

1 May 2026

The Assessment Manager  
Brisbane City Council  
GPO Box 1434  
Brisbane QLD

**Delivery via:** BCC Online Lodgement Form

Dear Sir/Madam,

## Application to Change a Development Approval for Stage 2B of Ascot Green (Council Ref: A006490462)

In accordance with Section 78 of the *Planning Act 2016* ('Planning Act') and on behalf of *Mirvac Queensland Pty Ltd* (the 'Applicant'), we hereby make a request to Brisbane City Council ('Council') to change an existing development approval for a Development Permit for Material Change of Use for Multiple Dwelling and Development Permit for Carrying out Building Work on a Heritage Place at 230 & 260 Lancaster Road, 128 Nudgee Road, 21 St Leger Way and over Common Property (Lot 0 on SP283535 and Lot 0 on SP326606), Ascot ('the site'). The site is more formally described as Lot 2 on SP326604, Lot 0 on SP326606, and parts of Lot 801 on SP292903, Lot 807 on SP303572, Lot 13 on SP122231 and Lot 0 on SP283535).

The changes necessitate amendments to the development approval granted by Council on 5 September 2024 (Council Ref: A006490462). The local government is therefore the responsible entity to consider the Minor Change application in this instance.

This Minor Change Application is accompanied by and must be read in conjunction with the following material:

- **Attachment A** – Planning Act Form 5 – Change Application Form;
- **Attachment B** – Property Title Documentation and Signed Owners Consent;
- **Attachment C** – Revised Architectural Plans, prepared by *Mirvac Design*;
- **Attachment D** – Revised Statement of Landscape Design Intent, prepared by *Urbis Ltd* ('Urbis'); and
- **Attachment E** – Energex Affected Entity Letter.

A detailed description of the proposed Minor Change, along with the relevant background information, has been detailed in the following sections.

# 1 Background

The site is located 230 & 260 Lancaster Road, 128 Nudgee Road, 21 St Leger Way and over Common Property (Lot 0 on SP283535 and Lot 0 on SP326606), Ascot. Since the original approval, the previous portion of the site at 41 St Leger Way (Lot 806 on SP283550) has been subdivided to facilitate titling of the already constructed Stage 2A of the development (Tower C). As such, Stage 2A is located over Lot 0 on SP326606 and Stage 2B is located over 21 St Leger Way (Lot 2 on SP326604).

The site benefits from a number of existing approvals, which are summarised in **Table 1**.

**Table 1** – Approval History

Application Reference	Approval Date and Type	Description of Approval
A005794918	<p><b>Approval Date:</b> 17 December 2021</p> <p><b>Approval Type:</b></p> <ul style="list-style-type: none"> <li>Development Permit for Material Change of Use for Multiple Dwelling (245 units)</li> <li>Development Permit for Carrying out Building Work on a Local and State Heritage Place</li> </ul>	<p>This represents the original approval for the Ascot Green Stage 2 residential towers, which was assessed and approved under the Brisbane Racing Club Preliminary Approval.</p> <p>The application was subject to Code Assessment and required referral to the State Assessment and Referral Agency (SARA) as a Concurrence Agency for transport infrastructure and heritage matters, as well as referral to Energex as an Advice Agency.</p> <p>The approved development involved:</p> <ul style="list-style-type: none"> <li>245 units delivered over two (2) x 15 storey apartment towers (115 units in Tower C and 130 units in Tower D).</li> <li>487 car parking spaces delivered over two (2) basement levels and ground floor.</li> </ul>
A006160743	<p><b>Approval Date:</b> 8 March 2023</p> <p><b>Approval Type:</b> Minor Change to A005794918</p>	<p>The original approval was modified by way of a Minor Change. The approval provided the following amendments to Tower D:</p> <ul style="list-style-type: none"> <li>Reduction of overall number of units from 130 units to 126 units.</li> <li>Reduction of parking spaces to 206.</li> <li>Revised vehicular access arrangements, resulting in additional landscaped areas and revised pedestrian entrance.</li> </ul>

Application Reference	Approval Date and Type	Description of Approval
		<ul style="list-style-type: none"> <li>Minor amendments to basement levels and façade treatments.</li> </ul>
A006295348	<p><b>Approval Date:</b> 5 March 2024</p> <p><b>Approval Type:</b></p> <ul style="list-style-type: none"> <li>Development Permit for Material Change of Use for Multiple Dwelling (241 units)</li> <li>Development Permit for Carrying out Building Work on a Local and State Heritage Place</li> </ul>	<p>This represents the Tower D rooftop approval, which was assessed and approved under the <i>Brisbane City Plan 2014</i>. The approval provided amendments to the Building D rooftop layout to facilitate a communal recreational space.</p> <p>Whilst the rooftop communal space is defined as a 'rooftop garden' and does not constitute a storey under the <i>Brisbane City Plan 2014</i>, the original approval was assessed under the Brisbane Racing Club Preliminary Approval where the 'rooftop garden' provision does not apply and the communal rooftop would therefore exceed the maximum prescribed height under the Preliminary Approval. The existing approved development was therefore 're-applied' for in its entirety, with the addition of the Tower D rooftop.</p> <p>The application was subject to Impact Assessment and required referral to the State Assessment and Referral Agency (SARA) as a Concurrence Agency for transport infrastructure and heritage matters, as well as referral to Energex as an Advice Agency.</p> <p>Consistent with the March 2023 approval, the approved development involved:</p> <ul style="list-style-type: none"> <li>241 units delivered over two (2) x 15 storey apartment towers (115 units in Tower C and 126 units in Tower D).</li> <li>470 car parking spaces delivered over two (2) basement levels and ground floor.</li> </ul>
A006490462	<p><b>Approval Date:</b> 5 September 2024</p> <p><b>Approval Type:</b> Minor Change to A006295348</p>	<p>The Tower D rooftop approval was modified by way of a Minor Change. The approval provided the following amendments to Tower C:</p> <ul style="list-style-type: none"> <li>Reduction of overall number of units from 115 units to 112 units.</li> </ul>

Application Reference	Approval Date and Type	Description of Approval
		<ul style="list-style-type: none"> <li>Minor reconfiguration to the unit and rooftop layouts.</li> <li>Minor reconfiguration to car parking layout and arrangements.</li> <li>Minor amendments to façade and landscaping treatments.</li> </ul>

The September 2024 approval (Council Ref: A006490462) represents the existing development approval that is subject to this Change (Minor) Application.

## 2 Prelodgement Meeting

A prelodgement meeting was held with Brisbane City Council on 20 April 2026 to discuss the proposed changes (Council Ref: A006988098). Council officers confirmed that the proposed design and landscaping amendments are appropriate to be considered as a Change (Minor) Application under Section 81 of the Planning Act.

Council provided in-principle support for the proposed changes, advising that the amendments sought do not materially alter the approved development in terms of bulk, scale or appearance, and do not introduce any new impacts beyond those previously assessed. The proposed built form and landscaping are consistent with the approved development scheme.

The matters discussed in the meeting are addressed in this letter and supporting material.

## 3 Nature of Requested Changes

Since approval has been granted, the Applicant has conducted a detailed feasibility study and design analysis considering construction requirements and current market trends. As part of this process, the Applicant proposes minor amendments to the building façade and internal apartment amenity of Tower D, in response to market demand and construction feasibility factors. Accordingly, changes are proposed to Tower D (Stage 2B) of the approved development only, and no changes are sought to Tower C (Stage 2A). It is important to note that Tower D is located solely on the 21 St Leger Way portion of the site, being Lot 2 on SP 283535.

An overview of the proposed changes is outlined below, with a detailed summary provided in the subsequent sections:

- Redesign of some unit layouts, involving unit amalgamations;
- Refinements to the building façade, with the design changes maintained within the existing approved building footprint;
- Balcony design amendments, involving the removal of Juliet balconies to enhance the functional layout of the units;

- Minor reconfiguration to the rooftop layout; and
- Layout amendments to the ground plane and public realm.

### 3.1 Unit Amalgamations

A limited number of 1-2 bedroom units are proposed to be amalgamated to create south facing 3-bedroom apartments to enhance and diversify the previous approved product mix (refer to **Figure 1**). As a result of the amalgamations, the total number of units across Tower D (Stage 2B) will be reduced from 126 units to 117 units. **Table 2** provides a comparison of the approved and proposed unit breakdown for Tower D.

In addition to the unit amalgamations, minor internal configurations of the apartments are proposed in response to market demand and detailed design. These internal layout changes are maintained within the existing approved building envelope and in some instances result in only very minor changes to externally-facing windows and balconies.

**Table 2** - Unit Mix Comparison

Unit Type	Approved	Proposed	Net Change
1 Bedroom	28	19	-9
2 Bedroom	50	41	-9
3 Bedroom	30	39	+9
4 Bedroom	18	15	-3
5 Bedroom	0	3	+3
<b>Total:</b>	<b>126</b>	<b>117</b>	<b>-9</b>

**Figure 1 – Proposed Unit Amalgamations**



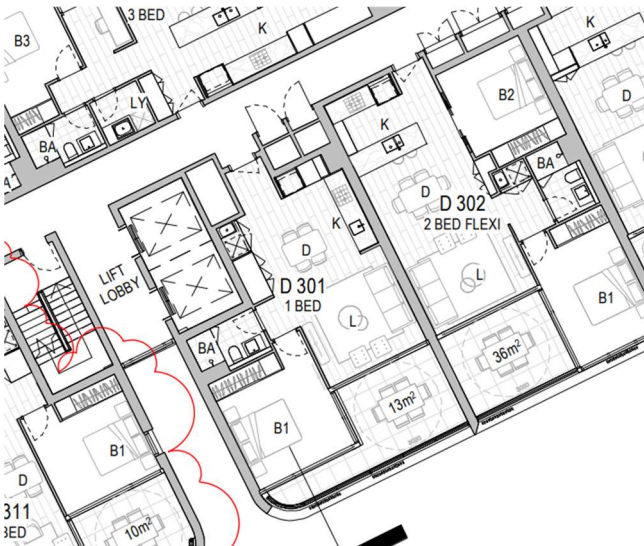
Picture 1 – Approved Level 2

Source: Mirvac Design



Picture 2 – Proposed Level 2

Source: Mirvac Design



Picture 3 – Approved Level 3

Source: Mirvac Design



Picture 4 – Proposed Level 3

Source: Mirvac Design



Picture 5 – Approved Level 4-10 Typical

Source: Mirvac Design



Picture 6 – Proposed Level 4-10 Typical

Source: Mirvac Design

### 3.2 Façade and Articulation Treatments

The proposal seeks to alter various façade and articulation treatments, to account for construction costs and feasibility, and to improve residential amenity. The proposed alterations to the façade and articulation treatments are summarised below.

- **Villa Columns:** Amendments are proposed to the ‘villa’ unit columns located at the ground floor, Level 2 and Level 3. The revised design features a square profile in lieu of a round profile to improve buildability and façade appearance. Subsequently, the brickwork cladding will be refined, creating a more cohesive design outcome.
- **Laneway Façade:** The previous approved portal frame and cladding design of the laneway façade at ground level and Level 2 is proposed to be amended to rendered blockwork.
- **Bedroom Façade Realignment:** The bedroom façade of the Types 1 and 5 units on Level 2 will be extended to align with the façade lines above, to create a more uniform building line. Whilst the proposed extension encroaches within the balcony, the balcony maintains an area in excess of the minimum required dimensions and continues to provide a functional space (refer to **Pictures 7-8**).
- **Screening Amendments:** Various amendments are proposed to screening elements and articulation treatments, including:
  - Removing a portion of the approved façade screening across the tower, which is currently over embellished and includes overlap walls. Some areas will incorporate ribbed precast, emulating a more consistent architectural design with the already constructed Tower C (Stage 2A). Notably, the proposed amendments have been carefully considered and rationalised to ensure there are no adverse amenity impacts to residents. Retained screens will be fixed in locations that maximise

views, enhancing safety in design and resulting in a balanced façade that is in keeping with the neighbouring building (Stage 2A).

- Removing louvres that are located against solid walls, as they do not offer a functional purpose of ventilation, shading, or improving privacy. The louvres will be replaced with a ribbed feature precast to emulate a similar architectural language as the constructed Tower C (Stage 2A)
- Removing the sliding screen tracks across Levels 4-10 in response to ongoing maintenance issues. Additionally, the proposed removal of the sliding screens will enable the proposal to offer unobstructed views from the development without resulting in any adverse amenity impacts, which is in direct response to resident feedback from Tower C.
- **Villa Unit Window Removal:** As part of the proposed amendments, windows to the butler's pantry and robe areas of the 'villa' units will be removed to address privacy concerns. Under the current approval, these windows face the laneway, allowing direct views from passers-by (refer to **Pictures 9-10**).
- **Planter Removal:** The inaccessible planter boxes located at the ends of Level 11 of the building are proposed to be removed due to waterproofing installation and maintenance constraints. Notwithstanding, the development continues to provide generous landscape treatments and greenery at the ground plane and across the tower, including other areas on Level 11.

**Figure 2 – Proposed Façade Amendments**



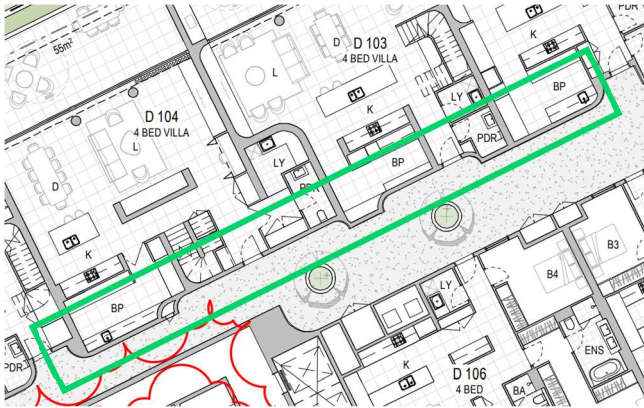
Picture 7 – Approved Bedroom Façade on Level 2

Source: Mirvac Design



Picture 8 – Revised Bedroom Façade on Level 2

Source: Mirvac Design



Picture 9 – Approved Villa Windows

Source: Mirvac Design



Picture 10 – Proposed Removal of Villa Windows

Source: Mirvac Design

### 3.3 Juliet Balcony Amendments

The Juliet balconies on Levels 3–14 are proposed to be removed, with the main building line extended to align with the former balcony line. This improves buildability and resident usability, resulting in an increase to the internal area of the units and improving flexibility and comfort.

Specifically, the Juliet balconies are proposed to be removed from the following locations (refer to **Figure 3**):

- **Level 3:** Types 1, 5 and 10 units
- **Typical Levels 4–10:** Types 1, 5 and 10 units
- **Typical Levels 11–14:** Types 1–5 units

Whilst it is acknowledged the removal of the Juliet balconies for the Types 5 and 10 units across Levels 3–10 results in a revised balcony area ranging from 9m<sup>2</sup> to 10m<sup>2</sup>, each balcony maintains the minimum required dimensions of 3m and continues to support a functional space that can suitably accommodate outdoor dining furniture. Importantly, these balconies represent secondary balconies within the units, and a generous primary balcony is provided ranging from 15m<sup>2</sup> to 17m<sup>2</sup>. When considering the primary and secondary balconies, a total of 24m<sup>2</sup> to 27m<sup>2</sup> of private open space is provided to residents within these units, which is substantially greater than the minimum required under the Planning Scheme.

The balcony amendments maintain generous balcony areas that continue to meet the minimum required size and dimensions to support a functional space that can operate as an integral part of the unit through the use of full height sliding doors to reflect Brisbane’s subtropical climate. Further, when considering the extent of communal amenities at the ground level and rooftop, the development provides substantial high-quality open space. Therefore, the quantum of private and communal open space across the development ensures residents are provided with a high level of residential amenity and opportunities for outdoor recreation.

As a flow-on design amendment, the balustrades on Levels 2–14 will also be removed where glazing now protrudes, ensuring consistency with the revised façade treatment.

**Figure 3 – Juliet Balcony Amendments**



Picture 11 – Approved Level 3 Balcony Design (Emphasis in Green)

Source: Mirvac Design



Picture 12 – Proposed Level 3 Balcony Amendments (Clouded in Red)

Source: Mirvac Design



Picture 13 – Approved Levels 4-10 Balcony Design (Emphasis in Green)

Source: Mirvac Design



Picture 14 – Proposed Levels 4-10 Balcony Amendments (Clouded in Red)

Source: Mirvac Design



Picture 15 – Approved Level 11 Balcony Design (Emphasis in Green)

Source: Mirvac Design



Picture 16 – Proposed Level 11 Balcony Amendments (Clouded in Red)

Source: Mirvac Design



Picture 17 – Approved Levels 12-14 Balcony Design (Emphasis in Green)

Source: Mirvac Design



Picture 18 – Proposed Level 12-14 Balcony Amendments (Clouded in Red)

Source: Mirvac Design

### 3.4 Rooftop Amendments

Minor internal layout changes are proposed to the rooftop, which seeks to:

- Reconfigure the existing approved boardroom into a dining room that incorporates a more functional kitchenette (refer to **Figure 4**). The kitchenette will be modest in scale.

- Amend the location of the storage and accessible toilet through internal layout changes to improve overall usability.
- Remove pavers from the fire escape to the east of the garden rooms to improve safety.
- Realign shade structures to maximise construction efficiencies, usability and maintenance.

These changes to the rooftop layout are proposed in response to market demand and resident feedback in Tower C, and are intended to improve the usability and functionality of the communal rooftop space. Importantly, the proposed amendments do not increase the gross floor area or maximum height of structures within the communal space, and the internal reconfiguration is wholly contained within the approved built form.

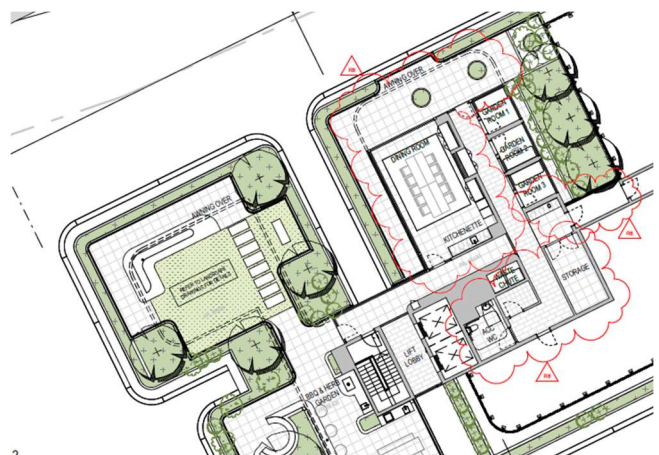
It is also noted that the approved rooftop was already considered a storey and the proposed changes do not alter this.

**Figure 4 – Rooftop Amendments**



Picture 19 - Approved Rooftop Design

Source: Mirvac Design



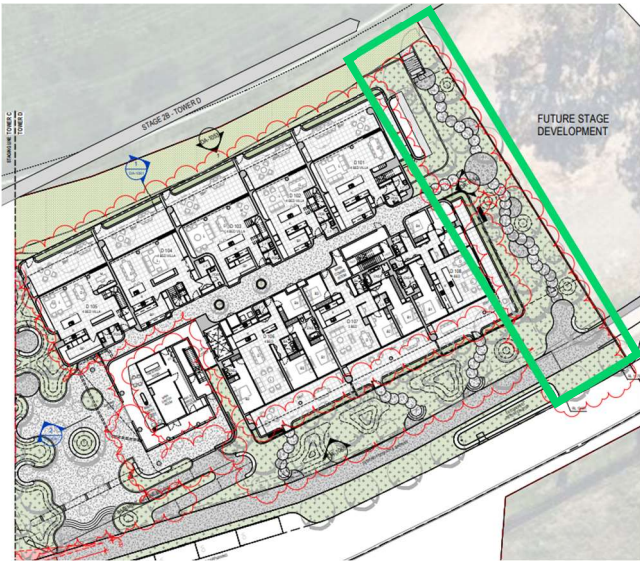
Picture 20 – Proposed Rooftop Amendment

Source: Mirvac Design

### 3.5 Ground Plane and Public Realm

Several changes are proposed to the ground plane and public realm in response to resident use and privacy. The eastern walkway between St Leger Way and the racecourse viewing area is proposed to be removed with only a building egress path to remain (refer to **Figure 5**). Where the footpath is removed, planting will be instated and a landscape buffer between the path and neighbouring apartment will be implemented for privacy. This path is intended for emergency egress only and will not be a primary access path, with access limited to the ground floor residents only.

**Figure 5 – Proposed Removal of Walkway (East) (Emphasis in Green)**



Picture 21 – Approved Architectural Plans

Source: Mirvac Design



Picture 22 – Proposed Architectural Plans

Source: Mirvac Design



Picture 23 – Approved Landscape Concept Design

Source: Urbis



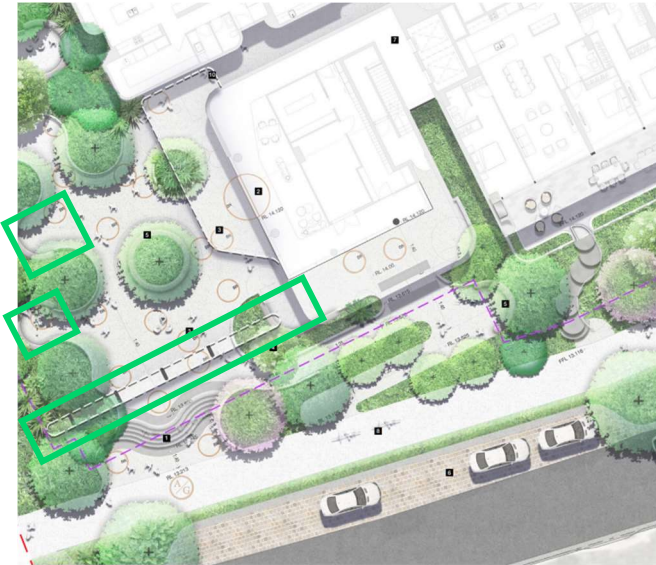
Picture 24 – Proposed Landscape Concept Design

Source: Urbis

In addition to the above change the following changes are proposed:

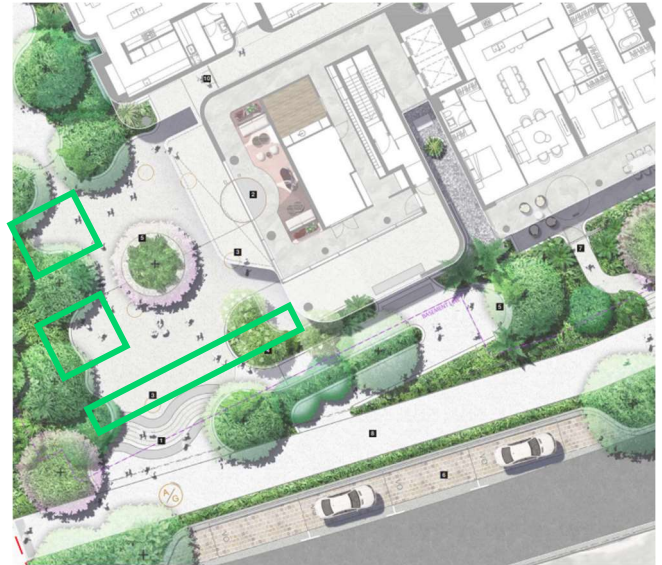
- **Raised planter amendments:** The raised planter cover over the western pedestrian entrance is proposed to be removed. This change will improve circulation in the arrival area and enhance the legibility of the entrance. It's removal also ensures that all landscaping can be maintained to a high standard, with the structure posing issues in terms of accessibility and practicality of maintenance. Notwithstanding the proposed removal of the planters, generous landscaping treatments are provided across the development at the ground plane and through the built form Refer to **Pictures 25-26**).
- **Seating nook planters:** Two seating nooks within the planters are proposed to be removed to enhance construction efficiencies. Specifically, landscaping and seating nooks are rearranged to eliminate planters straddling across construction joints, resulting in an outcome that complies with more current waterproofing philosophies. Monitoring of the constructed Tower C (Stage 2A) also indicates these spaces are not actively used by residents. As such, general realignment of the planters and the retention of a single seating nook is considered sufficient to meet amenity needs without compromising constructability (Refer to **Pictures 25-26**).
- **Other planter amendments:** Additional changes are proposed to the planted area south of the lift lobby niche to provide a rock garden with a planted pot. This design is consistent with the already constructed Tower C (Stage 2A). The planters in the villa laneway are also reconfigured to enhance access to the units.
- **Apartment Entrance Design:** The previous approved stepping stone entrance design to the southern apartments are proposed to be amended to a curved footpath to improve the overall safety of the design (Refer to **Figure 7**). Further, the provision of steps have been added to the gate entry to the northern grass area of the northern villas as part of ongoing detailed design.
- **Basement Ventilation:** A structure for the basement ventilation is proposed to be incorporated to the southern-eastern corner of the site in response to detailed design of servicing infrastructure.

**Figure 6 – Proposed Removal of Raised Planters and Seating Nook Planters (Emphasis in Green)**



Picture 25 – Approved

Source: Urbis



Picture 26 – Proposed

Source: Urbis

**Figure 7 – Proposed Amendments to Tower D Street frontage (Emphasis in Green)**



Picture 27 – Approved

Source: Urbis



Picture 28 – Proposed

Source: Urbis

## 4 Proposed Changes Development Approval

The following section outlines the proposed changes to the approved plans and specifications, and conditions. Proposed changes are shown in [blue and underlined](#), with removed text ~~struck through in red~~.

### 4.1 Drawings and Documents

**Table 3** sets out the amendments required to the list of approved plans and documents to reflect the proposed changes and to ensure the resultant approval issued acknowledges the correct plans. Please note that all revised plans relate to Tower D (Stage 2B) only. Accordingly, the balance plans not included in this table are to remain as per the current approval.

We kindly request Council to retain the existing approved Tower D Staging Plans (DA-1001.1 Rev A, DA-1002.1 Rev A and DA-1011.1 Rev A) as they provide detail on the proposed delivery of the development. However, it is requested that Council include amendments in red to the staging plans to clarify these plans relate to the staging only, and that the internal layout (which has changed as part of this minor change request) is to be as per the approved floor plans.

**Table 3** - Proposed Amendments to Approved Drawings and Documents

Drawing/Document Name	Reference Number	Date
Ground Plan	DA-1011 Rev <del>D</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 02 Plan	DA-1012 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 03 Plan	DA-1013 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 04 Plan	DA-1014 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 05 Plan	DA-1015 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 06 Plan	DA-1016 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 07 Plan	DA-1017 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 08 Plan	DA-1018 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 09 Plan	DA-1019 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 10 Plan	DA-1020 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 11 Plan	DA-1021 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 12 Plan	DA-1022 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>
Level 13 Plan	DA-1023 Rev <del>E</del> <u>E</u>	13 June 2023 <a href="#">18 March 2026</a>

Drawing/Document Name	Reference Number	Date
Level 14 Plan	DA-1024 Rev <del>E</del> <a href="#">E</a>	13 June 2023 <a href="#">18 March 2026</a>
Level 15 Plan	DA-1025 Rev <del>E</del> <a href="#">G</a>	13 June 2023 <a href="#">18 March 2026</a>
<del>Tower D Level 15 / Rooftop Plan</del> <a href="#">Roof Plan</a>	<del>DA-1031 Rev A</del> <a href="#">DA-1026 Rev F</a>	<del>13 June 2023</del> <a href="#">18 March 2026</a>
Tower D – North Elevation	DA-1053 Rev <del>E</del> <a href="#">E</a>	13 June 2023 <a href="#">18 March 2026</a>
Tower D – East, West Elevation	DA-1054 Rev <del>E</del> <a href="#">E</a>	13 June 2023 <a href="#">18 March 2026</a>
Tower D – South Elevation	DA-1055 Rev <del>E</del> <a href="#">E</a>	13 June 2023 <a href="#">18 March 2026</a>
Tower D – Sections	DA-1061 Rev <del>E</del> <a href="#">F</a>	13 June 2023 <a href="#">18 March 2026</a>
<del>Tower D – Rooftop Amenity Section</del>	<del>DA-1062 Rev A</del>	<del>13 June 2023</del>
Statement of Landscape Intent – RFI	210313 Issue: <del>8 06, pages 1 – 46</del> <del>(Amended In Red 14 SEP 2023)</del>	15-AUG-2023 (Received) <a href="#">20 April 2026</a>

## 4.2 Changes to Conditions

Changes are also requested to the conditions of approval as a result of the proposed changes, which are outlined in **Table 3** below.

**Table 4** - Proposed Amendments to Summary Heading for Stage 2 (Stage 2B/Tower D) Material Change of Use Conditions

Conditions and Requested Amendments	Comments
Stage: Stage 2 (Referred to on plans as Stage 2B/Tower D) – Multiple Dwelling ( <del>126</del> <a href="#">117</a> units)	Changes are requested to the summary headings for the Material Change of Use conditions to reflect the amended number of units.

**Table 5** - Proposed Amendments to Approved Conditions

Conditions and Requested Amendments	Comments
<b>11), 76), 142) and 157) Referral Agency Requirements</b> <b>Department of State Development, Infrastructure, Local Government and Planning as referral agency has imposed the requirements contained in the letter dated <a href="#">[COUNCIL TO INPUT REVISED DATE]</a> <del>2 May 2024</del>.</b>	SARA was a Concurrence Agency for the application and issued a referral response dated 17 January 2024. The response noted approved plans which are changing as a result of this minor change request. To seek the changes to the referral response, a separate minor change application to

Conditions and Requested Amendments	Comments
<p>Energex as referral agency <b>did not impose requirements in their response</b> <del>has imposed the requirements contained in the</del> letter dated 25 July 2023. Energex also advised in its letter dated <a href="#">[COUNCIL TO INPUT REVISED DATE]</a> <del>11 April 2024</del> of no objection to the proposed minor changes.</p>	<p>SARA as a responsible entity will be made concurrently, as SARA is under the jurisdiction of the Chief Executive, with referral to Council as a relevant entity. It is requested that this condition be amended to reflect the revised response once it is issued.</p> <p>Energex as an Advice Agency is a relevant entity for this change application. Changes are requested to confirm the original Energex response letter in July 2023 did not impose requirements, and to ensure the revised response date subject to this application is reflected once issued.</p>
<p><b>100(a) Detailed Landscape Plan for Self-Certification</b></p> <p>Prepare a Detailed Landscape Plan at a scale of 1:100 for all on-site landscape works including planting areas identified on the approved DRAWINGS AND DOCUMENTS – Statement of Landscape Intent, received <a href="#">20 April 2026</a> <del>15 August 2023</del> – Building D Ascot – Job No.: 210313, <a href="#">Issue: 8</a> <del>6, amended in red 14</del> <a href="#">September 2023</a>. The plan must be prepared by a Qualified Landscape Architect and must comply with the relevant Brisbane Planning Scheme Codes.</p> <ul style="list-style-type: none"> <li>▪ The plan must include the following: <ul style="list-style-type: none"> <li>Planting media and mulch in accordance with AS4454 Composts, soil conditioners and mulches and AS 4419-2003 Soils for landscaping and garden use.</li> </ul> </li> <li>▪ Unless otherwise specified, trees provided as 45 litre stock or larger, staked and tied, and complying with Australian Standards.</li> <li>▪ Plant selection and densities to achieve full surface coverage of garden beds within 2 years of planting.</li> <li>▪ A reticulated drip irrigation system to all planting areas, with drainage connected to the stormwater system; the irrigation system must be connected to a non- mains water source.</li> <li>▪ Details of a 12 week establishment period.</li> </ul> <p>Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.</p> <p><i>PROOF OF FULFILMENT</i>  <i>A detailed landscape plan accompanied by Brisbane City</i></p>	<p>Changes are requested to the drawing references as a result of the revised Landscape Plan prepared as part of this Minor Change Application.</p>

Conditions and Requested Amendments	Comments
<p><i>Council Landscape design and landscape works online form.</i>  <i>Timing: Prior to issue of Certificate of Occupancy/Final Inspection Certificate or prior to commencement of use, whichever comes first.</i></p>	

## 5 Assessment of Minor Change

Consideration has been given to the relevant matters for assessing a minor change in the Planning Act 2016, having regard to the definition of a Minor Change in Schedule 2 and the assessment criteria set out in Section 81, as well as the ‘substantially different development’ test prescribed in the *Development Assessment Rules*.

### 5.1 Minor Change Criteria

Schedule 2 of the *Planning Act 2016*, outlines the definition of a minor change for a development approval (see below).

*Schedule 2 – minor change means that –...*

*(b) for a development approval–*

- (i) would not result in substantially different development; and*
- (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; or*
  - (B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or*
  - (C) referral to extra referral agencies, other than to the chief executive; or*
  - (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; or*
  - (E) public notification if public notification was not required for the development application.*

The proposed changes as outlined above have been assessed against the criteria contained within the definition, as set out in the following sections.

#### 5.1.1 Substantially Different Development

In respect to part (b)(i) of the definition of ‘Minor Change’ and what constitutes a substantially different development, it is appropriate to have regard to the *Development Assessment Rules*, Schedule 1, which sets

out the substantially different development 'test'. An assessment of the proposed changes against the substantially different development criteria in the *Development Assessment Rules* is included in the **Table 6** overleaf. The assessment confirms the proposed changes will not result in substantially different development.

**Table 6** – Substantially Different Development Criteria and Response

Criteria	Response
Involves a new use.	The minor change does not involve a new use.
Results in the application applying to a new parcel of land.	No new land parcel is involved. As outlined in <b>Section 1</b> above, the previous portion of the site at 41 St Leger Way (Lot 806 on SP283550) has been subdivided since the original approval to facilitate titling of the already constructed Stage 2A of the development (Tower C). The previous 41 St Leger Way is now referenced at Lot 0 on SP326606 (Stage 2A) and Lot 2 on SP326604 (Stage 2B).
Dramatically changes the built form in terms of scale, bulk and appearance.	<p>The proposed changes do not dramatically alter the built form in terms of scale, bulk or appearance.</p> <p>The amendments primarily relate to internal reconfiguration and design refinements across Tower D, and are contained entirely within the approved building envelope. As such, there are no changes to the approved site cover, setbacks, building height or overall massing.</p> <p>Subsequential minor amendments are proposed to façade articulation and external detailing at various levels of the building. These changes respond to buildability, cost efficiency and privacy considerations, and include refinements to column profiles, screening, balcony treatments and material application.</p> <p>Notwithstanding these refinements, the revised façade treatments remain consistent with the architectural intent and articulation established in the approved scheme and earlier stages of the development. The changes do not result in any loss of architectural quality, nor do they increase the perceived bulk or visual dominance of the building. Instead, they provide a more cohesive and consistent architectural language across the tower while maintaining clear differentiation between the ground plane, podium and upper levels.</p>

Criteria	Response
	The proposed changes respond to the architectural theme and language of the completed Tower C. Therefore, the development retains the high-quality approved finishes.
Changes the ability of the proposed development to operate as intended. For example, reducing the size of a retail complex may reduce the capacity of the complex to service the intended catchment.	The proposed changes do not alter the ability of the development to operate as intended.
Removes a component that is integral to the operation of the development.	The proposal does not remove a component that is integral to the operation of the development.
Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site.	<p>Whilst the proposal includes the amalgamation of units, there are no changes proposed to the existing car parking supply and arrangements, or the existing loading and servicing arrangements on site.</p> <p>It is important to note that as a result of the proposed amalgamation of units, the revised minimum number of required car parking spaces decreases to 194 spaces (175 resident spaces and 19 visitor spaces) based on the current approved parking rates. Given the proposal maintains the existing approved 206 parking spaces for Tower D, the development provides sufficient parking spaces that are in excess of the minimum requirements.</p>
Introduces new impacts or increases the severity of known impacts.	<p>The proposed changes will not introduce any new impacts or increase the severity of any known impacts.</p> <p>All façade changes ensure that the elevations of the building retain the same level of high quality materials, finishes and articulation as the original approval.</p>
Removes an incentive or offset component that would have balanced a negative impact of the development.	The development as originally approved did not include any incentive or offset component and the proposed changes do not seek to remove such a component.
Impacts on infrastructure provision.	It is anticipated that the infrastructure charges will be revised to reflect the reduction in unit numbers in accordance with Council's adopted

Criteria	Response
	infrastructure charges policy in effect at the time the original approval was granted.

## 5.2 Prohibited Development

In respect to part (b)(ii)(A) of the definition of Minor Change, the proposed Minor Change will not introduce or involve any prohibited development.

## 5.3 Referral Agencies

In respect to parts (b)(ii)(B) of the definition of Minor Change, the original application was referred to the State Assessment and Referral Agency (SARA) for Transport Infrastructure, Railway Corridor and Queensland Heritage matters.

If the development application, including the changes, were to be made now, the development application would not require referral to any additional referral agencies. The changes would not trigger a need for any referral agency to have regard to any additional referral matters.

The above demonstrates that the proposed changes comply with the criteria stated in parts (b)(ii)(B), (C) and (D) of the minor change definition.

## 5.4 Category of Assessment and Public Notification

In respect to parts (b)(ii)(E) of the definition of Minor Change, we note that the original development application was subject to Impact Assessment and the proposed change does not alter the category of assessment. Therefore, no new public notification requirements are relevant for the changed application.

## 6 Application Fee

Council's 'Development Assessment and Compliance Fees and Charges 2025-26 identifies the applicable fee as **\$4,576.00**, as follows:

*"Making a change application (s78 and s79 PA) to make a minor change (s81 PA) to a development approval, other than staging (includes changing/cancelling conditions) – Multiple dwellings."*

Given the proposed change relates to Stage 2B only, we request that Council will only charge the Minor Change fee to Stage 2B.

## 7 Pre-Request Response Notices

There are no pre-request response notices associated with this change application.

## 8 Affected Entities

Section 80(2)(c) of the Planning Act confirms that the following are affected entities for a development approval decided by the Minister:

*"...the assessment manager, and any referral agencies for the development application, other than the chief executive."*

The original development application required referral to Energex as a portion of the site is subject to an easement in favour of Energex for a transmission grid or supply network. Energex is not under the jurisdiction of the Chief Executive and as such, Energex is an affected entity for this Minor Change Application. A copy of this application will be given to Energex in accordance with Section 80(1) of the Planning Act. For further detail, please refer to **Attachment E – Energex Affected Entity Letter**.

As outlined above, SARA was a Concurrence Agency for the application. As SARA is under the jurisdiction of the Chief Executive, a separate Minor Change Application to SARA as a responsible entity will be made concurrently, with referral to Council as a relevant affected entity.

## 9 Owners Consent

Owner's consent from Brisbane Racing Club as the owner of Lot 801 on SP292903, Lot 807 on SP303572 and Lot 2 on SP326604 has been provided as part of this Minor Change Application and is included in **Attachment B**. The original approval also included Lot 13 on SP122231, Lot 0 on SP283535 and Lot 0 on SP326606 (previously part of Lot 806 on SP283550), which are Queensland Rail railway corridor land, Body Corporate land for Ascot House and Tulloch House and Body Corporate land for Charlton House and O'Connell House, under which vehicles must travel to gain access to the site from Lancaster Road. As this minor change has no impact on these parcels of land, consent is not required to be provided by the Department of Transport and Main Roads, the Body Corporate for Ascot House and Tulloch House Community Titles Scheme 51488 or Body Corporate for Charlton House and O'Connell House Community Titles Scheme 57319 in this instance. This is consistent with the approach Council have taken on other Minor Changes to approvals on Eagle Farm Racecourse in the past.

## 10 Conclusion

The above assessment demonstrates that the proposed changes fulfill the criteria of a Minor Change as defined under the *Planning Act 2016* and would not result in substantially different development as outlined in the *Development Assessment Rules*.

The development, including the proposed changes, comply with the outcomes sought by the relevant planning instruments and associated assessment benchmarks. Therefore, the proposed amendments do not impact on the overall function of the uses or result in dramatic changes to the approved built form.

We trust the supplied documentation is sufficient for Council to undertake an assessment of this proposal. If you have any questions, please don't hesitate to contact the undersigned, Sirena Kwok (**Senior Consultant**) or Natalia Grodek (**Consultant**) on (07) 3007 3800.

Kind regards,



Sophie Lam  
Director  
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# Attachment A – Planning Act Form 5 – Change Application Form

Attachment B – Property Title  
Documentation and Signed Owners  
Consent

# Attachment C – Revised Architectural Plans

# Attachment D – Revised Statement of Landscape Design Intent

# Attachment E – Energex Affected Entity Letter