

Committee on
Transport and Infrastructure



LEGISLATIVE
ASSEMBLY

Interim report on the Sydney Metro West project



Report 1/58 – November 2023

New South Wales Parliamentary Library cataloguing-in-publication data:



A catalogue record for this
book is available from the
National Library of Australia

ISBN: 978-1-925214-36-9

The motto of the coat of arms for the state of New South Wales is “Orta recens quam pura nites”. It is written in Latin and means “newly risen, how brightly you shine”.

Contents

Membership	ii
Chair’s foreword	iii
Findings and recommendations	iv
Chapter One – Sydney Metro West project	1
Referral of inquiry	1
Committee's requests for original business case for Sydney Metro West project	1
Committee commentary	2
Appendix One – Terms of reference	5
Appendix Two – Conduct of inquiry	6
Appendix Three – Submissions	7
Appendix Four – Witnesses	9
Appendix Five – Extracts from minutes	11

Membership

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Chair's foreword

The Committee on Transport and Infrastructure is making this report to the House because it has been unable to fulfill one of the essential terms of reference of its inquiry into the Sydney Metro West project.

The Committee's report outlines the challenges we have faced in our attempts to obtain a copy of the original business case for the Sydney Metro West project.

To fulfil the terms of reference, we wrote to Infrastructure NSW and Sydney Metro and requested a copy of the original business case. Both agencies denied our request. We again requested this information from agencies' representatives in a public hearing on 13 October 2023, and again our requests were denied.

Without access to the original business case, the Committee finds itself obstructed in fulfilling our role, in relation to paragraph (a) of our terms of reference.

To address this obstruction we recommend that the House considers making an order for papers to enable the Committee to complete its inquiry into the Sydney Metro West project.

In closing, I would like to thank and commend my fellow Committee members, who each worked diligently on reading the submissions and engaging actively in the hearing process. We are committed to fulfilling the terms for reference for this inquiry and will keep the House updated on our progress.

Lynda Voltz MP
Chair

Findings and recommendations

Recommendation 1

That the Legislative Assembly considers making an order for papers to enable the Committee on Transport and Infrastructure to complete its inquiry into the Sydney Metro West project.

Chapter One – Sydney Metro West project

Referral of inquiry

1.1 On 1 August 2023, the Committee on Transport and Infrastructure received a referral from the Minister for Transport, the Hon Jo Haylen MP. The Minister requested that the Committee inquire into and report on the Sydney Metro West project (the project), with reference to:

- the original business case for the project
- the establishment of the route and selection of locations
- the cause of blowouts in project cost and timelines
- whether the Minister at the time considered any other consequential benefits that could be achieved from the project
- other matters relevant to the Sydney Metro West project.¹

1.2 On 15 August 2023, the Committee resolved to conduct an inquiry into this project and adopted the above terms of reference.

Committee's requests for original business case for Sydney Metro West project

1.3 To fulfil the terms of reference, the Committee wrote to Infrastructure NSW and Sydney Metro, in early October 2023, and requested a copy of the original business case. Both agencies denied the Committee's request for a copy of the original business case, on the basis that the information is Cabinet in Confidence.²

1.4 The Committee also requested a copy of the original business case at its public hearing on 13 October 2023.³ In response to the Committee's requests:

- Infrastructure NSW stated that they would not be authorised to provide the business case as it is Cabinet in Confidence.⁴

¹ Correspondence from the Minister for Transport to the Chair, 1 August 2023.

² Correspondence from the Acting Chief Executive of Infrastructure NSW to the Chair, 5 October 2023; Correspondence from the Chief Executive of Sydney Metro to the Chair, 12 October 2023. Note that the Sydney Metro [submission](#), p 5, also states that the 'Final Business Case report in full is subject to Cabinet confidentiality of the previous government'.

³ Ms Lynda Voltz MP, Chair, Legislative Assembly Committee on Transport and Infrastructure, [Transcript of evidence](#), 13 October 2023, pp 50, 60.

⁴ Ms Janine Lonergan, Acting Chief Executive, Infrastructure NSW, [Transcript of evidence](#), 13 October 2023, p 50.

- Department of Planning and Environment stated that the Department did not possess the original business case.⁵
- Both Sydney Metro and Transport for NSW stated that they had received advice from the Cabinet Office that the final business case and the strategic business case for Sydney Metro West are Cabinet in Confidence.⁶

1.5 To date, the Committee has been unable to fulfill one of the essential terms of reference in the Minister's referral through standard inquiry procedures. The Committee notes that the Sydney Metro West project is a multi-billion-dollar project that is a "once-in-a-century infrastructure investment".⁷

Committee commentary

What are the issues?

- 1.6 On the one hand there is the confidentiality that is essential for the proper functioning of government; and on the other hand, there is the power of Parliament to conduct inquiries and hold the Government to account. These are both important public interests, that can sometimes find themselves in competition.
- 1.7 The Legislative Assembly has a dual role when exercising its powers in both forming the Government and then holding it accountable to the people. The House must consider those competing interests carefully, to ensure that it achieves the right balance.

Why is confidentiality necessary for the proper functioning of government?

- 1.8 It is a feature of our system that ministers either accept and defend the decisions of Cabinet or resign from it. The ability to have uninhibited discussions, but to then assume collective responsibility for the final decision, would be undermined if the inner deliberations of Cabinet were to be made public.
- 1.9 For this reason (and other reasons, such as security or public safety) certain documents may be considered "Cabinet in Confidence". This is a recognised part of the common law doctrine of Public Interest Immunity (PII) but whenever the issue has come before the courts, they have not regarded the immunity of Cabinet documents to be absolute. Instead, they have carefully considered each individual case on its merits.
- 1.10 See for example, the statement of Gibbs ACJ in in the High Court decision of [Sankey v Whitlam \(1978\)](#) that:

⁵ Mr David Gainsford, Deputy Secretary, NSW Department of Planning and Environment, [Transcript of evidence](#), 13 October 2023, p 50.

⁶ Mr Peter Regan, Chief Executive, Sydney Metro, [Transcript of evidence](#), 13 October 2023, p. 60; Mr Simon Hunter, Chief Transport Planner, Customer Strategy & Technology Division, Transport for NSW, [Transcript of evidence](#), 13 October 2023, p 60.

⁷ NSW Government, [Budget Paper No. 3 Infrastructure Statement 2023-24](#), p 2-33, viewed 23 November 2023; Sydney Metro, [Project Overview](#), viewed 23 November 2023.

If a strong case has been made out for the production of the documents, and the court concludes that their disclosure would not really be detrimental to the public interest, an order for production will be made.⁸

- 1.11 Furthermore the decisions of the High Court and the NSW Court of Appeal in [Egan v Willis \(1998\)](#) and [Egan v Chadwick \(1999\)](#) confirmed the fundamental role of each House of Parliament to scrutinise the activities of the Executive branch – the power of each House to call for the production of "State papers" despite their confidential status.⁹ So, while the Committee recognises the importance of "Cabinet in Confidence", it is also recognised that it is not absolute.

What about the doctrine of “reasonable necessity” and the power of Parliament to call for papers?

- 1.12 The doctrine (or test) of "reasonable necessity" gives our Parliament such powers that may be reasonably necessary for the proper exercise of its functions – executive scrutiny and legislating.¹⁰

- 1.13 And one of the great advantages of that test is its flexibility, or as a 2013 UK Joint Committee on Privilege put it:

One of the advantages of the “doctrine of necessity” is that it ensures a degree of flexibility. The working practices of Parliament change, and our understanding of what is or is not subject to Parliament’s sole jurisdiction needs to adapt and evolve accordingly.¹¹

How to balance these competing needs?

- 1.14 It is acknowledged that there is a valid argument against the disclosure of certain Cabinet information may be against the public interest. However the balance must be struck in such a way that Parliament is not prevented from appropriately exercising its function of oversighting the Executive and its decisions.
- 1.15 It is not apparent to the Committee that disclosure of the original business case of itself will necessarily reveal the decisions or deliberations of Cabinet.
- 1.16 Business cases pass through many hands before becoming cabinet submissions and even then, as has been noted in [Mookhey v Infrastructure NSW \[2017\]](#), the practice is often for submissions to generally contain only extracts from business cases, and for whole business cases only to be submitted to Cabinet “on occasion”.¹²
- 1.17 The Committee notes recent examples in the Legislative Council where despite initial claims of Cabinet confidentiality, business cases for the proposed Western Harbour Tunnel and Beaches Link were provided to the Legislative Council in 2020. The Business Case for the Dungowan Dam and the Strategic Business Case

⁸ 142 CLR 1 at [61]; cited in [Commonwealth v Northern Land Council](#) (1993) 176 CLR 604 at [7].

⁹ [Egan v Willis](#) (1998) 195 CLR 424 ('Egan v Willis'); [Egan v Chadwick](#) (1999) 46 NSWLR 563.

¹⁰ See generally [Kielley v Carson](#) (1842) 13 ER 225 at [235]; cited in [Egan v Willis](#) [31].

¹¹ UK Joint Committee on Parliamentary Privilege, [Parliamentary Privilege](#), 3 July 2013, paras 25, 40, viewed 23 November 2023.

¹² [Mookhey v Infrastructure NSW](#) [2017] NSWCATAD 345 at [42].

Wyangala Dam were also provided in 2022 and then papers relating to Sydney stadiums in 2018.

- 1.18 Without access to the original business case, the Committee finds itself obstructed in fulfilling our role, in relation to paragraph (a) of our terms of reference.

Conclusion and recommendation

- 1.19 The Committee reports to the House that it has been unable to fulfill paragraph (a) of the terms of reference and is obstructed in its ability to progress the inquiry due to claims of Cabinet Confidentiality which have been made over the original business case.

Recommendation 1

That the Legislative Assembly considers making an order for papers to enable the Committee on Transport and Infrastructure to complete its inquiry into the Sydney Metro West project.

Appendix One – Terms of reference

That the Committee on Transport and Infrastructure inquire into and report on the Sydney Metro West project, with reference to:

- a) The original business case for the project
- b) The establishment of the route and selection of station locations
- c) The cause of blowouts in project cost and timelines
- d) Whether the Minister at the time considered any other consequential benefits that could be achieved from the project
- e) Other matters relevant to the Sydney Metro West project.

Appendix Two – Conduct of inquiry

The Sydney Metro West project inquiry was referred by the Minister for Transport, the Hon. Jo Haylen MP, to the Committee on Transport and Infrastructure on 1 August 2023. The Committee resolved to accept the referral on 15 August 2023. The terms of reference for the inquiry is at Appendix One.

Submissions to the inquiry closed on 19 September 2023. The Committee received 34 submissions from various stakeholders including members of the public, non-profit organisations, local councils, government agencies, industry bodies and advocacy groups.

A list of submission makers is at Appendix Three, and the submissions are available on the inquiry [webpage](#).

A public hearing was held at Parliament House on 13 October 2023. The Committee heard from a range of witnesses representing community and business advocacy groups, NSW government departments and agencies, local councils, and planning and architectural organisations.

A list of witnesses who appeared at the hearing is at Appendix Four. A transcript of evidence taken at the hearing is on the inquiry [webpage](#).

Appendix Three – Submissions

No.	Author
1	Mr Samuel Austin
2	Mr Grant Mistler
3	Mr Ray Laverack
4	Confidential
5	Ms Vanessa McDonald Costa
6	Mr Richard Ure
7	Audit Office of New South Wales
8	Mr Lachlan Bowden
9	Family Planning Australia
10	Cumberland City Council
11	Mr Nathan English
12	Restore Inner West Line
12a	Restore Inner West Line
13	City of Parramatta Council
14	Quay Group
15	City of Sydney
16	Urban Taskforce
17	Action for Public Transport (NSW) Inc.
18	Urban Development Institute of Australia (NSW)
19	Mecone
20	Sydney YIMBY
21	Camellia Landowners Alliance
22	Knight Frank Town Planning
23	The Centre for Western Sydney
24	Alliance of Moore Park Sports (AMPS)
25	The University of Sydney
26	Sydney Olympic Park Business Association Inc.
27	Mr Peter Egan
28	Crude Oil Peak
29	Business Western Sydney
30	Sport NSW
31	Venues NSW

32	Sydney Metro
33	Name suppressed

Appendix Four – Witnesses

13 October 2023

Parliament House, Macquarie Room, Sydney, NSW and via videoconference

Witness	Position and Organisation
Mr Tom Forrest	Chief Executive Officer, Urban Taskforce
Mr Steve Mann	Chief Executive Officer, Urban Development Institute of Australia - NSW Division
Mr Justin Simon	Chair, Sydney YIMBY
Mr Roydon Ng	Restore Inner West Line
Mr Rick Graf	CLA Representative, Camellia Landowners Alliance
Mr Mathew Hounsell	Researcher, Transport Research Centre, University of Technology Sydney
Mr Daniel Cavallo	Director, Environment and Planning, Cumberland City Council
Mr Mark Grayson	Director, Knight Frank Town Planning
Mr James Scott	General Manager - Harvey Norman Property Department
Mr Greg Robinson	Chief Infrastructure Officer, The University of Sydney
Professor Mark Scott AO	Vice-Chancellor and President, The University of Sydney
Mr Tom Nance	Policy and Strategy Lead, The Centre for Western Sydney
Mr Phillip Heads	General Manager - Communications, Heritage and Community, Venues NSW
Ms Allison Taylor	Chief Executive Officer, Sydney Olympic Park Business Association Inc.
Mr David Borger	Executive Director, Business Western Sydney
Ms Margaret Crawford PSM	Auditor-General for New South Wales, Audit Office of New South Wales
Mr Ian Goodwin	Deputy Auditor-General for New South Wales, Audit Office of New South Wales
Ms Claudia Migotto	Assistant Auditor-General for New South Wales, Audit Office of New South Wales
Mr Peter Regan	Chief Executive, Sydney Metro
Cr Clover Moore AO	Lord Mayor, City of Sydney

Mr Kim Woodbury	Chief Operating Officer, City of Sydney
Mr Simon Hunter	Chief Transport Planner, Customer Strategy & Technology Division, Transport for NSW
Ms Gail Connolly PSM	Chief Executive Officer, City of Parramatta Council
Ms Erica van den Honert	Executive Director, Infrastructure Assessments, NSW Department of Planning and Environment
Ms Janine Lonergan	Acting Chief Executive, Infrastructure NSW
Mr Rene Burkart	Head of Assurance, Infrastructure NSW
Mr Shaun Carter LFRAIA	Principal, Carter Williamson Architects, Mecone
Mr David Gainsford	Deputy Secretary, Development Assessment, NSW Department of Planning and Environment

Appendix Five – Extracts from minutes

MINUTES OF MEETING NO 2

10:58AM, 15 August 2023

Room 1254 and via videoconference

Members present

Ms Voltz (Chair), Mr Hagarty (Deputy Chair) (by videoconference), Mrs Hannan (by videoconference), Mr Kirby (by videoconference)

Officers present

Stephanie Mulvey, Kieran Lewis, Alison Buskens and Caitlin Bailey

Apologies

Mr Williams

Agenda

1. Confirmation of minutes

Resolved, on the motion of Mr Kirby: That the minutes of the meeting of 29 June 2023 be confirmed.

2. ***

3. ***

4. Proposed inquiry into Sydney Metro West project

The Committee considered the correspondence from the Minister for Transport, dated 1 August 2023, requesting that the Committee conduct an inquiry into the Sydney Metro West project.

Resolved on the motion of Mr Haggarty, seconded Mrs Hannan:

- That the Committee conduct an inquiry into the Sydney Metro West project in accordance with the following terms of reference:
That the Committee will inquire into and report on the Sydney Metro West project, with reference to:
 - a. The original business case for the project
 - b. The establishment of the route and selection of station locations
 - c. The cause of blowouts in project cost and timelines
 - d. Whether the Minister at the time considered any other consequential benefits that could be achieved from the project
 - e. Other matters relevant to the Sydney Metro West project.
- That the Committee call for submissions to be received by 19 September 2023 and write to the listed stakeholders.

- That the Chair issue a media release announcing the inquiry.

The Committee agreed that members would send any additional stakeholder suggestions to the secretariat by COB Thursday.

The Committee agreed to hold public hearings on 6 and 13 October 2023.

5. ***

6. Next meeting

The meeting adjourned at 11:14am until 29 September 2023.

MINUTES OF MEETING NO 3

3:03PM, 29 September 2023

Room 1254 and via videoconference

Members present

Ms Voltz (Chair), Mr Kirby, Mr Hagarty (Deputy Chair) (by videoconference), Mrs Hannan (by videoconference), Mr Williams (by videoconference)

Officers present

Stephanie Mulvey, Janelle Taouk and Abegail Turingan

Agenda

1. Confirmation of minutes

Resolved, on the motion of Mr Kirby: That the minutes of the meeting of 15 August 2023 be confirmed.

2. Correspondence

The Committee noted correspondence from stakeholders who have confirmed that they will not be making a submission to the inquiry into Sydney Metro West:

- Email from the Heritage Council of NSW dated 22 August 2023
- Email from Infrastructure NSW dated 15 September 2023
- Email from the Climate Council dated 15 September 2023
- Email from the Western Sydney University dated 18 September 2023
- Email from the City of Canada Bay Council dated 26 September 2023

3. ***

4. Inquiry into Sydney Metro West project

4.1 Publication of submissions

The Committee considered submissions for publication.

Resolved, on the motion of Mr Kirby:

- That the Committee accept and publish submissions numbered 1 to 3 and 6 to 24 and 26 to 31 in full, with standard redactions as set out in the publication table.

- That the Committee accept and publish submission 5 as partially confidential by redacting details on page 3 which may inadvertently the author's address.
- That the Committee accept and publish submission 25 as partially confidential, omitting those attachments marked commercial in confidence (Attachments 3 and 5).
- That submission 4 remain confidential to the Committee and not be published.

The Chair noted submissions received after the closing date (19 September 2023). The Chair also noted that submissions from Transport for NSW and the Department of Planning are forthcoming and will be circulated to members when received.

Resolved, on the motion of Mr Kirby: That the submissions from Transport for NSW and the Department of Planning be emailed to members and then published 24 hours after being circulated, unless members note any objections in writing before that time.

4.2 Witness for public hearing (Attachment E)

The Committee discussed the witness selection for the public hearing and considered the draft hearing schedule.

The Committee agreed to add Sydney Metro and Peter Phibbs, Professor Emeritus at the University of Sydney, to the draft schedule

Resolved, on the motion of Mr Hagarty: That the Committee invite the witnesses listed in the draft hearing schedule to give evidence at the public hearing on 13 October 2023.

The Committee agreed that a hearing on 6 October was unlikely to proceed; however, members would endeavour to keep the afternoon of that day free in case it was required.

5. Correspondence regarding original business case

Resolved, on the motion of Mr Hagarty: That the Committee write to Infrastructure NSW requesting a copy of the original business case for Sydney Metro West.

6. ***

7. ***

8. Next meeting

The meeting adjourned at 3.13pm. The Committee will meet again on 13 October 2023.

MINUTES OF MEETING NO 4

8:47AM, 13 October 2023

Macquarie Room and via videoconference

Members present

Ms Voltz (Chair), Mr Hagarty (Deputy Chair), Mrs Hannan, Mr Kirby and Mr Williams (by videoconference)

Officers present

Stephanie Mulvey, Alison Buskens, Janelle Taouk and Caitlin Bailey

Agenda

1. Confirmation of minutes

Resolved, on the motion of Mrs Hannan: That the minutes of the meeting of 29 September 2023 be confirmed.

2. Correspondence regarding original business case

The Committee noted the following correspondence:

2.1 Incoming

- Letter from Infrastructure NSW dated 5 October 2023, regarding the Committee's request for a copy of the original business case for the Sydney Metro West project.
- Letter from Sydney Metro, received on 12 October 2023, regarding the Committee's request for a copy of the original business case for the Sydney Metro West project.

2.2 Outgoing

- Letter from Chair to Sydney Metro dated 10 October 2023 requesting a copy of the original business case for the Sydney Metro West project.

Resolved, on the motion of Mr Hagarty: That the Committee note its agreement via email on 9 October 2023 to send a copy of the circulated draft letter to Sydney Metro.

3. Publication of additional submissions

The Committee considered submission 33 for publication.

Resolved, on the motion of Mr Kirby: That the Committee accept and publish the submission numbered 33 as partially confidential, suppressing the name of the submission maker.

4. Pre-hearing deliberative meeting

4.1 Procedural resolutions

Resolved, in globo, on the motion of Mr Kirby:

- That the Committee invites the witnesses listed in the updated notice of the public hearing for Friday, 13 October 2023 to give evidence in relation to the inquiry into Sydney Metro West.
- That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 13 October 2023, in accordance with the Legislative Assembly's guidelines for the coverage of proceedings for parliamentary committees administered by the Legislative Assembly.
- That the Committee adopt the following process in relation to supplementary questions:
 - Members to email any proposed supplementary questions for witnesses to the secretariat by 4pm, Thursday 19 October 2023;

- Secretariat to then circulate all proposed supplementary questions to Committee, with Members to lodge any objections to the questions by 4pm, Friday 20 October 2023.
- That witnesses be requested to return answers to questions taken on notice and supplementary questions within 14 days of the date on which the questions are forwarded.

4.2 Correspondence

The Committee noted correspondence received from Canada Bay Council, dated 5 October 2023, which declined the Committee's invitation to appear at the Public Hearing.

The Chair adjourned the meeting at 8:52am.

5. Public hearing: inquiry into Sydney Metro West

Witnesses and the public were admitted. The Chair opened the public hearing at 9.18am and made a short opening statement.

Mr Tom Forrest, Chief Executive Officer, Urban Taskforce, was affirmed and examined.
Mr Steve Mann, Chief Executive Officer, Urban Development Institute of Australia NSW, was sworn and examined.

Mr Justin Simon, Chair, Sydney YIMBY, was affirmed and examined.

Mr Forrest, Mr Mann and Mr Simon each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

Mr Mathew Hounsell, Researcher, Transport Research Centre, University of Technology Sydney, was affirmed and examined.

Mr Hounsell made an opening statement. The Committee questioned the witness. Evidence concluded and the witness withdrew.

Mr Daniel Cavallo, Director, Environment and Planning, Cumberland City Council, was sworn and examined.

Ms Gail Connolly PSM, Chief Executive Officer, City of Parramatta, was affirmed and examined.

Cr Clover Moore AO, Chief Executive Officer, City of Sydney, was sworn and examined.

Mr Kim Woodbury, Chief Operating Officer, City of Sydney, was affirmed and examined.

Mr Cavallo, Ms Connolly and Cr Moore each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

The Chair adjourned the hearing at 11:03am.

The Chair resumed the public hearing at 11:17am. Witnesses and the public were admitted.

Mr Roydon Ng, Restore Inner West Line, was sworn and examined.

Mr Rick Graf, CLA representative, Camellia Landowners Alliance, was affirmed and examined.

Mr Ng and Mr Graf each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

Mr Shaun Carter LFRAIA, Principal, Carter Williamson Architects, was affirmed and examined via videoconference.

Mr James Scott, General Manager – Harvey Norman Property Department, was sworn and examined.

Mr Mark Grayson, Director, Knight Frank Town Planning, was affirmed and examined.

Mr Carter and Mr Scott each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

Mr Tom Nance, Policy and Strategy Lead, The Centre for Western Sydney, was affirmed and examined.

Professor Mark Scott, Vice-Chancellor and President, The University of Sydney, was affirmed and examined.

Mr Greg Robinson, Chief Infrastructure Officer, The University of Sydney, was sworn and examined.

Mr Phillip Heads, General Manager – Communications, Heritage and Community, Venues NSW, was affirmed and examined.

Mr Nance, Professor Scott and Mr Heads each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

The Chair adjourned the hearing at 12:45pm.

The Chair resumed the public hearing at 1:45pm. Witnesses and the public were admitted.

Ms Allison Taylor, Chief Executive Officer, Sydney Olympic Park Business Association Inc., was affirmed and examined.

Mr David Borger, Executive Director, Business Western Sydney, was affirmed and examined.

Ms Taylor and Mr Borger each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

Ms Margaret Crawford PSM, Auditor-General for New South Wales, Audit Office of New South Wales, was affirmed and examined.

Mr Ian Goodwin, Deputy Auditor-General for New South Wales, Audit Office of New South Wales, was sworn and examined.

Ms Claudia Migotto, Assistant Auditor-General for New South Wales, Audit Office of New South Wales, was affirmed and examined.

Ms Crawford made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

The Chair adjourned the hearing at 2:40 pm.

The Chair resumed the public hearing at 3:01 pm. Witnesses and the public were admitted.

Mr David Gainsford, Deputy Secretary, Development Assessment, Department of Planning and Environment, was affirmed and examined.

Ms Erica van den Honert, Executive Director, Infrastructure Assessments, Department of Planning and Environment, was affirmed and examined.

Ms Janine Lonergan, Acting Chief Executive, Infrastructure NSW, was affirmed and examined.

Mr Rene Burkart, Head of Assurance, Infrastructure NSW, was affirmed and examined.

Mr Gainsford and Ms Lonergan each made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

Mr Simon Hunter, Chief Transport Planner, Customer Strategy & Technology Division, Transport for NSW, was affirmed and examined.

Mr Peter Regan, Chief Executive, Sydney Metro, was affirmed and examined.

Mr Regan made an opening statement. The Committee questioned the witnesses. Evidence concluded and the witnesses withdrew.

Mr Williams left the hearing at 4.53pm.

The public hearing concluded at 4.53pm.

6. Post-hearing deliberative meeting

6.1 Publication of transcript

Resolved on the motion of Mr Hagarty: That the corrected transcripts of public evidence given on 13 October 2023 be authorised for publication and uploaded on the Committee's website.

6.2 Documents tendered

Resolved on the motion of Mr Hagarty: That the following documents tendered at today's hearing be accepted by the Committee:

- Mr Roydon Ng, Restore Inner West Line

#	Document title/description	Author	Document Date
1	Newington Metro – Call to Action!	Newington Neighbourhood Association	29 Apr 2018

2	Sydney-Bankstown line conversion (report extract)	Legislative Council – Portfolio Committee No. 6	April 2020
3	Miss out on Metro link	Local News Plus	29 Oct 2019
4	Ensuring a liveability dividend from growth: A new Urban Renewal Community Compact	Patrick Fensham, Principal and Partner, SGS Economics & Planning	June 2017
5	Letter to Transport for NSW about long-term transport planning (2015)	No author	No date
6	Sydney Metro City & Southwest – alternative shuttle options	Sydney Metro	No date
7	Document regarding T2 trains with explanatory note from Roydon Ng	No author	No date
8	Email entitled 'Decision to restrict your contact'	Transport for NSW	7 Feb 2023

- Mr Matthew Hounsell, Researcher, Transport Research Centre, University of Technology Sydney
 - Graph entitled 'Number of NSW railway and bus journeys in comparison to the LTTMP', no date.
- Mr Tom Forrest, Chief Executive Officer, Urban taskforce
 - MetroLink, report entitled 'SydneyLink - The future of Sydney's transport', March 2008.

6.3 Correspondence

Resolved, on the motion of Mr Kirby: That the Committee write to the Minister for Transport to confirm that the Committee has not been able to obtain the original business case for Sydney Metro West and will consider next steps.

7. ***

8. Next meeting

The meeting adjourned at 5:03pm until a date and time to be determined.

MINUTES OF MEETING NO 5

2:04PM, 20 November 2023

Room 1043 and via videoconference

Members present

Ms Voltz (Chair), Mr Hagarty (Deputy Chair) (by videoconference), Mrs Hannan, Mr Kirby (by videoconference) and Mr Williams (by videoconference)

Officers present

Jonathan Elliot, Stephanie Mulvey, Alison Buskens, Caitlin Bailey and Janelle Taouk

1. Confirmation of minutes

Resolved, on the motion of Mrs Hannan: That the minutes of the meeting of 13 October 2023 be confirmed.

2. Correspondence

The committee noted the following correspondence:

2.1 Incoming

- Email from Vanessa McDonald Costa received on 13 October 2023, requesting to appear before the inquiry at its next public hearing.
- Emails from Christian Kent received on 24 October 2023, regarding Newington's needs for Sydney Metro West.

2.2 Outgoing

- Letter sent to the Minister for Transport, as resolved in the Committee's meeting on 13 October 2023

Resolved, in globo, on the motion of Mr Kirby:

- That the Committee write to Vanessa McDonald Costa in accordance with the draft response, advising that at this stage the Committee is holding no further hearings and will deliberate on the content of its report at a later date.
- That the Committee write to Christian Kent in accordance with the draft response, thanking him for his correspondence and noting that the Committee will consider the establishment of the route and selection of station locations as part of its inquiry.

3. Inquiry into Sydney Metro West project

3.1 Response to questions on notice (13 Oct 2023 public hearing)

The Committee noted the following answers to questions on notice received:

- Answer to question on notice from Sydney Olympic Park Business Association.
- Answer to question on notice from Mecone.

Resolved, in globo, on the motion of Mrs Hannan:

- That the Committee accept the listed answers to questions on notice and publish these on its webpage with contact details redacted.
- That the Committee write to Sydney Olympic Park Business Association and Mecone in accordance with the draft responses noting receipt of their correspondence.

3.2 Supplementary submission

The Committee noted a supplementary submission received from Roydon Ng, Restore Inner West Line, received on 26 October 2023.

Resolved, on the motion of Mr Hagarty: That the Committee publish pages 1 and 2 of the supplementary submissions received from Roydon Ng in full.

3.3 Correction to evidence given at public hearing from Rene Burkart

The Committee received a letter of clarification from Mr Rene Burkart, Head of Assurance, Infrastructure NSW, regarding evidence given during the public hearing on 13 October 2023.

Resolved, in globo, on the motion of Mrs Hannan:

- That the Committee publish the correspondence received from Rene Burkart, Head of Assurance, Infrastructure NSW.
- That the Committee write to Infrastructure NSW in accordance with the draft response noting receipt of the correspondence and informing them that the correspondence has been published.

3.4 Discussion of original business case

The Committee discussed requests for the original business case and considered next steps. Committee agreed that the secretariat will draft an interim report for tabling in late January.

4. ***

5. Next Meeting

The meeting adjourned at 2.14 pm until a date and time to be determined.

UNCONFIRMED MINUTES OF MEETING NO 6

3.36PM, 27 November 2023

Room 1136 and via videoconference

Members present

Ms Voltz (Chair), Mr Hagarty (Deputy Chair) (by videoconference), Mr Kirby (by telephone) and Mr Williams (by videoconference)

Officers present

Jonathan Elliott, Stephanie Mulvey, Alison Buskens, Caitlin Bailey and Janelle Taouk

Apologies

Mrs Hannan

1. Confirmation of minutes

Resolved, on the motion of Mr Hagarty: That the minutes of the meeting of 20 November 2023 be confirmed.

2. Correspondence

The committee considered the publication of the following correspondence:

- Letter from Infrastructure NSW, dated 5 October 2023, regarding the Committee's request for a copy of the original business case for the Sydney Metro West project.
- Letter from Sydney Metro, dated 12 October 2023, regarding the Committee's request for a copy of the original business case for the Sydney Metro West project.

Resolved, on the motion of Mr Kirby: That the Committee publish the correspondence received from Infrastructure NSW and Sydney Metro.

3. Inquiry into Sydney Metro West project

3.1 Consideration of Chair's draft interim report (previously circulated)

The Committee considered the Chair's draft interim report.

Resolved, in globo, on the motion of Mr Hagarty:

- That the Committee consider the Chair's draft report in globo
- That the Chair's draft report be the report of the Committee and that it be signed by the Chair and presented to the House.
- That the Chair and committee staff be permitted to correct stylistic, typographical and grammatical errors.
- That, once tabled, the report be posted on the Committee's webpage.

Resolved, on the motion of Mr Hagarty: That the Chair issue a media release announcing the tabling of the Committee's report.

4. ***

5. Next Meeting

The meeting adjourned at 3.40pm until a date and time to be determined.