

Updating National Direction: New National Environmental Standards for Papakāinga

June 2026

Changes have been made to national direction under the Resource Management Act 1991 (RMA) to help the resource management system work more effectively.

This fact sheet explains the new National Environmental Standards for Papakāinga (NES-P), which make it easier to develop papakāinga on certain types of land owned by Māori, while still managing environmental effects and protecting health and safety.

Context

District plan rules can make it difficult for owners of Māori land to develop papakāinga – these rules can require lengthy and costly resource consent processes for multiple homes on one site, or restrict the range of activities that can occur as part of a papakāinga. In many districts, papakāinga provisions are limited or do not exist at all.

The NES-P responds to this issue by creating a more consistent national framework for papakāinga. Its purpose is to reduce district consenting requirements, support more affordable housing on Māori land, and enable whānau to live on and use their ancestral land in ways that align with tikanga Māori, mātauranga and intergenerational living.

The NES-P is expected to make it easier for owners of Māori land to use their ancestral lands for housing and community purposes, reduce the cost and time involved in district consenting processes, and support the development of warm, dry, affordable homes connected to whānau, whenua and culture. It is also expected to contribute to Māori economic resilience and better housing and wellbeing outcomes over time.

The standard does not remove all barriers to papakāinga. Other issues such as access to finance, landlocked sites, natural hazards, regional consenting requirements and infrastructure constraints may still affect whether papakāinga developments can proceed.

Key components of the National Environmental Standards for Papakāinga

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- Definition of papakāinga
- Where the NES-P applies
- Matters covered by the NES-P
- Papakāinga of up to 10 homes will be permitted if certain conditions are met
- Larger developments would still require resource consent
- Papakāinga on some other eligible land would require consent
- Limited notification for papakāinga that require consent
- Other existing plan rules and standards may still apply
- Councils can retain more lenient rules

Definition of papakāinga

Papakāinga development is defined as housing and ancillary activities on Māori ancestral land or land owned by Post-Settlement Governance Entities, that enable owners to use and occupy their land in accordance with their culture, in perpetuity. Papakāinga can include residential development as well as activities that support the community living there.

Where the NES-Papakāinga applies

The NES-P applies primarily to Māori ancestral land, including Māori freehold land and other categories of land that is communally owned by Māori with a clearly documented ancestral connection to the land. It would also apply on Treaty settlement land and general land held by Post-Settlement Governance Entities in their rohe, where councils can be satisfied the land will remain in papakāinga use in the long term.

The NES-P applies in rural, residential and Māori-purpose zones. Papakāinga in other zones would still have a consent pathway under the standards.

Matters covered by the NES-P

The NES-P includes standards for matters such as site coverage and setbacks, while also providing that other important rules from regional plans and district plans continue to apply. The NES-P retains existing district plan rules for matters such as earthworks, noise, accessways and traffic generation, wastewater, water supply, stormwater, natural hazards, setbacks from waterways and rail corridors. District plan overlays for matters such as wāhi tapu, historic heritage, outstanding natural features and landscapes also continue to apply.

Papakāinga of up to 10 homes will be permitted if certain conditions are met

The NES-P makes papakāinga of up to 10 residential units a permitted activity on eligible Māori land in rural, residential and Māori-purpose zones, provided specified conditions are met. These include:

- up to 10 residential units on Māori ancestral land
- associated non-residential activities, including:
 - small-scale commercial activities
 - visitor accommodation (limited scale)
 - education and health services
 - Māori cultural activities, such as marae, urupā and māra kai.

This applies regardless of minimum lot size requirements in the underlying zone. Consent requirements under the Building Act 2004 still apply.

Larger developments require resource consent

The NES-P provides a consent pathway for papakāinga that do not meet the permitted activity requirements. Papakāinga developments with 11 to 30 homes are generally a restricted discretionary activity, and councils would consider specified matters when assessing those proposals. Papakāinga with more than 30 homes are a discretionary activity. Smaller developments that don't meet the permitted activity standards also require a resource consent.

Papakāinga on some other eligible land would require consent

Papakāinga on Treaty settlement land and other land held by Post-Settlement Governance Entities would be enabled through a restricted discretionary consent pathway. This is intended to enable councils to consider whether the land will remain in use as a papakāinga over the long term, and to avoid the papakāinga provisions being used for ordinary commercial or speculative residential development. This would only apply within the Post-Settlement Governance Entity's area of interest, which is defined in their Treaty settlement legislation.

Limited notification for papakāinga that require consent

For restricted discretionary papakāinga developments of up to 30 homes, notification is limited to specified parties such as iwi authorities, joint management entities, affected local authorities, immediate neighbours and (if access to a state highway is involved) New Zealand Transport Agency Waka Kotahi. This is intended to reduce compliance costs for small to medium-sized papakāinga developments.

Other existing plan rules and standards may still apply

The NES-P does not replace all local planning controls. Regional plan rules continue to apply (which may trigger a need for a resource consent), and a number of district plan rules and overlay protections also remain in force.

Permitted papakāinga developments must meet key standards to ensure development is safe and enduring, and environmental effects are managed. These include:

- site coverage limits

- setback distances
- compliance with relevant district plan rules for:
 - wastewater and water supply
 - natural hazards
 - noise and lighting
 - earthworks and infrastructure.

Papakāinga developed under the NES-P will still need to comply with other legal requirements, including the Building Act 2004 and any relevant building consent requirements.

Implementation considerations

For local government

The NES-P provides a national baseline and permitted activity or consenting pathway. If an existing district plan rule is more enabling of papakāinga than the NES-P, that more lenient rule can continue to apply. This is intended to preserve local provisions that already provide greater flexibility for papakāinga development.

When the NES-P comes into effect (28 days after gazettal), councils will need to:

- consider and apply the NES-P when processing resource consent applications for papakāinga development activities; and
- amend district plans, without using the process in Schedule 1 of the RMA, if a rule duplicates or conflicts with a provision in the NES-P (except where local rules are more lenient). Councils need to update their plans to remove duplication or conflict as soon as practicable.

National environmental standards apply directly to activities. This means the RMA ‘plan stop’ requirements do not apply to the NES-P (see the Ministry for the Environment website’s page on [Understanding Plan Stop](#)).

For owners of Māori land and developers

Before starting a papakāinga project, owners of Māori land and developers will need to check whether their land qualifies under the NES-P and whether the project meets the rules for permitted activities.

Even if resource consent is not needed from the district council, other rules may still apply. These can include requirements for building consent, regional council rules and site-specific protections. It is important to check things like wastewater, drinking water, stormwater, earthworks, natural hazards, site access, and any cultural or environmental protections that apply to the land.

If the project does not meet the permitted standards, or if it is on land owned by a Post-Settlement Governance Entity, resource consent may still be needed.

If you are considering a papakāinga development, you will need to check the following with your local council:

- whether your land is eligible under the NES-P
- whether the proposal meets the permitted activity standards in the NES-P
- whether any regional plan rules or district plan rules and overlays still apply to your site
- whether building consent or other approvals are still required.

The NES-P is designed to make papakāinga easier to develop, but it will not remove every challenge. Other issues can still affect whether a project can go ahead, such as getting finance, access to roads and services, land that has no legal access, ownership arrangements or natural hazard risks. This means owners of Māori land and developers will need to plan carefully and may need to arrange funding, work through ownership or governance matters, and make sure the land is suitable for people to live on safely over the long term.

Transition to the new planning system

All existing national direction under the RMA will be assessed and restructured to ensure it aligns with the goals and framework of the new planning system that will be established by the Planning and Natural Environment Bills. The policy intent of the changes to national direction under the existing RMA will transfer to the new system as appropriate.

For more information about the transition into the new planning system see the Ministry for the Environment fact sheet [The New Planning System: Transitioning into the new planning system](#).

For further information

For more information, see:

[NES Papakāinga | Ministry for the Environment](#)

