

National Environment Standards for Detached Minor Residential Units

Prepared by QLDC Policy Planning

This practice note relates to the National Environmental Standards (NES) for Detached Minor Residential Units (DMRUs), commonly known as ‘granny flats’ (NES-DMRU). It has been prepared to assist people to understand how it applies, for example: what the new standards permit and where, and to provide guidance on when a resource consent may still need to be obtained.

*The NES-DMRU came into force on **Thursday, 15 January 2026**.*

It is important to note that while the NES-DMRU provides for one DMRU per site as a permitted activity within certain zones, there are still specific rules and limits that apply.

This practice note provides guidance on those specific rules and limits, and how they apply in the context of the QLDC Proposed District Plan (PDP), so that there is additional clarity on what is involved for any potential DMRU.

Note that the NES DMRU does not enable general housing intensification or the development of additional full scale dwellings. It must be applied alongside the relevant District Plan standards, except where those standards are expressly modified by the NES DMRU.

Disclaimer

This practice note provides general information only and does not constitute resource consent or planning advice.

It does not interpret national legislation or provide tailored, case-by-case advice. You should seek advice from a qualified planning professional to determine whether your specific project is permitted or requires a resource consent under the NES.



About Detached Minor Residential Units

A DMRU is a small, self-contained residential unit that is detached from the **main (principal)** residential unit on a site.

In the QLDC PDP, there is no definition of DMRU. As a result, the NES definition will be used and applied to any equivalent terms.

A DMRU that is permitted under the NES must be:

- » **Minor** in scale: *the DMRU must have a floor area that is equal to or less than 70 square metres*
- » **Residential** in use that *its primary purpose is residential*
- » **Located on the same site that contains a principal residential building;** and
- » **Completely detached** from that principal building.

What is permitted under the NES-DMRU

Under the NES-DMRU, **one DMRU per site** is a permitted activity.

However, for a DMRU to be permitted it must be in a qualifying zone and comply with all relevant standards in the NES-DMRU and may need to comply with other standards in the district plan.

The qualifying zones are the:

- » Residential Zone
- » Rural Zone
- » Mixed Use Zone
- » Māori Purpose Zone

If a proposed DMRU is within a qualifying zone, the DMRU must then comply with all relevant standards set out as follows:

Regulation 6 Permitted Activity: Standards

Permitted activity: standards

The standards are as follows:

Floor area

- (a) the DMRU must have a floor area that is equal to or less than 70 square metres:

Building coverage

- (b) the building coverage for the site must—
 - (i) be no more than 50% in a residential zone;
 - (ii) comply with the district plan in a rural zone;
 - (iii) comply with the district plan in a Māori purpose zone;
 - (iv) comply with the district plan in a mixed use zone;

Setback from principal residential unit

- (c) the DMRU must be set back no less than 2 metres from the principal residential unit:

Setback from boundary

- (d) the DMRU must—
 - (i) be set back no less than 2 metres from the front, side, and rear boundaries of the site in a residential zone;
 - (ii) be set back no less than 10 metres from the front boundary and 5 metres from the side and rear boundaries of the site in a rural zone;
 - (iii) comply with the site setback requirements in the district plan in a Māori purpose zone;
 - (iv) comply with the site setback requirements in the district plan in a mixed use zone.

If the proposed DMRU does not comply with *any* of these standards, it will not be a permitted activity and will require consent under the relevant District Plan provisions.

DRMU must comply with other District Plan rules and standards. These must be identified and considered as part of any proposal unless excluded.

Although complying with the NES-DMRU standards (above) is necessary, Regulation 7 requires that other PDP rules and standards are considered. These other rules and standards relate to specific matters and could apply to your site or proposal. These may affect whether the proposed DMRU is permitted or not.

The other District Plan rules and standards that must be considered relate to:

- (a) **Subdivision of land;**
- (b) **Matters of national importance** under section 6 of the Resource Management Act;
- (c) **Use of the DMRU for activities other than residential purposes;**
- (d) **Papakāinga;** and
- (e) **Earthworks.**

In addition, a proposed DMRU must also comply with District Plan rules and standards that apply to the principal dwelling, and other effects related provisions, including those addressing *natural hazard risk, reverse sensitivity, and site-specific infrastructure requirements*. Where a proposed DMRU *does not comply with any rules and standards relating to any of these matters, the proposal may trigger the need for a resource consent*.

In order to confirm whether a DMRU is permitted, the rules and standards within the relevant zone that apply to the site (which relate to the above matters) **will need to be checked**. The proposed DMRU will only be permitted if it complies with all relevant rules and standards, being those in the NES-DMRU and the relevant provisions in the PDP.

For example, while a proposed DMRU may comply with all relevant development standards in the NES-DMRU and District Plan (such as maximum floor area, setbacks, and building coverage), if the site is subject to an **Outstanding Natural Features and Landscapes (ONFL) overlay**, and/or does not comply with a relevant standard (e.g. earthworks), then the proposed DMRU will still require a resource consent.

District Plan rules and standards that do not apply to a DMRU

The following rules or standards do not apply to a DMRU:

» Amenity values;

» Minimum requirements for—

- individual outdoor open space, privacy, or access to sunlight;
- façade glazing or total glazing area; and
- parking provision.

This means that Council will not take these effects into consideration, and a resource consent will not be required if there is non-compliance with amenity values, but the DMRU otherwise complies with the standards at Regulation 6.

For example:

- » A DMRU **does not need to provide on site parking** if that requirement arises from a District Plan rule or standard.
- » A DMRU **will not require consent** where it does not meet any District Plan standards relating to outdoor living courts, privacy distances, or minimum glazing.
- » A DMRU will not be assessed in terms of **amenity effects**, such as visual dominance or loss of outlook.

Please seek planning advice on these issues because the District Plan rules and standards remain relevant to DMRUs and will need to be assessed.

If the District Plans has **more lenient rules or standards** than those specified in the NES-DMRU those could apply to a DMRU.

QLDC's PDP does not contain any specific rules relating to minor residential units or DMRUs, and there are no District Plan provisions that are more lenient than the NES.

As such, the NES-DMRU standards will generally determine whether a DMRU is a permitted activity. However, you should always seek independent planning advice.

In summary:

- » A DMRU must **fully comply with the NES-DMRU requirements** for it to be permitted.
- » PDP rules specific to DMRUs are relevant and you should seek independent planning advice on whether the proposed DMRU complies with all rules.
- » Where a proposal does not meet the NES-DMRU criteria, or where other District Plan provisions (such as overlays, natural hazards, or restrictions which apply to the principal dwelling), **a resource consent may still be required and independent planning advice should be sought.**

Proposals must be assessed in accordance with the NES-DMRU and the relevant QLDC District Plan rules.

Will a building consent be required for a “granny flat”?

The NES-DMRU operates in conjunction with the **Building Act 2004** which was recently amended. The Building Act enables detached residential buildings (commonly referred to as “granny flats”) to be constructed without a building consent, but this is subject to specified conditions, and you should get advice.

The **Building Act amendments** relate to **building consent requirements**, construction standards, and building safety. A building consent does not mean that the building complies with the District Plan or the Resource Management Act 1991 and should not be read as such.

Council recommends that you apply for a Project Information Memorandum (PIM) as part of your application for a building consent to ensure that the building complies with District Plan requirements.

Any building works undertaken where a resource consent is required are unauthorised works under section 40 of the Building Act and is an offence.

Our Building Team can assist you to understand whether your proposal will require a building consent.

