

Subject: CO02715-2026 – Administrative Filing of Technical Review – DA A006774817 (11-15 Swinburne St)

From

Date Mon 2026-03-30 9:28 AM

To CPS-DS-Correspondence <CPS-DS-Correspondence@brisbane.qld.gov.au>; CPEDS-DS-PlanningSupport <CPEDS-DS-PlanningSupport@brisbane.qld.gov.au>

Cc

 1 attachment (2 MB)

Attachment 01 - Photo of Public Notification Signage - Advertised 2.945m Setback.jpg;

This email originates from outside of Brisbane City Council.

Dear Correspondence Team and Planning Support (and Tyrah),

I refer to the formal Council acknowledgment (Ref: CO02715-2026) regarding my procedural inquiry for 11-15 Swinburne Street.

I am resending my technical review dated 23 March 2026 (see below) to ensure it is formally registered against this Case Office (CO) tracking number and correctly integrated into the administrative record for DA A006774817.

I wish to ensure that these protocols are followed to assist the Council in its review of the unaddressed notification discrepancies and site sterilization risks. I trust this completes the administrative filing for this inquiry and look forward to the Council's review.

Regards,

--- COPY OF ORIGINAL CORRESPONDENCE (23 MARCH 2026) ---

Date: Mon 23 March 2026

Subject: RE: Development Application A006774817 – 11-15 Swinburne Street, Lutwyche

Dear Tyrah,

Thank you for your email and the offer to discuss my concerns via telephone. Given the technical nature of the planning points raised and my desire to ensure all factual corrections are

documented accurately for the official record, I prefer to maintain all further correspondence in writing via email. This ensures that the assessment of Performance Outcomes (POs) remains transparent and that there is no potential for misinterpretation of the landowners' position.

Having further reviewed the "Applicant Response to Submissions" (uploaded by Council on 19 March 2026) over the weekend, I find the document's overall theme to be dismissive and unprofessional. Rather than engaging with the substance of the community's concerns, the applicant has simply asserted that the current design represents the "greatest" setbacks and landscaping "achievable" on what they admit is a constrained site. The "this is the best we can do" narrative throughout their response fails to offer genuine mitigation for high-impact outcomes, effectively suggesting that neighboring residents must accept a sub-optimal outcome because it is the limit of the applicant's self-imposed site constraints.

I wish to formally provide the following feedback on specific claims made in that response:

1. Clarification of Amalgamation and Site Sterilization

The wording on Page 3 of the applicant's response regarding site amalgamation could be perceived as implying that the developer attempted an amalgamation and was rejected by the neighbors. For clarity, the developer has not instigated any formal approach to try to amalgamate with the remaining two lots (#17 and #19).

Furthermore, the primary preference of mine (and my neighbour at #17) is to remain in our current residences as they are—as evidenced by the focus on maintaining privacy and amenity in our submissions. Notwithstanding, we are cognizant of Council's strategic intent for high-density development and sustainable housing in the Lutwyche Road Corridor and for our land in particular as the last two "undeveloped lots" on the 11-25 Swinburne Street 6-lot contiguous strip. We recognize that a consolidated site would better align with Council policies and incentive schemes, whereas a failure to amalgamate eventually leads to two fragmented 810m² projects that struggle to meet the Acceptable Outcomes of the Code, resulting in "bottlenecks" regarding setbacks, parking, driveways, and genuine deep-planting constraints.

A consolidated site of 1,620m² would facilitate a landmark, 8-storey Code Assessable outcome consistent with the precedent set by 'The Rockwell' (21 Norman Avenue), which occupies a footprint identical to the contiguous strip at #11, #15, #17, and #19 Swinburne Street. By opting for a fragmented, sub-standard design, the applicant is creating significant Site Sterilization in direct conflict with Performance Outcome PO1 of the Multiple Dwelling Code. If this sub-optimal 810m² project is to proceed, the Council must hold the applicant to a superior design standard rather than accepting compromises on setbacks and deep-planting simply because the site is 'constrained' by the applicant's self-imposed decision to pursue an over-scaled development on a constrained footprint.

2. Requirement for Structural Privacy Screening, Setbacks, and Built-to-Boundary Wall

In the "Applicant Response to Submissions," the applicant is dismissive of concerns regarding neighbor privacy and amenity. My property is currently being "sandwiched" by high-density developments. To satisfy the Performance Outcomes of the Multiple Dwelling Code, Council must mandate fixed, obscure screening (to 1.5m above floor level) on all western apertures and balcony voids from the Ground Level through to Level 6.

While the balconies in the proposed design may be oriented North or South, the current design creates significant voids between the building structure and the balcony cladding on the western interface. These voids permit direct, unmitigated overlooking into the neighbours' adjoining private living spaces. The applicant's suggestion of "screening shrubs" in a raised planter box is an insufficient, non-permanent solution that fails to address this "fishbowl" effect. Furthermore, I remain concerned by the excessive scale of the built-to-boundary wall and the lack of a compliant 3m setback, which leaves no room for a landscape buffer and genuine deep planting at natural ground level as is required under the City Plan.

The sheer scale of this built-to-boundary wall is the most egregious example of an over-scaled development being shoe-horned onto a constrained footprint. When combined with the materially inaccurate public signage used during the notification period—which advertised a 2.945m setback on the western boundary that does not exist in the plans—it raises serious questions regarding the procedural integrity of this application.

3. Potentially Misleading Public Notification Signage

I wish to draw Council's attention to the potentially misleading information presented on the public notification signage that was not addressed by the applicant in "Applicant Response to Submissions". As noted in my submission dated 2 February 2026, the on-site signage explicitly advertised a setback of 2.945m to the western boundary at "Ground Level" (see attached photo). However, the submitted plans indicate a basement wall with an approximate 400mm offset and a built-to-boundary wall (0m setback) that is roughly twice the scale of the acceptable solution under the City Plan. It is unclear what the applicant is referring to as "Ground Level" in this context, or how a 2.945m setback is achievable. This discrepancy creates an inaccurate perception of the project's true boundary impacts and puts into question the procedural validity of the notification period.

4. Geotechnical Instability and Unacceptable Structural Risk

While the applicant relies on their general building experience and geotechnical assessments relative to deep infrastructure tunnels to assert the project's viability (Page 3), these claims fail to address the immediate and localized geotechnical risks created by the lack of a structural buffer between the proposed building and the shared boundaries.

The applicant's proposal to utilize bored piles for a built-to-boundary structure on this specific ridge-line represents an unacceptable geotechnical risk that is fundamentally exacerbated by the over-scaled building envelope.

The "constrained" nature of the site, as admitted by the applicant, means there is no physical buffer to manage the structural impact of heavy construction on the adjoining land at #17 and #19. Evidence of the street's geological sensitivity is already empirically established at my Western boundary with #23-25, where past development activity has led to active and ongoing land subsidence.

By shoe-horning a heavy, built-to-boundary structure onto a restricted 810m² footprint without the required 3m setbacks, the applicant is creating an inherently high-risk structural interface. This design fails to provide the necessary physical separation required to safely conduct piling and excavation work without jeopardizing the foundations of long-term neighboring residences. On these geotechnical and safety grounds, the lack of a compliant 3m setback is a fatal design flaw

that warrants refusal.

Summary: The Performance Outcomes of the City Plan are designed to prevent the exact combination of site sterilization and unreasonable amenity loss currently being proposed. I urge the Planning Services unit to exercise its regulatory authority to ensure that the strategic intent for the Lutwyche Road Corridor is not compromised by a fragmented, high-risk development that fails to meet the fundamental requirements of the Multiple Dwelling Code.

Regards,