

## **Crown Pastoral Land Tenure Review**

**Lease name : HUXLEY GORGE I & II**

**Lease number : PT 106 & PT 139**

### **Analysis of Public Submissions**

This document includes information on the public submissions received in response to an advertisement for submissions on the Preliminary Proposal. The report identifies if each issue raised is allowed or disallowed pursuant to the Crown Pastoral Land Act. If allowed the issue will be subject to further consultation with Department of Conservation, or other relevant party.

The report attached is released under the Official Information Act 1982.

**ANALYSIS  
OF  
PUBLIC SUBMISSIONS**

**HUXLEY GORGE I & II**



**ANALYSIS OF PUBLIC SUBMISSIONS****Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998****HUXLEY GORGE TENURE REVIEW NO 059****Details of lease**

Lease name:	Huxley Gorge I & II pastoral leases.
Location:	Lake Ohau Road, Lake Ohau, Mackenzie.
Lessee:	Huxley Gorge Limited.

**Public notice of preliminary proposal**

Date advertised:	12 April 2014.
Newspapers advertised in:	
- The Press	Christchurch
- The Otago Daily Times	Dunedin
- The Timaru Herald	Timaru.
Closing date for submissions:	12 June 2014.

**Details of submissions received**

Number received by closing date:	7
Number of late submissions received/accepted:	2
Cross-section of groups/individuals represented by submissions:	
	Submissions were received from two recreational groups, four crown entities, and two individuals.
Number of late submissions refused/other:	Nil.

## ANALYSIS OF SUBMISSIONS

### Introduction

Each of the submissions received has been reviewed in order to identify the points raised and these have been numbered accordingly. Where submitters have made similar points, these have been given the same number.

The following analysis:

1. Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
2. Discusses each point.
3. Recommends whether or not to **allow** the point for further consideration.
4. If the point is **allowed**, recommends whether to **accept** or **not accept** the point for further consideration.

The points raised have been analysed to assess whether they are matters that are validly-made [i.e relates to the right property and tenure review], relevant to the tenure review and can be properly considered under the Crown Pastoral Land Act 1998 (CPLA). Where it is considered that they are the decision is to **allow** them. Further analysis is then undertaken as to whether to **accept** or **not accept** them.

Conversely where the matter raised is not a matter that is validly-made or relevant or cannot be properly considered under the CPLA, the decision is to **disallow**. The process stops at this point for those points disallowed.

The outcome of an **accept** decision will be that the point is considered further in formulation of the draft SP. To arrive at this decision, the point must be evaluated with respect to the following:

The objects and matters to be taken into account in the CPLA; and

Whether the point introduces new information or a perspective not previously considered; or

Where the point highlights issues previously considered but articulates reasons why the submitter prefers an alternative outcome under the CPLA, or

Is a statement of support for aspects of the Preliminary Proposal which can be considered by the Commissioner when formulating the designations for a Substantive Proposal.

How those accepted points have been considered will be the subject of a Report on Public Submissions which will be made available to the public. This will be done once the Commissioner of Crown Lands has considered all matters raised in the public submissions in formulating a Substantive Proposal.

## Analysis

The submissions have been numbered in the order in which they were received and the points have been arranged so similar points are grouped together.

Appendix III provides a table of the points raised by the various submitters.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1.1	There is no legal interest in the pastoral leases under a Land Improvement Agreement.	1	Disallow	N/A

The submitter advised that they were not in a position to provide information to the Tenure Review programme, but that file records showed that they had no legal interest in Huxley Gorge under a Land Improvement Agreement.

### Rationale for Allow or Disallow

While legal interests in a pastoral lease undergoing tenure review need to be identified, it is not a matter affecting the proposed designations under the CPLA. The point has therefore been disallowed.

### Rationale for Accept or Not Accept

N/A.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2.1	Statements of support for the proposed designations.	2, 4, 6, 8	Allow	Accept

Various submitters made specific statements of support for the proposed designations, or specific parts of them. as follows:

Submitter 2 fully supported the proposed split between freehold and full Crown ownership and control.

Submitter 4 supported the proposal to return areas CA1, CA2, CA3, CA4 and CA5 to Crown ownership and control. They had no objection to the freeholding of 620 ha and supported the Conservation Covenant over part of that area.

Submitter 6 supported areas CA1, CA2, CA3 and CA4 being returned to the Crown.

Submitter 8 felt that areas CA1 and CA2 represented a valuable addition to the conservation estate.

### Rationale for Allow or Disallow

In providing support for the designations or parts of them, most submitters mentioned aspects related to the protection of significant inherent values. The protection of significant inherent values is identified in section 24(b) CPLA, and can therefore be properly considered. Point 2.1 has therefore been allowed.

**Rationale for Accept or Not Accept**

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 2.1 has therefore been accepted.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
2.2	Statements of support for the public access easements.	2, 3, 6, 7, 8	Allow	Accept

Various submitters made specific statements of support for the proposed easements, or parts of them, as follows:

Submitter 2 supported the proposed easements as they will preserve existing customary access routes over the proposed freehold land where they deviate from legal roads.

Submitter 3 identified that a public 2wd road had existed to the Temple Shelter for many years, and stated that legal provision for this should also remain. Legal provision for vehicle access up the Temple Valley is provided for by easement "a-c" where the existing road formation deviates from the legal line.

Submitter 6 supported the proposed easements "a-b" and "a-c".

Submitter 7 commended the provision of access to the Hopkins Valley.

Submitter 8 supported the easement for public vehicle access which dealt with major deviations of the Lake Ohau Road from the legal alignment, and legalised public use of the access road from the Temple track.

**Rationale for Allow or Disallow**

In providing support for the easements the submitters have identified the benefit of public access. To make easier the securing of public access is identified in section 24(c)(i) CPLA, and this matter can therefore be properly considered under the CPLA. The point has therefore been allowed.

**Rationale for Accept or Not Accept**

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 2.2 has therefore been accepted.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
2.3	No objection to the grazing concession allowing sheep grazing.	2	Allow	Accept

The submitter identified that the grazing concession was limited in scope, had an end point, and covered an area that recreational users had traditionally encountered stock in. The submitter had no objections to the concession allowing sheep grazing.

**Rationale for Allow or Disallow**

The granting of a specified grazing permit/concession is provided for in section 36(1)(c) CPLA and this matter can therefore be properly considered under the CPLA. The point has therefore been allowed.

**Rationale for Accept or Not Accept**

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 2.3 has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2.4	Qualified support for the tourism concession.	2, 3, 4, 8, 9	Allow	Accept

Various submitters made statements of qualified support for the proposed tourism concession, as follows:

Submitter 2 supported the General Conditions 10 and 11, as providing for user conflicts to be managed, and over time for the concession terms to reflect actual usage.

Submitter 3 had no problems with the proposed concession so long as it did not restrict the rights and freedom of the public on the land and considered the sharing arrangements for huts such as Erceg to be reasonable.

Submitter 4 supported clauses 10, 11, 16 and 19 in the General Conditions.

Submitter 8 considered that the concession covered existing operations and that the possible conflict with public use seemed relatively small.

Submitter 9 considered that the tourism concession should be acceptable under the current leaseholder's management. The submitter considered that the term of 20 years may be longer than this concessionaire would exist as an effective manager, and noted that gaining permission to hunt would require both a permit from DOC and permission from the concessionaire, which the submitter considered could be onerous on the concessionaire. However, the submitter did not actually state opposition to the term of the concession, or the access provisions in the concession.

**Rationale for Allow or Disallow**

In providing qualified support for the tourism concession the submitters have supported the granting of a specified concession to a person specified in the proposal as provided for in section 36(1)(a) CPLA and this matter can therefore be properly considered under the CPLA. The point has therefore been allowed.

**Rationale for Accept or Not Accept**

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 2.4 has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2.5	Support for references to the Historic Places Act 1993, and support for clause 10.1(a) in the concession document.	5	Allow	Accept

The submitter supported references to the Historic Places Act 1993 generally, and specifically in sections of the grazing concession and the tourism concession. The submitter also supported clause 10.1(a) in the concession document which states that the concessionaire will not interfere with, remove, damage or endanger historic resources. [The submitter also identified that the

reference should be updated to 'Heritage New Zealand Pouhere Taonga Act 2014' – see point 7.3].

#### Rationale for Allow or Disallow

The identified legislation is concerned with the protection of historic/heritage values, and the cultural, historical, recreational or scientific attribute or characteristic of a historic place is defined as an inherent value in the CPLA. Protection of significant inherent values is an Object of tenure review (section 24(b) CPLA) and this matter can therefore be properly considered under the CPLA. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

Statements of support for aspects of the preliminary proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. Point 2.5 has therefore been accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3.1	The land designated to become Conservation Area should become Conservation Park.	2, 4	Disallow	N/A

The submitters were concerned that the land not have a generic classification or remain as 'stewardship land'. Submitter 2 suggested that it would add to DOCs burden in finding resources to go through the classification process. Both submitters supported the area becoming conservation park.

#### Rationale for Allow or Disallow

While the designation of land is a function of tenure review, the designations available are specified in section 35(2) CPLA. For land with the identified significant natural and biological inherent values the relevant designations are as conservation area, or as a reserve, to be held for a purpose specified in the proposal. Once land becomes a conservation area it could become a national park or reserve under the Conservation Act 1987, but this is not a matter relevant to the CPLA. A designation of conservation park is not an option under the CPLA, and the point is therefore disallowed.

#### Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3.2	The land reverting to full Crown ownership and control should be classified as Scenic Reserve.	2	Allow	Not Accept

The submitter was concerned that the land not have a generic classification or remain as 'stewardship land', and made reference to the Parliamentary Commissioner for the Environments recent comments about unclassified or stewardship land in the public conservation estate. The submitter also suggested that it would add to DOCs burden in finding resources to go through the classification process.

The submitter sought the immediate incorporation of the area into the adjacent Conservation Park (see Point 3.1), but if that was not possible sought to have the land reverting to full Crown ownership and control classified as Scenic Reserve.



**Rationale for Allow or Disallow**

The designation of land is a function of tenure review, and the designations available under section 35(2) CPLA include a designation as a reserve, to be held for a purpose specified in the proposal. The point can be properly considered under the CPLA and is therefore allowed.

**Rationale for Accept or Not Accept**

The designation of the land to be restored to full Crown ownership and control has been previously considered. The submitter has provided no reasons relevant to the designation of land under the CPLA for a change to the designations, and any classification of the land post tenure review will be a matter for DOC to consider under the Conservation Act 1987. The point is therefore not accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
4.1	In relation to the grazing concession, cattle should not have access to waterways	2, 4	Allow	Accept

Submitter 2 stated that it is now widely recognized that there is no place for cattle in waterways. Submitter 4 suggested it would be preferable if sheep only were to be allowed by the concession as cattle would be a source of faecal pollution to the river (and would wander beyond the concession boundary).

**Rationale for Allow or Disallow**

The granting of a specified grazing permit/concession is matter that may be properly considered under section 36 CPLA, and the type of stock allowed to be grazed is relevant to the granting of a concession. The point has therefore been allowed.

**Rationale for Accept or Not Accept**

The potential impact of cattle on waterways is not a perspective that has been specifically considered previously, so this point has therefore been accepted for further consideration.

<b>Point</b>	<b>Summary of point raised</b>	<b>Submission numbers</b>	<b>Allow or disallow</b>	<b>Accept or not accept</b>
4.2	A 20 year term for the grazing concession is too long.	4	Allow	Not Accept

The submitter indicated that 20 years seemed an excessively long period for a grazing concession, and that 5 years, 10 at the outside, should be enough to allow a stress free exit from grazing. The submitter suggested that if tourism was going to be a focus, then the grazing concession may be less crucial.

**Rationale for Allow or Disallow**

The granting of a specified grazing permit/concession is matter that may be properly considered under section 36 CPLA, and the term of the grazing concession is relevant to the granting of a concession. The point has therefore been allowed.

**Rationale for Accept or Not Accept**

The term of the grazing concession has been previously considered. The submitter has not introduced new information or a perspective not previously considered, or articulated reasons why the submitter prefers an alternative outcome. The point is therefore not accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5.1	A 20 year term for the tourism concession is too long.	2, 4	Allow	Not Accept

One submitter opposed a 20 year term as it exceeded the operative period of the Conservation Management Strategy and ran the risk of effectively pre-empting the ability of DOC and the community to create a future strategy that might alter how the concession operated. The submitter accepted the need for business certainty, especially where large investments are necessary and operators cannot practically sell or relocate assets, but did not believe this operator genuinely needed a 20 year term to realize an adequate rate of return. Evidence should be required to show that a shorter period would not be economically viable.

The other submitter stated the view that 20 years was an inordinately long period for a tourism concession, but acknowledged that it might be a matter of balancing the term of the tourism concession against possible intensified agricultural activity.

#### Rationale for Allow or Disallow

The granting of a specified tourism concession is matter that may be properly considered under section 36 CPLA, and the term of the tourism concession is relevant to the granting of a concession. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

The term of the tourism concession is to allow the Holders to continue existing tourism operations, and to also allow future diversification. It is an integral part of the tenure review, and the proposed tourism activities have been assessed as having minimal impact on the area. Neither the rate of return on investment nor the operative period of the Conservation Management Strategy are relevant considerations under the CPLA. The submitters have not introduced new information or a relevant perspective not previously considered. While they have indicated a preference for an alternative outcome (being a shorter concession term), in doing so they have not articulated reasons that can be taken into account under the CPLA. The point is therefore not accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5.2	The maximum numbers of trips and party members proposed for many of the tourism activities are high.	4	Allow	Not Accept

The submitter stated that the maximum numbers of trips and party members proposed for many of the tourism activities seem to be very, but noted that the numbers were maxima, and acknowledged that the upper limits may never be reached or even approached.

#### Rationale for Allow or Disallow

The granting of a specified tourism concession is matter that may be properly considered under section 36 CPLA, and the maximum numbers of trips and party members proposed for the tourism activities relevant to the granting of a concession. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

The submitter has not introduced new information or a perspective not previously considered, or articulated reasons why the submitter prefers an alternative outcome. The point is therefore not accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6.1	It is unclear if the public road up the Hopkins Valley from 'b' will continue to exist, and a legal public road should be retained to just below Monument Hut.	3	Disallow	N/A

The submitter was unclear whether or not the legal road up the Hopkins Valley would continue to exist, advocated for the retention of a public road to just below Monument Hut and for legal provision for a public road to the Temple Shelter.

#### Rationale for Allow or Disallow

Legal roads are separate parcels of land from the pastoral lease, and are not part of the reviewable land. The Objects in section 24 CPLA relate only to reviewable land, and therefore this point is disallowed.

#### Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6.2	Retain vehicle access up the Hopkins Valley.	3, 6, 7	Allow	Accept

Submitter 3 sought legal provision for 2wd access up the valley (to the old carpark below Monument Hut), and the eventual re-instatement of 2wd access, and noted that it was also important 4wd access. The submitter stated that legal access to the old Hopkins road end (Monument Hut) was critical because that was where actual tramping in the valley commenced, and where pockets of beach start to occur. The submitter stated that the journey from 'b' to the old carpark was very uninspiring on foot.

Submitter 6 sought amendment of the grazing concession to allow for public access by vehicle, mountain bike or horse, or a walkway (with provision for vehicles and horse riding) over the existing vehicle track within the grazing concession area northwards to the Conservation land, where the track deviates from the Lake Ohau Road legal alignment. The submitter commented that the Conservation land was a highly valued recreation area.

Submitter 7 stated that continued vehicle access up the valley (to Monument Hut) was very important for recreational users of the valley.

#### Rationale for Allow or Disallow

The point relates to the provision of public access, which is relevant to tenure review and can be considered under the CPLA. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

The provision of public access is an object of tenure review under s24(c)(i) CPLA. It is of note that clause 2 of Schedule 2 of the grazing concession enables public access by foot. The submitters have also provided reasons for enabling other forms of access as well, relating to being able to more readily reach the area where recreation occurs. The point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6.3	There should be no provision for lockable gates at 'b'.	3	Allow	Not accept

The submitter stated that there should be no provision for lockable gates at 'b'.

#### Rationale for Allow or Disallow

The point relates to the provision of public access, which is relevant to tenure review and can be considered under the CPLA. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

While public access is a matter to be taken into account in tenure review under s24(c)(i) CPLA, whether or not a boundary gate at 'b' is locked will be a management decision for DOC which is not something to be taken into account in the CPLA. The point can therefore not be accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6.4	A wide marginal strip should replace area CA5 to protect future public access. Specific inherent values identified would be protected by the marginal strip and a covenant as appropriate.	6	Allow	Not Accept in part (re marginal strips) Accept in part

The submitter noted that there was active erosion within the area designated CA5, and expressed concern that there had been no recognition of the effect of further erosion within that area on enduring public access. The submitter stated that it was possible that the Hopkins River may eventually erode the area designated as CA5, to the point that the river may cut into the freehold, therefore eventually preventing practical public access along the right bank of the Hopkins River in that vicinity. The submitter seeks to have public access along the right hand bank of the Hopkins River protected by a moveable marginal strip, with significant inherent values protected by the marginal strip and a covenant as appropriate.

#### Rationale for Allow or Disallow

The point relates to the provision of public access, and to the designation of land, both of which are relevant to tenure review and can be considered under the CPLA. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

The reservation of marginal strips from sale or disposition is a function of the Conservation Act 1987, and while triggered by the disposal of Crown land under tenure review, it is not a matter that can be considered under the CPLA. That part of the point relating to marginal strips is therefore not accepted.

The provision of public access is an object of tenure review under s24(c)(i) CPLA, and the protection of significant inherent values, is an object of tenure review under section 24(b) CPLA. The submitter has highlighted a potential risk to public access which has not previously been considered. The submitter has suggested an alternative outcome, and provided reasons for such an outcome, relating to protection of significant inherent values and consideration of enduring public access. This part of the point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6.5	The nature of public access that will be available over marginal strips, or the position of the marginal strips that will be created on disposition, is not described.	6	Disallow	N/A

The submitter noted that the Summary of Preliminary Proposal did not describe the nature of the public access that will be available over marginal strips or the positions of the marginal strips that will be created on disposition. The submitter stated that that information was critical to ensure a complete picture of public access is available for public analysis – to inform public submissions.

**Rationale for Allow or Disallow**

The reservation of marginal strips from sale or disposition is a function of the Conservation Act 1987, and while triggered by the disposal of Crown land under tenure review, it is not a matter that can be considered under the CPLA. The point cannot be properly considered under the CPLA, and it is therefore disallowed.

**Rationale for Accept or Not Accept**

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6.6	In future tenure reviews consideration should be given to road legalization surveys rather than using easements.	8	Disallow	N/A

The submitter acknowledged the use of easements to legalize public use of roads where they deviate from the legal line, but suggested that in future tenure reviews, consideration should be given to road legalization surveys rather than using easements.

**Rationale for Allow or Disallow**

Surveying of boundaries or road legalisation are not activities that can be considered in a Preliminary Proposal under the CPLA. The point cannot be properly considered under the CPLA, and it is therefore disallowed.

**Rationale for Accept or Not Accept**

N/A

Point	Summary of point raised	Submission number	Allow or disallow	Accept or not accept
7.1	A site visit is required to determine the nature and extent of any historic sites, followed by a heritage values assessment to recommend whether any protective mechanisms for heritage features would be appropriate,	5	Allow	Accept

The submitter states that the property requires a site visit to determine the nature and extent of any historic sites. The submitter notes that;

- the Conservation Resources Report notes that the homestead buildings could be of historic interest

- old mustering huts, pack tracks, fence lines and survey points could be of historic interest
- beech forestry may have taken place on the pastoral leases
- there may be sites where a Heritage Covenant is appropriate protection as the site may post-date 1900, and therefore would not be covered by the provisions of the Heritage New Zealand Pouhere Taonga Act 2014.

#### Rationale for Allow or Disallow

Significant inherent values includes historic resources, and the protection of significant inherent values is a relevant object of tenure review, under s24(b) CPLA. The point relates to the adequacy of advice on such resources, and ways of protecting such values. The possibility of further consultation with the submitter is enabled under s26(2) CPLA which allows for the Commissioner to consult with any person or body the Commissioner thinks fit. The point has therefore been allowed.

#### Rationale for Accept or Not Accept

The point relates to matters that can be taken into account in the CPLA as discussed above. The possibility of an historic resources report followed by further consultation with Heritage New Zealand are both matters not previously considered.

The point has therefore been accepted for further consideration. The Commissioner's approval will be required for any consultation with Heritage New Zealand.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7.2	References to The Historic Places Act 1993 should be replaced with Heritage New Zealand Pouhere Taonga Act 2014.	5	Allow	Accept

The submitter identified that the Heritage New Zealand Pouhere Taonga Act 2014 was enacted in May 2014 and that the name of the New Zealand Historic Places Trust was changed to Heritage New Zealand. The submitter suggested that references to The Historic Places Act 1993 should be replaced with Heritage New Zealand Pouhere Taonga Act 2014.

#### Rationale for Allow or Disallow

The point is validly made and is relevant to the tenure review. Correct reference to relevant statutory bodies is an implicit requirement under the CPLA and the point is therefore allowed.

#### Rationale for Accept or Not Accept

The point introduces new information, and correct reference to relevant statutory bodies is an implicit requirement under the CPLA. The point is therefore accepted.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7.3	Stronger emphasis should be placed on Heritage New Zealand being the primary contact if any pre-1900 historic resources are known or found.	5	Disallow	N/A

The submitter requested that stronger emphasis be placed on Heritage New Zealand being the primary contact if any pre-1900 historic resources are known or found on the lease by anyone.

**Rationale for Allow or Disallow**

The submitter has not suggested any mechanisms available under the CPLA to achieve the objective of the point. The point really relates to informing land owners and others of their responsibilities under other legislation. On this basis the point has been disallowed.

**Rationale for Accept or Not Accept**

N/A

**Summary****Overview of analysis:**

Overall, the submissions were generally supportive of the proposal, particularly in relation to the designations and the access easements. The length of the terms for the grazing and tourism concessions was questioned, and vehicle access up the Hopkins Valley was sought. The lack of a heritage values assessment and recommendations was identified.

Appendix III lists the points raised by each submitter.

**Generic issues:**

Overall, there was a high degree of at least qualified support for the Huxley Gorge proposal. Several points were made as comments, without a specific reason or perspective given.

**Gaps identified in the proposal or tenure review process:**

One submitter considered that a site visit was required to determine the nature and extent of any historic sites, and that this should be followed up by a heritage values assessment which would recommend whether any protective mechanisms for heritage features would be appropriate. Another submitter commented that the lack of information on the nature of public access that will be available over marginal strips or the positions of marginal strips that will be created on disposition was critical to ensure that a complete picture of public access was available for public analysis, to inform public submissions. No other gaps in the proposal or process were identified.

**Risks identified:**

No risks were identified.

**General trends in the submitters' comments:**

Discussed under generic issues above.

**List of submitters:**

A list of submitters is included in Appendix II and a summary of the points raised by submitters is included in Appendix III.

I recommend approval of this analysis and recommendations:

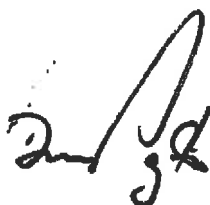


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Bob Webster – Tenure Review Consultant

Date: 7/7/2014

Peer reviewed by



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Dave Payton – Tenure Review Contract Manager

Date: 7/7/2014

Approved/Declined

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Commissioner of Crown Lands

Date:

**Appendices:**

- I Copy of Public Notice
- II List of Submitters
- III Points Raised by Submitters
- IV Copy of Annotated Submissions