

Treaty Settlement Land Overlay

Te Paparanga Whenua Whakataunga Tiriti



What is the Treaty Settlement Land Overlay chapter about?

Land included in this overlay has been returned through the treaty settlement process either as cultural or commercial redress. Land tenure is predominantly general title and is governed by a post-settlement governance entity. It differs from Māori Purpose zoned land which is administered under Te Ture Whenua Māori Act 1993. The Treaty Settlement Land overlay is intended to enable the use and development of Treaty Settlement land to support Māori in providing for their social, economic, cultural and environmental wellbeing. As such, the overlay anticipates the development of activities such as papakāinga, marae, community facilities, commercial activities and other cultural activities that support the economic, social, environmental and cultural wellbeing of tangata whenua.

The Treaty Settlement Land overlay:

- Ensures viability of treaty settlement land for future generations.
- Enables a range of social, cultural, environmental and economic development.
- Provides for the on-going relationship tangata whenua has with the land.
- Reflects the sustainable servicing capacity of the land and surrounding environment through use and development.

What does the Proposed District Plan – Decisions Version (PDP-DV) do?

The PDP-DV introduces the Treaty Settlement Land overlay, which is an 'enabling overlay', and provides for use and development on Treaty Settlement Land by:

- Providing for buildings or structures within permitted standards.
- Providing for residential activity at a permitted threshold of one residential unit per 12ha or up to a maximum of six residential units per site.
- Providing for the development of papakāinga at a permitted threshold of one residential unit per 40ha of site area or 10 residential units per site.
- Providing for commercial activity within permitted standards.
- Providing for a range of activities such as marae, community facilities, customary activity, urupā etc while ensuring that a range of effects are considered.

The intention is to enhance economic, social and cultural wellbeing of tangata whenua through development and use of Treaty settlement land.

What's changed from the Operative District Plan (ODP)?

- There is no Treaty Settlement land overlay in ODP.
- Under the ODP, the activity and effects based hybrid framework (under the zone rules) applies.

When do I need a Resource Consent?

- When permitted standards for the activity are not met.
- When permitted standards in Part 2- District-Wide Matters of the Plan are not met.
- When the activity is identified as needing resource consent within the zone and the Treaty Settlement Overlay does not contain an equivalent rule that permits the same activity within the zone.

What do I need to know?

- The PDP-DV introduces new Treaty Settlement Land overlay.
- The overlay provides for the use and development of treaty settlement land.
- The overlay provides for a range of activities within permitted thresholds.
- The rules provide that where the activity for the relevant zone provides for the same activity or where there is conflict between a rule or a standard in the underlying zone, the less restrictive rule applies.