
MEMORANDUM

TO: Barry Johnson – Environmental Policy Manager
FROM: Jeremy Butler and Myaan Bengosi – Policy Planner
DATE: 27 August 2025
RE: **Plan Change 81 to the TRMP – Workers’ accommodation**

1.1 Introduction

This memorandum presents proposed amendments to the Tasman Resource Management Plan (TRMP) regarding workers’ accommodation.

This memorandum pulls out the relevant sections of the Rural Environment Issues and Options report, prepared in June 2022 by Jeremy Butler (Team Leader Urban and Rural Policy). The Rural Environment Issues and Options report was presented to a Strategy and Policy councillor workshop in 2022 before being released for community feedback. Councillors and the community were supportive of the issues and options identified for workers’ accommodation.

This memorandum also details the drafting changes for workers’ accommodation, proposed as part of Plan Change 81 to the TRMP.

1.2 Issue

The definition, policies and rules relating to workers’ accommodation are dated and overly constraining on applicants. This is an issue that has been identified by landowners and primary producers broadly across Tasman. The difficulties of providing workers’ accommodation in a timely and low-cost manner have been repeatedly communicated to the Council.

The current definition of workers’ accommodation in the TRMP is:

Workers’ accommodation – means a collection of buildings that:

- (a) provides the functional requirements of one or more self-contained housekeeping units; and
- (b) locates in separate buildings, sleeping facilities from sanitary and eating facilities; and
- (c) is used for the residential accommodation of persons employed.

This definition dates back to the original TRMP drafting and pre-dates many developments such as the Recognised Seasonal Employer (RSE) scheme and the ongoing demand for

workers for primary production activities. The definition locks in a certain model of accommodation. Any other model (e.g., a self-contained dwelling) does not qualify as workers accommodation and therefore falls outside of the rule framework. In addition, Ministry of Business, Innovation and Employment (MBIE) have published building requirements for RSE accommodation that conflicts with the TRMP definition and rules.

If workers' accommodation does meet the definition, then it can be considered as a controlled activity if all buildings are relocatable, and the site of the workers' accommodation has a minimum area of 12 hectares (in a Rural 1 Zone) or 50 hectares (on Rural 2 Zone). Where these conditions cannot be met, all the accommodation does not qualify as workers' accommodation under the definition, then it falls to be considered as a restricted discretionary activity.

As a result of the specific definition many "workers' accommodation" proposals fall to be considered as second dwellings and are typically Restricted Discretionary Activities.

The key concerns around workers' accommodation are typically around noise, character, vehicle movements and access, natural hazards, and the risk of future subdivision and fragmentation of rural land.

1.3 Outcome sought

It is suggested that an appropriate outcome is to be more enabling of workers' accommodation. That is, to make the application process easier without undue regulation.

However, it is also important that potential adverse effects can be avoided or mitigated.

A key concern is that additional dwellings could result in future subdivision applications. This can be dealt with through a policy approach that strongly discourages subdivision where the subdivision is enabled by a previous consent for workers' accommodation.

The second key concern is that with a more permissive consenting regime, workers' accommodations may be able to be established where they may have more than minor effects on neighbouring residential properties or residential activities. A balance needs to be found that will enable workers' accommodation to be constructed but control is retained over the location and scale so that it is in keeping for a given property.

1.4 Scale and Significance

Workers' accommodation is an issue that is relevant across all the rural areas of Tasman, including both highly productive land on the Rural 1 zone and more extensive less productive areas in the Rural 2 zone.

It is an issue that has implications for maximising the potential productivity of the land. With skills shortages being a constant and likely to continue it is important that Tasman can attract and house workers to support the rural productive sector.

Feedback from primary producers is that the lack of ability to readily house workers is a significant issue. If workers are unavailable due to accommodation constraints, then the productivity of the land is not achieved or realised.

Table 1: Scale and Significance table:

	Comments	Assessment
Degree of change from the Status Quo	Depends on the option taken Probably can be small, just some small tweaks to policies and rules	Low-moderate
Effects on matters of national importance (s6 RMA)	NA	
Scale of effects – geographically (local, district wide, regional, national)	District wide	Moderate
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	Will affect many landowners involved in primary industries, plus also tourism and similar businesses	Moderate
Scale of effects on those with particular interests, e.g., Tangata Whenua		Moderate
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	There is a risk of unforeseen outcomes such as enabling fragmentation of productive land, and effects on neighbouring landowners when worker accommodations are established	Low-moderate
Likelihood of increased costs or restrictions on individuals, businesses or communities.	Should reduce costs	Low

1.5 Options to address the issue

The main options to manage workers' accommodation are summarised in Table 2:

Table 2: Options identified (recommended option is in bold)

Option number	Option Name	Description of Option
Option 1	Status quo	The current approach doesn't work well due to an outdated definition and overly restrictive rule framework
Option 2	The Marlborough Approach	This option uses a mapped area of the district where workers' accommodation is allowed as a permitted activity. There is also a policy to support RSE workers' accommodation in urban areas.
Option 3	The Auckland Council approach	This option is very restrictive with a restricted discretionary rule.
Option 4	A Balanced approach	Utilise an improved policy framework, and controlled activity rule to enable workers' accommodation.

These options are described in turn below, followed by an assessment of their strengths and weaknesses.

1.5.1 Option 1 – Status Quo

1.5.1.1 Current Approach

The status quo option involves a relatively tight and detailed definition of workers' accommodation. To be considered workers' accommodation there must be a collection of buildings which are separated into sleeping, sanitary and kitchen facilities. If this definition is not met, then the workers' accommodation cannot be considered as such and does not benefit from the current rule framework.

With a controlled activity rule in place, the TRMP has a permissive approach to workers' accommodation. However, the tight definition and conditions within the controlled activity rule mean that very few workers' accommodation applications get to be considered as a controlled activity.

The status quo option could be considered alongside the use of a more flexible and wide-ranging definition of workers' accommodation.

1.5.1.2 Assessment of Strength and Weaknesses

Strengths	<ul style="list-style-type: none">• avoids the potential problem of second dwellings being constructed
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	<p>on productive land, for which there may later be pressure for subdivision.</p> <ul style="list-style-type: none"> • Enables checking of workers' accommodation applications where they are on rural sites that are below minimum lot size.
Weaknesses	<ul style="list-style-type: none"> • the relatively permissive planning framework is undermined by the tight definition, which means that few applications can be considered as workers' accommodation. • The definition and rule framework has not kept up with the trends in worker accommodation layout (viz. to build purpose-built accommodation buildings or relocated dwellings). • properties that are less than the minimum lot size (sometimes only just less than) are penalised and do not benefit from the permissive rule framework.

1.5.2 Option 2 – The Marlborough Approach: define a permitted area

Marlborough District Council's approach to workers' accommodation was researched as it is recognised as a significant issue there. Marlborough has a large RSE worker population for the wine industry, and under its old Wairau Plains Resource Management Plan some difficult and expensive resource consent applications were experienced.

The new Marlborough Environment Plan now contains a regime which begins with a policy framework that is:

- a. supportive of workers' accommodation in and around urban areas to ensure that they have access to shops and services; and
- b. discouraging of subdivision of workers' accommodation buildings

The rules then enable workers' accommodation to be constructed as a permitted activity where that accommodation is within the "Workers' Accommodation Area". This Area is shown in the planning maps. The Workers' Accommodation Area essentially covers all productive land areas but excludes the major towns such as Blenheim. This conflicts with the policy direction above, but the two approaches cover different scenarios. Any off-site worker accommodation falls to be considered as a Discretionary Activity.

As a result, workers' accommodation can be constructed as of right and rural areas that becomes an activity in urban areas and the margins around urban areas.

1.5.2.1 Assessment of Strength and Weaknesses

Strengths	<ul style="list-style-type: none">• The approach is very simple and is easily understood.• It is very definitive where workers' accommodation can occur as a permitted activity, and where it cannot and must be considered as a non-complying activity.• That is extremely enabling in rural areas and allows workers' accommodation to be constructed without any planning permission required.
Weaknesses	<ul style="list-style-type: none">• There is no ability to impose conditions on workers' accommodation, and the accommodation can be up to any size.• Workers' accommodation is effectively pushed out of urban areas where the workers' that are accommodated have little access to shops and services and will therefore be heavily vehicle dependent.• where workers' accommodation closer into urban areas may be appropriate it faces a high planning hurdle to be allowed.

1.5.3 Option 3 – The Auckland Approach: A tough planning regime

Auckland Council's approach to workers' accommodation was researched as it includes the highly productive Pukekohe area.

The new Unitary Plan contains a policy framework which, like Marlborough, is:

- a. supportive of workers' accommodation; and
- b. discouraging of subdivision of workers' accommodation buildings

There is no permitted or controlled activity rule status for workers' accommodation. Applications jumped straight to being restricted discretionary activities subject to their only being one building, bulk and location requirements, the floor area not exceeding 120 square meters, a site area size of between 5 and 40 hectares, and only a single kitchen.

if these requirements cannot be met then the application forms to be considered as a non-complying activity.

1.5.3.1 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none">• Council retains a high level of discretion to address adverse effects and imposed conditions
Weaknesses	<ul style="list-style-type: none">• There's a high regulatory hurdle in place for applicants to gain consent for workers' accommodation. Discourages landowners from pursuing workers' accommodation and reduce the potential productivity of the productive land sector.• There may be a significant load on Council resources to process substantial numbers of worker accommodation applications.

1.5.4 Option 4 – A balanced approach

There seems to be an optimum balance between controlling the potential effects of workers' accommodation but also allowing enough flexibility so that workers can be accommodated with enough certainty and to give primary producers flexibility.

The elements of this suggested option are:

1. A less prescriptive definition that allows for dwellings (not just separate buildings)
2. A policy to avoid subdivision of buildings and structures that were established for the purpose of workers' accommodation.

Rules

3. No permitted activity rule
4. A Controlled Activity (CA) rule that applies subject to
 - a. Minimum site area (to enable flexibility in site layout and mitigation of potential effects)
 - b. Provision of water supply
 - c. Building bulk and location requirements
 - d. Visual screening
5. A restricted discretionary rule if the CA is not met.

It is considered necessary to have the minimum consent status as a Controlled Activity, so that conditions over landscaping and access can be imposed if necessary.

1.5.4.1 Assessment of Strength and Weaknesses

Strengths	<ul style="list-style-type: none"> Provides a more permissive consent status so that an applicant can have confidence that they can establish workers' accommodation on sites that are of a minimum size in a rural zone
Weaknesses	<ul style="list-style-type: none"> Risk of establishing second dwellings on rural sites that may end up being used for other purposes, potentially subdivision and fragmentation Lower level of control for Council. Applicants may not be declined, but conditions can be imposed.

1.6 How does this Issue Relate to Iwi Interests and Values?

Providing a more effective planning regime for workers' accommodation will benefit workers, and employers. This will include iwi, with organisations such as Kono involved in orcharding. Other iwi owned companies may be in need of the provision of workers' accommodation.

1.7 Evaluation of all Options

Table 3 summarises the extent to which each option meets or achieves a number of key considerations.

Table 3: Evaluation of Options

	RMA purpose	National Direction	Efficiency at addressing issue(s)	Effectiveness at addressing issue(s)	Strengths	Weaknesses
Option 1	NA	NA	Low	Low	Low	High
Option 2	NA	NA	Moderate	Moderate	Moderate	High
Option 3	NA	NA	Low	Low	Low	Moderate
Option 4	NA	NA	Moderate	Moderate	High	Low

1.8 Recommended Option

Option 4 is recommended.

Option 4 achieves the appropriate balance between regulatory control on effects, whilst allowing for primary producers to be nimble and provide for the accommodation needs of their staff.

Workers' accommodation comes in a wide variety of forms now and a regime that can accommodate these forms and arrangements is appropriate. A controlled activity consent status is appropriate to allow conditions to be imposed that must be complied with on an ongoing basis.

A permitted activity rule is considered too permissive given the effects that can arise from workers' accommodation.

A policy approach to supporting workers' accommodation, but opposing subdivision is appropriate and in-line with the approach taken through Plan Change 60 previously.

1.9 Proposed drafting changes in Plan Change 81 to the TRMP

Considering the recommended option outlined above, the following proposed changes to the TRMP have been made to workers' accommodation.

1.9.1 Amended definition

The workers' accommodation definition has been amended to the following:

Workers' accommodation – means the use of land and buildings for accommodating seasonal labour requirements for activities on a farm. Workers' accommodation does not include residential activity.

This definition provides flexibility. The definition still allows workers' accommodation buildings where the sleeping facilities are separate from the sanitary and eating facilities (as required by the current workers' accommodation definition). The amended definition also allows for workers' accommodation where all facilities are provided in the one building and allows for farmers to repurpose existing buildings on a site for workers' accommodation.

1.9.2 Amended and new policies

Existing policy 7.1.3.14 in the TRMP provides clear support for workers' accommodation in the Rural 1 and Rural 2 zones and has therefore been retained.

Existing policy 7.1.3.13 in the TRMP enables rural living opportunities in the Rural 1 and Rural 2 zones where actual or potential productive value of the land is retained, and further subdivision opportunities are avoided. Policy 7.1.3.13 has been amended to include workers' accommodation. This amendment is a measure to prevent fragmentation of productive land.

The policies that apply to the Rural 3 zone are currently silent on enabling workers' accommodation and avoiding subdivision opportunities in association with workers'

accommodation buildings. Policies consistent with those for the Rural 1 and Rural 2 zones have been added to the Rural 3 zone chapter:

7.3.3.23 To enable use of land for plant and animal production by providing for associated accessory buildings and activities, including workers' accommodation.

7.3.3.24 To enable workers' accommodation in the Rural 3 zone where actual or potential productive value of the land is retained and further subdivision opportunities are avoided.

These new policies in the Rural 3 zone chapter ensure a clear policy framework for enabling workers' accommodation buildings whilst avoiding subdivision opportunities.

1.9.3 Amended rules

As recommended in the Rural Issues and options Report (June 2022), it is considered appropriate that workers' accommodation continues to require resource consent.

1.9.3.1 Controlled activity rule

The controlled activity rule for workers' accommodation buildings in all rural zones has been amended. The controlled activity rule continues to ensure the site is not part of cooperative living. Amendments include reducing the minimum site area to 5,000m² (from 12 hectares), ensuring there is a sufficient and reliable supply of potable water, caps the maximum design occupancy of all workers' accommodation buildings on one site to 35 people, and requires workers' accommodation buildings to comply with existing habitable building setbacks in the TRMP.

The requirement for workers' accommodation buildings to be relocatable has been removed after discussions with our rural sector and determining that this is another unnecessary cost. It is understood that even if buildings are relocatable, they still require concrete to be laid and beams to be drilled into the ground, making it unrealistic for these buildings to be moved around.

An issue was raised by a community member and Councils Transport Planners around the potential increase in workers' accommodation buildings in the rural areas, and the potential safety implications that may have on the rural roads as workers walk and cycle on poorly lit and unformed roads. An amendment has therefore been made to require a safe active transport plan to outline how workers travelling between rural environments and town centers will be managed to ensure safety on rural roads. Management measures included in active transport plans might include providing workers' with vehicles (or stating that they own and use these), providing high vis gear and lights for walking on the side of rural roads, and finding alternative safe routes to town (walking over rural land).

An amendment has been made to the matters over which the Council reserves control, to give Council the power to note that workers' accommodation buildings will not be a consideration to support any future subdivision.

It is considered that these amendments will allow smaller worker accommodation buildings to move through the resource consent process easily and reduce unnecessary costs. While also

allowing Council to maintain some control over larger workers' accommodation being established in our rural environment, avoid further subdivision of productive land and manage the safety of the district's rural roads.

1.9.3.2 Restricted Discretionary activity rule

The restricted discretionary activity rule for workers' accommodation buildings in all rural zones has been amended.

The following additional matters over which the Council has restricted its discretion have been included. Council will consider the benefits of repurposing existing buildings for workers' accommodation. Matters have also been included to consider if vehicle access provided is functional and safe, consider the effects of carparking and traffic generated on amenity and character of the surrounding area and consider noise effects. The same matters included in the controlled activity have also been included in the restricted discretionary rule, to give Council the power to note that workers' accommodation buildings will not be a consideration to support any future subdivision, and to allow Council to consider an active transport plan. It is considered that these amendments provide a pathway for farmers utilizing existing buildings for workers' accommodation, whilst still maintaining control over effects on surrounding neighbors and the rural character.
