

FTA#381: Application for listed project under the Fast-track Approvals Bill – Auckland Prion Capacity Increase Project for Schedule 2A

Date submitted to secretariat:	9 July 2024
Security level:	In-Confidence
To:	David TAPSELL, Chair – Fast-track Projects Advisory Group

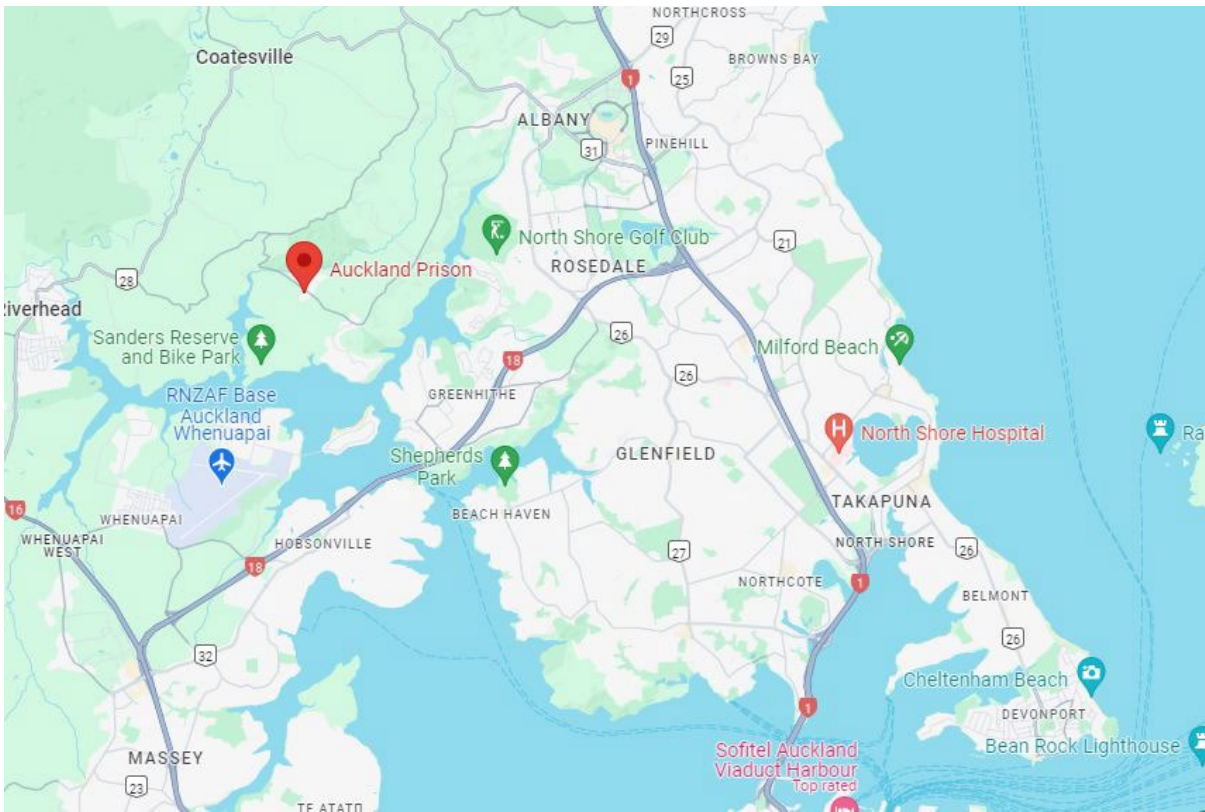
Number of attachments: 1	Attachments: 1. Application documents for Auckland Prison Capacity Increase Project
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Applicant	Sector	Region	Identified in a priority/strategy?
Ara Poutama Aotearoa the Department of Corrections	Infrastructure	Auckland	Yes

Ministry for the Environment contacts

Position	Name	Mobile	1 st contact
Principal Authors	Max Gander-Cooper, Anna Galvin		
Manager	Stephanie Frame	s 9(2)(a)	✓
Director	Ilana Miller	s 9(2)(a)	

Project location



Key messages

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1. The project is to alter Auckland Prison's designation conditions under the Auckland Unitary Plan via a Notice of Requirement to enable the current limit on prisoner numbers to increase from 681 to 1,200, and associated works.
 2. Physical works may involve a single building constructed at one time, or a number of smaller buildings which could be progressively constructed over a number of years in separate stages.
 3. The project will require resource consents under the Resource Management Act 1991 (RMA) and an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.
 4. The project site is owned by the Crown.
 5. We have undertaken an initial (Stage 1) analysis of the application, and this is provided in Table A.
 6. We consider the applicant **has** provided sufficient information to consider the project for inclusion on Schedule 2A (although we note it could still be included on Schedule 2B based on the information provided).
 7. The project does not trigger the ineligibility criteria in clause 18 of the Fast-track Approvals Bill (the Bill).
 8. Advice on PSGE development priorities and Māori development is provided in Table A. Table A also includes the relevant PSGEs or Māori groups and the settlement mechanisms, that will/may be impacted by the project and whether the project is low, medium or high impact on Treaty settlement/s and other relevant arrangements. Appendix 1 provides further detail on how this advice should be considered and our approach to analysis.

Signature

A handwritten signature in blue ink, appearing to read 'S. Frame', is written over a light blue grid background.

Stephanie Frame
Manager – Listed Projects

Table A: Stage 1 initial assessment of project eligibility and Treaty settlement assessment and advice¹

Project details	Project description	Approvals sought	Consultation undertaken	Does the project trigger the ineligibility criteria [clause 18]?				Discretionary ground to decline [clause 21(2)]	Eligibility [clause 17]	
				Treaty settlement land, Māori customary land, customary marine title, customary rights, aquaculture settlement area, or prevented by RMA clauses [clauses 18(a-e, g)]	Access arrangement under CMA where a permit can't be granted, or is listed in items 1-11, 14 [clauses 18(f,h)]	Activity on a national reserve under Reserves Act which requires approval under that Act [clause 18(i)]	Prohibited activity under EEZA or regulations under that Act, decommissioning-related activities, offshore renewable energy progressing ahead of permitting legislation [clause 18(j-l)]		Is the project eligible [clause 17(2)]	Would the project have significant regional or national benefits [clause 17(3)]
High level summary			N	N	N	N	N			
<p>Schedule requested 2A</p> <p>Project Name Auckland Prison Capacity Increase</p> <p>Applicant Ara Poutama Aotearoa the Department of Corrections</p> <p>Company director/s N/A</p> <p>Location 530 Paremoremo Road, Paremoremo, Auckland</p> <p>Land Status The site is owned by the Crown.</p>	<p>The project is to alter Auckland Prison's designation conditions under the Auckland Unitary Plan via a Notice of Requirement to enable the current limit on prisoner numbers to increase from 681 to 1,200.</p> <p>Physical works may involve a single building constructed at one time, or a number of smaller buildings which could be progressively constructed over a number of years in separate stages.</p>	<p>The applicant seeks approval under the:</p> <ul style="list-style-type: none"> Resource Management Act 1991 Heritage New Zealand Pouhere Taonga Act 2014. 	<p>The applicant has not undertaken any consultation specific to this project.</p>	No	No	No	No	<p>The project, or any part of it, is inconsistent with a relevant Treaty settlement, the NHNP Act, the Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement.</p> <p>No – while there are Treaty settlements relevant to the project, it does not appear to be inconsistent with them.</p> <p>It is more appropriate to deal with the application under another Act.</p> <p>No – the project could be considered by an expert panel under this Act.</p> <p>The project may have significant adverse effects on the environment.</p> <p>No – the project is for the expansion of existing operations on the site and the applicant considers any adverse effects can be avoided, remedied or mitigated.</p> <p>The applicant has a poor compliance</p>	<p>Whether access to the fast-track process will enable the project to be processed in a more timely and cost-efficient way than under normal processes.</p> <p>Yes – the applicant states the standard Notice of Requirement and resource consent processes allow for appeals to the Environment Court, which can take a considerable length of time and cost to resolve. Corrections has spent considerable time (i.e. in excess of four years, inclusive of pre-application preparation and stakeholder negotiations) and incurred significant costs in obtaining RMA approvals in establishing new prison facilities and expansion of existing prison facilities in recent history.</p> <p>The impact referring this project will have on the efficient operation of the fast-track process.</p> <p>No – this project involves a relatively straightforward application in that it is</p>	<p>The project has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy) or central government infrastructure priority list.</p> <p>Yes – the applicant states the project will help to achieve the objectives set out in Hokai Rangī (Correction 2019-2024 strategic document).</p> <p>The project will deliver regionally or nationally significant infrastructure.</p> <p>Yes – the project, through increasing capacity at Auckland Prison, will deliver nationally significant infrastructure necessary for supporting the national prison network.</p> <p>The project will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment.</p> <p>Yes – the applicant described prison as a “nuanced residential activity”.</p> <p>The project will deliver significant economic benefits.</p> <p>Yes – increasing prisoner capacity and enabling a wider range of corrections-related activities to be undertaken on the site will generate a significant number of employment opportunities, not only in terms of permanent staff on-site (particularly given that maximum security prisons have a high staff to prisoner ratio), but also rehabilitation and support positions, supply chain contractors, as well as temporary construction roles associated with the construction of new facilities.</p> <p>The project will support primary industries, including aquaculture.</p> <p>No</p> <p>The project will support development of natural resources, including minerals and petroleum.</p>

¹ **Disclaimer:** Given time and scope constraints, the initial assessment is solely based on information provided by applicants. There may be additional relevant information which has not been provided to MfE.

								<p>history under the relevant legislation.</p> <p>No – the applicant has not been subject to any compliance or enforcement action that we are aware of.</p> <p>The project involves an activity that would occur on land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes.</p> <p>No – while the project will occur on Crown land, the site is currently operating as a prison and is unlikely to be the subject of imminent Treaty redress.</p> <p>The project includes an activity that is a prohibited activity under the RMA.</p> <p>No – the project does not include any prohibited activities that we are aware of.</p>	<p>subject to just two pieces of legislation (i.e. RMA and HNZPTA only). Its impact on the fast-track process will depend on how many other projects are listed and/or in progress. This project has the benefit of occurring entirely upon land owned by the applicant, and it will not require any approvals under the Public Works Act or any other legislation.</p> <p>Whether the application contains sufficient information to inform the referral decision.</p> <p>Yes – we consider the applicant has provided sufficient information to enable you to consider the project for inclusion on Schedule 2A.</p>	<p>No</p> <p>The project will support climate change mitigation, including the reduction or removal of greenhouse gas emissions.</p> <p>Yes – the reduction of greenhouse gas emissions will be achieved through reducing the need to transport Auckland-based prisoners outside of the Auckland region. The Auckland region has been identified as an area of high demand for prison capacity, so increasing prisoner capacity at Auckland Prison will enable prisoners to be situated in Auckland rather than being transported to other prisons across New Zealand.</p> <p>The project will support adaptation, resilience, and recovery from natural hazards.</p> <p>Yes – the proposal involves the adaptation of an existing asset which is not subject to any known natural hazard overlays. It also avoids the need to acquire land for the development of new prison facilities that could otherwise be subject to natural hazards.</p> <p>The project will address significant environmental issues.</p> <p>No]</p> <p>The project is consistent with local or regional planning documents, including spatial strategies.</p> <p>Yes – the applicant considers the project is consistent with the Auckland Regional Policy Statement and Auckland Unitary Plan.</p>
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PSGE Settlement Priorities and Māori Development assessment –

This table provides an overview. In the time available, it has not been possible to undertake a detailed review of all Treaty settlement and related matters, or to engage with the relevant PSGE, iwi or Māori groups in relation to the potential impacts of the project. If the project does progress through the fast-track process, it will be important this more detailed and comprehensive analysis and engagement is undertaken (there are some mechanisms in the proposed legislation, such as the clause 13 report (which will apply to Schedule 2 Part B (but not Part A) applications) and the requirements to invite comment from these groups, which are intended to address these matters).

Advice on Māori development and PSGE settlement priorities includes information relating to:

- where projects align explicitly with PSGE or iwi strategic objectives/vision/other strategic documents.
- where projects contribute towards addressing historical or systemic inequities faced by Māori. This would be undertaken through an equity assessment; and/or are being led by or in partnership with a Māori entity or business;
- to relevant provisions in Treaty settlements, Joint Management Agreements outside of settlement; Mana Whakahono ā Rohe; Iwi Environment Management plans; implications for groups yet to settle their historical Treaty of Waitangi claims; and implications arising under the Marine and Coastal Area (Takutai Moana) Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

Ineligible projects - based on the considerations at cl18(a–e) of the Fast Track Approvals Bill (version as at introduction)	The project does not appear to be ineligible according to the information provided in the application.
Affected Māori group/s	<p>The applicant has identified the following groups with interests in the project area:</p> <ul style="list-style-type: none"> • Ngāti Whātua o Kaipara • Te Kawerau ā Maki <p><u>Ngāti Whātua o Kaipara</u></p> <p>Ngāti Whātua o Kaipara is an iwi whose area of interest includes the proposed project site based on the area of interest agreed between Ngāti Whātua o Kaipara and the Crown in the Deed of Settlement signed 9 September 2011.²</p> <p><u>Te Kawerau ā Maki</u></p>

² AOI-NgatiWhatuaoKaipara.jpg (642x766) (tkm.govt.nz)

Te Kawerau ā Maki is an iwi whose area of interest includes the proposed project site based on the area of interest agreed between Te Kawerau ā Maki and the Crown in the Deed of Settlement signed 22 February 2014.³

In addition to the groups identified by the applicant, we have also identified the following additional groups as potentially having interests in the proposed project location:

- Ngāi Tai ki Tāmaki
- Ngāti Hako
- Ngāti Maru
- Ngāti Tamaoho
- Ngāti Tamaterā
- Ngāti Te Ata
- Ngāti Whātua Ōrakei
- Te Ākitai Waiohua
- Te Rūnanga o Ngāti Whātua
- Marutūāhu Iwi Collective
- Tāmaki Makaurau Collective

Ngāi Tai ki Tāmaki

Ngāi Tai ki Tāmaki is an iwi whose area of interest includes the proposed project site, based on the area of interest agreed between Ngāi Tai ki Tāmaki and the Crown in a Deed of Settlement signed on 7 November 2015.⁴

Ngāti Hako

Ngāti Hako are yet to settle their historical Treaty of Waitangi claims and so the area of interest of Ngāti Hako is not confirmed through a Treaty settlement as yet. Information from Te Kāhui Māngai indicates the proposed project location is within or closely adjacent to the area of interest for Ngāti Hako.⁵ Note this area of interest may be refined and confirmed throughout the course of Treaty settlement negotiations.

Ngāti Maru

The area of interest of Ngāti Maru is not confirmed through a Treaty settlement as yet. The Deed of Settlement between Ngāti Maru and the Crown that was initialled on 8 September 2017 does not include an area of interest. Information from Te Kāhui Māngai indicates the proposed project location is within or closely adjacent to the area of interest for Ngāti Maru.⁶

Ngāti Tamaoho

Ngāti Tamaoho is an iwi whose area of interest includes the proposed project site, based on the area of interest agreed between Ngāti Tamaoho and the Crown in the Deed of Settlement signed 30 April 2017.⁷

Ngāti Tamaterā

The area of interest of Ngāti Tamaterā is not confirmed through a Treaty settlement as yet. The Deed of Settlement between Ngāti Tamaterā and the Crown that was initialled on 20 September 2017 does not include an area of interest. Information from Te Kāhui Māngai indicates the proposed project location is within the area of interest for Ngāti Tamaterā.⁸

Ngāti Te Ata

Ngāti Te Ata are yet to settle their historical Treaty of Waitangi claims and so the area of interest of Ngāti Te Ata is not confirmed through a Treaty settlement as yet. Information from Te Kāhui Māngai indicates the proposed project location is within the area of interest for Ngāti Te Ata.⁹ Note this area of interest may be refined and confirmed throughout the course of Treaty settlement negotiations.

Ngāti Whātua Ōrakei

Ngāti Whātua Ōrakei is an iwi whose area of interest includes the proposed project site based on the area of interest agreed between Ngāti Whātua Ōrakei and the Crown in the Deed of Settlement signed 5 November 2011.¹⁰

Te Ākitai Waiohua

Te Ākitai Waiohua is an iwi whose area of interest includes the proposed project site, based on the area of interest agreed between Te Ākitai Waiohua and the Crown in the Deed of Settlement signed 12 November 2021.¹¹

Te Rūnanga o Ngāti Whātua

³ AOI-TeKawerauaMaki.jpg (710×927) (tkm.govt.nz)

⁴ AOI-NgaiTaikiTamaki.jpg (669×949) (tkm.govt.nz)

⁵ TKM | Iwi | Ngāti Hako | Te Kahui Mangai

⁶ TKM | Iwi | Ngāti Maru | Te Kahui Mangai

⁷ AOI-NgatiTamaoho.jpg (686×1032) (tkm.govt.nz)

⁸ TKM | Iwi | Ngāti Tamaterā | Te Kahui Mangai

⁹ TKM | Iwi | Ngāti Te Ata | Te Kahui Mangai

¹⁰ AOI-NgatiWhatuaoOrakei.jpg (1179×1666) (tkm.govt.nz)

¹¹ deed-of-settlement-attachments (1).pdf (tkm.govt.nz)

	<p>Te Rūnanga o Ngāti Whātua are yet to settle their historical Treaty of Waitangi claims and so the area of interest of Te Rūnanga o Ngāti Whātua is not confirmed through a Treaty settlement as yet. There is a proposed area of interest included in the Agreement in Principle signed 18 August 2017 and the proposed project location is within this area.¹² Note this area of interest may be refined and confirmed throughout the course of Treaty settlement negotiations.</p> <p><u>Maratūāhu Iwi Collective</u></p> <p>Marutūāhu Iwi Collective includes the 5 iwi known collectively as the Marutūāhu Iwi, being: Ngāti Maru, Ngāti Paoa, Ngāti Tamaterā, Ngaati Whanaunga and Te Patukirikiri. The Marutūāhu Iwi Collective redress area in the Deed of Settlement that was initialled on 27 July 2018 includes the proposed project site.¹³</p> <p><u>Tāmaki Makaurau Collective</u></p> <p>Tāmaki Makaurau Collective includes 13 hapū/iwi known collectively as Tāmaki Makaurau Collective, being: Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Paoa, Ngāti Tamaoho, Ngāti Tamaterā, Ngāti Te Ata, Ngaati Whanaunga, Ngāti Whātua o Kaipara, Ngāti Whātua Ōrākei, Te Ākitai Waiohua, Te Kawerau ā Maki, Te Patukirikiri and Te Rūnanga o Ngāti Whātua. The Tāmaki Makaurau Area in the Deed of Settlement that was signed on 5 December 2012 is adjacent to the proposed project site.¹⁴</p>
<p>Has the applicant consulted with those Māori groups?</p>	<p>The applicant states that no consultation has been undertaken specifically for this project.</p>
<p>Impact/s of the project on Māori development and PSGE settlement priorities and related matters</p>	<p><u>Impacts on PSGE settlement priorities and Māori development</u></p> <p>There is no information in the application to suggest that this application is made by or on behalf of a Māori organisation, or that the project will have a direct benefit in terms of Māori development.</p> <p>In the time available, we have identified the following relevant plans and documents:</p> <ul style="list-style-type: none"> • Ngāi Tai Ki Tāmaki Take Taiaomaurikura • Ngāti Tamaterā Environmental Management Plan 2019 • Te Kawerau ā Maki Iwi Management Plan • Te Pou o Kāhu Pōkere Iwi Management Plan for Ngāti Whātua Ōrākei 2018 • Ngāti Whātua Ōrākei Iwi Management Plan 2012 • Ngāti Te Ata Tribal Policy Statement 1991 <p>It is not possible to confirm from those documents that the project does or does not align with the strategic priorities of those iwi or Māori groups.</p> <p>A full analysis of the plans would need to be undertaken in conjunction with the relevant iwi before any firm conclusions can be reached. That is a matter to be considered in more detail in subsequent stages if this progresses through the fast-track processes.</p> <p><u>Impact on Treaty settlements and other relevant arrangements</u></p> <p>Ngāti Whātua o Kaipara Claims Settlement Act 2013</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a number of statutory acknowledgements. It is not clear from the application whether a statutory acknowledgement covers or is adjacent to the project site or is directly impacted by the proposed project.</p> <p>If the project activity is within or adjacent to, or directly affects, the area of the statutory acknowledgement, the following text applies. Generally, a statutory acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area. A council must have regard to the statutory acknowledgement when deciding whether the iwi is an 'affected person' for the purposes of notification decisions under the Resource Management Act 1991 (the RMA). The same applies to the Environment Court when considering participation in hearings under s274 of the RMA. A council must send summaries of applications for resource consents to the iwi. The PSGE (or any member of the iwi) may, as evidence of the association with a statutory area, cite the statutory acknowledgement in submissions that are made to a consent authority, the Environment Court or the Environmental Protection Authority. The Environment Court must also have regard to a statutory acknowledgement in considering appeals on applications for archaeological authorities within the project area under the Heritage New Zealand Pouhere Taonga Act 2014.</p> <p>An impact of listing this project under Schedule 2 Part A is that the Ministers will not have to exercise their 'referral discretion' including considering the Treaty settlement impacts through that process, nor will they have the benefit of the clause 13 report. There is a requirement on the expert panel to invite comment from the PSGE on the application (noting this is an automatic right to participate, which is currently discretionary under the statutory acknowledgement). For a Schedule 2 Part B listing, Ministers will have to exercise their 'referral discretion' including considering the Treaty settlement impacts through that process, and they will have the benefit of the clause 13 report. The expert panel will also be required to invite comment from the PSGE on the application (again, noting this is an automatic right to participate, which is currently discretionary under the statutory acknowledgement).</p> <p>Listing this project, and the fast-track process generally, will not provide equivalent weight to the statutory acknowledgement, which may limit the influence of the iwi compared to the usual consenting regime. For example, under the RMA process, if a PSGE is notified due to the statutory acknowledgement, the PSGE has the right to make a submission, attend a hearing, appeal to the Environment Court, and appeal to the High Court and higher courts. The fast-track process does not provide exactly the same rights to the PSGE (particularly the potential right to make a submission and then participate in a hearing and de novo appeal), but as noted above there are some other enhanced rights of participation.</p> <p><i>Right of first refusal</i></p>

¹² Ngāti Whātua - Agreement in Principle - 18 August 2017 (tearawhiti.govt.nz)

¹³ Marutūāhu Collective Redress Deed (tearawhiti.govt.nz)

¹⁴ Tāmaki Makaurau Collective Redress Deed Schedule - Attachments 5 Dec 2012 (tearawhiti.govt.nz)

	<p>The applicant has identified that Ngāti Whātua o Kaipara has a non-exclusive right of first refusal for a period of 170 years over Auckland Prison. Officials have confirmed that this is recorded on the records of title provided and is provided for in sections 95 and 96 of the Act.</p> <p>Te Kawerau ā Maki Claims Settlement Act 2015</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a number of statutory acknowledgements. It is not clear from the application whether a statutory acknowledgement covers or is adjacent to the project site or is directly impacted by the proposed project. The text above in relation to statutory acknowledgements applies here also.</p> <p><i>Right of first refusal</i></p> <p>The applicant has identified that Te Kawerau a Maki have a non-exclusive right of first refusal for a period of 170 years over Auckland Prison. Officials have confirmed that this is recorded on the records of title provided and is provided for in sections 109 and 110 of the Act.</p> <p>Ngāi Tai ki Tāmaki Claims Settlement Act 2018</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a number of statutory acknowledgements. It is not clear from the application whether a statutory acknowledgement covers or is adjacent to the project site or is directly impacted by the proposed project. The text above in relation to statutory acknowledgements applies here also.</p> <p>Ngāti Tamaoho Claims Settlement Act 2018</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a number of statutory acknowledgements. It is not clear from the application whether a statutory acknowledgement covers or is adjacent to the project site or is directly impacted by the proposed project. The text above in relation to statutory acknowledgements applies here also.</p> <p>Ngāti Whātua Ōrākei Claims Settlement Act 2012</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a statutory acknowledgement which does not appear to be relevant to this project. The text above in relation to statutory acknowledgements applies here also.</p> <p>Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014</p> <p><i>Right of first refusal</i></p> <p>Officials have identified that one of the records of title provided records a right of first refusal.</p> <p>Te Ākitai Waiohū Deed of Settlement</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a number of statutory acknowledgements. It is not clear from the application whether a statutory acknowledgement covers or is adjacent to the project site or is directly impacted by the proposed project. The text above in relation to statutory acknowledgements applies here also.</p> <p>Mana Whakahono ā Rohe</p> <p>There does not appear to be any completed Mana Whakahono ā Rohe. However, a Mana Whakahono ā Rohe was initiated in March 2018 between Auckland Council, Ngāi Tai Ki Tāmaki and is under negotiation.</p> <p>Iwi Environment Management plans</p> <p>Note the comments above in relation to iwi management plans.</p> <p><u>Implications for groups yet to settle their historical Treaty of Waitangi claims</u></p> <p>There are groups still working through their Treaty settlement processes. For example, Ngāti Te Ata. It will be important that these interests are considered in more detail if the project progresses through the fast-track process, but in the time available there are no further impacts noted.</p> <p><u>Other matters</u></p> <p>There have been no joint management agreements or Marine and Coastal Area (Takutai Moana) Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 considerations identified. In the time available, officials have not identified any other relevant matters.</p>
<p>Is the project considered low, medium or high impact (based on assessment criteria above)</p>	<p>From the information available we consider this project is likely to be of medium impact. This is due to the nature and range of interests present in the project area.</p> <p>An impact of listing this project under Schedule 2 Part A is that the Ministers will not have to exercise their 'referral discretion' including considering the Treaty settlement impacts through that process, nor will they have the benefit of the clause 13 report. For Part A projects, there is a requirement on the expert panel to invite comment from the PSGE on the application.</p>
<p>Has the Ministry for the Environment undertaken engagement?</p>	<p>Officials consider engagement would be beneficial given the nature and range of interests present in the project area but were unable to undertake this in the time available.</p>
<p>Additional comments/context</p>	<p>N/A</p>

Appendix One: Approach and considerations for Treaty settlement advice on listed project applications advice in Table A

1. Ministers have advised the Advisory Group should receive advice from officials on “Māori development and PSGE settlement priorities” relevant to each application. Note this differs from section 13 requirements of the current Fast Track Consenting Bill that ‘Ministers must consider Treaty settlements and other obligations report’ as these reports will not be in existence at the time, although matters identified in section 13 (2)(a)-(j) will be considered as part of official's analysis.
2. We have interpreted “Māori development” and “PSGE priorities” to mean primarily projects that:
 - a. align explicitly with PSGE or iwi strategic objectives/vision/other strategic documents; and/or
 - b. contribute towards addressing historical or systemic inequities faced by Māori. This would be undertaken through an equity assessment; and/or
 - c. the project is being led by or in partnership with a Māori entity or business.
3. Given the time constraints and limited engagement this advice cannot be considered as comprehensive and does not intend to reflect their views and should not be read as such.
4. Engagement with PSGEs and other relevant groups has been considered based on potential high-risk factors including, but not limited to, if:
 - a. a project will take place on or effect any taonga or areas of significance that are protected by Treaty settlement arrangements.
 - b. a project will have a substantive and/or ongoing environment impact on any taonga or areas of significance.
 - c. a project will include a consenting arrangement that will require a significant take, or be ongoing for an extended period, in relation to a taonga or area of significance, or in regions where PSGEs have specific planning mechanisms in place.
 - d. PSGEs or other Māori entities have previously strongly contested the project or a similar type of project, particularly where court action has been taken.
 - e. The project is clearly in conflict with or undermines PSGE priorities.
 - f. Engagement would be required to maintain and uphold the Te Tiriti Crown relationship.
5. In limited circumstances where engagement occurs, it has been brief. Where engagement has been undertaken it is reflected in our analysis but should not be taken to mean that our Treaty Partners endorse our advice.