

PROPOSED SHORT-STAY ACCOMMODATION
DEVELOPMENT APPLICATION
NO. 35 MERRIVALE ROAD, PICKERING BROOK



TOWN PLANNING REPORT
9 FEBRUARY 2026

EST.1939
PERTH HILLS

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town planning, urban design, landscaping + appeals

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PART 1 – INTRODUCTION

Background

In 1939, the Della Franca family started the High Vale Orchard on the Subject Site, and later a cider mill, which continues to this day.

In 2008, planning approval was granted by the City of Kalamunda for Core Cider bar and bistro with a floorspace of 280m².

The family of four generations have lived and worked in this locality for over 80 years. The property is undergoing change, with the next generation onsite in keeping with the profession and experience. The tourism experience of the site and township will therefore have a deep story and greater meaning to patrons, and enable the family to continue their legacy and residence on the property.

Purpose of this Report

This report has been prepared to analyse development opportunities and constraints of the Subject Site, to support a Development Application for short-stay accommodation and wellness cabins, and associated structures.

This report has also considered the findings of specialist reports on soil testing, wastewater treatment, operational management, and bushfire issues.

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PART 2 – SITE CONTEXT

2.1 Property Description & Location

Subject Site			
Address	Vol./Fol.	Area	Landowner(s)
No. 35 (Lot 3) Merrivale Road, Pickering Brook	2761/465	73,702m ² 7 ha. / 18 ac.	High Vale Orchard Pty Ltd

The Subject Site is located on Merrivale Road within the mixed-character locality of Pickering Brook, 450m south of the Pickering Brook town centre (**Appendix D1**), in the City of Kalamunda (**City**) Local Government Area. The Site has a large 18 acres of land, and there are no encumbrances listed on the Certificate of Title (Landgate search).



2.2 Regional & District Context

The Site is located within the Perth Metropolitan Region, which is a major transport node for tourists, rich in natural beauty and history. Its geology is dominated by the Darling Range escarpment, dams, forests and national parks; and numerous white sandy beaches, extensive open spaces with native vegetation.

The Site is located within proximity to district features of the following (**Appendix D1**):

- Perth – 31km / 40min;
- Mundaring Dam – 22km / 21min;

- Kalamunda – 13km / 14min (by road);
- Several other dams; and
- Several National Parks and State Forests.

For nature-based tourism, the district offers a large number of national parks, reserves, State Forests and dams within a short drive. Other tourism businesses in the locality includes Masonmill Restaurant & Beer Garden, Lawnbrook Estate Winery, Plume Estate Winery, and La Fattoria Restaurant.

The Site has excellent access to regional roads as it is located in the immediate vicinity of Welshpool Road and Brookton Highway / Canning Road to and from Perth.

2.3 Local Context & Existing Development

The locality features forests, houses, orchards, grasslands and a packing shed; and the Site features an orchard (High Vale Orchard), forest, popular cider mill and bistro (Core Cider)(**Appendix D2**).



2.4 Topography, Vegetation / Flora & Fauna

The Site has a large 18 acres of land with sloping natural ground levels and large open spaces, and a gentle grade (10m from west to east over a distance of 80m), into Piesse Gully.

Existing vegetation along road reserves and boundaries comprises of pastoral windbreaks; whilst onsite features an orchard comprising of managed gardens, and forest, as detailed in the Bushfire Management Plan (**Appendix C**).

PART 3 – PLANNING FRAMEWORK

3.1 State Legislation, Regulation & Policy

Bushfires

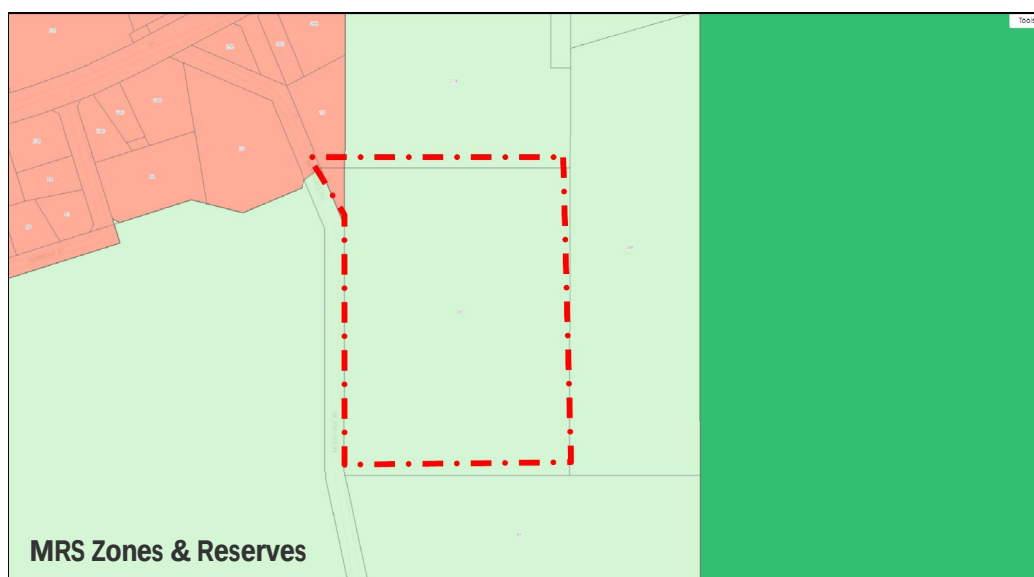
As the Site is within a Bushfire Prone Area (**BPA**) and the proposed activity is a 'vulnerable land-use', a Bushfire Management Plan (**BMP**) and Bushfire Emergency Plan (**BEP**) are required in accordance with the Bushfire Guidelines 2024.

Liquor Licences

The business has a Producers Liquor Licence (harvesting, producing, tastings, packaged liquor and consumption with food), and the accommodation will not involve the sale of alcohol nor require a liquor redefinition.

Planning Scheme

At an overarching level, the Site is zoned Rural under the Metropolitan Region Scheme (**MRS**), with the proposed land-use conducive with this zoning without any regional planning issues.



Planning Policy

The following State Planning Policies are relevant to this project:

- SPP2.4 Planning for Basic Raw Materials (**Raw Materials Policy**).
- SPP2.7 Public Drinking Water Source Policy (**Drinking Water Policy**) - Read in conjunction with:
 - Water Quality Protection Note 88 - Rural Tourist Accommodation (**WQPN88**).
- SPP3.7 Bushfire (**Bushfire Policy**).

- SPP4.1 State Industrial Buffer Policy (**Buffer Policy**) - Read in conjunctional with:
 - o EPA Guidance for the Assessment of Environmental Factors (**EPA Guidelines**); and
 - o DoH Guidelines for the Separation of Agricultural & Residential Land Uses (**DoH Guidelines**).

3.2 Local Planning Scheme & Policy

Planning Scheme

At a local level, the Site is zoned Rural under the City's Local Planning Scheme No. 3 (**Scheme**), in a mixed-character locality noting the following zones, reserves and uses within the focus area (**Appendix D2**).



Local Zones & Uses within Focus Area		
Direction	Zoning	Land-Use
North	Abuts <u>Rural</u> and <u>Residential Bushland</u> zones	Orchard with packing shed and dwelling
South	Abuts a <u>Rural</u> zone	
East		Orchard
West	Opposite a <u>Rural Conservation</u> zone	Native forest

Planning Policy

The City also has relevant Local Planning Policies:

- LPP2 - Requirements for signs (**Signs Policy**).
- LPP4 - Requirements for effluent (**Effluent Policy**).
- LPP26 - Requirements for public art (**Public Art Policy**).

3.3 Transport Considerations

Regional Access is gained from the nearby Pickering Brook Road ('Local Distributor' under the MRWA road hierarchy), and the Site abuts Merrivale Road (an 'Access Road').

The number of vehicle movements will not be greater than 10 in the peak hour, and the proposed land-use does not trigger a Traffic Impact Assessment (**TIA**) as per the TIA Guidelines 2016.

Furthermore, the Site is not adjacent to a Regional Road or Other Regional Road under the authority of Main Roads WA or Department of Planning Lands & Heritage. As these roads are sealed, designed to a high-standard in excellent condition, it is not considered necessary for further study transport impacts.

Also, the City's Scheme has provisions in relation to transport prescribe parking bay numbers and standards.

3.4 Other Considerations

Acoustic Considerations

With regard to noise, the nearest dwelling is to the northwest at a distance of 175m, which is a considerable distance for a proposed accommodation use. Accordingly, it is reasonably foreseeable that this application will comply with the Noise Regulations, and therefore an Acoustic Report has not been prepared.

Heritage

The locality and Site is not listed as a heritage site (local / state / aboriginal).

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PART 4 – PROPOSED DEVELOPMENT

4.1 Overview & Operational Details

The proposed development is considered to be low-impact and outlined as:

- **Tourist Accommodation** – Cabins for short-stay tourist accommodation (Chalet-Short Term Accommodation), one being for Universal Access (**UA**), 1 bedroom (43m²) x 10.
- **Day-Spa** – Massage room for accommodation guests (80m²) x 2.
- **Future Conversion** (not part of this application) – If the day-spa is converted to a chalet in the future, a robust floor plan, provision of UA unit, and UA parking bay is proposed (future-proofing).
- **Car-Parking** – Marked greater than Australian Standards, plus informal parking, bays (inc. disabled) x 14.
- **Entry Statement** – Entry statement (1 piece), rural theme, non-illuminated, site-specific advertising to guide traffic onsite.
- **Pergola** – For accommodation guests (10m²) x 2.
- **Footpaths** – Throughout, to be accessible for disabled guests.

The proposed operational details of the business are as follows, which is considered to be low-impact:

- **Management** – Onsite, shared with Core Cider, with separate check-in / wellness building.
- **Guests** – 20 adults maximum.
- **Bookings** – 2-6 nights (short-stay).
- **Hours / Days** – 24/7.
- **Private Services / Utilities** – Potable water supply, toilets and septic systems, and solid waste collection.
- **Staffing** – 1 FT employee, 5 PT / Casual.
- **Deliveries** – 5 per week.

4.2 Utilities & Infrastructure

The Site has limited access to public utilities, being power, water, telecommunications and solid waste collection, as shown on plans (**Attachments D2**). As a result, various private services are proposed to sustain proposed activities and habitation:

- **Potable Water** – Units will be supplied with water tanks, to be gravity-fed / pumped rainwater, and topped-up by carted water (if required).
- **Kitchens & Bathrooms** – All cabins will have a simple kitchenettes including a bar-fridge, plates, glasses and cutlery; and fully fitted-out bathrooms designed and constructed to a luxurious standard.

- **Effluent Disposal** – Due to the P2 Public Drinking Water zoning, and effluent systems will be within proximity (100m) of a watercourse (Piesse Gulley is not perineal) or drinking-water source, a Site & Soil Evaluation (**SSE**) has been completed and measures are proposed to minimise the risk of ground water contamination (**Appendix A**). Aerobic Treatment Units (**ATU's**) being proposed, with technical details of the systems subject to conditional approval (the satisfaction of the City), and be calculated and documented in the forthcoming Building Permit (by others) as per the Effluent Policy.
- **Solid Waste** – Rooms will be cleaned on a regular basis by a family member / the caretaker or a local cleaning service, including the collection of solid waste, which will be accumulated in several 240L wheelie bins in skip bins, serviced weekly by an onsite waste collection service from a local contractor (Veiola).

Accordingly, available utilities and private services provide suitable environmental health to support the proposed development.

4.3 Land-Use & Zone Objectives

The proposal is considered to clearly meet the Scheme land-use definition of the '**Chalet-Short Term Accommodation**', which has an 'A' use code:

means an individual self-contained unit usually comprising cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period;

The proposed day-spa and check-in is only for accommodation guests with a small floorspace, and therefore considered an **ancillary** activity rather than a distinct and separate use.

As part of the proposal is listed as an advertised-discretionary use, zone objectives are considered to be met as shown below.

Rural Agriculture Zone Objectives (Cl. 4.2.2)		
Objectives	Response	Complies?
To protect and maintain the hills horticultural industry.	The Site was previously developed for agricultural purposes, and will continue so.	Yes
To ensure the conservation of soil and water resources important to the wellbeing of the horticulture industry.	The proposal does not consume natural resources.	Yes
Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.	Proposed septic systems involve water treatment.	

To limit the amount of subdivision supported to that which complies with the subdivisional land use and development requirements of this zone.	The land is not proposed to be subdivided, and the agricultural activities will continue.	Yes
To conserve the physical and visual environment of the area.	The location of units is amongst an existing orchard.	N.A.
Encourage the reduction of bush fire hazard.	See BMP.	Yes

4.4 Bushfire Considerations

A BMP and BEP were commissioned which does not present any barriers to development, and in summary found (**Appendix C**):

- Assessment Summary - The proposed development/use achieves the intent of all the elements and acceptable solutions by being fully compliant or not applicable.
- The Bushfire Emergency Plan assists persons to conduct operations that are directed at managing and protecting persons and property from the risks associated with a bushfire event. It is constructed to be used as an operational document that facilitates the reliable implementation of required actions at different times of the year, including during the urgent and high pressure conditions of a bushfire event.

4.5 Water Considerations

Under the Drinking Water Policy and WQPN88, the Site is listed as a P2 area, and the use of chalets is deemed to be compatible with conditions.

Regarding wastewater, all systems will need to be within 100m of Piesse Gully (non-perennial), and as a result, ATU systems are proposed (**Appendix A**).

4.6 Health Considerations

The EPA and DoH Guidelines requires a 500m gas and noise buffer from the neighbouring orchard to sensitive uses, or a 40m vegetative buffer can be acceptable. In response:

- Spraying is mainly done during Spring (September - October) with some in Summer. Fruit growers are now certified and are mindful of wind conditions, with these particular neighbours are aware of the client's functions and spray in different areas or times to work collaboratively.
- The distance between the cabins and neighbouring orchard is 29m+.
- An existing Bottlebrush screen with mature height (min. 6.0m), depth (2.0m-2.2m) and width along the whole northern boundary, has to date provided a suitable buffer and windbreak.

- An additional screen is proposed with a height (4.0m), depth (4.0m) and width (81m) to increase the thickness, staggered plantings to reduce gaps, and lower plantings to reduce drift at lower levels.
- A Drift Management Plan is proposed to cover weather checks for wind direction and speed, still day with possible inversion layers, using directions of use, spraying records, and maintaining a communication link between landowners. It is also proposed that this plan be captured as a condition of planning approval.



4.7 Scheme & Policy Considerations

Scheme Requirements

Zone-specific and general development standards found in the Scheme and policy (where relevant) are considered to be mostly met as shown below.

Site Requirements (Table 2)				
Issue		Required	Proposed	Complies?
Building Setbacks	front (W)	Min. 30m	25.5m	No
	side (N)	Min. 15m	24.5m	Yes
	rear (E)	Min. 15m	massive	Yes

Notwithstanding that this policy can departed from due to its legislative status, the Scheme permits the City to vary policies (s. 5.5), and in analysing the western setback variation:

- **Established Setback** – There are four buildings onsite that are set back from the boundary less than the required 30m. The neighbouring property (north) also has three buildings with a lesser setback, as well as the dwelling opposite.
- **Contours** – The building will have an approx GL and FFL of 247mAHD, whilst the street is at 255mAHD (8m difference), and with a roof height of approx 4.4m, the structure will not be visible.
- **Screening** – Existing vegetation and proposed car-parking will screen the proposal from the street and neighbouring property (north).
- **Development in the Locality** – The locality is mostly devoid of sensitive land-uses.

Under the Scheme, parking requirements are considered to be met as shown below.

Parking Requirements (Table 3)					
Issue		Required		Proposed	Complies?
Vehicle Bays	hotel	1 per std unit	8	9	
	ACROD	1 per UA unit	2	2	
	visitor	nil	0	0	
	staff	nil	0	2	
	delivery	nil	0	1	
	<i>total</i>		<i>10 bays</i>	<i>14 bays</i>	
Standard Bays		Nil		XL 2600W x 5500L	Yes
Disabled Access Bays (AS1428.1 & AS2890.6)		2400W x 5400L x2		2500W x 5700L x2	Yes
Aisle (AS2890.1).		User class 2 or 3 5800W		6000W	Yes

Signage Requirements

The proposal includes illuminated advertisements being 1 entry statement (**Appendix D3**) being compatible with the commercial and rural nature of the Site and locality. The purpose of the sign is to simply identify the business, alerting drivers and directing onsite in a safe and efficient manner.

Under the Deemed Provisions, the sign is not listed as an exempt advertisement (Sch. 5), and signage requirements are considered to be met as shown below.

Signs Policy – General Signage Requirements			
Issue	Required	Proposed	Complies?
Head Clearance	No sharps below 2750H	No sharps / access	Yes
Maintenance	By landowner	By landowner	Yes
Safety	Safe to drivers and pedestrians	Outside of visual truncation	Yes
		No pedestrians	N.A.
Location	Wholly on the property	Wholly onsite	Yes
Content	No third-party advertising Relates to site	Advertising onsite business only Relates to site	Yes
Illumination	Various	Not illuminated	N.A.

Other State Policy

The Raw Materials Policy utilises GIS to identify areas of policy interest, including SGS areas, ES areas, exclusion areas, and Local Government mapping of these. In this case, a search of the site only returns LG mapping but with no areas of significance.

4.8 Public Artwork & Amenity

The Public Art Policy requires proposed works >\$500,000 to include public art to the value of 1%. As a consequence, a condition of planning approval is proposed, with public art to be commissioned and demonstrated in the future Building Permit phase.

The locality has a mixed character which includes commercial uses, a tourism use, as well as a small number of sensitive houses in the locality. As the proposal is for a small number of structures and activities, the proposal will not have foreseeable noise impacts requiring further analysis.

Proposed structures will be set back from only a minor road (Merrivale Rd). Neighbouring properties are large in area with an extremely low residential density and considerable distances to the proposal, with heavy vegetation and contoured ground screening the proposal.

As a consequence, it is considered that the resultant general amenity of the Site and locality will be satisfactory.

PART 5 – CONCLUSION

This report analyses a property in Pickering Brook for the purpose of supporting a DA for short-stay accommodation and wellness, with the assistance of soil and effluent, operational management and bushfire reports.

The Site is located in rural Pickering Brook, close to the Pickering Brook centre, various picturesque tourism and recreational sites, with good access available via the local and regional roads.

The locality has many rural properties with dwellings and orchards; with the Site featuring an orchard, cider mill, bistro and ancillary structures on a large 7 hectares of sloping land with only introduced vegetation.

The proposal is for short-stay tourist accommodation in cabins, wellness units, car-parking, and signage. All structures proposed being a total floorspace of 683m². All land-uses are capable of approval, the objectives of the zone, site requirements, and policy provisions have been mostly met, with a minor variation being sought for the street setback.

The proposal complies with all groundwater, operational management and bushfire requirements as demonstrated by specialist reports; whilst public and private utilities and services are suitably proposed to sustain proposed activities and habitation.

Amenity is considered via suitable theming, materials, colours and landscaping in keeping with the natural surroundings, with noise being not applicable with this proposal.

Accordingly, it is considered that the proposed development is an acceptable outcome to the Site and the surrounding locality, and as such, the City's discretion is requested to approve a discretionary land-use, and street setback variation.

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APPENDICES

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Appendix A

Soil Test Results & Wastewater Treatment

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Appendix B

Operational Management Plan

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Appendix C

Bushfire Report

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Appendix D

Development Drawings

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