



ROYAL BOTANIC GARDENS AND DOMAIN TRUST AMENDMENT (FACILITATION OF SYDNEY METRO WEST) BILL 2022

STATEMENT OF PUBLIC INTEREST

Need: Why is the policy needed based on factual evidence and stakeholder input?

The substratum land under the Royal Botanic Gardens and Domain cannot be acquired without an Act of Parliament as the land is vested in the Royal Botanic Gardens and Domain Trust and is subject to the Royal Botanic Gardens and Domain Trust Act 1980, which includes a prohibition in on acquisition of any part of the land without an Act of Parliament.

Parts of the substratum land under the Domain are needed for the construction of tunnels for the Sydney Metro West metro rail line.

Objectives: What is the policy's objective couched in terms of the public interest?

Sydney Metro is revolutionising how Australia's biggest city travels, connecting Sydney's north west, west, south west and greater west to fast, reliable turn-up-and-go metro services with fully accessible stations.

The metro program includes the operational Metro North West Line and three projects under construction:

- City & Southwest
- West
- Western Sydney Airport

Sydney Metro enhances public spaces with vibrant transport precincts, acting as a catalyst for renewal and better connections.

The metro program creates and supports new communities, improves amenity, and delivers new integrated station developments.

Sydney Metro is Australia's most technologically advanced railway, and is Australia's only fully-accessible, driverless train service.

When Sydney Metro is extended into the central business district in 2024, metro rail will run from Sydney's booming North West region under Sydney Harbour, through new underground stations in the CBD.

There will be ultimate capacity for a metro train every two minutes in each direction under the city, a level of service never before seen in Sydney. Sydney's new metro railway will have a target capacity of about 40,000 customers per hour, similar to other metro systems worldwide. Sydney's current suburban system can reliably carry 24,000 people an hour per line.

Sydney Metro West will be a 24-kilometre metro line doubling rail capacity between Greater Parramatta and the Sydney CBD, linking new communities to rail services and

supporting employment growth and housing supply. Stations are confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and Hunter Street in the Sydney CBD.

Construction started in 2020, with the project on track to be completed by 2030.

Options: What alternative policies and mechanisms were considered in advance of the bill?

Legislative change is the only means available to acquire the freehold in that part of the substratum land under the Domain which is located along the alignment of the Sydney Metro West.

Analysis: What were the pros/cons and benefits/costs of each option considered?

The tunnel under the Domain a critical part of the Metro West Project as it provides the turn back for the line. If the Bill is not progressed, the project cannot proceed as legislative change is the only avenue for Sydney Metro to secure freehold ownership over the substratum land under the Domain. Without the required legal substratum rights, Sydney Metro would not be able to construct the required tunnel to allow Sydney Metro West to terminate and turn back the trains. Changing the alignment is not feasible and would put the completion date in jeopardy.

Pathway: What are the timetable and steps for the policy's rollout and who will administer it?

Bills typically commence on assent. Once the relevant provisions of the Bill commence, the amendments to the target legislation take effect. Ministers responsible for administering the legislation being amended, and the agencies who support those Ministers, advise stakeholders of the minor amendments where relevant.

Consultation: Were the views of affected stakeholders sought and considered in making the policy?

Relevant Ministers and agencies are responsible for consulting with relevant stakeholders before a Bill is proposed and that consultation included the Royal Botanic Gardens and Domain Trust and the Department of Planning and Environment which administers the Royal Botanic Gardens and Domain Trust Act 1980 who were both supportive of the bill.