

Angler access in the lower Tongariro River.

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This is an issue which is raised regularly by anglers. The intent of this paper is to provide some clarity on the situation.

The access in the lower river is complex, due to the patchwork of land parcels and the way historical primary legislation sought to secure access. In addition, recent Treaty of Waitangi settlement processes have added further complexity, which continues to play out at this point in time.

Broadly speaking, access for licenced anglers in the Taupo Fishery district is provided for by way of legislation. The Māori Land Claims and Māori Land Adjustments Act 1926 decreed that a right of way would exist for all licenced anglers across Māori land adjacent to the Tongariro River and other tributaries draining into Lake Taupō. This was achieved by the inclusion of an easement on the title for each block of land.

However, there are a series of blocks of land between Downs Pool and Poplar Pool on the true right bank of the Tongariro downstream of Grace Road that were under European or common title (not Māori title) in 1926, and therefore outside the scope of the Act. These blocks did not qualify for easements, so there was no legal right of way established for licenced anglers over this land. A title search confirms this remains the case.

Downstream of the Poplar Pool, the angler right of way continues all the way to the mouth and can be accessed by boat from the delta.

The situation is further complicated by the existence of a paper road, which many people believe provides a right of access. From a legal perspective, the road parcel does not follow a formed track and in some places is now inundated by the River. Therefore, the old paper road is currently inaccessible, and even if the paper road did allow for access, it runs some distance away from the river, and there is no legal right of access across the private land between the paper road parcel and the river. The intent of the paper road was presumably to provide access to the delta of the river rather than the lower river itself.

On the true left side of the river there is an extensive parcel of land administered by Land Information NZ which runs from the end of Awamate Road to the delta, and the angler ROW exists on this parcel. However, between this point and the old Swirl Pool area at Kohineheke Reserve (previously Crescent Reserve) the situation is far from clear. Kohineheke Reserve is currently under a Treaty Settlement process which will see the land ownership pass from Crown ownership to local whanau. This is part of the 1998 Turangitukua claim, and the land transfer is close to being enacted.

As part of this process the issues around public rights of access are still to be determined, and the Fishery Management team have not been inclined to attempt to progress access conversations whilst this process is underway.