

## Redaction Schedule – CQR Commitment Deed

CQR Commitment Deed dated 16 November 2022 between Transport for NSW (ABN 18 804 239 602), Capella Capital Pty Limited (ACN 127 727 771) as agent for the Capella Capital Partnership (ABN 68 720 326 224), Lendlease Construction Pty Limited (ABN 97 000 098 162) and BESIX Watpac (NSW) Pty Ltd (ABN 46 651 621 493).

**Register of information not disclosed:** prepared in accordance with sections 6 and 32(2) of the *Government Information (Public Access) Act 2009 (NSW)*.

The following table summarises confidential information contained in the abovementioned contract that has been redacted from the contract published on the TfNSW website and the reason the information has not been disclosed. The table will be amended to reflect confidential information redacted from any material variations as they occur and are published. There is currently no intention that this confidential information will be published in the contracts register in future, though TfNSW will continue to review this information to ensure that where the prejudicial effect of disclosure will be removed due to a passage of time or change of circumstances, further disclosures will be made.

In determining whether or not certain information in the contract should be disclosed, TfNSW has considered the exemptions to disclosure set out in clause 32(1)(a) of the GIPA Act against the following public interest considerations in favour of disclosure:

- promoting open discussion of public affairs, enhancing government accountability or contributing to positive and informed debate on issues of public importance;
- ensuring effective oversight of the expenditure of public funds and the best use of public resources;
- creating public awareness and understanding on issues of public importance;
- enhancing government transparency and accountability;
- informing the public about the operations of the agency; and
- ensuring fair commercial competition within the economy.

To apply for a copy of this information, please submit a formal access application to TfNSW. Information on how to do so can be found on the TfNSW website: <https://www.transport.nsw.gov.au/about-us/access-to-information>.

Page Reference (pdf copy)	Clause Reference	General description of information	Reasons for redaction under Government Information (Public Access) Act 2009 (NSW)	Explanation of the Reasons under the Government Information (Public Access) Act 2009 (NSW)	To be produced at a later date
<b>Commitment Deed – body</b>					
2–7	Contents	References to redacted clauses are redacted.	Please refer to applicable references in the below table to these clauses being redacted.	Please refer to applicable references in the below table to these clauses being redacted.	No
13	Clause 1.1 definition of “Contribution Amount”	Dollar amount is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed is a monetary amount, the disclosure of this information would disclose elements of the P&D Partner's financing arrangements, cost structure and profit margins and would place the P&D Partner at substantial commercial disadvantage in negotiations with other parties.  TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this monetary amount would prejudice the parties' legitimate business, commercial, professional or financial interests.	No
19	Clause 1.1 definition of “Key Equity Investors”	Entire contents of this definition is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed is the entity details of the Key Equity Investors.  The disclosure of this information would disclose the P&D Partner's financing arrangements.  TfNSW also considers that there is an overriding public interest against disclosure of this information because it would prejudice the P&D Partner's legitimate business, commercial, professional or	No

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				financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects.	
20	Clause 1.1 definition of "Long Stop Date"	Date is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed is the date on which the contract will terminate (where Contract Close has not already occurred).  The disclosure of this information would place the P&D Partner at a substantial commercial disadvantage in negotiations as against other contractors or with suppliers and subcontractors.  TfNSW also considers that there is an overriding public interest against disclosure of this information because it would prejudice TfNSW and the P&D Partner's legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects.	No
20	Clause 1.1 definition after the definition for "Marine Subcontractor"	Entire contents of this definition is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and	No

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				during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	
22	Clause 1.1 definition after the definition of "PDSA Planning & Design Partner"	Entire contents of this definition is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed is a monetary reference.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this monetary amount would prejudice the parties' legitimate business, commercial, professional or financial interests.	No
24	Clause 1.1 definition of "Probity Advisor"	All names and contact details are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 3(a) personal information.	The information not disclosed is the name and contact details of the Probity Adviser's engaged on the project.  TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because it would involve revealing an individual's personal information.	No
26	Clause 1.1 definition after the definition of "Rates"	Entire contents of this definition is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would	No

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				prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	
28	Clause 1.1 definition of "Termination Amount"	Entire contents of this definition is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed is a monetary amount, the disclosure of this information would disclose elements of the P&D Partner's financing arrangements, cost structure and profit margins or would place the P&D Partner at substantial commercial disadvantage in negotiations with other parties.  TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this monetary amount would prejudice the parties' legitimate business, commercial, professional or financial interests.	No
36	Clause 3.3 (Transaction Phase objectives)	Contents of para (a)(4) after the words "value for money, the" and before the words "and CQR Objectives" is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and	No

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				during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	
37	Clause 3.5 (Acknowledgements)	Entire contents of para (b) is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to TfNSW's obligations with respect to the Project Phase.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and prejudice the effective exercise by TfNSW of its functions.	No
38	Clause 4 (Suspension)	Entire contents of paras (d)(1) and (2) are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects.	No

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43	Clause 9.1 (Developed Binding Offer and Final Binding Offer)	Contents of paras (g) and (h) after the words "clauses 11" and before the words "and the requirements" is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No
44–45	Clause 11.1	Entire contents of this clause is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the Project Documents to be progressed during the Transaction Phase.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No

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45–47	Clause 11.2	Entire contents of this clause is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the Project Documents to be progressed during the Transaction Phase.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No
49	Clause 14 (Financing framework)	Entire contents of paras (f) and (g) are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the financing framework  TfNSW considers that there is an overriding public interest against disclosure of this information because it would prejudice TfNSW and the P&D Partner's legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties during the Transaction Phase and in respect of future projects.	No
49–52	Clause 15	Entire contents of this clause is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14:	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an	No



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			1. Responsible and effective government. 4. Business interests of agencies and other persons.	overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	
54	Clause 17 (Enabling Amounts)	Percentage amount in para (d)(6)(F) is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed is the margin percentage applied to Enabling Works.  The disclosure of this information would place the P&D Partner at a substantial commercial disadvantage in negotiations as against other contractors or with suppliers and subcontractors.  TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this margin percentage would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	No
54	Clause 17 (Enabling Amounts)	Contents of para (d)(8) after the words "CQR Activities" and before the words "and demonstrating" is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government.	The information not disclosed relates to the Project Documents to be progressed during the Transaction Phase.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure	No

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			4. Business interests of agencies and other persons.	because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	
55	Clause 17 (Enabling Amounts)	Contents of para (f)(1)(A) after the words "Part 2 of Attachment 4" is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	No
58	Clause 18.1 (Appointment of FM Subcontractor)	Entire contents of paras (l) and (m) are redacted	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW considers that there is an overriding public interest against disclosure of this information because it would prejudice TfNSW and the P&D Partner's legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties during the Transaction Phase and in respect of future projects.	No

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64	Clause 20.1 (Confidentiality)	Entire contents of para (b)(4) is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	
66	Clause 20.4 (Utility Service Providers)	Entire contents of para (b) is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the utilities regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No

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66–67	Clause 20.6 (Third Party Agreements)	Contents of postamble in para (c) is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the utilities regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No
68	Clause 21 (CQR Information)	Entire contents of para (e) is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	No
83–84	Clause 33 (Liability)	Entire contents of clauses 33.1, 33.2 and 33.3 are redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14:	The information not disclosed relates to the limits of the parties liability to the other party.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would	No

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			4. Business interests of agencies and other persons.	<p>prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.</p> <p>This information includes (amongst other things) a money amount, the disclosure of this information would disclose elements of the P&amp;D Partner's financing arrangements, cost structure and profit margins or would place the P&amp;D Partner at substantial commercial disadvantage in negotiations with other parties.</p>	
85	Clause 34 (Assignment and Novation)	Entire contents of paras (b) and (c) are redacted.	<p>32(1)(d) overriding public interest against disclosure.</p> <p>Table to section 14:</p> <p>1. Responsible and effective government.</p> <p>4. Business interests of agencies and other persons.</p>	<p>The information not disclosed relates to P&amp;D Partner's assignment and novation rights under the Contract.</p> <p>TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects and prejudice the effective exercise by TfNSW of its functions.</p>	No
86	Clause 35.2 (Expert Determination)	Dollar amount in para (d)(3)(A) is redacted.	<p>32(1)(d) overriding public interest against disclosure.</p> <p>Table to section 14:</p> <p>1. Responsible and effective government.</p>	<p>The information not disclosed relates to the monetary threshold after which decisions of an expert relating to a Dispute will not be final and binding on the parties.</p> <p>TfNSW weighed the competing public interest considerations and determined there would be an</p>	No

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			4. Business interests of agencies and other persons.	overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects and prejudice the effective exercise by TfNSW of its functions.	
710–711	Deed Execution Page	All signatures and names of witnesses are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 3(a) personal information.	The information not disclosed is the name and signatures of each individual who executed this contract.  TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because it would involve revealing an individual's personal information.	No
<b>Commitment Deed – schedules and attachments</b>					
92–98	Schedule 1 (Milestones and Key Events)	Entire contents of Parts A, B and C are redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed are: <ul style="list-style-type: none"> <li>the details of each of the Milestones (including the requirements, date and payment amount for each Milestone);</li> <li>the requirements and indicative offer date for Developed Binding Offer and Final Binding Offer; and</li> </ul>	No

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				<ul style="list-style-type: none"> <li>the requirements and target date for the Key Event.</li> </ul> <p>The disclosure of payment amounts would disclose elements of the P&amp;D Partner's financing arrangements, cost structure and profit margins or would place the P&amp;D Partner at substantial commercial disadvantage in negotiations with other parties.</p> <p>TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of the information contained in this schedule 1 would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of the Transaction Phase and future projects and prejudice the effective exercise by TfNSW of its functions.</p>	
99–179	Schedule 2 (Contract Close Plan)	Entire contents of this schedule is redacted.	<p>32(1)(a) commercial-in-confidence provisions of a contract.</p> <p>32(1)(d) overriding public interest against disclosure.</p> <p>Table to section 14:</p> <p>1. Responsible and effective government.</p> <p>4. Business interests of agencies and other persons.</p>	<p>The information not disclosed is the Contract Close Plan which the P&amp;D Partner must comply with.</p> <p>The disclosure of this information would disclose elements of the P&amp;D Partner's financing arrangements, cost structure and profit margins or would place the P&amp;D Partner at substantial commercial disadvantage in relation to other parties.</p> <p>TfNSW also weighed the competing public interest considerations and determined there would be an</p>	No

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				overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	
181–182	Schedule 4 (Program)	Entire contents of this schedule is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed is the Program which has been agreed between the parties and can only be amended in accordance with clause 12.2 of the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of this project during the Transaction Phase and future projects and prejudice the effective exercise by TfNSW of its functions.	No
183–188	Schedule 5 (Draft Base Case Financial Model)	Entire contents of this schedule is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to the Draft Base Case Financial Model.  The information is commercial-in-confidence as its disclosure would disclose elements of the P&D Partner's financing arrangements, cost structure and profit margins or would place the P&D Partner at substantial commercial disadvantage in negotiations with other parties.	No



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				TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of this project during the Transaction Phase and future projects and prejudice the effective exercise by TfNSW of its functions.	
190	Schedule 7 (Miscellaneous Items) Item 1	Names of individuals are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 3(a) personal information.	The information not disclosed is the names of TfNSW's Representative and the P&D Partner's Representative.  TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because it would involve revealing an individual's personal information.	No
190	Schedule 7 (Miscellaneous Items) Item 2	Email address is redacted.	32(1)(d) overriding public interest against disclosure Table to section 14: 3(a) personal information.	The information not disclosed is the personal email address for notices to TfNSW.  TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because it would involve revealing an individual's personal information.	No

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190	Schedule 7 (Miscellaneous Items) Item 3	Names of individuals are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 3(a) personal information.	The information not disclosed are the names of the Key Personnel.  TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because it would involve revealing an individual's personal information.	No
190–191	Schedule 7 (Miscellaneous Items) Item 4	Names and details of individuals are redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 3(a) personal information.	The information not disclosed are the names of the permitted substitutes for Key Personnel (and what P&D Partner entity they are connected to).  TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because it would involve revealing an individual's personal information.	No
204–212	Schedule 9 (Site)	Entire contents of this schedule is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed is the plan of the Site.  The information is commercial-in-confidence as its disclosure could reasonably be expected to reveal the intellectual property in which the P&D Partner has an interest.  TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests.	No

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213–296	Schedule 10 (Debt Finance Strategy)	Entire contents of this schedule is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to the Debt Finance Strategy.  The information is commercial-in-confidence as its disclosure would disclose elements of the P&D Partner's financing arrangements, cost structure and profit margins and would place the P&D Partner at substantial commercial disadvantage in negotiations with other parties.  TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests.	No
297–333	Schedule 11 (Equity Finance Strategy)	Entire contents of this schedule is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to the Equity Finance Strategy.  The information is commercial-in-confidence as its disclosure would disclose elements of the P&D Partner's financing arrangements, cost structure and profit margins or would place the P&D Partner at substantial commercial disadvantage in negotiations with other parties.  TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests.	No

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335–386	Schedule 13 (Draft Enabling Works Brief)	Entire contents of this schedule is redacted.	<p>32(1)(a) commercial-in-confidence provisions of a contract.</p> <p>32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.</p>	<p>The information not disclosed is the plan of the Site.</p> <p>The information is commercial-in-confidence as its disclosure could reasonably be expected to reveal the intellectual property in which the P&amp;D Partner has an interest.</p> <p>TfNSW also weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests during the Transaction Phase of this project and on future projects and prejudice the effective exercise by TfNSW of its functions.</p>	No
387–411	Schedule 14 (Assumptions and Qualifications Register)	Entire contents of this schedule is redacted.	<p>32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.</p>	<p>The information not disclosed relates to the assumptions and qualifications on which the P&amp;D Partner provided its offer for the project during the ECI Phase.</p> <p>TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.</p>	No

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412–414	Schedule 15	Entire contents of this schedule is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 4. Business interests of agencies and other persons.	The information not disclosed relates to a commercial regime in the contract.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects.	No
415–705	Schedule 16 (Binding Offer Documents)	Entire contents of this schedule is redacted.	32(1)(a) commercial-in-confidence provisions of a contract.  32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed are the documents making up the P&D Partner's Binding Offer for the project.  The information is commercial-in-confidence as its disclosure would disclose elements of the P&D Partner's financing arrangements, cost structure and profit margins or would place the P&D Partner at substantial commercial disadvantage in relation to other contractors.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would: <ul style="list-style-type: none"> <li>prejudice the parties' legitimate business, commercial, professional or financial interests in respect of future projects and in respect of the negotiations with other contractors during the Transaction Phase on this project; and</li> </ul>	No

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				<ul style="list-style-type: none"> <li>prejudice the effective exercise by TfNSW of its functions.</li> </ul>	
706–709	Schedule 17 (Indicative Evaluation Criteria)	Entire contents of this schedule is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	<p>The information not disclosed in the indicative evaluation criteria for the Developed Binding Offer and the Final Binding Offer.</p> <p>TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice TfNSW's legitimate business, commercial, professional or financial interests in respect of future projects and prejudice the effective exercise by TfNSW of its functions.</p>	No
712–922	Attachment 1 (Terms Sheets)	Entire contents of this schedule is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	<p>The information not disclosed relates to the term sheets to be progressed during the Transaction Phase.</p> <p>TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.</p>	No

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923–946	Attachment 2 (Strengths and Areas for Improvement)	Entire contents of this schedule is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the P&D Partner's binding offer strengths and items for improvement.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and prejudice the effective exercise by TfNSW of its functions.	No
948–1257	Attachment 4 (Enabling Works)	Entire contents of this schedule is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the form of Enabling Works Contract to be entered into between during the Transaction Phase.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and with respect to subcontractors for this project during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No

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1258–1260	Attachment 5 (Public Domain Management Principles)	Entire contents of this attachment is redacted.	32(1)(d) overriding public interest against disclosure. Table to section 14: 1. Responsible and effective government. 4. Business interests of agencies and other persons.	The information not disclosed relates to the manner in which the Project Documents can be amended during the Transaction Phase.  TfNSW weighed the competing public interest considerations and determined there would be an overriding public interest against disclosure because the disclosure of this information would prejudice the parties' legitimate business, commercial, professional or financial interests as it would place them at a disadvantage in negotiating with other parties in respect of future projects and during the Transaction Phase and prejudice the effective exercise by TfNSW of its functions.	No