

## Summary of Evidence

### NZ Tungsten Mining Limited and Cabo Limited

In Part 2 of my evidence I summarise the respective positions of my clients. Essentially NZ Tungsten Mining Limited (NZTML) have sought a number of changes to the PDP to recognise the importance of exploration and mining activities in the District and Cabo Limited (Cabo) have opposed that submission in its entirety (however their concern is really restricted to mining in the Glenorchy area).

I reaffirm paragraph 2.6 where I note that I was not involved in the drafting of NZTML original submission or Cabo's further submission. I also reaffirm at paragraph 2.5 that this evidence is impartial and does not advocate for the parties who have engaged me (hence the reason I am comfortable preparing this evidence for what appears to be opposing parties).

I note that Mr Todd is presenting legal submissions on behalf of Cabo tomorrow. I am unable to attend the hearing tomorrow.

In Part 3 of my evidence I discuss issues of NZTML submission as it relates to the definitions section of the PDP. I have done this to give context to their submission as it relates to this hearing. I have also addressed the amended mandatory legal criteria the Panel must consider as set out in the Colonial Vineyard case.

In Part 4 of my evidence I address the submissions as they relate to Chapter 3 Strategic Directions of the PDP. To assist the Panel I make the additional comments in relation to the Working Draft dated 18 March 2016:

Submission	My Recommendation	Para / Page
# 519.9 FS1356.9	3.2.1.5.1 - I prefer the wording proposed in my recommendation.	Para 4.1.8 Page 7
#519.10 FS1356.10	3.2.1.6 – I agree with the working draft changes but still consider the word “some” should be inserted between the words “in” and “rural”.	Para 4.2.7 Page 9
#519.11 FS1356.11	3.2.4.2.2 - I prefer the proposed policy is retained to enable the availability of compensatory measures.	Para 4.3.6 Page 10
519.12 FS1356.12	3.2.4.5 – I prefer the wording proposed in my recommendation.	Para 4.4.5 Page 11
519.13 FS1356.11	3.2.4.7.1 - I prefer the wording proposed in my recommendation.	Para 4.5.6 Page 13
519.14 FS1356.14	3.2.4.8.1 – NZTML submission withdrawn.	Para 4.6.7 Page 14
519.15 FS1356.15	3.2.5.1 – I agree with the working draft changes.	Para 4.7.7 Page 16
519.16 FS1356.16	3.2.5.1.1 - I agree with the working draft changes.	Para 4.8.5 Page 17
519.17 FS1356.17	3.2.5.1.2 – New policy is adopted in an amended form non-specific to the mining industry.	Para 4.9.5 Page 18
519.18 FS1356.18	3.2.5.2 - I agree with the working draft changes.	Para 4.10.6 Page 19
519.19 FS1356.19	3.2.5.2.1 - I agree with the working draft changes.	Para 4.11.5 Page 20
519.20 FS1356.20	3.2.5.3 - I agree with the working draft changes.	Para 4.12.6 Page 21
519.21 FS1356.21	3.2.5.4.1 – Defer to legal submissions.	Para 4.13.5 Page 22
519.22 FS1356.22	3.2.7.1 - I agree with the working draft changes.	Para 4.14.8 Page 23

In Part 5 of my evidence I address the submissions as they relate to Chapter 5 Landscapes of the PDP. To assist the Panel I make the additional comments in relation to the Working Draft dated 18 March 2016:

Submission	My Recommendation	Para / Page
519.23 FS1356.23	6.3.1.2 - I prefer the wording proposed in my recommendation.	Para 5.1.9 Page 25
519.24	6.3.1.10 - I prefer the wording proposed in my recommendation.	Para 5.2.5

FS1356.24		Page 26
519.25 FS1356.25	6.3.2 - I agree with the working draft changes.	Para 5.3.14 Page 29
519.26 FS1356.26	6.3.3.2 - I prefer the wording proposed in my recommendation.	Para 5.4 Page 30
519.27 FS1356.27	6.3.4 - I agree with the working draft changes.	Para 5.5.5 Page 32
519.28 FS1356.28	6.3.4.1 - I prefer the wording proposed in my recommendation.	Para 5.6.6 Page 32
519.29 FS1356.29	6.3.4.4 - I prefer the wording proposed in my recommendation.	Para 5.7.6 Page 34
519.30 FS1356.30	6.3.7 - I agree with the working draft changes.	Para 5.8.7 Page 35
519.31 FS1356.31	6.3.7.1 - I agree with the working draft changes.	Para 5.9.5 Page 37
519.32 FS1356.32	6.3.7.2 - I prefer the wording proposed in my recommendation.	Para 5.10.5 Page 38

Carey Vivian  
22 March 2016.