

Chapter 3 Consultation



3. Consultation

Chapter 3 summarises the community and stakeholder consultation activities undertaken before and during the exhibition of the EIS for the Project. This chapter also identifies future ongoing communications that would be undertaken during the construction and operation of the Project.

3.1 Activities prior to EIS exhibition

Chapter 5 – *Stakeholder and community consultation* of the EIS provided a detailed description of consultation activities undertaken for the Project before and during the preparation of the EIS. It includes an overview of the key issues raised by stakeholders and the community; and, where relevant, how these concerns have been addressed through the concept design and proposed mitigations. A summary of the consultation activities undertaken with key stakeholders is provided in section 3.1.1; consultation with the community is detailed in section 3.1.2.

The level of consultation undertaken with stakeholders reflected of the level of interest or concern shown by the stakeholders regarding the Project and its likely impacts. For those stakeholders with a high degree of interest in the Project – including key agencies such as DoE, NSW DP&E, NSW Office of Environment and Heritage (OEH) and Liverpool City Council (LCC) – face-to-face meetings were undertaken. For stakeholders with a less interest in the Project, consultation occurred mainly through email and phone communication during the investigation activities of the Project.

Table 3.1 identifies the consultation activities undertaken with key stakeholders prior to the exhibition of the EIS.

Table 3.1 Summary of consultation with key stakeholders and the community

Stakeholders	Level of consultation
Key regulators	
<ul style="list-style-type: none"> DoE NSW DP&E 	<ul style="list-style-type: none"> One-on-one meetings and briefings Letters Telephone and email communication
High level of interest	
<ul style="list-style-type: none"> Local community and community groups LCC OEH (NSW) Environmental Protection Agency (EPA) Department of Defence (Defence) ABB Transport for NSW (TfNSW) consisting of Freight and Regional Development and NSW Roads and Maritime Services (RMS) Department of Infrastructure and Regional Development (DoIRD) 	<ul style="list-style-type: none"> Community open days One-on-one meetings and briefings Letters Briefings Reference group for the health impact assessment Telephone and email communication Site visit to the Project site

Stakeholders	Level of consultation
Medium level of interest	
<ul style="list-style-type: none"> • Sydney Trains (formerly RailCorp) • Australian Rail Track Corporation (ARTC) • (NSW) Department of Primary Industries (DPI) • NSW Rural Fire Service • NSW Health • Infrastructure Australia • Sydney Ports (Corporation (SPC) • Campbelltown City Council (CCC) • Western Sydney Regional Organisation of Councils (WSROC) • Sydney Business Chamber • NSW Business Chamber • Australian Trucking Association • Australian Army Cadets • Local Aboriginal Land Councils and Registered Aboriginal Parties 	<ul style="list-style-type: none"> • One-on-one briefings • Telephone and email communication • Site visit to the Project site
Specific infrastructure interest	
<ul style="list-style-type: none"> • Sydney Water Corporation • Telstra • Endeavour Energy (formerly Integral Energy) • Optus • AAPT • Jemena • AGL • APA Group 	<ul style="list-style-type: none"> • Telephone and email communication • One-on-one meetings (with Sydney Water Corporation and APA Group) • Letters
Specific governmental interest	
<ul style="list-style-type: none"> • NSW Treasury • (NSW) Department of Premier & Cabinet (DPC) and Ministerial officers 	<ul style="list-style-type: none"> • One-on-one meetings

3.1.1 Consultation with key stakeholders

As identified in Table 3.1, consultation has been undertaken with key regulators, government agencies, infrastructure providers and business/infrastructure organisations. Consultation activities included letters, phone and email communication, one-on-one meetings and, in some cases, a site visit. Dates of individual meetings are provided in Volume 2, Appendix D of the EIS. Details of feedback and issues raised by key stakeholders are provided in section 5.3.1 of Chapter 5 – *Stakeholder and community consultation* in the EIS.

3.1.2 Consultation with the community

Community consultation for the Project began in 2010 and has been ongoing since. The following key consultation activities were undertaken before the exhibition of the EIS:

- A Project website <<http://www.micl.com.au/>> was established to provide information as the Project progresses, including the results of water, air and noise monitoring. Outcomes of community consultation sessions (as discussed below) have also been presented on the website. MIC has also responded to enquiries made through the website.
- A Project Information Line (1300 382 239) was established to enable all stakeholders to provide feedback and ask questions of the Project team.
- Community newsletters were mailed out to all households in communities surrounding the Project site (e.g. Casula, Wattle Grove, Holsworthy and Glenfield) to update the community on Project milestones. Five community updates were mailed to 10,000 residents – in August 2011, October 2011, November 2011 and June 2012 – and to 12,000 residents in October 2013 and May 2014. The letters also invited the community to the information sessions (discussed below).
- Five community information sessions were held, on 28 October 2011, 29 October 2011, 30 October 2011, 2 November 2011 and 7 November 2011. These sessions provided the community with the opportunity to: view information boards about the various aspects of the Project; hear presentations by MIC and the Project Team; ask questions about the Project during an open question and answer session; discuss the Project with members of the technical team and ask questions about any potential impacts; and take away fact sheets on some of the technical studies.
- A series of personal briefings occurred in January 2011, August 2012 and January 2014 with community members who contacted MIC through the Project website.
- Stakeholder meetings were held with local community members to address their particular concerns about the Project. Two meetings were held on 17 March 2014 (seven community members were invited to attend) and 30 January 2014 (three community members attended).
- Through these activities and processes the community raised a number of issues related to Project impacts, approvals, design and site issues, and cumulative impacts. Section 5.3.2 of Chapter 5 – *Stakeholder and community consultation* provides a discussion on the issues raised in MIC's response at the time.

3.2 Consultation during public exhibition of the EIS

The EIS was publicly exhibited between 8 October and 8 December 2014. During the exhibition period government agencies, interest groups, business/industry organisations and the community were invited to make a written submission. A summary of the engagement activities and tools used to encourage community and stakeholder participation during the public exhibition period is outlined below:

3.2.1 Advertising and EIS display locations

On Wednesday 8 October 2014 a public notice was published in *The Daily Telegraph*, *Liverpool Leader* and *Liverpool Champion* to advertise the exhibition of the EIS and information sessions. A notice was again published in the *Liverpool Champion* and the *Liverpool Leader* on Wednesday 26 November and Wednesday 3 December to advertise that the EIS exhibition was coming to a close.

The EIS was placed on public exhibition between 8 October 2014 and 8 December 2014 at the following locations:

- Liverpool City Council Customer Service Centre – Level 2, 33 Moore Street Liverpool;
- Liverpool City Library – Library Plaza, 170 George Street, Liverpool;
- Campbelltown City Council – Council Chamber, corner Queen Street and Broughton Street, Campbelltown;
- Glenquarie Branch Library – Brooks Street, Macquarie Fields;
- NSW DP&E Information Centre – 23-33 Bridge Street, Sydney; and
- Nature Conservation Council of NSW – Level 2, 5 Wilson Street, Newton.

Exhibition material including hard copies of the EIS, information brochure and Project poster were provided at each of the display locations.

An electronic copy of the EIS was also available on NSW DP&E's website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5066 and MIC's website at <http://www.micl.com.au/community/eis/environmental-impact-statement.aspx>.

3.2.2 Community information sessions

Three community information sessions were held during the EIS exhibition period. The sessions were advertised through letters mailed to 12,000 residents/landowners in Wattle Grove, Moorebank and Casula two weeks before the first information session. The letter included details on the EIS and its content, the exhibition period and information on how to make a submission. A notice was published in *The Daily Telegraph*, *Liverpool Leader* and *Liverpool Champion* on the 8 October 2014, providing details of the upcoming information sessions. The information sessions were held at Comfort Inn Hunts, Casula on:

- Thursday 23 October, 6.00 pm–8.00 pm;
- Saturday 25 October; 2.00 pm–5.00 pm; and
- Tuesday 28 October, 6.00 pm–8.00 pm.

Community members were invited to view display boards and ask the Project team questions about the EIS and the outcomes of the studies. In addition, the Project team delivered presentations on the Project and the findings from the technical studies. Details were provided on:

- the IMT and what it does;
- why Moorebank was chosen;
- concept designs for the terminal;
- different rail options for the site;
- potential environmental impacts and mitigation measures for:
 - > traffic;

- > human health impacts;
- > visual impacts and light spill;
- > air quality and human health;
- > noise and vibration; and
- > other environmental matters.
- cumulative impacts of the terminal and the SIMTA development; and
- next steps and approval process.

Each information session was attended by 22 to 35 people and some community members attended more than one session. A total of 74 community members attended across the three sessions. Community members who attended the sessions were encouraged to make a formal submission via the NSW DP&E website.

3.2.3 Stakeholder letters, emails and briefings

At the start of the EIS exhibition period, MIC sent letters and emails to local residents who had previously subscribed to MIC for updates on the terminal's progress. This correspondence was sent to inform community members that the EIS was going on public exhibition and to provide information on where to view the EIS, where and when information sessions would be held, and how to make a submission on the EIS. MIC also offered briefings on the EIS to the following community representatives:

- Dr Andrew McDonald MP, Member for Macquarie Fields;
- Mr Chris Hayes MP, Member for Fowler;
- Mr Craig Kelly MP, Member for Hughes;
- Mr Laurie Ferguson MP, Member for Werriwa;
- The Hon. Paul Lynch MP, Member for Liverpool;
- Councillor Linda Downey, Mayor, Bankstown City Council;
- Ms Melanie Gibbons MP, Member for Menai;
- Councillor Ned Mannoun, Mayor, Liverpool City Council; and
- Councillor Paul Lake JP, Mayor, Campbelltown City Council.

MIC met with a number of relevant state Ministers and agencies, including TfNSW, RMS, the office of the NSW Minister for Roads and Freight (the Hon Duncan Gay MLC), the Minister assisting the Premier on Western Sydney (the Hon Stuart Ayres MP), the Department of Premier and Cabinet, Infrastructure NSW, NSW Trade and Investment and Sydney Trains. MIC also met with a number of relevant federal Ministers and agencies such as the NSW DP&E, the office of the Minister for Roads and Freight, DoE, DoIRD, Defence, Department of Finance, ARTC and Infrastructure Australia.

3.2.4 Enquiries, requests for information and complaints

The Project Information line (1300 382 239) and question facility on the MIC website (<http://www.micl.com.au/contact-us.aspx>) were available to the community and stakeholders to allow them to provide feedback on the Project and ask questions of the Project team. MIC received and responded to a number of telephone and email enquiries. All formal submissions were directed to NSW DP&E.

MIC's website also contained a dedicated section providing the electronic version of the EIS, along with details on where to view a hard copy, details on the exhibition period and the process for making submissions.

3.2.5 Citizens' Jury

MIC is committed to reducing the environmental impacts of the Project and recognises the impacts will mostly be experienced locally while the benefits of the terminal (e.g. for traffic congestion, growth of our imports and exports, and national productivity) are experienced over a broader area. Because of this, MIC plans to implement a public benefits package to increase the benefits of the terminal for people living nearby. This public benefits package is in addition to the measures that will be implemented to address the environmental impacts of the terminal. MIC chose to use a 'Citizens Jury' to choose public benefit measures rather than choose them itself. A Citizens Jury is an innovative approach to obtaining community input to a decision that might otherwise be made by a government organisation.

The Moorebank Intermodal Citizens' Jury was independently appointed and randomly selected from suburbs near the terminal site. Half of the participants were drawn from people living within a 5 km radius of the site and half from within a 10 km radius of the site. These boundaries were chosen so the jury would comprise people with a range of views, but with the focus being on people who live close by. Around 4,000 people were initially invited to participate in the jury and the final group of participants was matched to a profile of the community (based on age, gender, location etc.).

Members of the community were also invited to make submissions to the jury on what they see as a benefit for those most affected by the Project. Certain meetings of the Citizens' Jury were open to interested members of the community.

The jury recommended that the public benefit package include measures to improve health and education outcomes for people living near the terminal. These measures will be progressed further and implemented as applicable, in consultation with relevant stakeholders, after the Project receives all the necessary government approvals.

3.3 Aboriginal consultation

Consultation with Aboriginal representatives began in 2010 and continued through the preparation of the EIS. This consultation has been undertaken through site visits and written and verbal discussions with the registered aboriginal parties for the area.

The consultations were managed by Navin Officer Heritage Consultants and included the following registered aboriginal parties:

- Tharawal Local Aboriginal Land Council (TLALC);
- Cubbitch Barta Native Title Claimants Aboriginal Corporation (CBNTCAC);

- Gandangara Local Aboriginal Land Council (GLALC);
- Tocomwall Pty Ltd (TPL);
- Cubbitch Barta Native Title Claimants Aboriginal Corporation (CBNTCAC)
- Darug Land Observations (DLO);
- Darug Custodian Aboriginal Corporation (DCAC);
- Darug Aboriginal Cultural Heritage Assessments (DACHA);
- Darug Aboriginal Landcare Incorporated (DALI); and
- Banyadjaminga.

Consultation with the registered aboriginal parties regarding cultural knowledge and values has been an ongoing process. It has included formal invitations to contribute in writing and verbally during the field survey (2010, 2013 and 2014), site visit (2012), excavation program (2012 and 2013), telephone conversations and the provision of drafts of the technical reports. Further sub-surface testing was undertaken in August 2014, with registered aboriginal parties on site including a representative from Gandangara Local Aboriginal Land Council. Consultation with registered aboriginal parties was also undertaken during the scared tree assessment sampling undertaken in November 2014.

Consultation with the registered aboriginal parties will continue throughout the life of the Project and will include:

- consultation on the future care and management of recovered Aboriginal objects;
- methodologies for any future investigations; and
- finalisation of management and mitigation strategies subject to detailed design.

3.4 Consultation: the next steps

Community consultation will continue as part of the Project development process, to ensure MIC clearly understands the views of people living in the surrounding area and can respond to these views to the greatest extent possible. MIC will consider feedback from the local community during the exhibition of the Response to Submissions Report, and will continue to consider feedback during the ongoing design development, construction and operation phases of the Project (if approved) to ensure all relevant issues are addressed.

3.4.1 Statutory exhibition of the Response to Submissions Report

Public exhibition of the Response to Submissions Report (incorporating proposed amendments to the development) is required under NSW legislation. Section 89F of the EP&A Act requires that the Secretary of NSW DP&E makes the Response to Submissions Report publicly available for a minimum period of 30 calendar days.

During the exhibition period, any person (including a public authority) may make a written submission to the NSW Secretary of NSW DP&E. All submissions received will be provided to the proponent (MIC) in order to be considered in the context of the EP&A Act approval processes.

MIC's past consultation and engagement with the community has improved local awareness and understanding of the Project, and has given MIC a sound understanding of the matters that are of most interest to the community.

3.4.2 Additional community and stakeholder engagement during the exhibition period

During the exhibition period MIC will inform the community and other stakeholders of the exhibition of the Response to Submissions Report and provide information on key details to allow them to make comments in their submissions to NSW DP&E. Feedback during the exhibition period will also be obtained through, telephone calls to the Project Information Line (1300 382 239), emails to MIC, individual written submissions and face-to-face discussions if required.

MIC has prepared a Response to Submissions Report, which outlines MIC's objectives for the exhibition, how it will focus on ensuring relevant stakeholders are aware of the Response to Submissions Report and explaining key aspects of the proposed change to community members. As there are likely to be two planning approval applications on exhibition at the same time (i.e. the Moorebank IMT Response to Submissions Report and SIMTA's Stage 1 EIS) MIC will focus, on reducing confusion and providing some certainty to community members about the scope of the Moorebank freight precinct (which will include both the Moorebank and SIMTA sites). In particular MIC will clarify that there will only be:

- one IMEX terminal in the precinct, with a total capacity of 1.05M TEU per year;
- one interstate terminal in the precinct, with a total capacity of 500,000 TEU per year; and
- one rail access to the terminal and it will be located at the southern end of the terminal.

MIC will also aim to increase certainty by explaining:

- MIC's commitment to specific mitigation measures, such as locomotive standards to lower diesel emissions, noise walls and local intersection upgrades;
- that the terminal's initial IMEX capacity will be 250,000 TEU and will only increase over time in line with demand; and
- that Moorebank Avenue will not close but will be upgraded and may be moved in the future (but this will be subject to a further planning approval).

MIC will be able to give the community further certainty about the scope of the Moorebank freight precinct once MIC's agreement with SIMTA to develop the precinct has been approved by the Commonwealth Government.

Stakeholder engagement

Stakeholders will be notified of the exhibition of the Response to Submissions Report and its contents will be explained through the following actions:

- Newspaper advertisements will be placed by NSW DP&E at the start of the exhibition period.
- A copy of the Response to Submissions Report will be sent by NSW DP&E to local councils and relevant NSW agencies (list below) at the start of the exhibition period. MIC will offer briefings to key agencies.
 - > Council;

- > DPI;
 - > NSW Office of Water;
 - > DoE;
 - > Sydney Metropolitan Catchment & Management Authority;
 - > OEH;
 - > EPA;
 - > Heritage Division;
 - > ARTC;
 - > TfNSW;
 - > SCP;
 - > Origin Energy;
 - > Essential Energy;
 - > Transgrid;
 - > Sydney Water;
 - > Fire & Rescue NSW;
 - > NSW Rural Fire Services; and
 - > NSW Health.
- A brochure will be developed for community members to present them with information on the proposed amendments to the development, invite them to make a submission and provide MIC's phone and email contact details for more information, along with the translation and interpreting services available via TIS National and the MIC website. The brochure will be:
 - > delivered to 12,000 homes in Moorebank, Wattle Grove and Casula;
 - > posted on the MIC website; and
 - > handed out at Westfield, Liverpool to reach interested people not in the letterbox drop catchment.
 - A dedicated section will be developed for the MIC website to explain the proposed amendments to the development.

3.4.3 Future community engagement activities

Following the public exhibition period, a further Response to Submissions Report will be prepared to satisfy the NSW EP&A Act processes for addressing submissions received. The relevant documentation will be lodged with NSW DP&E to assist with their determination of the Project.

MIC will undertake further community engagement once the Commonwealth Government approve SIMTA as their developer and operator of the Moorebank freight precinct. At this time MIC will be able to explain the scope and layout of the precinct and the proposed timing of its staged development.

Consultation with key stakeholders and the community will continue during the next stages of Project development. Furthermore, with the exception of the Early Works (described in Chapter 8 – *Project development phasing and construction* of the EIS), under the EP&A Act the EIS approval would not provide the opportunity to construct any part of the IMT until further detailed environmental assessments are undertaken and approved (referred to as Stage 2 State significant development (SSD) approvals). Further community consultation would be undertaken during preparation of these Stage 2 SSD approvals.

If the Project is approved, a Community Engagement Plan (CEP) will be prepared and implemented by the contractor selected for the construction and operation of the Project. This will outline the consultation and notification processes during the pre-construction, construction and operation phases. The CEP would be prepared to ensure that:

- the community and stakeholders have a high level of awareness of all processes and activities associated with the Project;
- accurate and accessible information is made available; and
- a timely response is given to issues and concerns raised by stakeholders and the community.

3.4.4 Future agency and businesses/infrastructure stakeholder consultations

During the next stages of the approval process, MIC will continue to consult with the relevant key agencies and businesses/infrastructure stakeholders. The EIS (if approved) would be issued with conditions of consent, which would include a schedule of additional and more detailed assessments to be undertaken during subsequent development applications. MIC will consult with relevant agencies and business/infrastructure stakeholders as required in relation to these subsequent development applications.

Following staged development consent, the CEP will detail further consultation and notifications to be undertaken during the pre-construction, construction and operation phases of the Project to ensure that agencies and business/infrastructure stakeholders are adequately informed.