

Terms of Reference

External Review into the Mount Maunganui Beachside Holiday Park Landslide - Tauranga City Council

Background

Overnight on Wednesday 21 January/Thursday 22 January more than two months of rain fell within 12 hours in the Bay of Plenty.

At around 12:42pm on 21 January, Bay of Plenty Civil Defence Emergency Management, with the support of the Mayor of Tauranga, declared a state of emergency, in response to a red heavy rain warning for the region, and the Tauranga City Council stood up its Emergency Operations Centre to co-ordinate Council's response to events.

At approximately 9.30am on 22 January 2026, a landslide occurred on the south-eastern slopes of Mauao, tragically resulting in the death of six individuals at the Mount Maunganui Beachside Holiday Park. Emergency services were involved in responding to the landslide, and over the following days located and recovered the bodies of the six victims.

This event, including Tauranga City Council's role in it, is likely to be the subject of various investigations and reviews, including ongoing investigations by the Coroner and Police, as well as a potential public or Government inquiry, and potential investigation by Worksafe.

The Tauranga City Council Mayor and Councillors have decided to commission an external review of the actions of Tauranga City Council and the Emergency Operations Centre in relation to the land area affected by the landslide (the affected area), to provide a clear factual account of events and an independent assessment of whether other actions could or should have been taken.

This review aims to provide transparency to the families of victims and to the broader community, provide assistance to other investigations that may take place; and allow Tauranga City Council and other local authorities to learn from what took place, in order to avoid similar tragedies occurring in the future.

Purpose of the Review

The purpose of the review is to:

- Establish an independent, clear, and accurate understanding of the relevant facts and events leading up to the Mauao landslide on 22 January 2026, and in particular, the time between the declaration of the state of emergency and the time of the landslide; and
- Assess whether Tauranga City Council and the Emergency Operations Centre took appropriate and timely steps in relation to managing the risk of landslide in the affected area; and
- Identify any lessons that may assist the Council governance and organisation, and other local authorities in preventing or responding to risks of similar events in future.
- Enable the Council to address any potential consequences.

Reviewer

Hon. Paul Davison KC has been engaged to review the events, in accordance with these Terms of Reference.

The reviewer is to act independently of Tauranga City Council in carrying out this review. The reviewer will confirm no conflict of interest.

Scope

The reviewer will review and report on:

- the relevant facts and circumstances that led to the landslide on 22 January;
- what was known by Tauranga City Council about the area of land on Mauao affected by the landslide (the affected area), how the Council identified, assessed and managed any risks prior to the state of emergency;
- the information received and decisions and actions taken by Tauranga City Council and the Emergency Operations Centre in relation to the affected area during the state of emergency;
- whether Tauranga City Council and the Emergency Operations Centre took appropriate and timely steps in relation to managing hazards associated with the risk of landslide in the affected area;
- whether there were any other actions that Tauranga City Council and the Emergency Operations Centre could have taken to reduce the risk of harm from landslide in the affected area;
- actions that Tauranga City Council took in the immediate aftermath of the landslide – until FENZ took operational control of the affected area.

The reviewer will make recommendations of any steps or systemic improvements that may assist the Council in preventing or responding to similar future events. Without limitation, this will include recommendations regarding:

- Governance, stewardship and decision-making arrangements relevant to the affected area on Mauao, including the respective roles of elected members, management and external advisors;
- Identification, assessment, monitoring and management of risk, including geotechnical, environmental and public safety risks;
- Policies, plans, processes and practices relevant to land stability, access, asset management, monitoring and hazard mitigation;
- Information, advice and assurance, including the use of expert reports, internal reporting, escalation and record-keeping;

Confidential and legally privileged

- Operational controls and interventions, including access management, works, monitoring activities and responses to identified risks;
- Communications and engagement, including with elected members, statutory partners, mana whenua (where relevant to process), stakeholders and the public;
- Preparedness arrangements immediately prior to the landslide.

The review will not make findings or recommendations regarding:

- the actions of bodies other than Tauranga City Council and the Emergency Operations Centre, except to the extent they are relevant to the actions and decisions of Tauranga City Council;
- any actions relating to the emergency response to the landslide after it occurred;
- civil, criminal or disciplinary liability of any person.

If, during the course of the review, the reviewer becomes aware of any other matters that fall outside the scope of these terms of reference, which the reviewer considers should also be reviewed, he will notify the Mayor, who will determine whether to expand the scope of the review to include those matters.

Approach

The reviewer will conduct the review:

- independently and impartiality;
- in accordance with the principles of natural justice;
- considering the interests and respecting the families of the victims of the landslide;
- in a manner that does not interfere with ongoing support or recovery activities;
- with due regard to the confidentiality, privacy and other interests of natural persons and third parties.

The reviewer may engage independent experts as required to assist with the review.

Cooperation and process

Tauranga City Council will cooperate fully with the review.

A nominated contact person within Tauranga City Council will be confirmed, to assist in making arrangements and accessing documents.

The review will involve a review of documents, together with interviews, if and as the reviewer considers necessary.

Tauranga City Council will provide the reviewer with, in the first instance:

- All geotechnical and other reviews relating to the risk of slips on Mauao;

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- All relevant documents and correspondence relating to actions taken or decisions made in response to those reviews;
- Logs from the TCC contact centre and Tauranga Transport Operations Centre (TTOC);
- Logs from the EOC;
- All communications, statements, photographs and/or video images held by the Council and its staff relating to the events on 21/22 January 2026.

Tauranga City Council will also provide the reviewer with any other documentation and/or information that the reviewer considers relevant to the scope of the review, subject to legal and privacy obligations.

The reviewer may receive information from and interview any person he considers may be able to provide relevant information within the scope of the review. Interviewees employed by or contracted to Tauranga City Council are expected to co-operate with the review and attend interviews as soon as is reasonably practical following a request by the reviewer.

The reviewer will consider any interviewee's request for specific confidentiality arrangements, as required.

Report

The reviewer will provide the Mayor with a final written report addressing the matters in scope.

If the report contains confidential or private information, the reviewer will provide a summary report suitable for public release. The Mayor is responsible for decisions about the manner and timing of the report publication.

The full report will be made available to assist in any other investigation or inquiry into the event, including any public or government inquiry and inquiries by the responsible Coroner and the NZ Police.

Timeframe

The reviewer will deliver the final report by 30 June 2026, unless otherwise agreed with the Mayor.