



28 May 2014

The Hon Simon O'Brien MLC  
Chairman  
Standing Committee on Environment and Public Affairs  
Legislative Council  
Parliament of Western Australia

Dear Mr O'Brien

### **Petition No 38 – Opposing Changes to Swan Valley Planning Act 1995**

The Swan Valley & Regional Winemakers Association have become aware over the past two years of moves by some within the community to seek changes to the Swan Valley Planning Act 1995. Specifically we are concerned that there has been some lobbying for either the removal of some areas from the area covered by the Act, or the removal of provisions for minimum lot size within those areas.

Currently the Act provides for minimum lot sizes within Area A of 2 hectares, and Area B & C of 4 hectares.

These minimum lots sizes are critical because:

1. They ensure the maintenance of open spaces and the avoidance of congestion, thereby ensuring the rural amenity of the Swan Valley is maintained
2. The current lot sizes tend to minimise conflict between different land uses – for example farming activities, rural living, and tourist activities – by ensuring lot sizes are large enough to create space between neighbours and allow room for screening and so on. There is no objective way to measure this but experience shows this is generally the case in the Swan Valley and any reduction in lot sizes would result in greater levels of conflict.
3. Smaller lots would become uneconomical as vineyards and farms and thus the ability to farm in the Valley (even boutique farms) would be imperilled
4. Smaller lots favour inappropriate land uses such as workshops, truck depots, etc... Whilst these are not uses described in the Act the local authority has historically approved them – often in retrospect.

The minimum lot sizes in the Act go a long way to maintaining the integrity of the Swan Valley as a heritage precinct, as an agricultural precinct, as rural home and as agro-tourism precinct. The Swan Valley is well worth preserving for these values. There is adequate land available elsewhere in Perth's north east to meet other needs, yet there is nowhere else that could replace the Swan Valley's cultural, agricultural, rural lifestyle, and visitor appeal.

The Swan Valley as defined by the Swan Valley Planning Act is a relatively small area. As a wine region it is much smaller than say Margaret River, the Barossa Valley, Hunter Valley or Yarra Valley. It is hemmed in by residential and rural residential development on all boundaries. It is equally critical that its area is not reduced as critical mass will be lost and in fact the developments along the perimeters would intrude on the visual amenity of the Valley from almost all locations within the Valley, spoiling one of its most important values.



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The area of the Swan Valley is a very small area within the whole Perth Metropolitan Area and it is not inappropriate that the existing land uses and lot sizes permitted under the Act be maintained for this very small segment of Perth to contribute to the diversity of lifestyle options available to Perth residents.

In addition the value of the Swan Valley to the community of Western Australia will grow as the population continues to rise in the foreseeable future and Perth becomes a denser city. The open space and recreational opportunities, the value of the agri-tourism industry (based on but not confined to wine tourism) and the employment opportunities this generates will make the contribution of the Swan Valley to the people of Western Australia more vital in the future.

There is no argument for further subdivision or reduction in the area of the Swan Valley that makes economic sense to the community overall. Rather this idea tends to be promoted by some landholders seeking to maximise the value of their land. In the long term the scarcity of larger lot sizes within the Perth Metropolitan Area may in fact *add* to value of the existing lots.

The Swan Valley & Regional Winemakers Association understands the present Government has committed to updating and improving the current Act with a view to continuing to protect the Swan Valley for future generations. The Association welcomes and supports this commitment. However it is never the less important to demonstrate now to your committee the depth of concern within the community about possible subdivision below the minimum lot size of the existing Act. Any changes planned by the Government should continue the minimum lot size provisions of the existing Act.

I would also take this opportunity to advise your committee that I have succeeded John Griffiths as President of our Association.

Kind regards

Duncan Harris  
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