

24 June 2026

Chief Executive Officer
Brisbane City Council
GPO Box 1434
BRISBANE QLD 4001

Sent Via: Online Form

Dear Sir / Madam,

RE: REQUEST FOR MINOR CHANGE IN ACCORDANCE WITH S81 OF THE PLANNING ACT 2016 – DEVELOPMENT PERMIT FOR CHANGE APPLICATION UPON LAND LOCATED AT 52 HAMPDEN STREET, ASCOT QLD 4007 – COUNCIL APPLICATION REFERENCE: A006612775

We write on behalf of *Opal Health Care* in relation to the Development approval originally granted by Brisbane City Council on 13 October 2023 for a Multi-Unit Dwelling (Aged care accommodation) (A006248766) with a subsequent Minor change approval granted on 13 February 2025 (A006612775) upon the abovementioned land.

In accordance with section 78 and 81 of the *Planning Act 2016*, we hereby respectfully request a Minor change to the development approval. We provide below an overview and assessment of the Minor change with respect to relevant provisions under the *Planning Act 2016* below.

To facilitate Council's assessment of the proposal, please find enclosed the following:

- DA Form 5;
- Signed Owners Consent;
- Architectural plans by *Jackson Teece*;
- Landscape Concept Plan by *Arcadia*;
- Traffic Engineering Letter prepared by *PTT*; and
- Copy of SARA Minor Change Application prepared by *Town Planning Alliance*.

We note that a concurrent Minor Change application has been submitted to the State Assessment Referral Agency (SARA) requesting to update the conditions of approval to reference the amended plans. A copy of this application to SARA is enclosed for your information.

We trust that the information provided is to your satisfaction. Should you wish to discuss the matter further please do not hesitate to contact our office on (07) 3361 9999.

Yours faithfully

TOWN PLANNING ALLIANCE PTY LTD



Tara Nunn
SENIOR PLANNER

Enc Minor Change Application

MINOR CHANGE APPLICATION

1. Site Details

Site Address	52 Hampden Street, Ascot QLD 4007
Real property description	Lot 952 on SP303686
Area of site	4,600m ²
Zone	Sports and recreation (metropolitan) zone
Neighbourhood Plan	Racecourse precinct neighbourhood plan <ul style="list-style-type: none"> ▪ Racecourses precinct (NPP-002) ▪ Doomben south sub-precinct (NPP-002e)
Overlays	<ul style="list-style-type: none"> ▪ Airport environs overlay ▪ Community purposes network overlay ▪ Critical infrastructure and movement network overlay ▪ Flood overlay ▪ Potential and actual acid sulfate soils overlay ▪ Road hierarchy overlay ▪ Streetscape hierarchy overlay ▪ Transport noise corridor overlay

The subject site comprises a single allotment of regular configuration, with a total site area of 4,600m². The land has a single frontage to Hampden Street to the south of approximately 16m, with the balance of the southern boundary of approximately 42m becoming a side boundary to 104 Lamington Avenue, Ascot. Generally, the land is flat at about 5.8m AHD, with the adjoining land to the south and east containing an open drainage channel down to 4m AHD.

The subject site is located at 52 Hampden Street, Ascot, and is formally described as Lot 952 on SP303686. It forms part of the Brisbane Racing Club Preliminary Approval and is located within the Doomben Residential and Retirement Precinct (Precinct 9). Under the current *Brisbane City Plan 2014*, the site is located in the Sport and recreation (Metropolitan) zone and Doomben south sub-precinct of the Racecourse precinct neighbourhood plan. The site is identified as being well located in relation to existing public transport, services and facilities.



Figure 1: Recent aerial image of the subject site (Source: Landchecker, June 2026)

2. Relevant Context

While the subject site is located within the Sport and recreation zone and Racecourse precinct neighbourhood plan, the site forms part of the 'Brisbane Racing Club Preliminary Approval' (A003048197). The Preliminary Approval overrides the planning scheme to vary the effect of the Brisbane City Plan 2000 for Material Change of Use for Caretaker's Flat, Warehouse, Youth Club, Veterinary Surgery, Utility Installation, Telecommunication Tower, Stable, Short Term Accommodation, Shop, Restaurant, Park, Outdoor Sport and Recreation, Office, Multi-Unit Dwelling (including Aged care accommodation), Medical Centre, Industry, Indoor Sport and Recreation, Hotel, Home Business, Estate Sales Office, Education Purposes, Display Dwelling, Convention Centre, Community Facilities, Club and Child Care Facility.

The Preliminary Approval was granted by Council on 27 November 2012. A Negotiated Decision Notice was granted in part by Council on 3 May 2013. An Appeal Notice was lodged by the applicant against a number of conditions within the Negotiated Decision Notice due to errors and omissions within the conditions package. A Court Judgement was handed down on 5 July 2013 approving the appeal request.

On 10 November 2015, a Permissible Change was granted by the Planning and Environment Court to amend the Development Approval. Further Permissible Change applications were made and granted by the Planning and Environment Court on 14 December 2016 and 30 June 2020 which was the most recent application. The Preliminary Approval varies the effect of the Planning Scheme by the Brisbane Racing Club – Eagle Farm and Doomben Racecourses Master Plan. The Brisbane Racing Club Master Plan specifies the following with respect to the development within the Master Plan area:

- Designates the Brisbane Racing Club Master Plan area into a series of Precincts;
- States the levels of assessment for development within each Precinct which prevail over the levels of assessment in the Planning Scheme; and
- Identifies development as assessable against the conditions of the Preliminary Approval and applicable provisions of the *Brisbane City Plan 2000* which prevail over the Planning Scheme.

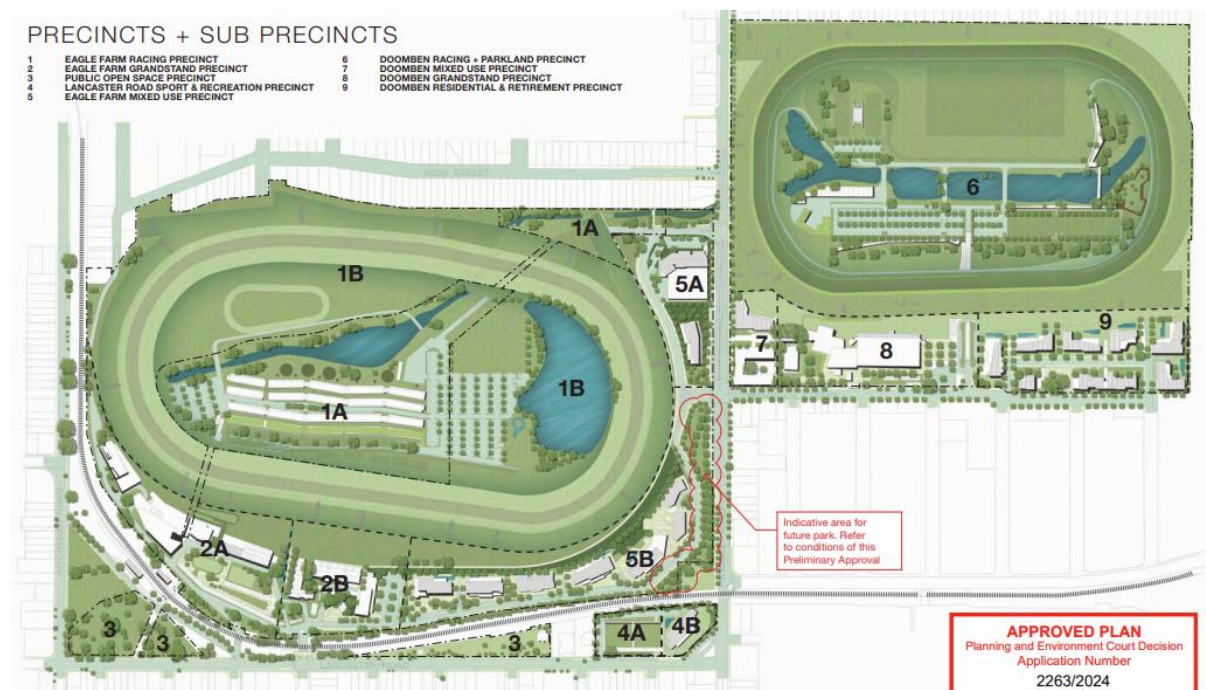


Figure 3: Preliminary Approval (A003048197 / 2263/2024) (Source: Cox Rayner, 2024)

On 13 October 2023, a development approval was granted by Negotiated Decision Notice by Council for a Multi-unit Dwelling (Aged care accommodation) under *City Plan 2000*. The approval comprised of a 5-storey Residential care facility building accommodating 154 beds, 26 car parking spaces, landscaping and associated community facilities and services to support the residential care facility.

3. Application History

To assist Council with this request, the development approval history over the site is detailed below as follows:

- **A006248766**

On 29 August 2023, Council approved a development application for Material Change of Use for Multi-Unit Dwelling (Aged care accommodation) for 154 beds across two stages within a 5 storey building.

- **A006612775**

On 13 February 2025, Council approved a development application for a Change application (s82) for Material Change of Use for Multi-Unit Dwelling (Aged care accommodation) to increase the number of beds up to 190 beds across two stages within a 6 storey building.

4. Prelodgement-Consultation

On 9 June 2026, a pre-lodgement meeting was held with Brisbane City Council (Reference: ASR-15167-R7R) to discuss the proposed amendments. The discussion focused on the suitability of the Minor change pathway, the integration of the proposed Energex substation within the approved development and the supporting information required to accompany a future change application.

Table 1: Prelodgement Meeting Response

COUNCIL COMMENT	PROPOSAL RESPONSE
1. Minor change suitability	
<p>It is understood the substation will be a self-contained electrical unit that performs the same function as a padmount transformer, albeit with a different capacity. It was noted in the meeting that the proposed substation is not part of a public transmission grid or supply network, rather for private consumption.</p> <p>It was also noted that the proposed substation does not comprise of storage of dangerous or hazardous goods, including diesel or petrol.</p> <p>As part of a future change application, it will need to be demonstrated the proposed substation does not constitute a new land use, otherwise an 'Other change' application will be required under section 82 of the <i>Planning Act 2016</i>. It is recommended the function and subordination of the substation is clearly outlined in a future application.</p> <p>Preliminary, and based on the information provided, the proposal would be suitable for assessment under section 81 of the <i>Planning Act 2016</i> as a minor change.</p>	<p>The proposed substation does not constitute a new land use. The infrastructure is ancillary and subordinate to the approved Multi-unit Dwelling (Aged care accommodation) and is required to facilitate permanent power supply to the development. The substation performs a similar servicing function to the previously approved PMT and forms part of the operational infrastructure necessary for the approved use. Further, the substation is a requirement by Energex therefore the changes are derived from Energex requirements. Accordingly, the proposal is considered capable of being assessed as a Minor Change under section 81 of the <i>Planning Act 2016</i>.</p>
2. Design	
<p>The location of the substation is generally seen to be integrated within the building bulk and design and would not result in substantially different development. The approximate 300mm upstand adjacent to the parking bay closest to the street may present as a trip hazard. Treatment of this</p>	<p>The proposed substation has been integrated within the approved building envelope and architectural design. No changes are proposed to the approved building height, gross floor area, development yield or overall building form. The revised design maintains pedestrian connectivity to</p>

COUNCIL COMMENT	PROPOSAL RESPONSE
<p>corner with gas meters is to be fully detailed within a minor change application. Consideration of pedestrian connectivity/safety and CPTED with the new location and changes to the car parking layout.</p> <p>Based on the submitted information, the changes appear to have minimal impact on the approved landscape design. The applicant is encouraged to explore opportunities to introduce a garden bed, landscaping treatments or shade tree proximate to proposed car spaces 11, 12, or 32. The inclusion of a garden bed incorporating a large canopy tree would substantially enhance the landscape character and improve streetscape amenity at this corner of the site. It is understood that this area of the site may be constrained by existing service infrastructure however landscape treatments will be reviewed and justified as part of a future application. As discussed in the meeting, landscape treatments at this interface may be represented on the architectural drawings in lieu of a revised landscape concept plan.</p> <p>It is noted the proposed substation is oriented to residential uses on the southern side of a new road fronting the site. As part of a future development application, it will need to be demonstrated the proposed substation will not create adverse amenity impacts for existing or approved nearby residences. This includes, but is not limited to, noise, vibration, odour, lighting, glare, the freedom from hazard or risk of threats to health and well-being of occupants, and the uninterrupted ability to use and enjoy the land for the purpose.</p> <p>With a future change application, a technical traffic memorandum is suggested to be provided to demonstrate compliance with the relevant performance outcomes. This should cover both impacts on overall car parking numbers, queuing and manoeuvring spaces. Any manoeuvring alterations should be accompanied by the relevant swept paths.</p>	<p>the building entrance and retains the approved number of car parking spaces.</p> <p>Landscaping treatments and architectural screening have been incorporated to minimise visual impacts and maintain the streetscape presentation of the development. Whilst the inclusion of a large canopy tree adjacent to the revised parking arrangement was explored, the available planting area is constrained by existing and proposed service infrastructure. Accordingly, the proposal incorporates alternative landscape treatments, including garden bed planting and soft landscaping, to enhance the streetscape interface and visual amenity outcome. Furthermore, the substation has been designed to avoid adverse amenity impacts on surrounding residential properties. A supporting Traffic Engineering Letter prepared by <i>PTT</i> and revised Landscape Concept Plan by <i>Arcadia</i> accompany the application and confirms the revised parking and manoeuvring arrangements remain suitable for the approved development.</p>
<p>3. Supporting documentation</p>	
<p>As part of a future application, it is recommended supporting documentation is submitted, including but not limited to:</p> <ul style="list-style-type: none"> - Systematically identify all proposed changes to the approval, including conditions, plans, reports and other approved documents including but not limited to: 	<p>This application has been prepared having regard to Council's pre-lodgement advice and includes amended Architectural Plans by <i>Jackson Teece</i>, a Traffic Engineering Letter by <i>PTT</i>, revised Landscape Concept Plans by <i>Arcadia</i> and a planning assessment demonstrating compliance with the <i>Planning Act 2016</i> and Development Assessment Rules. The application systematically identifies all proposed amendments and demonstrates that the</p>

COUNCIL COMMENT	PROPOSAL RESPONSE
<ul style="list-style-type: none"> ○ Architectural proposal plans, including revised landscaping; and ○ Traffic memorandum – Provide a side-by-side comparison of the approved development and areas of all proposed changes on the same page for assessment; – Provide all necessary information required for Council to assess the proposed changes compliance including requirements of CP2014; – Ensure all required plans (site, elevations, and sections) and reports are amended to reflect the proposed changes and submitted for assessment. – Owner's consent under the requirements of the <i>Planning Act 2016</i> and confirmation of terms of any shared easements. – Demonstrating how the proposal meets the definition and requirements of a 'minor change' under the <i>Planning Act 2016</i> and how it does not result in 'substantially different development' as per the Development Assessment Rules. 	<p>proposal does not result in substantially different development.</p>

5. Responsible Entity

Section 78A of the Planning Act 2016 outlines the responsible entity for a change application, as follows:

- (1) *The responsible entity for a change application is—*
- (a) *if the change application is for a minor change to a development condition of a development approval stated in a referral agency's response for the development application or another change application for the approval—the referral agency; or*
 - (b) *otherwise—the assessment manager.*
- (2) *However, the P&E Court is the responsible entity for the change application instead of the person under subsection (1) if—*
- (a) *the change application is for a minor change to a development approval; and*
 - (b) *the development approval was given or changed by the P&E Court; and*
 - (c) *a properly made submission was made about—*
 - (i) *the development application for the development approval; or*
 - (ii) *another change application for the development approval.*
- (3) *Also, the Minister is the responsible entity for the change application instead of the person under subsection (1) if—*
- (a) *the change application is for a change to—*
 - (i) *a condition of a development approval that the Minister directed be imposed or amended under section 95; or*
 - (ii) *a condition of a development approval that the Minister directed be imposed under the old Act, section 419 or the repealed Integrated Planning Act 1997, section 3.6.1; or*
 - (iii) *a development approval given or changed by the Minister for an application that was called in under a call in provision; and*
 - (b) *the P&E Court is not the responsible entity for the change application.*

With reference to the above, we note that the responsible entity for this change request is **Brisbane City Council**.

6. Proposed Changes

Amendments are proposed to the approved development to facilitate permanent power infrastructure via an Energex substation. This change is necessitated following consultation with Energex who required a substation for the site in lieu of a pad mount transformer (PMT). As a result, the proposed amendments generally comprise the following:

- installation of a substation within the car parking area and removal of previously documented PMT;
- associated architectural and façade modifications to accommodate the new infrastructure;
- reconfiguration of onsite car parking in relocating three car parks and a shared bay to the south-western corner of the site boundary previously identified for the PMT. No net loss of car parking is proposed;
- minor reduction in ground floor aisle width;
- minor updates to the pedestrian entry and landscaping along the southern boundary; and
- minor architectural and landscaping amendments to reflect the incorporation of the substation.



Figure 4: Approved Ground Floor Plan (A006612775) (Source: Jackson Teece)



Figure 5: Proposed Amended Ground Floor Plan (Source: Jackson Teece)

Car Parking Layout

As illustrated in *Figure 4* and *Figure 5* above, the proposed amendments do not reduce the approved car parking provision or materially alter the overall development outcome approved on the site. The substation is located generally in the location of approved parking spaces 11 to 13, which have been relocated to the previous PMT location to ensure no net loss of car parking spaces. There are minor changes to the location of structural columns following further detailed design which does not impact the operation of the car park.

Advice from Energex confirms support for the scale and location of the proposed substation. In addition, a Traffic Engineering Letter prepared by PTT confirms the proposed amendments remain suitable from a traffic engineering perspective. The revised layout retains the approved 32 on-site car parking spaces and maintains compliance with the relevant requirements of the Brisbane City Council Transport, Access, Parking and Servicing Planning Scheme Policy and Australian Standard AS2890.1. The memorandum confirms that appropriate parking dimensions, aisle widths, manoeuvring areas, servicing arrangements and pedestrian access are maintained and continue to operate safely and efficiently.

A swept path assessment completed by PTT demonstrates that the revised layout can accommodate the manoeuvring requirements of passenger vehicles, service vehicles and refuse collection vehicles without adversely impacting the operation of the development (refer Figure 6). Furthermore, the relocation of the previously approved PMT from the south-west corner of the site improves sight distances between vehicles entering and exiting the ground floor car park relative to the approved arrangement. Whilst sight lines remain partially constrained by the stepped wall, gas meter enclosure and vehicles parked within space 32, a convex mirror will be installed adjacent to the internal driveway intersection to further improve visibility and reduce the potential for vehicle conflicts, in accordance with the traffic engineering recommendations.

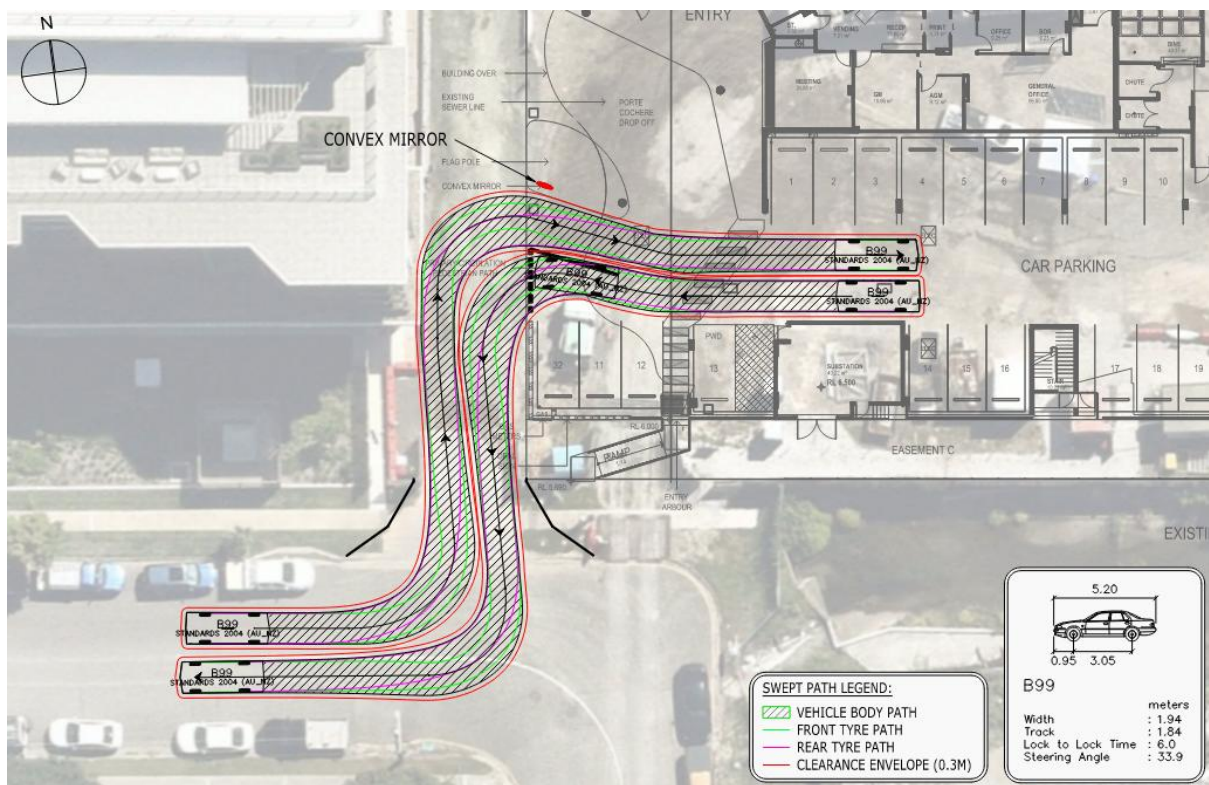


Figure 6: B99 Swept path access and egress adjoining new substation (Source: PTT)

Pedestrian Access and Landscaping

Pedestrian access to the site has shifted west from the approved position due to the substation location. Notwithstanding, the entry arbour maintains a legible pedestrian access and sense of entry to the site. A direct pedestrian crossing from the site boundary to the entry lobby of the building is provided to offer pedestrian prioritised movement through the car park, consistent with the approved outcome.

To further enhance the streetscape presentation of the development, additional landscaping is proposed adjacent to the revised car parking arrangement and substation interface. In response to the prelodgement meeting held with Council, the inclusion of a large canopy tree was explored however the south-west corner of the site is heavily constrained by existing and proposed service infrastructure as illustrated in Figure 7. Accordingly, the proposal incorporates garden bed planting and soft landscaping treatments to improve visual amenity and soften the built form at this corner of the site.

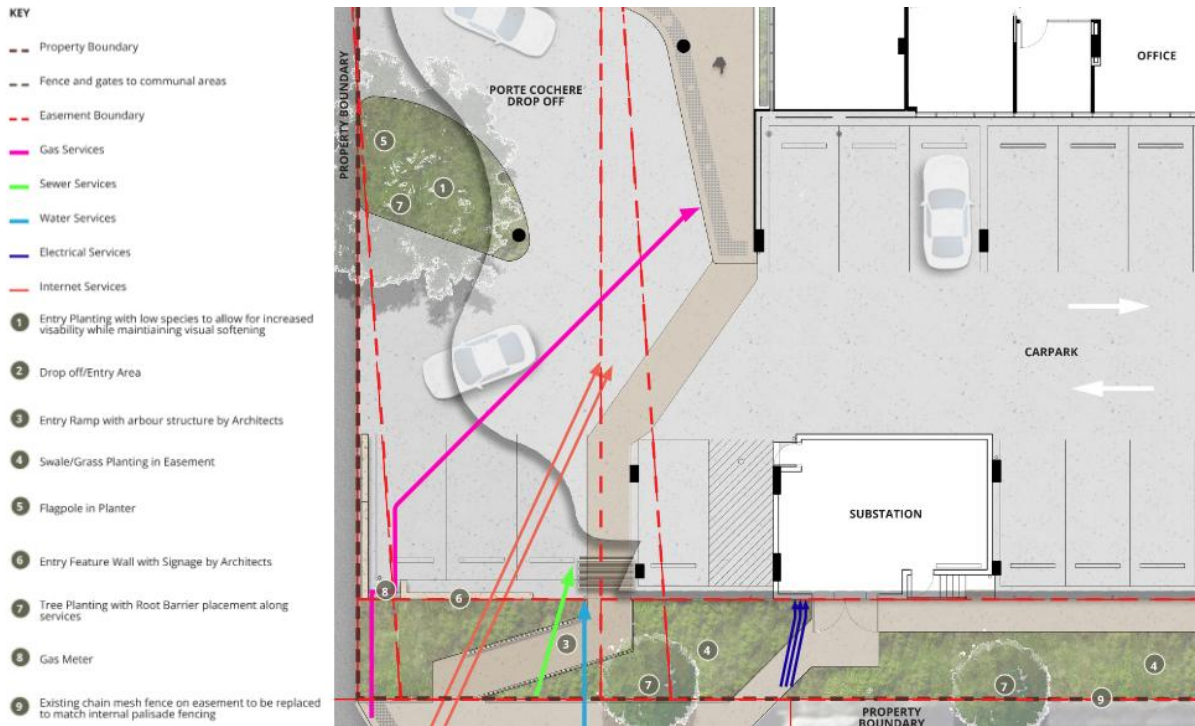


Figure 7: Proposed Landscaping Plan – Ground Floor (Detailed Plan 2) (Source: Arcadia)

Architectural Treatment

The proposed new substation is located within the ground floor of the existing building footprint. To integrate the substation with the balance of the building, the external finish of the infrastructure retains the approved lightweight and natural colours and finishes. As the substation is located within the existing development footprint, the changes do not result in any increase in bulk or scale, and is consistent with the existing approved building appearance.



Figure 8: South-western perspective with substation (Source: Jackson Teece)

7. Changes to Approved Drawings

Consequential changes are proposed to the list of approved drawings to reflect the proposed changes. The proposed plans submitted as part of this Change application will supersede the existing approved plans. A detailed list of the changes to the approved drawings and documents is provided in the table below.

Table 1: Proposed Changes to Approved Drawings

Drawing or Document	Number	Plan Date
Site Plan	DA2.09 (REV P4)	JUN-2026
Site Plan	DA2.09 (REV P3)	13-FEB-2025
Plan – Ground Floor	DA2.11 (REV P5)	JUN-2026
Plan – Ground Floor	DA2.11 (REV P3)	13-FEB-2025
DA Elevations – South & West	DA3.01 (REV P4)	JUN-2026
DA Elevations – South & West	DA3.01 (REV P3)	13-FEB-2025
Landscape Concept	Rev S	17-JUN-2026
Landscape Concept	Rev Q	13-SEP-2024

8. Changes to Conditions

The proposed Minor Change requires amendments to the approved plans package to ensure consistency with the revised architectural plans, car parking layout, landscaping and servicing arrangements associated with the incorporation of the Energex substation. The proposed amendments do not alter the approved development outcome in a manner that necessitates changes to the existing conditions of approval. Accordingly, it is proposed that the current conditions package remain unchanged, with the amended plans replacing the corresponding approved plans.

9. Planning Act 2016 Provisions

The changes to the development approval are identified as meeting the benchmark for a Minor Change to development approval in accordance with Schedule 2 of the *Planning Act 2016*, given that the change:

- (i) **Would not result in a substantially different development** – The proposed changes to the approval as described above do not result in a substantially different development having regard to the matters in Schedule 1 of the Development Assessment rules. In particular, the change does not result in the following:
 - a) **Involve a new use** – The proposed change does not involve a new use.
 - b) **Results in the application applying to a new parcel of land** – The proposed change does not result in the application applying to a new parcel of land.
 - c) **Dramatically changes the built form in terms of scale, bulk and appearance** – The proposed change does not dramatically change the built form in terms of scale, bulk or appearance. The proposed change for a new substation and removal of the approved PMT retains the approved

lightweight and natural colours and finishes to integrate the substation with the balance of the building. Landscaping will continue to be provided along the southern boundary to soften the built form generally as per the approval. As such, the proposed changes do not dramatically change the built form in terms of scale, bulk or appearance.

- d) *Changes the ability of the proposed development to operate as intended* – The proposed change does not change the ability of the proposal to operate as intended.
 - e) *Removes a component that is integral to the operation of the development* – The proposed change does not result in the removal of any component that is integral to the operation of the development.
 - f) *Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site* – The proposed changes will not result in an increase in traffic.
 - g) *Introduces new impacts or increase the severity of known impacts* – The proposed changes do not introduce new impacts or increase the severity of known impacts.
 - h) *Removes an incentive or offset component that would have balanced a negative impact of the development* – The proposed change does not remove any incentive or offset component.
 - i) *Impacts on infrastructure provisions*– The proposed change will not impact on infrastructure provision. The proposal does not increase the number of units proposed or create additional gross floor area.
- (ii) *If a development application for the development, including the change, were made when the change application is made would not cause—*
- (A) *The inclusion of Prohibited development in the application* – The change would not cause the inclusion of Prohibited development in the application if a development application were made for the development including the change.
 - (B) *Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application* – Not applicable, there were referral agencies for the development application.
 - (C) *Referral to extra referral agencies, other than to the chief executive* – The change does not cause referral to extra referral agencies other than to the chief executive.
 - (D) *A referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made* – The change does not require a referral agency to assess the application against a matter other than a matter the referral agency have already had regard to.
 - (E) *Public notification if public notification was not required for the development application* – Not applicable. The development application underwent Public Notification.

10. Conclusion

In view of the above, the proposed changes meet the benchmark for a Minor change to a development approval as detailed in the *Planning Act 2016*.

The proposed amendments are sought to capture changes made to respond to consultant and client input during the detailed design phase. We respectfully request that Council update the approval package as referenced above in section 8.