

DTI:Planning Review

From: barbara stopp [REDACTED]
Sent: Saturday, 18 February 2023 4:59 PM
To: DTI:Planning Review
Subject: Fw: Planning Code submission - Barbara Stopp 14.12.22 (15th feb 2023)

Please find enclosed my submission for public inclusion and consideration. I have deleted the references to naming Council's used to highlight and substantiate points made in my original submission dated 14th December, 2022. I understand my email address will not appear in the public version.

thank you
Barbara Stopp

I wish to take this opportunity to express my comments and ideas on this current planning review. These are based on personal experiences, local government involvement across several metro councils, interactions with diverse communities.

1 Tree Policy

- a. Tall trees on private land - provide some form of **financial incentive for retention by owners to retain trees**. Councils could then subsidize property owners to have them professionally maintained bi-annually. The species range be broadened to include those that enhance the aesthetics and appeal of the vicinity.
- b. Tall trees on residential blocks being redeveloped should require developer to give consideration to new dwelling design that **incorporates retention** of tall trees wherever possible. Strong **factual evidence** should be provided as part of the application process to demonstrate why this could not be achieved. In particular if not impacting on driveway access, sewerage outlets, etc.
- c. Professionals to proactively encourage designs that would be appropriate for tree retention wherever possible and **inspect site** to verify any perceived impediments. Sufficient space around trunk should be factored in for future growth.
- d. **Trees on verges** in close proximity to property renovation/ redevelopment need greater protection against deliberate or unintentional **damage by any facet of the project**. A nominated person at the onset of planning approval, be assigned for accountability for any loss or damage to any part of the tree that results in its demise **within 6 months** of the project completion. **Photographs** be taken before and after project and submitted to council within a set period. Restitution be optional, either an agreed fee paid to council or an appropriate mature species planted by a competent landscaper.
- e. Tall trees can currently be removed if **within 10 metres of an inground pool**. A disused or damaged pool

can result in tree removal. Also, an above ground pool purchased as a **decoy**, put in position, trees cut down, then **pool removed!**

2 Infill development

- a. **Demolition of existing buildings:** The presence of **Asbestos** in buildings requires better regulating. Neighbours may be unaware demolition is happening until the bulldozers move in. **Approval is not required so contacting authorities** when dust is enveloping your dwelling to question whether proper procedures are being undertaken is **time critical**, stressful. With both Council and Safework involved, limited resources, eg even finding out who to contact may not be straightforward. Any investigation, if eventually done, may be thwarted once job completed and building rubble removed.
- b. **Asbestos dust is toxic** and not discernible until many years later. Actual contractors may not **be told of its presence** and poor english comprehension skills make communication difficult in my experience. With major asbestos removal jobs, surrounding premise occupiers are **supposed to be notified**, however, this is not necessarily the case if done **unlawfully** or home owners unaware of this requirement.
- c. **Smaller block sizes**, mean dwellings are closer to each other and **less outdoor spaces**, but people's lifestyle and interests remain the same except in a more condensed space. This can create **major issues for adjoining residents**, especially in established areas for the following reasons:
- d. **Air conditioners - No regulatory controls** over size and location in residential areas, either on new builds, major renovations/ extensions, or commercial interface. This planning review should **incorporate air conditioner separation distances** especially next to established houses where **bedrooms and living areas** are located. This would eliminate inconsiderate people from putting units in inappropriate places, thus creating major upset of residents' **lifestyle, health and peaceful enjoyment of their home.**

Problems created include:

- i. **heat and wind** generated diminishing outdoor activity and area useage, ii, **windows** have to be **kept closed**, reducing fresh air intake or iii **higher electricity useage** to compensate for unpleasant indoor ambient temperatures, iv permanent **blind closure** as glass heats up, so extra lighting costs, v. **noise**, causing sleep deprivation, interior room rearrangement.
- Worse - vibration impact**, pulsating constant movement from floor area, low audible booming, **reverberation**, Impact combination **and inescapable 24/7**, means **reduction quality of life for residents and pets, house structural damage.**

- e. Inclusion of **regulation distance of air conditioners from neighbouring** living areas would be **proactive** and should be an integral part of this planning review. Current reactive situation, creates greater workload for Council staff under

"The Local Nuisance and Litter Control Act, 2016" **Vibration**, is not acted on by any authority although mentioned.

Proposal to make **air conditioner installers responsible** and penalised, is like fining car dealers for selling vehicles with design faults.

Installers don't have say, control or influence over a dwelling layout. Planning regulation needs to change to **fix this situation as residents only option for peace and quiet is to move out of their home especially if multiple units on either side.**

Similarly, **pool pumps** can be equally disturbing.

f. Smaller allotment size means little or no **storage space** for residents' belongings. Lack of sheds means unwanted items are often

illegally dumped on verges. City of Port Adelaide Enfield, inner north suburbs are an example where this is common.

Even "**No dumping**" signage is used to prop up unwanted items. Removal comes at a huge cost to council ratepayers and has created

environmental and pollution problems. Proliferation of this situation means future generations will be burdened with rising costs.

Plans submitted to council on new builds should have to show the space allocated for bin placement on site.

3. Outdoor recreational items - boundary fenceline

a. The trend towards smaller blocks, larger houses, duplex or multi-storey dwellings all result in minimal open space for **outdoor sporting**

activities. This often results in items being placed up against neighbouring fences,

eg **trampolines.** While the associated noise from multiple

exuberant users is a given, **lack of privacy** becomes a major issue. Particularly so when users can **see directly over neighbours' yard** and **indoors** as well.

This unwelcome intrusion into others **private living space** may necessitate expensive rearrangement, cause undue inconvenience and loss of amenity in a dwelling.

b. Similarly, **ball sports** that rebound against **the fence** can cause annoyance and **disrupt neighbour's lifestyle causing friction.**

A once peaceful and harmonious neighbourhood becomes unpleasant to live in not only for residents, but their guests to enjoy their own environment.

Sounds projected by rebounding basketballs, can be projected over long distances, in addition to hitting fence, so reduce the ambience of the neighbourhood.

Lighting may limit playing time in a public park, but not on private property where external lighting enables the activity later at night.

c. Planning review needs to consider **placing obligations** on householders to **limit the number** of sporting items that can be placed up against fences when combination can include trampoline, cricket nets, table tennis tables, basketball hoops. Considerate neighbours is not a given.

4. Privacy issues - surveillance systems

- a. In the past the streetscape may have been all single storey dwellings, but may now comprise a mixture of heights. Currently **frosted glass windows** are required to limit visibility of adjoining properties, however, this is now outdated and needs to be changed. Sophisticated **audio visual** equipment may be positioned so as to not just capture streetscape, but adjoining properties from multiple sides.
- b. **This lack of privacy** lends itself to other connotations as actions and sounds of residents and visitors can be captured 24/7, regardless of age. The inclusion of facial recognition technology further erodes resident's right to enjoy their surrounding environment in the knowledge their movements are being recorded by others **without their permission**.
- c. This is not deemed a "**nuisance**" under the "**Local Litter and Nuisance Control Act, 2016**" now or proposed in future under current review. In the event of an incident, **Police** can only request the footage. Not enforceable as recordings of other residence is the private property of the device owner!
- d. These scenarios, are becoming more common, as **high resolution equipment** becomes more affordable. This planning review needs to proactively incorporate **regulatory aspects of security device placement** to prevent this unwarranted intrusion. Medicare and Optus data breaches recently, highlight how privacy is being eroded so one's **home life should be protected**.

5 Home based activities

- a. Since covid pandemic, more flexible working arrangements have proliferated., e.g. **working from home**, setting up full or **part time business**. A home's purpose has **changed from just a primary residence**, to become multi functional. This may include more than just family and friends activities at any one time but clients, coming and going or staying on-site for extended periods. The amenity of the locality can **drastically change** the neighbourhood, especially when there are many in close proximity. Factors arising from this trend from purely domestic usage can include:- more on street parking for longer, traffic hazards, noise, etc. Tradies and visitors may need to park long distances away from residences, inconveniencing all. Current planning requirements need to reflect this new emerging trend. People may not be aware, or deliberately **avoid contacting authorities** prior to setting up businesses. So health and other requirements ignored.
- b. Occupants leave recreational vehicles such as **boats, caravans, trailers etc on the street** to allow for clients to park on site or need space for business purposes. Similarly clients' vehicles, couriers, delivery trucks all add to the street congestion, in addition to the upsurge in home delivery of food, goods, meaning more **vehicle emission pollution**. Reduced visibility near corners and **hazardous situations** can arise in narrow streets with a mix of pedestrians, cyclists and pets crossing. Clients with wide **SUV's parked either side** in narrow streets make resident's accessing their driveways difficult. In some cases, commuting within their locality often means **reversing, or playing "chicken"** as to who gives way first.

c. Minimum width of **garages, 3 x 6 metres** needs to be increased in new builds as **only space for storage. SUV and a RAM** vehicles may not fit in. The **criteria for home activities** needs to have **stricter planning controls** to enable Council to better regulate activities in residential zones for community benefit.

Thank you for considering these points. I look forward to seeing improvements in the system and procedures to make urban Adelaide a pleasant place to live. The right to privacy and enjoying your own living environment should be safeguarded now and in future.

Barbara Stopp 14th December, 2022