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11/11/2026

BCC Ref: A006971515
ATP Ref: Response to Submission 1.pdf

The Chief Executive Officer
Brisbane City Council
Planning Services
Lvl 1 / 266 George Street
Brisbane QLD 4001

ATTN: TYRAH ZARAFA

Dear Tyrah,

RE: RESPONSE TO THE SUBMISSION RECEIVED FOR THE PROPOSED MIXED USE DEVELOPMENT AT 123 & 125 RACECOURSE RD, ASCOT.

It is noted that a submission raising concern with the application was received during the public notification period from the owner of 121 Racecourse Road and 50 Beatrice Terrace, being the properties adjoining the subject site to the south and to the rear respectively.

The submission contends that the proposal does not respond to Council's Information Request, represents overdevelopment of the site, is poorly articulated and relies on adjoining land for its amenity. These claims are unfounded and are addressed below.

1. Performance Outcomes

The submission refers to the matters it raises as "non-compliances". A departure from an acceptable outcome does not, of itself, establish a failure to achieve the corresponding performance outcome. The acceptable outcomes within a code provide one way but not the only way, of achieving the corresponding performance outcome. Development that achieves a

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performance outcome complies with that part of the code, whether or not the associated acceptable outcome is met. Where the proposal departs from an acceptable outcome, the Town Planning Report, the Information Request response and other information provided to Council demonstrate how the relevant performance outcomes are achieved.

2. Response to Council's Information Request

The submission states that the proposed building envelope "does not respond to the items raised in the Council Information Request" and encourages Council to enforce "the intent behind the original Council IR".

The applicant provided a full response to all 21 items of Council's Information Request dated 14 April 2026, in accordance with section 13.2(a) of the Development Assessment Rules. The response was supported by amended architectural and landscape plans, updated traffic and civil engineering reports and an Arboricultural Impact Assessment. Among other changes, the uppermost residential level was redesigned, reducing the total number of units from 17 to 15 and all basement infrastructure and building overhangs were removed from the deep planting area along the rear boundary.

It is noted that an Information Request is the means by which an assessment manager obtains the information it requires to assess an application. Although Council requested increased side and rear setbacks in Items 2 and 3, the applicant responded by providing amended plans and reasons why the proposed setbacks achieve the relevant performance outcomes, having regard to the separation, screening and deep planting provided and to the setbacks Council has accepted for comparable approvals along Racecourse Road. Retaining a performance-based design response does not mean that the Information Request has gone unanswered. The assertion that the proposal does not respond to the Information Request is therefore incorrect.

3. Building Height and Scale

The submission describes the proposal as having an "effective building height of 6 storeys" and claims that this is "clearly over development" for a site of 1,100m^2.

The proposal is a five-storey building with a rooftop garden. As demonstrated in the response to Item 1 of the Information Request and on the Development Data sheet (Drawing A.01.02), the proposed rooftop satisfies each element of the 'rooftop garden' definition in Schedule 1 of City Plan 2014. A rooftop garden that meets this definition is not counted as a storey when determining building height under section 1.7.7(3) of City Plan 2014. As such,

there is no basis in the planning scheme for describing the proposal as six storeys. The rooftop's visual contribution is moderated by the central siting of roofed structures, their setbacks from the building edges and perimeter landscaping. These measures reduce the apparent bulk of the rooftop structures and distinguish them from the residential levels below.

The proposal is not overdevelopment. Building height has been assessed against Performance Outcome 1 of the Racecourse Precinct Neighbourhood Plan Code and Performance Outcome 4 of the Multiple Dwelling Code, as detailed in Section 5.1.1.1 of the Town Planning Report. These performance outcomes require that height, scale and form be proportionate to the site area and frontage width and aligned with community expectations having regard to the predominant height of approved buildings in the street. The proposal achieves both, as demonstrated by the approvals discussed below.

It is noted that since the submission was made, the Low-medium density residential design amendment to City Plan 2014 (v37.00/2026) has taken effect, commencing on 18 September 2026. The rear adjoining land at 50 Beatrice Terrace is now included in the Low-medium density residential (3 or 4 storey mix) zone precinct, which provides for development of up to four storeys. A five-storey building on the District Centre zoned subject site, adjoining a zone precinct in which four-storey development is contemplated, provides an appropriate and orderly height transition between the centre and the residential land behind it.

This transition compares favourably with those Council has recently approved on the opposite side of Racecourse Road. The five-storey developments at 112 and 128 Racecourse Road, discussed in Section 4, each share their rear boundary with land in the Character residential zone, where development is limited to two storeys. By comparison, the proposal adjoins land in a zone precinct that provides for development of up to four storeys, a considerably higher intended built form than the land behind those approvals. The proposal's transition is also supported by its rear setback, continuous deep planting and screening, as detailed in the Information Request response.

4. Precedent

The submission claims the proposal "sets a precedent for disproportionate segmented redevelopment" along Racecourse Road. The proposal would not introduce an unprecedented scale of development to Racecourse Road. Council has already approved comparable five-storey developments within the same precinct on sites considerably smaller than the subject site, including the following two examples:

- 128 Racecourse Road (BCC Ref: A006790424), diagonally opposite the subject site, is a five-storey mixed use building with a rooftop garden on a site of 810m², around 26% smaller than the subject site; and
- 112 Racecourse Road (BCC Ref: A007001997), on the opposite side of Racecourse Road a short distance to the south-west, is a five-storey multiple dwelling with a rooftop garden, approved on 30 September 2026 on a site of approximately 810m², also around 26% smaller than the subject site.

The approval at 112 Racecourse Road is particularly relevant. That site is in the same District Centre zone and Racecourse Road precinct as the subject site and Council's assessment report records that the development was approved on the basis of performance outcomes for building height, plot ratio and rear setbacks, access to a major road, ground floor design, active uses, building height transition, side setbacks, building separation and deep planting. At Levels 2 and 3, that development provides side setbacks of 2m to non-habitable walls and 3m to habitable room walls and it includes no ground floor commercial uses. By comparison, the subject proposal provides side setbacks of 2.5m to balconies and 3m to building walls, together with three retail tenancies addressing Racecourse Road. The approval demonstrates Council's acceptance of performance-based responses to building height, setbacks and ground floor design within this precinct.

The approval at 128 Racecourse Road is similarly relevant. That site is also in the District Centre zone and Racecourse Road precinct and Council's assessment of the change application records that the fifth storey was approved on the basis of performance outcomes for building height, front setback, side setbacks and car parking.

In assessing both developments, Council confirmed that the rooftop garden did not constitute a storey and in the case of 112 Racecourse Road, expressly rejected submissions that the development presented as six storeys. In response to submissions on both applications that the development would set a precedent, Council noted that each application is assessed on its own merits. The same conclusions apply to the subject proposal.

Far from being "segmented", the proposal amalgamates 123 and 125 Racecourse Road into a single 1,098m² development site, enabling a coordinated outcome with basement car parking, a single consolidated crossover and a continuous deep planting zone along the rear boundary. Rather than setting a precedent, the proposal follows the pattern of development that Council has already established along Racecourse Road.

5. Building Form and Articulation

The submission describes the proposal as a “large unarticulated form with little response to context, such as recessed upper floors”. This opinion is not backed up by the architectural plans prepared by Profile Architecture. As shown on the West Elevation (Drawing A.04.01) below and the Sections (Drawing A.05.01), the building is highly articulated:

- the ground floor is built to the street alignment with three fine-grain retail tenancies and a street awning, reinforcing the traditional main street character of Racecourse Road;
- the podium relates to the scale of the two-storey building at 121 Racecourse Road, providing a clear transition between the existing lower-scale streetscape and the levels above;
- the residential levels are set back behind the podium edge, with deep balconies and planters forming the street edge and the enclosed building line recessed further behind;
- the façade is divided into two vertical bays by a recessed central slot, breaking the frontage into narrower elements that reflect the fine-grain lot pattern of the street;
- each level is expressed horizontally by deep balconies with integrated planter boxes and cascading vertical greenery;
- the uppermost residential level is differentiated in contrasting charred timber cladding, which caps and lightens the top of the building;
- the rooftop roofed structures are consolidated in the centre of the roof and set back from the building edges behind landscaped planters, minimising their visibility from the street; and
- a varied palette of building materials adds depth, texture and visual interest.



Amended West Elevation (Drawing A.04.01)

The street tree within the verge is also retained, as confirmed by the Arboricultural Impact Assessment submitted with the Information Request response. These elements break down the building's apparent width and bulk and provide a differentiated street elevation.

6. Interface with Adjoining Land

The submission states that the proposal "fails to appropriately interface with the neighbouring District Centre allotments or the LMR zoning to the rear" and "relies on adjoining developments to make up for amenity not provided by the proposal, in particular height and boundary setbacks".

The proposal does not rely on adjoining land for its amenity. The principal living areas and balconies of each unit are oriented to the Racecourse Road frontage or the rear of the site, which provide their primary outlook, daylight and ventilation. The side elevations incorporate screening and opaque glazing where required. Each unit has generous private open space and residents have access to a rooftop garden incorporating a pool, internal communal recreation space and landscaped communal open space, together with a full-length deep planting zone at the rear of the site. All of this amenity is provided within the subject site and the proposal does not require adjoining land to remain undeveloped in order to function.

Above the podium, the proposal provides side setbacks of 2.5m to balconies and 3m to building walls and a minimum rear setback of 4m (4.5m to the rear balcony balustrades) with continuous deep planting. By contrast, the existing building at 121 Racecourse Road is a two-storey commercial building constructed to the common boundary with the subject site. It contains no habitable rooms or balconies, so there is no residential privacy or amenity to protect on that side of the interface. The building separation provisions of the Centre or mixed use code and Multiple dwelling code are intended to protect the amenity of habitable rooms and private open space and the Multiple dwelling code recognises that considered site planning, the location of private open space and selective screening can reduce separation requirements. The proposal achieves this through the orientation of its principal living areas and balconies to the street and rear, together with screening and opaque glazing to the side elevations.

Nor will the proposal constrain the future redevelopment of adjoining land:

- 121 Racecourse Road is a corner site with a secondary frontage to Beatrice Terrace, providing an alternative aspect for outlook and access for any future development;

- the rear adjoining land at 50 Beatrice Terrace is vacant and its side boundary adjoins the rear boundary of the subject site, so any future building on that land is likely to present a side elevation to the proposal. The 4m deep planting zone provides greater separation than would ordinarily be expected between properties sharing a side boundary;
- 121 Racecourse Road and 50 Beatrice Terrace are in common ownership, which affords flexibility in how those properties may be redeveloped; and
- to the north, the single-storey commercial building at 127 Racecourse Road forms part of a 1,369m^2 holding that retains ample capacity for redevelopment of a similar scale.

As noted in Section 3, the land to the rear is now included in the Low-medium density residential (3 or 4 storey mix) zone precinct, which provides for development of up to four storeys. A five-storey building with a 4m landscaped rear setback presents an appropriate transition to that zone precinct and reflects the interface Council has accepted at 77 and 71 Racecourse Road, as detailed in the response to Item 3 of the Information Request.

In summary, the matters raised in the submission have been comprehensively addressed by the application material and the response to Council's Information Request, and do not warrant refusal or further amendment of the proposal.

Please do not hesitate to contact me should you have any queries regarding this correspondence. Thank you for your attention in this matter.

Kind regards
ATOMIC TOWN PLANNING

LAURIE BEVERLEY M. URB DEV., MPIA
PRINCIPAL TOWN PLANNER