

## Planning Report

### Proposal

**Land Use:**  
***Accommodation***  
***(Seasonal Worker Share House)***

### Address

**111 Synnot Street Werribee**

**July 2021**

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### Prepared By:

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## **1.0 Introduction & Subject Site**

The subject site, 111 Synnot Street in Werribee, is a 766m<sup>2</sup> allotment located on the south-east side of Synnot Street between Greaves Street South and Werribee Street South. The title to the site is free of title encumbrances, including easements.

The site is developed with a large single storey brick dwelling comprising eight bedrooms, several living rooms and three bathrooms. The site also has a side driveway which is able to accommodate parking for at least five (5) cars in a tandem arrangement.

The subject site is located at the western end of Synnot Street, opposite the defined Werribee City Centre area and only 300 metres east of the Werribee River. The site has easy access to all the facilities of the city centre, including public transport options, recreation, commercial, medical and community facilities.

The dwelling has a history of use as a medical centre but has been used as a residence in recent times. It is now proposed to use the dwelling for the accommodation of seasonal farm workers. The permit applicant, *Fresh Select* seeks to provide accommodation for up to fourteen (14) seasonal farm workers under the Federal Government's Seasonal Worker Programme. Planning permission is sought to use the dwelling for *Accommodation* under Wyndham Planning Scheme.

## **2.0 Planning Controls**

### **2.1 Zone and Overlay Provisions**

The subject land is in a General Residential Zone – Schedule 1 under Wyndham Planning Scheme. Abutting land and nearby land to the south is also within the General Residential Zone. Land opposite, at the front of the site, is within the Activity Centre Zone. No overlay controls apply to the site.

Under Clause 32.08 *General Residential Zone*, the purpose of the zone extends to the encouragement of diversity of housing types, particularly in locations offering good access to services and transport. The subject site is in an alternative accommodation type and is in a highly accessible location relative to services and transport.

It is proposed to use the dwelling on the land for *Accommodation* to house seasonal farm workers. The Wyndham Planning Scheme does not include the definition of 'Residential Accommodation' which is the term used for this type of accommodation under the *Public Health and Well-being* legislative framework. The accommodation arrangements proposed would potentially fit within the Planning Scheme definition of *Dwelling* (as a share house) or *Residential Building*, which is so broadly defined as to provide little guidance other than by the exclusion of other land uses:

*Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.*

*Residential Building* is included under the umbrella term *Accommodation* and includes three other land uses: *Community Care Accommodation*, *Residential Hotel and Rooming House*. The proposal is not close in characterisation to any of these nested land uses, particularly as it does not offer multiple units of accommodation. Rather, the premises is shared by a group of seasonal farm workers.

Though closer in character to use of the land for a *Dwelling*, the proposal is essentially a share house but for a larger number of people than would normally be expected in a *Dwelling*. On that basis, it is appropriate to use the term "*Accommodation*" which appears to be consistent with the terms used for 'Prescribed Accommodation' and perhaps allows for incorporation of the proposed land use under the broadest land use term – *Accommodation*.

Under the General Residential Zone, use of the land for *Accommodation* (with some specified exemptions) is a 'Section 2 – Permit Required' land use. Schedule 1 to the zone (*Wyndham Residential Areas*) does not specify any provisions that would be relevant to the use of the land for *Accommodation*.

Clause 52.06 *Car Parking* applies to a new land use. Before a new use commences, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of Council. The requirements of this Clause are further discussed in Section 4.0 of the report.

Clause 52.34 *Bicycle Facilities* of Wyndham Planning Scheme does not apply to use of the land for *Accommodation*.

Assessment is also required against planning policy frameworks within the Planning Scheme.

## **2.2 *Planning Policy Framework***

Under the planning policy framework of Wyndham Planning Scheme, Clause 16.01-1S *Housing Supply* seeks to facilitate well-located, integrated and diverse housing that meets community needs. It also seeks to facilitate diverse housing that offers choice. The provision of accommodation for seasonal farm workers in a central location that is also easily accessible to the nearby Werribee South agricultural area is consistent with planning policy intent.

## **2.3 *Local Planning Policy Framework***

Under local planning policy, Clauses 21.01-2 and 21.01-3 identify housing diversity as a key planning influence, directing attention to this issue to ensure that housing reflects community needs. Clause 21.07-2 *Housing Diversity* seeks greater diversity in housing choice and supply within Wyndham to meet the changing needs of the community. The proposed use of the land for *Accommodation* would make a positive contribution towards these aims and would support agricultural industry in Werribee South.

## **2.4 *Aboriginal Cultural Heritage***

Clause 15.03-2S *Aboriginal Cultural Heritage* seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance. The subject land is not located within an identified area of cultural heritage sensitivity.

### 3.0 ***Proposed Use***

It is proposed to change the current use of the existing dwelling at 111 Synnot Street to *Accommodation* for agricultural workers under the 'Seasonal Workers Program'. Workers from this program are usually from overseas and are granted a 6-9 month visa to work in seasonal agricultural activities. There is onus on farmers to provide a specific quality of accommodation for the workers. All facilities provided for each worker within the premises are specified under the 'Seasonal Workers Programme', including beds, bedding and cooking facilities. This includes transport to and from the accommodation premises to the farm(s) each work-day.

The subject premises is a large single level brick dwelling at the western end of Synnot Street, opposite the defined city centre. The dwelling has multiple living areas including sitting rooms and family/dining rooms with kitchen facilities. The dwelling would be occupied by residents under shared arrangements, including some bedrooms. Sleeping arrangements provided would extend to single beds in each room for each seasonal worker. Four of the eight bedrooms would offer shared arrangements with the other four bedrooms being individually occupied (see table below).

<b>Bedroom</b>	<b>Size m<sup>2</sup></b>	<b>Number of Occupants</b>
Bedroom 1	9.92	1
Bedroom 2	13.59	2
Bedroom 3	12.33	2
Bedroom 4	10.497	1
Bedroom 5	10.117	1
Bedroom 6	10.05	1
Bedroom 7	14.6	2
Bedroom 8	20.531	4
<b>Total</b>		<b>14 persons</b>

The three bathrooms, three WC's and two laundry facilities would also be shared. An external garden area at the rear of the site would provide for outdoor living area augmented by the side courtyard which includes an undercover area located at the end of the driveway. These areas are accessible from one of the family/dining rooms as well as a sitting room.

Each seasonal worker would be accommodated at the residence for a period of approximately 6-9 months per person. It is anticipated that these workers would subsequently be replaced by a new group of workers, as required.

#### **4.0 Car Parking**

Clause 52.06 *Car Parking* applies to a new land use. Before a new use commences, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of Council. Under Table 1 to Clause 52.06-5 a specified car parking rate is not listed for use of the land as *Accommodation*. On that basis, Clause 52.06-6 applies which requires a level of car parking to be provided to the satisfaction of the Responsible Authority where a use of land is not specified in Table 1.

The side driveway at the premises is over 25 metres long and can accommodate tandem parking for 4 vehicles. There is also space for the parking of a vehicle beyond the gates in front of the covered outdoor area. This is a total of five (5) vehicles. Two of the seasonal workers have international driver's licences. A 'people-mover' type of car will be provided during the work season so that the seasonal workers can be transported to the *Fresh Select* farm at 610 Duncans Road in Werribee South. The car would be parked in front of the covered entertaining area at the end of the driveway. There is sufficient space in the driveway to accommodate four more vehicles if required but it is anticipated that parking for only 1-2 vehicles (at any one time) will be all that is required for this land use.

Clause 52.06-8 *Requirement for a Car Parking Plan* requires a car parking plan to be prepared to the satisfaction of Council before a new use commences, whether or not a permit application is being made. The submitted plan set shows the existing driveway on the site and the car parking arrangements proposed.

All farm workers to be accommodated in the premises would not require, nor have access to, a private vehicle for personal use but would have shared transport arrangements as previously described. The car parking demand likely to be generated is low and transport arrangements for residents would be appropriate for the use. As the arrangements would protect the amenity of the locality and meet the purpose of Clause 52.06, the arrangements should be to the satisfaction of the Responsible Authority. It is anticipated that conditions of permit would be applied to reflect these arrangements accordingly.

## **5.0 Planning Context & Conclusion**

The proposed use of the land for *Accommodation* is entirely appropriate for this site. The built form on the site is well resourced for seasonal farm worker accommodation, offering multiple bedrooms, living rooms and bathroom facilities. The workers are generally from overseas and engaged under the Commonwealth Government's *Seasonal Worker Programme*. Both housing and transport is arranged for the workers, which meets the stringent requirements of the Federal programme. The workers are generally engaged via a minimum 6 month working visa and need good quality accommodation during their engagement period. *Fresh Select* have purchased the subject property to provide such accommodation, choosing a site within easy walking distance of the complete range of facilities within the city centre as well as local recreational facilities.

Generally, share houses are well accepted within the community and it would not be unusual for a large house with multiple bedrooms to be shared. Planning permission is not generally required. Even *Rooming Houses* accommodating a certain number of persons do not require planning permission, subject to specified tests. However, the proposal is not a *Rooming House* as it does not meet the definition within the *Residential Tenancies Act 1997*. This proposal would allow up to fourteen (14) farm workers to be accommodated, which is the maximum the premises could accommodate without overcrowding (in accordance with the requirements for prescribed accommodation, as far as can be ascertained).

The land use is appropriate in a residential zone and this residential neighbourhood, which is opposite the city centre, is able to provide residents with walkable access to the facilities required. The numbers sharing the accommodation facility would have no appreciable impact on the neighbourhood, it is opposite the city centre but within a residential area. This interface location achieves an appropriate mix of shared residential accommodation that is within an excellent location relative to all services and facilities.

The vehicle used to transport workers to the *Fresh Select* farm would be parked behind the driveway gates, away from the adjoining dwelling to the east. This would reduce potential noise impacts from the vehicle and passengers leaving for work at 6.30am. Although it would not be unusual for residents of any dwelling in a residential zone to

leave for work early in the morning, every care has been taken to ensure the vehicle will be parked in a location that is offset from the adjoining dwelling. This will reduce potential noise impacts.

The proposal would generate a low demand for car parking relative to the number of occupants. On that basis, the proposed use for *Accommodation* is not expected to create car parking issues in the area.

The proposed use of the dwelling for *Accommodation* is an appropriate land use in this interface residential area which is well sited relative to facilities. The dwelling is existing and the change of use to *Accommodation* under shared arrangements merely seeks to increase resident numbers, a change which would have no appreciable impact on the neighbourhood or car parking arrangements.

As the proposal would have no adverse impact on surrounding land uses and is in accordance with existing planning policy, it is requested that a planning permit be granted for this proposal.

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