

Gavin Finch

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Sent: Thursday, 22 February 2024 10:09 am
To: S 9(2)(a)
Cc: Gavin Finch; Tony Quirk-8077
Subject: Access to Ferny Gair Conservation Area adjoining S 9(2)(b)(ii) property

Ata mārie S 9(2)(a)

Just following up on your email below – did you receive the survey from Tony Quirk at MDC and do you, S 9(2)(a) have any thoughts on how we might move forward on this given there is clear legal access leading to the Ferny Gair Conservation Area?

Ngā mihi
Ange



Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor
S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.



From: S 9(2)(a)
Sent: Thursday, November 30, 2023 8:34 AM
To: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Subject: FW: Building on Unformed Legal Road - S 9(2)(b)(ii)

Hello Ange

We act for S 9(2)(b)(ii)

We have been forwarded your email below. We will take instructions from S 9(2)(a) and respond shortly.

You mentioned there has been some survey work undertaken to ascertain the entranceway of the Teme. Do you have any survey plans in respect of that or plans that show the other areas in question (other than the plan attached to your email).

Regards,

S 9(2)(a)

s 9(2)(a)

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Sent: Wednesday, November 22, 2023 4:28 PM

To: S 9(2)(a)

Cc: Jennifer James <jjames@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>; Tony Quirk 0077 <Tony.Quirk@marlborough.govt.nz>

Subject: RE: Building on Unformed Legal Road - S 9(2)(b)(ii)

Kia ora S 9(2)(a)

I am following up on my email of 30/10. I am the regional field advisor to Herenga ā Nuku and as such am aware that there is significant public interest in identifying marginal strip and legal road parcel adjoining your land which provide legal access to the Ferny Gair Conservation Area.

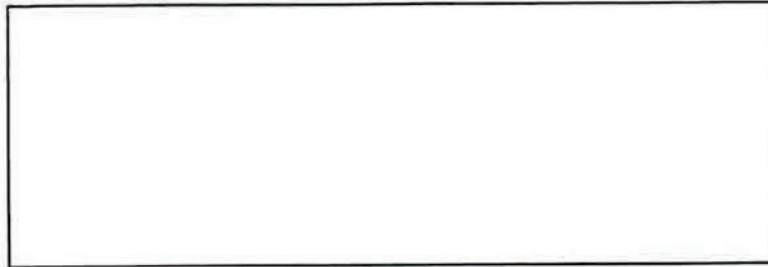
Marlborough District Council (MDC) has recently confirmed by survey legal access adjoining the entrance to your property and, as I understand, will work with you and DOC to install a gate in the fenceline and ensure signage is erected.

MDC has also confirmed the building on legal road has no consent – likely this is a pole shed exempt from a building consent but it's location on public road makes it illegal. See pink area in attached map clip (note also green areas are Crown land managed by DOC, purple areas are road parcels managed by MDC and blue areas are river bodies).

The next step for all parties is to mark out the access along the road parcel and marginal strip to ensure the public remain on public land. DOC has previously investigated this and concluded it is achievable. Although it is clear it is possible to legally access the Ferny Gair by marginal strip and road, we would like to work with you on this. I suggest that all parties meet in the next few weeks so please let me know your availability and we can go from there.

Nā ā mihi
Ange

I work part-time and variable hours, and will respond to enquiries as soon as possible.



From: Ange van der Laan

Sent: Monday, October 30, 2023 12:16 PM

S 9(2)(a)

To: Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>;

S 9(2)(a)

Cc: Jennifer James <jjames@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>

Subject: RE: Building on Unformed Legal Road - S 9(2)(b)(ii)

Hi S 9(2)(a)

I'm away until 10/11 but will get in touch with you after that to discuss.

In the meantime, hope you enjoy some fantastic weather.

Regards

Ange

I work part-time and variable hours, and will respond to enquiries as soon as possible.



From: Bridget McCulloch-8127 <Bridget.McCulloch@marlborough.govt.nz> **On Behalf Of** Tony Quirk-8077

Sent: Friday, October 27, 2023 11:20 AM

To: S 9(2)(a)

Cc: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Subject: Building on Unformed Legal Road - s 9(2)(b)(ii)

Attached is an aerial print which has a blue circle outlining a building that sits on unformed legal road.



Herenga ā Nuku (Walking Access) has been working with DOC to identify public access to the Ferry Gair conservation area.

As part of that they see the building as a barrier to local public access along the road.

We are unsure what the nature of the building might be. We have been unable to find any reference to a Licence to Occupy the road.

The Herenga ā Nuku field advisor acknowledges that the building may not impede public access, but it may need the landowner to work with the organisation and DOC to ensure there is practical alternative access.

We ask that you liaise with the field advisor about the issue.

We have copied her into this email, so you have her contact details.

Thanks

Tony Quirk
District Secretary



Phone: 03 520 7400 | DDI: S 9(2)(a)
15 Seymour Street, PO Box 443
Blenheim 7240, New Zealand
tony.quirk@marlborough.govt.nz
www.marlborough.govt.nz

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From: [Gavin Finch](#)
To: [Roy Grose](#)
Subject: RE: The Teme Access
Date: Wednesday, 22 November 2023 11:13:29 am
Attachments:

Thanks Nic, Yes, we have been dealing with Ange and MDC, very tricky situation, but in hand.

Thanks

Gavin

From: Roy Grose <rgrose@doc.govt.nz>
Sent: Wednesday, November 22, 2023 11:10 AM
To: Gavin Finch <gfinch@doc.govt.nz>
Subject: FW: The Teme Access

Kia ora Gavin,

I am presuming that you have this in hand and at this stage there is no further action required for Roy/me??

Ngā mihi nui,

Nic

(Acting Director)

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Sent: Wednesday, November 22, 2023 11:00 AM
To: Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>; Jennifer James <jjames@doc.govt.nz>; Roy Grose <rgrose@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>
Subject: RE: The Teme Access

Kia ora koutou

Tony – this case is generating a bit of interest at the moment so very timely.

As has been previously determined by DOC using a handheld GPS, legal access is possible up to where the legal road ends along the Teme River – from there it is a half hour walk into the Ferny Gair Conservation Area. From previous correspondence on this matter it is clear that DOC has articulated a desire to ensure this access is available and obvious to the public. See attached notes. The recent survey MDC commissioned has provided certainty on public land adjoining the entrance of [S 9\(2\)\(b\)\(ii\)](#) property.

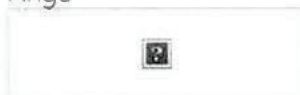
However, further action is required to ensure public access to the Ferny Gair is unimpeded by the adjoining landowner. Because access will require use of both road parcel (managed by MDC) and marginal strip (managed by DOC) it is important that MDC continues to work with DOC and Herenga Nuku to:

- ensure the identified entrance access is implemented
- identify the road beyond the entrance
- reinforce the public's rights to use the road
- manage issues, if any, with the adjoining landowner.

We all have a role to play in ensuring the public can safely gain access over public land to public land and by presenting a united front, can likely achieve greater gains.

Ngā mihi nui

Ange



Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor
[S 9\(2\)\(a\)](#)

I work part-time and variable hours, and will respond to enquiries as soon as possible.



From: Bridget McCulloch-8127 <Bridget.McCulloch@marlborough.govt.nz> **On Behalf Of** Tony Quirk-8077

Sent: Thursday, November 16, 2023 10:27 AM

To: 'jjames@doc.govt.nz' <jjames@doc.govt.nz>; 'rgrose@doc.govt.nz' <rgrose@doc.govt.nz>; 'gfinch@doc.govt.nz' <gfinch@doc.govt.nz>; Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Subject: The Teme Access

I refer to my email of 26 September, copy attached.

I am waiting for confirmation that your organisations understand Council's position hence any communication is sent to the owner from Council.

Thanks

Tony Quirk

District Secretary



Phone: 03 520 7400 | DDI: **S 9(2)(a)**

15 Seymour Street, PO Box 443

Blenheim 7240, New Zealand

tony.quirk@marlborough.govt.nz

www.marlborough.govt.nz

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From: [Bridget McCulloch-8127](#) on behalf of [Tony Quirk-8077](#)
To: [Jennifer James](#); [Roy Grose](#); [Gavin Finch](#); "[ange.vanderlaan@herengaanuku.govt.nz](#)"
Subject: The Teme Access
Attachments: [image001.jpg](#)

Some months ago [S 9\(2\)\(a\)](#) prepared a letter to be sent to the landowner. The letter required the landowner to open up the fence across the public road. It suggested that unlocked gates maybe accepted if accompanied by signage.

That aligns with any duty Council has.

For those wanting to use the accessway further up, it is really up to DOC and Herenga ā Nuku to help should they wish. In our view Council will have done what it can fairly be expected to do, but one would like to think the landowner maybe compliant and helpful, but if not then further action can then be taken as indicated some time ago.

I am just wanting the organisations to understand Council's position before any letter is sent to the owner.

We don't want expectations to be held that go beyond what Council is prepared to deal with.

Tony Quirk
District Secretary



Phone: 03 520 7400 | DDI: [S 9\(2\)\(a\)](#)
15 Seymour Street, PO Box 443
Blenheim 7240, New Zealand
tony.quirk@marlborough.govt.nz
www.marlborough.govt.nz

Released under the Official Information Act

From: Roy Grose <rgrose@doc.govt.nz>
Sent: Friday, September 8, 2023 8:39 AM
To: Gavin Finch <gfinch@doc.govt.nz>; Jennifer James <jjames@doc.govt.nz>
Cc: Helen Price <hprice@doc.govt.nz>; Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>
Subject: FW: The Teme

Morning Gavin and Jen,

Can you please urgently check out this situation where I believed this survey account was done and dusted and paid in full.? Please advise Tony of the outcome and I would be disappointed if our Accounts team has not processed it as instructed? Thank you.Roy

From: Bridget McCulloch-8127 <Bridget.McCulloch@marlborough.govt.nz> **On Behalf Of** Tony Quirk-8077
Sent: Friday, September 8, 2023 8:09 AM
To: Roy Grose <rgrose@doc.govt.nz>
Cc: Sonja Greenhill-5334 <Sonja.Greenhill@marlborough.govt.nz>
Subject: The Teme

Attached is an invoice issued back on 29 June which I am told is still outstanding.

I wonder if there is some reason for non-payment.

Sorry to trouble you Roy.

Thanks

Tony Quirk
District Secretary



**MARLBOROUGH
DISTRICT COUNCIL**

Phone: 03 520 7400 | DDI: S 9(2)(a)

15 Seymour Street, PO Box 443

Blenheim 7240, New Zealand

tony.quirk@marlborough.govt.nz

www.marlborough.govt.nz

Helen Price

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Sent: Friday, 28 July 2023 1:54 pm
To: S 9(2)(a) Tony Quirk-8077
Cc: Jennifer James; Roy Grose
Subject: RE: THE TEME ACCESS

Kia ora koutou

Thank you for your email and brief to address obstruction of unformed legal road leading to the Teme River/Ferny Gair Conservation Area. Herenga ā Nuku is pleased to support MDC and DOC in endeavours to ensure public access along the ULR leading to Ferny Gair Conservation Area is unimpeded.

It is apparent that, as the road continues there are other areas where the legal road parcel and formed track do not align. See area marked by red circle in the clip below for just one instance of this. Our file notes indicate that DOC has confidence in creating a track utilising ULR and marginal strip so I defer to their knowledge on the ground however, it would seem sensible to address all possible issues with ULR if the ultimate outcome is to facilitate unimpeded public access to the Ferny Gair.



With regard gates on roads, the Commission's "Guidelines for the Management of Unformed Legal Roads" includes clarification of situations where gates may be used on roads – refer S 6.3.1:

To manage, protect and contain livestock, a landholder may construct gates and cattle stops across unformed legal roads, but only with the council's written permission. Section 344 of the Local Government Act 1974 and the Gates and Cattle Stops Order 1955 provide for this. Any gates across a road must not be locked and a board with the words "Public Road" legibly printed must be affixed to each side of the gate.

Access the full publication here - <https://www.herengaanuku.govt.nz/assets/Publication/Files/ULR-Guidelinesfor-web.pdf>

Ngā mihi
Ange



Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor
S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.

From: S 9(2)(a)
Sent: Friday, July 28, 2023 12:36 PM
To: Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>
Cc: jjames@doc.govt.nz; rgrose@doc.govt.nz; Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Subject: THE TEME ACCESS

Good afternoon

Please find attached correspondence from S 9(2)(a)

Regards

S 9(2)(a)

RADICHLAW***
BARRISTERS AND SOLICITORS

Radich Law
21 Bells Road, PO Box 842, Blenheim, New Zealand
Tel: 64 3 577 8450 Fax: 64 3 577 8451
Website: www.radichlaw.co.nz

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From: S 9(2)(a)
To: Tony Quirk-8077
Cc: Jennifer James; Roy Grose; ange.vanderlaan@herengaanuku.govt.nz
Subject: THE TEME ACCESS
Date: Friday, 28 July 2023 12:36:32 pm
Attachments:

Good afternoon
Please find attached correspondence from S 9(2)(a)
Regards

S 9(2)(a)



Radich Law
21 Bells Road, PO Box 842, Blenheim, New Zealand
Tel: 64 3 577 8450 Fax: 64 3 577 8451
Website: www.radichlaw.co.nz

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RADICH*~~W~~LAW

BARRISTERS AND SOLICITORS

DATE: 28 July 2023

TO: Marlborough District Council

Attention: Tony Quirk

CC: 1. Department of Conservation

Attention: Jennifer James and Roy Grose

2. Herenga ā Nuku Aotearoa - the Outdoor Access Commission

Attention: Ange van der Laan

All by email

FROM: S 9(2)(a)

RE: THE TEME ACCESS

1. Tony, we have seen the latest correspondence.

2. We think that Councils role is to help sort out the obstruction on the S 9(2)(a) property. Once that fence is down and the public can move onto the route, we think that Councils duties and functions will have been discharged.

3. The use of the marginal strip was well known and accepted by DOC some years ago and as we understood it, Council was not involved in that aspect.

4. The draft letter we propose be sent to the landowner was approved by DOC but not by Herenga ā Nuku so far.

5. We think that Council should be focusing on dealing with the landowner and opening up the access by the removal of the fence. Once that has been achieved, we think that the ongoing issues with access further up are the concern of the Department and the Commission not Council.

6. Therefore, unless we hear from the Commission against sending out the letter to the landowner, we think you should send it out next week and then concentrate on getting the fence down and taking Councils involvement to an end.

Yours sincerely

S 9(2)(a)

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Peter Radich PARTNER
Solicitor

Miriam Radich PARTNER
Solicitor

Sarah Wadworth PARTNER
Solicitor

Rebecca Smith ASSOCIATE
Solicitor

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Sent: Friday, 28 July 2023 12:27 pm
To: Jennifer James <jjames@doc.govt.nz>; Roy Grose <rgrose@doc.govt.nz>
Cc: S 9(2)(a) Tony Quirk-8077
<tony.quirk@marlborough.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>
Subject: RE: THE TEME ACCESS

Kia ora Jenn

I have been advised that it is not a survey that is required, but the pegging out of boundaries using existing survey data specifically to identify marginal strip and UL.

Obviously, DOC and MDC are much better resourced than Herenga ā Nuku to fund such projects but we would be happy to consider a project proposal from you that includes scope, timeframe and cost (and who might contribute to these costs).

Look forward to further information.

Ngā mihi

Ange



Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor

S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.

From: Jennifer James <jjames@doc.govt.nz>
Sent: Tuesday, July 25, 2023 4:31 PM
To: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>; Roy Grose <rgrose@doc.govt.nz>
Cc: S 9(2)(a) Tony Quirk-8077 <tony.quirk@marlborough.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>
Subject: Re: THE TEME ACCESS

Kia ora Ange,

There are a few inconsistencies with the public road and the formed track on the ground.

We know of this part that appears to run alongside the private farm track and there is also a portion at the end that will have to drop into the river before reaching the PCL boundary.

Due to the long history of this access issue S 9(2)(g)(i) we want to be confident we have the precise coordinates to mark the route.

We have been advised to get the track surveyed professionally before marking it for public access.

Would Herenga a Nuku be willing to help fund this survey?

I have been trying to get hold of the Backcountry Trust to access potential support from them but are yet to establish communication.

We have a member of the public who is a professional surveyor, volunteer S 9(2)(a) time to survey the access in S 9(2)(a) spare time (if S 9(2)(a) can get official markings from the recent survey), however, this may take years to complete.

Appreciate your thoughts.

Regards,
Jenn

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Sent: Tuesday, July 25, 2023 2:40:21 pm

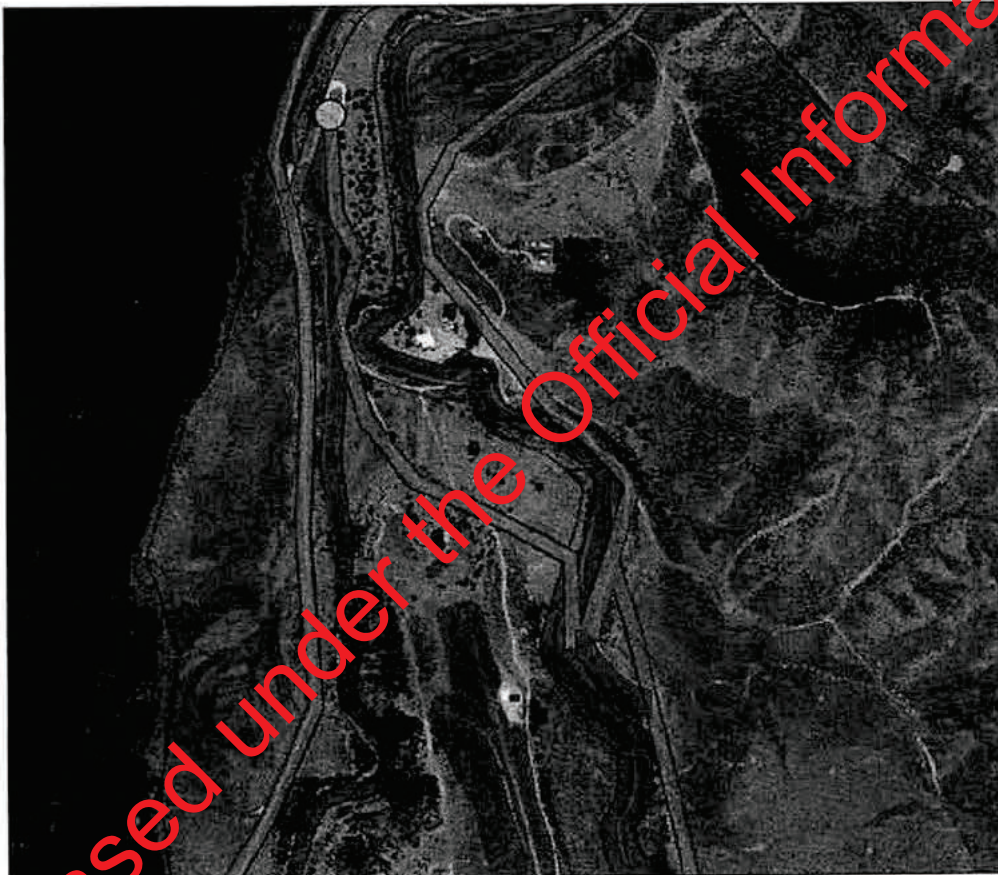
To: Roy Grose <rgrose@doc.govt.nz>; S 9(2)(a) Tony

Quirk-8077 <Tony.Quirk@marlborough.govt.nz>; Jennifer James <jjames@doc.govt.nz>

Subject: RE: THE TEME ACCESS

Kia ora Roy and Jenn

Great to see some action happening on this – I just wonder if there are issues with legal access on the east side of the Teme as it heads towards Ferny Gair. See the orange highlighted area in clip below where the formed track does not align with the legal road parcel. I understand from Penny's notes that access along the marginal strip is proposed but am not sure at what point this would start. In any case, I suggest we tidy up any legal access inconsistencies to avoid future issues.



Māori mihi

Ange



**Herenga
ā Nuku**
AOTEAROA

Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor

S 9(2)(a)

Helen Price

From: Roy Grose
Sent: Friday, 21 July 2023 1:57 pm
To: S 9(2)(a) Tony Quirk-8077; Jennifer James; ange.vanderlaan@herengaanuku.govt.nz
Subject: RE: THE TEME ACCESS
Attachments: 21072023100542-0001.pdf

Thank you, S 9(2)(a) The letter S 9(2)(a) drafted up looks fine from our DOC perspective. Regards and thanks. Roy

From: S 9(2)(a)
Sent: Friday, July 21, 2023 10:15 AM
To: Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>; Jennifer James <jjames@doc.govt.nz>; Roy Grose <rgrose@doc.govt.nz>; ange.vanderlaan@herengaanuku.govt.nz
Subject: THE TEME ACCESS

Good morning

Please find attached correspondence from S 9(2)(a)

Regards

S 9(2)(a)

RADICH*LLP
BARRISTERS AND SOLICITORS

Radich Law
21 Bells Road, PO Box 842, Blenheim, New Zealand
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RADICH LAW

BARRISTERS AND SOLICITORS

DATE: 21 July 2023

TO: 1. Marlborough District Council

Attention: Tony Quirk

2. Department of Conservation

Attention: Jennifer James and Roy Grose

3. Herenga ā Nuku Aotearoa - the Outdoor Access Commission

Attention: Ange van der Laan

All by email

FROM: S 9(2)(a)

RE: THE TEME ACCESS

1. We will now set out our understanding of the physical situation as it relates to the legal road. To do so we will refer to the Scope Surveying plan which overlays an aerial photograph.
2. The plan shows the legal road bounded by red lines. It shows that the legal road runs from the south-eastern area within the photograph northwards and then doubles back and heads in a south-westerly direction. The legal road is much wider than any formed accessway would need to be.
3. If a member of the public wishes to access the Ferny Gair Reserve they would need to go along the path of the legal road starting in the south-eastern corner of the photograph. They would then head northwards and then double back and head in a south-westerly direction.
4. However, if you look at the aerial photograph you will see that there is an obstruction in the form of a fence. That fence runs in a generally south to north direction and heads towards the boulder obstructions. There is no gate in that fence to the south of the boulder obstructions. Therefore, the way along the legal road is blocked by the fence. It is not blocked by the boulders alongside the gate to the north as these are on private property.
5. The ground conditions look to be stoney and we doubt whether any road formation would be required for access to be gained. What is required for access to be gained is the removal of the fence off the legal road. The whole of the fence may not need to be removed. It maybe enough for a gate to be put in place within the fence and to the south of where the boulders are situated.

S 9(2)(a)

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Rebecca Smith (Solicitor)

T: +64 3 477 8450 E: rebecca@radichlaw.co.nz

6. We think that the way forward is for Council to put the factual situation before the landowner and request engagement in the removal of the fence or at least the firming up of access by the placement of a gate of double gates in the fence line. Normally public roads are not able to be gated but a sensible outcome may be to overlook that technicality in the meantime and have gates without locks and signage indicating that the gates are able to be opened by the public.
7. A draft letter from Council is **attached**.

Yours sincerely

S 9(2)(a)



Released under the Official Information Act

S 9(2)(a)



DRAFT

MARLBOROUGH DISTRICT COUNCIL

[To the Landowner]

THE TEME ACCESS

The issue of access to the Teme and Ferry Gair needs to be resolved. Currently access along the public road is obstructed.

Council in conjunction with Department of Conservation and Herenga ā Nuku has commissioned a survey to determine the precise location of the public road.

Attached is a plan overlayed on an aerial photograph. This plan prepared by Scope Surveying has red lines showing the boundary of the legal road.

Currently, access along the legal road is obstructed by a fence running southwards from the gate where boulders are placed. The boulders are on private property.

Council, DOC and Herenga ā Nuku have duties to the public to allow physical access along legal roads.

We wish to engage with you to discuss the opening up of the fence which currently obstructs access along the legal road. It is not permissible for landowners to place gates across legal roads as of right but gates can in some situations be allowed. Our suggestion is that we look to establishing a double gate in the fence line. This gate could not be locked. There would need to be signage indicating that public access through the gates would be available. That would result in a situation where the public would be able to have practical access along the legal road.

May we please discuss these issues. The obstructions to access will have to be removed.

Yours sincerely

S 9(2)(a)

Notes

Horizontal Origin
Mark: IS X DP 319208
Marlborough 2000

Client
Marlborough District Council

Project Title
Section 4 Blk V Hodder SD
Terre Access - 715 Avon Valley Road
Wairarapa

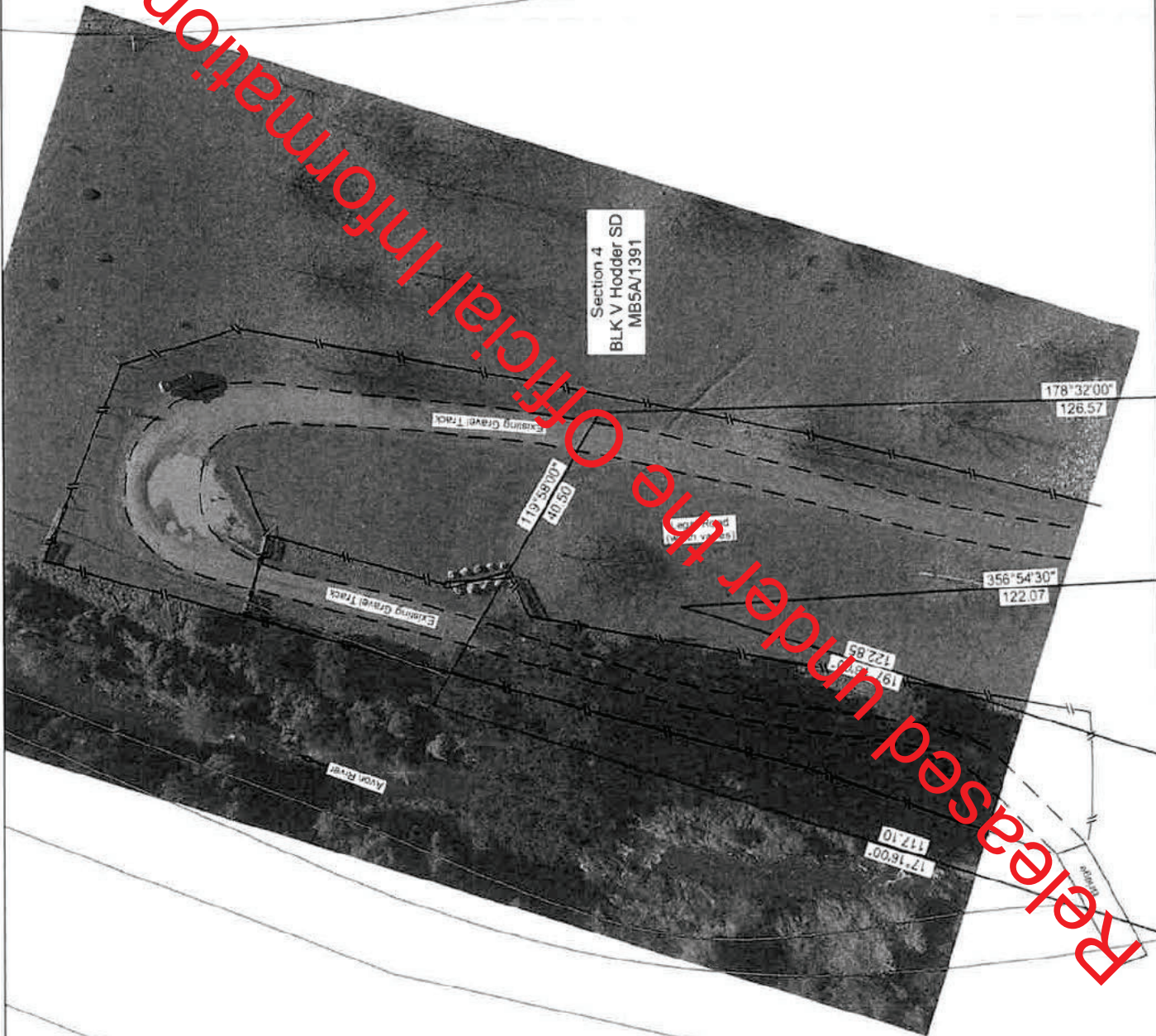
Sheet Title
Site Survey



7168 Seymour Street, Blenheim 7201
www.scope-surveying.co.nz
(03) 577 6755

Scale: 1:500
Paper Size: A3
Drawn By: BW

Date: Mon Jul 3 15:37:32 2023
Project No: 23076
Sheet No: 3201
Rev: A



Avon Valley Road

Gavin Finch

From: Jennifer James
Sent: Tuesday, 30 May 2023 11:37 am
To: S 9(2)(a)
Cc: Gavin Finch; Ray Bennett
Subject: FW: Teme Access

Kia ora S 9(2)(a)

Thank you so much for your generous offer -Ray and Gavin have passed on your message. I am the current Senior Ranger and have been tasked with the Teme-access project.
A professional survey of the route to DOC Land through The Teme will be a game changer for us. Lack of funding has made this the point where the project has stalled.

I am keen to talk with S in the next few weeks and happy to meet S onsite when S is available to support S with anything S may need.
We will need to give the landowner at least 1 weeks' notice of our presence due to current communications channels.

Thanks again,
Kind regards

Jenn

Jenn James

Senior Ranger – Recreation & Historic

Kaitiaki Matua - Ao Hākinakina & Ao Tuku Ihou

Wairau / Renwick Office

Phone: S 9(2)(a)

www.doc.govt.nz



Department of
Conservation
Te Papa Atawhai

From: S 9(2)(a)
Sent: Thursday, May 18, 2023 1:09 PM
To: Ray Bennett <rbennett@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>
Subject: Teme Access

Hi. S 9(2)(a) is a registered land surveyor at S 9(2)(a) here in Blenheim. If and when needed S has said S would be able to survey the poled route to go across S 9(2)(a) on the paper road once we are at that point. Just another wee bit that wont require funding to be approved when the time comes. Also Ray, if you ever have any survey questions, or would like a copy of a surveyed boundary feel free to ring. S 9(2)(a)

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Sent: Monday, 15 May 2023 3:30 pm

To: Jennifer James <jjames@doc.govt.nz>; S 9(2)(a)

tony.quirk@marlborough.govt.nz

Cc: Roy Grose <rgrose@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>

Subject: RE: THE TEME ACCESS ISSUES

Kia ora Jenn

It's so great that you have, as you say, breathed new life into this S 9(2)(g)(i) case.

With regard the "comprehensive plan" that S 9(2)(a) has demanded – to clarify, Council is actually not obliged to provide anything to S 9(2). And nor is it obliged to maintain the road. It is also not Council responsibility to manage any threat of sheep measles or other diseases to S 9(2) property (though obviously MDC will want to be a good neighbour) – S 9(2) is making S 9(2)(g)(i) demands about land that is not actually S 9(2). Having said that, you have highlighted the demand for the access and the many frustrating years this problem has been going on, and it would be great to see Council take some affirmative action to unlock this access.

Another option could be to survey the road, peg it out, fence it off and install signage. Perhaps DOC and MDC could work out a work plan and timeline and advise S 9(2) of intended works (for S 9(2) information only). I highly recommend an opening ceremony (with the local press) to telegraph to user groups that the access is open for business (of course S 9(2)(a) should be invited).

I have previously sent the statement from S 9(2)(a) lawyer advising that obstacles had been removed so it might be useful also to communicate to S 9(2)(a) lawyer that S 9(2) is not complying with the law.

Please let me know if I can be of any help.

Ngā mihi

Ange



Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor

S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.

From: Jennifer James <jjames@doc.govt.nz>

Sent: Friday, May 12, 2023 4:37 PM

To: S 9(2)(a); tony.quirk@marlborough.govt.nz; Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Cc: Roy Grose <rgrose@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>

Subject: RE: THE TEME ACCESS ISSUES

Hi S 9(2)(a)

We will not give up. Simply out of principle S 9(2)(g)(i). Most importantly there is a big, beautiful area of public land that is effectively locked away from the public.

We have had many user groups screaming out for access to this part of our country. The Deerstarkers association, the Tramping club, just to name a few have been haranguing us for years to get into the Teme.

According to S 9(2)(a) was simply waiting for a comprehensive plan from the council before opening up access (removing roadblocks) to the public. I can understand that S would want measures in place before public Joe flocked onto the land (!)

1. S 9(2)(a) Can you please confirm council have responded to S 9(2)(a) request to provide an operational and maintenance plan for this formed road.
2. S - what is the process to apply to courts for removal of obstructions - what is the cost for this? (Surely this shouldn't be necessary as both parties have agreed upon the formed road?).

This saga has continued for far too long to give up now. I am here and willing to breathe new life into the fight.

Regards,

Jenn

S 9(2)(a)

From:

Sent: Wednesday, May 10, 2023 4:12 PM

To: Jennifer James <jjames@doc.govt.nz>; tony.quirk@marlborough.govt.nz; Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Cc: Roy Grose <rgrose@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>

Subject: RE: THE TEME ACCESS ISSUES

RADICH*~~W~~LAW
BARRISTERS AND SOLICITORS

Tony,

This is not satisfactory. We all need to combine to do something or all give up!

My view has long been that you will not get anywhere unless you make an application to the Court for the removal of the obstructions.

Thanks and regards,

S 9(2)(a)

Radich Law

21 Bells Road, PO Box 842, Blenheim, New Zealand

Tel: 64 3 577 8450 Fax: 64 3 577 8451

Website: www.radichlaw.co.nz

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From: Jennifer James <jjames@doc.govt.nz>

Sent: Wednesday, May 10, 2023 3:35 PM

To: S 9(2)(a) tony.quirk@marlborough.govt.nz; Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Cc: Roy Grose <rgrose@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>

Subject: RE: THE TEME ACCESS ISSUES

Kia ora S 9(2)(a)

I am the Senior Ranger based in Renwick (taking over James Gilmour's role for the year).

1. I visited the 'Teme' on 5th May as per your request in communications 17 April 2023 to Ange and Roy. I can confirm that the boulders blocking the gate to the public road remain in place (see photos). There is no evidence of any attempt to remove them by the landowner.

S 9(2)(g)(i)

2. Out of courtesy I informed S 9(2)(a) we would be in the area and offered to meet with S and S responded by 'denying' us access due to "shooting in progress". S 9(2)(a) also refused to engage in any conversation stating that he was waiting for the council to provide S with a comprehensive plan going forward – covering such things as their road and bridge maintenance plan, action to prevent sheep measles and other diseases, details of signs and route markers, carpark etc.

- a. Could a council representative please provide us with their plan and any relevant communications that will progress this issue. DOC are also willing to assist in this project if required.

3. Marking the accessway; Once the obstructions are removed, to create a marked track/route for the public I suggest employing a surveyor to accurately position the track along the public accessway, S 9(2)(g)(i)

S 9(2)(g)(i)

Kind regards,

Jenn James

Senior Ranger – Recreation & Historic

Kaitiaki Matua - Ao Hākinakina & Ao Tuku Iho

Wairau / Renwick Office

Phone: S 9(2)(a)

www.doc.govt.nz



Department of
Conservation
Te Papa Atawhai

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>

Sent: Thursday, April 27, 2023 6:43:34 PM

To: Jennifer James <jjames@doc.govt.nz>

Subject: RE: THE TEME ACCESS ISSUES

Kia ora Jenn

Attached is acknowledgement from the landowner via his lawyer and the April document referred to from MDC asking for confirmation the obstruction has been removed.

Look forward to confirmation from DOC that the way is clear!

Ngā mihi
Ange



Herenga
ā Nuku
AOTEAROA

Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor

S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.

From: Jennifer James <jjames@doc.govt.nz>
Sent: Thursday, April 27, 2023 4:28 PM
To: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Subject: RE: THE TEME ACCESS ISSUES

Hi Ange,

Could you please forward the recent (April 17th) correspondence from S 9(2)(a), Gavin nor I were privy to it.

Kind regards,
Jenn

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Sent: Monday, April 17, 2023 5:32 PM
To: Gavin Finch <gfinch@doc.govt.nz>
Cc: S 9(2)(a); Roy Grose <rgrose@doc.govt.nz>; Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>; Jennifer James <jjames@doc.govt.nz>
Subject: RE: THE TEME ACCESS ISSUES

Kia ora Gavin & Jenn

This is a long standing problem which DOC has been attempting to address for some years – from our file notes it seems the adjoining landowner has obstructed unformed legal road leading to the Ferny Gair CA. See the attached notes prepared by Roy Grose for context. MDC has notified the landowner the obstruction must be removed. Hence the enquiry from Radich Law seeking confirmation from DOC that this has occurred.

Ngā mihi
Ange



**Herenga
ā Nuku**
AOTEAROA

Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor
S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.

From: Gavin Finch <gfinch@doc.govt.nz>
Sent: Monday, April 17, 2023 3:58 PM
To: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Cc: S 9(2)(a) Roy Grose <rgrose@doc.govt.nz>; Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>
Subject: RE: THE TEME ACCESS ISSUES

Kia ora Ange,

To be quite honest I am unsure of the obstruction mentioned, I am guessing it is a locked gate. I would suggest that a meeting with MDC, ourselves and the land owner would be needed to ensure all parties are on the same page and there is no confusion.

Ngā Mihi

Gavin Finch

Operations Manager- Kaimanatū Matarautaki
South Marlborough
Department of Conservation-Te Papa Atawhai
Renwick Office-03 572 9100 Wairua
Phone: S 9(2)(a)
www.doc.govt.nz

From: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>
Sent: Monday, April 17, 2023 1:00 PM
To: Gavin Finch <gfinch@doc.govt.nz>
Cc: S 9(2)(a) Roy Grose <rgrose@doc.govt.nz>; Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>
Subject: FW: THE TEME ACCESS ISSUES

Kia ora Gavin

See attached.

It's great to see MDC actively engaged in this so it would be good to know if the adjoining landowner has complied with Council notice. S 9(2)(a)
can you please advise if the obstructions on the Teme access have been removed?

Ngā mihi nui
Ange



**Herenga
ā Nuku**
AOTEAROA

Ange van der Laan

Kaitohutohu ā-Rohe | Regional Field Advisor
S 9(2)(a)

I work part-time and variable hours, and will respond to enquiries as soon as possible.

From: [REDACTED] S 9(2)(a)
Sent: Monday, April 17, 2023 12:17 PM
To: Ange van der Laan <Ange.vanderLaan@herengaanuku.govt.nz>; rgrose@doc.govt.nz
Cc: Tony Quirk-8077 <tony.quirk@marlborough.govt.nz>
Subject: THE TEME ACCESS ISSUES

Good afternoon

Please find attached correspondence from [REDACTED] S 9(2)(a)

Regards

[REDACTED] S 9(2)(a)

RADICH*~~LAW~~
BARRISTERS AND SOLICITORS

Radich Law
21 Bells Road, PO Box 842, Blenheim, New Zealand
Tel: 64 3 577 8450 Fax: 64 3 577 8451
Website: www.radichlaw.co.nz

From: Jennifer James <jjames@doc.govt.nz>
Sent: Friday, 8 September 2023 3:05 pm
To: Roy Grose <rgrose@doc.govt.nz>; Gavin Finch <gfinch@doc.govt.nz>
Cc: Helen Price <hprice@doc.govt.nz>; Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>
Subject: RE: The Teme

Hi Tony,

Could you please confirm what Invoice [REDACTED] S 9(2) is for. I believe we got confused here as we were prepared for 1/3 of the survey costing (which has been paid). Is the [REDACTED] S 9(2)(b) for legal fees?

In the attached email chain that [REDACTED] S 9(2) was the estimated total to be split amongst all parties perhaps not the maximum total cost to each party?

Kind regards,

Jenn