

Horticulture™
New Zealand
Ahumāra Kai Aotearoa

Guidelines for short term seasonal worker accommodation (non-RSE)



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Disclaimer

This booklet is intended as a general guide to non-RSE seasonal worker accommodation. You are encouraged to seek professional advice for your specific situation.

Guidelines for short term seasonal worker accommodation (non-RSE)

These guidelines have been created to demonstrate industry leadership and reinforce the commitment growers are already making to do the right thing. They are designed to give confidence that current practices meet expectations while also supporting future planning. Most importantly, they are designed to provide peace-of-mind to growers and ensure grower operations can continue smoothly through busy periods without disruption.

There is a checklist at the back of these guidelines, to save you time.

About these guidelines

They are aimed at growers who use seasonal worker accommodation for short-term workers, e.g.: backpackers. They do not cover Recognised Seasonal Employer (RSE) accommodation.

Use these guidelines to understand your regulatory and GAP/market requirements and to think about additional actions (recommended good practices) you can take to be a great employer.

This is a guide only. You are encouraged to seek professional advice about your specific situation.

What the guidelines cover

- Regulations
- Market requirements
- Recommended good practices for mini vans, self-contained campervans and tents, including facilities for cooking, eating, washing and rest.

How the guidelines work

See the following sections for the area you are interested in.

Section 1: General requirements for accommodation

Section 2: Buildings – new and existing

Section 3: Mini vans, tents and cabins

Section 4: Facilities for all types of non-RSE seasonal worker accommodation

Section 5: Alcohol policy, security and noise

Legal requirements are highlighted in red.

GAP requirements are in blue.

Recommended good practices (additional to legal and market requirements) are highlighted in green. These align with RSE standards for consistency, as far as practicable.

BEFORE YOU START

- **COLLATE:** Any existing documentation held on your worker accommodation, e.g. resource consents, NZGAP or GLOBALG.A.P. documentation.
- **CHECK:** With your local council:
  - Request your property file to check what information is held about your property
  - Discuss your accommodation activity with your local council and find out whether you are likely to need building and/or resource consent.



Section 1: General requirements for accommodation

This section covers the general requirements for accommodation under NZGAP, GLOBALG.A.P., Health and Safety at Work Act, and the Residential Tenancies Act.

GLOBALG.A.P.

Principle:

- On-site living quarters are compliant with local regulations, habitable, and equipped with basic services and facilities.

Criteria:

- The on-site living quarters shall be habitable and have a sound roof, windows and doors, hygienic and safe food preparation areas, and the basic services of drinking water, toilets and drains. If no drains, septic pits may be compliant if compliant with regulations.

NZGAP GLOBAL

Outcomes:

- When accommodation is provided it meets relevant regulatory requirements (e.g. Local District Council).

Requirements:

- When on-site accommodation is provided to workers (housing or if workers live on-site in their own temporary accommodation (e.g. camping, self-contained campervans) in addition to being habitable and equipped with basic services and facilities, operators meet regulatory requirements.

Health and Safety at Work Act

☑ Employers must, as far as reasonably practical, maintain accommodation so workers are not exposed to any health and safety risks.

Residential Tenancies Act

Under the Residential Tenancies Act, employers entering into Tenancy Agreements with their staff must comply with Healthy Homes requirements. These requirements include:

Healthy Homes Moisture Ingress and Drainage Standard

https://www.tenancy.govt.nz/healthy-homes/moisture-ingress-and-drainage-standard/

☑ If your property has an enclosed space under the floor, 'polythene ground moisture barrier' installed or an existing acceptable alternative ground moisture barrier.

☑ Ground moisture barrier is undamaged and secured.

☑ Gutters drain water away from all parts of the roof.

☑ Gutters connect to a downpipe (directly or via a connection).

☑ Gutters and downpipes large enough to not overflow.

☑ Gutters stay clear of sitting water after it has rained.

☑ Gutters and downpipes intact and securely fixed.

☑ Gutters and downpipes clear of blockages.

☑ All downpipes direct water to an appropriate outfall[1].

☑ All surface and ground water is directed to an appropriate outfall.

Healthy Homes Draught Stopping Standard

https://www.tenancy.govt.nz/healthy-homes/draught/

☑ No noticeable draughts from an 'unreasonable' gap or hole in a wall, ceiling, window, skylight, floor or door.

☑ No gaps where the wall and ceiling or wall and floor join.

☑ No holes in walls or ceilings or around ceiling hatches.

☑ No draughts coming through doors, windows or floorboards.

☑ No large gaps between the bottom of the door and the floor.

☑ No broken or loose hinges, catches or latches that prevent doors or windows from closing tightly.

☑ No gaps around electrical and plumbing passages or unused ventilation devices.

☑ Open fireplace that are not in use are closed off.

[1] An outfall is the discharge point of a waste stream — like a soak hole, channel or stormwater drains. These are generally provided by your local council. It may also be a soakage system, natural watercourse or water storage system.



Section 2: Buildings – new and existing

Your building/s must meet the following legal requirements:

- **The Building Code**
- **Fire and Emergency Regulations**
- **The Resource Management Act**

Use the sections below to check how to meet these requirements.

New buildings

1. The Building Act and the Building Code

Building work in New Zealand is controlled by the **Building Act 2004** and the various Building Regulations which includes the **Building Code**.

The **Building Code** sets performance standards for all New Zealand building work, regardless of whether it needs a **building consent**. Under the **Building Code**, the building will need to meet standards for the following:

- Structural stability
- Fire safety
- Access
- Moisture control
- Durability
- Services and facilities
- Energy efficiency.

See Building Code compliance | **Building Performance for more information**. https://www.building.govt.nz/

For more information see **How the Building Code works | Building Performance** https://www.building.govt.nz/building-code-compliance/how-the-building-code-works

Contact your local council or the building performance website for more information.

2. Building consent

Building consents are required for many buildings. Triggers for a building consent include:

a. The building has plumbing for supply of portable water and/or removal of wastewater

b. The building is larger than 30m^2

Contact your local council to apply for a building consent.

A building consent exemption is available for new, standalone dwellings up to 70m^2 , provided all exemption conditions are met. Your building may be eligible for an exemption from building consent if it is:

- New and standalone
- Single-storey
- 70 square metres or less
- Designed and built to fully comply with the Building Code
- Designed and built by licensed building professionals
- Notified to your council before building starts and after completion.

homeowner-guide-granny-flats-building-consent-exemption.pdf

3. Resource consents

See your regional or district council plans for rules on when a resource consent is required.

a. **District plan rules** may cover any or all the following:

- Building appearance, access to safe and adequate drinking water, noise management at the site and safe access and parking
- Building size and height
- Building setbacks from roads and boundaries
- Site coverage
- Maximum occupancy
- Siting in relation to hazard zones and sensitive areas.

Check with your council: Councils typically provide a free advisory service to help you understand your obligations. Just ask for the duty planner.

b. **Regional plan rules** cover discharges to the environment, e.g.: septic tanks and stormwater.

Resource consent is not required for activities classified as permitted under district, city and regional plans. The activity **will still be required to meet permitted activity conditions**.

If you cannot meet permitted activity conditions, you will need to apply for resource consent from your city, district or regional council.

4. Fire and Emergency

As well as the requirements under the Building Code, worker accommodation sleeping six or more will require two types of evacuation documents:

a. Evacuation **scheme**, and

b. Evacuation **procedure**.

An evacuation scheme is a plan that is designed to enable evacuation from the scene of a fire in a reasonable time, in the event of a fire, or a fire alarm. An evacuation scheme needs to include:

- ☑ The building's evacuation procedure.
- ☑ Copies of fire action signs and notices.
- ☑ A description of the building's firefighting equipment (if applicable).
- ☑ Details of the places of safety, where they are located, and how they are reached.
- ☑ A description of the building's automatic sprinkler systems (if applicable).
- ☑ A description of the building's fire alarm/means of warning occupants of a fire description of the building's provision for people requiring assistance.
- ☑ A plan for the regular maintenance of the evacuation scheme by either trial evacuations or training.

More information: Guidance, templates, and examples are available on the Fire and Emergency New Zealand (FENZ) website. **www.fireandemergency.nz**

See the **evacuation schemes and procedures diagram** in the back of this guide.

Where to get support: FENZ supports owners in developing and maintaining compliant evacuation schemes and procedures.

An **evacuation scheme** is **not needed** if **both of the following conditions are met**.

- ☑ There is an **automatic sprinkler system that complies with one of the following standards**, either: NZS 4515:2003, NZS 4541:2007, NZS 4515:2009, NZS 4541:2013 or NZS 4515:2020; **and**
- ☑ The owner of the building **notifies FENZ** that an **evacuation scheme is not required** using the Notification that an evacuation scheme is not required [DOCX, 108 KB] form.

Evacuation schemes must be approved by FENZ, followed by **trial evacuations** every six months.

An **evacuation procedure** describes how occupants will escape to a place of safety in a safe, prompt and efficient manner if there is a fire, or an alarm of fire.

Existing buildings

If you have an existing building, consider the following:

1. Building Code

- If the accommodation was built as sleeping accommodation, has been signed off as compliant by your local council and the use and the building structure has not changed you should not need to take any further action.
- If the building structure has changed, talk to your local district council about whether a building consent or resource consent is needed.

Change in building use

For example, using a normal house, shed or other farm building for seasonal worker accommodation.

Once it becomes worker housing, the building is no longer treated as a standard house – it becomes communal accommodation, which has higher Building Code requirements for safety.

If your building has had a change in use, you will need to:

1. Comply with the Building Code
2. Notify your local district council's building department and,
3. Check whether a resource consent is needed.

2. Fire and Emergency regulations

As well as the requirements under the Building Code, worker accommodation sleeping **six or more** will require two types of **evacuation documents**:

a. Evacuation scheme and,

b. Evacuation procedure.

See pages 6 and 7 for more detail on evacuation schemes and evacuation procedures.

More information: Guidance, templates, and where to get support is available on the **FENZ website**. www.fireandemergency.nz

Where to get support: FENZ supports owners in developing and maintaining compliant evacuation schemes and procedures.

3. Resource consents

It is still important to check with your local council about whether a resource consent is required for the activity of accommodating seasonal workers on your property. The council is likely to want to understand details about the occupancy, access to safe and adequate drinking water, wastewater disposal, safe access and parking on the property.

See the **evacuation schemes and procedures diagram** in the back of this guide.

Recommended Good Practices (if not already required under legal or market requirements above)

You may also want to consider the following good practices when thinking about your worker accommodation.

1. Location

a. Accommodation away from production, machinery, chemical storage areas or areas being sprayed.

b. Set back from the road or alternative location if highly visible from public road.

c. Screened, e.g. a fence or hedge to screen the building from public view.

2. Windows

a. Size at least equal to one-tenth the floor area.

b. At least half opening. If possible, cross-ventilate rooms.

3. Lighting

a. Natural and artificial.

b. Provide a reasonable illumination (recommended minimum 75 lux).

4. Safety

a. Portable gas appliances without flues should not be used in sleeping accommodation which you have provided.



Section 3: Mini vans, tents and cabins

1. Camping-Grounds Regulations 1985

Temporary accommodation such as mini-vans or tents is defined as a campground under the Camping-Grounds Regulations 1985. If you have temporary accommodation, you will need to meet the requirements under these regulations.

Your local district council is responsible for checking compliance with the Camping-Ground regulations. The regulations require the following:

a. General

- ☑ A maximum use of 50 days, unless an exemption is applied for.
- ☑ Safe drinking water.
- ☑ Facilities shall be maintained, at all times, in a clean and sanitary condition.
- ☑ Paths and sites must be well-marked and lit.
- ☑ Records must be kept of management practices for pest control, building maintenance and cleaning practices.
  - (a) The name and address of the person occupying any camp site, or the person responsible for the group where there is more than one person.
  - (b) The number of the camp site occupied by that person.
  - (c) The date upon which occupation commenced.
  - (d) The number of persons occupying each camp site.
  - (e) The date upon which occupation terminated.
  - (f) All records kept under this regulation shall be made available on request at all reasonable times for examination by an inspector.
- ☑ Lighting shall be provided in buildings, at entrances to, and footpaths, roads, and other access ways within, the camping ground.
- ☑ The camping ground shall be provided with safeguards against fire, and means of escape in case of fire, to the satisfaction of the local authority.
- ☑ All rubbish receptacles shall be emptied at least once in every 24 hours when the camping ground is occupied, and all refuse shall be disposed of in a sanitary manner.

Camping ground means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, by two or more families or parties (whether consisting of one or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment.

b. Camp sites

- ☑ Provide a camp plan to the district council, including number of ablution, laundry and kitchen facilities.
- ☑ Minimum size requirements. Camp sites shall be:
  - o No less than 53sqm in area
  - o No less than 8m wide
  - o Accessible by all-weather footpath, road or other access way. Regulations require this but it may be impractical.
- ☑ No camping space shall be within 3m of any other temporary living space, or within 1.5m of the camp boundary.
- ☑ No building or structure shall be placed on the camp site unless permitted in writing by the local authority.

c. Cabins

- ☑ The floor area shall be no less than 7.5m2, plus an additional 3.5m for each additional person, in excess of two, that the cabin is designed to accommodate.

Note: Cabins will also need to meet the regulatory requirements for buildings in Section 2.

Recommended Good Practices (if not already required under legal or market requirements above)

1. **Shade** for workers during non-working hours (e.g., trees, shade sails).
2. **Hazards** e.g., wind, flooding, proximity to lakes and rivers, rockfall. Consider whether:
   a. Light-weight caravans need to be secured from wind
   b. Setbacks are needed from water bodies.
3. **Screening** if your operation is near a main road.
4. **Noise** implications for neighbours.
5. **Keeping your site tidy** to avoid hazards and/or visual impacts on the public.
   1. There should be bins with tight-fitting lids for storing rubbish
   2. Rubbish shouldn't be stored near accommodation.



Section 4: Facilities for all types of non-RSE seasonal worker accommodation

Facilities include cooking, eating and rest areas, toilets, showers and laundry areas.

Note:

- See section 2 for more guidance on buildings.
- Council requirements may differ dependent on accommodation type and set-up. It is therefore necessary to ensure that employers contact their relevant council to discuss.
- See also general requirements for accommodation at the start of section 1.

Recommended good practices (additional to legal and market requirements) are highlighted in green. These align with RSE standards for consistency, as far as practicable.

If your workers are in self-contained accommodation, e.g.: campervans, consider whether they can use their own facilities or whether you need to provide these.

Type	
Cooking areas	**Recommended good practices** • The cooking facilities should be big enough to prepare food in • The cooking facilities and dining area can be in the same room • The cooking facilities should have: o Adequate space on the working side of the cooking stove and sink bench o Suitable cooking equipment, utensils and appliances o Hot water at the sink o Ventilation – as a guide, the window space should be at least equal to one tenth of the floor area, and at least half of the windows should open o Enough cupboard space for storing non-perishable food, utensils and equipment. • The cooking area shouldn't be used as a bedroom.
Eating areas	**Recommended good practices** • Dining rooms should have: o Room for workers to eat their meals in reasonable comfort o Tables and enough seating. Consider how many workers might be expected to use the seating at one time. Benches with backs are acceptable, but don't attach them to the floor, as this makes it harder to clean o Equipment, utensils and appliances for dining. • The dining room shouldn't be used as a bedroom.

Refrigeration	**Recommended good practices** • There should be a refrigerator and freezer, with sufficient capacity for the food storage needs of workers. Consider a minimum of one fridge per six workers.
Water	**Recommended good practices** • There should be enough hot water for showers, baths, washing hands, washing clothes and cooking.
Rest areas	**Recommended good practices** • This area should be under cover.
Toilets	**Recommended good practices** • Sufficient lockable toilets are provided for all workers. Consider need during peak use times. A toilet calculator is available to help Toilet calculator | Building Performance. • Ensure there are fully enclosed toilet compartments available for all workers. • The occupancy does not exceed the capacity of the on-site wastewater system. The capacity of the system is checked prior to occupancy by employees. • Maintenance of the on-site effluent disposal system for the employees' accommodation is undertaken at regular intervals to prevent any failure.
Showers	**Recommended good practices** • There should be hand basins with hot and cold water • There should be baths or showers • Each shower should have an attached dressing area • Ensure the showers and dressing areas allow sufficient space • All shower doors should be lockable • Sufficient lockable showers are provided for all workers. Consider need during peak use times.
Laundry	**Recommended good practices** • There should be a washing machine for laundering clothes • There should be sufficient space to dry clothes.
Lighting	**Recommended good practices** • Adequate lighting shall be provided in facilities provided • Low level lighting should also be provided in walkways.



Section 5: Alcohol policy, security and noise

Alcohol policy

You may wish to have an alcohol policy to limit unsociable behaviour. Some growers prohibit alcohol on site but allow staff to request permission to consume alcohol in special circumstances.

Communicate the alcohol policy to workers and display in a communal area.

Aspects of policy	Recommended content
Designated areas	• Consider a no-alcohol policy or designated areas for consuming alcohol.
Responsible consumption	• Encourage responsible alcohol consumption. • State that irresponsible or antisocial behaviour won't be tolerated.

Security

Investment in a security service will help to avoid and manage unacceptable behaviour, especially if you have large numbers of short-term staff.

An alternative option is to nominate a responsible person to monitor worker behaviour.

Noise

To manage noise, consider having a restriction on the use of outdoor areas, amplified music and visitors to the site between the hours of 10pm and 7am.

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