

From: [barbara_stopp](#)
To: [DPTI:Planning Reform Submissions](#)
Subject: Submission on Planning Code Barbara Stopp 27.2.2020
Date: Thursday, 27 February 2020 1:50:03 PM

This submission is based on my perceptions of how the outcome of the planning reform proposals when implemented may affect city and suburban residents daily lives. The comments drawn from practical lifestyle consequences I envisage the planning changes will cause, from actual personal lived experiences, across 3 large metropolitan council areas.

Examples stated will undoubtedly multiply extensively and be widely replicated regardless of the supposed real estate prestige or otherwise of a suburb now or in future

While a lot of attention has been already aired about built form height, design and character changes, rightly so, my focus relates to impact of social issues arising and environmental factors likely to cause conflict, neighbourhood disputes. So, should be addressed now at this stage.

Surely proactive and prevention is preferable to reactive and remedial action, so less stress, time and resources necessary for all parties involved to rectify later if ignored now. Such as:-

1. **Air conditioner - placement unregulated - new or retrofit**
2. **Solar panel glare - affecting neighbouring properties**
3. **Mature tree retention - residential property financial incentives**

1. Air-conditioners.

- a. In S.A. air-conditioner placement is unregulated, regardless of size, proximity to neighbour's bedrooms, vibration impact.
Heat and wind turbulence generated directly across to adjoining dwelling or beyond unrestricted.
- b. New build or retrofitting, roof evaporative or wall mounted units are not required to be shown on any plans submitted to authorities for building or planning approval. No scrutiny, so no issues impacting on others addressed prior to installation.
- c. Commercial business/residential dwelling interface where multiple roof mounted units are in use 24/7 not only transfer and spread heat and noise, but also extend the range of offensive cooking odours especially if in line with prevailing wind.
- d. Commercial air conditioners operative for 7 days a week eg food outlets may run continuously,
so adjoining residents may have to alter or avoid planned activities especially outdoor rather than be subjected to obnoxious smells.
- e. The Codes mixed use zones will mean a greater number and variety of businesses in

close proximity and operational aspects of noise, wind, heat vibration impact on their business, clients patronage and local residents should air conditioners be inappropriately placed.

f. Smaller block sizes, will mean dwellings can be surrounded on multiple sides with a combination of roof, wall mounted air conditioners in use simultaneously or random times. The resultant wind turbulence, noise and heat generated necessitating occupants to rearrange their lifestyle and activities, and avoid or disrupt events, unable to have peaceful enjoyment of their own properties.

In fact, portions of the neighbour's outdoor areas may be unusable during prolonged periods of air conditioner useage due to heat build up in confined spaces .

g. Inability to utilise natural cooling methods, eg opening doors and windows, necessitating use of appliances to combat additional discharge from others air conditioning units means extra expense for affected householders. This is unacceptable and detrimental to the environment.

h. Not only Inappropriate placement of air-conditioners, but useage at all hours with total disregard for the adverse affect on adjoining occupants, especially bedroom and living areas, causes extreme stress, sleep deprivation and lifestyle dysfunction. Inability to function normally, lack of concentration means loss of productivity and enjoyment of life

i. "***The Local Litter and Nuisance Control Act, 2016***" is administered by councils.

Air conditioners can operate 24 hours, 7 days a week, but council staff work monday to friday, office hours. The personal opinion of 1 person at 1 point of time of their choosing, decides

whether they think the air conditioner noise is a nuisance. Regardless of background noise or other activities at the same time! Different approach by different councils.

j. It is entirely subjective, no db levels as guidelines in the Act. No right of appeal to decision

if not deemed a nuisance and no further review. Residents have to suffer large unit thumping and banging away at all hours of the day and night within 2 metres of bedroom windows in my case.

Noise is audible in other areas of the house, floors vibrate and no fresh air flow due to closed windows. Poor health conditions can result for living under these circumstances.

k. Police do not respond to air-conditioner complaints after hours, even at 3.00 am, refer callers to council. After-hours answering service do not action, nor report the call to council, even if audible, neither do Police. The noise has to be heard by "an authorised officer" only.

Move out, meaning other unsuspecting people will suffer the same appalling situation or seek expensive legal action, the only recourse. This is outrageous. Peaceful enjoyment of

one's own property should be maintained and enforced when necessary to ensure sleep deprivation is not a usual occurrence.

SUGGESTION: As people's tolerances of atmospheric and climatic conditions vary, the Code should be more prescriptive about what is permissible where. Regulations need to be made, enforceable by authorities eg Council/Police through tangible means to ensure the impact of people affected by others air-conditioner useage is within acceptable prescribed db levels.

Adjoining property owners, likely to be affected should be made aware of the intention for air conditioner placement by some means of notification by Council or private certifiers or SCAP.

2. Solar Panel glare affecting neighbouring properties.

a. Solar panels can extend across a large portion of roof tops at various angles and heights on both residential and commercial premises. A lazer beam like effect can severely impact on adjoining properties creating hazardous situations, particularly if elevated and stairs are used.

b. Tradespersons undertaking work at height, can be momentarily blinded by the piercing light beam, creating a risk to safe work practices and accidents. Serious safety consequences for anybody working at height, distracted or vision impaired by unsuspecting glare from solar panels may be experienced from nearby adjoining properties.

c. Smaller block sizes proposed under the Code, may mean multiple impact on sides by solar panel glare at various times of the day. This will cause lifestyle disruption and interrupt daily activities to outdoor entertainment.

d. Inability to block, screen or avoid the piercing glare causing social activities to be abandoned, property price devalued, lesser enjoyment of one's own garden through no fault of their own to alter the situation. Financial outlay may be needed to erect barriers, if space available.

e. Solar panel placement is unregulated.

f. "**The Local Litter and Nuisance Control Act, 2016**" does not have provision or include solar panel glare as a nuisance subject. While this has the potential to cause other households distress and annoyance, ignored as a problem. The prevalence of more dwellings with solar panels will become more widespread in future in my opinion with less space to plant tall trees to block out neighbours.

SUGGESTION: The Planning Code needs to consider how solar panel installation glare be minimised or avoided for nearby properties.

3. **Mature tree retention - residential property financial incentives**

a. The Code needs to include a policy recognising that all large tall mature trees, provide a variety of environmental improvements to landscapes, bird and wildlife habitat and improve air quality and enjoyment of the garden. Land owners with tall healthy mature trees should be encouraged to retain them since they contribute to the neighbourhood amenity, be built around where possible, not just knocked down at the outset of redevelopment.

c. Financial incentives should be available by grants for pruning and maintenance by professionals, and watering costs capped, to ensure their natural longevity.

d. Tall trees add value to properties, providing shade and ambience in my opinion. Block sizes in future may be insufficient for tall trees to grow. My former neighbours house extensions focused on my "park like garden". So while they daily enjoyed the view, abundant bird life, I have all the costs associated with tree maintenance.

SUGGESTION: I strongly endorse the submission by Conservation Council relating to tall trees,

and request aspects raised be fully considered. I particularly like:

"existing tree canopy is an inter-generational asset, a primary factor in micro-climate cooling, helps to sustain habitat, biodiversity and neighbourhood amenity."

Conclusion:

People have the right and expectation that planning and development changes are done to enhance, improve and safeguard harmonious and peaceful existence when living in Adelaide environs.

This state has a unique planning history, the envy of others and the Code should build on this foundation, not detract or cause significant lifestyle and social disruption or environmental degradation already under threat from climatic elements.

I predict that unless the prevalence of air-conditioner placement is regulated, especially as current legislation is ineffective to control those who do their own thing regardless of affect on neighbours will lead to greater conflict, dispute and stress. People crammed into smaller spaces without a buffer will experience a lowering of lifestyle enjoyment.

Similarly, lifestyle rearrangement and expenditure unnecessarily incurred to curb the impact of both air conditioner issues and solar panel glare singularly or combined will lead to greater social conflict and urban discontent.

Thank you for giving consideration to these points raised.

Barbara Stopp

[REDACTED], Blair Athol SA 5045

From: barbara stopp [REDACTED]
Sent: Thursday, 27 February 2020 1:35 PM
To: DPTI.PlanningReforms@sa.gov.au
Subject: Code submission - Barbara Stopp 27.2.2020

I hope that you have received my 3 page email submission on the planning code sent today. Please acknowledge receipt of this.

If anybody would like photos, audio recordings of the distressing impact of air conditioner next to my bedroom window and ineptitude by authorities over the years to deal with this, I would be happy to provide information. It is currently buck passed and unsatisfactory. Hence this new legislation would be a suitable framework to address, for the many others I have met with similar exeperiences.

Similarly, I have photos and examples of glare from solar panels should they be required to demonstrate the inconvenience this causes.

I request that when the submissions are put online that my address be omitted.

Thank you
Barbara Stopp,
[REDACTED], Blair Athol