

# Government Information (Public Access) Act 2009

## Redaction Schedule

**CLASS 3 CONTRACT DISCLOSURE: Deed of Variation to the Sydney Light Rail Public Private Partnership Project Deed between Transport for NSW and ALTRAC Light Rail Partnership dated 17 December 2014 (Project Deed) (SLR-PPP)**

**REGISTER OF INFORMATION NOT DISCLOSED: Prepared in accordance with subsections 6(6) and 32(2) of the *Government Information (Public Access) Act 2009* (GIPA Act)**

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(s) under the *Government Information (Public Access) Act 2009* (NSW) (**GIPA Act**) as to why 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.

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.

Page Reference (PDF Copy)	Clause Reference	General Description of Information	Reason for Redaction
<b>Deed of Variation (Project Deed)</b>			
6	Clause 2.4(a)	Names of personnel from OpCo and TfNSW	<p><i>Section 32(1)(d), item 3(a) of the table in section 14</i></p> <p>The disclosure of this information could reveal an individual's personal information.</p> <p>There is an overriding public interest against disclosure.</p>
10-11	Execution blocks	Names and signatures of personnel from OpCo and TfNSW	<p><i>Section 32(1)(d), item 3(a) of the table in section 14</i></p> <p>The disclosure of this information could reveal an individual's personal information.</p> <p>There is an overriding public interest against disclosure.</p>

<b>Schedule 1 – Commercial Wrap Amendments</b>			
13-15	Part A: Amendments to Operative Provisions  Clauses 20.3(e)(i), 20.3(ii), 20.3(ia), 20.3(k)(ii) and 20.3(l) of the Operative Provisions – Operations Activities Review	Percentage figures	<i>Section 32(1)(d), item 4 (b), (c) and (d) of the table in section 14</i>  The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.  There is an overriding public interest against disclosure.
17	Part A: Amendments to Operative Provisions  Clause 58(c)(i)(D) of the Operative Provisions – Notices	Name of personnel from OpCo	<i>Section 32(1)(d), item 3(a) of the table in section 14</i>  The disclosure of this information could reveal an individual's personal information.  There is an overriding public interest against disclosure.
19	Part C - Amendments to Schedule D1 ( <i>Service Payment Regime</i> )  Clause 21 – Traffic Signal Aggregate Delay Amount	Percentage figure	<i>Section 32(1)(a), paragraphs (b), (d) and (e) of the definition of "commercial-in-confidence provisions" at clause 1 of Schedule 4</i>  The disclosure of this information discloses the contractor's intellectual property in which the contractor has an interest and would place the contractor at a substantial commercial disadvantage in relation to potential contractors and provide visibility on the contractor's profit margins.  <i>Section 32(1)(d), items 4 (a), (b), (c) and (d) of the table in section 14</i>  The disclosure of this information could place an agency at a competitive disadvantage in any market, reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.  There is an overriding public interest against disclosure.
22	Part D – Amendments to Schedule D4 ( <i>Net Financial Impact</i> )	The entirety of the letter from TfNSW to OpCo.	<i>Section 32(1)(a), paragraphs (b) and (e) of the definition of "commercial-in-confidence provisions" at clause 1 of Schedule 4</i>

	Annexure 1 to Schedule D4 <i>(Net Financial Impact)</i> – Letter from TfNSW to OpCo		<p>The disclosure of this information discloses the contractor's cost structure or profit margins and would place the contractor at a substantial commercial disadvantage in relation to potential contractors and provide visibility on the contractor's profit margins.</p> <p><i>Section 32(1)(d), items 4 (a), (b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could place an agency at a competitive disadvantage in any market, reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
24-31	<p>Part D – Amendments to Schedule D4 <i>(Net Financial Impact)</i></p> <p>Schedule D4 <i>(Net Financial Impact)</i> – Annexure 1 to Letter from TfNSW to OpCo – O&amp;M Indirect Agreement</p>	The entirety of the O&M Indirect Agreement	<p><i>Section 32(1)(a), paragraphs (b), (d) and (e) of the definition of "commercial-in-confidence provisions" at clause 1 of Schedule 4</i></p> <p>The disclosure of this information discloses the contractor's cost structure or profit margins, discloses the contractor's intellectual property in which the contractor has an interest and would place the contractor at a substantial commercial disadvantage in relation to potential contractors and provide visibility on the contractor's profit margins.</p> <p><i>Items 1(f) and 4 (b) (c) and (d) of the Table to section 14</i> <i>Section 32(1)(d), items 1(f), 4(b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could prejudice the effective exercise by an agency of the agency's functions, could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
32	Part E – Amendments to Schedule D15 <i>(Revised</i>	Monetary figures, periods of time, entire sections of	<i>Section 32(1)(a), paragraphs (b) and (e) of the definition of "commercial-in-confidence provisions" at clause 1 of Schedule 4</i>

	<p><i>Delivery Structure Payments Schedule)</i></p> <p>Schedule D15 (<i>Revised Delivery Structure Payments Schedule</i>) – Insertion of new ‘Part C – Commercial Wrap Milestone Payments’</p> <p>Clauses 2.1(a), 2.1(b) and 2.2(a) to 2.2(g).</p> <p>Tables 1 and 2</p> <p>Figure 1, Figure 2,</p>	<p>commercially sensitive information, tables and figures.</p>	<p>The disclosure of this information discloses the contractor's cost structure or profit margins and would place the contractor at a substantial commercial disadvantage in relation to potential contractors and provide visibility on the contractor's profit margins.</p> <p><i>Section 32(1)(d), items 4 (a), (b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could place an agency at a competitive disadvantage in any market, reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>This information was also agreed by the parties (in Schedule A4 (<i>Commercially Sensitive Information</i>)) to be Commercially Sensitive Information.</p> <p>There is an overriding public interest against disclosure.</p>
42	<p>Part F – Amendments to Schedule E1 (<i>Scope and Performance Requirements</i>)</p> <p>Paragraphs 5(a)(i), (ia) and (ii) of Attachment 2 of Appendix 16 to Schedule E2</p>	<p>Percentage figures</p>	<p><i>Section 32(1)(d), items 4(b), 4(c) and 4(d) of the table in section 14</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p><i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-confidence provisions" at clause 1 of Schedule 4</i></p> <p>The disclosure of this information would place the contractor at a substantial commercial disadvantage in relation to potential competitors.</p> <p>There is an overriding public interest against disclosure.</p>
42	<p>Part F – Amendments to Schedule E1 (<i>Scope and Performance Requirements</i>)</p>	<p>Calculation of compensation</p>	<p><i>Section 32(1)(d), items 4(b), 4(c) and 4(d) of the table in section 14</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p>

	Paragraph 5(b) of Attachment 2 of Appendix 16 to Schedule E2		<p><i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-confidence provisions" at clause 1 of Schedule 4</i></p> <p>The disclosure of this information would place the contractor at a substantial commercial disadvantage in relation to potential competitors.</p> <p>There is an overriding public interest against disclosure.</p>
<b>Schedule 2 – Early CDPD Amendments</b>			
45	<p>Part A: Amendments to Operative Provisions</p> <p>Clause 1.1 of the Operative Provisions – Definition of ‘CDPD Amount’</p>	Percentage figures and date	<p><i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
45	<p>Part A: Amendments to Operative Provisions</p> <p>Clause 1.1 of the Operative Provisions – Definition of ‘CDPD Payment Date’</p>	Date	<p><i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
45	<p>Part A: Amendments to Operative Provisions</p> <p>Clause 1.1 of the Operative Provisions – Definition of ‘CW Balance’</p>	Monetary amount.	<p><i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
46	<p>Part A: Amendments to Operative Provisions</p> <p>Clauses 25.2(a), 25.2(c)(i), 25.2(c)(ii)(A), 25.2(c)(ii)(B), 25.2(c)(iii) of the Operative</p>	Monetary amount. and dates	<p><i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p>

	Provisions –Conditional Debt Pay Down		There is an overriding public interest against disclosure.
50	Part A: Amendments to Operative Provisions  Clause 49.8(b) of the Operative Provisions – Calculation of Refinancing Gain or Refinancing Loss	Formula calculation	<i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i>  The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.  There is an overriding public interest against disclosure.
50	Part A: Amendments to Operative Provisions  Clause 49.9(a) of the Operative Provisions – Sharing Refinancing Gains	Percentage figure	<i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i>  The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.  There is an overriding public interest against disclosure.
52	Part B: Amendments to Schedule D2 ( <i>Information Requirements and Base Case Financial Model amendments in relation to the CDPD Payment</i> )  Clauses 2(a), 2(c)(i), 2(c)(iii), 3(a) and 5.2(b) of Schedule D2 ( <i>Information Requirements and Base Case Financial Model amendments in relation to the CDPD Payment</i> )	Date	<i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i>  The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.  There is an overriding public interest against disclosure.
53	Part B: Amendments to Schedule D2 ( <i>Information</i>	Monetary amount.	<i>Section 32(1)(d), items 4 (b), (c) and (d) of the table in section 14</i>

	<p><i>Requirements and Base Case Financial Model amendments in relation to the CDPD Payment)</i></p> <p>Schedule D2 (<i>Information Requirements and Base Case Financial Model amendments in relation to the CDPD Payment</i>) – Clause 5.1 – Step 1 (Choosing Scenario 2 - CDPD Conditions Met and updating key inputs for CDPD Amount and CDPD Payment Date)</p>		<p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
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