
To whom it may concern,

Please see attached letter of objection for application A007025301.

Kind regards,

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SUBMISSION OBJECTING TO DEVELOPMENT APPLICATION A007025301

Proposed 1 into 2 Lot Subdivision at 71 Eleanor Street, Carina QLD 4152

Lodged via email: dalodgement@brisbane.qld.gov.au

ATTENTION: ASSESSMENT MANAGER - NICHOLAS CUDICIO

Dear Nicholas,

I write this submission to express my strong objection to the proposed development application that has been lodged over land at 71 Eleanor Street Carina, Council application ref: **A007025301**.

The application seeks approval for a 1 into 2 lot subdivision of the land and should be refused by Council on the following grounds.

Grounds of objection

1. The proposal will result in an adverse impact on the established and intended neighbourhood character.

The City Plan 2014 requires development to respond appropriately to the character and amenity of the surrounding area. Council's subdivision provisions are intended to ensure that small lots are appropriately located, sized and configured and that they fit with their surrounding area.

This is an obvious out of place proposal, seeking two narrow lots with 10m wide frontages that are both below the minimum lot size in an area that is characterised by larger single homes on generous sized lots. This part of Carina has a very clear prevailing character with houses that have substantial setbacks to their boundaries to allow light and air flow, and a distinctive low-density pattern and feel. To use the wording from the Overall outcomes of the Low-density residential zone code, this area is characterised by lots *"that accommodate traditional backyards and large trees."* This proposal does not achieve that and only undermines the character of the area and the amenity of the existing residents.

This part of Eleanor street is unique being on a narrow dead end street with no formalised turn around opportunity or cul-de-sac head at the end of the road. Intensifying development in this particular location is unacceptable, given the quiet and low density character that prevails here.

Permitting this subdivision to establish two narrow row homes in this location would be grossly out of character, and would be a stepping stone changing the existing and future character forever despite the intent of the planning scheme. If Council were to approve this development, despite the clear conflict with the planning scheme, the change it would have to the character of this small street would give opportunity to every other lot (all are generally above 700m²) in the vicinity to pursue the same outcome on a precedent and character based argument. Council must uphold the intent of the planning scheme and the minimum lot size for this location now to avoid the slippery slope that approving one development of this kind will do for this small, dead end street.

2.Impact to the amenity of the street and the adjoining properties.

The application claims that the proposal is consistent with the low-density residential character of the area and can provide the 9 m x 15 m building envelope required by the subdivision code. However, with the proposed 10 m wide frontages, the plans indicate side setbacks of only 0.5 m to each boundary. This would effectively result in wall-to-wall development across both lots, with each dwelling potentially accommodating a double garage, occupying almost the full width of the frontage. In practical terms, two 9 m wide building envelopes would place approximately 18 m of built form across a combined 20 m frontage.

This represents a significant and inappropriate departure from the established streetscape and the low-density residential character intended by the planning scheme. The existing character of the area is defined by relatively wide frontages, generally exceeding 20 m, together with generous front and side yards and building setbacks, substantial open space and landscaping. The proposed narrow lots and the resulting built form would substantially reduce these elements and adversely affect the visual amenity and streetscape presentation of the locality.

The proposal is also likely to have a particularly significant impact on the adjoining property at 67 Eleanor Street. A 360 m² lot with a 10 m frontage is likely to necessitate a two-storey dwelling and given the proposed narrow width of the lot, it would have limited setbacks (0.5m is included in the applicant's plans) to the boundary with 67 Eleanor Street. Therefore, the development would materially restrict that property's access to natural light and ventilation, create overshadowing, and diminish its existing level of residential amenity. The potential for a built-to-boundary wall would further exacerbate these impacts.

The development halves the lot and the difference between a 20 and 10 metre frontage and the built form outcome that results, is significant and has been downplayed in the application. The simple fact is that this property is too small for this development and should be refused. Whilst this outcome may be suitable in other locations in Brisbane and even Carina, but for this particular area which is a small, dead end street, it would dramatically affect the character.

These impacts have not been adequately addressed in the application. The proposed lot configuration and resulting built form are inconsistent with the established character of the area and, more importantly, with the planning scheme's intent to maintain a low-density residential environment characterised by generous setbacks, open space, landscaping and an appropriate level of residential amenity.

3. No secure Lawful point of discharge has been provided.

It is noted that Council requested Information regarding consent for Stormwater associated with the development and the applicant has responded providing a letter from the landowner (Dept housing). The response from the landowner consents to stormwater through that land but only on the basis that no easement is required. This is obviously unacceptable given that outcome results in no legal mechanism securing the stormwater discharge rights, and therefore a lawful point of discharge is at risk and in no way protected. A development relying on discharge through an adjoining property must

secure the associated protection mechanism (easement) for it to be able to rely on that outcome and to facilitate access to the stormwater infrastructure in the event repair or maintenance is necessary in the future. Should the Dept housing sell that property at some point, without an easement; access is not secured, and there is risk of issues to adjoining properties.

4. The proposed subdivision would exacerbate existing issues for this part of Eleanor Street.

As Council's records would confirm, waste collection vehicles regularly refuse to service bins in this street because there is no suitable turning area at the end (no cul-de-sac head – the street just terminates at the school sports field). Trucks are therefore required to reverse back along the street and onto Florence Street, creating a significant safety risk for motorists and in particular, children living in the street and the broader area walking to and from school. This is a recurring issue where bins are left full of rubbish and it is understandable that the waste contractors seek to avoid this dangerous situation.

The proposed development would further exacerbate these existing problems by increasing the number of dwellings and, consequently, the number of bins requiring collection, while providing limited space within the frontage for bin storage. The additional driveway crossover would also further reduce the available on-street parking. Given the existing shortage of on-street parking, replacing a single dwelling with two narrow dwellings, each with a double garage and separate driveway crossover, would effectively remove a valuable on-street parking space and place additional pressure on an already constrained street.

This outcome also negatively impacts the amenity and character of the streetscape with two driveways right next to each other creating a frontage to this land that is largely concreted.

The above further reinforces the fact that this is an overdevelopment of a site that is not suited to subdivision and which will result in negative impacts to the locality and the residents of Eleanor Street.

5. Level of Information provided.

The information provided for this application is basic and does not adequately demonstrate that sufficient grounds exist to approve the development despite the conflict with the Planning Scheme.

The proposal includes very basic civil plans that do not include even the most basic detail. No preliminary earthworks plans are provided despite the land sloping toward the east down Eleanor Street. Therefore, the extent of retaining and earthworks is not identified and cannot be understood or assessed by Council.

6. Conflict with the Planning Scheme and no planning grounds exist or have been presented in the application to justify approval despite the conflict.

The proposed two-lot subdivision at 71 Eleanor Street, Carina, should be refused by Council, because the application does not provide sufficient planning grounds to justify the identified conflict with the applicable planning scheme provisions.

While subdivision and residential infill may be supported in appropriate circumstances, this does not establish that every subdivision proposal is acceptable. The relevant consideration is whether the particular proposal achieves the outcomes sought by the planning scheme and maintains the intended character, amenity and functionality of the surrounding area.

The application seeks to intensify the existing 721m² residential allotment by creating two separate lots. However, it has not adequately demonstrated that this additional density can be accommodated without compromising the planning scheme's requirements for an appropriate lot pattern, residential amenity, site functionality and the established character of the neighbourhood.

The existing property is a relatively large, established residential allotment with a frontage of approximately 20 metres. This is typical of the locality which even smaller lots are more than 400m² and have traditional sized frontages, not the long narrow row home form that is proposed by this application.

Importantly, the mere fact that the land can physically be divided does not establish that the resulting subdivision is an appropriate planning outcome. The proposal must be assessed against the cumulative impacts arising from the creation of smaller lots, including the likely built form that those lots will facilitate. A subdivision should not be considered in isolation from the development it enables. The application therefore needs to demonstrate, rather than assume, that the proposed lots can accommodate future dwellings while maintaining reasonable setbacks, private open space, landscaping, vehicle access, parking (including on street), stormwater management, natural light, ventilation and the reasonable amenity of adjoining properties. This application does not, and can not do that and should therefore be refused.

For these reasons, I respectfully request that Brisbane City Council **refuse Development Application A007025301** at 71 Eleanor Street, Carina on the basis that the proposed subdivision:

- would adversely affect the established character and subdivision pattern of Eleanor Street;
- would result in an inappropriate intensification of an established residential allotment;
- would reduce the spaciousness, private open space and separation between future dwellings and the adjoining properties;
- is an overdevelopment of this site proposing an opportunistic additional lot on a property that cannot accommodate it without significant impact to the character and the amenity of the adjoining properties and streetscape;
- would establish an undesirable precedent for further fragmentation of established residential allotments; and
- does not adequately demonstrate that the proposed lot size, frontage and configuration achieve the relevant outcomes of the Brisbane City Plan 2014, including the Subdivision Code and Low density residential zone provisions.

Yours Sincerely,

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