

22 April 2022

Portfolio Committee 6

Legislative Council

Parliament of NSW

Macquarie Street, Sydney, NSW

BY EMAIL: PortfolioCommittee6@parliament.nsw.gov.au

Attention: Stephen Fujiwara

Dear Sir

RE: INQUIRY INTO ACQUISITION OF LAND IN RELATION TO MAJOR TRANSPORT PROJECTS - POST HEARING RESPONSES

On 18 March 2022, I attended the Public Inquiry on behalf of Inner West Council and gave evidence. I have read the transcript and there are no corrections which are required to be made.

During the giving of evidence, before the Public Inquiry, a number of questions were taken on notice. The Council provides the following responses to the questions taken on notice:

1. *What is the population of IWC?* (page 24 of the Transcript)

The Hon. DANIEL MOOKHEY: Just to be clear here, Inner West Council represents how many people? MATTHEW PEARCE: I cannot tell you that, I am sorry. I think it is probably about 180,000 to 200,000. The Hon. DANIEL MOOKHEY: And your revenue as well? MATTHEW PEARCE: No, I cannot. I would have to take that on notice.

Response: According to the 2016 census, the population of the IWC LGA is 182,043. Latest census data will be available in June 2022.

2. *What is the annual revenue of IWC?* (page 24 of the Transcript)

The Hon. DANIEL MOOKHEY: Just to be clear here, Inner West Council represents how many people? MATTHEW PEARCE: I cannot tell you that, I am sorry. I think it is probably about 180,000 to 200,000. The Hon. DANIEL MOOKHEY: And your revenue as well? MATTHEW PEARCE: No, I cannot. I would have to take that on notice.

Response: 2020/21 actual revenue was \$274,826,951.00 and 2021/22 estimated revenue amount will be \$270,813,802.00

3. *Was there any difference between how TfNSW and Sydney Metro undertook negotiations in terms of compensation for parks, reserves, crown reserves which Council was a Crown Manager and roads?* (page 24 of the Transcript)

The Hon. DANIEL MOOKHEY: Did you see a difference between Transport and Sydney Metro? MATTHEW PEARCE: I cannot answer that. I was not part of the process. The Hon. DANIEL MOOKHEY: Can you take that on notice and see whether or not your council officers thought there that there was a distinction?

Response: There was no difference in how each negotiated.

4. *Did the compensation from the court cases allow IWC to build nine replacement parks? (page 25 of the transcript)*

The Hon. DANIEL MOOKHEY: Was it enough for you to be able to build nine replacement parks? MATTHEW PEARCE: I will have to take that question on notice. I do not have an answer for that.

Response: There is insufficient information available to provide an answer to this question on notice.

5. *In the IWC written submission (para 12), how much land in sqm was acquired in total? (page 25 of the transcript)*

The Hon. JOHN GRAHAM: Can I go to those parks? You list them in point 12, some of those nine parks or reserves. What is the total space that has been acquired between those? I am happy for you to take that question on notice. MATTHEW PEARCE: I will have to take that question on notice.

Response: Two types of acquisition have occurred across the nine parks or reserves:

a) Total Freehold land acquired by TfNSW was 9,368m².

b) Total Construction Lease area land acquired by TfNSW was 88,748m².

6. *In respect of the parks and reserves acquired, how much land in sqm will be eventually returned after the completion of the projects – as freehold land and under the proposed care control and management agreements? (page 25 of the transcript)*

The Hon. JOHN GRAHAM: I am very comfortable for you to take this on notice but it actually would be helpful. I am not sure that it is obviously less in that there are some large spaces which will be returned, for example around Rozelle, to public parkland. MATTHEW PEARCE: Correct. The Hon. JOHN GRAHAM: So I think that head-to-head comparison, which I think it would be unreasonable for you to provide now, would be helpful. If you are able to tell us what of these nine parks—and I have not seen this all put together before—what is the space here, and when all of this is returned, acknowledging that is some significant way down the track, what is the space that will then be returned? MATTHEW PEARCE: That is fine. The before and after. The Hon. JOHN GRAHAM: Yes.

Response: Freehold land that will be returned back to Council will be limited to the Construction Lease areas within the nine parks and reserves being 88,748m² (referred to above).

In terms of land returned or proposed to be returned to Council under care control and management agreements (which is land that will remain in the ownership of TfNSW) will include the Haberfield Gardens and Rozelle Goods Yards Parklands which total 10 hectares and other lands which total 4,383m².

7. *And in terms of a before and after scenario with the lands which have been acquired compared which lands to be returned like for like? (page 26 of the transcript)*

The Hon. DANIEL MOOKHEY: But, equally, whether it is like for like too, because there is other evidence as well about it is nice to have a park but if it is sitting under a motorway it might not be as airy as if there was not a motorway on top of it.

Response: In relation to the land acquired for construction leases the land will be returned in a similar condition to when it was acquired.

In relation to Camdenville Park, Council has received funding from TfNSW to provide a BMX track that was included as part of the negotiations but is unable to be delivered due to Transgrid occupation of the area.

In relation to Tempe Lands, as part of the compensation for acquiring those lands, \$4.25M is to be used to provide sporting fields and amenities.

In relation to Yurulbin Reserve, Council is unaware if any embellishment will be undertaken.

In relation to the Victoria Road pocket parks, these parks will be landscaped by TfNSW before Council takes control of those parks.

In relation to Reg Coady Reserve, there will be some tree plantings by TfNSW.

8. *In terms of the lands which may be returned under the care, control and management agreements what are the approximate maintenance costs in total? (page 26 of the Transcript)*

The Hon. JOHN GRAHAM: For these nine parks, for the land that will be returned, do you have an estimate of what those maintenance costs might be over time? MATTHEW PEARCE: No, I do not. I will have to take that on notice. The Hon. JOHN GRAHAM: If you could I think that would helpful, to give us some sense of even the scale of what we are talking about by way of maintenance

Response: In general, it is estimated by Council that the Maintenance Costs will be approximately \$30m² per annum.

More specifically, Victoria Road Rozelle pocket parks and King George Park will have maintenance costs of \$131,490.00 per annum. Council has been provided maintenance costs by TfNSW (\$1.5M approximately in total). This was an outcome from a negotiated Court case.

Rozelle Parklands totalling 9 hectares will have maintenance costs of \$270,000 per annum as well as costs to maintain sporting fields.

9. *Provide a list of the lands which TfNSW and Sydney Metro are requiring Council to take back which are subject to contamination issues.* (page 27 of the transcript)

The Hon. DANIEL MOOKHEY: And on notice can you give us details of the parks or the lands that you will be responsible for managing that may have been contaminated?

Response: There are two parcels of contaminated land which TfNSW are requiring Council to be responsible for managing. These are the:

(a) Tempe Lands where there is a possible increase in leachate pollution due to opening up of the former Tempe Tip which had been capped and subject to environmental monitoring by Council. TfNSW as a consequence of the construction project proposes to create the “Tempe mound” – a 15 metre high mound to contain the in-situ contaminated soil and material from the former tip. Whilst “Tempe mound” will be owned by TfNSW there are concerns that leachate will escape and contaminate adjacent lands which are to be returned to Council. TfNSW is also proposing that Council purchase, for \$1M, a new leachate treatment plant which has been built to manage the current leachate pollution.

(b) St Peter’s Interchange land – this is land which is proposed to be handed back to Council. This land has a large mound which holds contaminate soil and material. This mound that is currently unstable.

10. *What is Council’s Housing Target?* (page 28 of the transcript)

The Hon. DANIEL MOOKHEY: What is Inner West Council's housing target currently?

MATTHEW PEARCE: I will have to take that on notice.

Response: Council’s Affordable Housing Policy has a target of 15% of new housing being affordable housing. This plan was adopted in 2017. Council anticipates that as the population of the LGA grows, and the requirement for more housing is met, that there will be a reduction of 3.3m² of greenspace per person by 2036 (per IWC Recreation Needs Study – A Healthier Inner West).

IWC’s Local Housing Strategy (adopted 03 March 2020) anticipates a theoretical supply of housing in the LGA between 2018-2036 to be over 16,620 dwellings, of which if 70% eventuate there would be 10,380 forms of residential accommodation, of which 1,416 would be non-standard market offerings such as boarding rooms.

Yours faithfully

Matthew Pearce

MATTHEW PEARCE
GENERAL COUNSEL