

Ref: CORD-1527

Duncan Campbell
Taupō District Council
duncancampbellbythesea@gmail.com

25 September 2026

Tēnā koe Duncan

Five Mile Bay, Taupō - Public Reserve

Thank you for your letter to the Minister of Conservation dated 16 August 2026 about Five Mile Bay, Taupō - Public Reserve. Your letter has been referred to the Department for reply.

You have questioned who is responsible for securing compliance when the administering body of a vested reserve fails to perform its obligations under the Reserves Act 1977.

Te Kotahitanga o Ngāti Tūwharetoa (TKNT) was established as the administering body under the Ngāti Tūwharetoa Claims Settlement Act, and therefore the Minister of Conservation's normal powers to revoke a vesting do not apply. They cannot be removed as administering body under the Reserves Act, including for any failure to comply with duties under the Reserves Act.

The powers available to the Minister and the Department depends on the statutory function being exercised. The Reserves Act does not provide a general power enabling the Department to assume management of a vested reserve solely because concerns are raised regarding compliance.

Regarding your other questions, please see the responses below:

We have no records of an application for extension being received under section 41(2) of the Reserves Act.

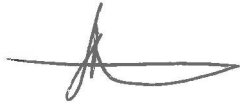
The Reserves Act places the obligation to prepare and review reserve management plans upon the administering body. In the case of vested reserves, responsibility for fulfilling that duty rests with the administering body itself rather than with the Department.

While it is incumbent on TKNT to comply with their Section 41 Reserves Act obligations, in the absence of them doing so, while it is our role to remind them, we do not hold coercive powers.

The Act does not contain a specific enforcement mechanism compelling preparation of a management plan within the statutory timeframe. Consequently, accountability may ultimately only be tested through established administrative law processes.

Thank you for taking the time to write.

Nāku noa, nā

A handwritten signature in dark ink, consisting of a stylized 'D' followed by a horizontal line and a small flourish.

Damian Coutts
Director Regional Operations
Central North Island Operations Region, Regional Operations
Department of Conservation
Te Papa Atawhai