
From: Penny Wardle
Sent: Monday, 30 July 2018 9:43 am
To: Kaye McIlveney-7552
Subject: RE: meeting re DOC creating access to Ferny Gair Conservation Area CMS 2983

Thanks, Kaye. I'll liaise with Matt Flynn to arrange a time.

From: Kaye McIlveney-7552
Sent: Monday, 30 July 2018 8:43 AM
To: Penny Wardle
Cc: Matt Flynn ; Jane Tito-7222
Subject: RE: meeting re DOC creating access to Ferny Gair Conservation Area CMS 2983

Hi Penny

Jane and I can meet later this week, except Friday or next week. Wednesday afternoon after 2pm is free for both of us, this week or next week.

Kaye

From: Penny Wardle [<mailto:Penny.Wardle@walkingaccess.govt.nz>]
Sent: Monday, 16 July 2018 10:39 a.m.
To: Kaye McIlveney-7552
Cc: Matt Flynn
Subject: meeting re DOC creating access to Ferny Gair Conservation Area CMS 2983

Hi Kaye, could Matt Flynn of the Department of Conservation South Marlborough and I make a time to meet you and Jane Tito about access to Ferny Gair Conservation Area in the Waihopai Valley? Ultimately, DOC plans to open an old track on public conservation land from the Teme to the 6-bunk DOC hut at scenic Lake Alexander, securing access currently available only through private land. Sometime after Monday, July 23 would be good.

DOC intends to install signage identifying legal access on legal road adjoining The Teme property and marginal strip in the Waihopai Valley, to the Ferny Gair Conservation Area. Both DOC and the NZ Walking Access Commission (NZWAC) have offered to meet current owner of the Teme, Darren Clifford, to discuss alternatives but he has declined.

The MDC is aware of DOC intentions, included in the LIM report provided prior to purchase (in 2017). Tony Quirk's response to date has been that if "there is public right to use legal road and access is along that legal road the Council and third parties are not in a position to object". However, the Council will not formally support what is proposed nor meet with the landowner as this could result in pressure to upgrade the legal road. (*Marlborough District secretary Tony Quirk email, September 2015*)

Regards,
Penny Wardle,
Regional Field Advisor,
New Zealand Walking Access Commission | Ara Hikoī Aotearoa

section 9(2)(a) www.walkingaccess.govt.nz

Promoting access in the outdoors



From: Penny Wardle
Sent: Monday, 6 August 2018 11:35 am
To: Kaye McIlveney-7552; Jane Tito-7222
Cc: Matt Flynn
Subject: background for meeting MDC 2pm today
Attachments: Teme with Waypoints.pdf; The Teme maps CMS2983.pdf

Tēnā korua, Matt Flynn and I look forward to meeting you at the MDC re access on unformed legal road and marginal strip adjoining the Teme to Ferny Gair Public Conservation Land. These maps/waypoints may be useful.

Regards,

Penny Wardle,

Regional Field Advisor,

New Zealand Walking Access Commission | Ara Hīkoi Aotearoa

section 9(2)(a)

www.walkingaccess.govt.nz

Promoting access in the outdoors



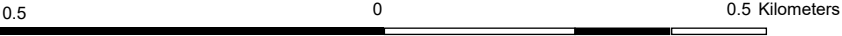
The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you have received this communication in error, please notify us by return email immediately with the subject heading "Received in error", then delete the email and destroy any copies of it. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. The New Zealand Walking Access Commission cannot guarantee that email communications are secure or error-free, as information could be intercepted, corrupted, amended, lost, destroyed, arrive late or incomplete, or contain viruses.



- Legend
- Public Conservation Land
 - National Park
 - Conservation Park
 - Specially Protected Area
 - Reserve
 - Stewardship Area
 - Marginal Strip
 - Wildlife Management Area
 - Waitangi Endowment Forest



SCALE 1: 10,000



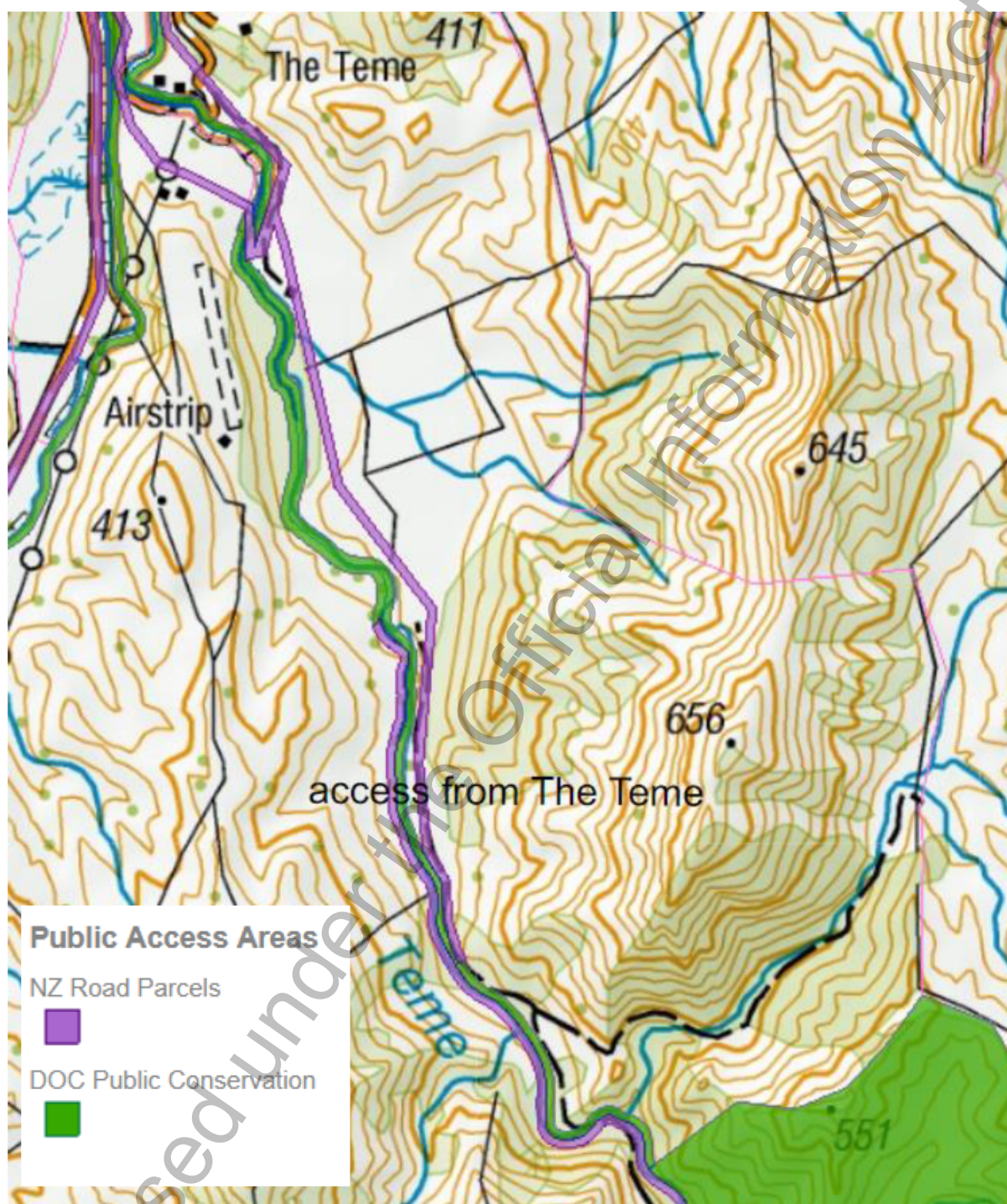
Projection: NZGD_2000_New_Zealand_Transverse_Mercator

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

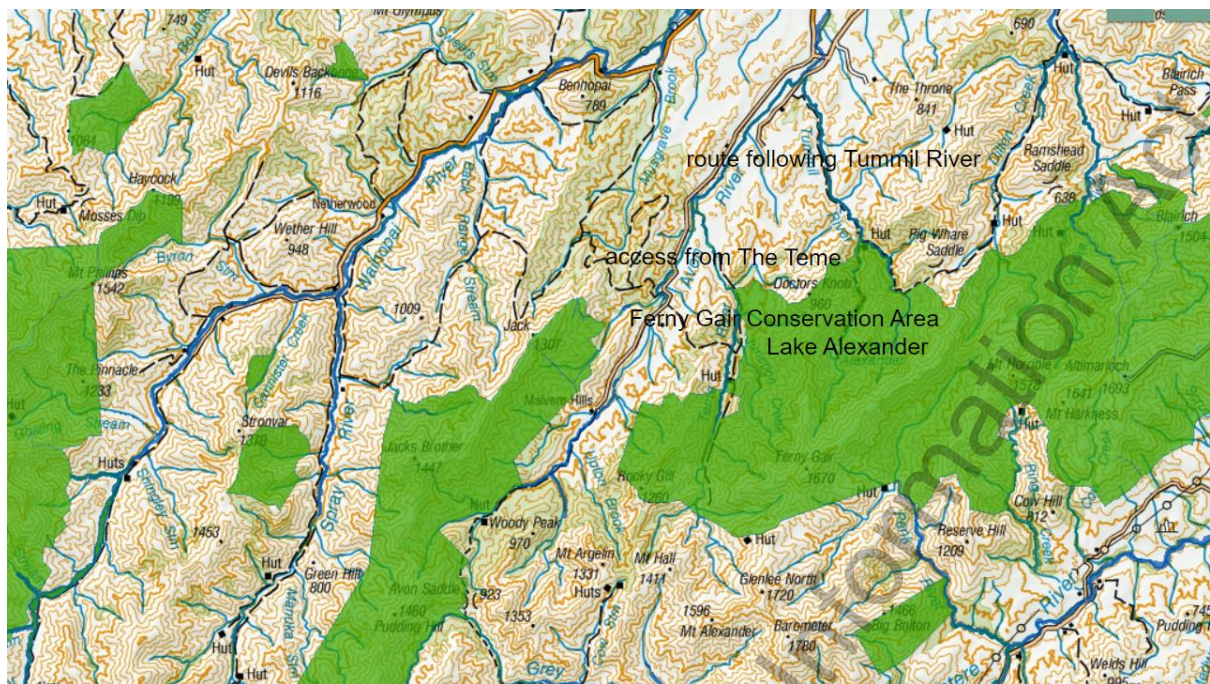


Department of Conservation
Te Papa Atawhai



Public access areas, The Teme to Ferny Gair Conservation Area

Source: www.wams.org.nz



Context, the Teme

Source: www.wams.org.nz

From: Penny Wardle
Sent: Wednesday, 17 October 2018 2:07 pm
To: Kaye McIlveney-7552
Subject: RE: out of scope [REDACTED]

Thanks, Kaye. Funny, I was just thinking about the Teme as I took a lunchtime walk. Regards, Penny Wardle

From: Kaye McIlveney-7552
Sent: Wednesday, 17 October 2018 1:37 PM
To: Inger Perkins
Cc: Jane Tito-7222 ; Penny Wardle
Subject: RE: out of scope [REDACTED]

Hi Inger

out of scope [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Penny, we are also going out to look at the Teme/Ferny Gair area soon.

Regards
Kaye

From: Penny Wardle
Sent: Friday, 29 November 2019 2:04 pm
To: 'Jane Tito-7222'
Subject: DRAFT backgrounder for December 6 meeting re The Teme
Attachments: Teme access to Ferny Gair Conservation Area 6.12.19 v1.docx

Hi Jane, as discussed, here is a DRAFT of the notes for the meeting between DOC Northern South Island Director of Operations Roy Grose, NZ Walking Access CEO Ric Cullinane, Matt Flynn and myself. I hope these will be useful for your update meeting with Mark Wheeler.

Regards,
Penny Wardle,
Regional Field Advisor, Kaitohutohu ā-Rohe,
New Zealand Walking Access Commission | Ara Hīkoi Aotearoa
section 9(2)(a) www.walkingaccess.govt.nz

Promoting access in the outdoors



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you have received this communication in error, please notify us by return email immediately with the subject heading "Received in error", then delete the email and destroy any copies of it. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. The New Zealand Walking Access Commission cannot guarantee that email communications are secure or error-free, as information could be intercepted, corrupted, amended, lost, destroyed, arrive late or incomplete, or contain viruses.

From: Penny Wardle
Sent: Thursday, 5 December 2019 3:30 pm
To: Mark Wheeler-5030; Ric Cullinane; Roy Grose; Matt Flynn
Subject: Notes for meeting re The Teme access, 3pm Friday December 6 Marlborough District Council
Attachments: Teme access to Ferny Gair Conservation Area 6.12.19 v2.pdf

Tēnā koutou katoa, attached are background notes for the meeting re access adjoining The Teme property to Ferny Gair Public Conservation Area. I look forward to talking with you tomorrow at the Marlborough District Council.

Regards,

Penny Wardle,
Regional Field Advisor, Kaitohutohu ā-Rohe,
New Zealand Walking Access Commission | Ara Hīkoi Aotearoa
section 9(2)(a) www.walkingaccess.govt.nz

Promoting access in the outdoors



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you have received this communication in error, please notify us by return email immediately with the subject heading "Received in error", then delete the email and destroy any copies of it. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. The New Zealand Walking Access Commission cannot guarantee that email communications are secure or error-free, as information could be intercepted, corrupted, amended, lost, destroyed, arrive late or incomplete, or contain viruses.

Access to Ferny Gair Conservation Area, notes for meeting 6/12/19

The Department of Conservation (DOC) intends to install signage identifying public access on legal road adjoining The Teme property and marginal strip in the Waihopai Valley, to the Ferny Gair Conservation Area.

DOC is legally entitled to develop this access and has consulted with the previous and current adjoining landholder, to see if they have a preferred route. Both DOC and the NZ Walking Access Commission (the Commission) have offered to meet current owner of the Teme, Darren Clifford, to discuss alternatives but he has declined.

Background

- Since 2011 the Commission has received complaints about access being prevented on legal road and marginal strip to Ferny Gair Conservation Area
- A DOC GPS survey in 2015 confirmed a practical route utilising legal road (administered by the Marlborough District Council, MDC) and marginal strip (administered by DOC) to Ferny Gair
- The survey confirms that where legal road finishes there is an area of marginal strip that would allow vehicle parking. There is foot access through bush on the river edge then river bed, walking upstream. The stretch from the carpark to public conservation land took about 30 minutes to walk
- February, 2016, MDC district secretary Tony Quirk agrees to the following wording in The Teme LIM report (following communication with DOC senior solicitor: *"There is within the property unformed Council Road. The Department of Conservation has previously indicated its wish for the public to use that legal road. It has been indicated to Council that the road becomes impassable at a certain point within the property. The Department of Conservation considers it could still be possible to ensure continued public access by use of marginal strips which are within the control of the Department. Any queries about the situation, which is an intention by the Department to have an access way to the Ferny Gair Reserve, should be directed to the Department of Conservation, Renwick Office."*
- On June 12 2018, DOC informed Mr Clifford of its intention to formalise public access on the legal road adjoining The Teme by installing signage. MDC was aware of DOC intentions, included in the LIM report provided prior to purchase (in 2017)
- Ultimately, DOC plans to open an old track on public conservation land from the Teme to the 6-bunk DOC hut at scenic Lake Alexander, securing access currently available only through private land requiring landholder permission and payment. MDC was given formal advice of this in June 2018
- The Marlborough Deerstalkers Association, Nelson Marlborough Fish & Game, Marlborough Tramping Club and Federated Mountain Clubs support DOC plans for access
- The proposed route does not go as far as "Magic Carpet Corner" where the MDC has earlier indicated there is no practical access on legal road

Field visit, January 2019

MDC reserves and amenities manager Jane Tito, DOC senior ranger Matt Flynn, ranger Rachael Mason and Commission regional field advisor Penny Wardle visited The Teme walking from the gate to where a carpark/access on the marginal strip is proposed.

The ULR was followed from the Avon Valley entrance to where it meets marginal strip (where a vehicle park is planned) using a handheld GPS. There are locked gates and signs saying no public access. There appears to be shooting across the legal road from a skeet-shooting range. A red flag indicated that shooting was underway with a radio nearby, used to alert The Teme staff that the group was coming through.

Walking through the farm was very scenic with lots of manuka and other forest, a seam of spectacular bluffs to the south and a river which even during this extremely dry weather has family-safe swimming holes.

Matt pointed out the spur which could be followed to above Lake Alexander with the possibility of a circuit track above the lake. This would be a good, family walk, all agreed. Existing alpine walks are mostly in Mt Richmond Forest Park involving a longer, steeper climb.

September 2019, Jane Tito communicated that no progress has been made with the issue.

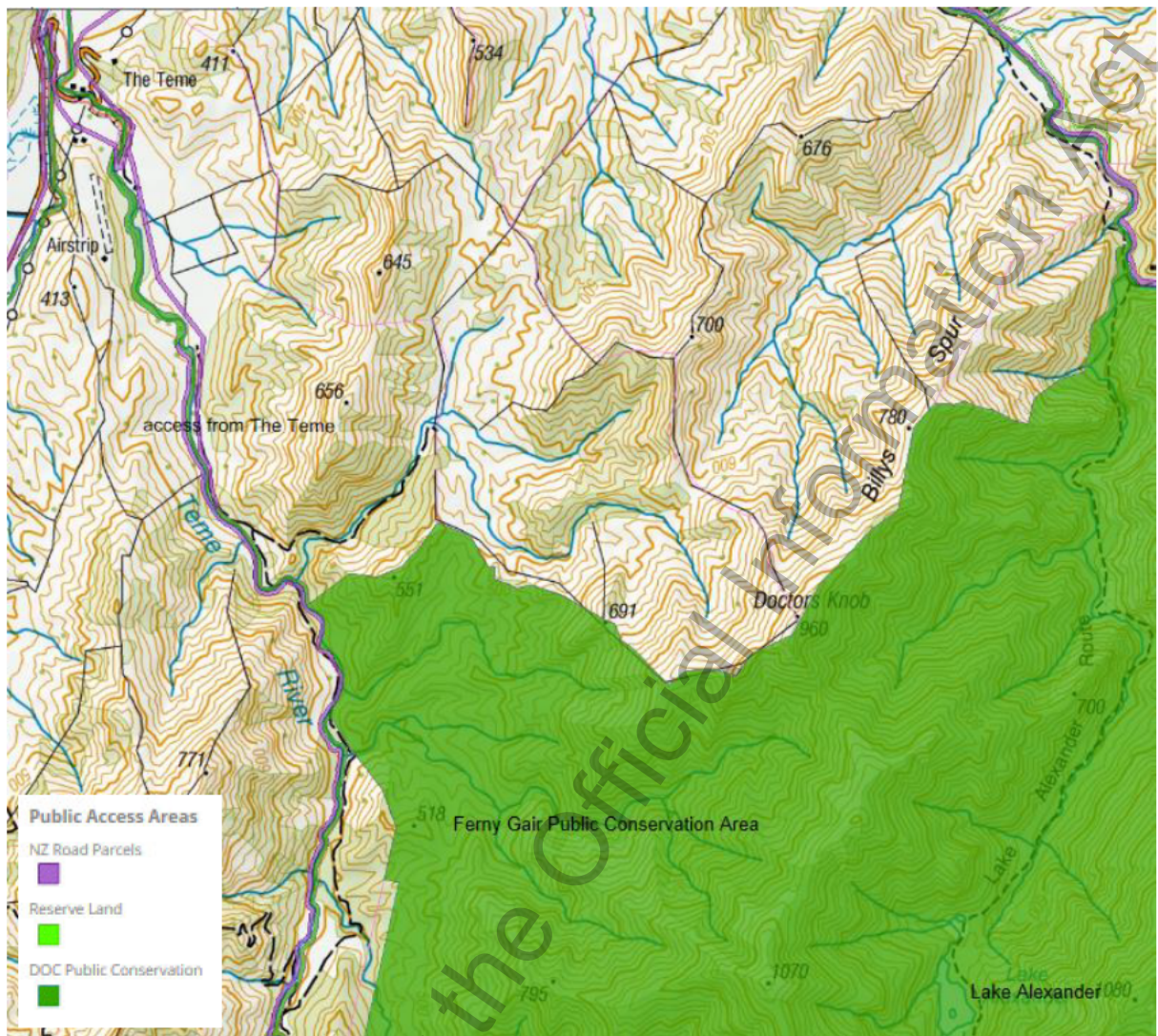
Benefits for the landholder

Signs identifying public access will protect landholder Darren Clifford's business, preventing people inadvertently wandering off public legal road and marginal strip onto his property

Marlborough District Council response

The MDC response to date has been that if "there is public right to use legal road and access is along that legal road the Council and third parties are not in a position to object". However, the Council will not formally support what is proposed nor meet with the landowner as this could result in pressure to upgrade the legal road. (Marlborough District secretary Tony Quirk email, September 2015)

The Blenheim Police have said this case does need to be resolved or someone could be hurt. Ideally, they suggest, the MDC as administering authority of the legal road would meet with Darren Clifford and DOC to explain that it is illegal to impede public access on unformed legal road.



Access to Ferny Gair Public Conservation Area



Locked gates blocking legal road





the flag indicating skeet shooting is in progress and radio, above. ULR through The Teme, below



Get out there and explore Marlborough's hidden gems

CLARE MOORE 15:31, Aug 12 2016



SUPPLIED

Lake Alexander up Marlborough's Waihopai Valley is a beautiful spot not well known by Marlborough residents.

COLUMN: When you have lived somewhere for a while it is easy to become blinkered to the charm and beauty of a place.

We sometimes need to be reminded to open our eyes and have a fresh look at what Marlborough has to offer. Here are some lesser-known walks that are not too far away and showcase a variety of Marlborough's wild places.

A great new area for walking and mountainbiking is the Black Birch Track, up the Awatere Valley, South of Blenheim. This track has recently been developed and signage installed.

Drive about 18 kilometres up the Awatere Valley and look out for Department of Conservation signage just before Black Birch Stream on your right.

The track starts out gently, going through private farmland and then leaves the stream and climbs more steeply to 850 metres with great views across the valley. Please leave all gates as you find them and stay on the track.

Black Birch bivvy is located at this picturesque point, which is a great spot for a picnic, and sleeps two people. Allow a full day to get to the bivvy and back. There is a purpose-built mountainbike track on the opposite side of the stream which climbs out of the stream and up to the ridge.

If you fancy a more bush-clad scene, head west from town past Renwick, and turn left up the Waihopai Valley then another left up Avondale Rd - veer left to stay on this road. The walk begins through an easement over private farmland, maintained by local farmer Bernard Mason.

Please ensure you call him on 03 572 4803 for permission before your trip, as the track is closed during lambing time and when conditions are very wet. A donation for track maintenance is requested.

The track is about 11km through farmland and native bush, with a gentle climb up to lovely little Lake Alexandra, where there is a six-bunk hut.

Bernard, in conjunction with the Department of Conservation, has cut a loop track back through the DOC reserve and onto his farmland, which brings you down the Tummil River and back to the car park. Allow a full day return to the lake and a couple of days for the loop walk.

Take time to enjoy the beautiful beech forest in the area, and if you are lucky, encounter native wildlife that is uncommon in south Marlborough like kakariki (parakeet) and whio (blue duck).

And for a taste of the Marlborough Sounds, Cullen Point Track just out of Havelock is a lovely 40-minute loop that gives great views of the Pelorus Sound as well as dropping down to the sea so you can have a quick dip if you fancy it.

Drive up Queen Charlotte Dr from Havelock to the top of the hill at Cullen Point. This is also a junction point with the Link Pathway that runs back down to Havelock, and in smaller sections towards Picton.

This is just a taster of some great spots around Marlborough to get a breath of fresh air and stretch your legs – see you out there!

- Clare Moore is a Department of Conservation community ranger

The Marlborough Express

From: Penny Wardle
Sent: Tuesday, 22 March 2022 1:28 pm
To: Tony Quirk-8077
Cc: James Gilmour; Ric Cullinane; Roy Grose
Subject: Teme Access to Ferny Gair 2983

Hello Tony, you are correct. I apologise that it's taken some time for me to get back to you. I have since talked with DOC and we feel the best course is for the Council to first directly talk with Darren Clifford re this legal access which it manages. We are happy to then answer any follow-up queries.

Regards, Penny Wardle, NZ Walking Access Commission

From: Tony Quirk-8077
Sent: Tuesday, 22 March 2022 1:22 pm
To: Penny Wardle
Cc: James Gilmour ; Ric Cullinane ; Roy Grose
Subject: RE: Teme Access to Ferny Gair

Thanks

I see you asked the question in an email of 11 Feb and I replied the same day indicating the detail had not been provided to Clifford and we were checking if the position was unchanged or if there was additional comment to cover the queries listed .

If you confirm there is no additional information I will arrange for Mark to send Clifford an email with your 11 Feb data.

Tony

From: Penny Wardle <Penny.Wardle@walkingaccess.govt.nz>
Sent: Tuesday, 22 March 2022 1:15 pm
To: Tony Quirk-8077 <Tony.Quirk@marlborough.govt.nz>
Cc: James Gilmour <jgilmour@doc.govt.nz>; Ric Cullinane <ric.cullinane@walkingaccess.govt.nz>; Roy Grose <rgrose@doc.govt.nz>
Subject: RE: Teme Access to Ferny Gair

Hello Tony, the Department of Conservation and New Zealand Walking Access would first like to check that content of the joint Walking Access/DOC September 2020 letter to Mark Wheeler (attached) has been communicated by Council to Darren Clifford. This addresses many of the issues raised.

We are happy to answer any questions that remain.

The letter was sent to Mark Wheeler on 25/9/20 with the attachments included above.

Regards,

Penny Wardle,
Regional Field Advisor, Kaitohutohu ā-Rohe, Te Tau Ihu me Kaikōura/Top of the South,
New Zealand Walking Access Commission | Ara Hīkoi Aotearoa
section 9(2)(a) www.walkingaccess.govt.nz

Promoting access in the outdoors

