

## Jacob Paget

---

**From:** Neil Deans s 9(2)(a)  
**Sent:** Wednesday, 19 June 2024 9:05 am  
**To:** Listed Projects; Max Gander-Cooper  
**Cc:** Meredith Lawry; John Galilee; Rebecca Rush; Fiona McKenzie  
**Subject:** FW: [IN-CONFIDENCE]FTA294 Listed projects application - Auckland Level Crossings Removals Project

Kia ora e Max

Please find the following response from DOC on the above listed project application in Auckland.

In summary, there are no grounds on which we are aware the project is ineligible for Fast Track consideration. With the information provided, it is difficult to confirm whether Wildlife or freshwater fishery approvals would be required; these may be required.

The Treaty settlements are summarised below, which would need to be appropriately assessed and the Treaty partners engaged to ensure that Treaty obligations were being upheld.

Regards

Neil Deans

**Advisor – RM Reform**

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)

**Conservation leadership for our nature**

*Tākina te hī, tiakina te hā, o te ao tūroa*

---

**From:** John Galilee s 9(2)(a)  
**Sent:** Tuesday, June 18, 2024 6:23 PM  
**To:** Neil Deans s 9(2)(a)  
**Cc:** Alex Rogers s 9(2)(a); Meredith Lawry s 9(2)(a); Rebecca Rush  
s 9(2)(a); Fiona McKenzie s 9(2)(a)  
**Subject:** RE: [IN-CONFIDENCE]FTA294 Listed projects application - Auckland Level Crossings Removals Project

Kia ora Neil –

We have gathered together the information you were seeking as follows:

We need to know whether any PCL which is out of scope of Fast Track is in the project area, such as National Park, Wildlife or Forest Sanctuary, Nature or National Reserve, or Ramsar site.

There may be PCL adjacent to some of the proposed work locations. Five marginal strips adjoin the railway corridor. There is no PCL with a status that would make the project ineligible.

It is also helpful to know if there are other potential issues affecting wildlife for which approvals will be required under this application, although those may not be grounds for ineligibility ie. any DOC-related approvals that would be needed (they have already indicated the need for Wildlife Act and Conservation Act approvals). If there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We have not confirmed a need for any other permissions. However, the railway corridor crosses a number of streams so some of the works may potentially be adjacent to waterways.

Secondly, please advise if there are any Treaty settlements relevant to the project site. We don't need to contact the Treaty partner (due to confidentiality) but do need to advise our colleagues at MfE running the eligibility assessment if this is a potential risk for eligibility and upholding Treaty settlements.

There are no areas of PCL that have been returned to iwi as Treaty settlement redress within the project area.

As broader context the DOCGIS Treaty layer identifies the following Treaty settlement redress that includes the project area:

- Te Kawerau a Maki have Cultural Redress in their Area of Interest and Statutory Acknowledgement over the wider Henderson area.
- The Tāmaki Collective have Right of First Refusal over the wider Auckland area, and a Conservation Protocol area (relationship agreement)
- Conservation Protocols (Relationship agreements) also for Ngāti Tamaoho, Ngāti Whatua Ōrakei and Ngai Tai ki Tāmaki.

Other iwi with interests in this area include:

- Ngāti Maru
- Ngāti Paoa
- Ngāti Tamaoho
- Ngāti Tamaterā
- Ngāti Te Ata
- Ngāti Whanaunga
- Te Ākitai Waiohū
- Te Patukirikiri

Please come back to me if you require anything further.

JG

**John Galilee**  
Statutory Manager | Pou Ture Whenua  
Auckland | Tāmaki Makaurau Office  
Phone: s 9(2)(a)

[www.doc.govt.nz](http://www.doc.govt.nz)



---

**From:** Neil Deans s 9(2)(a)  
**Sent:** Monday, June 17, 2024 2:11 PM  
**To:** John Galilee s 9(2)(a)  
**Cc:** Alex Rogers s 9(2)(a); Meredith Lawry s 9(2)(a)  
**Subject:** FW: [IN-CONFIDENCE]FTA294 Listed projects application

Kia ora e John

Another Fast Track application for you, for removing level crossings by Auckland Transport. Please confirm receipt.

I would appreciate if one of your team could have a look at this for eligibility for Fast Track consenting. Note this is confidential.

In summary, we need to know what, if any, PCL is directly affected by the project and the status of that land, to confirm it is not ineligible for Fast Track consideration.

It helps to know if there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We also need to know if there are any Treaty settlements which may be affected that we can advise to MfE.

Can you please provide your summary advice by COB on Wednesday 19 June.

Many thanks

Neil Deans  
**Advisor – RM Reform**  
Department of Conservation—*Te Papa Atawhai*  
Level 2, Conservation House, Wellington 6143  
s 9(2)(a)  
[www.doc.govt.nz](http://www.doc.govt.nz)

**Conservation leadership for our nature**  
*Tākina te hī, tiakina te hā, o te ao tūroa*

---

**From:** Listed Projects <[ListedProjects@mfe.govt.nz](mailto:ListedProjects@mfe.govt.nz)>  
**Sent:** Monday, June 17, 2024 11:18 AM  
**To:** Neil Deans s 9(2)(a); Meredith Lawry s 9(2)(a)  
**Cc:** Max Gander-Cooper s 9(2)(a)  
**Subject:** [IN-CONFIDENCE]FTA294 Listed projects application

Kia ora Neil and Meredith

This listed project application is for FTA294 – Auckland Level Crossings Removals Project.

The application refers to a Wildlife Act approval.

Could you please provide comment on:

- whether the project requires any other DOC-related approvals
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB **20 June 2024**.

Please let me know if there is anything I can do to assist.

Ngā mihi

**Max Gander-Cooper (he/him)**

*Senior Policy Analyst | Kaitātari Kaupapa Here Matua*

Ministry for the Environment | Manatū Mō Te Taiao

s 9(2)(a) | [mfe.govt.nz](https://mfe.govt.nz)

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.