



GOVERNMENT OF
WESTERN AUSTRALIA

Swan Valley Planning Review



Report to the Minister for Planning:
An independent review of Swan Valley planning

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Contents

OVERVIEW.....	6
An introduction to the Swan Valley	6
Objectives of this Report	6
Vision for the Swan Valley	7
Summary of Recommendations.....	7
Planning recommendations	7
Recommendations Beyond Planning	7
PART A - BACKGROUND	10
The Swan Valley – a very special place	10
Economic Realities for Viticulture in the Swan Valley	11
Wine Grapes.....	11
Table Grapes	12
Succession problems.....	12
Subdivision	12
Land Prices	12
Water Limitations	12
Impacts from non-farming neighbours.....	13
Government Imposts	13
Land Tax	13
Emergency Services Levy (ESL).....	14
Council Rates.....	14
Traffic Law Restrictions on Tractor Movements on Roadways	15
Conduct of the Review	15
Scope of the Independent Review	15
Background to this Report	15
Consultation for this Report.....	15
Thanks / Disclaimer.....	16
What people want for their Swan Valley	16
Why do people live in the Swan Valley?	16
Subdivision	17
Grape Growing	17
Priority access to water.....	17
“Right to Farm”	17
Restricting new tourism developments.....	17
A Planning Committee for the Swan Valley	18

The Future Vision of the Swan Valley	18
Reviewer's Key Points from the Survey Results.....	18
PART B - PLANNING.....	19
Introduction	19
A Vision for the Swan Valley	22
A New Swan Valley Planning Act	23
Establish a Single Swan Valley Planning Authority	24
Swan Valley Strategic Leadership Group (SLG).....	24
Land Use Zones	25
Swan Valley Rural Residential (former Area A).....	25
Swan Valley Rural (former Areas B and C)	25
Herne Hill Village.....	26
Swan Valley Enterprise Park	26
Swan Valley Planning Scheme.....	28
Road and traffic issues	28
Scheme Text.....	29
Secondary / Ancillary Uses (primarily to allow compatible tourism)	31
Aged Care Accommodation	31
Succession Subdivision.....	32
Non-conforming Use Rights	33
2015 Draft Development Plan proposals for the Swan Valley that should not be supported	34
Operational Planning Policies	34
PART C – BEYOND PLANNING	35
Introduction	35
Recommendations beyond the Planning Portfolio.....	35
1. Creation of the Swan Valley Strategic Leadership Group (SLG).....	35
2. Establish a water licensing regime specific to the Swan Valley Statutory Planning Area.....	35
3. Right To Farm.....	36
4. Changing locality names to Swan Valley.....	37
5. Supporting Tourism.....	38
6. Land tax.....	38
7. Emergency Services Levy (ESL).....	38
8. City of Swan – Improving the Differential Rating System	39
9. Equine industry & residents with horses	39
KEY REFERENCES	40

APPENDICES	41
Appendix 1– Zoning Table.....	42
Appendix 2– Operational Planning Policies	47
Natural Environment.....	47
Built Environment	49
Appendix 3- Water licencing to give priority to viticulture	52
Appendix 4- Changing locality names to Swan Valley	54
Appendix 5 – Swan Valley Planning Review Survey 2017 Report.....	56

OVERVIEW

An introduction to the Swan Valley

The Swan Valley is a unique and valued part of Perth's natural and cultural landscape. Its rivers, fresh water lakes and fertile soils at the foot of the Darling Escarpment have sustained Aboriginal communities for thousands of years, and provided ideal conditions for the establishment of one of the oldest wine producing regions in Australia.

Today the Swan Valley is recognised not only for its heritage and viticulture, but also for its rural character, its varied agriculture, and its attraction to visitors and tourists as a welcome escape from the city.

In 1995, the State Government established the Swan Valley Planning Act to protect these characteristics and ensure the area is preserved for future generations. It is now estimated that the Swan Valley attracts more than 2 million visitors per year and contributes \$350 million annually to the Western Australian economy.

Notwithstanding this, the area is under increasing pressure from incompatible development and land use, putting at risk the attributes and characteristics that make the Swan Valley an attractive and desirable place.

This extract from the *draft Swan Valley Development Plan 2015* recognised the importance of the Swan Valley and the pressures it is facing. This is still valid today, and the 2018 review has sought to build on these previous reviews, and goes further to propose measures to support and preserve these special characteristics of the Swan Valley.

Objectives of this Report

This report makes recommendations to achieve the following objectives:

- Provide a clear long term vision for the Swan Valley.
- Recommend a planning framework for the Swan Valley to help achieve the vision.
- Propose decision making processes that are streamlined, transparent and better engage the people of the Swan Valley.
- Provide options to support the retention and enhancement of the unique rural character of the Swan Valley and compatible interests.
- Identify other State government agency tasks, external to the Department of Planning, Lands and Heritage, that may assist in achieving the vision for the Swan Valley.
- Provide a framework that creates the confidence people need to invest in viticulture, horticulture and tourism related projects which will further the vision for the Swan Valley.

Vision for the Swan Valley

The Swan Valley is a unique rural environment within metropolitan Perth with its exceptional visitor appeal derived from its viticulture, world class food and beverage, and the open rural landscape extending to the Darling Escarpment. Horticulture, tourism, lifestyle properties, equestrian and hospitality are all important contributors to what makes the Swan Valley and their development needs to be in sympathy with this rural character.

Achieving the vision relies on the following outcomes for the Swan Valley:

- Protection of the Swan Valley rural landscape asset
- Special support for viticulture and horticulture
- Promotion of compatible tourism
- Retention of existing lifestyle lots and land uses
- Detailed planning structures with centralised decision making.

Summary of Recommendations

Planning recommendations

The recommended planning framework should acknowledge the State significance of the Swan Valley to Western Australia by creating:

1. A clear strategic vision
2. A new Swan Valley Planning Act;
3. A new Swan Valley Statutory Planning Committee (SVSPC) as a single planning authority;
4. A Strategic Leadership Group (SLG) for the purpose of consulting on planning matters;
5. A Swan Valley Planning Scheme;
6. New land use zones; and
7. A set of operational planning policies addressing pressures and issues relevant to the Swan Valley.

Recommendations Beyond Planning

1. Creation of the Swan Valley Strategic Leadership Group (SLG)

- a. The Chair of the SVSPC will also be the chair of the SLG.
- b. Membership will be honorary with up to 12 people drawn from groups having significant interests in the Swan Valley.
- c. To present an annual report to the Minister for Planning on progress towards fulfilling the vision for the Swan Valley. This gives the SLG the remit to propose and assess all the needs of the Swan Valley, not just planning decisions.
- d. To work with Swan Valley enterprises, individuals and all levels of government to further the interests of the Swan Valley in keeping with the vision established in the Swan Valley Planning Act.
- e. Establish an appropriate governance framework for the management and conduct of its meetings.

2. Establish a water licensing regime specific to the Swan Valley Statutory Planning Area.

- a. Create a standalone Water Management Plan for the Swan Valley.
- b. Establish a priority for viticulture in all water allocation and management in the Swan Valley.

- c. Water licencing provisions for grape growers to be flexible in recognition of the variations in demand due to seasonal conditions.
- d. Align management priorities for water licencing in the Swan Valley by:
 - i. Expediting the metering of all bores with annual water allocations of 10,000 kilolitres or more;
 - ii. Realignment of the Groundwater Subarea Boundaries to the Swan Valley Statutory Planning Area, to the extent possible in keeping with best practice and good ground water science;
 - iii. Work with all water licence holders to introduce water efficiency measures in the Swan Valley;
 - iv. The Department of Water and Environmental Regulation (DWER) should undertake a compliance campaign to check for any unlicensed ground water usage in the Swan Valley; and
 - v. Investigate enhancing water availability with water reuse from the new residential developments adjacent to the western boundary of the Swan Valley (e.g. Brabham).

3. Right To Farm

- a. Establish in the Swan Valley Planning Act the principle of “Right to Farm”. This is to inform and educate all land owners of the pre-existing rights of farmers to continue their farming practices in accordance with established agricultural standards.
- b. Require all future land transfers to place a notification on the title, advising purchasers that the Swan Valley is a designated agricultural region where standard farming practices are permitted and encouraged.

4. Changing locality names to Swan Valley

- a. Proceed to consult residents and land owners with a view to changing locality names in the Swan Valley Planning Area to “SWAN VALLEY”.
- b. Propose, as a basis for consultation that the parts of Caversham, West Swan, Middle Swan, Herne Hill and Millendon, lying within the Swan Valley Planning Area, are renamed Swan Valley.
- c. Community consultation to cover all properties with addresses in the suburbs: Caversham, West Swan, Henley Brook, Belhus, Middle Swan, Herne Hill, Millendon, Baskerville and Upper Swan. Including properties outside the Swan Valley Planning Area is necessary as they may wish to retain their existing locality name or be merged with another contiguous locality.
- d. Based on the responses to the consultation, define clearly the new boundaries for the locality to be named Swan Valley and the proposed naming of areas not included in the Swan Valley.
- e. The Minister, with further consultation if necessary, should proceed to gazette the locality “SWAN VALLEY”.

5. Supporting Tourism

- a. Establish the Swan Valley as a single locality name with a single postcode. This will help to develop the Swan Valley brand and further promote the Swan Valley wine and tourist region.
- b. Allow for retail stores, cafes and restaurants as an ancillary use, which will support the tourist industry to be incorporated into a predominantly viticultural and horticultural landscape.
- c. Provide for “Nature Based Camping” on properties with vines or horticulture as a tourism opportunity (note, this is not a caravan park use).
- d. Liquor Licencing applications should be required to demonstrate how they fit into the vision/objectives for the Swan Valley.

- e. Support the efforts of the Swan River Trust and other authorities to increase public access to the Swan River.

6. Land Tax

- a. Wineries processing grapes grown in the Swan Valley should have both the area under vines and the winery exempt from land tax.
- b. Land leased for productive viticulture or horticulture to be exempt from land tax. At present, a grower wishing to expand by leasing neighbouring land becomes liable to pay land tax as the exemption does not apply to growers who are not the property owner.
- c. The Government should seriously consider the introduction of a Swan Valley Improvement Levy with the burden falling on properties that benefit from the viticultural and horticultural landscape to fund required enhancements in the Swan Valley.

7. Emergency Services Levy (ESL)

Amend the relevant taxing Act to give special consideration to properties in the Swan Valley engaged in viticulture and horticulture. The level of ESL should be commensurate with that paid by similar producers in other regions of Western Australia.

8. City of Swan – Improving the Differential Rating System

The City uses differential rating to lighten the burden on agricultural land. To achieve the Vision for the Swan Valley, the system needs to provide special consideration (i.e. a subcategory with rates lower than other traditional agricultural activities), to lower the rates on viticultural and horticultural activities.

9. Equine Industry and Residents with Horses

Work with the equine industry and horse owners to establish:

- a. A strategy for developing bridle trails in the SVPA Area.
- b. Operational planning policies for the establishment and management of such structures as stables, sheds and fences.
- c. Best practice for watering pasture.

PART A - BACKGROUND

The Swan Valley – a very special place

The Swan Valley is a unique agricultural region within the Perth metropolitan area. Since the first viticultural activity began around 180 years ago, the Swan Valley has evolved with a rich history as the State's oldest wine region.

From one of Western Australia's first farming districts, the area was economically developed and has been socially enriched with migrants taking up land. They farmed the land while often working in a full time paid employment. The area under vines expanded with wine making a family tradition for many settlers. The Swan Valley established a reputation for high quality fortified wines and currant production which became a significant industry.

Vines in the Swan Valley at their peak covered some 4,000 hectares. With market changes and the demise of the currant industry, the area under vines is now only approximately 1,000 hectares.

The clay deposits in the area supported the development of major brickworks, which were a significant employer.

The Swan Valley's natural appeal attracted visitors from Perth and further afield. The allure of an escape from the city, enjoyment of wine tasting with cellar door sales, restaurants in ideal rural settings, road side sales of fresh produce and other attractions have driven the increased visitor numbers. All these elements have made the Swan Valley a major tourist draw card. The Valley is an important regional tourist destination that is highly valued by Perth residents and attracts over 3.1 million visits per annum. The region captures 38% of Perth day trippers and has 68% of Perth adults visiting the Swan Valley at least once a year (Petterson Research, 2016).

The main non-viticulture industries include specialist food and beverage related businesses, retail outlets, function/event venues and accommodation establishments. Together with viticulture, these industries provide a full complement of food, tourism attractors and amenity for the region and beyond. The Valley's picturesque amenity is increasingly valuable as population pressure and food security issues become more apparent.

The Swan Valley has developed as an important tourism destination for interstate and international visitors. Increased tourism promotion funding from the State Government is likely to drive even greater numbers of international tourists to visit the area.

Such a unique rural environment within a major city makes it a most attractive place to live. The residents are close to all the amenities available in the city, yet enjoy the peace and quiet of a rural setting providing them with a very special lifestyle. The rural zoning allows people to keep horses and access the State Equestrian Centre which is just to the north. The land devoted to pasture for horses has grown significantly along with the equine industry's contribution to the economy of the area.

The Swan Valley has an estimated population of 7,034 persons (Australian Bureau of Statistics 2016). Since 2011, its population has grown 6.5% from 6,603 people. Population by age figures suggest that the Swan Valley has an ageing population as demonstrated by the lower percentage of children younger than 15 compared to State averages as well as almost all age categories above 45 years

being a greater percentage than State averages. The exception is the 20-29 year old age group which makes up a higher proportion of the Swan Valley population than State averages. The largest age group category for the Swan Valley is the 50-54 year age group making up 8.3% of its population (the State average is 6.6%) whereas the largest age category for the State is the 30-34 year age group with 7.9% (6.4% for Swan Valley).

Table grape growing and wine grape growing are two distinct industries with different market drivers. The Swan Valley is a producer of premium wines. Whilst high profile wine grape businesses have vineyards in other regions, most viticulture operations in the Swan Valley are small, family run businesses – some in their third generation of family ownership and operation. Table grape growers sell into a competitive local and export market using up to date farming, processing and storage methods which ensures a fresh and high quality product. There is both heritage and a local sentimental attachment to the viticulture industry, which is reflected in the position the Valley's viticulture industry holds as a popular driver of tourism, especially for Perth day-trippers. It is clear the ambience, rural character and proximity to Perth is driving the tourism experience.

There is a delicate relationship between retaining a landscape of vines and agricultural production and tourism. Tourism strongly depends on this landscape and rural character as an attractor for visitors. If not carefully regulated, tourism and other developments could have a detrimental impact on the amenity it seeks to showcase. Managing the balance between the type, scale and number of development opportunities and their impact on the amenity value of the Valley's rural character, is not easily done. It is this balance that decision-makers seek to maintain when considering applications for development and change of land use and/or activity.

The Swan Valley policy area covers approximately 7,070 hectares and is subject to unique legislation in WA – the *Swan Valley Planning Act 1995*. This Act was an attempt to stop the urban front encroaching into the rural land of the Valley. It has helped to do this to an extent, but current legislation remains deficient and the incursions and pressures from the surrounding urban areas are changing the Valley in ways that if continued will destroy the rural ambience of the area.

Economic Realities for Viticulture in the Swan Valley

Viticulture is a vital ingredient in the attractiveness of the rural landscape in the Swan Valley. The tourist industry and food and beverage businesses would struggle if the Swan Valley lost the ambience created by vines in the landscape. So while other industries rely on the vines and the rural character they help form, there are many challenges to the growing of wine and table grapes in the Swan Valley. Before addressing these obstacles it is necessary be clear as to what they are. The following is a summary of the disadvantages and concerns faced by viticulture and agriculture in the Swan Valley.

Wine Grapes

There is no money to be made in growing wine grapes for sale. Wine grapes are grown by:

- a. wineries that produce their own label with cellar door sales and wider distribution, which is limited for the many small wineries;
- b. tourist, restaurant or other businesses for which the ambience of the vineyard is an attraction integral to the success of their business; and,
- c. property owners' whose lifestyle choice is to grow wine grapes for sale to a local wine maker with some for their own personal vintage.

Wine Grape Growers with small areas of vines are sub economic and survive financially through other income sources. For some, it is a lifestyle rather than the primary source of income.

Table Grapes

Table grape growing can be profitable but suffers the vagaries of primary production and strong competitive pressures from other areas in WA growing table grapes. Grapes from the USA are already retailed in the Western Australian market. Bio security controls presently restrict entry of grapes from other states of Australia into WA. Other regions in Australia have cheaper land, larger economies of scale and more water enabling them to produce at lower costs. Their entry into the WA market threatens to destroy the Swan Valley table grape industry. To be competitive and to achieve the level of production required to successfully export grapes, growers are now establishing much larger vineyards in other areas. For reasons touched on below, it is not practical to undertake major expansion of areas under vines in the Swan Valley.

Succession problems

Many successful grape growers are close to or passed retirement age. Their family may have grown grapes in the Swan Valley for generations but their adult children are generally not interested in taking over to continue grape growing on the family property. The low returns on investment and their labour, make viticulture less than attractive as a viable avenue of employment. The next generation are reluctant to continue with the family farm.

Subdivision

Families wishing to distribute the estate and land speculators who want to see a payoff on their investment are both contributing to the growing pressure for subdivision in the Swan Valley. The *Swan Valley Planning Act 1995* imposed limitations on subdivision of land in the Swan Valley statutory planning area. Any subdivision even when in conformity with the required minimum lot size is a threat to the survival of agriculture in the Swan Valley. Reducing lot sizes compromises the maintenance or expansion of viticulture with properties become economically unviable to sustain agriculture. It also increases the potential for land use conflicts with farmers on the adjoining land. If farmers view it as too restrictive or hard to continue their agricultural practice, they may relocate to agricultural land outside the Swan Valley. Under the present water licencing regime the water licence may be lost on sale of the land. Sale of smaller lots is likely to provide the opportunity for more buildings and increased density detracting from the rural character of the area.

Land Prices

Fundamental to the challenge of maintaining the rural character of the Swan Valley is the price of land. Swan Valley land prices are too high for most agricultural crops to compete especially if expanded acreage is necessary to achieve economies of scale. The heritage bequeathed many growers by the hard work of their parents and grandparents allows the present generation to survive financially but new growers are not likely to see any sense in buying land for viticultural purposes alone.

Swan Valley land is cheap compared to other metropolitan land prices. This creates an opportunity for businesses and others to buy up land at an attractive price for uses that detract from the rural character of the Swan Valley. Hobby farmers, as a lifestyle choice, can value the land at a price which would make it uneconomic for agricultural production.

Water Limitations

Most grape growers presently have adequate water licenses to produce their crops. The drying climate with falling ground water levels is of concern to growers. They have little ability to apply for

an additional allocation as water licences are fully allocated. The DWER is undertaking a review of water licences with every likelihood that water allocations will need to be reduced for all licence holders. The present policy provides for water licences to be traded. Recent prices paid for water trades make it uneconomic for grape growers to buy more water to expand their area under vines. However their water license is a valuable asset which they can sell. Buyers are generally valuing water at a price well above what is sustainable for viticulture. Selling the water rights leaves land without water and hence useless for viticulture or horticulture.

Impacts from non-farming neighbours

Spraying vines, noise from tractors and lights when harvesting at night can generate complaints from neighbouring properties. Farming practices, even when in conformity with established standards can upset nearby residents who are not conversant with accepted agricultural practices. Such misunderstandings can lead to disputation between neighbours and even costly litigation. Farmers wishing to minimise any impacts on their neighbours can be restricted in the available time slots to undertake required practices. For table grapes particularly, it is important to spray the vines at specific times. This may require spraying vines at a time to which neighbours object. If the farmer cannot spray in the required time window this may result in a reduction in the quality of the produce and hence its market value.

When a smaller lot is sold or if subdivision is allowed it is likely to mean the new neighbour is not engaged in viticulture or horticulture with the potential for conflicts with the neighbouring farming property. The presence of residents on a neighbouring lot poses a threat to the maintenance of agriculture on adjoining lands because of the potential for complaints associated with nuisance or concerns in relation to vineyard management practices involving noise, dust and spraying.

Government Imposts

Swan Valley farmers face a number of government taxes and charges which do not apply to producers outside the metropolitan area. These higher impostos place primary producers in the Swan Valley at a competitive disadvantage. Non metropolitan rural land used for farming does not attract land tax and is levied at the lowest level ESL. Council rates are higher for farmers in the Swan Valley with nearby metropolitan land valuations and non-farming uses impacting on land values and hence rates. The Swan Valley is within metropolitan Perth and is generally levied accordingly and not as rural land.

Land Tax

The Land Tax Assessment Act is applied to the Swan Valley properties as part of metropolitan Perth and takes no account of the Swan Valley Planning Act 1995 which has the objective for ***“the encouragement of the traditional agricultural and other productive uses of the area that complement its rural character,”***

For land tax assessments the Swan Valley is classed as non-rural land. For non-rural land to gain an exemption from land tax requires it meet the “Primary Production Factors” and the “Owner-user Rule”.

The owner-user rule requires that the property is farmed by the family that owns it. Where the ownership, such as with non-family companies, does not have only owners involved in the agricultural production, then the land is not exempt from land tax. This inhibits the possibility of leasing land for viticulture or horticulture to another grower.

With secondary processing (winery) or multiple use (restaurant) on the property then a partial exemption applies. Only that portion of land used for primary production is exempt.

Family farms that have grown grapes for generations can be made up of more than one lot, but it is managed as one farm. When through age or other circumstances the owner is no longer able to farm all the lots, they become liable to pay land tax on the non-farmed lots. This pushes owners to sell the non-productive lots thus splitting up the farm and reducing future opportunities for productive agriculture.

Properties that breed horses are eligible for an exemption but not if the purpose is agistment.

Land owners are exempt from land tax if the property is their residence. There is no longer any limit on the size of the property containing the residence. Where a property is comprised of two or more lots then only the lot with the residence is exempt from land tax.

The application of the tax laws can be complex and difficult for owners to understand. An example is the apparent anomaly where some wineries, with owner vigneronns are tax exempt and some are only partially exempt.

Where land tax is payable the Metropolitan Region Improvement Tax (MRIT) is added to the cost of land tax as an additional burden. Charging MRIT compounds the inequality created between the Swan Valley and farmers outside of Perth where MRIT is not levied and whose produce competes in the same market.

Emergency Services Levy (ESL)

Vignerons and farmers in the Swan Valley area are rated at a higher ESL cost of Category 1 whilst other similar areas such as the Margaret River area are rated as lower cost of Categories 4 and 5. Swan Valley land owners pay higher ESL costs for being within the metropolitan area and within a given radius of a fire station. No account is made for agricultural properties which do not have fire hydrants and provide little access for large fire trucks onto their farming property. Anecdotal evidence suggest growers pay a high urban ESL but do not receive the full urban level of service. Growers believe the local Volunteer Fire Service better serves their needs but they pay far more than the costs associated with this.

ESL is assessed on the Gross Rental Value (GRV) set for their property. These valuations are often unrealistic as there is currently no market for leasing vineyards in the Swan Valley. When the Valuer General cannot determine a GRV for a property then the value is set at 5% of the property's Capital Value. These values are generally much higher than what the market would pay for a productive vineyard. The values are distorted by what might be paid for a hobby farm or to run horses. Some properties are even levied at the much higher commercial rate for ESL. As ESL is added to each City rate notice, a farmer with non-contiguous lots will pay an ESL on more than one property even if operated as a single farm. The result is the imposition of unacceptably high ESL charges for properties with vines and is a detriment to the maintenance of viticulture in the Swan Valley.

Council Rates

The City of Swan uses differential rating for the purpose of maintaining agriculture in the Swan Valley. The extent to which this is implemented to the advantage of viticulture and horticulture is contested by some growers.

Traffic Law Restrictions on Tractor Movements on Roadways

Road rules relating to tractors on roads are uniform across the Perth metropolitan area. There is no special allowance for the conduct of agriculture in the Swan Valley. This is a restriction on farmers' ability to efficiently use their equipment and time to produce and market their crops. An example given is the restricted hours that tractors can use the roads and how this effects harvesting of table grapes. To attain high quality table grapes it may be necessary to harvest in the cool of the morning and immediately transport the grapes for refrigeration. A farmer, especially when farming several properties, has to use the road to transport the grapes to the cold storage facility. Failure to get the grapes to the cooling facility in a timely way can result in a reduction in the quality of the product and consequently a reduced price or even loss of sales.

Properties in the Swan Valley owned for lifestyle or equestrian pursuits also have issues with the level of taxes and charges. Imposts on viticulture and horticulture are emphasised here due to the threats to their survival, which could result in the destruction of the special rural character of the Swan Valley.

Conduct of the Review

John Kobelke JP was requested by the Honourable Rita Saffioti MLA, Minister for Transport; Planning; Lands (the Minister), to undertake a review of the area encompassed by the statutory boundaries of the *Swan Valley Planning Act 1995*. These are the guidelines given by the Minister for the review.

Scope of the Independent Review

The Minister required the reviewer to:

- Consult widely with residents, land owners and other interested parties on their vision for the future of the Swan Valley.
- Recommend to the Minister a planning framework to provide a clear future for the Swan Valley, recognising the importance of viticulture, tourism and the special rural environment desired by lifestyle residents.
- Propose improvements on matters outside the planning portfolio that are important to the achievement of a sustainable social, environmental and economic future for the Swan Valley

Background to this Report

The *Swan Valley Planning Act 1995* placed limitations on land owners to preserve the special rural nature of the Swan Valley. The Barnett Government started a review of this act and its planning provisions with a Discussion Paper 2012. This led to the *draft Swan Valley Development Plan 2015* and supporting legislation being introduced into the State Parliament in 2016. It had not advanced prior to the 2017 State Election. The McGowan Government on its election in 2017 announced that it would not proceed with the Bill and Development Plan in their previous form. John Kobelke JP was requested to review these proposals, consult with interested parties and bring proposals to the Minister.

John Kobelke, was appointed by the Minister as an independent reviewer and was resourced and supported by the Department of Planning, Lands and Heritage.

Consultation for this Report

The first working meeting of the review was held on 8th September 2017. Over the next six months the reviewer met with over ninety individuals who generously gave their time and shared their experiences and expertise on the Swan Valley, its industries and their hope for its future.

An independent consultant, Painted Dog Research, distributed a resident and landowner survey to 1,800 Swan Valley properties via mail. The survey invited responses online or via reply-paid post between 22 November and 22 December 2017. The survey asked questions about:

- Issues of importance to the Swan Valley residents/landowners;
- Right to Farm provisions;
- Retaining rural land uses (particularly grape growing) in the Swan Valley;
- Prioritisation of water access;
- Whether tourism uses should be directly linked to rural land uses (e.g. vineyards);
- Acceptable types of tourism for the Swan Valley;
- Opinions about restrictions on subdivision;
- The need for, and role of, a Swan Valley planning board/committee; and
- How survey participants want to see the Swan Valley in 20 years.

Whilst the survey officially closed on Friday 22 December 2017, submissions were accepted for an additional 3 weeks (until Friday 5 January 2018). The survey received 628 responses, or a response rate of 34% which is considered high for this type of survey. The number of responses is more than ample to give statistical confidence to the reported results. The high response rate is indicative of residents' keen interest in the future of their Swan Valley. Analysis and reporting of the responses was undertaken under contract by Painted Dog Research and delivered to the Reviewer. The report is available in Appendix 5.

The survey results echoed much of what interviewees had told the reviewer and previous consultation. The strength of the survey report was that it was open to all residents and land owners whether they met with the Reviewer or not. Further it provided meaningful numbers regarding the relative support for varying and sometimes opposing viewpoints. The reviewer has used the survey results in formulating his recommendations.

At the conclusion of the community consultation, this report with its recommendations is submitted directly to the Minister for consideration. It is the Minister's prerogative as to how it should be used.

Thanks / Disclaimer

While the reviewer is most appreciative of the contribution made by so many people, the report and its recommendations are solely his responsibility. The content of this report is derived from what people have expressed to the reviewer. However, the accuracy and importance of their statements is the judgement of the reviewer who accepts responsibility for any errors or omissions.

What people want for their Swan Valley

The reviewer believes that the advice given in many hours of personal interviews and the postal survey results provide a way forward based on the commonly held views and values. The recommendations made in this report seek to achieve the commonly stated positions while fairly balancing the wide variety of interests and views of residents and land owners in the Swan Valley.

There is very strong support across all groups on a number of key issues. The following draws on these results to highlight what has clear support for the future for the Swan Valley.

Why do people live in the Swan Valley?

The "Rural Character" of the Swan Valley was the main reason given (68%) for living there. People do not want urbanisation or other developments that would destroy their rural environment.

The issues of greatest importance to residents and land owners (using their top three picks) were:

“Lot subdivision” (61%) and “Grape Growing” (60%). These came well ahead of other issues.

Subdivision

Lot subdivision is the most important issue to residents and landowners.

With over two thirds of respondents living in the Swan Valley because of its rural character, concern is expressed that subdivision will destroy the rural landscape. While for some there are strong personal and family reasons for wishing to subdivide their property, many fear subdivision will destroy the rural character and threaten the survival of viticulture and other agricultural pursuits.

Allowing long term land owners to subdivide their rural land for family purposes or on compassionate grounds was supported by 68%, conversely 29% were opposed to this. This poses the challenge of meeting the needs of a small group of long term residents without leading to the destruction of the rural character of the Swan Valley.

Subdivision of Henley Brook area properties into smaller rural living lots of one hectare was supported by 49% and opposed by 40%. These results do not give strong support for allowing subdivision to 1 ha lots in Henley Brook. Henley Brook residents were even more strongly skewed with 7 in 10 either strongly supporting (41%) or strongly opposing (31%) one hectare subdivisions.

One in three say subdivision is the single most important issue for them and 6 in 10 rank it in their top 3 most important issues.

Grape Growing

In overall terms, grape growing also emerges as important with 6 in 10 ranking it in their top three most important issues.

There is very strong support for incentives for farmers to help retain rural land uses, especially viticulture. This support was strong across every property group. Respondents showed strong support for special considerations for grape growers (80%) and farming other than grapes (76%).

Priority access to water

There is an awareness of the importance of water availability for agriculture in the Swan Valley and its limited availability. Highest priority to access the limited ground water resource was for Table Grape (77%) and Wine Grape (75%) growers, followed by Farming other than Grapes (71%). Other uses such as Horses and Livestock were lower, with none above (31%) by top three choices.

“Right to Farm”

Right to Farm provisions are supported by 76% of respondents, however the views on the method of implementation differ. Notices on new titles received only 46% support but 65% agreed that purchasers should be notified that their amenity may be potentially impacted by neighbouring agricultural activities.

Restricting new tourism developments

Almost two thirds (65%) of respondents would require new tourism developments to be directly related to primary production or rural land use. Tourism/Business landowners gave the lowest support for such restrictions but still 54% supported such restrictions.

“The community see tourism and agriculture as working hand-in-hand, with a number of residents and landowners worried that if the balance is not maintained it will negatively impact both industries.” – Survey Report

A Planning Committee for the Swan Valley

Having a special committee or board to make planning decision for the Swan Valley received support from 67% of respondents. In addition to the role of a committee or board in planning matters, there was support for it to promote Swan Valley produce and tourism (41%).

The Future Vision of the Swan Valley

The future of the Swan Valley is firmly grounded in its existing rural feel and agricultural industry, with tourism is seen as a secondary purpose. When asked how people want to see the Swan Valley in 20 years; the highest support (45%) was for both “A farming area with some tourism” and “A hobby and lifestyle area”.

“The Swan Valley’s rural character is the #1 reason why people live in the Swan Valley. The community’s vision for the future Swan Valley is centred on maintaining its rural feel and agricultural industry, with tourism seen as a secondary purpose working in conjunction with primary production.” – Survey Report

Reviewer’s Key Points from the Survey Results

This rural oasis, within the metropolitan area, with vines and the Darling Escarpment beyond, can survive and flourish if its valuable agricultural and tourist industries are given special consideration. The advent of too many non-rural enterprises along with degradation of the landscape would diminish the viticulture, horticulture and tourist industries. Perth’s suburban sprawl drives outside interests who see opportunities for non-rural developments in the Swan Valley, which would destroy its unique amenity.

Proximity to Perth city makes it easily accessible to Perth residents and tourists. The Swan Valley is unique and cannot be transplanted to another location, hence the importance of supporting its viticulture and horticulture thus preserving its open and rural landscape.

Wine makers rely on cellar door sales and restaurants for their viability, while the tourist industry relies on the attraction of the rural environment with its vineyards. The balance between the two must be maintained for both to flourish. The preservation and enhancement of the Swan Valley’s special ambience, has significance beyond these important local industries.

The Swan Valley is an important contributor to the Western Australian economy. City of Swan’s “Day Tripper Research” (Petterson Research, 2016) estimated there were 3.1 million visits per annum, generating \$421 million in visitor expenditure. The State Government has committed extra funding for the promotion of tourist visitation to the Swan Valley. This is seen as an important component in the state’s overall plan for growing tourist numbers to Western Australia with the extra employment this will provide.

This report makes recommendations to the Minister, which in the reviewer’s judgement are necessary to fulfil the future promise held by the Swan Valley and its people, which are born out of the views expressed by the people of the Swan Valley. Workable planning and other initiatives are required to deliver this vision. In the end it will be the courage and the drive of the people and their enterprises that will make the Swan Valley what it is to become.

“A value must be placed on vines in the Swan Valley, which is greater than their productive capacity.”

– Quote from an interviewee



PART B - PLANNING

Introduction

Planning associated with the Swan Valley has become overly confusing and complicated for the local community and decision makers. To ensure that the Swan Valley rural character and appeal continues to be protected and maintained, a number of planning measures are recommended to provide clearer guidance for new developments within the Swan Valley. This includes prioritising the desire to retain the State’s first vineyard region, along with other compatible rural land uses such as tourism directly related to rural production and the character of the Swan Valley.

A clear and concise vision for the Swan Valley is intended to act as a basis for all future planning decisions and to articulate the long term planning goals for this special place. Clear objectives are needed to build on the existing planning system, providing finer detail on issues that have been the subject of interpretation and in some cases unintended development outcomes over the past 20 years.

A simplified planning framework is proposed to reduce red tape and the existing convoluted and confusing decision making process, that varies depending on type of development being proposed and its location within the Swan Valley, by replacing it with a single stream system that results in the majority of Swan Valley development applications being assessed by one specialised planning authority.

The existence of the *Swan Valley Planning Act 1995* has been fundamental to preventing urbanisation within the Swan Valley over recent decades and remains the preferred model, albeit updated with newer and stronger provisions.

Having its own legislation, affords planning for the Swan Valley to be set in law. This approach gives:

1. Planning for the Swan Valley the strongest legal planning structure;
2. Streamlined decision making powers; and
3. A means of amending laws outside the Planning portfolio where necessary.

A single strategic planning authority will reduce confusion and conflict that has existed between the different planning bodies involved in decision making. To ground the decision making with the interests of the residents and land owners of the Swan Valley, subdivision and development proposals will have advice from a strategic leadership group. The Swan Valley Strategic Leadership Group (SLG) will be empowered to provide support and advice, not only on planning matters, but also to advocate on matters to fulfil the vision of the Swan Valley, such as rural industry development and marketing.

The recommended new legislation will provide a one-stop process for all Swan Valley planning and requires the preparation of a new strategic plan for the Swan Valley (building on existing guidance), a Swan Valley planning scheme and will include a mechanism to enforce compliance with any conditions placed on development approvals.

Figures 1 and 2, below, provide a summary of observations and recommended principles for future Swan Valley planning.

SUMMARY OF OBSERVATIONS

FARMING

In the Swan Valley viticulture and horticulture are threatened by:

- Encroachment of urban land use
- Non-rural land uses
- Competition from other parts of the State
- Imported produce
- Being undervalued as a productive rural area
- Under promotion of the Swan Valley as a wine region

RURAL LAND USES

Productivity of rural land uses is compromised by:

- Changing demography (ageing population, younger family members not continuing farming)
- Restrictions on farming activities by nearby non-rural land uses (e.g. dust, crop spraying, noise)
- Threats to economic viability
- Lack of clear vision for the future of Swan Valley
- Lack of a clear hierarchy for land uses in the Swan Valley

WATER

Access to water is a major issue due to:

- Diminished ground water levels
- Failure to prioritise water for primary production opportunities
- Water allocation process in need of review and improvement

TOURISM

Swan Valley is viewed as a tourist destination and needs:

- Coordinated support, marketing, branding, identity and shared goals
- Shared vision for Swan Valley that facilitates primary production and tourism operating hand in hand
- Suitable scale of tourism development

SUBDIVISION

Further subdivision in the Swan Valley is likely to:

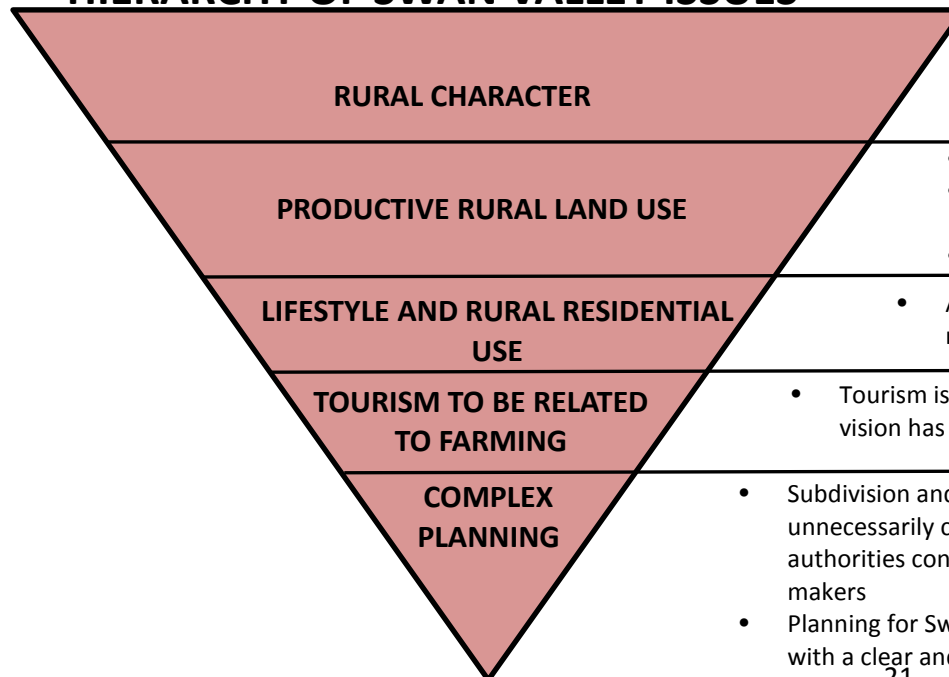
- Fragment land holdings further, reducing agricultural viability
- Help long term Swan Valley families settle property ownership matters
- Compromise the partial success of the 1995 Act in preserving the Swan Valley

PLANNING

Swan Valley planning approvals process is:

- Confusing, open to interpretation and not guided by a shared vision
- Inconsistent and lacks coordination
- Hindered by red tape and referrals
- Subject to too many different processes and cross-purposes

HIERARCHY OF SWAN VALLEY ISSUES



- Rural character to be defined and central to all planning decisions
- Swan Valley's assets are viticulture, horticulture and tourism.
- The loss of rural character will see a decline in primary production and tourism.
- Planning decisions to take account of perimeter buffer areas.

- Viticulture and horticulture are critical to the success of the Swan Valley.
- The range of pressure on Swan Valley rural land uses has reached a level where Government intervention is crucial to its future
- Tourism cannot prosper without the rural character

- Appropriate lifestyle and rural residential areas enhance the Swan Valley rural character.

- Tourism is complementary to farming and vineyard themes, however the lack of a clear vision has resulted in tourism not in keeping with this.

- Subdivision and development application assessment within the Swan Valley is unnecessarily complicated due to a range of decision makers, processes and referral authorities confusing the community and resulting in a perceived lack of trust in decision makers
- Planning for Swan Valley needs to be reviewed and simplified to provide the community with a clear and transparent understanding of what is and isn't possible within the Swan Valley and to ensure that future rural and tourism proposals are only approved if they are consistent with the vision for the Swan Valley as reflected in clear legislation and scheme provisions

PRINCIPLES FOR THE SWAN VALLEY

PROTECT THE SWAN VALLEY RURAL LANDSCAPE ASSET

Maintain and enhance the unique landscape of the Swan Valley to the Darling Escarpment

ENCOURAGE VITICULTURE AND HORTICULTURE

Maintain the rural character of the Swan Valley by prioritising viticulture and horticulture land uses.

FOCUS ON TOURISM

Promote tourism complimentary to the rural landscape to encourage tourism based on produce from the Swan Valley.

RETAIN EXISTING LIFESTYLE LOTS AND LAND USES

Retain and protect lifestyle, equestrian and recreational land uses in rural and rural residential zones to maintain and enhance the rural character of the Swan Valley

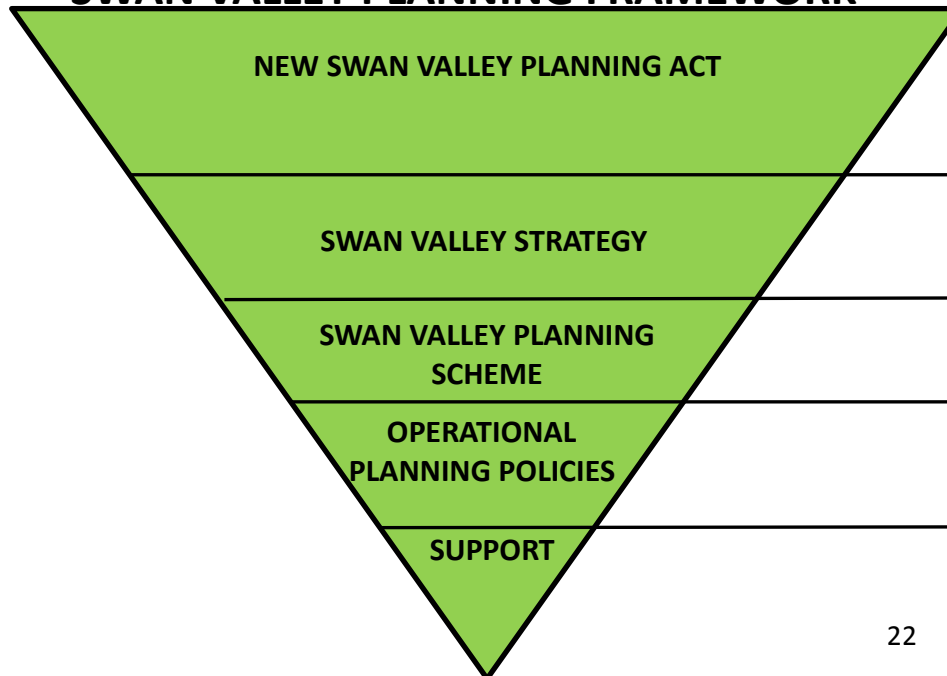
SINGLE PLANNING DECISION MAKER

Streamline decision making for Swan Valley proposals through a specialised decision making authority that assesses ALL Swan Valley development applications and is trained / resourced similar to a WAPC committee and contains rural and tourism expertise relevant to the Swan Valley

Vital Measures for Implementation:

1. Whole –of-Government support for Swan Valley as a grape growing and wine region
2. Whole-of-Government support for Swan Valley rural tourism, branding, marketing
3. Prioritisation of Swan Valley water allocation to benefit viticultural / horticultural land uses
4. Viticultural, horticultural and agricultural land uses to benefit from “right to farm” provisions

SWAN VALLEY PLANNING FRAMEWORK



- Legislation to remove ambiguity and to explicitly protect the desired rural character and rural land uses of the Swan Valley
- A single decision making authority with expertise in planning, agriculture and tourism.
- Retain minimum lot sizes with limited exceptions for special cases
- Strategic Leadership Group enacted by statute to be consulted on planning matter and proactive in promoting the vision of the Swan Valley.

- A strategic plan to promote and protect the Swan Valley rural character and guide preferred rural land uses.
- The Strategy will outline the vision for the Swan Valley.

- Swan Valley Planning Scheme to guide land use planning consistent with Swan Valley legislation and strategic plan

- Development and land use policies to provide detailed guidance on specific Swan Valley issues (e.g. rural land uses, development, rural tourism, sheds/sea containers, aged care accommodation)

- Whole-of-Government support necessary for the Swan Valley to succeed as a grape growing and tourism region.
- State Government assistance on identity, branding, marketing and promotion for produce and tourism in the Swan Valley region.
- Support for growth of jobs in the Swan Valley.

A Vision for the Swan Valley

The vision as proposed for the new *Swan Valley Planning Act* is:

The Swan Valley is a unique rural environment within metropolitan Perth with its exceptional visitor appeal derived from its viticulture, world class food and beverage, and the open rural landscape extending to the Darling Escarpment. Horticulture, tourism, lifestyle properties, equestrian and hospitality are all important contributors to what makes the Swan Valley and their development needs to be in sympathy with this rural character.

Formalising the protection of viticulture through the new Act will strengthen implementation of planning measures as law and will clearly establish that viticulture, horticulture and other complementary industries are the primary uses encouraged in the Swan Valley. The vision should be encompassed in a strategy for the Swan Valley and provide overarching strategic guidance.

General planning objectives recommended for the Swan Valley are to:

1. Encourage development that retains the open rural landscape and also retains vistas to the Darling Escarpment;
2. Support the continued viability, success and growth of viticulture and horticulture as a primary feature of the Swan Valley;
3. Support new tourism (where it is secondary or incidental to a primary productive rural land use); and,
4. Support continued lifestyle and equestrian land uses that complement the Swan Valley rural landscape without negatively impacting the rural ambience.

A New Swan Valley Planning Act

The Swan Valley should have the highest level of protection through its own explicit legislation. The *Swan Valley Planning Act 1995* has prevented wholesale urbanisation (i.e. residential subdivision) of the area since it came into effect 23 years ago, however incompatible development has been less effectively controlled over the same time period. A new approach is recommended to avoid the approval of inappropriate uses in the Swan Valley as well as respond to contemporary issues such as urbanisation fronting on to some rural areas of the Swan Valley (particularly the western fringe). This review acknowledges approved development and land uses exist in the Swan Valley that are not consistent with the objectives of the 1995 Act and/or the *Swan Valley Interim Planning Policy* (July 2014) suggesting shortfalls in existing planning processes and administration.

A new *Swan Valley Planning Act* is recommended to replace the existing *Swan Valley Planning Act 1995*, to facilitate a system of land use planning and development that clearly prioritises viticulture and complementary horticulture in the Swan Valley above other uses. Wine and table grape growing is historically important in the Swan Valley and an essential element of the Swan Valley ambience and heritage, generally referred to as “rural character”.

The new Act is proposed to create a single decision making authority with the ability to delegate decision making when judged appropriate. Streamlined decision making will deliver system efficiency and shortened processing times. Presently, depending on the details of a proposal (and its

precise location), it may be assessed by the City of Swan, the Western Australian Planning Commission or a combination of both along with referral to the Swan Valley Planning Committee. The removal of dual approval processing (State and Local Government) for as many proposals as possible is considered a significant benefit of a revised system.

Establish a Single Swan Valley Planning Authority

The new Swan Valley Statutory Planning Committee (SVSPC) will be the sole decision making authority for development and subdivision in the Swan Valley. The SVSPC will administer the application of the Scheme. This will streamline decision making on planning matters and deliver outcomes in conformity with the vision for the Swan Valley.

Members of the Swan Valley Statutory Planning Committee are appointed by the Minister. Membership of the new committee will ensure appropriate consideration of applications on planning merit and ensure conflicts of interest are removed or appropriately managed.

The membership of the committee will consist of:

- Presiding Member (Chair of SVSPC);
- City of Swan representative (Mayor or nominated councillor);
- Specialist planning professional;
- Specialist agricultural representative;
- Specialist tourism representative;
- Nominee of the Minister for Planning; and
- Nominee of the WAPC.

Rules and processes of the committee will mirror those of the Western Australian Planning Commission.

The SVSPC will be empowered by the Act to enforce conditions attached to a development. The decision to enforce conditions on a land owner cannot be delegated to officer level.

Training for members will include ethical decision making to ensure members are aware of identifying conflicts of interest and appropriately managing them.

The Presiding Member of the Committee will also chair the Swan Valley Strategic Leadership Group (SLG). This will ensure the SVSPC and the SLG complement each other in delivering on the vision for the Swan Valley.

Swan Valley Strategic Leadership Group (SLG)

The Swan Valley Strategic Leadership Group (SLG) is to perform two important functions:

1. The formal advisory body to the decision making of the Swan Valley Statutory Planning Committee by providing comment on applications coming before the SVSPC. This will give the SVSPC valuable input from the people who make the Swan Valley what it is and treasure what it can become. Transparency of decision making requires that the SLG be in turn informed of the decisions made by the SVSPC.

2. Provide leadership on all matters which further the vision for the Swan Valley (as set out in the Act). This goes beyond planning matters to the promotion of the Swan Valley and the development for industries integral to the ambience of the area. As an advocate for the Swan Valley, the SLG can work cooperatively with all levels of government and other groups to promote enterprises and ventures important to the area.

The SLG is recommended to be chaired by the Presiding Member of the SVSPC to ensure a coordinated approach between the SLG and the SVSPC.

SLG membership may consist of up to 12 self-nominated honorary members appointed by the Minister. Members should be drawn from key interest groups in the Swan Valley, including growers, tourism groups, local community groups, interested individuals and representatives of the City of Swan.

The SLG should be required to provide an annual report to the Minister on the performance of the SVSPC, planning decisions, progress towards the Swan Valley vision and non-planning matters they judge important to the Swan Valley. Further parameters around the rules of operation will be included as part of drafting for the new Act.

Land Use Zones

It is recommended that zones be defined to reflect differences in the rural areas, supported by planning provisions within the Scheme.

Swan Valley Rural Residential (former Area A)

This zone retains the existing rural residential character with more detailed guidance. This is to ensure that the existing lifestyle, recreational and larger lots are retained as originally designed and constructed. Uses within this area are intended to be slightly expanded to provide limited, low key opportunities for a range of rural and ancillary rural tourism uses, consistent with the intention of the main land uses remaining as hobby farms. The minimum lot size for the zone shall remain at **2 hectares**.

An additional provision is proposed to provide a narrow transitional area between the existing rural residential uses and the burgeoning urban suburbs adjacent to it. Lots directly fronting Gngangara Road and Henley Brook Avenue (including the unconstructed portion) within the Swan Valley Rural Residential zone may apply for subdivision where all lots retain a minimum lot size of **1 hectare**, subject to ceding of land to create a bridle path.

Swan Valley Rural (former Areas B and C)

The purpose of the zone will be to maintain and protect the Swan Valley's rural character with preferred or permitted uses being viticulture and horticulture. Tourism activities that complement the Swan Valley rural character that are smaller in scale than the predominant on-site rural use and directly linked to the rural use may be considered through development approval.

The minimum lot size for this area is recommended to be retained at **4 hectares** to secure ongoing certainty, sustainability and viability for primarily agricultural uses like viticulture by preventing further fragmentation of rural land through subdivision. Reducing the minimum lot size would likely result in the further reduction of land utilised for primary production.

Herne Hill Village

The existing Herne Hill township area (area bound by McDonald Street to the north, the railway to the east, Argyle Street to the south and Great Northern Highway to the west) is to be designated as “Herne Hill Village”. No significant changes are recommended for this section of Herne Hill. The majority of the township has been developed as a residential enclave and is not expected to change dramatically over coming decades, however further policy guidance is necessary to ensure the future development opportunities are consistent with local community needs. Limited expansion of existing retail and community facilities at Herne Hill may be supported, such as those facilities typical of a village (local) centre including medical services (general practice) and physiotherapy.

Swan Valley Enterprise Park

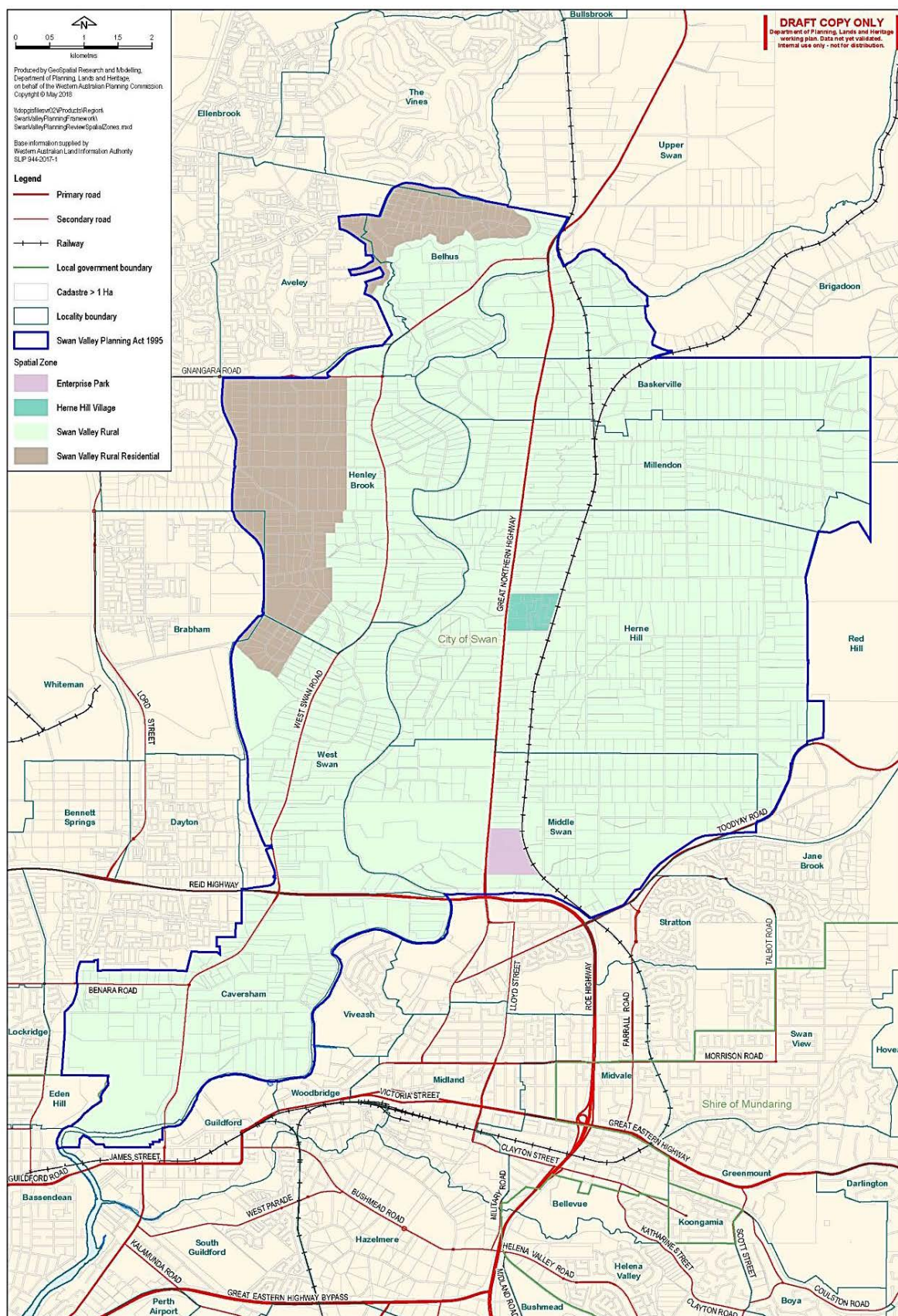
An area on Great Northern Highway adjacent to the southern boundary of the Swan Valley area has been used for a variety of industry, transport and business related uses over several decades and is proposed for redevelopment as an enterprise park.

The land use proposed for the landholding is not in keeping with the vision for the Swan Valley. It is proposed to retain the landholding in the Swan Valley area and apply special provisions to the intended land use to allow non-rural development, while ensuring that the final built form is sympathetic with its surrounding Swan Valley environs.

This planning area will provide for a range of light industrial land uses and service industries that would not be supported in other Swan Valley planning zones. The new Enterprise Park will be required to integrate appropriately with the Swan Valley. This can be managed by setbacks, screening or other treatment that are complementary to the rural amenity.

Recommended changes to the Swan Valley land use area are included in Figure 3 on the next page.





Swan Valley Planning Scheme

Planning schemes are used to set out the way land is to be used and developed, classify areas for particular land uses and may include provisions to coordinate infrastructure and development. A specific planning scheme is recommended for the Swan Valley to provide specialised planning direction to address its unique circumstances. Such a scheme could provide explicit guidance only relevant to the Swan Valley by removing it from adjacent areas that undergoing a transition from rural to urban land uses, predominately new suburban residential development. By excluding the Swan Valley from the existing City of Swan Local Planning Scheme No.17, the Swan Valley area can be the complete focus of the scheme and not include any provisions that are relevant to nearby areas experiencing green field (new) urbanisation. The bespoke scheme would control the specialised uses desired for the different parts of the Swan Valley and allow for orderly and proper planning that is directly relevant to the Swan Valley and the vision for its long term protection.

A new scheme is recommended to be created for the Swan Valley. The new scheme will assist in streamlining development assessment by relieving the City of Swan of decision making on development applications in the Swan Valley and, as detailed previously, ensuring the majority of decision making is done by a single authority – the Swan Valley Statutory Planning Committee – which will become a specialist planning authority for the area.

Given the Swan Valley is proposed to have its own unique legislation, the Planning and Development (Local Planning Scheme) Regulations and the Model Scheme Text will be a guide only and can be tailored to fit the uniqueness of the valley.

The scheme text may include distinctive objectives only for zones intended in the Swan Valley and align the objectives for the zones in keeping with the new Swan Valley legislation. A significant benefit of the new scheme will be a zoning table and a scheme map that only deals with matters that are relevant to Swan Valley, thus reducing the opportunity for incompatible non-rural activity in the Swan Valley.

It is recommended to incorporate the provisions of the *Swan Valley Interim Planning Policy 2014* (endorsed by the Western Australian Planning Commission) into the new Swan Valley Planning Scheme.

By incorporating the definition of ‘rural character’ into the new scheme, there will be less opportunity for varying interpretations of rural character ensuring only development that satisfies the intent of the definition of rural character will be supported.

“Rural character means the distinctive combination of qualities which make an area ‘rural’ rather than ‘urban’. These include the dominance in the landscape of viticulture and compatible horticulture and natural landscape regimes and the absence or subservience of man-made structures other than those related to the primary use of the area for which the land is zoned or reserved.”

Road and traffic issues

Concerns were expressed to the reviewer regarding the volumes of traffic on major roads through the Swan Valley and the road safety issues which they create. The construction of NorthLink and

Henley Brook Avenue will have an impact on the resultant traffic flow and any future traffic modelling undertaken for the area.

Scheme Text

Objectives for zones, as previously discussed, are recommended to be consistent with the following:

Zone	Objectives
Swan Valley Rural Residential (formerly known as Area A)	<ol style="list-style-type: none"> 1. Rural residential character (smaller lots, range of low key rural uses that do not impact/limit adjacent properties) 2. Maintain rural residential character (lifestyle, hobby, recreational, rural pursuits, small scale/boutique rural/produce, low key tourism accommodation uses etc.) 3. Provide opportunities for a range of limited low key rural and ancillary land uses where consistent with the desired amenity of the zone and the conservation of the Swan Valley rural landscape, public views and rural land uses. 4. Subdivision of rural residential land into lots no less in area than 2 hectares, only where consistent with the objectives for this zone AND the proposed size, layout and configuration of proposed lots is consistent with surrounding, prevailing lot sizes. 5. Subdivision of rural residential land for the purpose of a transitional area between existing rural residential uses and the burgeoning urban suburbs adjacent to it. Lots directly fronting Gnangara Road and proposed Henley Brook Avenue in Swan Valley Rural Residential area may be considered for subdivision to a minimum lot size of 1 hectare, subject to ceding of land to create a bridle path.
Swan Valley Rural (formerly known as Areas B and C)	<ol style="list-style-type: none"> 1. Maintain the Swan Valley rural character. 2. Predominant land use is productive viticultural and horticultural land use. 3. Complementary agricultural land uses and rural pursuits compatible with the desired rural character of the zone. 4. Only new tourism that complements the rural character of the zone and is secondary and directly related to productive rural uses (e.g. vineyard) 5. Subdivision of Swan Valley Rural land only permitted where all proposed lots are no less than 4 hectares, where consistent with the objectives of this zone AND the proposed size, layout and configuration of proposed lots is consistent with surrounding prevailing lot sizes and subdivision pattern. 6. Encourage retention of larger lots for long-term agricultural productivity and viability.
Herne Hill Village (formerly known as the Herne Hill townsite as bounded by McDonald Street to the north, the railway to the east, Argyle Street to the south and Great	<ol style="list-style-type: none"> 1. Retain the predominant single residential configuration of the established residential area located in the eastern half of Herne Hill (between the Swan Valley Sporting Club and Railway Crescent) unless the area gains access to reticulated sewer. 2. Opportunities for limited retail and community land uses

Northern Highway to the west)	<p>consistent with those permissible in a local centre in the western portion of the zone provided the rural character of Herne Hill is retained.</p> <ol style="list-style-type: none"> 3. Retaining the existing Private Clubs and Institutions zone (>8 separate freehold lots in various ownership) and permit limited land uses that are consistent with the zone objective and the rural character of the area. 4. Provide for a range of land uses typically available at a local centre. 5. Demonstrate justification and demand for new retail or community land uses.
Enterprise Park (Stefanelli Land)	<ol style="list-style-type: none"> 1. Provide for a limited range of light industrial uses and service industries that are not likely to impact upon the rural character and legitimate land uses of the other Swan Valley zones. 2. Require the preparation of a structure plan for the entire zone prior to any approved development to ensure that new development occurs in sympathy to adjoining land uses and residential properties in terms of setbacks, intended streetscape, rural landscaping, adequate vehicular access (potentially including road design improvements to cater for the use) and screening to ensure any development in the zone does not negatively impact or detract from the rural amenity and character of the Swan Valley. 3. Ensure integration/interface with Swan Valley is addressed in a structure plan that precedes development and that such details form part of any development approval conditions. 4. Ensure environmental laws and regulations are specifically applied to existing and new development within this zone and that appropriate measures are in place in the event of non-compliance.

The zoning table for the Swan Valley Planning Scheme is recommended to prohibit the following list of uses in all Swan Valley zones due to incompatibility with rurally productive land uses and to prevent a reduction of Swan Valley rural land available for productive rural uses for the purpose of non-rural development:

- a. Places of worship/assembly
- b. Roadhouse/service station
- c. Transport and storage depots/businesses
- d. Sea containers and/or dongas unless a development applications is approved that satisfies provisions relating to placement, amenity, upkeep and visual amenity and any approval conditions to protect the rural character and amenity of the streetscape.

A review of the existing City of Swan Local Planning Scheme No.17 zoning table is included at Appendix 1 showing suggestions for various land uses within each Swan Valley zone as permissible (P), acceptable (A or D) and prohibited (X) land uses.

Secondary / Ancillary Uses (primarily to allow compatible tourism)

Retaining the Swan Valley as a viable grape growing and primary producing agricultural area is essential to meeting the vision for the Swan Valley.

The primary use of land in the Swan Valley Rural zone must be first and foremost secured for productive rural uses. Rural land in the Swan Valley should be protected against intrusion from non-rural land uses such as tourism that is not directly related to primary production and viticulture.

It is not intended to prevent further tourism developments in the Swan Valley; it is to ensure that only tourism that is directly related to an onsite rural use (e.g. viticulture) is allowable in the Swan Valley.

For example, a new restaurant or reception centre without a direct connection to the land will be prohibited. However, if the proposed new restaurant or reception centre is ancillary or secondary to an existing rural use it may be considered. Provided the new tourism use is directly linked and related to the primary rural use of the land (preferably primary production), and is of lesser scale than the primary use, it may be considered (e.g. restaurant utilising food grown on site; small reception centre in vineyard setting serving food and wine grown onsite).

This is aimed at protecting the rural character of the Swan Valley, the predominant use of its land for primary production (agriculture, viticulture, horticulture), while encouraging tourism that builds upon the Swan Valley historical and rural theme rather than tourism which competes for the use of the scarce resource that is its agricultural lands. By preventing tourism that does not directly relate to a primary rural use, the threat of unrelated tourism development is removed (i.e. standalone tourism such as theme parks, water parks etc.).

This is recommended to be achieved by prohibiting (X) a number of uses that were previously possible in the Swan Valley. These include:

- Camping Area
- Caravan Park
- Cinema/Theatre
- Exhibition Centre
- Food and Beverage Production
- Hotel
- Market
- Reception Centre
- Restaurant
- Tavern
- Tourist Development
- Tourist Resort

It is reiterated that the above uses are only prohibited if proposed as new standalone uses however each may be proposed and considered as secondary and ancillary to an existing primary rural use (preferably involving primary edible production) in the Swan Valley Rural zone.

Aged Care Accommodation

The scheme is recommended to support the provision of one aged care facility in the Swan Valley to accommodate ageing long term residents. A facility should only be considered where it provides the

full range of aged care needs (i.e. independent, assisted, and high care). As only one such facility is encouraged, the use is recommended to be prohibited in the zoning table (to prevent more than one aged care development) however specific provisions within the scheme will facilitate one aged care facility that must satisfy stringent criteria.

Locational factors for an aged care facility in the Swan Valley Rural zone include:

- Accessible site – Safe vehicle entry/exit to a public through road that is constructed to a level that allows free movement/passing of two vehicles travelling in opposite directions to accommodate traffic, bush fire management (evacuation) and minimised impact on surrounding rural uses including lifestyle living;
- The proposed aged care development site must be accessible by public transport (i.e. West Swan Road or Great Northern Highway for Transperth buses);
- Site that is demonstrated to be minimally (or not at all) impacted by dust, noise, affected by odours, noise, spray drift and dust that are associated with existing and future land uses in the Swan Valley; and,
- Avoid aged care facility development on land that is presently used (or is suitable for future use) for viticulture and other productive horticultural and agricultural uses.

Provisions for the design of an aged care facility in the Swan Valley Rural zone should include:

- Designed so as to not obstruct views from public places such as roads and lookouts;
- Designed to be in keeping with the rural character of the Swan Valley and design objectives of the relevant Swan Valley zone (preference for development to present as single storey);
- Sited to minimise impacts from adjoining rural uses (dust, noise, affected by odours, noise, spray drift and dust that are associated with existing and future land uses in the Swan Valley) including onsite buffer to protect the use from neighbouring rural land uses;
- the proposed lot must be able to accommodate adequate water supply (domestic, land and fire management), electricity supply, and adequate reticulated or alternative sewerage treatment; and
- Clearly demarcated two way entry/exit with consideration of separate servicing vehicle access; Car parking facilities to accommodate the estimated number of staff, residents (with access to vehicles) and visitor car bays.

Succession Subdivision

To assist retention, and encourage future viability, of long term viticultural operations within the Swan Valley Rural zone (formerly Area B and Area C), the new scheme is recommended to include a provision allowing the limited creation of succession lots in specific circumstances to aid in the retention of multi-generational grape producing properties (e.g. to accommodate retiring senior family members or provide independence for younger generations of family actively engaged in grape production on the original lot).

The concept is similar to 'Homestead Lots' intended for larger rural landholdings to allow primary producers to continue to reside on their land where land fragmentation is limited and unlikely to increase (refer to Development Control Policy 3.4 – Subdivision of Rural Land).

The provision would only apply in the Swan Valley Rural zone and be limited to the creation of one additional lot of area between 1000-1500m² with road frontage that either:

- Creates a separate lot for an existing onsite dwelling (of habitable standard); OR
- Facilitates construction of a new dwelling on the succession lot that complies with standard Swan Valley Rural setbacks (i.e. 20 metre front setback; 10 metre side setback) and other relevant provisions.

A caveat on title is recommended to prevent a new lot being sold or transferred to a third party within first five years of creation to prevent unintended residential subdivision of rural land.

A notification on title is also recommended, to ensure that future purchasers of the succession lot (e.g. if after five years the new lot is not retained in family ownership) are informed that the property may be impacted by dust, noise, affected by odours, noise, spray drift and dust that are associated with existing and future land uses in the Swan Valley.

Applications for succession subdivision are recommended to be permissible by exception in the Swan Valley Rural zone subject to strict conditions including:

- it is demonstrated that grape production has occurred continuously for a minimum of 25 years; AND
- it is demonstrated that ownership of the lot has remained in the one ownership for a minimum of 25 years (e.g. one family/entity), AND
- the proposed lot does not reduce the area of land productively used for grape growing (or limit potential future extension of grape growing); AND
- the proposed new lot does not impact upon the rural character of the Swan Valley; AND
- it can be demonstrated that the succession lot can accommodate a new dwelling that satisfies setbacks and other provisions of the zone (preferably through a building envelope); AND
- the proposed lot has direct access to a public road, adequate water supply (domestic, land and fire management), electricity supply, and adequate reticulated or alternative sewerage treatment; AND
- no previous subdivision of the lot to create a succession lot has occurred.

Non-conforming Use Rights

It is emphasised that existing uses that were legally approved under the existing (soon to be previous) planning scheme will gain what is known as 'non-conforming use rights'.

This is a planning term used to address situations, such as in Swan Valley, where legitimately approved uses (such as the tourism and hospitality uses listed above in the section on secondary / ancillary uses) may continue to operate legally even though it no longer complies with a planning scheme. As such, existing restaurants, reception centres and specialty tourism uses are not impacted and may continue to operate.

For consistency the existing City of Swan Local Planning Scheme No. 17 provisions related to non-conforming uses are recommended to be carried over into the new Swan Valley Scheme. These include:

- the non-conforming use right remains unless the use is discontinued (i.e. stops) for a period of six months;
- any alteration or extension of the use must receive planning approval;

- alterations/extensions must be in keeping with the objectives of the zone and rural character of the Swan Valley and be approved only if it is considered less detrimental than the existing use;
- a change to another non-conforming use may be considered where the proposed use is considered less detrimental than the existing use and is consistent with the objectives of the zone and rural character of the Swan Valley;
- Provisions that provide an opportunity for termination of a non-conforming use through the payment of compensation by way of legal agreement (unlikely to be used due to associated costs); and
- In the event that the building used for the non-conforming use is destroyed (e.g. by fire or flooding) to 75% or more of its value and/or extent, the non-conforming use will expire and any new development must comply with the current scheme provisions, unless given planning approval.

2015 Draft Development Plan proposals for the Swan Valley that should not be supported

Intensive tourism zones, the concept of a new traffic bridge (connecting the east and west banks of the Swan River) and the expansion of Herne Hill as town site were previously proposed in the *draft Swan Valley Development Plan 2015*, and are NOT supported by the Independent Reviewer in future planning.

Operational Planning Policies

The scheme will be supported by operational policies, which are necessary to guide planning (including development and land use) for both the natural and built environments. These will provide additional resource-based materials to assist in implementation of the vision. These policies may be reviewed and added to where circumstances require or new issues are identified.

- Natural environment (landscape protection, groundwater protection, watercourse protection, landform protection, tree protection); and
- Built form (tourism development, sheds and agricultural buildings, residential development, Herne Hill Village and aged care).

Further detail regarding the operational planning policies is provided in Appendix 2.

PART C – BEYOND PLANNING

Introduction

To complement and deliver the required outcomes, the Swan Valley needs a variety of initiatives that go beyond planning and its processes. The Swan Valley Planning Act, while primarily engaged in planning matters, provides a vehicle to legislate in other areas of importance to the future of the Swan Valley. Without the implementation of complementary measure suggested here, the planning changes will not by themselves deliver the outcomes sought. Some of these recommendations may be best implemented using regulations or other administrative means. Where institutional silos are an encumbrance to necessary changes, then using the proposed amending Planning Act to amend Acts in other portfolios should be considered. It is recognised that this may cause further delays in establishing the urgently needed planning changes - which must be avoided.

Recommendations beyond the Planning Portfolio

1. Creation of the Swan Valley Strategic Leadership Group (SLG)

Establish by statute the Swan Valley Strategic Leadership Group (SLG). While this body will perform an important part of the consultation required for planning decisions, it is envisaged that it be a strong voice in the interest of the Swan Valley across a range of areas. With an effective membership it should be a catalyst for progress in any matter important to achieving the vision for the Swan Valley. It is recommended the SLG:

- a. Be chaired by the Presiding Member of the SVSPC.
- b. Membership be honorary with up to 12 people drawn from groups having significant interests in the Swan Valley.
- c. Present an annual report to the Minister for Planning on progress towards fulfilling the vision for the Swan Valley. This gives the SLG the remit to propose and assess all the needs of the Swan Valley, not just planning decisions.
- d. Work with Swan Valley enterprises, individuals and all levels of government to further the interests of the Swan Valley in keeping with the vision established in the Swan Valley Planning Act.
- e. Establish an appropriate governance framework for the management and conduct of its meetings.

2. Establish a water licensing regime specific to the Swan Valley Statutory Planning Area

- a. Create a standalone Water Management Plan for the Swan Valley.
- b. Establish a priority for viticulture in all water allocation and management in the Swan Valley.

The “PURPOSE” contained in the relevant regulations needs to clearly define viticulture and any allied uses to benefit from priority water allocation.

Water trading rules should not allow rights to ground water to be traded for uses other than those covered by the purpose of the licensing regime (i.e. viticulture and any allied uses). An exemption would allow a water licence sold with land to be transferred if required for the continuation of the same use. Existing rules would apply that provide for licenced water no longer used to be returned

to the pool of unallocated water. The allocation of water traded under the new regime should also be taken back if no longer used for the purpose recognised in the trade.

Water licencing for grape growers needs to be flexible to recognise fluctuating demand.

The water required for irrigating vines, particularly table grapes, can fluctuate with the rainfall in a given year and with possible changes in the varieties of grapes grown. Some growers fear losing some of their allocation when they use less than their licence allocation due to a run of wetter seasons or changes to their planting regime. The enforcement of water licence usage and associated recouping needs to recognise annual variation in demand by grape growers.

Management Priorities for water licencing in the Swan Valley

Due to the drying climate and usage, ground water is fully allocated in this area. Hence it is important to efficiently manage water licencing and usage.

It is also recommended:

- c. Water licencing provisions for grape growers to be flexible in recognition of the variations in demand due to seasonal conditions.
- d. Align management priorities for water licencing in the Swan Valley by:
 - i. Expediting the metering of all bores with annual water allocations of 10,000 kilolitres or more;
 - ii. Realignment of the Groundwater Subarea Boundaries to the Swan Valley Statutory Planning Area, to the extent possible in keeping with best practice and good ground water science;
 - iii. Work with all water licence holders to introduce water efficiency measures in the Swan Valley;
 - iv. The Department of Water and Environmental Regulation (DWER) should undertake a compliance campaign to check for any unlicensed ground water usage in the Swan Valley; and
 - v. Investigate enhancing water availability with water reuse from the new residential developments adjacent to the western boundary of the Swan Valley (e.g. Brabham).

Further information on water licencing is available in Appendix 3.

3. Right To Farm

- a. Establish in the Swan Valley Planning Act the principle of “Right to Farm”. This is to inform and educate all land owners of the pre-existing rights of farmers to continue their farming practices in accordance with established agricultural standards.
- b. Require all future land transfers to place a notification on the title, advising purchasers that the Swan Valley is a designated agricultural region where standard farming practices are permitted and encouraged.

4. Changing locality names to Swan Valley

While the name “Swan Valley” is in common usage there is presently no locality address of Swan Valley. The Swan Valley Planning Act 1995 designates a planning control area with this name.

The tourist industry and wine makers are generally supportive of their suburban locality being renamed Swan Valley as they see this as being supportive of their industries. The Swan Valley is already a designated wine producing region in Australia. The State Governments policy to grow tourism and jobs in the Swan Valley would be supported by a name change to Swan Valley.

Proposal:

- a. Proceed to consult residents and land owners with a view to changing locality names in the Swan Valley Planning Area to “SWAN VALLEY”.
- b. Propose, as a basis for consultation that the parts of Caversham, West Swan, Middle Swan, Herne Hill and Millendon, lying within the Swan Valley Planning Area, are renamed Swan Valley.
- c. Community consultation to cover all properties with addresses in the suburbs: Caversham, West Swan, Henley Brook, Belhus, Middle Swan, Herne Hill, Millendon, Baskerville and Upper Swan. Including properties outside the Swan Valley Planning Area is necessary as they may wish to retain their existing locality name or be merged with another contiguous locality.
- d. Based on the responses to the consultation, define clearly the new boundaries for the locality to be named Swan Valley and the proposed naming of areas not included in the Swan Valley.
- e. The Minister, with further consultation if necessary, should proceed to gazette the locality “SWAN VALLEY”.

Additional information on changing locality names within the Swan Valley is available in Appendix 4.



5. Supporting Tourism

- a. Establish the Swan Valley as a single locality name with a single postcode. This will help to develop the Swan Valley brand and further promote the Swan Valley wine and tourist region.
- b. Allow for retail stores, cafes and restaurants as an ancillary use, which will support the tourist industry to be incorporated into a predominantly viticultural and horticultural landscape.
- c. Provide for “Nature Based Camping” on properties with vines or horticulture as a tourism opportunity (note, this is not a caravan park use).
- d. Liquor Licencing applications should be required to demonstrate how they fit into the vision/objectives for the Swan Valley.
- e. Support the efforts of the Swan River Trust and other authorities to increase public access to the Swan River.

The proliferation of tavern, breweries and distilleries is not supportive of the vision for the Swan Valley. They sell products that even if fermented in the Swan Valley do not grow the required source materials there. Applications for new or expanded liquor licences should be required to demonstrate how they fit into the vision for the Swan Valley. If the proposed facility is inimical to the rural nature of the Swan Valley then it should not be approved. The SLG should be a voice for the valley in making submissions on applications.

6. Land tax

Land taxes including City Rates and the Emergency Services Levy (ESL) are a significant burden to agriculture in the Swan Valley. Recognising the need to fund government services it is not practical to remove these costs from growers. Nonetheless if viticulture and horticulture are to survive and flourish in the Swan Valley, special arrangements are required to support productive viticulture and horticulture where possible. Growers compete in the market with produce from regions outside Perth where these costs are much lower. Provisions to provide such support must be well crafted to cover only agricultural pursuits that are critical to the Vision established for the Swan Valley by lowering the level of taxes and charges levied on them. Any provision to support viticulture and horticulture must be crafted so as to not create an exemption that could be abused.

Land Tax recommendations:

- a. Wineries processing grapes grown in the Swan Valley should have both the area under vines and the winery exempt from land tax.
- b. Land leased for productive viticulture or horticulture to be exempt from land tax. At present, a grower wishing to expand by leasing neighbouring land becomes liable to pay land tax as the exemption does not apply to growers who are not the property owner.
- c. The Government should seriously consider the introduction of a Swan Valley Improvement Levy with the burden falling on properties that benefit from the viticultural and horticultural landscape to fund required enhancements in the Swan Valley.

7. Emergency Services Levy (ESL)

Amend the relevant taxing Act to give special consideration to properties in the Swan Valley engaged in viticulture and horticulture. The level of ESL should be commensurate with that paid by similar producers in other regions of Western Australia. The present system as applied to the Swan Valley is difficult to understand and punishing of growers who are competing against produce from non-metropolitan regions.

8. City of Swan – Improving the Differential Rating System

The City uses differential rating to lighten the burden on agricultural land. To achieve the Vision for the Swan Valley, the system needs to provide special consideration (i.e. a subcategory with rates lower than other traditional agricultural activities), to lower the rates on viticultural and horticultural activities. This may be done through an amendment in the Swan Valley Planning Act or possibly by the review presently taking place under the Minister for Local Government.

9. Equine industry & residents with horses

Work with the equine industry and horse owners to establish:

- a. A strategy for developing bridle trails in the SVPA Area.
- b. Operational planning policies for the establishment and management of such structures as stables, sheds and fences.
- c. Best practice for watering pasture.

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APPENDICES



Appendix 1- Zoning Table

Zoning Table

All schemes include a zoning table which identifies which uses are allowed, discretionary uses, uses that may be considered if the proposal is advertised for public comment and uses that are prohibited under any circumstance. The left column includes the proposed land use and the various zones are listed in columns from left to right.

The standard symbols used in zoning tables in Western Australia are:

- 'P' - a use that is permitted in the zone if it complies any listed development standards and/or requirements of the Scheme.
- 'D' – a use not permitted unless it has been considered and approved by the decision making authority.
- 'A' - a use not permitted unless it has been advertised to neighbours and/or publicly and any submissions received are considered in deciding whether the application is approved with conditions or refused.
- 'X' - a use that is prohibited whether it be secondary, ancillary or small in scale.

Table 1 Zoning Table

	Swan Valley Rural Residential	Swan Valley Rural	Herne Hill Village	Enterprise Park (Stefanelli land)
	(previously Area A)	(previously Area B and C)		
Aged Care Facility	X	X	X	X
Aged or Dependent Persons Dwelling	D	D	D	X
Agriculture – extensive	A	P	X	X
Agriculture – intensive	X	P	X	X
Agroforestry	D	A	X	X
Amusement Parlour	X	X	X	X
Ancillary Accommodation	D	D	D	X
Animal Establishment	X	X	X	X
Animal Husbandry – Intensive	X	X	X	X
Bed and Breakfast	P	P	P	X
Betting Agency	X	X	X	X

	Swan Valley Rural Residential	Swan Valley Rural	Herne Hill Village	Enterprise Park (Stefanelli land)
	(previously Area A)	(previously Area B and C)		
Cabin or Chalet	D	D	X	X
Camping Area	D	D	X	X
Car Park	X	X	D	X
Caravan Park	X	X	X	X
Caretaker's Dwelling	X	D	X	D
Child Care Premises	X	X	A	X
Cinema/Theatre	X	X	X	X
Civic Use	X	X	D	X
Club Premises	X	X	X	X
Community Purpose	A	A	D	X
Consulting Rooms	X	X	D	X
Convenience Store	X	X	D	X
Corrective Institution	X	X	X	X
Eco-tourist Facility	A	A	X	X
Educational Establishment	X	X	A	X
Equestrian Facility	X	D	X	X
Exhibition Centre	X	X	X	X
Family Day Care	P	P	P	X
Fast Food Outlet	X	X	X	X
Food and Beverage Production	X	X	X	X
Fuel Depot	X	X	X	X
Funeral Parlour	X	X	X	X
Garden Centre	A	D	A	X

	Swan Valley Rural Residential	Swan Valley Rural	Herne Hill Village	Enterprise Park (Stefanelli land)
	(previously Area A)	(previously Area B and C)		
Grouped Dwelling	X	X	X	X
Holiday House	D	D	D	X
Home Business	D	D	D	X
Home Occupation	P	P	P	X
Home Office	P	P	P	X
Home Store	X	X	X	X
Hospital	X	X	X	X
Hotel	X	X	A	X
Industry -Cottage	A	D	A	P
Industry –Extractive	X	X	X	X
Industry – General	X	X	X	X
Industry – Light	X	X	X	D
Industry – Mining	X	X	X	X
Industry – Noxious	X	X	X	X
Industry – Rural	D	D	X	X
Industry – Service	X	X	X	D
Lunch Bar	X	X	D	X
Marine Filling Station	X	X	X	X
Market	X	X	D	X
Medical Centre	X	X	D	X
Motel	X	A	A	X
Motor Vehicle repair	X	X	X	D
Motor Vehicle Wash	X	X	X	D
Motor Vehicle, Boat or Caravan Sales	X	X	X	X

	Swan Valley Rural Residential	Swan Valley Rural	Herne Hill Village	Enterprise Park (Stefanelli land)
	(previously Area A)	(previously Area B and C)		
Multiple Dwelling	X	X	X	X
Night Club	X	X	X	X
Office	X	X	D	X
Place of Assembly	X	X	X	X
Place of Worship	X	X	X	X
Radio and TV installation Private	D	D	D	D
Reception Centre	X	X	X	X
Recreation – Private	X	D	D	D
Recreation – Public	X	X	X	X
Residential Building	X	X	X	X
Restaurant	X	X	D	X
Restricted Premises	X	X	X	X
Roadhouse	X	X	X	X
Rural Pursuit	A	P	X	X
Service Station	X	X	X	X
Shop	X	X	P	X
Short Stay Accommodation	D	D	D	X
Showroom	X	X	X	X
Single Bedroom Dwelling	X	X	D	X
Single House	P	P	P	X
Storage	X	X	X	D
Tavern	X	X	X	X
Telecommunications Infrastructure	D	D	D	D

	Swan Valley Rural Residential	Swan Valley Rural	Herne Hill Village	Enterprise Park (Stefanelli land)
	(previously Area A)	(previously Area B and C)		
Tourist Development	X	X	X	X
Tourist Resort	X	X	X	X
Trade Display	X	X	X	D
Transport Depot	X	X	X	D
Vehicle Wrecking	X	X	X	X
Veterinary Centre	X	X	D	X
Warehouse	X	X	X	D
Winery	A	D	X	X

Appendix 2– Operational Planning Policies

Natural Environment

Landscape protection

Objective: Ensure that development and land use is undertaken in a way that is sympathetic to the unique landscape features of the Swan Valley.

Guiding principles:

- N1. Ensure new development and land use does not have a detrimental impact on the Swan Valley open rural landscape;
- N2. Preserve the ecological and aesthetic value of the Swan Valley’s natural landscapes and remnant vegetation;
- N3. Preserve and enhance the traditional viticultural and agricultural landscape that characterises the Swan Valley;
- N4. Support proposals that expand grape growing areas and production; and
- N5. Preserve and promote the scenic quality of the Swan Valley landscape for the continued enjoyment of locals and visitors.

Groundwater protection

Objective: Preserve the quality and quantity of groundwater in the Swan Valley for both its intrinsic ecological value and use for viticultural and complementary primary productive purposes.

Guiding principles:

- N6. Manage the Swan Valley groundwater regime:
 - a. Maintain appropriate aquifer levels, recharge and surface water characteristics for the following beneficial uses (in order of priority):
 - i. Ecosystem protection
 - ii. Viticulture
 - iii. Horticulture
 - iv. Complementary agriculture
 - v. Tourism, recreation and aesthetics
 - vi. Equestrian uses
 - b. Avoid new development and land use that is reliant on substantial volumes of groundwater that is not aligned with viticulture, horticulture and rural tourism.
 - c. Restrict water trading to afford water use for viticulture as the highest priority.
 - d. Support the return of unused groundwater allocation for redistribution to viticultural uses as a priority.
- N7. Maintain and, where possible, enhance groundwater quality:
 - a. Minimise the potential export of pollutants such as phosphorus and nitrogen to surface water or groundwater.

- b. Prevent groundwater acidification.
 - c. Prevent the export and impact of pollution from sewerage.
- N8. Encourage water conservation:
- a. Promote the efficient use of groundwater as a scarce resource through careful management.
 - b. Educate and encourage the use of best practice for irrigation and production technologies to minimise groundwater extraction.
 - c. Encourage the innovation of water sensitive complementary horticulture industries in the Swan Valley.

Watercourse protection

Objective: Ensure the environmental values of the Swan River and its tributaries are considered and protected in all new development and land use.

Guiding principles:

- N9. Avoid interference with and obstruction of the natural water regime, including levies, banks and islands.
- N10. Minimise disturbance to riparian vegetation, riparian zones and flood plains.
- N11. Mitigate risks and impacts caused by site disturbance, including erosion, sedimentation, weed introduction, vegetation clearing, loss of habitat and changes to ecological values.
- N12. Prevent discharge of pollutants and materials into watercourses.
- N13. Rehabilitate or revegetate watercourses as a condition of approval for relevant development to maintain or improve riparian zone function.
- N14. Promote public access to the Swan River and other watercourses for tourism and other rural uses in an environmentally sensitive manner.

Landform protection

Objective: Encourage development that is sympathetic to the natural landform and open rural landscape of the Swan Valley and vistas to the Darling Escarpment and does not alter the visual landscape or affect public views.

Guiding principles:

- N15. Ensure that development respects and retains the existing landform and does not alter natural topography and natural ground levels;
- N16. Ensure that excavation or filling of land is limited to building footprints and does not adversely impact the amenity, physical environment or natural features of the locality.
- N17. Ensure land retention techniques complement and enhance the existing landform.

Tree protection

Objective: Encourage the preservation and enhancement of the vegetated landscape and remnant woodland through the planting of trees and vegetation indigenous to the Swan Valley.

Guiding principles:

- N18. Recognise and promote the intrinsic value of trees and vegetation for a healthy and diverse natural ecosystem.
- N19. Recognise and promote the important contribution that mature established trees and woodlands make to the rural character and amenity of the Swan Valley.
- N20. Promote and protect the retention of existing healthy native trees and vegetation.
- N21. Encourage planting of local tree species generally, where practicable, particularly along road frontages, lot boundaries and watercourses.
- N22. Generally limit tree removal to trees assessed as a dangerous to safety and property or in poor health.

Built Environment

New Tourism Development

Objective: New tourism development must positively contribute to the rural character of the Swan Valley; promote well-designed and sustainable buildings; and cultivate an authentic contemporary rural identity for the Swan Valley that complements rural tourism and the visitor experience.

Architectural character:

- T1. Propose an architectural character and identity for the Swan Valley as a rural tourism region.
- T2. Promote quality design, use of natural building materials, and continued evolution of a built form that reflects the traditional and contemporary rural style of the Swan Valley.
- T3. Encourage architectural design and the siting of buildings within the landscape that positively contributes to and enhances the rural character of the Swan Valley.

Building material and colours:

- T4. Propose building material and colour palate themes that characterise the built heritage of the Swan Valley and complement its rural landscape.
- T5. Promote the use of building materials and colour palates that minimise visual impact on adjacent properties and streetscapes.
- T6. Promote the use of building materials and colours that optimise thermal performance and encourage the use of natural building materials and materials.

Built form:

- T7. Promote and encourage built form that enhances, not dominates, the natural landscape and avoids and minimises visual impacts caused by overly large bulk and scale of development.
- T8. Avoid or moderate the impact of large building surfaces.
- T90. Ensure the height and design of new buildings is consistent with the existing built form and rural character of the Swan Valley.
- T10. Ensure new development on elevated or prominent sites does not visually dominate the surrounding landscape (unless as part of a landmark development).
- T11. Prevent over-development of land for tourism purposes by ensuring that the scale of rural tourism is consistent with the rural character of the Swan Valley (generally single storey).

Herne Hill Village:

Objective: Promote an identifiable character for the Herne Hill Village as an authentic rural village with local centre services that meet the day to day needs of local residents, visitors and tourists.

Architectural character:

- H1. Develop an architectural character and built form for Herne Hill Village as a rural town rather than a suburban residential area through rural themed design.
- H2. Promote a distinct identity that distinguishes Herne Hill Village from other local centres and encourages local attachment with and ownership of the village.
- H3. Encourage architectural styles that address local streets and public spaces, promote community interaction and provide passive surveillance, security and comfort for villagers.
- H4. Encourage design that responds sympathetically to traditional architectural styles, including contemporary interpretation of rural town living and design.
- H5. Define Herne Hill Village precincts in terms of preferred land uses, architecture and function.

Building materials and colours:

- H6. Encourage building material and colour themes characteristic of the Swan Valley, complementary of the rural landscape for Herne Hill Village.
- H7. Promote the use of building materials and colours that minimise visual impact on adjacent properties and streetscapes.
- H8. Encourage the use of building materials and colours that achieve optimal thermal performance and encourage the use of natural building materials.

General Built Form (for dwellings, sheds, agricultural buildings and other structures):

Objective: Acknowledge that the productive use of rural and agricultural land requires sensitive siting and design of new structures that minimise visual impacts on the landscape.

Architectural character:

- G1. Encourage new development that positively contributes to the rural character of the Swan Valley and does not dominate the landscape.
- G2. Encourage siting and the use of architectural treatments to mitigate visual impacts and massing of new development from public views and areas such as roads.

Building materials and colours:

- G3. Encourage building material and colour themes characteristic of the heritage of the Swan Valley and complementary to its rural landscape.
- G4. Promote building materials and colours that minimise visual impacts on adjacent properties and streetscapes.
- G5. Promote the use of building materials and colours that achieve optimal thermal performance and encourage the use of natural building materials.

Built form:

- G6. Ensure that the siting and design of new development does not dominate the landscape and avoids or reduces the visual impact caused by bulk and scale.
- G7. Avoid the creation of large surfaces in new development.
- G8. Ensure new development on elevated or prominent sites does not visually dominate the landscape (unless proposed as a landmark development).
- G9. Ensure the height of new development is consistent with the existing built environment of the Swan Valley – predominantly single-storey, some two-storey and the general avoidance of three or more storeys.
- G10. Multi-storey development should be setback from street frontages to minimise visual dominance and generally present as a single storey rural streetscape from public roads.



Appendix 3- Water licencing to give priority to viticulture

The iconic natural appeal of the Swan Valley relies predominantly on viticulture with other agriculture and the equine industry as complementary uses. This rural and viticulture ambience is the basis for an important tourism industry which in turn supports wine making with cellar door sales in the Swan Valley. Table grape growing is essential to the viticultural landscape and the various enterprises presently supported by it.

Water licence allocations for grape growing needs a higher priority over other uses.

Present licence allocations seem to be adequate for the needs of the existing wine and table grape acreage. However expansion of the areas under vines in the Swan Valley requires access to additional ground water for irrigation. When vines are pulled out, owners can sell their water entitlement to non-viticultural land owners which precludes other growers from expanding their vine plantings onto unused land. Water trading continues to see water transferred from grape growing to other uses, particularly pasture for horses. The economics of grape growing cannot support the purchase of water rights in this area, which precludes expansion of vines on land without an adequate water allocation.

An expansion of vine plantings would reverse the declining acreage under vines and contribute to improved efficiency and economic survival of the table grape industry as it faces competitive market pressures.

Support for viticulture in the Swan Valley needs a special water licencing regime. This will require the establishment of water regulations and licencing rules that vary from that presently applied across the State.

A new Swan Valley water licencing regime

Establish a water licensing regime specific to the Swan Valley Statutory Planning Area.

The proposed strategy is to give priority for viticulture in all water allocation and management in the Swan Valley.

The “PURPOSE” contained in the relevant regulations needs to clearly define viticulture and any allied uses to benefit from priority water allocation.

Water trading rules should not allow rights to ground water to be traded for uses other than those covered by the purpose of the licensing regime (i.e. viticulture and any allied uses). An exemption would allow a water licence sold with land to be transferred if required for the continuation of the same use. Existing rules would apply that provide for licenced water no longer used to be returned to the pool of unallocated water. The allocation of water traded under the new regime should also be taken back if no longer used for the purpose recognised in the trade.

Water licencing for grape growers needs to be flexible to recognise fluctuating demand.

The water required for irrigating vines, particularly table grapes, can fluctuate with the rainfall in a given year and with possible changes in the varieties of grapes grown. Some growers fear losing some of their allocation when they use less than their licence allocation due to a run of wetter seasons or changes to their planting regime. The enforcement of water licence usage and associated recouping needs to recognise annual variation in demand by grape growers.

Management Priorities for water licencing in the Swan Valley

Due to the drying climate and usage, ground water is fully allocated in this area. Hence it is important to efficiently manage water licencing and usage.

- i. Expedite the metering of all bores with annual water allocations of 10,000 KL or more. The DWER has a program requiring this by 2020. Priority should be given to speeding up the metering of bores in the Swan Valley.
- ii. The DWER, to the extent possible within good ground water science, to realign the Groundwater Subarea Boundaries to closer approximate the Swan Valley Statutory Planning Area. This is to help manage licencing issues with different rules applying in the Swan Valley to that outside this area, while both areas are using the same limited ground water resource.
- iii. Work with all water licence holders to introduce water efficiency measures in the Swan Valley.
- iv. The DWER should undertake a compliance campaign to check for any unlicensed ground water usage in the Swan Valley.
- v. Look to the possibility of enhancing water availability with water reuse from the new residential development at Brabham, adjacent to the western boundary of the Swan Valley.

Background

Water in the Swan Valley is primarily used for irrigated agriculture which is in line with the predominantly rural setting and heritage values of the area. As at 30th June 2017:

- There are 708 licences with agricultural/horticultural use(s) totalling 9.9 GL/yr. in the Swan GWA.
- Water licensed in the five subareas is predominantly used for Pasture (38%) and Viticulture (36%). Other uses include Fruits (10%), Nurseries (5%), Vegetables (3%) and Poultry (3%).
- A majority of the agricultural and horticultural activities in the Swan GWA subareas is for use within the Swan Valley Development Plan Area.
- Of the 9.9 GL/yr. licensed for agricultural/horticultural use, the department has estimated (using available metering information) that 7.8 GL/yr. is being utilised.
- The revised Gnamoosna groundwater allocation plan will be release for public comment in late 2018 before finalising it in 2019/2020
- The new groundwater allocation plan may reduce licence allocations by 10% or more.
- Gnamoosna groundwater system is a shared resource and abstraction in one location can impact the resource and users in another location, it's likely all groundwater user groups will be affected.

Appendix 4- Changing locality names to Swan Valley

While the name “Swan Valley” is in common usage there is presently no locality address of Swan Valley. The Swan Valley Planning Act 1995 designates a planning control area with this name.

The tourist industry and wine makers are generally supportive of their suburban locality being renamed Swan Valley as they see this as being supportive of their industries. The Swan Valley is already a designated wine producing region in Australia. The State Governments policy to grow tourism and jobs in the Swan Valley would be supported by a name change to Swan Valley.

Proposal

- i. Proceed to consult residents and land owners with a view to changing locality names in the Swan Valley Planning Area to “SWAN VALLEY”.
- ii. Propose as a basis for consultation that the parts of Caversham, West Swan, Middle Swan, Herne Hill and Millendon, lying within the Swan Valley Planning Area, be renamed Swan Valley.
- iii. Community consultation to cover all properties with addresses in the suburbs: Caversham, West Swan, Henley Brook, Belhus, Middle Swan, Herne Hill, Millendon, Baskerville and Upper Swan. Including properties outside the Swan Valley Planning Area is necessary as they may wish to retain their existing locality name or be merged with another contiguous locality.
- iv. Based on the responses to the consultation define clearly the new boundaries for the locality to be named Swan Valley and the proposed naming of areas not included in Swan Valley.
- v. The Minister, with further consultation if necessary, proceed to gazette the locality “SWAN VALLEY”.

Estimate of Lots within the Swan Valley Planning Area				
Suburb	Postcode	Inside SVPA	Outside SVPA	Total
Baskerville	6056	127	48	175
Belhus	6069	121	1	122
Brigadoon	6069	17	396	413
Caversham	6055	266	2206	2472
Guildford	6055	14	963	977
Henley Brook	6055	307	606	913
Herne Hill	6056	703	0	703
Middle Swan	6056	203	902	1105
Millendon	6056	201	0	201
The Vines	6069	14	1962	1976
Upper Swan	6069	40	257	297
West Swan	6055	221	28	249
Total		2234	7369	9603

Reference: Policies and Standards for Geographic Naming in Western Australia, Version 01:2017

The Minister has the power to name and un-name localities.

A proposal for changing the name of a suburb or locality needs to:

- i. Work through the guidelines and policies with Landgate and the Geographic Names Committee.
- ii. Provide clear delineation of the boundaries for the proposed area to be named.
- iii. Undertake consultation with communities of interest. Guidelines for consultation are given in Section 9 of Policies and Standards for Geographic Naming in Western Australia.
- iv. Deal with any possible confusion of place names with implications for police and other emergency services.
- v. Seek the support of the City of Swan.
- vi. Consult Australia Post to resolve postcode issues.

Swan Valley Planning Review

REPORT ON OUTCOMES FOR THE SURVEY OF
SWAN VALLEY RESIDENTS AND LANDOWNERS 2017

Prepared by:
Painted Dog Research

5 FEBRUARY 2018

Swan Valley Planning Review



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Strategic Aim



Understand the attitudes and opinions of Swan Valley residents and landowners towards the future of the area in order to guide planning, development and land use in the Swan Valley.



Research Objectives

To achieve the strategic aim, the research focused on five objectives:



1

Investigate the level of support for subdivision in the Swan Valley Rural and Rural Residential planning areas.

2

Investigate the level of support for a new board to replace the Swan Valley Planning Committee, and identify its preferred functions.

3

Investigate levels of support for 'right to farm' provisions and identify preferences for the specific provisions.

4

Investigate tourism initiatives that are and are not supported by residents and landowners.

5

Identify issues that Swan Valley residents and landowners would like to see addressed.

What we've done

- A **10-min survey** was conducted with residents and landowners in the Swan Valley region based on a sample list supplied by the Department of Planning, Lands and Heritage.
- The survey was conducted **online and via a paper mail-out**.
 - Respondents had the option between using a unique ID to complete the survey online, or mailing in a paper version using the provided reply-paid envelope.
- The survey was in field from 22 November 2017 until 5 January 2018
- A **total sample of n=628** was achieved, a completion rate of 34% from the 1,861 address list provided. Of these:
 - 155 surveys were completed online,
 - 473 surveys were completed via the paper mail out
- The survey included a number of open-ended comment sections to record verbatim responses.
- The overall response rate of 34% can be considered very high and reliable. The minimum desired sample for a 95% level of confidence and 5% margin of error is n=319 based on the total available population sample (N) of 1,861. The achieved sample is well above this minimum and therefore we can place a very high degree of confidence in the data collected – the **maximum margin of error is $\pm 3.2\%$** .



Analytical pointers...



Segment analysis

Where responses are statistically different between sub-groups, a ☆ or ★ denotes this difference. Differences are calculated at the 95% confidence interval.



Figures

Values shown in the charts are percentages (%), unless otherwise indicated and may not always add up to 100% exactly due to rounding.



Base sizes

May vary due to respondents being excluded from certain questions based on segment or disqualifying answers at previous questions.



Verbatim quotes

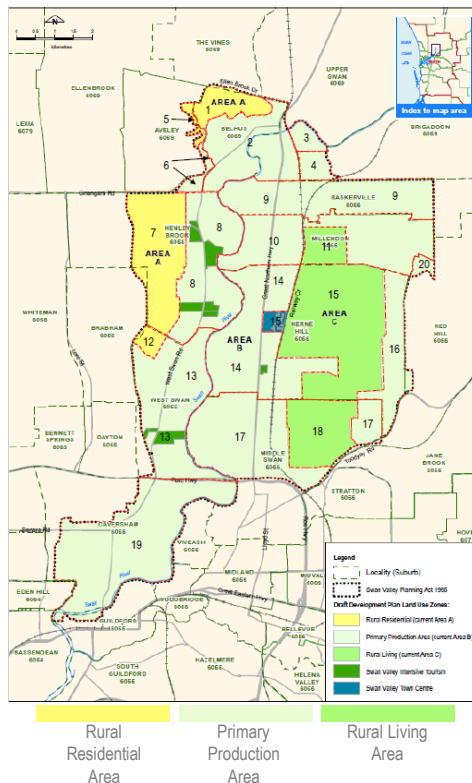
Throughout the report, verbatim quotes are given as examples of responses to open ended questions. The complete range of verbatim responses is retained by the Department of Planning, Lands and Heritage .

Sample Profile

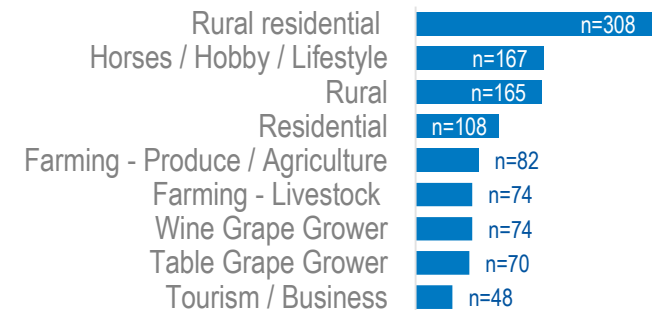
Residents and landowners of all property types, planning areas and suburbs of the Swan Valley were surveyed.

Total Sample
(n=628)

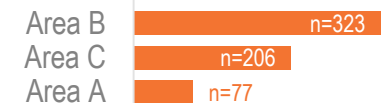
Online (n=155)
Paper (n=473)



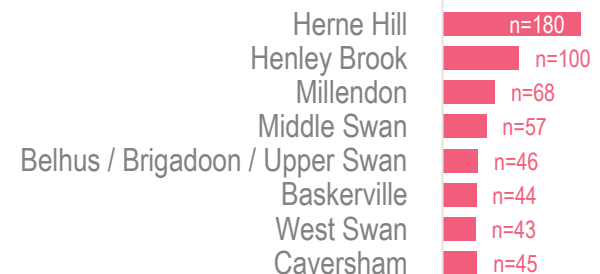
Property Type



Planning area



Suburb

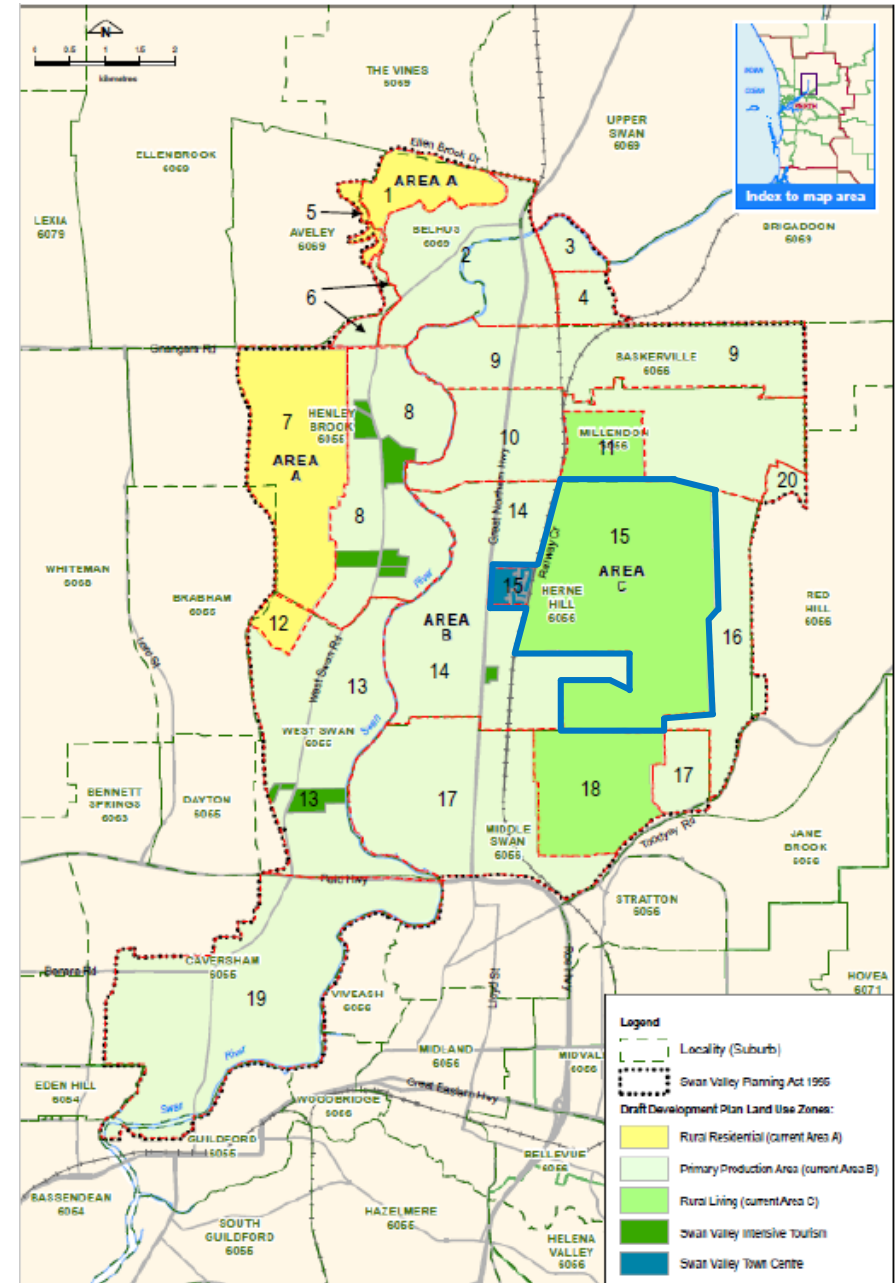
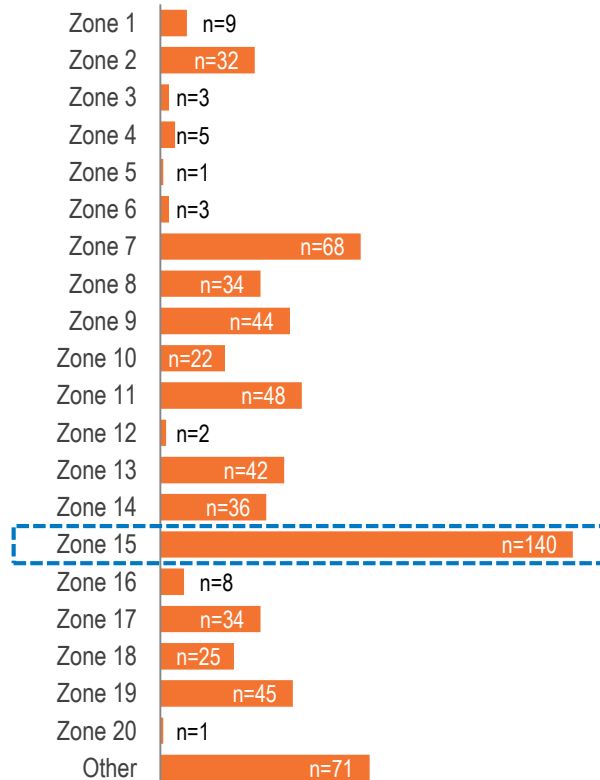


Data from:

Q16. What type of property or landholding do you live in/own?

Q15. Using the map below, please circle the area number that best represents where you live, or own land, in the Swan Valley

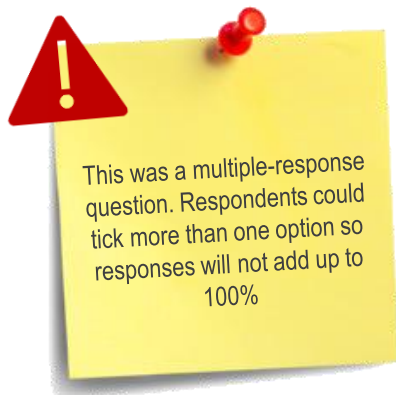
Opinions from across the Swan Valley were received.



Data from:

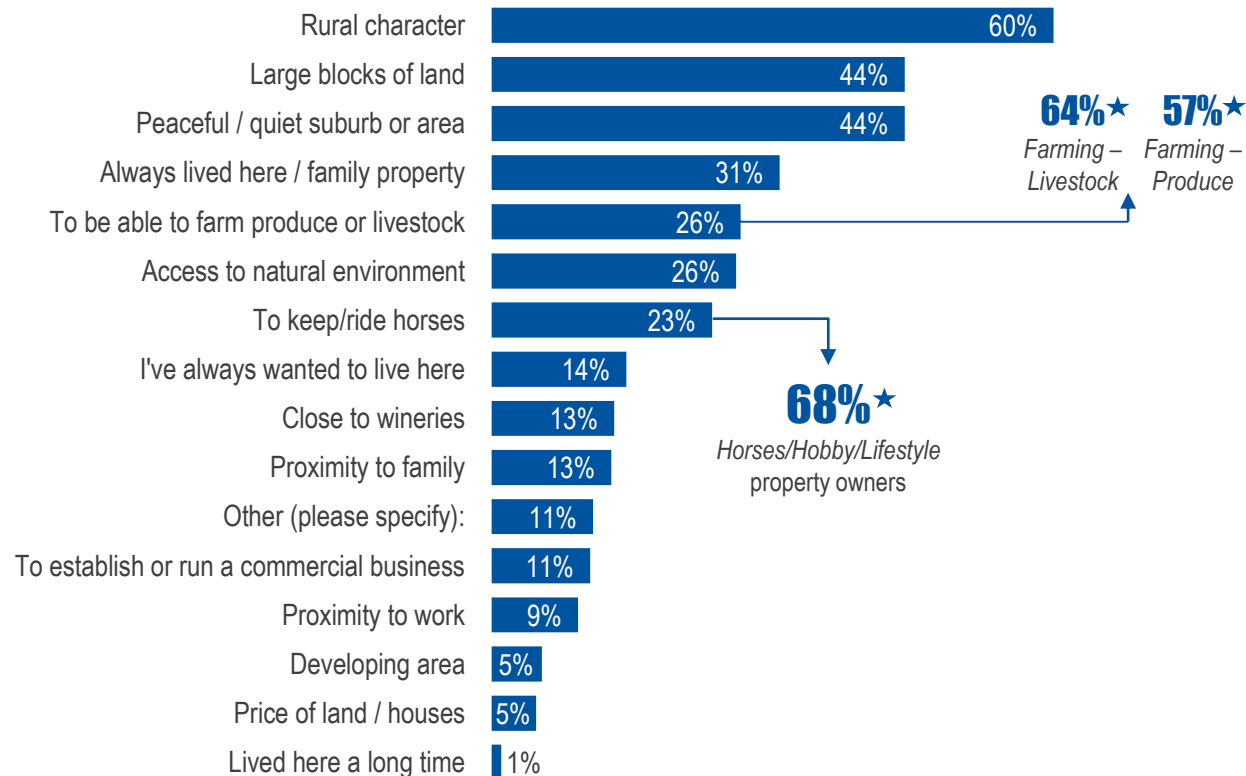
Q15. Using the map below, please circle the area number that best represents where you live, or own land, in the Swan Valley. Base: All respondents (n=628)

Q1. Which of the following reasons best describes why you live in or own property in the Swan Valley?



Rural character, large blocks and the peace and quiet of the region are key motivators for living in the Swan Valley.

Livestock and produce farmers are significantly more likely to choose to live in the Swan Valley to pursue these interests, while hobby farm owners are significantly more likely to live in the area to keep or ride horses.



Data from:

Q1. Which of the following reasons best describes why you live in or own property in the Swan Valley? Base: All respondents (n=628)

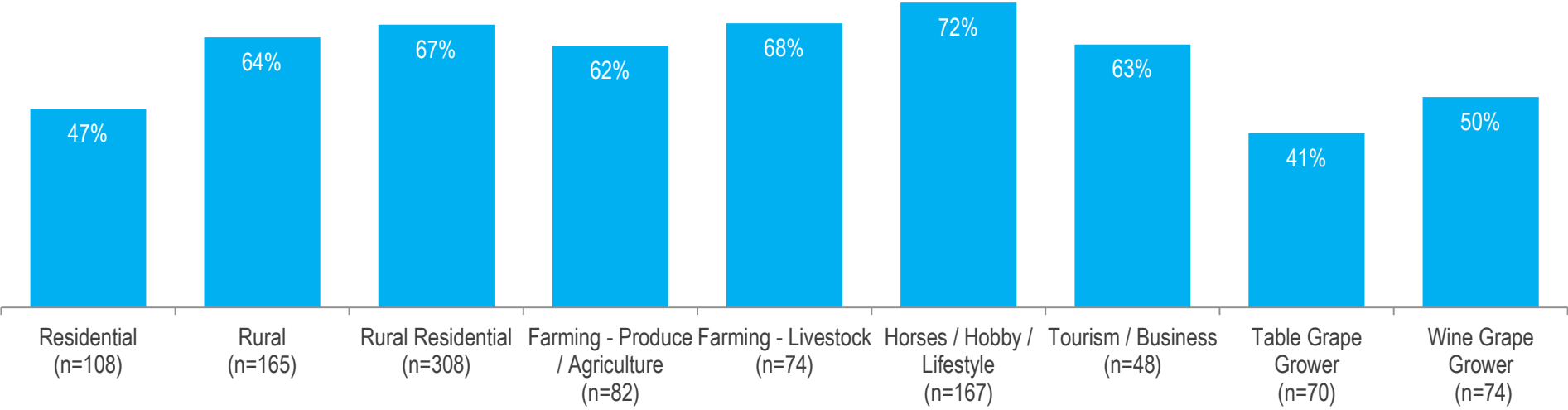
Q1. Which of the following reasons best describes why you live in or own property in the Swan Valley?

Rural character is the most common reason given in the survey for living in the Swan Valley across all groups.

Seven of the 9 property types surveyed indicate the Swan Valley’s rural character is the main reason for choosing to live in the region.

Table and wine grape growers were most likely to state that they live in the Swan Valley because they have always lived or owned property in the area, possibly reflecting the intergenerational nature of these rural industries.

Rural Character

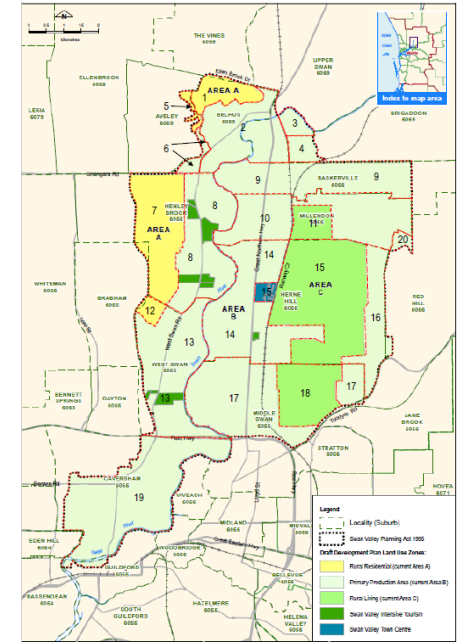
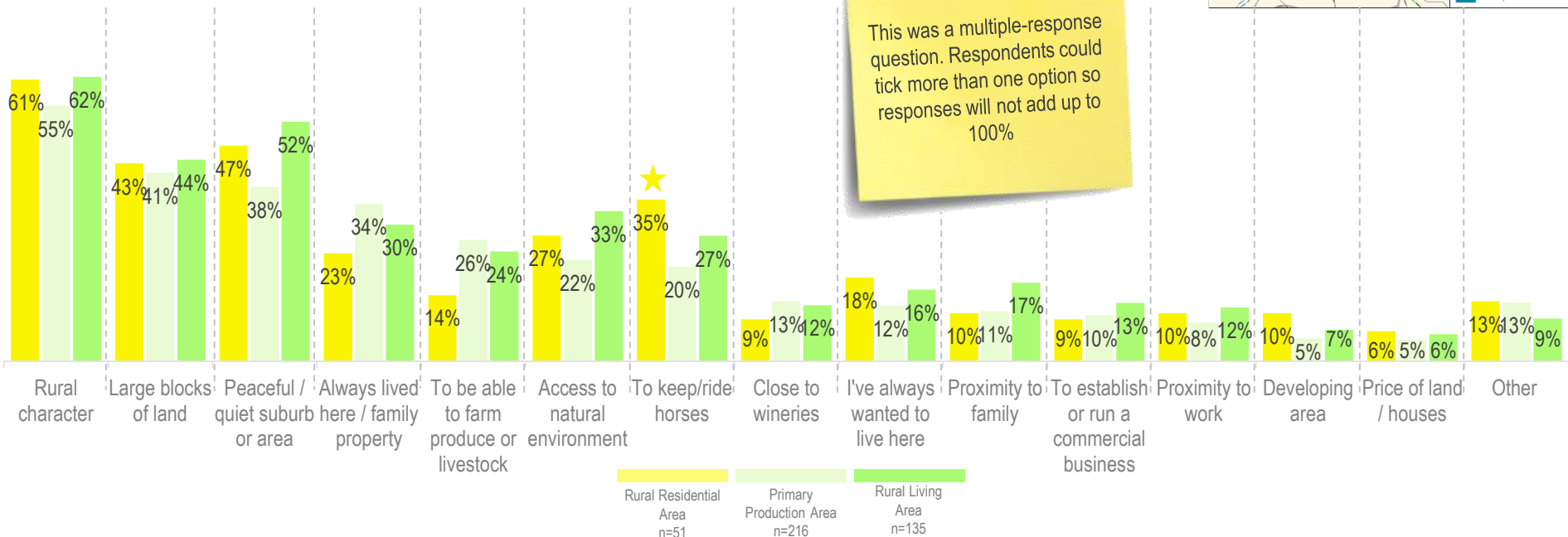


Data from:
Q1. Which of the following reasons best describes why you live in or own property in the Swan Valley? Base: All respondents (n=628)

Q1. Which of the following reasons best describes why you live in or own property in the Swan Valley?

Reasons for living in the Swan Valley are consistent across planning areas.

Reasons were also consistent across Swan Valley suburbs.



Data from:

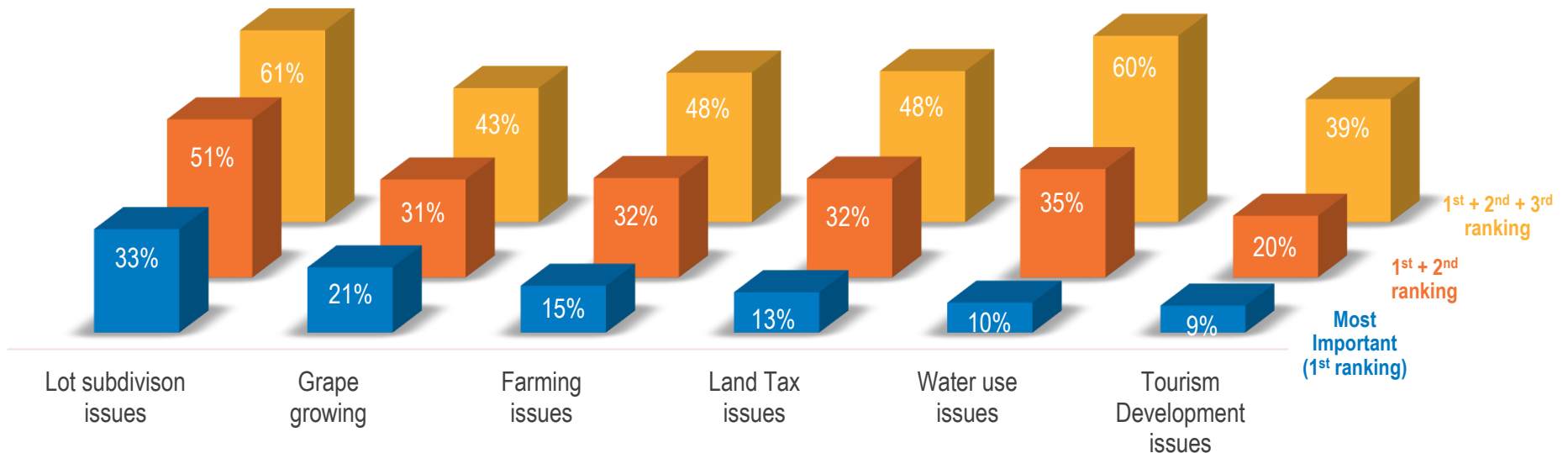
Q1. Which of the following reasons best describes why you live in or own property in the Swan Valley? Base: All respondents (n=628)

Q2. Please rank the following issues from 1 to 6 based on their order of importance to you.

Subdivision is the most important issue for residents and landowners.

1 in 3 responses say subdivision is the single most important issue for them, and half rank it in their top 3 most important issues.

In overall terms, grape growing is identified as important by at least half of all survey respondents, ranking it in the top 3 most important issues.

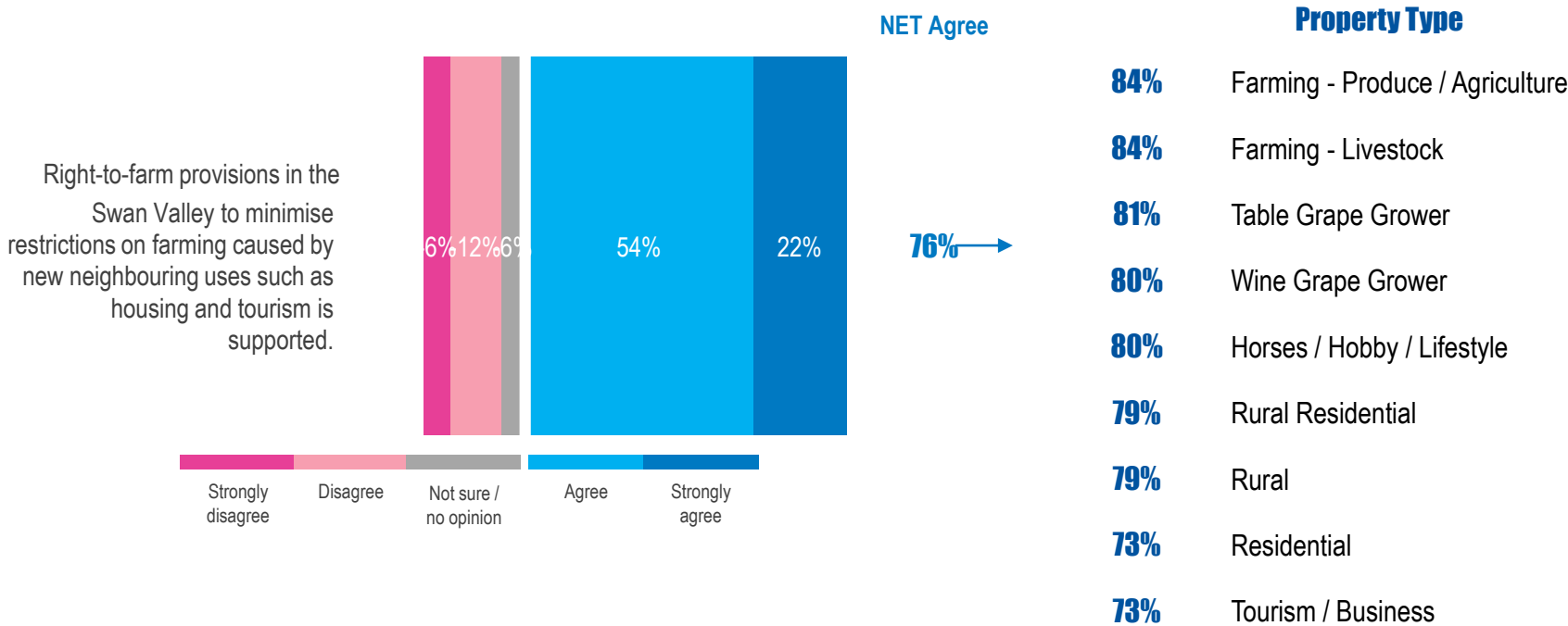


Q3. To what extent do you agree or disagree with the following statement?

Right-to-farm' provisions should be introduced in the Swan Valley to minimise restrictions on farming caused by new neighbouring uses such as housing and tourism

75% of survey responses agree that right-to-farm provisions should be in place to minimise restrictions on farming.

Farmers are more likely to strongly support right-to-farm mechanisms, however is supported by at least 70% of all survey responses.



Data from:
Q3. To what extent do you agree or disagree with the following statement? Base: All respondents (n=628)

Q4. If 'right-to-farm' provisions were introduced, which of the following do you think the provisions should do?

Residents are not united over what provisions should be available for right-to-farm.

Farming property owners are more likely to support 'right-to-farm' provisions notifying purchasers of agricultural activities, while Tourism operators support provisions to educate existing landowners of their rights, responsibilities and of any potential land use conflicts.

Notify purchasers that amenities may be impacted by agricultural activities

65%

76% ★

*Farming –
NET Produce & Livestock*

Educate landowners on their rights and responsibilities

54%

73% ★

Tourism & Commercial

Improve education and awareness of potential land use conflicts

46%

66% ★

Tourism & Commercial

Include notices on new land titles explaining the rights of the landowner

46%

Strengthen land use planning controls

32%

Other

9%

Not sure

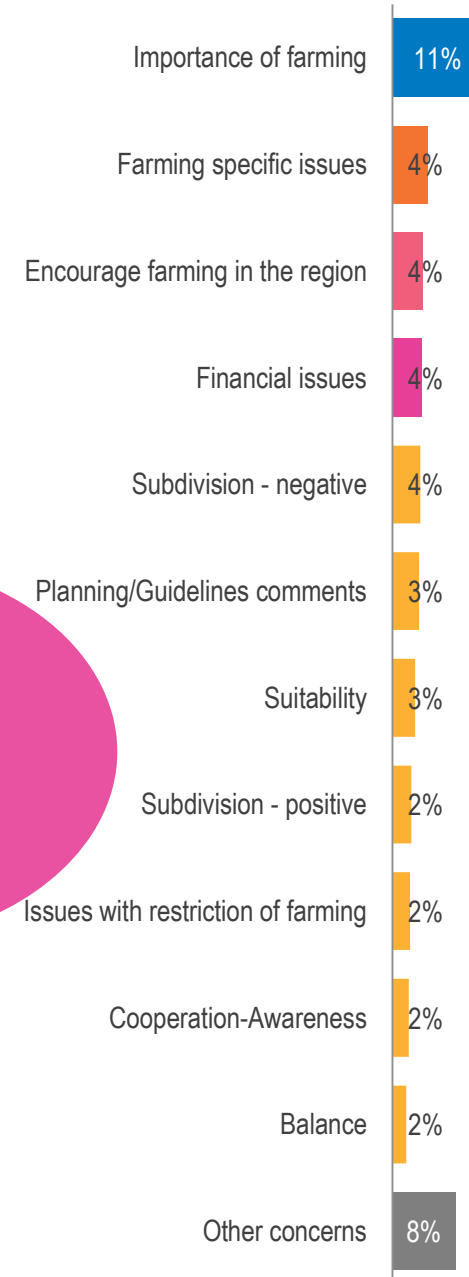
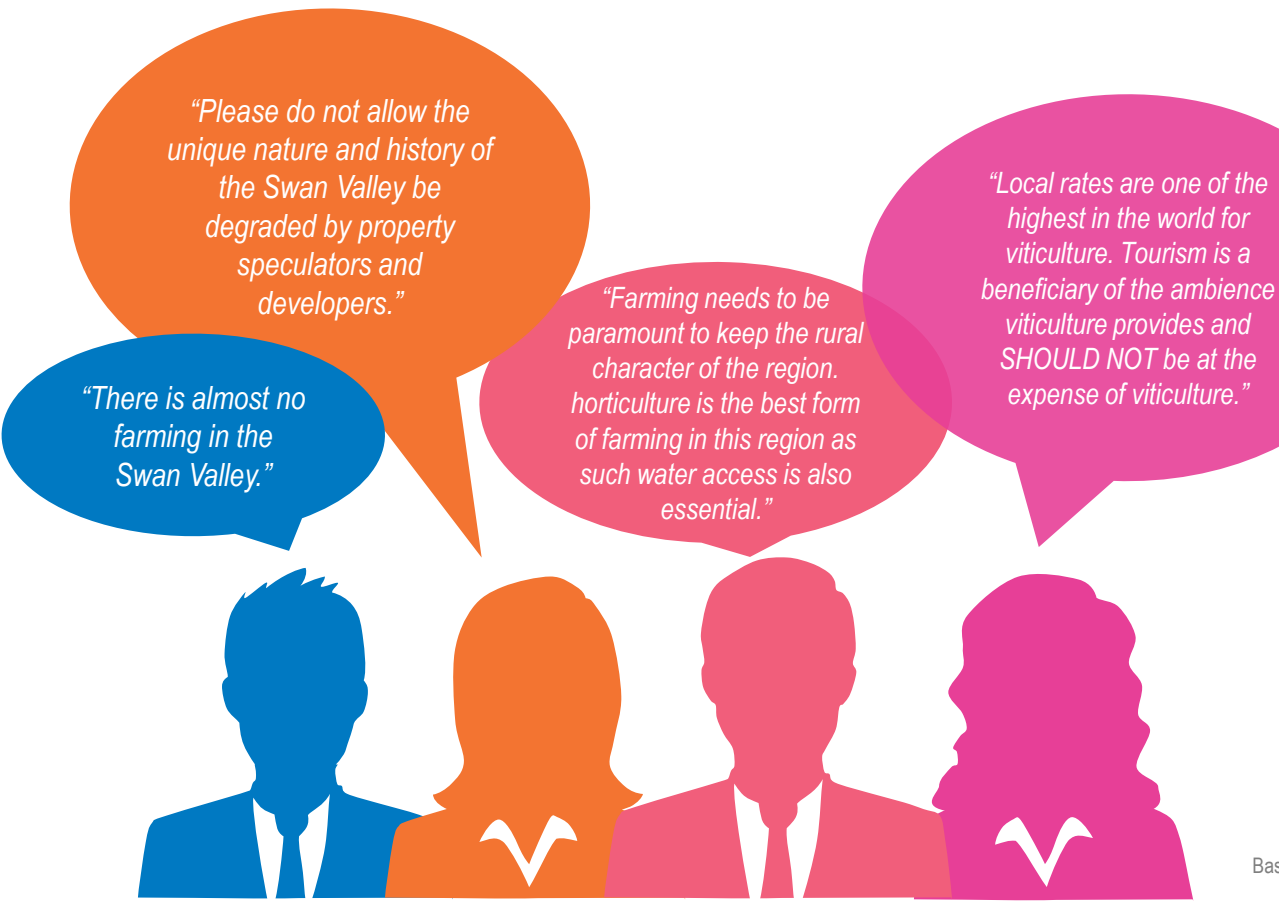
6%

This was a multiple-response question. Respondents could tick more than one option so responses will not add up to 100%

Data from:

Q4. If 'right-to-farm' provisions were introduced, which of the following do you think the provisions should do? Base: All respondents (n=628)

Farming Comments



Base: All respondents (n=628). Responses below 2% not displayed.

To what extent do you agree or disagree with the following statement?

Q5: Mechanisms and incentives should be available to Swan Valley landowners who use their land for primary production (farming) uses other than grape growing.

Survey responses agree that there should be mechanisms to support both farming and grape growing in the Swan Valley.

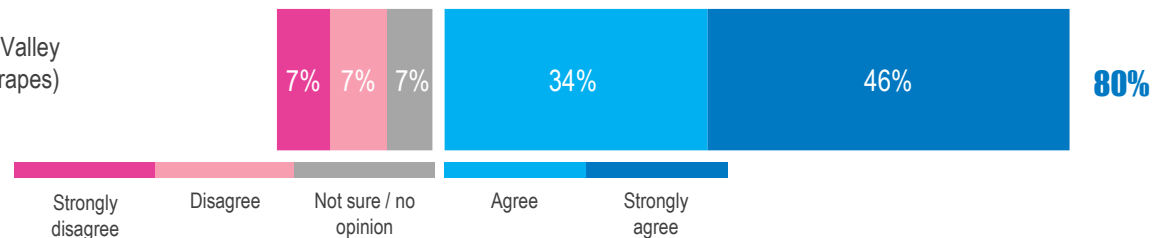
Q6: Mechanisms and incentives should be available to Swan Valley landowners who grow grapes commercially (wine and table grapes)

NET Agree

Mechanisms and incentives should be available to Swan Valley landowners who use their land for primary production (farming) uses other than grape growing



Mechanisms and incentives should be available to Swan Valley landowners who grow grapes commercially (wine and table grapes)



Data from:

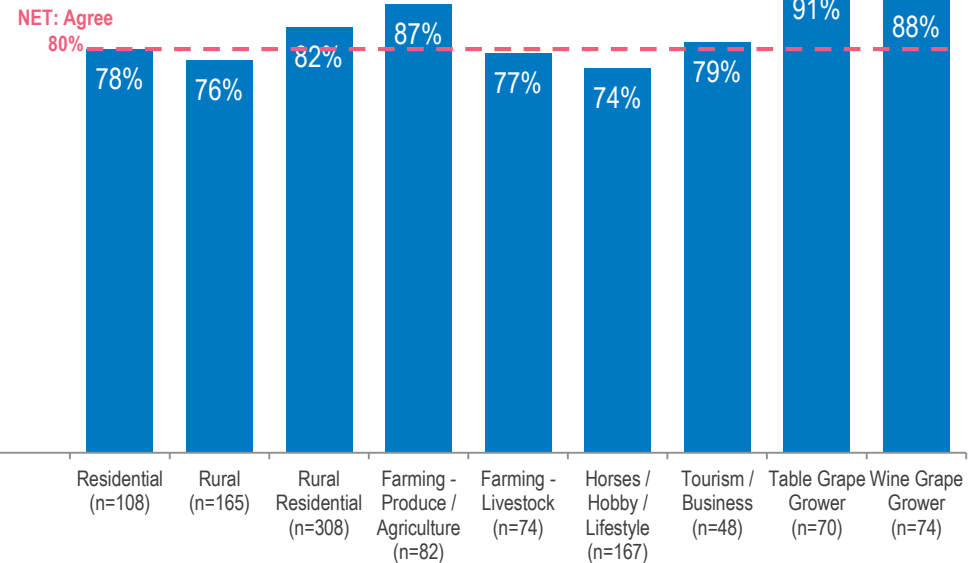
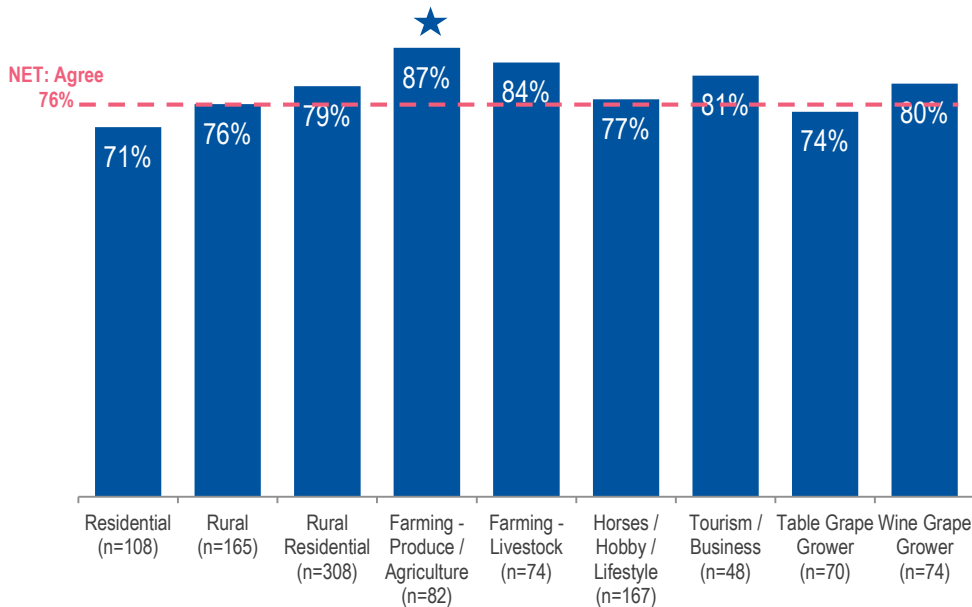
Q5/Q6. Do you agree or disagree with the following statement? Base: All respondents (n=628)

Support for these mechanisms is not limited to those with a primary production interests.

At least 7 in 10 from every property type support measures that support both farming and grape growing.

Mechanisms and incentives should be available to Swan Valley landowners who use their land for primary production other than grape growing.

Mechanisms and incentives should be available to Swan Valley landowners who grow grapes commercially.



Data from:
Q5/Q6. Do you agree or disagree with the following statement? Base: All respondents (n=628). % who either 'Agree' or 'Strongly Agree'.

★ Significant difference

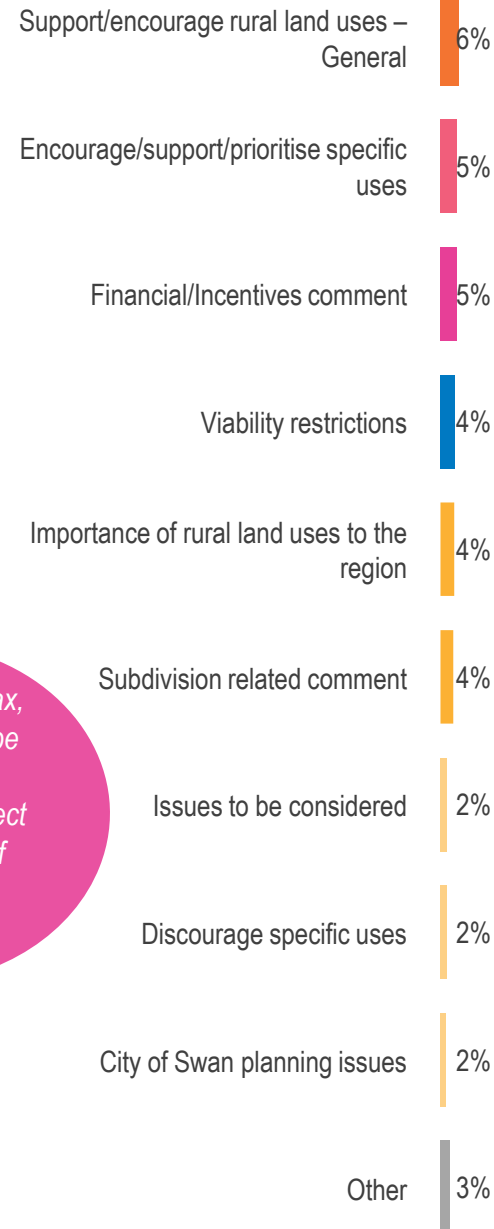
Retaining Rural Land Uses Comments

"All land that is being utilised for farming, hobby farm, viticulture, orchards should be treated more sympathetically encouraged over pure vacant idle properties."

"We are wasting precious bore water poured onto unviable scattered small grape lots."

"Grape growing is not the only development in the valley, example, olive oil production, pickled olives, nut production, pecans, almonds, macadamias. Stone fruit, apricots, peaches, plums, nectarines. This leads to jam making, dried fruit production. this may be small production at the moment but could develop into a good cottage industry. Fresh vegetables in season is also making a comeback"

"Rates - no land tax, esl water should be made available. Rates have to reflect rural capability of land - not urban values."

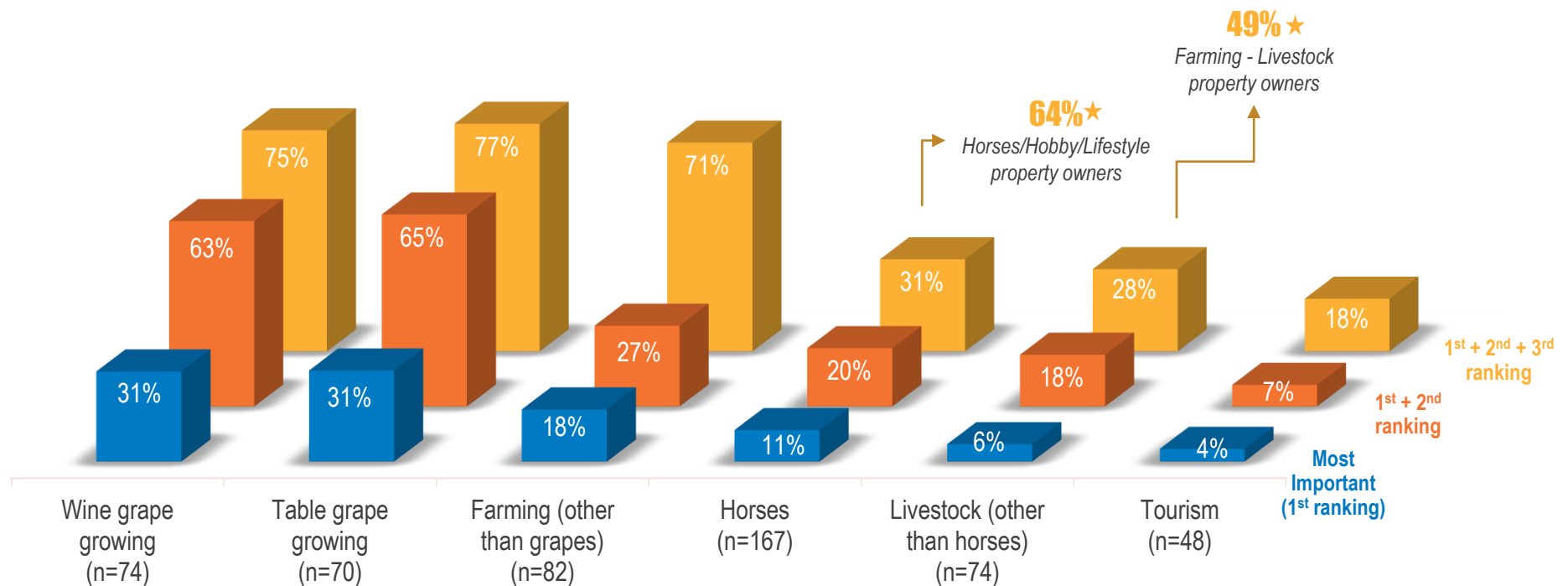


Base: All respondents (n=628). Responses below 2% not displayed.

Q7. Which of the following areas do you believe should have highest priority access to water, and lowest priority access to water in the Swan Valley?

Grape growing and other farming are rated as the highest priority activities requiring access to water.

Opinions relating to water priority for other activities are predictably linked to personal use.



Data from:

Q7. Which of the following areas do you believe should have highest priority access to water, and lowest priority access to water in the Swan Valley? Base: All respondents (n=628)

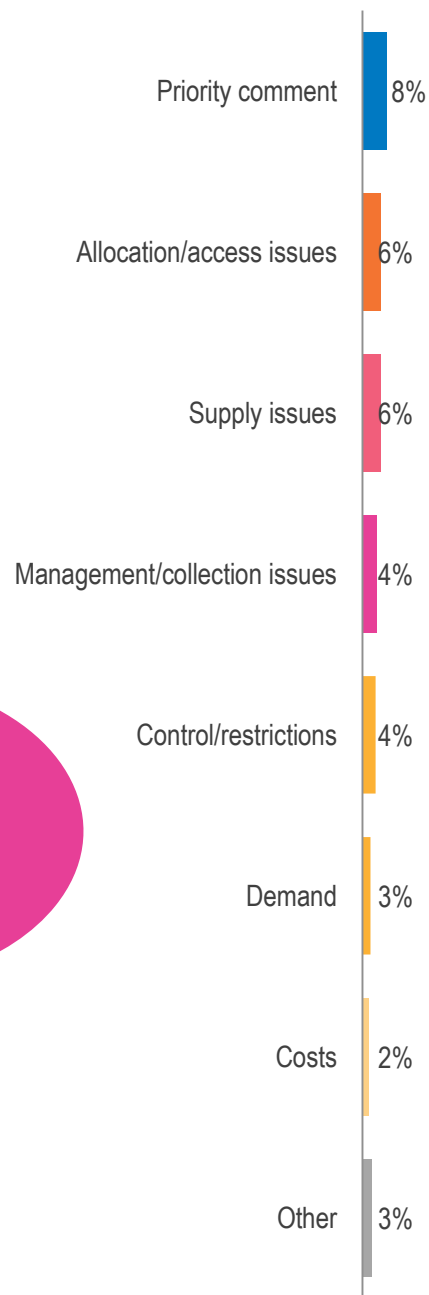
Water Comments

"If there is an issue with the availability and use of water in the Swan Valley then alternative uses need to be considered, i.e. subdivision to smaller lots. Otherwise with the lack of water and people prepared to produce grapes the Swan Valley will become an abandoned dust bowl."

"There should be a more equitable system for access to ground water supplies."

"We have stables, less water would restrict paddocks and our water bill is already \$500+. having no ground water would mean no horses. Unless you allow subdivision into smaller lots or residential then we could still keep the valley looking pristine."

"Water harvesting to meet water requirements should be encouraged to reduce demand on waterways and ground water - this applies to residential areas as well, if not more so."



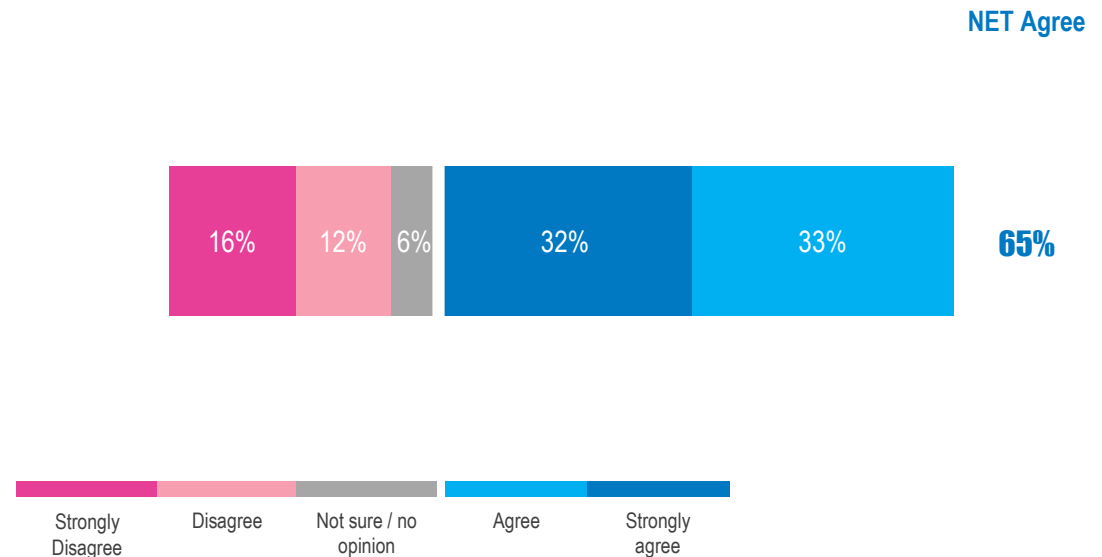
Base: All respondents (n=628). Responses below 2% not displayed.

TOURISM

Residents and landowners generally support the restriction of new tourism businesses in the Swan Valley

More than 2 in 3 agree that new tourism businesses should be required to relate directly to primary production in the region.

New tourism proposals in the Swan Valley should only be allowed if they directly relate to primary production (farming) or a rural land use (e.g. farm stays, farm and / or food experiences, cottage industries, vineyards)



Data from:

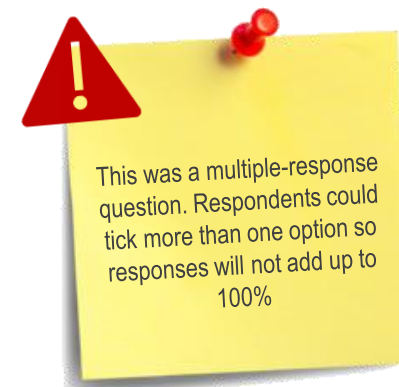
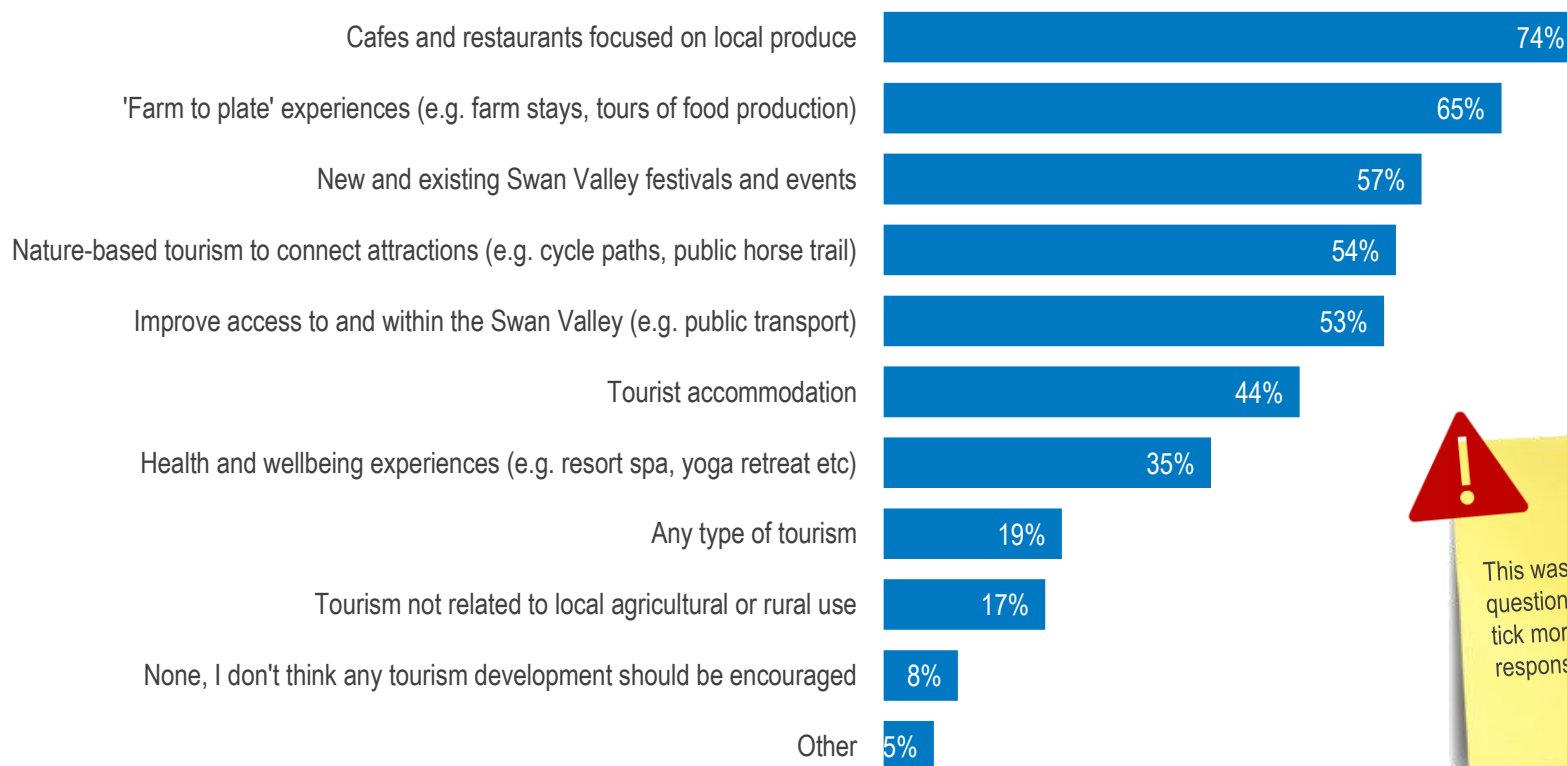
Q8. To what extent do you agree or disagree with the following statement? Base: All respondents (n=628)

Q9. Which types of tourism development should be encouraged in the Swan Valley?

Food-focused tourism was the most suggested tourism.

Second was Farm-to-plate experiences and cafés serving local produce.

Festivals, nature based tourism and improved transport were supported by the majority of residents and landowners.



Data from:

Q9. Which types of tourism development should be encouraged in the Swan Valley? Base: All respondents (n=628)

Tourism Comments

"Any type of future development should be immediately viable and economically sustainable so its a matter of comprehensive research a disaster would be a mish mash of allowable proposals which do not compliment one another."

"Public transport vital to encouraging visitors. Has been ignored for years by City of Swan."

"It is essential that the viticulture and other farming in general is never regarded as being less important than tourism. If tourism takes over the region, there will be no region to create tourism."

"There are not enough accommodation places within the Swan Valley."

Suggested consdierations 8%

Support issues 6%

Infrastructure 5%

Supports specific tourism activity 5%

Restrict/modify restrictions of tourism tpe 3%

Oppose issues 2%

Council/planning issues 2%

Other development issues 2%

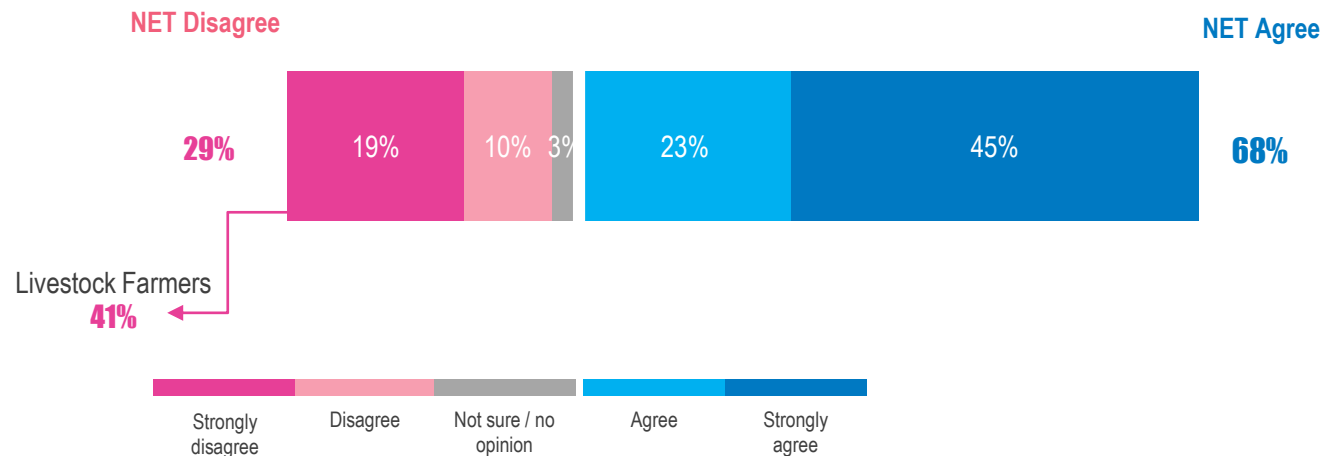
Base: All respondents (n=628). Responses below 2% not displayed.

Q10. To what extent do you agree or disagree with the following statement?

Long-term Swan Valley landowners should be able to apply to subdivide their rural land for family purposes or on compassionate grounds.

Opinion generally favoured subdivision being allowed for long-term residents for family purposes or on compassionate grounds.

However, 19% of survey responses strongly oppose subdivision, with livestock farmers (41%) the most opposed.



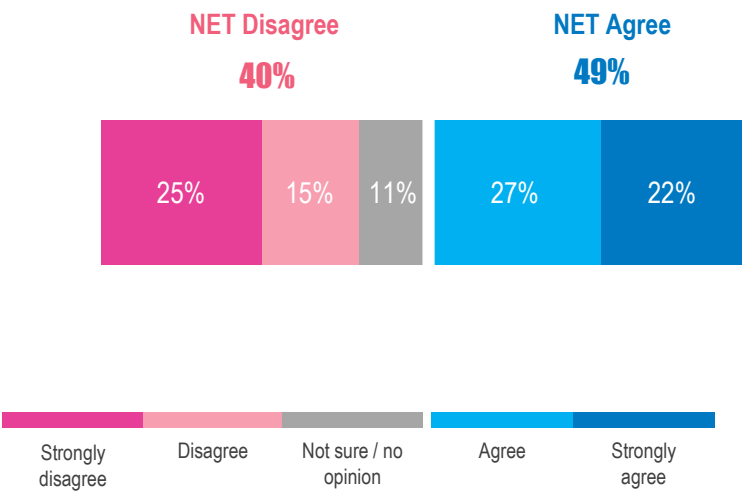
Data from:

Q10. To what extent do you agree or disagree with the following statement? Base: All respondents (n=628)

Q11. To what extent do you agree or disagree with the following statement?

Subdivision of Henley Brook Area A properties into smaller rural living lots of 1 hectare should be allowed.

Subdivision of Henley Brook Rural Residential properties into smaller rural living lots of 1 hectare should be allowed.



Opinion on smaller lot sizes for Henley Brook is divided.

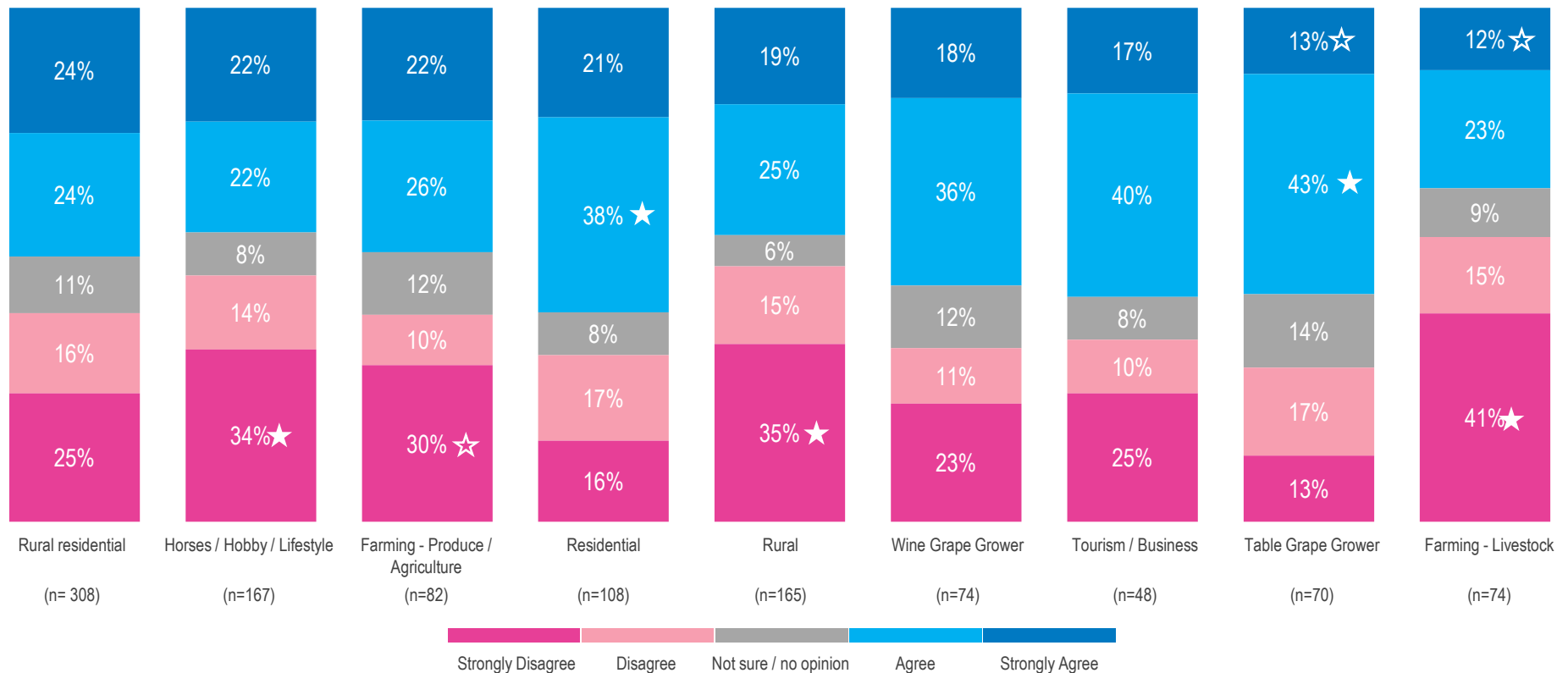
Responses varied and do not show consensus on 1 hectare lots in Henley Brook Area A.

Some groups – Rural, Farming Livestock and Horses / Hobby / Lifestyle property owners and residents of Baskerville and Millendon – oppose subdivision.

	Agree	Disagree
Rural	44%	50%★
Farming – Livestock	35%	55%★
Horses / Hobby / Lifestyle	44%	48%
Baskerville	36%	48%
Millendon	41%	44%

Q11. To what extent do you agree or disagree with the following statement?

Subdivision of Henley Brook Rural Residential properties into smaller rural living lots of 1 hectare should be allowed.



Data from:
Q11. To what extent do you agree or disagree with the following statement?

★ Significant difference

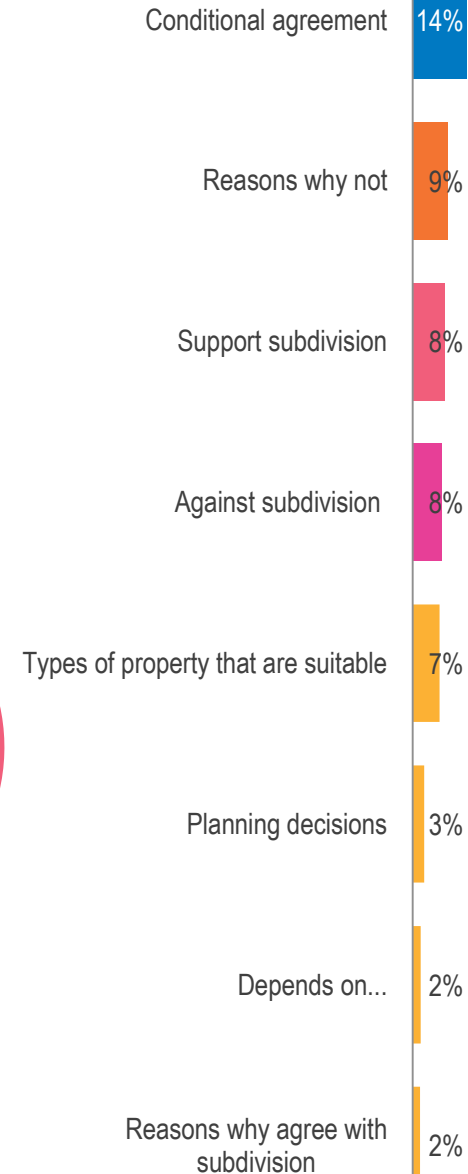
Subdivision Comments

"Area 18 - subdivide this area into housing it's just dry, sandy desert wasteland full of weeds and the odd horse. the housing is old and is a blight on the Swan Valley."

"No subdivision at all I moved out here to get away from subdivision it creates crime and noise and traffic and disturbs nature."

"Minimum sizes within all zoned areas should be 2 Ha, all these properties are on Septic systems and any increase in density would threaten ground water quality among other things."

"Subdivision should be able to be considered if: - it meets the vision for the Swan Valley / accommodates family circumstance / promotes ongoing use of the land (grape farming) also there should not be a minimum lot size."



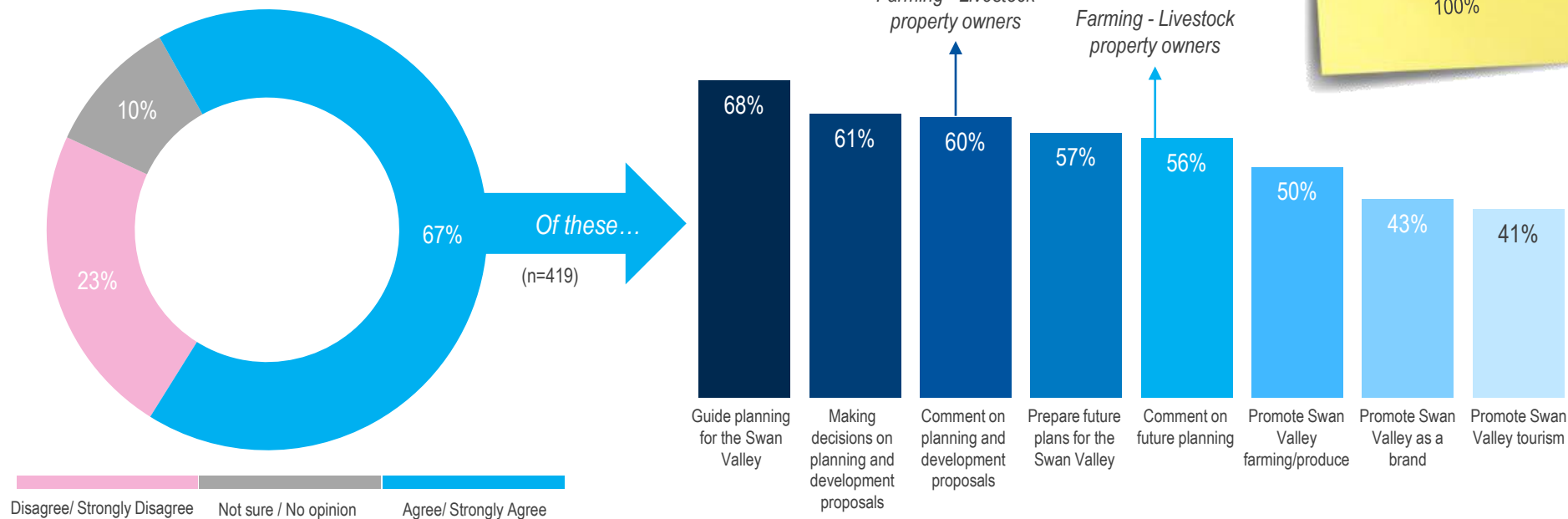
Base: All respondents (n=628). Responses below 2% not displayed.

Q12. To what extent do you agree or disagree with the following statement?

Q13. What should the role(s) of the committee or board be?

Two thirds of respondents believe a committee is needed to perform a number of roles.

Results were generally consistent across property groups, however livestock farmers were more supportive of the committee commenting on planning and development in the Swan Valley.

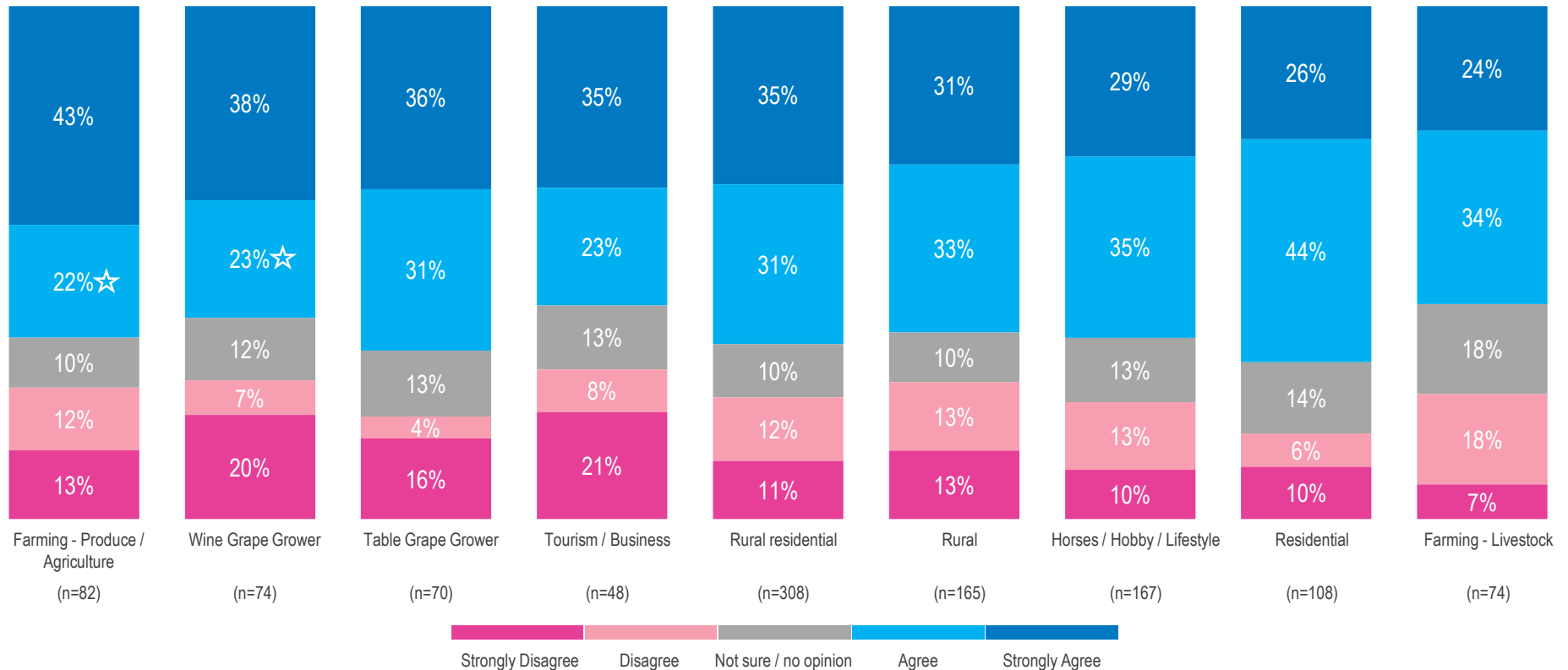


This was a multiple-response question. Respondents could tick more than one option so responses will not add up to 100%

Data from:
Q12. To what extent do you agree or disagree with the following statement? Base: All respondents (n=628)
Q13. What should the role(s) of the committee or board be? Base: Those who agree/strongly agree (n=419)

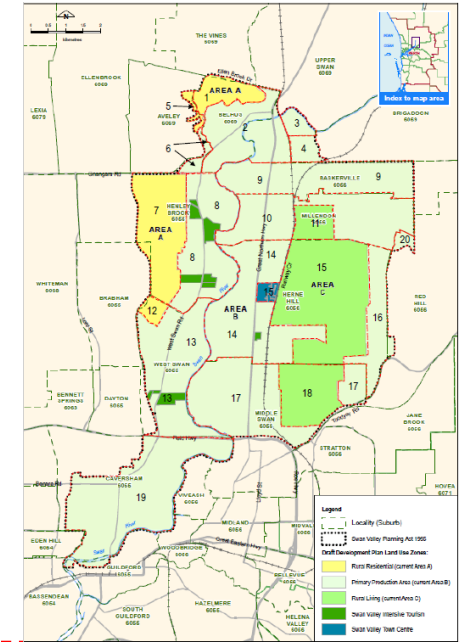
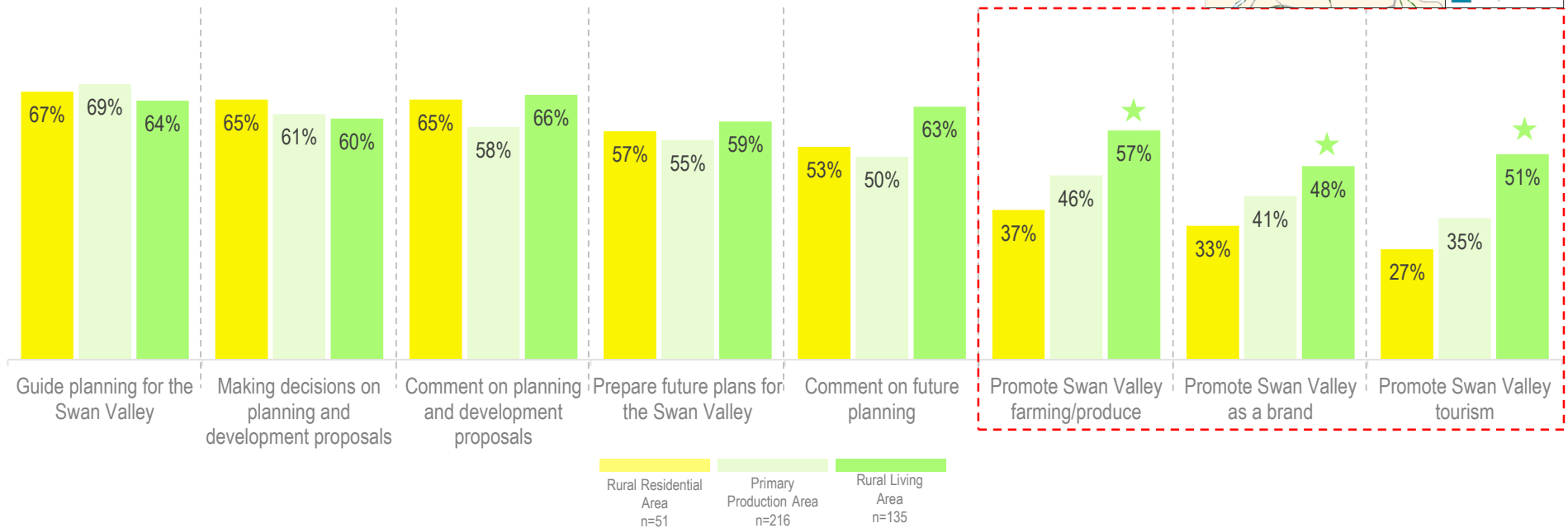
Q12. To what extent do you agree or disagree with the following statement?

A special committee or board is needed to make planning decisions for the Swan Valley.



Q13. What should the role(s) of the committee or board be?

People in 'Rural Living' areas see the committee as having more of a promotional role.



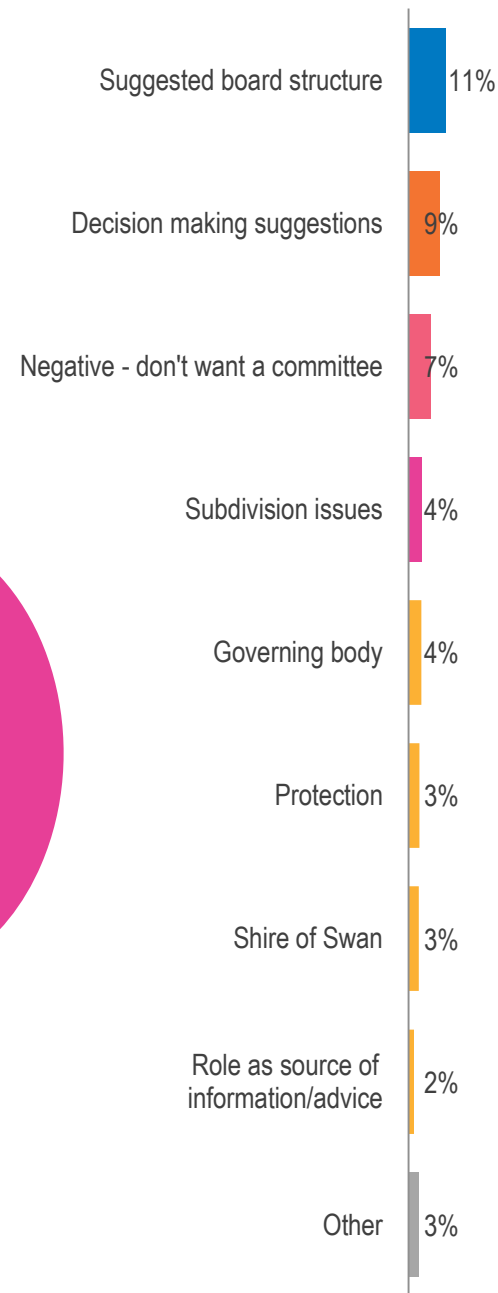
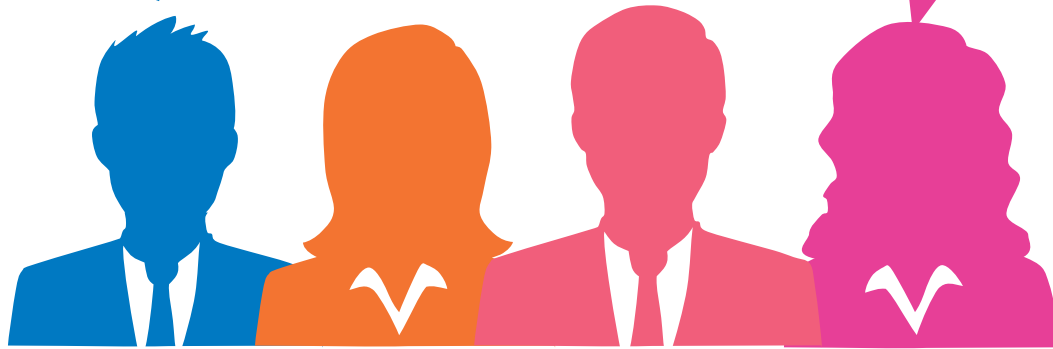
Swan Valley Planning Committee Comments

"There have been far too many decisions made by DAPs in WA that are all favouring developers and totally over-ruling all concerns of local residents."

"The special committee should consist of people who live/own either a farm or vineyard and whose interest is to develop the swan valley in a positive way."

"Do not need more layers of decision makers - the process of doing anything in the swan valley is already bureaucratic and unhelpful."

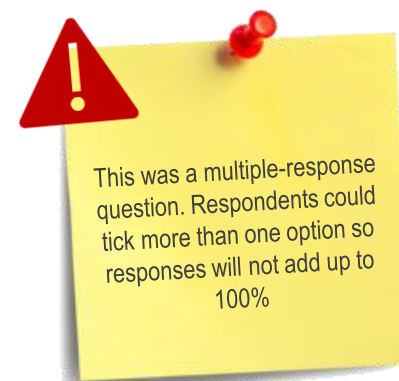
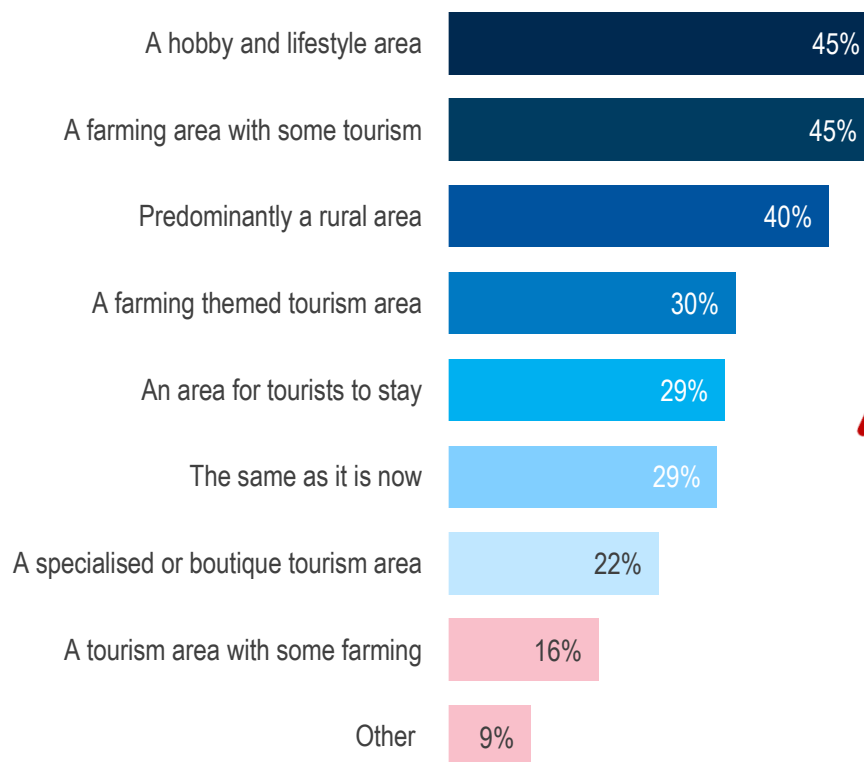
"If subdivision is allowed only one subdivision per property be allowed. otherwise it could end up having all family members taking a subdivision on the property."



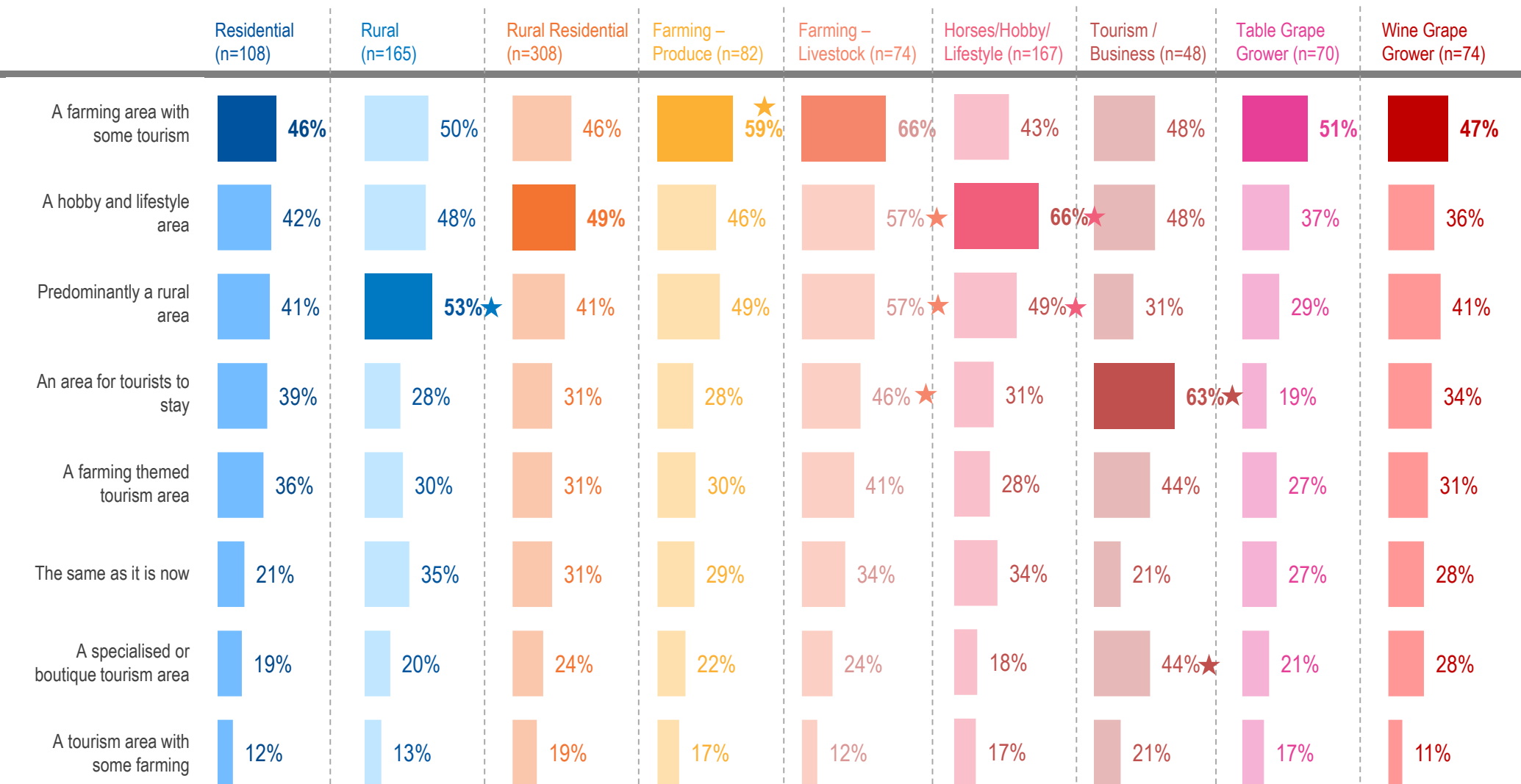
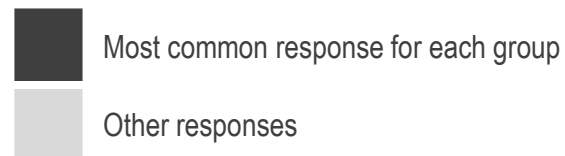
Base: All respondents (n=628). Responses below 2% not displayed

Q14. In 20 years, how do you want to see the Swan Valley?

The future of the Swan Valley is grounded in it's existing rural character and agriculture, with tourism viewed as a secondary purpose.



There are differences in opinion about the future of the Swan Valley based on property type.



Data from:
Q14. In 20 years, how do you want to see the Swan Valley? (n=628)

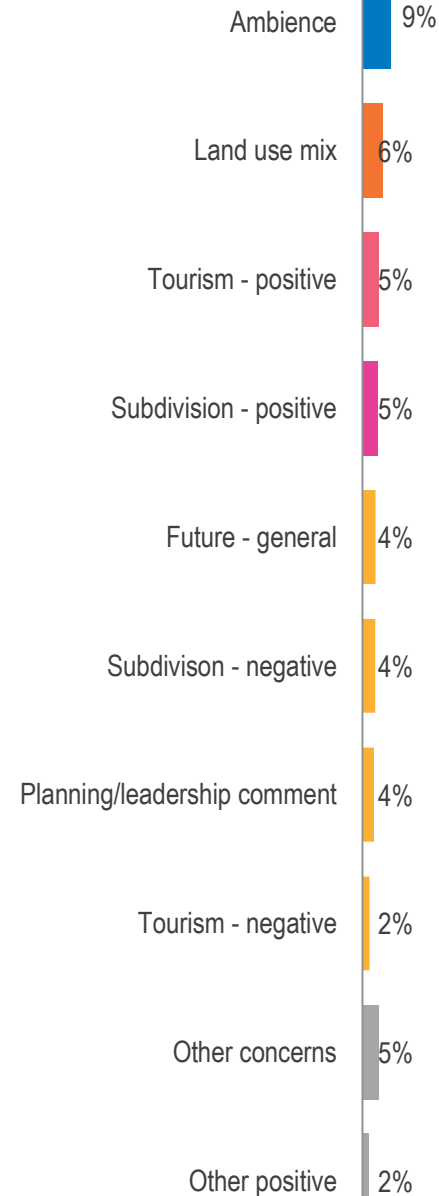
Future of the Swan Valley Comments

"Allow landowners to use their land any way they see fit - get rid of Shire red tape."

"The Swan Valley should be preserved as a unique area like Kings Park and Rottnest Island."

"The fertile soils and rich heritage will see this area grow in prominence as both an agricultural area and a tourism venue."

"We think that there should be more room for small 1 acre life style blocks and preserve the large tourism strip on west swan road with its winery culture as well as having farm-stay accommodation for tourists."



Base: All respondents (n=628). Responses below 2% not shown.

Summary of Overall Findings based on Five Objectives:

1

Investigate the level of support for subdivision in the Swan Valley Rural and Rural Residential planning areas.

The survey responses show that rural character is the main reason people choose to live in the Swan Valley.

Given that subdivision may impact rural character, it makes sense that subdivision is rated as the most important issue for residents and landowners.

Subdivision on compassionate grounds is supported in 68% of survey responses.

Opinion on allowing Henley Brook Rural Residential subdivision to 1 hectare lot sizes is fairly evenly divided with 49% supporting and 40% opposing subdivision.

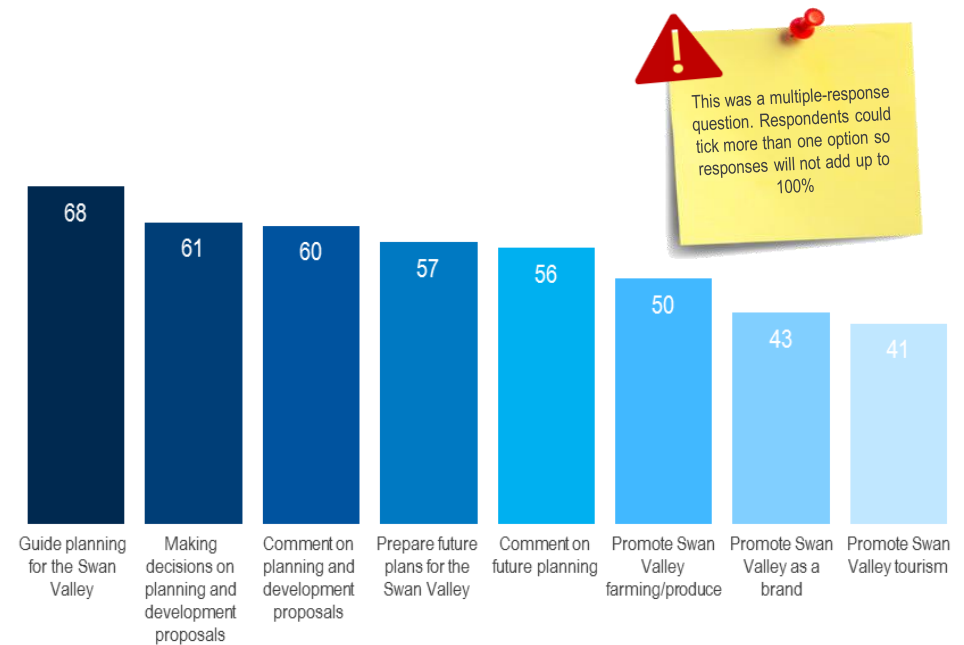
Henley Brook responses indicate 53% as supportive and 43% opposing the potential for 1 hectare subdivision.



Investigate the level of support for a new board to replace the Swan Valley Planning Committee, and identify its preferred functions.

Two in three support the establishment of a special Swan Valley Planning Committee or Board.

However different roles are envisioned for the committee.



Investigate levels of support for 'right to farm' provisions and identify preferences for the specific provisions.

Establishing 'right to farm' provisions are supported by the community.

There is disagreement between tourism and agriculture operators on the purpose of 'right to farm' provisions.

Agriculture operators see them as a way to prioritise rural land uses over new development.

Tourism operators see the provisions as a mechanism to educate existing landowners on the rights of different land uses in the region.

Mechanisms that encourage Swan Valley's traditional rural land uses were supported by survey respondents, even those not in rural industries.



Investigate tourism initiatives that are and are not supported by residents and landowners.

The community supports restriction of new tourism development in the Swan Valley to ones relating to primary production.

Cafes serving local produce or farm-to-plate experiences were the most supported tourism developments, with 74% and 65% supporting each.

Tourism not directly related to the local agricultural industry was supported in less than 20% of responses.

Less than 10% of responses suggest tourism should not exist in the Swan Valley.



Identify issues that Swan Valley residents and landowners would like to see addressed.

The future Swan Valley is centred on maintaining its rural feel and agricultural industry, with tourism a secondary purpose working in conjunction with primary production.

The survey responses suggest that tourism and agriculture work hand-in-hand. Some residents and landowners warn that if the balance is not maintained, there will be negative impacts for both industries.

A balancing act is apparent in every aspect of the survey results, from water allocation to subdivision to the structure and function of a Swan Valley Committee.



To wrap up...

Swan Valley residents want to live in a region where **rural character is maintained and supported**, through mechanisms that ensure agricultural and grape growing industries survive and thrive in the region.

They see **subdivision as a key issue for the region**, and appear supportive of subdivision to cater for long-term residents on compassionate grounds, however hold a range of opinions about smaller minimum lot sizes at a broader level.

Tourism is seen as an important part of the Swan Valley, but **only if it can support existing rural industries and land uses**.

Swan Valley Committee is supported as a way to guide planning in the Swan Valley among other roles.

