Dear Kellie
I am resending an earlier email of today to moved items I would prefer withheld on page 1 – with the submission to be uploaded: on pages 2-4
I would be grateful if you would suggest any other necessary changes
Best wishes

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Dear Assessment Officer, Kellie Hilton

Re: Objection to development application A007116013
37 Brook Street, South Brisbane: proposed subdivision of one lot into two

….. I object to approval of Development Application A007116013 on the basis that:

1 No. 37: has for more than 50 years been a MULTIPLE DWELLING
37 Brook St has been a multiple dwelling since before 1974, comprising

- **a 4-5 bedroom house (occupied as a share house generally of young adults, many with cars;**
- **and two flats on the ground floor, each separately occupied, again mostly by persons with a car**

I may have missed this in the application but if it has been omitted, the application is fraudulent. If the application is approved this multiple use could continue as is, but without the 4-5 parking spaces for these three dwellings which are presently provided on the proposed Lot 2.

I could not see in the application, any mention that the property is a multiple dwelling – the original large house with 4-5 bedrooms (long-rented as a share house by young adults), with two flats below. At least one flat dates from before 1974, the second may be later. They may not be registered but the three dwellings at No. 37 are occupied as separate dwellings, by persons who often have cars.

A. If the flats are not registered there may be legal ramifications.
B. Presently to provide parking for the three rented dwellings at No. 37 Brook St, the existing backyard (now proposed as Lot 2) was levelled c1970 by cutting the western side and filling the east side supported by a non-structural 'retaining' wall constructed on the adjacent property No. 39 (also not mentioned in the application). This paved area provides parking for five cars which are often fully occupied together sometimes also with visitor parking.
C. These three dwellings remain as Lot 1 of the proposed development. Instead of the 5 existing car parks only one car space is provided, thereby forcing 3-4 cars on Brook St.
D. On-street parking (for more than 2 hours) requires a resident parking permit. An application for two spaces can be made by each of household (assuming that the residents of the flats qualify). The number of resident parking permits is issued without any guarantee of a parking space. An existing insufficiency of parking in Brook St, forces parking in adjacent streets - Laura St and Prospect Terrace.
E. As a result of a dangerous corner at Brook Street and Stephens Rd, no parking is permitted in front of No.39 which already creates pressure on short and long-term parking.

Given that parking is not often available in Brook St, the significant reduction in on-site parking at No. 37 will be felt also in the adjoining Streets, Stephens Road, Laura St and Prospect Terrace.

A**pplication A007116013 should be rejected.**

2 LOCALISED OVERLAND FLOW FLOODING in lower Brook St

….. I object to approval of the Development Application A007116013 on the basis that it further increases overland flow when already the drainage system fails in storm conditions:

Localised storm flooding results from the increasingly rapid discharge of storm water as overland flow with a loss of permeable ground conditions and commensurate increases in hard surfaces. This is primarily associated with infil developments within the North-East catchment of Highgate Hill overloading the adequacy of the drains downstream of Stephens Road.

Drainage of the North-East catchment of Highgate Hill (diagram below) has been interrupted by damming the run-off with the filling and levelling of the main north-south roads: Gladstone Road in the vicinity of Morris St, and Stephens Road at the lower end of Brook Street. With an earlier lower intensity of development – with extensive permeable backyards, the rate of run-off was less and was slowed. Flooding did not occur. Now with infil developments in the catchment, with almost instantaneous run-off often from almost the entire sites, flooding occurs regularly



North-East Catchment for Highgate Hill.

The bottom of this catchment is an unnamed lane on the west side of Stephens Road between Brook St and Dorchester Sts. The properties primarily affected by flooding are those on the north side of Brook St: Nos 42-50. Each infil development only marginally increases the overland floor but collectively, together with a considerable reduction in permeable surfaces and the increasing frequency and ferocity of storms with global warming, a problem with inundation which did not exist in c2010, is now a regular event. In recent floods, the water was coming out of gullies not draining into them as the drain further down the catchment was already overloaded.
The BCC should release updated design details of the stormwater drainage for this catchment for conditions which prevail now, not when the drains were installed.

Until such a design deficiency is rectified with provision for the future, no further infil development should be approved within the NE Highgate Hill catchment.
This includes application A007116013 to subdivide No 37 Brook St.

3 The proposed subdivisions of No. 37 Brook St into Lots 1 and 2 will affect negatively residents in Prospect Terrace. Based on these impacts, Development Application A007116013 should not be approved.

A. The future development of Lot 2, No. 37 is not yet known but based on the recent redevelopment of No. 33 Brook St as a precedent (two 3-storey townhouses on the former backyard – close to the southern boundary, comparable future redevelopment of Lot 2, 37 Brook St is likely to be similar. Such a building/buildings will block existing views of residents in Prospect Terrace but also cause damaging overshadowing to Nos. 32, 34 and 36 Prospect Terrace, particularly in winter when the back yard of No. 34 at midday will be largely in shadow.
B. Has the BCC considered the impact on the amenity of existing dwellings by development of abutting backyards immediately to the north (eg Lot 2 No 37 Brook St on the existing dwelling No 34 Prospect Terrace)? The development of adjacent former backyards to the north and south should be tested before building new dwellings which substantially diminish the amenity of existing dwellings. The impact on an overshadowed backyard is negatively but two abutting dwellings on 250m² lot with no direct road frontages is almost slum-like.
C. The north-south cross section through a new dwelling to the north (ie Lot 2, No. 37 Brook St) should be tapered from higher on the north to lower at the southern boundary to reduce the impact of overshadowing of the existing dwelling (No 34 Prospect Terrace as well as its neighbours 32 and 34 Prospect Terrace.
D. The back yard of No 35 will be overshadowed all mornings; and for No. 39 overshadowed all afternoons. Depending on the final design of the infil building/s, the privacy of Nos 35 and 39 Brook St; and 32, 34 and 36 Prospect Terrace will be compromised.

Until such constraints are in place, development application A007116013 should be rejected.

E. Increased pressure for kerbside parking in Brook Street will result in additional parked cars in Laura and Prospect St.

4 **Environmental Issues**

I object to approval of Development Application A007116013 based on the loss (and potential loss) of vegetation and the damaging contribution to the Urban Heat Sink problem and reduced air quality.

A. There is an existing tree (a South African Tulip (*Spathodea campanulate*) near the western boundary of Lot 2 which is not mentioned but is shown on the detail survey and which should be retained.

B. There are numerous trees in No. 39 close to the boundary with No. 37 including two *Corymbia torelliana*, commonly known as Cadaghi – which were planted as trees supplied by the Brisbane City Council. By the time they were mature trees, the BCC decided that they were a weed species. If excavation of the boundary causes problems with these trees, the BCC should pay for their removal.

C. In front of No. 37 is a *Buckinghamina* planted by the Council. A new sewer is shown as passing right under it. It's unacceptable that priority is not given to existing mature planting. Replacement with a juvenile tree/s is a poor strategy.

The urban heat sink problem will get worse with such developments as proposed, accompanied by a progressive reduction in air quality. **Application No A007116013 should be rejected.**

5 Specific Impacts on No. 39 Brook Street

The previously noted, the application does not make clear that for more than 50 years, No. 37 has been a multiple dwelling – the original large house with 4-5 bedrooms (long-rented as a share house) with two flats below. At least one flat dates from before 1974, the second may be later.

A. Presently to provide parking for the three rented dwellings at No. 37 Brook St, the existing backyard (now proposed as Lot 2) was levelled c1970 by cutting the western side and filling the eastern side supported by a non-structural 'retaining' wall opportunistically constructed on the eastern side of the boundary with No 39.

B. The original ground level should be used ***not*** the raised level on the eastern side of parking at No. 37. When the survey for the Application was done no attention was given to what happened along the eastern boundary. Neither the retaining wall nor the outline and extent of No. 39 are accurately shown.

C. With increased pressure on street parking, the southern corner of Brook Street and Stephens Rd which has been identified as dangerous should be reconsidered. No parking is permitted in front of No.39. The existing insufficiency of parking in Brook St, forces parking into adjacent streets - Laura St and Prospect Terrace. The corner of Brook and Stephens Rd is dangerous because northbound vehicles approach fast with driver's eyes half-right checking for congestion at Vulture St. If congested, they make a sudden decision without indicating to turn left into Brook St to avoid the congestion. A temporary built-out kerb was installed by the BCC but a driver doing what I have described hit it, the build-out which slowed traffic making a left turn island was removed. **The problem remains unsolved and dangerous and should be rectified**. If it was to rectified, not only would it be much safer, but there could be a gain of 2 on-street parking spaces.

D. Following the subdivision of Lot 2, a building application will receive less scrutiny but the building on Lot 2 will overshadow the back yards of No. 35 in the morning and 39 in the afternoon; but for the neighbours behind, Nos 32, 34 and 36 will overshadowed extensively in winter, particular No 34 for which the backyard may be totally in shade at mid-day in mid-winter with their neighbours 32 and 36 overshadowed morning or afternoon. Depending on the final design the privacy of Nos 35 and 39 Brook St; and 32, 34 and 36 Prospect Terrace will be severely compromised.

Application No A007116013 should be rejected.