

# **Swan Valley Development Plan 2015 – Comment**

Comments are organised according to sections in Swan Valley Development Plan. Quotes in italics.

First I would like to say that I very pleased that the draft reinforces and expands on the aim of the original Swan Valley Planning Act. Also it is a very positive draft report.

## **State Asset**

The Swan Valley is a WA State asset, like Kings Park, therefore the burden of maintaining this should not solely fall on City of Swan. There should be extra funding to the City of Swan or State departments should get involved to help City of Swan.

## **Aboriginal Heritage**

With regard to tourism opportunities, I consider that there is enormous untapped potential relating to heritage tourism. Specifically in respect of the early years of white settlement and the Aboriginal complex on the eastern edge of the Swan Valley, which includes the Home Ground Camp and Gogomit (Ancestral Owl Rock). That was the home of Yagan at the time of his death in 1833. This site has the potential to attract visitors from all over the world as an interactive tourism destination, due to its unique anthropological, archaeological and historical importance.

## **1.3 Key Government Recommendations**

*The Government support a revised legislative and governance framework for the Swan valley, including dissolving the Swan Valley Planning Committee, with planning decisions to be made by the local government (or Development Assessment Panels for higher value applications) – subject to appropriate local scheme, policy and design guidelines provisions being established as priority.*

The “old” **Swan Valley Planning Committee** may have been in-effective, but what mechanism for review and safeguard is there now in place? A Swan Valley DAP should maybe have a slight different composition than normal because of the SVPA. It should be good to have a review board that represents various stakeholders. Effectively what happens now the proponents of inappropriate developments go the State Appeals Tribunal and get their way most of the time. So what will be different now?

I strongly believe that the dissolution of the Swan Valley Planning Committee, and not replacing it with a similar dedicated body that is independent of the City of Swan, is a hugely negative step. While the Swan Valley Planning Committee is far from perfect, it fulfils the vital function of interpreting the Swan Valley Planning Act and providing its recommendations to the City of Swan accordingly.

I believe that if the City of Swan is given far-reaching discretionary powers, without the checks and balances of an expert body such as the Swan Valley Planning Committee, there is the very real potential for the City of Swan to not interpret the Act as it is intended, namely for the protection and benefit of the Swan Valley as laid down by the Act, but instead to base its planning decisions on normal metropolitan criteria.

Partly as reason for this I identify that the make up of the Council is a major problem. The City of Swan has 15 Councillors of whom 2 represent the rural

Swan Valley / Gidgegannup ward and the other 13 represent urban wards. In the past, there have been instances where the City of Swan planning officers and the urban Councillors have appeared to treat the Swan Valley as simply another suburb, without giving due consideration to the Swan Valley Planning Act, and this has influenced their decision-making process to the detriment of the Swan Valley. The Swan Valley Planning Committee makes its recommendations solely according to the Act, and largely prevents transgressions of this nature from occurring.

In addition, I consider that in relation to the Swan Valley there is or at least has been too much power in the hands of the senior planning officers at the City of Swan, who in the past at times have attempted to bypass both the Swan Valley Planning Committee and Council by using *delegated authority* to approve inappropriate developments. I believe it is essential that the City of Swan is not permitted to use 'delegated authority' to approve significant planning applications.

A good case to illustrate this is the current application for a proposed petrol station on West Swan Road, Caversham, including a 10m high sign. The City of Swan wrote to affected parties as part of the process, asking if they object or not. When the City of Swan received the application, should have immediately notified the proponents that it is an inappropriate development in the Swan Valley and therefore will dismiss the application.

### **2.3 Natural Environmental**

*2009 Gnangara Allocation Plan and is intending to release a new plan in 2017. As part of the review and to align water resource management with Government priorities*

Water is our most precious resource, especially in view of climate change with higher temperatures and less rain fall predicted. Water conservation should be of the highest priority. Without access to water the Swan Valley is dead.

It should also be noted that there are companies that wish to frack for gas over the Gnangara mound which is Perth's prime aquifer. No insurance by any gas explorer is good enough to cancel the risk of affecting the aquifer. Any further extraction of water should not be allowed and also an effort to be made to reduce pine plantations.

There is a need change in the water allocation policies and regulations. They have to brought into 21<sup>st</sup> century. The Department of Water should be pressured in doing this because it is so important for everyone in the Perth region including the Swan Valley.

Any new development, like Averley, should be prohibited to have vast expenses of grass. All planting should be water wise and if irrigation is needed it has to be subsurface. The water used by large development around the Swan Valley. No more private/public bores in the aquifers that feed the Swan Valley.

*The dominance of agriculture in the Australian market has declined in recent years. This trend is exacerbated in the Swan Valley by the comparatively small size of the region, limiting the potential to achieve economies of scale, and recent changes to import settings directly affecting the profitability and competitiveness of the table grape industry*

This is partly due to landtax and other taxes that treat the Swan Valley as if it is normal suburbia. For the Swan Valley to have a successful future in agriculture it may need tax breaks or other incentives to attract a younger generation to work the land. Being closer to the final customer and markets has an environmental

benefit of less pollution in transport. Because of this Swan Valley producers should get an environmental tax benefit.

*The Swan Valley is ideally placed to capitalise on this local food movement, and contribute to a regional brand based on high quality, locally grown product. While it is expected that some food will need to be sourced from outside the region in the short term, a commitment to locally sourced produce will be essential to the development of a strong, long-term Swan Valley brand.*

Part of the branding to make the Swan Valley more attractive is to promote locally grown food or at least WA grown.

*Like their wine-making counterparts, micro-breweries and distilleries play an important role in attracting visitors to the region and promoting the Swan Valley brand. Unlike wine producers, however, they do not have the same productive relationship with the land and, arguably, do not make the most effective use of what is a high quality rural and agricultural resource.*

They should be located on the less productive / fertile parts of the land parcel, as should be done with any non-agricultural development. To create a Swan Valley brand it is vital to have a specific postcode for the Swan Valley, like the Barossa Valley.

*For the Swan Valley to re-brand itself as one of the premium tourism destinations in Western Australia, it needs to be able to offer a unique visitor experience to a wide range of potential visitors. One of the strengths of the Margaret River tourism experience is the diverse range of products and activities it has to offer.*

Therefore it is essential that the Darling Scarp stays intact. That quarrying and other industrial activities are kept out of view and do not cause dust and noise

pollution and excessive truck movements.

Any tourist experience in Swan Valley should be related to food. Tourist attractions like theme parks have no place in the Swan Valley. And as mentioned before the Swan Valley should have its own postcode.

## **2.5 Built Environment**

*An important part of the Swan Valley history is recorded in its built heritage. The State Register of Heritage Places contains twelve permanent listings for the Swan Valley. These places are afforded the highest level of protection under the Heritage of Western Australia Act 1990, and any proposal that is likely to impact on a listed property must be referred to the Heritage Council of Western Australia for formal consideration*

Are there any buildings that are only on the City of Swan heritage list?

## **2.6 Land Use Zones**

*The Rural Residential Zone covers the same geographic area as planning area A. Extension of the Rural Residential zone is not supported to preserve the opportunity for future rural and agricultural use of land in the Rural Zone.*

Agree, important concept. Any new development to be located on the "poorest" soil part of the property. Keep tracks and pavement on properties to a minimum.

*The purpose of the Town Centre zone is to consolidate existing residential,*

*commercial and community activities at Herne Hill, and refocus them as part of a dedicated and identifiable rural town*

What is an identifiable country town? Is it the main street through centre with lot of empty shops on either side?

Any town development should be based on that everything is walk-able. Street trees every where to make it pleasant to walk. It will also make it cooler. Trees in the car-parks.

## **2.7 Movement & Access**

*The potential introduction of a new bridge link across the Swan River mid-way up the Valley, providing better connectivity between the west and east sides of the Valley and an important local connection to Herne Hill. This is identified as a medium term intervention (15 years plus).*

Disagree with the proposed vehicle bridge, there is no need for it. Also it creates two more busy intersections on both West Swan Road and Great Northern Highway. **A pathway to a Sustainable Future does NOT include more roads for vehicles.** The "rural experience" may mean that you have to drive a little further. However, two more pedestrian and cyclist bridges would be a great idea. That would enhance cycling experience in the Swan Valley. So in addition to the one at Sitella's winery, one bridge at the All Saints Anglican Church in Henley St in the northern part to the Swan valley. The other one in the south somewhere near Oakover and Houghton. The fact that it is a pedestrian/cyclist bridge the designer can be more flexible with its position, because they can make use of existing tracks/ narrow roads. It is a much cheaper option, both healthier for the waist line and budget. The Health Department spend vast amounts of money on advertising people to do exercise, so these bridges make it

more likely people taking up cycling through the Valley. Someone could setup a bike hiring place near Guildford train station so people come by public transport cycle and go home with the train.

*There are also many kilometres of sealed hard shoulder (maybe suitable for more experienced cyclists), as well as quiet, scenic, cycle and pedestrian friendly back roads.*

The Swan Valley has a flat topography, so is ideal for cycling. Having trees along the cycleways makes it more pleasant and the shade will also extend the life of the pavement.

Need more cycleways in the Swan Valley, especially on both sides along Great Northern Hwy. The painted line is not an acceptable way for creating a cycleway with road-trains driving past at 80 kmh.

There should also be dedicated cycleways to and from, Ellenbrook, Guildford, Midland Toodyay Rd and Whiteman Park into Swan Valley.

## **2.9 Services and Infrastructure**

*The strategy identified the following interventions to support redevelopment of the Herne Hill Town Centre:*

- *upgrade of potable water infrastructure;*
- *construction of a centralised wastewater treatment plant and the development of a wastewater reticulation network (including a pumping station);*
- *upgrade of electricity infrastructure, including switching stations and transformers; and*
- *upgrade of stormwater management infrastructure, including the construction of a pit and pipe network and detention basins.*

This infra structure could also be access by tourist development outside the town



at the cost of the developer. E.g. the Swan Settlers redevelopment proposals.

The upgraded electricity infrastructure should be based on distributed networks of solar and other renewables.

## **Part B                      Development & Land Use**

*When local policies are updated, the City of Swan will ensure they align with the provisions set out in Part B of the Development Plan in order to maintain a consistent approach to development and land use in the Swan Valley. Similarly, state government agencies must ensure that any state policies that impact on the Swan Valley are consistent with and support the intent of the Development Plan.*

City of Swan planning should **subordinate to Swan Valley Planning Act**. It should be made clear to *State Appeals Tribunal* or similar organisations that their decisions are to be **subordinate to the Swan Valley Planning Act**, the Swan Valley is not just another suburb. To have a special postcode for the Swan Valley makes it more obvious for planners at City of Swan or members of the State Appeals Tribunal to realise that the proposal is in the Swan Valley.

### **3.2 Groundwater Protection**

*Maintain appropriate aquifer levels, recharge and surface water characteristics for the following beneficial uses*

Ensure recharge is via soak wells not via run-off into creeks.

*Avoid development and land use that requires significant volumes of groundwater that is not already licensed or is not aligned with the rural and*

*tourism priorities of the area*

Do NOT allow any development and land use that significant volumes of groundwater. Groundwater resources are already stretched. When allowing they will try to persuade to get it, if not allowed they know it is not possible. The Swan Valley should have priority use of water over urban development. See also comment on Averly.

*Minimise the export and impact of pollution from sewerage.*

Encourage the use of composting style toilets, that will reduce effluents.

*.....planting of low water demand and drought tolerant crops;*

And in surrounding areas that form the catchment for the shallow aquifers used in the Swan Valley.



No above ground irrigation to be allowed, especially being used in the middle of the day which seems very prevalent on the equestrian properties. Above ground

irrigation also increases the risk of mildew and other fungi diseases.

### **3.3 Watercourse Protection**

What mechanisms are there in place for effective monitoring / policing chemical spills e.g. from truck depots or industrial run off in to Susannah Brook and other creeks? What fines can be given and orders can be made for remedial work. I know in the mining industry the limit of compulsory reporting to the Mines Departments is 20 liter. So, most spills are just 19 liter. Not a good environmental outcome.

### **3.5 Tree Protection**

*No more than 10 per cent of a lot shall be cleared of vegetation without Council approval*

How is the City of Swan going to monitor this and what fines will be in place?  
What assessment and recording tools are there in place?

### **4.0 Built Environment**

*The design, scale and location of buildings within the landscape contribute to the visual and contextual character of a region or place. As noted in section 2.5, the eclectic mix of typical rural, traditional Australian, European migrant and contemporary suburban built form that characterises the Swan Valley, is starting to be influenced by a stronger emphasis on architectural design and the*

*application of natural and traditional building materials as part of a contemporary 'vineyard' palette.*

The proposals in the following sections are too restrictive. The Swan Valley does not have a real dominant heritage style like e.g. Guildford. Therefore there should be no restrictions on design and materials used.

What is more important that the buildings and surrounds conform into solar passive, water wise and other sustainable criteria.

In general it is not a good idea if planners try to be the arbiters of design. Good design is most likely to come from a gifted and competent designer. Architects are the only people registered in the country as qualified in that way.

Many shires now have Design Advisory Panels – these committees have architects who work with elected members to assess projects and review the planners comments. The “old” Swan Valley Planning Committee may have been in-effective, but what mechanism for review is there now in place? The Swan Valley DAP should maybe have a slight different composition because of the SVPA. It should be good to have a review board that represents various stakeholders.

In the Swan Valley, as with most of WA, 80%+ of all the building stock is post WW2. Maybe if there is one particular style “dominant” it is the 1960’s style house, but probably most of it even post 1970s. So which design tradition are they going to work with? The Swan Valley has no “pervasive and clearly recognisable” building style. Even Guildford has been bastardised in design terms, but at least they have the Guildford Society who work to safeguard the integrity of that unique heritage village in the face of antagonism and complacency by a council often dominated by pro-developers and quick-buck interests.

There are also heritage precincts in Maylands, Mt Lawley, Fremantle, Victoria

Park, Subiaco, etc. They try to prescribe things like roof pitches, materials, etc., but though these policies often create problems for architects who design to optimise the environmentally sustainable opportunities of a site, but that doesn't stop building designers getting crap developments passed.

#### **4.1 Built Environment – Tourism Development**

*To develop an architectural character and built language that identifies the Swan Valley as a rural tourism region.*

Does it? Who says so? Who decides what it should be? As long as a design is in balance with rural surrounding it should be fine. Diversity in architecture is essential. See a section 4.0.

#### **4.2 Built Environment – Sheds and Agricultural Buildings**

*Council may approve larger sheds and agricultural buildings up to a maximum wall height of 6m with a ridge height of 9m above natural ground level, provided the proposal employs design techniques to moderate the bulk and scale of the built form to Council satisfaction.*

This increase in size should ONLY be allowed for agricultural buildings where the extra height is essential for carrying out their business. There should be a caveat put on the title that it would be a special type of development permission with certain conditions attached.

#### **4.4 Built Environment – Town Centre**

*To develop an architectural character and built language that identifies Herne Hill as a rural town centre, rather than an extension of the surrounding suburban form or a continuation of the rural farming typology.*

See comment in section 4.0

It would be a good place to have a retirement village.

## **5.2 Parking and Access**

*Parking of heavy and commercial vehicles is not permitted unless it can demonstrated that the vehicles are required for agricultural, viticultural or related purposes in the Swan Valley.*

*Transport Depot is not a supported land use in the Swan Valley.*

The State Appeals Tribunal should not to be allowed to override the City of Swan and approve applications for this. And heavy fines to be imposed for breakers of the rules.

New owners of business or property have to reapply for permits of truck depots and related businesses.

## **5.5 Land Use Buffers**

Existing agricultural businesses to be allowed to use the land as is.

## **5.9 Resource Extraction**

All resource extraction is **incompatible** with the main objective of the Swan

Valley. No new projects should ever be allowed in the Swan Valley or near the Swan Valley where they can impinge on it, visually, environmentally and traffic related. Any existing ones should not be allowed to expand. And when operation is ceased areas to be rehabilitated and who pays for that.

## Appendix 2 Zoning Table

Selected entries in the zoning table have been altered indicated by Bold Capital X. Existing business allowed to operate as is, but no further expansion.

Use Class	Rural Residential	Rural	Town Centre	Intensive Tourism
Camping Area	<b>X</b>	<b>X</b>	x	x
Caravan Park	x	<b>X</b>	x	x
Cinema / Theatre	x	x	x	<b>X</b> <sup>1</sup>
Family Daycare	<b>X</b>	<b>X</b>	x	x
Fast Food Outlet	x	x	a	<b>X</b>
Funeral	x	x	<b>x</b>	
Hotel	x	<b>X</b>	x	<b>X</b>
Industry - Extractive	<b>X</b>	<b>X</b>	x	x
Industry - Mining	<b>X</b>	<b>X</b>	x	x
Motel	x	<b>X</b>	x	<b>X</b>
Motor Vehicle, Boat, Carava Sales	x	x	<b>X</b>	x
Office	x	<b>X</b>	a	x
Roadhouse	x	<b>X</b>	<b>X</b>	<b>X</b>

<sup>1</sup>Maybe an exception if it would be an outdoor cinema

**Final Note :**

**“We do not inherit the Earth from our Ancestors,  
We borrow the Earth from our Children”**

by Moss Cass

(Australian minister Environment and Conservation 1972-1975)