Good evening,
Please find attached our objection letter to 54 Birdwood Terrace, Auchenflower 4066
Lot 60 on RP 19703 and Lot 1 on RP 19705.

Kind regards

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Objection Submission – 54 Birdwood Terrace (A007059347)

Oct 24, 2026

Submitter and application

From ····

Date: 24 October 2026

To: The Assessment Manager (Dominic Hudson, Senior Urban Planner), Development Services, Brisbane City Council, GPO Box 1434, Brisbane QLD 4001. Lodge as directed in the public notice.

Re: Submission objecting to Application A007059347 – 54 Birdwood Terrace, Auchenflower QLD 4066 (Lot 60 on RP19703 and Lot 1 on RP19705)

Dear Mr Hudson,

I object to the above application for Reconfiguring a Lot (2 into 2), Material Change of Use (dwelling house and dwelling unit) and Building Work. ····

This is a properly made submission under the Planning Act 2016. I ask that Council refuse the application. If Council is minded to approve it, I ask that it be amended and conditioned as set out under "Relief sought" below.

Grounds 1 and 2: Earthworks, retaining walls and setbacks

1. Excessive earthworks and retaining walls (Subdivision Code PO2/AO2.2; Filling and Excavation Code; Ithaca District neighbourhood plan, Hillside precinct PO24/AO24.1–24.2). The site falls roughly 12.5–13m. Council's information request of 19 August 2026 finds that the proposed lots exceed the slopes anticipated by AO2.2 of the Subdivision Code, and that the lot layout and dwelling design depend on extensive cut, fill and retaining walls. It singles out walls up to 6.3m high without stepping between the two dwellings (drawings D501 and D407) and the western boundary walls, which sit along the boundary .... Walls of this scale conflict with the Hillside precinct's intent to limit the visual impact of benching and retaining walls. I share Council's concern and ask that the application be assessed on that basis

2. Insufficient western setbacks and no space for deep planting (Ithaca District neighbourhood plan PO23/AO23.2; Character Residential Zone Code). As I read the plans, the western setbacks are roughly 1.0–1.2m (see the envelope setback notes on D401–D408 and the roof plan D306). The previous approval over this site (A004109297) provided 2.5m for both the dwelling unit and the house. Council's request finds that the

reduced setbacks limit meaningful landscaping and deep planting and increase the visual and amenity impact of the buildings and retaining structures on adjoining properties, contrary to AO23.2/PO23. For me, this means the buildings and high retaining structures sit about directly adjacent to my boundary with no landscape buffer. The only planting to the western boundary shown on the plans show is a strip of small plants beside the pool in the south western corner, about a metre wide or less (D302, D304). That cannot hold the deep planting and large trees that PO23 seeks and that the 2015 conditions required. Along the same stretch, the plans put built-up outdoor rooms right at the boundary (Ground 3).

Ground 3: Height, bulk, raised platforms, privacy and noise

3. Building height, bulk and raised outdoor platforms .... (Character Residential Zone Code; Ithaca District neighbourhood plan). The house is proposed at 9.5m and the unit at 9.3m above ground (cover sheet D000), with site coverage of 47% and 59%. On this slope, about 1.0–1.2m from .... boundary, they will read as tall, elevated walls looming over .... out of scale with the one- and two-storey dwellings around them.

The levels make this worse. The approved plans for the previous application (A004109297) record the top of my existing concrete boundary wall at about RL 36.1 along the southern part of the common boundary, and about RL 38.05 along the northern part, with a timber fence about 1.8m high above it (top about RL 39.85). The current plans (Revision C) set the proposed levels .... as follows:

Proposed element	Plan	Level (RL)	Compared ....
House outdoor room floor	D302	+35.82	About 0.3m below the wall top (RL 36.1), but up to about 2.8m above the ground at the boundary (RL 33.0–36.0)
House upper floor	D303, D404	+38.87 to +39.27	About 2.8–3.2m above the wall top (RL 36.1)
Unit outdoor room (deck) floor	D304	+39.13	About 1.1m above the wall top (RL 38.05) and about 0.7m below the top of the fence above it; up to about 2.7m above the ground at the boundary (RL 36.4–38.0)
Unit upper floor (bedrooms)	D305	+42.88	About 4.8m above the wall top, and about 3.0m above the top of the fence
Roof eaves, southern end of the house	D404	+42.07	About 1.5m above the 9.5m height line the applicant draws there (about RL +40.5)

I am affected in these ways:

- **Height.** On the applicant's own elevations (D403, D404 and D406) the 9.5m line is drawn over natural ground level, and at the southern end of the house the roof eaves (RL +42.07) and the upper-level end wall sit above it. Reading those drawings, the line is at about RL +40.5 there, so the eaves exceed it by roughly 1.5m. The unit appears to sit within the line. The 9.5m limit is the applicant's own figure (cover sheet D000), and the previous approval was stamped "Height not to exceed 9.5 metres from Ground Level, as defined in the Brisbane City Plan 2014, at any point." Council's information request already asks for the height of both dwellings to be reduced. I ask Council to check the height of the house against natural ground level on surveyed levels, and to require any part above 9.5m to be removed.

- **Raised platforms and overlooking.** The "Outdoor Room" of each dwelling (D302, D304) is a built-up platform at the boundary, shown about 1.0m (house) and 1.2m (unit) from it. The unit's outdoor room, at RL +39.13, is a concrete deck platform about 1.1m above the top of .... wall. A person standing on it has their eyes about 0.9m above the top of .... fence and looks down over it ....

  The only screening shown is a "battened screen" with no stated height or opening, and the elevations D402 and D404 mark the screens "hidden for clarity", so the applicant has not shown how overlooking is controlled. The previous approval placed drying courts with 1.5m high screens along this boundary, not entertaining space.

- **Living areas built to the boundary.** In both dwellings, the living, kitchen and dining areas open onto these outdoor rooms through full-width sliding glazing (D302, D304, with the glazing at RL +39.18 on D404). In effect the living areas are built to .... boundary .... The upper-level bedrooms (D305), and the rumpus and double-height void in the house (D303), ...

- **Intended use, noise and light.** The plans show how the spaces will be used: a table setting for eight and a built-in outdoor kitchen with a fridge (D302), an outdoor kitchen unit on the unit's outdoor room (D304), and an "indicative region for sauna + ice bath" beside my boundary (D302). That is a designed entertaining area, with cooking, dining, music and plants (sauna, ice bath, pool equipment), less than 1.0m from my boundary and raised above it. The noise and activity will carry directly into .... I could not find an acoustic assessment or any limit on use in the application.

- **Overshadowing.** Buildings of this height this close to the boundary will cast shadow over .... particularly in the morning / in winter. I could not find shadow diagrams in the application.

- **Outlook.** The height, length and proximity of the walls will block the outlook .... and the deck toward the south east and replace it with a blank wall and retaining structures.

- **Existing walls, trees and structures near the boundary.** .... The applicant's own site photographs show existing retaining walls adjoining the rear of the site. Excavating and building high walls beside them risks undermining, cracking and damage, and I have seen no assessment of that risk.

Ground 4: Servicing and the sewer on my boundary

4. Unresolved sewer servicing, and risk to the Urban Utilities manhole .... (Wastewater Code; Infrastructure Design Code; Subdivision Code). The applicant's report says sewerage is "already available to the site" and that servicing will follow a servicing plan by Civilworks Engineers. I understand 54 Birdwood Terrace has an active sewer connection today. The application does not show where that connection is, what it serves, or whether it can take two new dwellings as well as the retained character building, and it does not identify the connection point for either new dwelling. Sewer manhole MH169141, a maintenance manhole about 4.07m deep owned by Urban Utilities, is located .... 56 Birdwood Terrace, near the site's western boundary, and a sewer line continues from it downhill to the south. The applicant's own services map (report section 2.2) shows the same manhole. The applicant's survey plans for the lapsed 2015 approval (A004109297) also mark a sewer manhole at RL 32.000, matching the manhole's surface level of 31.98m AHD, and Council's 2015 conditions refer to an existing sewer line traversing the site and require that new work not damage or compromise existing infrastructure. The existing connection at No. 54 discharges to this manhole or line. The new dwellings sit downhill on the site, so they appear likely to rely on this infrastructure. If servicing of the new lots relies on that connection, the manhole or the line .... , I object for these reasons:

- **No consent.**

  .... Every plan in Council's 2015 approval for this site was stamped as not being permission to enter neighbouring properties to construct, including associated drainage and excavation, and I ask that any approval here carry the same warning.
- **No easement shown.** DA Form 1 (question 5) states there are no easements over the premises and proposes none (question 13 is blank). No easement or access arrangement over .... is shown for the new dwellings. Servicing through .... would require .... written agreement and, in my view, a registered easement or Urban Utilities approval. None has been provided.

- **The application is silent on the details.** It does not show whether the existing connection will be kept, upgraded or abandoned, or whether each new lot will have its own connection. It does not show the connection point, route, depth, pipe size or capacity, or how trenching would be done on this slope.
- **Risk to a deep Urban Utilities asset and my connection.** Excavation, piling and retaining walls up to 6.3m high close to a manhole 4.07m deep risk damage, loss of cover and loss of maintenance access, and extra load from two new dwellings risks blockage or overflow in the line .... The plans show retaining walls with tops at about RL +32.2 to +33.7 near the lower western boundary (D403, D406), at about the level of the manhole cover (31.98m AHD). The proposed pool and the "indicative region for sauna + ice bath" at the southern end of the house (D302) also sit beside the boundary near this manhole ....

- **Urban Utilities, not Council, assesses this.** Council's information request says water and sewer are assessed by Urban Utilities. The Wastewater Code and Infrastructure Design Code are listed by the applicant as applicable, and a lawful, adequate connection for each new lot is a basic requirement of both. Council should not approve the development without Urban Utilities' confirmation of an agreed connection point for each lot, and of how the manhole and line will be protected and kept accessible.

Grounds 5 to 9: Character, lot suitability, access, stormwater and accuracy

5. Character and the setting of the retained building (Traditional Building Character Code; Commercial Character Building Overlay Code; Ithaca District neighbourhood plan). The site holds a pre-1946 commercial character building that is to be retained, with a new dwelling unit behind it. The contemporary built form, vertical screening, elevated carports, new crossovers and hardstand change the setting of that building and the character of the Hillside precinct. The application does not show how the building's character values are protected.

6. Lot layout relies on earthworks that were not part of the 2015 justification (Subdivision Code PO2/AO2.2; impact assessment). The application is impact assessable because both resulting lots are under 450m². I accept that a similar 2-into-2 layout was approved in 2015, but that approval lapsed and was never acted on. The 2015 planning report justified exceeding the AO2.2 slopes by saying that very minimal filling or excavation was proposed and that retaining walls would be heavily restricted. Council's request of 19 August 2026 finds that the current proposal exceeds those slopes and depends on extensive cut, fill and high retaining walls. The basis on which the lots were previously accepted no longer holds, and Council should assess PO2 afresh.

7. Access, parking and traffic on Slade Lane (Transport, Access, Parking and Servicing Code). Three new access points are proposed onto Slade Lane, a steep and narrow lane, with

steep double-width driveways and extra parking for the character building. This raises safety, sight-distance and on-street parking concerns for residents, and construction access for machinery on the lane is not addressed.

8. Stormwater and geotechnical stability (Stormwater Code; Filling and Excavation Code). Large cuts and walls on a slope of this size risk instability and altered stormwater flows onto lower properties. I could not find a geotechnical report or a dilapidation survey of neighbouring structures in the application. Council has itself asked for a revised civil concept and earthworks plan signed by an RPEQ, which shows the current one is inadequate.

9. Inaccuracies and inconsistencies in the application. These undermine confidence in the assessment:

- The planning report calls the development "code assessable" in section 5.1 but "impact assessable" elsewhere.
- The report seeks "preliminary building approval" and "preliminary approval", while the application seeks development permits.
- The report puts the dwelling unit on the 422m² lot and the house on the 327m² lot. The architectural cover sheet (D000) shows the opposite: house on 422m², unit on 326m².
- DA Form 1 leaves the reason for the boundary realignment (question 12.2) blank, and completes the subdivision section (question 10) although subdivision is not ticked.
- The report describes the site as previously cleared, but its own photographs show established trees and vegetation across the rear of the site, which the report says will be cleared.

Council should not accept the report's conclusion that the proposal is "generally in compliance" with City Plan 2014 on this material.

Comparison with the lapsed 2015 approval

The applicant says the proposal is comparable in concept and design to approval A004109297 (25 November 2015), which lapsed and was never acted on. Council's request of 19 August 2026 records that it involved a different built form and extent of earthworks. I do not accept that the earlier approval supports this proposal. On the applicant's own 2015 material and Council's 2015 conditions, the current proposal is a materially worse outcome ....

- **Setbacks.** Council's request records that the 2015 dwelling unit and house had 2.5m setbacks to the western boundary. The current plans show about 1.0–1.2m.
- **Use of the boundary.** The 2015 plans placed drying courts with 1.5m high screens along .... boundary and kept the habitable rooms back from it. The current plans put outdoor entertaining rooms, an outdoor kitchen and a sauna and ice bath area at the boundary.
- **Levels.** The 2015 unit's garage floor was RL 38.080, about level .... existing wall (RL 38.05) and well below the top of the fence about 1.8m high above

it, and it was not a living or entertaining space. The current unit's outdoor room and living floor are at RL +39.13 to +39.18, about 1.1m above the top ····

- **Height.** The 2015 plans were stamped "Height not to exceed 9.5 metres from Ground Level, as defined in the Brisbane City Plan 2014, at any point." The current elevations show the southern end of the house above the 9.5m line.
- **Earthworks.** The 2015 report justified the slope by minimal fill and excavation and heavily restricted retaining walls. The current plans show walls up to 6.3m.
- **Retaining walls.** The 2015 conditions required walls over 1.0m to be tiered 1:1, set back off the boundary so subsoil drainage does not encroach, and certified by an RPEQ. I ask that no less be required here.
- **Privacy.** The 2015 report relied on only frosted windows and no balconies facing ···· , and the 2015 conditions required screening of windows and decks facing neighbouring dwellings within set distances. The current elevations (D402, D404) show the screening as "hidden for clarity".
- **Planting.** The 2015 conditions required tall screening shrubs and shade trees along the boundaries, including 25-litre shade trees able to reach 10m or more. The reduced setbacks leave no room for that.

Relief sought

I ask that the Council refuse the application. If Council is minded to approve it, I ask that it require at minimum:

1. Substantially reduced cut and fill, with stepped retaining walls, none higher than previously approved.
2. The house lowered so that no part of it, including the eaves, roof and upper-level end wall at its southern end, exceeds 9.5m above natural ground level, confirmed on surveyed levels, and the unit's compliance confirmed in the same way;
3. Western and rear setbacks of at least 2.5m for both dwellings, with a landscape plan securing deep planting and large trees by condition;
4. No raised outdoor room, deck or platform within 2.5m of .... boundary, and no floor level in that zone higher than the top of my existing boundary wall (RL 36.1 and RL 38.05);
5. Privacy treatments (fixed screens, obscure glazing or raised sill heights) to windows and outdoor areas facing ···· , shown on the plans and not "hidden for clarity";
6. An acoustic assessment before approval, and conditions limiting the use of any outdoor area near ···· boundary, including no sauna, ice bath or pool plant within 2.5m of it;
7. Shadow diagrams showing the effect .... with the design amended if the impact is unacceptable;
8. No connection to, or works on, any sewer asset or private connection on ···· ; Urban Utilities' written confirmation of the connection point for each lot before approval; and no excavation, piling or wall construction that compromises the existing sewer at or near MH169141 without Urban Utilities' approval;

9. A geotechnical report, an RPEQ-signed engineering design and dilapidation surveys of adjoining properties, including .... structures, retaining walls and sewer connection, before any works start;
10. A construction management plan covering Slade Lane access, work hours, dust, noise and trades parking; and
11. Corrected, consistent application documents, re-notified where required.

.... Please send all notices and the decision to the address above.

Yours sincerely,

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