Appendix F

Correspondence
29 January 2018

David Medcalf  
Construction Planning & Management  
PO Box 21, Gosford NSW 2250  
david.medcalf@centralcoast.nsw.gov.au

Dear David,

**Invitation to comment and notification - proposed Empire Bay Drive MR349 / The Scenic Road RR7779 intersection upgrade**

Roads and Maritime Services is proposing to undertake works for the upgrade of the intersection at Empire Bay Drive and The Scenic Road, Kincumber (the proposal). A Review of Environmental Factors (REF) is currently being prepared to assess the likely impacts of the proposal under Part 5 of the *Environmental Planning and Assessment Act 1979*. Roads and Maritime Services invites your organisation to comment and advise of any interests or concerns relating to the proposal. Comments received will be considered in the REF.

The proposal would involve upgrading the existing single lane roundabout at Empire Bay Drive and The Scenic Road at Kincumber to a two lane circulating roundabout with dual departure and approaching lanes on Empire Bay Drive and a dual approach lane on The Scenic Road. Piling works are required within Kincumber Creek to establish supporting structures for a widened footpath. It is also proposed that the debris in the existing pipe culverts in the creek would be removed. This section of Kincumber Creek is classified as Strahler Stream Order 2 and is not mapped as Key Fish Habitat. Key Fish Habitat is mapped approximately 600m south-west on the downstream section of Kincumber Creek.

Notification of the works under s199 of the *Fisheries Management Act 1994*, for the piling works, categorised as ‘dredging or reclamation’, is required to be provided to Fisheries. The maintenance works within the pipe culverts at Kincumber Creek is covered by the RMS Code of Practice for Minor Work in NSW waterways.

An outline of the proposal is attached to this letter (Attachment A) as well as plans of the proposal (Attachment B).

It would be appreciated if you could provide any comments about this proposal by 27 February 2018.

Roads and Maritime Services would be pleased to provide further information if required. In this regard Tony Lai may be contacted on 02 4394 6251 or by email tony.lai@rms.nsw.gov.au.

Yours faithfully

Tony Lai  
Project Engineer  

Roads and Maritime Services
ATTACHMENT A

PROJECT DESCRIPTION

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The key features of the project are shown in the design plans provided in Attachment B and include:

- Upgrade of the Empire Bay Drive roundabout from a one lane roundabout to a two-lane roundabout
- Provision of two through lanes northbound between Kerta Rd to approximately 140m north of the intersection of Empire Bay Drive and Sundowner Avenue
- Provision of two through lanes southbound from approximately 140m north of the intersection of Empire Bay Drive and Sundowner Avenue to approximately 100m south of the intersection of Empire Bay Drive and The Scenic Road
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- Provision of new mid-block pedestrians signals approximately 100m north of the intersection of Empire Bay Drive
- Construction of a 2.5m wide shared path/cycle path on the northern and southern side of Empire Bay Drive from Kincumber Creek to the intersection of Empire Bay Drive and The Scenic Road
- Provision of right turn lane (northbound) at the intersection of Empire Bay Drive and Sundowner Avenue
- Provision of a right turn lane (northbound) at the intersection of Empire Bay Drive and Kerta Road
- Maintaining the right turn lane (southbound) at the intersection of Empire Bay Drive and Kerta Road
- Provision of an indented bus stop on Empire Bay Drive northbound carriageway, north of the intersection
- Utility adjustments and relocation as necessary
- Property Adjustment as necessary to allow for widening works
- Implementation of landscape treatments and urban design features as required.

The scope of works includes widening the footpath over Kincumber Creek and works within Kincumber Creek (as per plans attached in Attachment B) including:

- Removal of existing guardrail and handrail over culvert
- Demolition of existing wing wall and/or headwall to allow for new construction, if required
- Existing concrete footpath to be reconstructed
- Piles (600mm diameter) to be constructed to support the concrete slab extension (two either side of the culvert on both sides of road; ie. four piles in total)
- Pedestrian decking structure (slab and beam) to be installed to provide walkway extension on both sides of the road
- Pedestrian fence to be installed
- Maintenance of the pipe culverts to clear existing debris within the pipes would be undertaken as part of the works (maintenance work is covered by the RMS Code of Practice for Minor Work in NSW waterways).

Construction of the intersection upgrade is expected to take up to 15 months to complete. Due to the high traffic volumes, the majority of the works would be undertaken at night to minimise traffic disruptions, impacts to nearby business and residences and reduce safety risks to workers. Night works would require some contra-flow of traffic on one lane on
Empire Bay Drive. During construction local road access and property access for businesses and residents would not be impacted.

During construction, bus stops along Empire Bay Drive would temporarily be relocated. These include the two stops to the south of the intersection and two to the north of the intersection (north and south bound).

Figure A-1 Regional location of the proposed works (Source: Google Earth Pro, 2017)
Figure A-2 View of intersection from Empire Bay Drive (looking south)
ATTACHMENT B

PLANS OF THE PROPOSAL
Figure B-1 Proposal Layout

Attachments
17-308 Empire Bay Drive
Figure B-2 Kincumber Creek footpath widening layout

Attachments
17-308 Empire Bay Drive
Figure B-3 Kincumber Creek footpath widening layout – proposed demolition

Attachments
17-308 Empire Bay Drive
From: Lauren Byrne
To: Lauren Byrne
Subject: FW: EBD Intersection - ISEPP Consultation re Empire Bay Drive and The Scenic Road
Date: Monday, 11 December 2017 3:52:58 PM
Attachments: centralcoastcouncilc6e17e
facebookbc7b8e
twitterae5a00
instagramde4dea
thinkbeforeprinting3346e8

From: LECKIE Craig W [mailto:Craig.LECKIE@rms.nsw.gov.au]
Sent: Monday, October 16, 2017 7:22 AM
To: Peter Wark <peter@atl.net.au>
Cc: LAI Tony C <Tony.LAI@rms.nsw.gov.au>; MCKINNEY Jennifer <Jennifer.MCKINNEY@rms.nsw.gov.au>
Subject: FW: ISEPP Consultation re Empire Bay Drive and The Scenic Road

HI Peter

Results of consultation with Council re ISEPP for the REF.

We also need to look at Council’s design requirements.

Tony note re ROL form Council as well as the acquisition of the Crown Land.

I have a meeting with Busways this afternoon to confirm locations of the bus stops/bays with them.

Regards

Craig

From: David Medcalf [mailto:David.Medcalf@centralcoast.nsw.gov.au]
Sent: Friday, 13 October 2017 3:42 PM
To: LECKIE Craig W
Subject: RE: ISEPP Consultation re Empire Bay Drive and The Scenic Road

Craig Leckie
Council staff supports the proposed roundabout upgrade at Empire Bay Drive and The Scenic Road and the following comments are provided

- Any proposal to occupy a Council road reserve during construction must be approved by Council prior to occupation.
- Any impact on Council utility services must be approved by Council prior to undertaking construction works.
- Council should be notified of any acquisition of crown land prior to finalising the new road boundary.
- Provision of a concrete footpath link along the western side of Empire Bay Dr would assist to improve pedestrian safety.
- Provision of a concrete island at the intersection with Sundowner Av to provide a barrier to prevent right turn movements.

Regards
Hi David

Please find attached a letter and attachments for ISEPP consultation for the subject project.

If Council has any Comment would you please provide them by 2 November 2017.

Thanks and Regards

Craig Leckie
Senior Project Development Manager
Greater Sydney Project Office – Central Coast
T 02 4394 6206 M 0407 212 208
www.rms.nsw.gov.au
Every journey matters

Roads and Maritime Services
Level 2, 1 Bryant Drive Tuggerah NSW 2259
29 January 2018

Scott Carter
NSW Department of Primary Industries
Locked Bag 1, Nelson Bay NSW 2315
scott.carter@dpi.nsw.gov.au

Dear Scott,

**Invitation to comment and notification - proposed Empire Bay Drive MR349 / The Scenic Road RR7779 intersection upgrade**

Roads and Maritime Services is proposing to undertake works for the upgrade of the intersection at Empire Bay Drive and The Scenic Road, Kincumber (the proposal). A Review of Environmental Factors (REF) is currently being prepared to assess the likely impacts of the proposal under Part 5 of the *Environmental Planning and Assessment Act 1979*. Roads and Maritime Services invites your organisation to comment and advise of any interests or concerns relating to the proposal. Comments received will be considered in the REF.

The proposal would involve upgrading the existing single lane roundabout at Empire Bay Drive and The Scenic Road at Kincumber to a two lane circulating roundabout with dual departure and approaching lanes on Empire Bay Drive and a dual approach lane on The Scenic Road. Piling works are required within Kincumber Creek to establish supporting structures for a widened footpath. It is also proposed that the debris in the existing pipe culverts in the creek would be removed. This section of Kincumber Creek is classified as Strahler Stream Order 2 and is not mapped as Key Fish Habitat. Key Fish Habitat is mapped approximately 600m south-west on the downstream section of Kincumber Creek.

Notification of the works under s199 of the *Fisheries Management Act 1994*, for the piling works, categorised as ‘dredging or reclamation’, is required to be provided to Fisheries. The maintenance works within the pipe culverts at Kincumber Creek is covered by the RMS Code of Practice for Minor Work in NSW waterways.

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It would be appreciated if you could provide any comments about this proposal by 27 February 2018.

Roads and Maritime Services would be pleased to provide further information if required. In this regard Tony Lai may be contacted on 02 4394 6251 or by email tony.lai@rms.nsw.gov.au.

Yours faithfully

Tony Lai
Project Engineer

Roads and Maritime Services
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Figure A-2 View of intersection from Empire Bay Drive (looking south)
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Attachments
17-308 Empire Bay Drive
29 January 2018

David Medcalf
Construction Planning & Management
PO Box 21, Gosford NSW 2250
david.medcalf@centralcoast.nsw.gov.au

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29 January 2018

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Locked Bag 1, Nelson Bay NSW 2315
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Attachments
17-308 Empire Bay Drive
Dear Tony,

s.199 consultation for Intersection Upgrade – Kincumber Creek - Empire Bay Drive MR349 – Scenic Road RR7779

Thank you for your referral of 29 January 2018 seeking comment on the proposal from Fisheries NSW, a division of NSW Department of Primary Industries on the proposed works stated above. This notification complies with s.199(1)(a) of the Fisheries Management Act 1994 (FM Act) concerning the proposed dredging and reclamation activities.

Fisheries NSW is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, Fisheries NSW ensures that developments comply with the requirements of the Fisheries Management Act 1994 (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated Policy and Guidelines for Fish Habitat Conservation and Management (2013). Fisheries NSW is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

Fisheries NSW has reviewed the proposal in light of those provisions and has no objections to the proposed works, provided that:

1. Environmental safeguards (silt curtains, booms etc) are to be used during the works to ensure that there is no escape of turbid plumes into the adjacent aquatic environment;
2. Any material removed from the waterway that is to be temporarily deposited or stockpiles on land is to be located well away from the waterway and to be contained by appropriate sediment control devices; and
3. Fisheries NSW (1800 043 536) and the Environment Protection Authority (131 555) is to be notified immediately if any fish kills occur in the vicinity of the works. In such cases, all works other than emergency response procedures are to cease until the issue is rectified and approval is given by Fisheries NSW and/or the Environment Protection authority for the works to proceed.

If you require any further information, please contact me on 4916 3998.

Yours sincerely,

Kirk Dahle
Fisheries Manager, Aquatic Ecosystems
10 October 2017

Malcolm Britt
Planning and Infrastructure Officer – CC & BNC
Busways Group Pty Ltd
42 Empire Bay Drive
Kincumber NSW 2251

Dear Malcolm,

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The proposal would involve upgrading the existing single lane roundabout at Empire Bay Drive and The Scenic Road at Kincumber to a two lane circulating roundabout with dual departure and approaching lanes on Empire Bay Drive and a dual approach lane on The Scenic Road.

The proposal would require the temporary relocation of the bus stops located along Empire Bay Drive between Kerta Road to the south and Tora Avenue to the north.

An outline of the proposal is attached to this letter (Attachment A) as well as plans of the proposal (Attachment B).

It would be appreciated if you could provide any comments about this proposal by 2 November 2017.

Roads and Maritime Services would be pleased to provide further information if required. In this regard I can be contacted on 02 43946206 or by email Craig.Leckie@rms.nsw.gov.au.

Yours faithfully

Craig Leckie
Senior Project Development Manager
Greater Sydney Project Office – Central Coast

Roads and Maritime Services
Hi Craig,

Thank you for consulting with Busways in regard to this proposed work.

Busways fully supports this work as it will dramatically improve the on-time running of our services, particularly during the school term morning peak.

Can I suggest the repositioning of the bus stops from 32 & 35 Empire Bay Drive to the front of the shopping centre and directly opposite (see attached)? Although this would add extra cost to the project, it would allow a better flow of traffic and be a safer location for our buses to service passengers.

As we have buses leaving and returning to the depot all day except between 1am and 3am (entry via Hawke St) do you anticipate delays during construction?

Please do not hesitate to contact me should you wish to discuss this matter further.

Kind regards,
Mal

Malcolm Britt
Planning & Infrastructure Officer – CC & BNC
Busways Group Pty Ltd

42 Empire Bay Drive
Kincumber NSW 2251

M 0447 962 937
T 02 4368 2277
F 02 4368 2077

www.busways.com.au

Confidentiality Notice: This message is intended only for the person/s to whom it is addressed and may contain confidential information. If you receive this email in error, please contact the sender and delete the message from your computer.

Consider the environment, print only if necessary.
Please find attached a letter and attachments relating to the upgrade of the subject intersection.

If you have any comments would you please return then by 2 November 2017 or if you have any questions please contact me direct

Regards

Craig Leckie
Senior Project Development Manager
Greater Sydney Project Office – Central Coast
T 02 4394 6206  M 0407 212 208
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Every journey matters

Roads and Maritime Services
Level 2, 1 Bryant Drive Tuggerah NSW 2259
10 October 2017

Tim Deverell
Area Manager
Department of Industry
PO Box 2185
Dangar NSW 2309

Dear Tim,

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The proposal would involve upgrading the existing single lane roundabout at Empire Bay Drive and The Scenic Road at Kincumber to a two lane circulating roundabout with dual departure and approaching lanes on Empire Bay Drive and a dual approach lane on The Scenic Road.

It is our understanding that Crown Land would be impacted by the proposed works on the north-east corner of the proposed intersection upgrade where the design encroaches on the reserve adjacent to Kincumber Creek.

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Greater Sydney Project Office – Central Coast
Roads and Maritime Services
Hi Jennifer,

Email correspondence from DLALC for filing

Regards

Deborah Swan
deborah.swan@rms.nsw.gov.au
Aboriginal Cultural Heritage Officer
Aboriginal Programs, Hunter Region
Corporate Communications | Stakeholder and Community Engagement
T | M 0427 191 450
www.rms.nsw.gov.au
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Begin forwarded message:

From: "Lynne Hamilton" <L.Hamilton@dlalc.org.au>
To: "Sharon Hodgetts" <SHodgetts@dlalc.org.au>
Cc: "SWAN Deborah" <deborah.swan@rms.nsw.gov.au>
Subject: FW: Empire Bay Drive

Hi Sharon

Please see email from Deborah Swan below. We have been in discussions with RMS on their proposed road widening. Although this parcel of land has been granted to us, the title for the property has not yet been transferred to us. Co ultimately, the Crown is still the owner.

RMS intend to carry out soil contamination investigations as the site was previously a rutile sand processing facility. Darkinjung will also carry out such investigations but are restricted as we do not own the site.

Please treat it as any other development of this type would be treated.

Regards

Lynne Hamilton
Planning & Development Manager
cid:image007.png@01D2A7A4.A92A9120

I acknowledge that the land on which I work is the traditional land of the Darkinjung people. I pay my respects to the Elders, both past and present.

BIDHAL-EmailSignature-2017

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From: Allan Boole
Sent: Friday, 1 September 2017 3:37 PM
To: Lynne Hamilton; Brooke Harb
Subject: FW: Empire Bay Drive

Hi Lynne
Hi Sharon & Allan,

As per our phone conversation Allan I have carried a walk over survey and provided a PACHCI 1 clearance letter to carry out works, I will also be on site when the geotec investigation are carried if you require any further information please contact me , brief provided below.

RMS are going to carrying out geotec investigation on the level of contaminated soils , footprint in red on map. The land was previously supported a former mineral sands processing facility (decommissioning article is attached). The site is heavily vegetated with regrowth vegetation. Disturbed ground form, settlement activities, residential and light industrial occurs within and adjacent to the proposal.

In brief, the key features of the proposal would involve:

- Widening Empire Bay Drive and Cochrone Street on the north western side of the intersection
- Providing a two lane circulating roundabout to minimum design standards
- Raised medians at the intersection from all directions; and for a short section near Sundowner Avenue.
- All other medians would be defined by line marking.
- Line marking works on Empire Bay Drive between Avoca Drive and Kerta Road to provide two lanes in each direction; and intersection approaches from The Scenic Road and Cochrane Street.
- Improved pedestrian and cycle facilities including signalised pedestrian crossing located about mid-block on Empire Bay Drive between Avoca Drive and The Scenic Road.

A number of investigative studies are proposed to support concept design and the environmental impact assessment. These studies would involve ground disturbing activities as described in the PACHCI resource 1 checklist. To support the PACHCI Stage 1 assessment, I’ve attached links to:

- AHIMS search 200 m Nil found (undertaken in June 2017).
- Strategic design for the proposed intersection upgrade (Appendix H Roundabout Option 7). A max buffer of about 5 metres should be applied for the purposes of this PACHCI procedure.
- Proposed maximum footprint of disturbance on Lot 500 is attached. Lot 500 is currently vegetated Crown Land on the corner of Empire Bay Drive and Cochrane Street and is subject to Darkinjung Native Title Claim (in
progress).

- Land Use map from Gosford LEP. Lot 500 is a remediated site and supported a former mineral sands processing facility (a link to the facility’s decommissioning article is attached). The site is heavily vegetated with regrowth vegetation. Disturbed ground for residential and light industrial occurs within and adjacent to the proposal.

Regards

Deborah Swan

deborah.swan@rms.nsw.gov.au
Aboriginal Cultural Heritage Officer
Aboriginal Programs, Hunter Region
Corporate Communications | Stakeholder and Community Engagement
T 4908 7762 | M 0427 191 450
www.rms.nsw.gov.au
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From: Sharon Hodgetts [mailto:SHodgetts@dlalc.org.au]
Sent: Monday, 28 August 2017 10:29 AM
To: SWAN Deborah
Cc: Allan Beale; Anthony Freeman
Subject: RE: Empire Bay Drive

Hi Deb

I notice this is near or on Darkinjung Land. This may be relevant to Allan Beale our Work Health Safely and Environment Office, who is responsible for all Darkinjung Land holding.

Email l a.beale@dlalc.org.au
Mobile 0475466670

Any Culture and Heritage issues I’m happy to discuss.

Regards

Sharon Hodgetts
Senior Culture and Heritage Officer
M- 0467 805 240

I acknowledge that the land on which I work is the traditional land of the Darkinyung people.
I pay my respects to the Elders, both past and present.
From: SWAN Deborah [mailto:deborah.swan@rms.nsw.gov.au]
Sent: Monday, 28 August 2017 9:41 AM
To: Sharon Hodgetts
Subject: Empire Bay Drive

Hi Sharon,

I have completed a PACHCI Stage 1 survey for Empire Bay drive Kincumber map attached. I just want to have a yarn with you if possible.

Regards

Deborah Swan
deborah.swan@rms.nsw.gov.au
Aboriginal Cultural Heritage Officer
Aboriginal Programs, Hunter Region
Corporate Communications | Stakeholder and Community Engagement
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