

Memorandum

Subject: **TKO Rocky Point Subdivision** application RC230179

Response to Minute 11 re. the Revised Proposal

To: **Independent Hearings Panel, CODC**

From: **L Cheryl Lucas, submitter**

Date: **3 June 2025**

1. In response to Minute 11 of the Hearing Panel (20 May 2025, para 3), this memo responds to the invitation to confirm my final position on the amended application.
2. The revised proposal is a non-complying activity involving considerable residential and travellers accommodation development within the Development Area and also extending beyond into the outstanding natural landscape context of the major Rocky Point schist promontory.
3. Whilst the ONL is a matter of national importance to be addressed in the Panel's consideration, to date neither the applicant nor the council have comprehensively assessed or reviewed the proposal that is now before the Panel.
4. The site of the proposal is an agreed ecologically significant site in ecological science terms. The biodiversity and habitats of the site responding to the underlying landforms and management through space and time also contribute importantly to the outstanding natural landscape context in terms of the biophysical, experiential and associative dimensions.
5. Factoring in implementation of fire mitigation provisions for the context landscape as well as within individual lots, allowing for likely increasing owner concerns and potentially unaware visitor practices, an assessment of multi-factor landscape effects of the resultant regime has yet to be provided. Also, revised offsetting and compensation measures have not yet been included in a comprehensive landscape assessment.
6. In the applicant's revision for the Development Area, at least 10 lots are still proposed to be located where likely to be visible from Lake Dunstan and adversely affect the multiple values of the ONL. With the revised conditions likely providing only minimal mitigation, including from dusk to dawn, potential adverse effects in terms of the biophysical, perceptual and associative landscape attributes would seemingly not be avoided or remedied. With no permitted baseline for such development and a fully non-complying activity proposed, a professional landscape peer review would be appropriate.