



New South Wales

Transport Administration Amendment (Sydney Metro Governance) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Transport Administration Act 1988* as follows—

- (a) to abolish the Sydney Metro Board,
- (b) to provide that the Chief Executive of Sydney Metro (the **Chief Executive**) is appointed by the Minister for Transport (the **Minister**) instead of the Sydney Metro Board,
- (c) to provide that the affairs of Sydney Metro are managed and controlled by the Chief Executive in accordance with any directions of the Minister and Transport for NSW instead of being subject to the policies and directions of the Sydney Metro Board,
- (d) to establish a Sydney Metro advisory board to advise the Minister and Sydney Metro,
- (e) to make other minor and consequential amendments.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Transport Administration Act 1988 No 109

Schedule 1[7] abolishes the Sydney Metro Board. **Schedule 1**[1], [12] and [18] make consequential amendments.

Schedule 1[8] provides that the Chief Executive is appointed by the Minister instead of the Sydney Metro Board. **Schedule 1[9], [10] and [17]** make consequential amendments.

Schedule 1[11] provides that the affairs of Sydney Metro are managed and controlled by the Chief Executive in accordance with any directions of Transport for NSW instead of being subject to the policies and directions of the Sydney Metro Board. Schedule 1[11] also establishes the Sydney Metro advisory board to provide advice to the Minister and Sydney Metro. **Schedule 1[15]** makes a consequential amendment.

Schedule 1[2] and [3] provide that the Chief Executive is subject to the control and direction of the Minister. **Schedule 1[4] and [5]** make consequential amendments.

Schedule 1[19] inserts savings and transitional provisions.

Schedule 1[6], [13], [14] and [16] make law revision amendments.



New South Wales

Transport Administration Amendment (Sydney Metro Governance) Bill 2025

Contents

		Page
	1 Name of Act	2
	2 Commencement	2
Schedule 1	Amendment of Transport Administration Act 1988 No 109	3

This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Transport Administration Amendment (Sydney Metro Governance) Bill 2025

No. _____, 2025

A Bill for

An Act to amend the *Transport Administration Act 1988* in relation to the governance of Sydney Metro; and for other purposes.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Transport Administration Amendment (Sydney Metro Governance) Act 2025*.

3

4

2 Commencement

5

This Act commences on a day or days to be appointed by proclamation.

6

Schedule 1	Amendment of Transport Administration Act 1988 No 109	1
		2
[1] Section 3 Definitions		3
	Omit section 3(1), definition of <i>Sydney Metro Board</i> .	4
[2] Section 3B Ministerial responsibility and delegation		5
	Insert after section 3B(1)(a1)—	6
	(a2) Sydney Metro,	7
[3] Section 3B(1A) and (3)–(5)		8
	Omit the subsections.	9
[4] Section 3G Directions by TfNSW to public transport agencies		10
	Insert “and (f2)” after “paragraphs (a)–(f)” in section 3G(1), note.	11
[5] Section 38 Constitution of Sydney Metro		12
	Omit the note.	13
[6] Section 38D Other land development functions of Sydney Metro		14
	Omit “Minister for Planning” from section 38D(1).	15
	Insert instead “Minister administering the <i>Environmental Planning and Assessment Act 1979</i> ”.	16
		17
[7] Sections 38F and 38G		18
	Omit the sections.	19
[8] Section 38H Chief Executive of Sydney Metro		20
	Omit section 38H(1). Insert instead—	21
	(1) The Minister may appoint a Chief Executive of Sydney Metro.	22
[9] Section 38H(2) and (3)		23
	Omit “Sydney Metro Board” wherever occurring. Insert instead “Minister”.	24
[10] Section 38H(4)		25
	Omit the subsection.	26
[11] Sections 38I and 38J		27
	Omit the sections. Insert in appropriate order in Part 3D, Division 4—	28
38I Chief Executive to manage Sydney Metro		29
	(1) The affairs of Sydney Metro must be managed and controlled by the Chief Executive in accordance with any directions of TfNSW under section 3G.	30
		31
	(2) An act, matter or thing done in the name of, or on behalf of, Sydney Metro by the Chief Executive is taken to have been done by Sydney Metro.	32
		33
38J Sydney Metro advisory board		34
	(1) There is a Sydney Metro advisory board.	35

(2)	The functions of the Sydney Metro advisory board are as follows—	1
(a)	to provide advice to the Minister on matters referred to the advisory board by the Minister,	2
		3
(b)	to provide advice to Sydney Metro on matters referred to the advisory board by Sydney Metro.	4
		5
(3)	The Sydney Metro advisory board consists of the following members—	6
(a)	3–7 members appointed by the Minister (<i>appointed members</i>),	7
(b)	the Transport Secretary.	8
(4)	The Minister must not appoint a person as a member of the Sydney Metro advisory board under subsection (3)(a) unless satisfied the person will assist Sydney Metro in achieving its objectives under section 38A.	9
		10
		11
(5)	The Minister must appoint a member of the Sydney Metro advisory board to be the chairperson.	12
		13
(6)	An appointed member is entitled to be paid remuneration, including travelling and subsistence allowances, determined by the Minister.	14
		15
(7)	The procedure of the Sydney Metro advisory board must be determined by the advisory board, subject to the directions of the Minister.	16
		17
(8)	The Minister may remove an appointed member, or the chairperson, from office at any time for any or no reason and without notice.	18
		19
[12]	Section 38M Delegation of functions of Sydney Metro	20
	Omit “, after consultation with the Transport Secretary, by the Sydney Metro Board” from section 38M(3)(b).	21
		22
	Insert instead “by the Minister”.	23
[13]	Section 112 Personal liability of certain persons	24
	Omit “, a member of an advisory committee appointed under this Act” from section 112(1).	25
[14]	Section 112(1)	26
	Omit “, a member of such an advisory committee”.	27
[15]	Section 112(2), definition of “member of a transport authority”, paragraph (e)	28
	Omit the paragraph. Insert instead—	29
	(e) a member of the Sydney Metro advisory board appointed by the Minister under section 38J(3)(a),	30
		31
[16]	Schedule 2 Provisions relating to Chief Executives	32
	Omit “(Sections 15(2), 27(3), 35J(2))”.	33
	Insert instead “sections 10, 27, 35J, 36G, 37G and 38H”.	34
[17]	Schedule 2, clause 3(5)	35
	Omit the subclause. Insert instead—	36
	(5) In this clause, a reference to the Transport Secretary is, if used in relation to the Chief Executive of Sydney Metro or the Chief Executive of TAM, taken to be a reference to the Minister.	37
		38
		39

[18] Schedule 2B Constitution and procedure of Sydney Metro Board	1
Omit the schedule.	2
[19] Schedule 7 Savings, transitional and other provisions	3
Insert at the end of the schedule, with appropriate part and clause numbering—	4
Part Provisions consequent on enactment of Transport Administration Amendment (Sydney Metro Governance) Act 2025	5 6 7
Definitions	8
In this part—	9
<i>amending Act</i> means the <i>Transport Administration Amendment (Sydney Metro Governance) Act 2025</i> .	10 11
<i>commencement date</i> means the date on which the amending Act, Schedule 1[7] and [8] commence.	12 13
Existing Chief Executive of Sydney Metro	14
The person who, immediately before the commencement date, held office as the Chief Executive of Sydney Metro is taken to have been appointed by the Minister as the Chief Executive of Sydney Metro under section 38H(1), as substituted by the amending Act.	15 16 17 18
Existing directors of Sydney Metro Board	19
A person who, immediately before the commencement date, held office as a director of the Sydney Metro Board—	20 21
(a) ceases to hold the office, and	22
(b) is not entitled to remuneration or compensation because of the loss of the office.	23 24
Existing Ministerial directions	25
(1) A Ministerial direction in force immediately before the commencement date continues to apply to Sydney Metro on and after the commencement date as if it were a direction given by the Minister to the Chief Executive of Sydney Metro under section 3B(1), as amended by the amending Act.	26 27 28 29
(2) In this clause—	30
<i>Ministerial direction</i> means a direction given to Sydney Metro by the Minister under section 3B(1A) as in force immediately before the repeal of the subsection by the amending Act.	31 32 33
Existing Sydney Metro Board policies	34
(1) A Sydney Metro Board policy in force immediately before the commencement date continues to apply to the Chief Executive of Sydney Metro on and after the commencement date as if it were a direction given by the Minister to the Chief Executive of Sydney Metro under section 3B(1), as amended by the amending Act.	35 36 37 38 39
(2) In this clause—	40
<i>Sydney Metro Board policy</i> means a policy determined by the Sydney Metro Board under section 38G(1)(a), as in force immediately before the repeal of section 38G by the amending Act.	41 42 43

References to Sydney Metro Board

1

In any document, a reference to the Sydney Metro Board is taken, on and after
the commencement date, to be a reference to Sydney Metro.

2

3