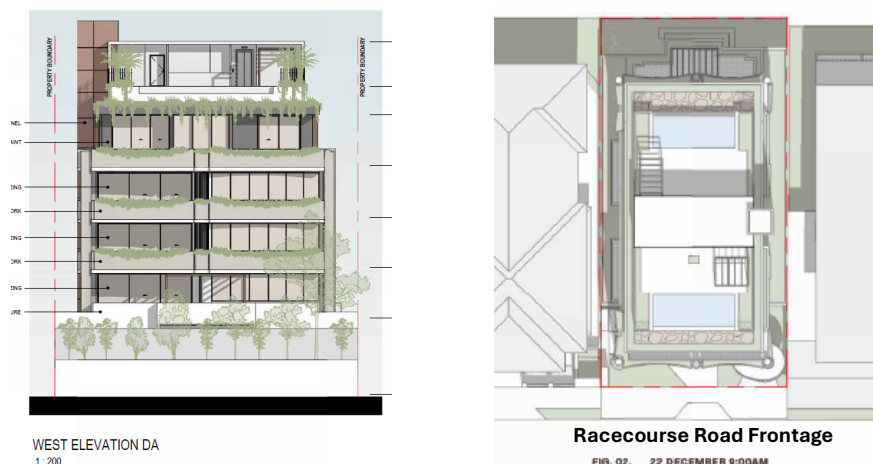


Figure 9: Submitted west elevation and shadow diagrams as part of RFI Response (Source: 111.company, 2026)

Given the scale of the proposed development and its direct interface with the Character Residential Zone, a far greater emphasis should be placed on achieving a sensitive and respectful transition. The current design fails to adequately respond to the established character of the area and places undue development pressure on neighbouring low-density residential properties.

Impacts of the active frontage

Active uses

Racecourse Road is the commercial and community heart of the Racecourse Road centre, and its significance within both Ascot and the broader Brisbane context is clearly recognised by the Racecourse Precinct Neighbourhood Plan and the District Centre Zone. Together, these planning instruments establish a clear vision for Racecourse Road as a vibrant, pedestrian-oriented main street that functions as the primary focus for business activity, community interaction and local services.

Accordingly, development within this precinct is expected to do more than accommodate increased density. It should actively contribute to the vitality, attractiveness and economic sustainability of the centre through the provision of engaging built form outcomes, active frontages and pedestrian-focused design. In our view, the proposal falls well short of these expectations.

The neighbourhood plan over outcomes makes clear that:

- a. ***The Racecourse Road centre remains the focus of business activity and community life in the Racecourse Precinct. Racecourse Road consolidates its role as the primary commercial/retail, entertainment and leisure centre in the neighbourhood.***
- b. ***Uses consistent with the outcomes sought in the precinct include centre activities** (a mix of active uses at ground level such as shops, offices, cafes and services), childcare centre, community care centre, indoor sport and recreation (gymnasium), **multiple dwellings (located above ground)**, office (small-scale commercial offices located above ground) and short-term accommodation.*
- c. *Development in the precinct provides a human scale to the street while also managing impacts on the adjoining Low density residential zone and the Low-medium density residential zone. The maximum*

*building height on sites containing buildings built in 1946 or before contributes to the traditional building character of the precinct.*⁴

[Emphasis added]

Importantly, the planning framework anticipates residential uses occurring in a manner that supports, rather than displaces, the active commercial and community function of the centre. The emphasis placed on active ground-floor uses demonstrates a clear policy intention that development along Racecourse Road should engage with the street and contribute positively to the public realm.

The overall outcomes of the district centre zone code seek to ensure that:

- a. *‘Development provides a **diverse range of centre activities**, comprising commercial, retail, government, service, community and cultural activities and level of economic and social activity to serve a district catchment, along with visitors, workers and residents in the centre.*
...
- c. *Development is:*
 - i. *tailored to its specific location and to the role of the individual centre in the District centre zone and the relevant zone precinct;*
 - ii. ***consistent with the location-specific provisions** in the relevant neighbourhood plan.*
- d. *Development **provides activation and surveillance at ground level** where adjoining streets and other public spaces.*
- g. *Development for a residential use:*
 - i. ***does not compromise the provision of a fully active street frontage and the mix of uses** required to sustain an economically and socially sustainable centre serving district needs;*
...’

[Emphasis added]

Despite the clear direction provided by the planning framework, the proposal delivers a development outcome that is disengaged from the street environment. Rather than strengthening the function and identity of Racecourse Road, the development presents as a residential building that could be located almost anywhere, with little recognition of the site’s prominent location within a major neighbourhood centre.

These overall outcomes are further supported by **P06** (related to shopfront design elements) and **P07** (Ground floor activation and active uses) of the neighbourhood plan code.

The proposal fails to satisfy the overall outcomes and performance outcomes for the following reasons:

- The built form is setback from Racecourse Road which is in opposition with the traditional shopping street design sought along this frontage;
- No elements of the ground floor design contribute to the traditional shopping street design, and distorts a design approach that favours expression of the ground level rather than the scale;
- The frontage is not activated by any components of the built form or proposed land uses;
- No pedestrian shelter is provided along Racecourse Road;

⁴ Overall Outcome 4(a)-(c) of Racecourse Precinct Neighbourhood Plan

- The ground floor entrance is closed off from the street, with almost no casual surveillance opportunities or pedestrian engagement and interaction;
- Vegetated buffers to the side boundaries are not provided to the adjoining residential buildings; and
- No active centre uses are provided on the ground floor.

The proposal provides fixed screening along a majority of the frontage with a small pedestrian door. The design does not positively contribute to the identity of Racecourse Road or the Ascot locality (**Figure 9**).



Figure 9: Perspectives to Racecourse Road submitted as part of RFI Response (Source: 111.company, 2026)

The neighbourhood plan establishes a clear and deliberate policy framework that prioritises active frontages and a vibrant public realm. This intent is reflected not only in the overall outcomes but also in the detailed acceptable outcomes, including **A05.1 to A06.2** of the neighbourhood plan, and is reinforced through the provisions of the District Centre Zone Code. As currently designed, the proposal is fundamentally inconsistent with this vision and is incapable of delivering the level of activation anticipated for such a prominent location.

Future development on the site should embrace the unique role Racecourse Road plays as Ascot's high street. Development should contribute to an attractive pedestrian environment, encourage street activity, and enhance the vitality and economic resilience of the centre. A development of this scale should provide clear public benefit through its interaction with the street, not simply maximise residential yield.

We request that further design amendments are undertaken to provide an activated frontage to Racecourse Road and positively contribute to the role of the Racecourse precinct centre.

Refuse arrangements and amenity impacts

A significant concern for us is the proposed storage and servicing arrangement of bins on site. The proposal seeks to utilise kerbside collection for waste, utilising the bus zone on Racecourse Road to support bin storage and refuse vehicle manoeuvring. Council's IR specifically stated that kerbside (off site) refuse servicing is not supported, yet the Applicant continues to pursue this servicing arrangement. It is a highly irregular arrangement and we resist it entirely.

The utilisation of an active street frontage for servicing of waste does not comply with **Table 1 of the Transport, Access, Parking and Servicing Planning Scheme Policy (TAPS PSP)** and insufficient justification has been provided in response to the concern raised by Council.

The response to Council's Information Request prepared by Colliers and Park Lane Planning provides minimal explanation of why the proposed outcome is the most suitable servicing outcome for the proposal. The response provided by Colliers states that conflict with the existing landscape tree on Racecourse Road prevents on site servicing from occurring. This claim is predicated upon the current design being the only viable option for the redevelopment of the site, however, no supporting evidence such as, alternative (and unsupportable) design iterations, have been provided in the application material.

Given the proposal needs to be serviced by both an RCV for waste purposes and an LRV (for future resident furniture removal etc) it is evident that further design changes are required to provide a suitable on site servicing outcome, which does not impact the existing landscape tree or bus zone.

The proposed outcome does not comply with the TAPS PSP or **A01** of the TAPS code or **A03.1, A03.2, A03.4 and A03.5** of the neighbourhood plan in terms of servicing, access and active frontages. Furthermore, the proposed alternative outcome does not comply with **OO 4(d)** and **(e)**, **P03, P05, P06**, of the neighbourhood plan, for the following reasons:

The proposal does not comply with the above-mentioned provisions for the following reasons:

- The proposal provides for a significant increase in GFA on site (noting this is not a consolidated site) without adequately rationalising vehicle access to Racecourse Road and without improving the pedestrian environment, noting no active uses or pedestrian shelter is provided and waste is proposed on the frontage when servicing occurs (**OO 4(d)**);
- The proposed servicing occurs on Racecourse Road rather than on site which, prevents Racecourse Road from operating as a safe and continuous pedestrian spine and active frontage (**OO 4(e)**);
- On street servicing and kerbside collection creates a visual impact on the Racecourse Road streetscape and further impacts on the dominating nature of the built form. Additionally, the proposed servicing location introduces potential pedestrian conflicts with the bus way located on the site frontage (**P03**);
- The proposed on street servicing location removes the ability of the built form to adequately address the streetscape, interrupts the continuous active street frontage and causes potential pedestrian conflicts, reduces pedestrian amenity and accessibility (**P05**);
 - The accessibility of Racecourse Road and the bus stop will be affected by the proposed servicing arrangements, particularly for people with reduced mobility such as parents with prams and small children, wheelchair and mobility aid users. Given the nature of waste bin collection (via RCV) it cannot be assumed that the bins will always be neatly arranged on the kerb and are likely to block the footpath and bus stop area after collection has occurred; and
- The proposed servicing arrangements diminish any contribution the proposal makes to creating a 'vibrant pedestrian realm', noting the kerbside collection arrangement will introduce visual clutter, odour and rubbish (with spills from servicing) to Racecourse Road (**P06**).

As such we ask Council to request onsite servicing and refuse collection be required, a full traffic impact assessment and waste management plan be provided. Additionally, we ask that further design amendments are made to ensure the proposed built form provides adequate activation, pedestrian amenity and safety along this significant frontage within our neighbourhood.

Conclusion

As stated above, we are supportive of ongoing investment and development occurring along Racecourse Road. However, we also value the character and amenity of our neighbourhood and therefore ask that the following actions are undertaken in response to the items raised.

- Implement design amendments in order to address the scale and dominance of the proposal, particularly in relation to the interface between adjoining residential buildings.
- Side setbacks are increased to a minimum of 3m consistent with the comparable approval at 128 Racecourse Road (**A006790424**) to ensure adequate privacy, amenity, ventilation and sunlight is provided to adjoining residential apartments;
- Reconfigure the ground floor of the proposal to provide high quality activation along Racecourse Road, noting the significant role the frontage plays within the Racecourse precinct centre; and
- Onsite servicing and refuse collection is required and further information related to the traffic and waste impacts of the proposal are provided by the Applicant in the form of a Traffic Impact Assessment and Waste Management Plan.

Kind Regards

Appendix A –Rooftop Garden assessment

For the avoidance of doubt and ease of reference, an assessment of the proposal against the rooftop garden definition has been provided below.

Table 3: Assessment of proposed rooftop garden against Rooftop Garden Definition pursuant to City Plan SC 1.2 Administrative Terms

Definition components	Assessment
<i>A recreation and amenity space on a building rooftop that incorporates a mix of hard and soft landscaping and open space. For the purpose of Section 1.7.7(3) only, a rooftop garden also means a space that:⁵</i>	
a. is not located on a podium or in a building height transition;	Complies The proposed rooftop garden is not located on a podium or within a building height transition area.
b. includes communal open space and does not include private open space;	Does not comply The proposed rooftop garden includes private open space for Terrace 401 (refer to Figure 4). Therefore, the roof top <u>does not comply</u> with the definition and constitutes the sixth storey of the proposal.
c. includes a minimum soft landscaping are of 15% of the rooftop;	Insufficient information provided to confirm compliance The application material provided to date does not provide dimensions in relation to the soft landscaping areas of the rooftop and therefore this criteria cannot be appropriately assessed.
d. may only include the following structures: i. lift shaft and stairway ii. pool or spa including any elevated deck, platform or floor level; iii. roofed structure and fully enclosed structures a. lobby or foyer b. shade or shelter structure; c. internal communal recreation space; d. toilets, bathroom, showers and change room facilities;	Complies As shown in the submitted architectural plans prepared by 111.company, the rooftop only provides the appropriate structures.

⁵ Note—For the purpose of calculations under (c), (d) and (e):

- a reference to the rooftop means the area on top of the highest storey of a building measured to the outermost projection;
- the highest storey of a building for determining the rooftop excludes the storey that is the rooftop garden;
- a roofed structure is a roof or an adjustable roofing system with the capability of being impervious to water or wind.

Note—Examples of internal communal recreation spaces may include a gymnasium, media/games room, communal dining/entertainment room or sauna.

e. a structure accommodating a Bar or Food and drink outlet if in the Mixed use zone or a zone in the Centre zones category where the premises does not contain accommodation activities; f. a structure accommodating building plant, equipment or a meter room;	
e. meets the following parameters for the structures mentioned in (d): i. maximum height above the rooftop of: a. 3.5m for a pool, spa and any elevated deck, platform, walkway or floor level (excluding safety barriers up to 1.8m where not tinted); b. 3.5m where setback less than 3m from the outermost projection of the rooftop; c. 6m where setback a minimum 3m from the outermost projection of the rooftop; ii. maximum combined total footprint of 40% of the rooftop for all roofed structures (excluding lift shaft and stairway); iii. maximum combined total gross floor area of 20% of the rooftop for all fully enclosed structures (excluding lift shaft and stairway).	Does not comply The proposal has located the lift core on the northern side of the built form. The lift core is greater than 3.5m and is located less than 3.5m from the outermost projection of the rooftop (which is the lift core itself) (refer to Figure 3 and Figure 3). The proposed design <u>does not comply</u> with the requirements of item e (i)(b) and therefore triggers an additional storey. Additionally, appropriate dimensions and areas for the proportion of the rooftop which is roofed and proposed GFA is not provided. Therefore, these items cannot be appropriately assessed.