

Council Officers Report

On resource consent application under Section 88 of the Resource Management Act 1991

Combined notification

Date: 14 October 2025

Section 127	RC27789_1
Land Use	RC80064800

1.0 Application Details and Site Information

1.1 Summary of Applications

Reporting Officer:	s 7(2)(f)(ii)
Applicant:	Tauranga City Council
Site Address:	1, 11 and 21 Adams Avenue, Tauranga
Legal Description:	Section 19 Block VI Tauranga Survey District (5.15 hectares – Record of Title SA61D/711)
Interests Registered on the Record of Title:	Subject to the Reserves Act 1977
Zone:	Passive Open Space Conservation
Overlays / Other Planning Controls:	<ul style="list-style-type: none"> • Designation C152 – Wastewater Pump Station • Flood Hazard Plan Area • Scheduled Site: Mauao Recreation Reserve (Appendix 13E). • Coastal Hazard Erosion Protection Area including Current Erosion Risk Zone; 50 year (2060) Erosion Risk Zone and 100 Year (2100) Erosion Risk Zone. • Significant Ecological Area – Category 2 - Site 32: Mauao (Appendix 5A). • Significant Māori Area – Site M1: Mauao Maunganui (Appendix 7B). • Significant Archaeological Area – Site A6: Mauao (Appendix 7D) • Outstanding Natural Features and Landscapes – Site 7: Mauao (adjacent only) • Airport Approach Slope – RL 49 to 154 metre contour. • Potential Inundation from Harbour Storm Surge – RL 2.6m Moturiki or RL 2.4m NZVD16 (southeast corner of the site only)

	<ul style="list-style-type: none"> • Viewshaft Protection Area (Sensitive Area) • Statutory Acknowledgement OTS-075-015 – Waitaha –Coastal Marine Area from Maketu to Mauao. (adjacent only). • Flooding from Intensive Rainfall: <ul style="list-style-type: none"> ○ Major Overland Flowpaths. ○ Minor Overland Flowpaths. ○ Flood Prone Areas (both with flood depths of between 100mm-299mm and 300mm or more).
Road Category:	Adams Avenue - Collector Road
Summary of Proposal:	<p>Land use consent to authorise seven new prefabricated mobile accommodation units on existing camp sites, including four ensuite units and three basic units with associated ancillary earthworks for the establishment of service connections.</p> <p>Section 127 consent to change the authorised location of seven basic prefabricated mobile accommodation units on existing camp sites.</p>

1.2 Description of Proposal

The proposal is for the following key elements:

Land use

- Authorise the placement of seven new prefabricated mobile accommodation units (MAUs) on existing camp sites.
- Of the seven units, four are ensuite MAUs and three are basic MAUs.
- All MAUs proposed on site will be within the maximum height of 5m and the footprint will be either 15.4m² for the smaller units, 19.6m² for the medium units with a deck, and 25.2m² for the largest units with a deck and ensuite in accordance with the Leisurebuilt plans included as an attachment to the application within Appendix 5 of the AEE.
- The basic MAUs will be on camp site numbers 61, 7 and 1 and the ensuite MAUs are proposed to be established on camp site numbers 15, 16, 16A and 17.
- The ensuite MAUs include a separate bathroom with shower, single vanity and toilet. These units will be provided with connections to Council's reticulated water supply and wastewater disposal infrastructure within the Holiday Park. Stormwater is to discharge to the ground as per the existing situation with caravans parked on site.
- The MAUs have been prefabricated off-site on a trailer sub-frame, are registered for use on the road, have wheels and can be towed by a vehicle through the fitment of a drawbar plate. A number of them have already been placed on their nominated sites where they sit on their wheels. No permanent foundations are proposed for these units, however a skirting will be put in place around the base.
- The Application states the MAUs are sought to be established on site to replace more of the permanent caravans due to their ageing condition and to provide a wider variety of accommodation options due to tourist demographics, trends and demands.
- Ancillary earthworks are also required to establish the service pipes for wastewater and water to the ensuite MAUs on camp sites 15, 16, 16A and 17. Through the section 92 response, the Applicant has advised that the earthworks will be in the vicinity of approximately 50m³.

Refer Figure 1 below includes the proposed Cabin Location Plan with the new MAUs identified; pink for the basic MAUs and blue for the ensuite MAUs.

Section 127

- The Applicant seeks to vary conditions of Resource Consent RC27789 under Section 127 of the Resource Management Act 1991 (RMA) to authorise the placement of seven basic MAUs in alternative locations on the site to those which were approved under RC27789.
- In summary the applicant seeks to vary the consent to allow the following changes:
 - The basic MAUs that were to be on sites 70, 71, 87, 91, 96, 97 are now proposed to be located on sites 1 (to make a total of two units on this camp site), 113, 114, 123, 124 and 125. The basic MAU previously approved on site 15 will now be located on site 14.
 - Authorise the realigned MAUs on camp sites on 88, 89 and 90. These MAUs have been realigned from their original approved location but remain on the same camp site. This was done as the original approved location did not allow for sufficient area for the length of the units due to the current internal road layout and the contours of the site in this area.
 - Wording of condition 5 amended to reflect the current numbering of the approved sites at 58-64.
 - Authorise a revised basic MAU type as the type of MAU on proposed sites 14, 113, 114, 123-125 was not included as approved under RC27789 as shown on the Leisurebuilt plan included as an attachment to the S127 application within Appendix 2. This MAU type still meets all other conditions pertaining to maximum height and area.
- As a result, changes are proposed to the following conditions of the consent (bold and underline as additions, strikethrough as deletion):
 5. *Mobile accommodation units may be established in the following locations (refer attached Mobile Accommodation Unit Site Plan, **and additional Mobile Accommodation Unit Site Plan, dated 5 August 2025**):*
 - a. Site Numbers 107, 108, 109, 109a, 110, 111 and 112 (existing); and
 - b. Site Numbers ~~1, 12, 15, 14, 56A, 58 (amalgamated with 59), 59, 60, 61, 62, 63, 64, 70, 71, 72, 73, 87, 88, 89, 90, 91, 96, 97, 98, 99, and 100,~~ **113, 114, 123, 124 and 125.**
 6. *The mobile accommodation units shall be established in accordance with the Leisurebuilt plans attached as approved plans to this resource consent, **and the variation to RC27789,** and shall have a footprint no greater than 30m².*
- All other conditions under RC27789 are proposed to remain unchanged.

Refer Figure 1 below which depicts the original approved camp sites in orange and the relocated cabin sites in yellow. Figure 2 depicts the additional Mobile Accommodation Unit Site Plan, dated 5 August 2025 which is proposed to be referenced in revised condition 5 of RC27789.

A full description of the proposal in relation to the land use and the section 127 application is described within section 2.3 (pages 12-14) of the application and Assessment of Environmental Effects report (the "AEE") prepared by Momentum Planning and Design and titled 'Application for Resource Consent for Additional Mobile Accommodation Units at Mount Maunganui Beachside Holiday Park' version 1 and dated 9 July 2025. Further description of the section 127 application is described on page 2 of the application and Assessment of Environmental Effects letter (the "S127 AEE") prepared by Momentum Planning and Design with the subject 'Section 127 application – variation to RC27789' and dated 23 July 2025. Additional information on the proposals is also provided within the Section 92 response received by Council via email on 26 September 2025 which included the following documents and plans:

- Section 92 Response Letter with the subject 'Section 92 Response – 1 and 11 Adams Avenue RC80064800 & RC27789-1' and dated 25 September 2025.
- Landscape and Visual Memorandum prepared by Momentum Planning and Design titled 'Landscape and Visual Memo Vegetation and screening Assessment' version 1 and dated September 2025.

- Cabin Location Plan prepared by Momentum Planning and Design and dated 23 September 2025.
- Mobile Accommodation Unit Site Plan dated 5 August 2025.

The information within those sections of the AEE and the S127 AEE (and the further information response) is accurate and sufficiently detailed for the purposes of understanding the nature of the proposal and is adopted for the purpose of this *Council Officer's Report on Resource Consent RC80064800 and RC27789-01* (hereafter referred to as "this report").

1.3 Location, Site Plan, Aerial Photo and Example Photographs



Figure 1: Cabin Location Plan provided as a response to Section 92 further information request (Source: 26 September section 92 further information response).



Figure 2: Mobile Accommodation Unit Site Plan dated 5 August 2025 provided as a response to Section 92 further information request (Source: 26 September section 92 further information response).



Figure 3: Aerial Image of Site and Surrounds with 'Adjacent Properties' identified by blue dot (Source: City Plan ePlan Maps)



Figure 4: Example Photo of 15.4m² basic MAUs without decks on existing camp sites 113, 114, 123 and 124 (Source: section 2.3 on page 13 of AEE)



Figure 5: Example Photo of 19.6m² medium basic MAUs (Source: section 2.3 on page 13 of AEE)



Figure 6: Example Photo of 25.2m² large MAUs with desk and ensuite (Source: section 2.3 on page 13 of AEE)

1.4 Background

1.4.1 Existing Use Rights

The subject campground has been formally recognised as having existing use rights under section 10 of the RMA by way of certificate issued on 20 April 2010 (RC15028). In this regard the activity has operated from the site since at least 1927 and potentially as early as 1889.

The campground has been recognised and provided for in various management plans and statutory documents, including the Mount Management Plan that was adopted as part of the Mount Maunganui Borough District Scheme Fourth Review in April 1980 and in the City Plan.

The existing use rights certificate issued in 2010 recognised that the campground activity occupied the entire site and comprised approximately 138 camp sites, three service buildings (providing kitchen and ablution facilities), a Holiday Park office, a Manager's residence and a Ranger's office and an internal road network.

That certificate also recognised proposed roading upgrades; planting; the construction of a purpose-built building to house the Ranger's office, Park Office and Manager's residence and the subsequent demolition of buildings that previously housed those activities; and the establishment of eight MAUs on the site.

1.4.2 Approved Land Use Consent RC27789

Since the issue of the existing use rights certificate, the site has also obtained land use consent (granted non-notified on 11 August 2020) for:

- The placement of 23 prefabricated MAUs on existing camp sites, of which five were ensuite units.
- An extension to the Ocean Amenity Block, being a 150m² addition to the northern end of the existing 380m² building footprint and gross floor area (GFA), resulting in a total footprint and GFA of 460m².
- Associated ancillary earthworks for the establishment of building foundations for the extension and the installation of service connections.

In addition to the existing seven MAUs already located on the site, this consent authorised a total of 30 MAUs. This is reflected in Condition 4 of the 2020 land use consent, which states:

4. *A maximum of 23 additional, and a total of 30, mobile accommodation units shall be established within the campground.*

Resource consent was required as the number, size, and location of the MAUs exceeded the maximum permitted under the Mauao Recreation Reserve Scheduled Site provisions and were located outside the areas prescribed by the Outline Development Plan (ODP) (refer Figure 7). The alterations and additions to the Ocean Amenity Block also exceeded the restrictions specified in the ODP.

The Applicant has advised that the works authorised under consent RC27789, relating to the alterations to the Ocean Amenity Block, have been completed. In addition, 16 of the 23 approved MAUs have been established on the site in the locations approved under that consent.

As part of this land use consent the Council adopted a permitted baseline in relation to the MAUs which is considered useful background and also relevant to these consent applications. The excerpts from the Officers Report below provide detail of this permitted baseline which utilised by Council for RC27789:

“The rules include no limitation on the maximum number of caravans that can be parked on the Site. Under these provisions the Camping Ground operator also has the ability to place caravans on the Site on a permanent basis and make these available to members of the public for accommodation as a permitted activity. This forms part of the existing operations of the Camping Ground so is not a fanciful proposition.

.....

Additionally, for the proposed mobile accommodation units, it is appropriate to disregard the effects of the subject sites being permanently occupied by caravans on the basis that this is both permitted by the applicable City Plan rules and is not fanciful given that it forms part of the activities already undertaken by the Camping Ground operator. The visual and amenity effects of the difference between a caravan and the proposed accommodation units will be considered.

The rules include no limitation on the maximum number of individual camp sites. Any demand on Council’s infrastructure (including trip generation and vehicle movement effects) can be disregarded as part of the existing lawfully established receiving environment.

.....”

1.4.3 Withdrawn Land Use Consent Application RC80052865

An application for a further land use consent was lodged 27 September 2023 under reference RC80052856 to establish seven additional MAUs on the subject site, as well as placing the remaining seven approved MAUs in alternative locations, to bring the total of all MAUs on the subject site to 37. This application was ultimately withdrawn on 31 May 2024 as after several months of engagement and consultation, support was unable to be obtained from Ngati Kuku and Ngai Tukairangi, hapū who hold mana whenua for this site.

The Applicant has chosen to re-apply for land use and section 127 consents to authorise the same activity. These applications are the subject of this report. The Applicant has acknowledged that the relevant hapū do not support the proposal.

1.4.4 Consultation

Section 4.4.1 of the AEE (page 17) along with supporting consultation records in Appendix 7 of the AEE has provided an overview of the Applicant led consultation undertaken to date on the project.

As part of the TCC Consultation with Tangata Whenua on Resource Consent Applications Policy (dated 11 July 2006), the applications were circulated to the following groups for comment:

- Ngāi Tukairangi
- Ngāti Kuku
- Mauao Trust

- Te Kapu o Waitaha (due to adjacent Statutory Acknowledgement Area)

At the time of writing this report, the following feedback has been provided:

Group/Hapu	Comments Received
Mauao Trust	<ul style="list-style-type: none"> • When the Trust was first contacted regarding this matter, I was of the understanding the consent was for 3 cabins to be moved onto an area already designated for them. The Trust's response was to agree to that, given no further cabins would be added. I now see council is to have 7 cabins moved onto the sites. From memory this is not what was agreed to by the trust. The reasoning for not agreeing for more cabins was from the lack of discussion between the trust and no doubt the hapū with TCC as to the long term use and plan for the camp ground site. • Clearly the concern is the increased number of cabins being located and the lack of discussion on the long term use of the camping ground.
Te Kapu o Waitaha	<ul style="list-style-type: none"> • At this stage, Waitaha have no requests, as the seven additional Mobile Accommodation Units are to be erected on existing lots. • We request that Te Kapu o Waitaha be kept informed of progress and any further developments, including Council's determination on affected party status under s95E RMA.
Ngāi Tukairangi	<ul style="list-style-type: none"> • This seems to have fallen through our processes. We should have been heavily involved in this process.

1.5 Site Description

Section 2.2 (pages 5-9) of the AEE provides an accurate and suitably detailed description of the site. That description is adopted for the purposes of this report.

A site visit was completed on 14 August 2025. The following additional observations or comments are noted regarding the site description: The site is predominantly zoned 'Passive Open Space' with a small area on the southwestern and northeastern portions of the site being zoned 'Conservation' (refer Figure 6).

- Three distinctly different and separate land use activities occupy the site, each with their own 'allocated space'. These land uses are the Mount Maunganui Beachside Holiday Park ('the Camping Ground'), the Mount Hotpools and the Mount Maunganui Surf Lifesaving building. All three activities are recognised and provided for by the operative Tauranga City Plan ('the City Plan') within Chapter 13 as the Mauao Recreation Reserve Scheduled Site (refer Figure 7).
- A number of the relocated and additional MAUs have been placed on their proposed sites. Following the site visit, this was raised in the section 92 request issued by Council. In response, the Applicant confirmed that all seven relocated MAUs have been placed on the proposed sites, camp sites 113, 114, 123-125 (inclusive), 14 and 1. The Applicant also advised that five out of the seven new cabins have already been placed on the proposed sites, camp sites 15, 16, 16a, 17 and 1.
- As identified in section 1.1 of this report, the Site is subject to numerous planning layers. The Applicant has confirmed that all of the activities that are subject to these applications are located outside of these overlay areas and are simply subject to Rule 13A.9.12 - *Mauao Recreation Reserve Scheduled Site - Permitted Activity Rules*. I have overlaid an Aerial Image of the site with the planning overlays noted and the location of the new and relocated sites distinguished (in orange), refer Figure 8.

- Large mature trees including Pohutukawa and Pine are also located intermittently throughout the campground, however for the most part it is free of tree cover.



Figure 6: The site with zoning shown, green 'Passive Open Space' and lighter green with darker green flecks 'Conservation' (Source: Tauranga City Plan)



Figure 7: Extract of Appendix 13E Mauao Recreation Reserve Scheduled Site – Outline Development Plan (Source: Tauranga City Plan)



Figure 8: Aerial Image of Site and Surrounds with City Plan Planning Maps Overlaid and Camp Sites with New or Relocated MAUs depicted in Orange (Source: Tauranga City ePlan Maps)

Although the relocated and new MAUs are not proposed within the planning overlays themselves, a summary of the values of the various features recognised by the City Plan is provided below for useful context.

Significant Ecological Area – Category 2 - Site 32: Mauao

This Special Ecological Area contains numerous small areas of terrestrial vegetation (forest, tree land and scrub), generally on the lower southern and eastern slopes of Mauao. This area is contiguous with and complimentary to the Special Ecological Area - Mauao 1 (Special Ecological Area # 7). It contains examples of pohutukawa forest on the toeslopes of Mauao, adjacent to the shore. Two regionally uncommon plant species are present. This area is of significant wildlife value. Northern little blue penguin breed here. It is an area of regional conservation value.

Significant Maori Area – Site M1: Mauao Maunganui

This SMA is associated with the Ngai Te Rangi Iwi and the Ngati Ranginui, Ngāti Pukenga, and Waitaha hapu.

Mauri: *The mauri and mana of the place or resource holds special significance to Maori;*

Wāahi Tapu: *The place or resource is a wāahi tapu of special, cultural, historic and or spiritual importance to the hapu; Korero Tuturu / Historical: The area has special historical and cultural significance to the hapu;*

Rawa Tuturu / Customary Resources: *The area provides or once provided important customary resources for the hapu;*

Hiahiatanga Tuturu: *The area is a venue or repository for cultural and spiritual values of the hapu or it may provide the ability to identify the boundaries of ancestral tribal lands;*

Whakaaronui o te Wa / Contemporary Esteem: *The physical prominence and reserve status of much of the area is such that it continues to provide a visible reference point to the iwi and hapu that enables an understanding of its cultural, architectural, amenity or educational significance.*

Significant Archaeological Area – Site A6: Mauao

The following identified archaeological sites are contained within this SAA:

- U14/149 (summit pa);
- U14/173 (western pa / Kinonui's pa); U14/250 (stone steps),
- U14/251 (trail);
- U14/361 (stone jetty);
- U14/362 (jetty and water tanks); and
- U14/3118 (Maunganui pa)

1.6 Surrounding Environment

Directly to the west of the site is Mauao (Mount Maunganui), a cultural landmark and natural feature forming a prominent backdrop. It is subject to the same planning overlays as 1 Adams Avenue, with additional recognition as an Outstanding Natural Feature and Landscape Plan Area and a Category 1 Special Ecological Area – Site 7.

Directly north of the site is the Mount's main beach, which is a regionally significant recreational resource and one of New Zealand's most well-known coastal destinations. The beach environment is highly pedestrianised, particularly in summer, and includes a network of boardwalks and footpaths running adjacent to the subject site, providing public access and connectivity.

To the east lies a built-up area zoned High Density Residential, which includes a mixture of both commercial (mainly at ground floor) and residential activities, including a number of large, multistorey apartment complexes that contribute to a highly urbanised built form, contrasting with the coastal and natural character of the adjoining areas.

To the south is Pilot Bay, which forms the southern edge of the peninsula and provides a sheltered harbour environment. The bay is used extensively for recreational activities such as boating, swimming, and walking along the waterfront esplanade reserve.

An aerial image illustrating the site in relation to the surrounding environment is provided in Figure 3 above.

2.0 Resource Consent Requirements

2.1.1 Section 127 Considerations

Background

Resource consent RC27789 was originally granted on 11 August 2020 to establish 23 prefabricated mobile accommodation units on existing camp sites; extend the Ocean Amenity Block; together with associated ancillary earthworks for the establishment of building foundations and service connections as part of an existing campground activity within the Mauao Recreation Reserve.

During the implementation of the consent, the applicant determined that seven of the 23 approved MAUs would be better located on alternative campsite numbers 1, 113, 114, 123, 124 and 125, which has necessitated changes to the consent conditions.

Further background information and context for the proposed variation are provided in Section 2 of the AEE and the S127 AEE. I consider that the applicant's description of the existing environment and the rationale for the proposed changes is accurate and sufficiently detailed for the purposes of understanding the nature and implications of the proposal.

Scope of Variation

Following a review of Section 127 of the RMA, I have determined that the proposed changes fall within the scope of a variation to the existing resource consent. This conclusion is based on the following considerations:

- The proposed changes do not result in a fundamentally different activity from that which was originally consented.
- The variation does not introduce any new non-compliances with the relevant planning provisions.
- The changes do not generate additional adverse environmental effects beyond those assessed and considered in the original resource consent decision.
- The nature and scale of the effects associated with the proposed changes are consistent with those evaluated in the original application and remain within the scope of the original consent.

Accordingly, the application can be appropriately processed as a variation under Section 127 of the RMA.

Resource Consent Requirements

In accordance with Section 127(3) of the RMA, the provisions of Sections 88 to 121 apply to the S127 application as if it were an application for a new resource consent for a discretionary activity. However, the scope of the assessment is limited to the proposed change or cancellation of conditions and the effects that may arise as a result of that change.

This means that while the application is processed in a manner consistent with a new consent, the evaluation focuses solely on the implications of the variation sought, rather than reconsidering the entire activity or previously assessed effects.

2.1.2 Tauranga City Plan

The Applicant has set out the reasons for consent in Section 3.0 (page 14) of the application/AEE. I have reviewed this analysis of resource consent requirements and concur with the Applicant's assessment of rules and the final activity status of the proposal, and therefore, adopt Section 3.0 of the application/AEE for the purposes of this report. A summary of the resource consent requirements is included below.

The activities proposed within the Application fall within the definition of 'camping grounds', which is listed as a permitted activity under Rule 13A.9.11 within the Mauao Recreation Reserve Scheduled Site. Notwithstanding this, the following resource consents are required under section 13A of the City Plan:

- Under section 9(3)(a) as a discretionary activity in accordance with Rule 13A.12(c) for the departure from Rule 13A.9 and Appendix 13E: Mauao Recreation Reserve Scheduled Site – Outline Development Plan for the establishment of accommodation units in greater numbers and outside of the locations prescribed by the Outline Development Plan; and
- Under section 9(3)(a) as a restricted discretionary activity in accordance with Rule 13A.11(b) for the proposed accommodation units exceeding the 24m² maximum building footprint prescribed by Rule 13A.9.12.3(b)(v).

2.1.3 City Plan Matters of Discretion and Conditions

Although the land use consent application is discretionary overall, the following matters of discretion have helped guide the assessment.

Rule 13A.11.2.1 - Building Scale

In considering activities that do not comply with Rule 13A.8.2 – Building Scale or Scheduled Site activities that do not comply with a building scale rule, the Council restricts the exercise of its discretion to:

- (a) *The extent to which the size or proportion of the open space area and its ability to absorb new buildings or structures and activities, is compromised;*
- (b) *Building design and appearance, including site design and building layout;*
- (c) *The extent to which the building or structure visually dominates its site or surrounding sites;*
- (d) *The nature, location and extent of any proposed earthworks;*
- (e) *The use of materials on the exterior of any building or structure, including the use of colour;*
- (f) *The extent to which the bulk and scale of the building or structure is compatible with the surrounding landscape character;*
- (g) *The extent of any landscape planting to mitigate against the effects of increased building scale.*

2.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NES-CS”) provides a range of regulations to manage the potential effects on human health associated with sites that either are being used, have been used or are more likely than not to have been used for activities or industries listed on the Ministry for the Environment’s Hazardous Activities and Industries List (“HAIL”).

The AEE addresses the NES-CS in section 5.0 (pages 19 and 20) and, having reviewed the most up-to-date information held by Tauranga City Council and the Bay of Plenty Regional Council, as provided for under regulation 6(2) of the NES-CS, has concluded that the Site is not a piece of land covered under regulation 5(7) of the NES-CS.

Having reviewed this information, I concur with and adopt this section of the AEE.

2.3 Section 91 Matters

There are no matters under section 91 of the RMA that are relevant for consideration.

2.4 Summary of Consent Requirements and Activity Status

In summary, resource consent is required for the following:

- Under section 9(3)(a) as a discretionary activity in accordance with Rule 13A.12(c) for the departure from Rule 13A.9 and Appendix 13E: Mauao Recreation Reserve Scheduled Site – Outline Development Plan for the establishment of accommodation units in greater numbers and outside of the locations prescribed by the Outline Development Plan; and
- Under section 9(3)(a) as a restricted discretionary activity in accordance with Rule 13A.11(b) for the proposed accommodation units exceeding the 24m² maximum building footprint prescribed by Rule 13A.9.12.3(b)(v).
- Under section 127 as a discretionary activity to change existing conditions 5 of 6 of RC27789.

Because the Proposal involves two activities that are not inextricably linked, and can be undertaken as discrete projects, it is considered that the bundling principal is not relevant in this case.

As such the overall status of the application is as follows:

- RMA S127: discretionary activity.
- Land use (RMA s9(3)): discretionary activity.

3.0 Public Notification – Section 95A

Section 95(1) of the RMA requires the consent authority to decide whether to give public or limited notification of an application for resource consent. To determine whether notification is required, the steps in Sections 95A and 95B of the RMA must be followed, in the given order. The following is an assessment of the Proposal against these provisions of the RMA.

3.1 Step 1 – Mandatory Public Notification in Certain Circumstances

Public notification of an application for resource consent is mandatory under Section 95A(2) if it meets any of the following criteria contained within Section 95A(3):

Has the Applicant requested public notification?	No
Is public notification required under Section 95C due to the following? <ul style="list-style-type: none"> A request for further information has been made and that information had not been provided before the deadline or has refused the request (Section 95C(2)); or Notice has been sent to the Applicant under Section 92(2)(b) of the commissioning of a report but the Applicant has either not responded before the deadline or has refused to agree to the commissioning (Section 95C(3)) 	No
Is the application made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977?	No

Public notification **is not mandatory** under Step 1 and Section 95A(2) on the basis that the application does not meet any of the criteria contained within s95A(3).

3.2 Step 2 – Public Notification Precluded in Certain Circumstances

If public notification of an application for resource consent is not required under Step 1, it may be precluded under Section 95A(4) if it meets any of the following criteria contained within Section 95A(5).

Are all activities in the application subject to a rule in a Plan or National environmental standard that precludes public notification?	No
Is the application for one or more of the following (but no other) activities? <ul style="list-style-type: none"> A controlled activity; or A “boundary activity” with a restricted discretionary, discretionary or non-complying activity status 	No

Public notification is not precluded under Step 2 and Section 95A(4) on the basis that the application does not meet any of the criteria contained within Section 95A(5).

3.3 Step 3 – Public Notification is Required in Certain Circumstances

If public notification is not precluded under Step 2, public notification may be required under Section 95A(7) if it meets any of the following criteria under Section 95A(8):

Is any activity in the application subject to a rule in a Plan or national environmental standard that requires public notification?	No
--	----

Following an assessment carried out under Section 95D within section 3.3.1 of this report, has it been decided that the activities will have or are likely to have adverse effects on the environment that are more than minor?	No
---	----

The proposal seeks to authorise the revised location of seven basic prefabricated mobile accommodation units on existing campsites already approved under RC27789, and to authorise seven new MAUs (five ensuite and two basic) on existing campsites. Accordingly, and having regard, where applicable, to the matters of discretion specified by the City Plan, the existing environment, which includes a consent authorising a maximum of 30 MAUs on the site, and the permitted baseline, it is considered that the proposal may generate adverse effects on the wider environment in relation to the following:

- Landscape and visual effects associated with both the revised location of the built form on the site from the alternative locations proposed as part of the s127 Application, and the effects arising from the seven new MAUs on the identified campsites.
- Cumulative effects from the seven new MAU’s proposed on the site.

An assessment of the adverse effects of the proposal on the environment is set out in the following sections of this report. The actual and potential adverse effects on persons at adjacent sites and groups are addressed in section 4.0 below.

3.3.1 Assessment of Adverse Effects on the Environment – Matters That Must Be Disregarded

When deciding, for the purpose of Section 95A(8)(b), whether an activity will have or is likely to have more than minor adverse effects on the environment, Council must disregard the matters in Section 95D(a), (c), (d) and (e). These are addressed as follows.

Section 95D(a) – Effects on Owners and Occupiers of the Site and Adjacent Land

The Site and adjacent properties are shown in Figure 3.

For the purposes of sections 95A(8)(b) and 95D, effects on persons at these properties are disregarded from the following assessment of environmental effects and are considered in my Section 95E assessment below at section 4.0.

Section 95D(c) – Effects Not Related to Matters of Discretion

Both applications are discretionary and therefore Council’s discretion is not limited.

Section 95D(d) – Effects of Trade Competition

There are no trade competition effects of relevance.

Section 95D(e) – Written Approvals

No written approvals have been submitted with either application.

3.3.2 Permitted Baseline

The Consent Authority has a discretionary power to disregard the effects of activities that are permitted by a rule in a national environmental standard or District Plan at several stages in the consideration of an application for resource consent. These stages are public notification in making an assessment for the purposes of Section 95A(8)(b) in deciding whether the activity will have adverse effects on the environment that are more than minor (Section 95D(a)(b)); for limited notification under Sections 95B(4) and (9) in deciding whether a person is an “affected person” (Section 95E(2)(a)); and under Section 104(1)(a) when considering the actual and potential effects of the proposed activity on the environment (Section 104(2)).

Notwithstanding the site's Passive Open Space zoning, the City Plan provides for a number of permitted activities within the Mauao Recreation Reserve Scheduled Site under Rule 13A.9.11. This includes 'camping grounds' which is defined in Chapter 3 of the City Plan as:

Any area of land used for the purposes of placing or erecting temporary living-places for occupation by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water-supplies, cookhouses, sanitary fixtures, or other premises and equipment, and includes the following:

The erection, construction, operation, maintenance and enhancement of the following activities:

- (a) *Tent and powered sites for campers and caravans;*
- (b) *Kitset awnings and mobile annexes;*
- (c) *Kitchen, Lounge and Dining buildings;*
- (d) *Laundry buildings;*
- (e) *Ablution blocks and changing rooms;*
- (f) *Managers accommodation;*
- (g) *Holiday units;*
- (h) *Carparking and internal vehicle and accessways;*
- (i) *Associated campground and holiday park furniture including playground and play equipment, seating, picnic tables, barbeques and shade-sails;*
- (j) *Administration buildings.*

Of relevance to this application is that this definition encompasses the proposed accommodation units (under item 'g').

Notably Rule 13A.9 requires that all activities within a scheduled site be undertaken in accordance with the applicable ODP. This is relevant to this application insofar as Appendix 13E identifies the number and location of the various buildings that are permitted within the Site. In this regard, the ODP provides for eight mobile accommodation units to be located in the vicinity of Site Numbers 87 to 91 and 107 to 110. These are identified by the number 10 in Figure 9.

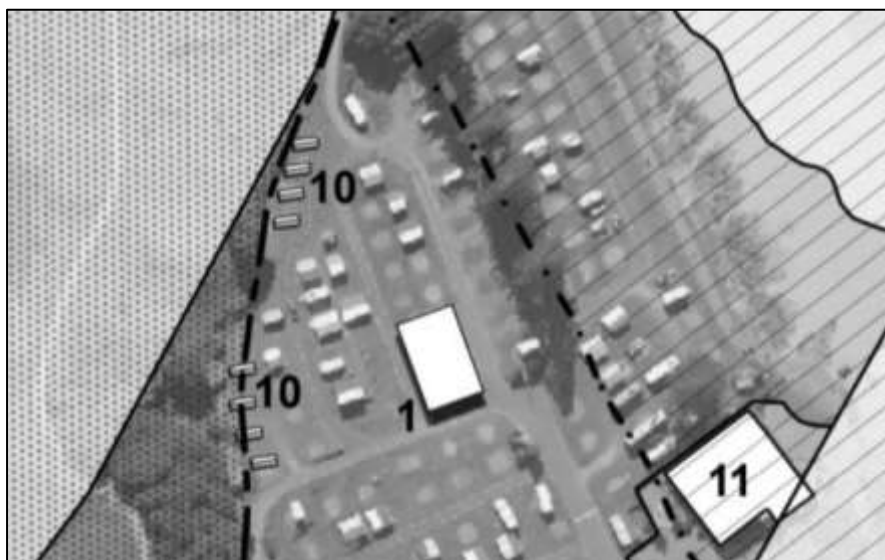


Figure 9: Extract of City Plan Appendix 13E: Mauao Recreation Reserve Scheduled Site – Outline Development Plan Showing Location and Number of Permitted MAUs.

In addition to the limitations on the number and location of buildings under Rule 13A.9, the permitted activity rules under 13A.9.12, which override the general provisions within Chapter 13, provide for MAUs to have a maximum permitted footprint of 24m² and a maximum height of 5.0 metres.

The rules include no limitation on the maximum number of caravans that can be parked on the site. Under these provisions the Camping Ground operator also has the ability to place caravans on the site on a permanent basis and make these available to members of the public for accommodation as a permitted activity. This forms part of the existing operations of the Camping Ground so is not a fanciful proposition.

Additionally, it is appropriate to disregard the effects of the subject sites being permanently occupied by caravans on the basis that this is both permitted by the applicable City Plan rules and is not fanciful given that it forms part of the activities already undertaken by the Camping Ground operator. The visual and landscape effects of the difference between a caravan and the proposed accommodation units will be considered.

The rules include no limitation on the maximum number of individual camp sites. Any demand on Council's infrastructure (including trip generation and vehicle movement effects) can be disregarded as part of the existing lawfully established receiving environment. Each camping site will continue to be provided with its own allocated car parking space, and the proposal does not increase maximum occupancy capacity.

When the permitted baseline is applied the effects of the following activities are left to be considered:

- Cultural effects on groups (considered under Section 4.0 of this report for the purposes of the Section 95E affected persons/groups assessment).
- Landscape and visual effects associated with:
 - Built form of the proposed accommodation units relative to permanent occupancy by caravans on campsites 61, 1 (to make total of two units on this site), 7, 15, 16, 16a and 17.
 - Difference in built form and associated effects from the proposed basic MAUs being located on consented campsites 87, 91, 15, 97, 96, 70 and 71 authorised under RC27789 to campsites 14, 1, 125, 124, 123, 113 and 114.
- Cumulative effects.

3.3.3 Landscape and Visual Effects

The Applicant has provided an assessment of the actual and potential landscape and visual effects on the environment at section 4.3 (pages 16) of the AEE. This assessment is primarily based on the conclusions contained within the specialist landscape and visual effects report submitted in support of the application, prepared by Momentum Planning & Design titled "Landscape and Visual Effects Assessment: For additional cabins at Mount Beachside Holiday Park" (LVEA), version 1 and dated 27 September 2023. A further specialist landscape and visual assessment was provided in response to a section 92 RFI in the form of an updated assessment taking in account changes in vegetation and screening since the original LVEA was produced in 2023. This document was also prepared by Momentum Planning & Design titled "Landscape and Visual Memo Vegetation and screening Assessment, version 1 and dated September 2025 (LV Memo).

It is noted that the assessments in both the AEE, the LVEA and LV Memo consider the effects from both the relocated MAUs (s127 Application) and the seven new MAUs (land use consent) together. For consistency and assessment this approach has also been undertaken here.

The LVEA identifies the primary viewing audiences as follows:

Public viewing audiences:

- Mauao boardwalks above western boundary of site (viewpoints A and B).
- Main beach boardwalk to north of site (viewpoint H).
- Pedestrian footpaths to southern boundary, at western end of Pilot Bay (viewpoint C).
- Views from the intersection of Adams Ave and Maunganui Road (eastern boundary of site) (viewpoint E).
- Views from the intersection of Adams Ave and Marine Parade (north-eastern corner of site) (viewpoint G).

Private viewing audiences:

- High-level views from the adjacent apartment buildings and short-term accommodation along Adams Ave (viewpoints D and F).

For the purposes of this assessment, the private viewing audiences (viewpoints 'D' and 'F') and associated landscape and visual effects have not been assessed here as these relate to 'adjacent sites' and are considered at section 4.0.

Following the Council section 92 requests an additional public viewing viewpoint or viewing audience was added 'CA' as noted in section 4.0 of the LV Memo.

For an illustration of the viewpoints, refer Figure 10 below.

Sections 8.1 (on pages 20 to 29) of the LVEA Report provides a comprehensive assessment of the proposal's¹ potential landscape and visual effects with an updated assessment in relation to each viewpoint at section 4 (on pages 5 to 21) of the LV Memo. The Applicant has confirmed that these assessments have been prepared in line with *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines*, which remains current best practice. Confirming that the use of the NZILA 7-point rating scale alongside guideline principles continues to be appropriate and consistent with contemporary assessment standard.

With respect to the permitted baseline, the LVEA notes that:

2.5m wide and 5-7m long and between 3-3.5m in height, is approximate sizes for larger caravans that visit the site.

The existing and proposed cabins are a maximum of 2.8m wide, 7.5m (+ 1.5m patio) long and 3-3.5m in height, therefore comparable in size.

There is no limit on how long each site can be occupied for, as such, theoretically all sites could be fully occupied under the consented baseline scenario at any time of the year. From a bulk and location, and site coverage perspective, this would result in much of the continuous open space qualities of the site being reduced to those areas outside of the sites (i.e. carriageway of internal roads). This scenario plays out in the summer months, when the Holiday Park is fully occupied.

In terms of physical landscape effects, the LVEA concludes that:

The new cabins are not piled into the ground, and simply sit on top of natural ground level on a level site. Given that the sites are already established and level, there are no earthworks associated with benching out new sites, with the exception of some minor trenching associated with services, including power and services. Given the above, and that the cabins will be located on already highly modified land, which has been subject to terracing and compaction over time, physical landscape effects on the site are assessed as very low and consistent with the existing pattern of development across the campground, which includes cabins. It is also important to note that the cabin locations are free of any significant vegetation.

With respect to the various public viewing points identified, the specialist assessments conclude that the cabins are appropriately absorbed within the Holiday Park landscape through a combination of existing vegetation, new planting, and the surrounding campground context. With the recommended planting implemented, landscape and visual effects will remain at a very low level, reinforcing the role of vegetation as a means of screening and integration in this setting.

The additional mitigation planting that has been recommended is in the form of a Pohutukawa Tree to screen the MAU on campsite 17 along with two *Pittosporum Crassifolium*. This mitigation has been offered by the Applicant in the section 92 response.

Given the above and the assessment conclusions contained within the LVEA and LV Memo, it is considered reasonable to conclude that the actual or potential landscape and visual effects on the environment will be less than minor.

¹ Both the section 127 application and land use consent



Figure 10: Viewpoint and Cabin Location Plan (source: page 6 of LV Memo)

3.3.4 Cumulative Effects

The applicant has provided an assessment of the potential cumulative effects of adding seven additional MAUs to the existing consented 30 units at the campground. The key conclusions of their assessment are:

- Any potential cumulative effects are limited to visual effects; intensity effects such as noise, traffic, and activity are not expected to increase, as the total number of sites on the campground remains unchanged.
- The campground is historically and lawfully established, and the presence of camping activities and structures is part of the existing visual and social environment.
- The seven new MAUs are designed to be visually cohesive with the existing units, are small in scale, and are located on sites previously occupied by caravans, minimising additional built-form effects.
- The addition of seven MAUs is not considered to result in an adverse cumulative visual effect on the landscape and environment.

- Overall, the cumulative effects of the seven new MAUs are considered acceptable and less than minor.

Having reviewed the assessment and the proposed design and siting of the additional units within the landscape context, I concur with the Applicant that the cumulative effects will be less than minor.

3.3.5 Conclusion on Adverse Environmental Effects

Public notification is **not required** under Step 3 and Section 95A(7) on the basis that the application does not meet the criteria contained within Section 95A(8).

3.4 Step 4 – Public Notification in Special Circumstances

If public notification is not required under Steps 2 or 3 it must be determined whether special circumstances exist that warrant public notification of an application.

Do special circumstances exist that warrant public notification?	No
--	----

Consideration has been given to the existence of any special circumstances that might warrant public notification. “Special circumstances” have been considered by the Courts and it is widely held that to be considered “special”, the set of circumstances would need to be unusual and exceptional but may be less than extraordinary or unique.

As I understand it, the main consideration that should determine whether special circumstances exist with respect to giving notification, is whether public notification (as opposed to limited notification) might elicit additional information which would inform the decision.

In this case, the effects of the applications are well understood, and it is considered that there are no special circumstances that would warrant public notification.

3.5 Conclusion on Public Notification

Having followed the steps within Section 95A it is concluded that public notification of the application is not required on the basis that:

- Under Step 1, public notification is not mandatory on the basis that the application does not meet any of the criteria contained within Section 95A(3);
- Under Step 2, public notification is not precluded on the basis that the application does not meet any of the criteria contained within Section 95A(5);
- Under Step 3, public notification is not required on the basis that:
 - In accordance with Section 95A(8)(a) the application is not subject to a rule within the District Plan that requires public notification;
 - In accordance with Section 95A(8)(b), having carried out an assessment of the application in accordance with s95D, it has been concluded that the application will not result in adverse effects on the environment that are more than minor.
- Under Step 4, it has been determined that there are no special circumstances that exist that warrant the public notification of the application in accordance with Section 95A(9).

4.0 Limited Notification – Section 95B

If public notification of the application is not required under Section 95A, Section 95A(9)(b) of the RMA requires that the consent authority determine whether limited notification of the application is required pursuant to Section 95B.

Under Section 95B, the Council must undertake a step-by-step process to determine whether limited notification of an application is required or precluded in certain circumstances. The following is an assessment of the Proposal against these provisions of the RMA.

4.1 Step 1 – Mandatory Limited Notification to Certain Affected Groups and Affected Persons

Limited notification of an application of a resource consent to certain groups and persons is mandatory under Section 95B(4) if it meets any of the following criteria contained within Section 95B(2) and (3):

Are there any affected protected customary rights groups (refer to Section 95F)?	No
Are there any affected customary marine title groups with regard to a consent application for an “accommodated” activity as defined in the Marine and Coastal Area (Takutai Moana) Act 2011 (refer to Section 95G)?	No
Is the proposed activity on or adjacent to, or could it affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11?	Yes
If the land affects or could affect land that is subject to a statutory acknowledgement, is the person(s) to whom the statutory acknowledgement is made an affected person under Section 95E?	No – see assessment below

There are no customary rights groups, customary marine title groups relevant to the application.

The site is adjacent to the following Statutory Acknowledgements that relate to the adjacent coastline and are listed within Acts contained within Schedule 11:

- OTS-075-015 – Waitaha – Coastal Marine Area from Maketu to Mauao (City Plan Appendix 2A.3).

Having considered this Statutory Acknowledgement, the nature of the proposed activities and its separation from these areas it is concluded that there are no affected persons on the basis that the proposed activity will have no affect on this area or their acknowledged values and associations. In addition, Te Kapu o Waitaha has been provided the applications for comment. Their feedback is noted in section 1.4.4 above.

Limited notification is **not required** under Step 1 and Section 95B(4) on the basis that the application does not meet the criteria contained within s95B(2) or (3).

4.2 Step 2 – Limited Notification Precluded in Certain Circumstances

If none of the persons or groups in Sections 95B(2) to (4) are affected, then Section 95B(5) precludes the limited notification of an application if it meets either of the following criteria contained within Section 95B(6):

Are all activities subject to a rule or national environmental standard that precludes limited notification?	No
Is the application for a controlled activity, but no other activities, that requires consent under a district plan (other than a subdivision of land)?	No

Limited notification is **not precluded** under Step 2 and Section 95B(5) on the basis that the application does not meet the criteria contained within Section 95B(6).

4.3 Step 3 – Certain Other Affected Persons Must be Notified

If an application does not meet the criteria in Section 95B(6), then Council is required to consider the provisions in Section 95B(7) and (8) to determine whether other persons are affected (in terms of Section 95E) and therefore must be notified in accordance with Section 95B(9) of the RMA.

Section 95E(1) of the RMA states that a person is an “affected person” if the consent authority decides that the adverse effects of the activity on a person are minor or more than minor (but are not less than minor).

4.3.1 Assessment of Affected Persons – Matters That Must Be Disregarded

When deciding, for the purpose of Section 95B(8), whether a person is an affected person in accordance with Section 95E, Council:

- a) May disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect;
- b) Must, in the case of controlled or restricted discretionary activities, disregard an adverse effect on the person if the effect does not relate to a matter over which a rule or national environmental standard reserves control or restricts discretion;
- c) Must have regard to every relevant statutory acknowledgement.

Additionally, Section 95E(3) specifies that a person is not an affected person if they have given and not withdrawn written approval for the activity.

These matters are addressed as follows.

Section 95E(a) – Permitted Baseline

As discussed in section 3.3.2 of this report a permitted baseline has been identified and utilised for the assessment of actual and potential effects.

Section 95E(b) – Effects Not Related to Matters of Discretion

Both applications are discretionary and therefore Council’s discretion is not limited.

Section 95E(c) – Statutory Acknowledgements

The only relevant statutory acknowledgement has been addressed in section 4.1 of this report and in summary, it has been concluded that there are no affected persons in this regard.

Section 95E(3) – Written Approvals

No written approvals were provided with the application therefore no persons must be disregarded in this respect.

4.3.2 Section 95E Assessment of Affected Persons

The assessment of adverse effects in Section 3.3 of this report did not directly address the potential effects on the owners and occupiers of the ‘adjacent properties’ identified in Figure 3. Cultural effects on iwi groups have also been excluded from that section and are instead assessed separately below.

It is noted that the assessments in both the AEE, the LVEA and LV Memo consider the effects from both the relocated MAUs (s127 Application) and the seven new MAUs (land use consent) together. For consistency and assessment this approach has also been undertaken here.

Adjacent Sites:

- 1 Adams Avenue – Mauao
- 1 Marine Parade (multistorey apartment complex with commercial at ground floor to the east of site across Adams Avenue)
- 3 Manganui Road (three storey resort to the east of site across Adams Avenue)

- 16 Adams Avenue (three storey Hot Spot resort with commercial at ground floor to the east of site across Adams Avenue)
- 6 Adams Avenue (three storey residential apartment building to the east of site across Adams Avenue)
- 4 Adams Avenue (single residential dwelling to the east of site across Adams Avenue).
- 2 Adams Avenue (two storey residential townhouse complex to the east of site across Adams Avenue).

Groups

- Mauao Trust – Representing Ngai Te Rangi, Ngāti Ranginui, and Ngāti Pūkenga
- Ngāi Tukairangi
- Ngāti Kuku

An assessment of the proposal's adverse effects on the owners and occupiers of adjacent properties, as well as relevant groups, is provided below.

Actual and potential wider landscape and visual effects have been assessed in section 3.3.3 of this report and were considered to be less than minor. For the purposes of assessing effects on adjacent properties and groups, the viewpoints utilised for the wider landscape and visual assessment are also relevant, and those conclusions are relied upon here.

Two additional viewpoints, 'D' and 'F', were not included in the Section 95A assessment as they were taken from private adjacent properties at 16 Adams Avenue and 1 Marine Parade. As noted above, the other viewpoints considered in the landscape and visual assessment are relevant to both the wider environment and adjacent properties for the purposes of Section 95E.

The LVEA and LV Memo assessed the landscape and visual effects from viewpoints D and F. The following key assessment conclusions were noted:

- With respect to viewpoint D (16 Adams Avenue), there are clear views to proposed cabins on sites 1, and 13-17 from the upper floors of 1 Marine Parade. Some screening and filtering from mature trees exist. The existing view from these apartments would be characterised by a combination of vacant open space and permanent caravans in the colder winter months, and tents and caravans in the warmer spring, summer and autumn months.
- Although the addition of new cabins in this location creates a minimal change in character, as a result of alternative built form being introduced, more than half of the sites in this central elevated plateau within the campground will remain as flexible camp sites, for tents, caravans and motor homes. An appropriate balance is therefore maintained. Further, the proposed cabins are in keeping with the existing cabins on site, which ensures consistency across the holiday park.
- Effects on this private view shaft (viewpoint D) are assessed as very low.
- With respect to viewpoint F (1 Marine Parade), clear views into all proposed cabin sites are available from upper floors.
- In terms of bulk and location of the proposed cabins, in comparison to caravans or motorhomes on site, there is very little difference. As such, from a bulk and location perspective, and given that these sites have the potential to be fully occupied all year round, the proposal is consistent with what is anticipated.
- From a visual character perspective, the cabins do have a slightly different permanent character. This change in character profile in this location is not considered adverse, given that the bulk and location remain consistent with the consented baseline. Further, the new cabins integrate with the existing cabins on site.
- The primary amenity views from these apartments are not down into the holiday park, they are eastward over the site, up towards Mauao, being a recognised outstanding natural feature landscape, south towards Pilot Bay, and north over Mount Maunganui Main Beach.
- For the above reasons, effects are assessed as very low.

Given the conclusions of the technical experts with respect to landscape and visual effects, which I have adopted for the purposes of this assessment, it is considered reasonable to conclude that the actual and potential adverse and visual effects on the adjacent properties and groups will be less than minor.

With respect to cultural effects, the AEE has provided an assessment of the actual and potential adverse cultural effects on iwi groups as identified above at section 4.4 (pages 17-18) of the AEE. Actual and potential effects on Te Kapu o Waitaha have been assessed at section 4.1 of this report and are not further considered here.

Consistent with Policy IW2B of the Bay of Plenty Regional Policy Statement, which recognises that only tangata whenua can substantiate their relationship with ancestral lands, water, sites, wāhi tapu, and other taonga, the applicant has adopted the position that any actual or potential adverse cultural effects on iwi groups with an interest in the area are considered to be minor or more than minor. This conclusion is based on the feedback received from the identified hapū of Ngāti Kuku and Ngāi Tukairangi, who have confirmed that the applications in their current form are not supported. No cultural effects or values assessment or impact statement has been provided by these groups.

With respect to the Mauao Trust, feedback received through the TCC Consultation with Tangata Whenua on Resource Consent Applications Policy (11 July 2006) process indicates that the current applications are not supported. Ngāi Tukairangi also provided feedback through this process (outside the timeframes stipulated) noting that they should have been heavily involved in this process. No cultural effects or values assessment or impact statement has been provided by either the Mauao Trust or Ngāi Tukairangi.

Given the feedback received to date, and the conclusions drawn by the applicant in the AEE with respect to cultural effects, and in lieu of any cultural effects/values assessment or impact statement provided by the iwi groups, it is considered reasonable to conclude that the actual or potential adverse cultural effects on Ngāti Kuku, Ngāi Tukairangi, and the Mauao Trust will be minor or more than minor.

4.3.3 Conclusion on Affected Persons

Having carried out an assessment of the application in accordance with Section 95E, it is concluded that the following iwi groups are affected persons on the basis that the activity has the potential to result in adverse effects on them that are not less than minor:

- Ngāti Kuku
- Ngāi Tukairangi
- Mauao Trust – (representing Ngai Te Rangi, Ngāti Ranginui, and Ngāti Pūkenga)

Limited notification is therefore **required** under Step 3 and Section 95B(9) on the basis that the application meets the criteria within Section 95B(8).

4.4 Step 4 – Further Notification in Special Circumstances

If limited notification is not required under Steps 1, 2 or 3 it must be determined whether special circumstances exist that warrant limited notification of an application.

Do special circumstances exist that warrant limited notification?	No
---	----

In accordance with Section 95B(10), the a consent authority must determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under Section 95E as not being affected persons).

In this case, the effects of the Proposals are well understood, and it is considered that there are no special circumstances that would warrant limited notification.

4.5 Conclusion on Limited Notification

Having followed the steps within Section 95B it is concluded that limited notification of the application is required on the basis that:

- Under Step 1, limited notification is not required under Section 95B(4) on the basis that the application does not result in any affected customary rights groups or customary marine title groups (Section 95B(2)); or affected persons in relation to statutory acknowledgements (Section 95B(3));
- Under Step 2, limited notification is not precluded on the basis that the application does not meet either of the criteria contained within Section 95B(6);
- Under Step 3, limited notification is required on the basis that the activity's adverse effects are greater than less than minor and therefore there are affected persons;
- Under Step 4, it has been determined that there are no special circumstances that exist that warrant the limited notification of the application in accordance with Section 95B(10).

5.0 Summary and Recommendation on Notification of Resource Consents

Having assessed the applications in accordance with the steps contained within Section 95A and Section 95B of the RMA, for the reasons provided within sections 3.0 and 4.0 of this report it is recommended that these applications be processed on a limited notified basis.

This recommendation is made by:

s 7(2)(f)(ii)

Date: 14 October 2025

6.0 Decision on Notification of Resource Consents Under Delegated Authority

Having reviewed this report, I concur with the Reporting Officer's recommendation to process this Application for resource consent on a **limited notified basis** for the reasons set out within sections 3.0 and 4.0 of this report.

Based on the information provided and available to me, it is concluded that the activities proposed within the applications will result in adverse effects on the cultural values and associations that Ngāti Kuku, Ngai Tukairangi, and the Mauao Trust hold for Mauao that are not less than minor.

This decision is made under delegated authority delegated to me by Tauranga City Council in accordance with resolution CO9/21/4:

s 7(2)(f)(ii)

Date: 15 October 2025