



Part A

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A.1 INTRODUCTION

The site which is the subject of this Preferred Project Plan Report is Lot 66 in DP 551005 Pacific Highway, Moonee Beach (**Figures 1&2**). A detailed and environmentally sensitive Concept Plan (**Figure 4**) was developed on the basis of comprehensive assessment of the environmental characteristics of the site (AAUD 2007).

Subsequently, a comprehensive Environmental Assessment Report (EAR) was submitted in accordance with the Director-General's Requirements (DGRs) which had been provided by the Department of Planning (DoP) pursuant to Part 3A of the Environment Planning & Assessment Act 1979 (EP&A Act). A Revised Concept Plan was prepared in response to various comments on the original development concept (the 2007 Concept Plan).

Included in the supporting documentation for the 2007 Concept Plan and the EAR was an array of detailed specialist Reports, including:

- a Flora & Fauna Assessment Report, prepared by Gunninah Environmental Consultants (2006), which documented the substantial array of ecological investigations undertaken on the site, and which provided a comprehensive assessment of the known and likely aspects and impacts of the proposal;
- a supplementary Response & Justification Report for the revised 2007 Concept Plan addressing ecological and design issues, prepared by Environmental InSites (2007);
- a Coastline Hazard Definition Report, prepared by Patterson Britton & Partners;
- a Water Management Report, also prepared by Patterson Britton & Partners (now part of Worley Parsons);
- an Aboriginal & Archaeological Survey Assessment Report, prepared by Umwelt Environmental Consultants;
- an Engineering Infrastructure (Geotechnical and Services) Report, prepared by GHD;
- a Qualitative Noise Assessment (Noise Report), also prepared by GHD;
- a Bushfire Protection Assessment Report, prepared by Australian Bushfire Protection Planners; and
- a Traffic Report, prepared by John Coady Consulting.

The revised 2007 Concept Plan and the associated Environmental Assessment Report (EAR) for the subject site at Moonee Beach was placed on public exhibition between the 7th of December 2007 and the 25th of January 2008 by the DoP. Submissions were received by the DoP from a variety of government agencies, as well as from Coffs Harbour City Council (CHCC) and the general public. A public consultation at the Pacific Bay Resort in Coffs Harbour provided an additional opportunity for public comment on the project.

This Preferred Project Plan and Report provide a detailed response to the submissions which have been made by both the general public and relevant government agencies in respect of the 'Moonee Waters' project, and further justification of current 'Moonee Waters' project design.



Moonee Creek



Figure 1 - District Context



Moonee Creek



Coastal forest



Coastal creek



Adjacent cleared area



Figure 2 - Local Context



Coastal dunes



Wetlands



Beachfront and Coastal dunes

A.2 AIMS AND OBJECTIVES

- The primary “Aims” of this Preferred Project Plan and Report are:
- to address the issues raised in submissions to the Environmental Assessment Report (EAR) for the 2007 Concept Plan by government agencies and the public; and
 - to demonstrate and justify the appropriateness, reasonableness and balance exhibited by the Preferred Project Plan with respect to both development opportunities and environmental issues and concerns on the subject site at Moonee.
- In particular, it is intended that this Preferred Project Plan and Report:
- addresses and considers in appropriate detail the issues raised in submissions prepared by a variety of government agencies with respect to the 2007 Revised Concept Plan for the ‘Moonee Waters’ project, including those provided by:
 - the Department of Environment & Climate Change (DECC);
 - the Marine Parks Authority;
 - Coffs Harbour City Council (CHCC);
 - the Department of Water & Energy (DWE);
 - the Northern Rivers Catchment Authority (CMA);
 - the Rural Fire Service (RFS);
 - the Department of Lands (DoL); and
 - the Department of Primary Industries (DPI);
 - submissions made by members of the public during the exhibition period of the 2007 Concept Plan and EAR;
 - submissions made by members of the public during a presentation of the project at Coffs Harbour in February 2008; and
 - matters raised by the Department of Planning (DoP) both during discussions and negotiations regarding the ‘Moonee Waters’ project and in their letter of advice to the proponent (MP05_0064) dated 28th of February 2008, including ‘Attachment 1 - Department of Planning Key Issues’, and ‘Attachment 2 - Department of Planning Comments’.
- The primary Objectives of this Preferred Project Plan are to demonstrate:
- that the issues raised by relevant government authorities and the public have been appropriately and adequately addressed in the final and revised Preferred Project Plan for the ‘Moonee Waters’ development; and
 - that the development constitutes an appropriate, reasonable and balanced approach to the conflicts between development opportunities and rights and the expectations for environmental outcomes, and provides for an enhanced and better-managed natural environment.

A.3. STRUCTURE OF THIS REPORT

- This Preferred Project Plan and Report for the ‘Moonee Waters’ development project is structured on the basis of the advisory letter from the Department of Planning (DoP), dated 28th of February 2008, which was prepared in response to the range of submissions presented to the Department following exhibition of the Environmental Assessment Report (EAR) and the 2007 Revised Concept Plan.
- The Department of Planning (DoP) Advice consists of a letter which outlines six main areas of concern, as well as two Attachments which provide additional details:
- ‘Attachment 1 - Department of Planning - Key Issues’, which are identified as:
- Ecology;
 - Access;
 - Owners’ Consent;
 - Conservation Management;
 - Climate Change and Predicted Sea Level Rise; and
 - Bush Fire;
- ‘Attachment 2 - Department of Planning – Comments’, which identifies eight matters and requests additional information or documentation, including:
- a Statement of Commitments;
 - Access to Conservation Areas;
 - Urban Design;
 - Section 94 Contributions;
 - Water Cycle Management;
 - Earthworks;
 - Infrastructure;
 - Landscaping; and
 - Figures.
- This Preferred Project Plan and Report consequently contains:
- a detailed documented response to the issues raised in ‘Attachment 1’ to the DoP Letter of Advice of the 28th of February 2008 (Part B of this Report);
- further consideration of the 2007 Sainty Report, and justification of the Preferred Project Plan (Part B of this Report);
 - additional documentation, information and figures as required in ‘Attachment 2’ to the DoP Advice of the 28th of February 2008 (Part C of this Report);
 - a consideration of the outcomes of the proposed Preferred Project Plan, and the benefits it provides in environmental matters and in the provision of an appropriate urban design outcome (Part D of this Report);
 - an array of additional information and documentation, as requested by the DoP (in the Appendices of the Report); and
 - consideration of all of the matters revised in submissions by government agencies, CHCC and the general public (**Appendix A**).

A.4 INFORMATION BASE

- The information base on which this Preferred Project Plan has been generated consists essentially of the substantial body of information, data and analyses contained in the revised 2007 Concept Plan for the ‘Moonee Waters’ project.
- That information included inter alia substantial and detailed investigations of flora and fauna on the subject site over an extensive period, and other investigations and documentation including of archaeological issues, stormwater and drainage matters, and bushfire protection requirements.
- Subsequent to the receipt of submissions from various agencies and from the public with respect to the revised 2007 Concept Plan, additional investigations have been undertaken with respect to a number of matters including:
- the precise locations and detailed descriptions of hollow-bearing trees in and around the proposed Northern and Southern Precincts (**Appendix B**);
 - supplementary investigations of a number of threatened fauna species;
 - the collection of accurate additional locational data for the Moonee Quassia (**Appendix C**); and
 - investigation of a number of potential ‘scarred trees’ by the archaeological consultants (Umwelt), members of the indigenous community and officers of the DECC (**Appendix D**).
- The database and the quantum of information which have been collected on the subject site by the project team for the ‘Moonee Waters’ Preferred Project Plan is substantial, comprehensive and extensive.
- That considerable database has been utilized by the project team to develop a balanced and reasonable approach to development opportunities on the subject site, bearing in mind the requirements for bushfire safety and requirements for public access, as well as the significant ecological constraints which pertain to some parts of the land.
- The conclusions and assessments of the ‘Moonee Waters’ project team have been based on a long-term and substantive experience on the subject site and on surrounding lands. It is the core commitment of the project team to achieve an appropriate and reasonable, balanced and justifiable outcome which provides BOTH a modest and environmentally sensitive development outcome on the site AND an outstanding contribution to biodiversity conservation at this location.

A.5 BRIEF HISTORY OF THE PROJECT

Coffs Harbour City Council (CHCC) re-zoned the subject site in 2000, after consideration inter alia of ecological issues, identifying 68% of the site (69.05ha) for residential-tourist purposes and just 32% of the site (32.95ha) for environmental protection purposes (**Figures 3a & 3b**).

However, CHCC subsequently adopted the Moonee Development Control Plan (DCP) 2004, which attempted to conserve the whole of the subject site at Moonee. That approach would have prevented any development activities on the subject site, and would have constituted an effective 'down-zoning' of the subject site.

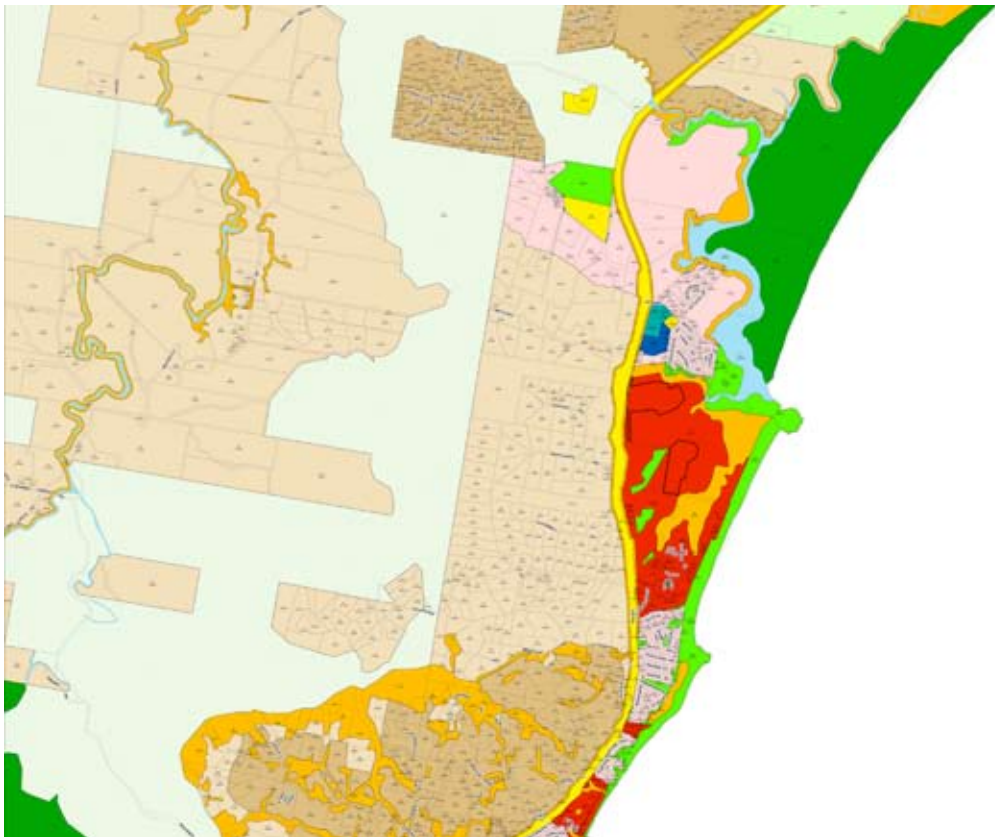


Figure 3a - Zoning Context

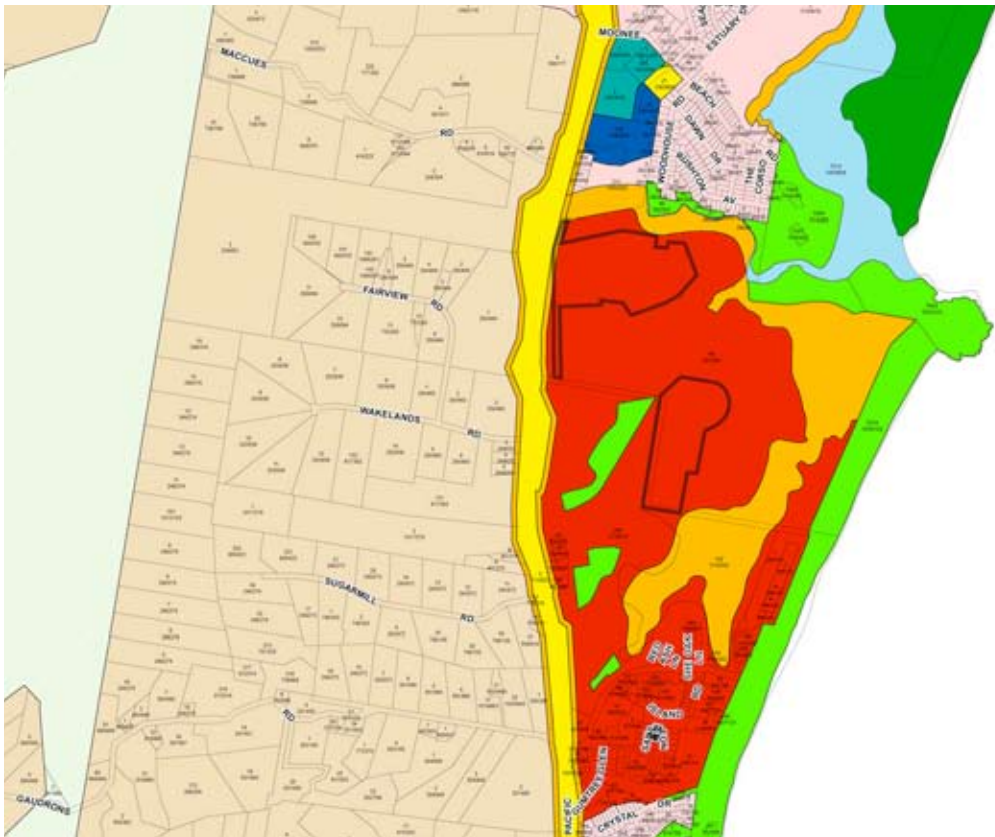


Figure 3b - Site Zoning & Surrounds

LEP 2000 Zones (Amended)

Legend

- 1A RURAL AGRICULTURE
- 1B RURAL LIVING
- 1F RURAL STATE FOREST
- 2A RESIDENTIAL LOW DENSITY
- 2B RESIDENTIAL MEDIUM DENSITY
- 2C RESIDENTIAL MEDIUM-HIGH DENSITY
- 2D RESIDENTIAL HIGH DENSITY
- 2E RESIDENTIAL TOURIST
- 3A BUSINESS CITY CENTRE
- 3B BUSINESS CITY SUPPORT
- 3C BUSINESS TOWN CENTRE
- 3D BUSINESS TOURIST SERVICE CENTRE
- 3E BUSINESS TOWN CENTRE SUPPORT
- 3F BUSINESS NEIGHBOURHOOD
- 3G BUSINESS MIXED USE
- 4A INDUSTRIAL
- 5A SPECIAL USES COMMUNITY PURPOSES
- 6A OPEN SPACE PUBLIC RECREATION
- 6C OPEN SPACE PRIVATE RECREATION
- 7A ENVIRONMENTAL PROTECTION HABITAT and CATCHMENT
- 7B ENVIRONMENTAL PROTECTION SCENIC BUFFER
- 7C ENVIRONMENTAL PROTECTION COASTAL ACQUISITION
- 8 NATIONAL PARK and RESERVES
- Foreshore Building Line

A.5 BRIEF HISTORY OF THE PROJECT

The development potential of the subject site at Moonee has been assessed and considered over an extensive period (since at least 2000), and the site has been identified as having a range of ecological and environmental constraints.

The generation of the basic development design concept for the subject site (involving two development Precincts and a substantial area of zoned urban land being dedicated for biodiversity conservation purposes has been responsive to those environmental and ecological constraints as the prime determinant of development opportunities. This approach has been the basic tenet of the project since its inception (**Figure 4**).

The approach which has been adopted in development of the 'Moonee Waters' Preferred Project Plan (and indeed of the previous Concept Plan for the site) has involved:

- the identification and mapping of ecological issues and ecosystems of high conservation value or significance;
- the identification of significant constraints on development opportunities as a result of ecological values and issues;
- an iterative design process using ecological and other environmental issues to determine development footprints and the location of infrastructure;
- the removal from the original development concept of various areas of possible development activity in order to preserve broad vegetated links (or 'corridors') through the site; and
- the incorporation of a range of environmental management and impact amelioration measures to limit or minimize the potential impacts of the proposed development on the natural environment.

This Preferred Project Plan (**Figure 5**) is the culmination of the array of environmental investigations and assessments which have been undertaken on the subject site, and represents an appropriate balance between reasonable and sensitive development opportunities and desirable and realistic environmental and biodiversity conservation goals.



Figure 4 - Iterations of the Concept Plan

A.6 THE PREFERRED PROJECT PLAN

The 'Moonee Waters' Preferred Project Plan (**Figure 5**), as documented in this Report:

- is the result of a long and comprehensive iterative process which has addressed and considered all environmental aspects of the proposed development;
- has confined development activities in the Northern and Southern Precincts to a mere 21% of the subject site (an area of 21.49ha);
- provides for the dedication of 75% of the subject site (76.298ha) to Council and/or DECC for biodiversity conservation purposes;
- confines development activities to Dry Forest Communities which are well conserved in the region and are of the least conservation value of all vegetation types on the subject site;
- protects 99.77% of the "endangered ecological communities" (EECs) on the subject site;
- protects all of the SEPP 14 Wetland on the subject site, and provides a minimum 30m wide "buffer" to that Wetland;
- provides variable buffers to the EECs on most of the subject site, of an approximate average of 30m width;
- provides generous (outstanding) east-west 'wildlife corridor' of 200m plus in width, across the subject site between north and south precincts, with a northern corridor abutting vegetation to be protected (creating a 100m wide corridor);
- conserves most of the hollow-bearing trees on the subject site either within the Conservation Area or in the Development Precincts (requiring the possible loss of up to 13 hollow-bearing trees, but their replacement within the Conservation Area);
- provides a stormwater management and treatment regime which avoids any piped discharges into the Conservation Area, which provides supplementary habitat and 'buffers' to the Conservation Area, and which is designed to maintain hydrologic conditions down slope of development;
- confines Asset Protection Zones around the development Precincts to the development footprints;
- provides minimum requirements for the management of small areas of dry forest vegetation to ensure the maintenance of access; and
- provides an opportunity for the provision of controlled public access, constructed paths and walkways through the Conservation Area, rehabilitation of areas which are currently being degraded, and the provision of appropriate education signage.

The 'Moonee Waters' Preferred Project Plan represents an astounding example of the appropriate balance between development opportunities and biodiversity roles on a substantial coastal site in northern NSW.



Figure 5 - Preferred Project Plan