

Hearing 27: Special Purpose Zones – Terrace Downs, Grasmere and Porters Ski

Questions from the Hearing Panel - Section 42A Report

Paragraph	Question
8.4	Do the officers (or SDC counsel) consider there is scope to amend GRAZ-R6 as a consequential amendment if TEZ-R12 is amended?
9.12	<p>The recommended definition has 'Ski Area' in capitals.</p> <ul style="list-style-type: none"> ▪ Is that also to be a defined term as it is not currently? ▪ Do the words "including but not limited to" provide sufficient certainty for what will in effect be a statutory definition? Is that terminology used in any other definitions in the PDP?
9.23	<ul style="list-style-type: none"> ▪ Is the phrase "responds to those values" sufficiently clear and certain such that it will be consistently implemented by decision-makers? ▪ What is meant by the term "protected areas"?
9.60	In light of your discussion in 9.59, would it be clearer and more certain if the rule referred explicitly to the notional boundary of "residential units or visitor accommodation", both of which are defined terms?
9.67	<p>A "Health and Safety Plan" is not a defined term in the PDP.</p> <ul style="list-style-type: none"> ▪ Is it sufficiently clear and certain what such a Plan must contain? ▪ Will that Plan be subject to any form of SDC certification as to its adequacy?
9.72	<p><i>...Within these sub-areas I consider that there are likely to be some structures, such as chairlifts, that will be located on ridgelines. As such I consider that the siting of structures can be effectively managed as a controlled activity, and I recommend that this submission point be accepted.</i></p> <ul style="list-style-type: none"> ▪ With the protection of views from the state highway in mind, what controls would be in place to prevent a chairlift structure being obtrusive? ▪ What are other structures, are likely to be sited on ridgelines apart from chairlifts?
10.17	What controls will be in place to limit the size and the amount of the small structures in the reserve sub-area or covenant sub-area (whichever name is chosen)?
10.29	<p>The S42A officer has not followed the accepted convention for provision numbering when adding or omitting provisions. The key requirement of that convention is to not alter the notified numbering as that can confuse participants. For example, inserting a new provision after TEZ-R5 would see the new provision labelled "TEZ-R5A" and all other numbering would remain as notified. If a provision is deleted then subsequent provision numbering is not altered.</p> <p>Can the author please adopt this approach in the Reply Report.</p>
10.31	Can you please advise the source of the recommended two new rules?

Paragraph	Question
10.51	If the area is covenanted to protect native vegetation/biodiversity, what controls will be in place to maintain this protection from adverse effects of erecting structures?
10.75	Can you please advise the source of the recommended new matters of discretion?
10.75	Can you please advise the source of the recommended wording for new Rule Requirement TEZ-REQ7?