

REDACTION REGISTER

CONTRACT AWARD DISCLOSURE for Project Development Agreement in respect of Atlassian Central Project

Capitalised terms in this table have the meaning given to them in the document title “Atlassian Central – Project Development Agreement” dated 19 July 2022 (**Contract**) unless the context indicated otherwise.

Under the *Government Information (Public Access) Act 2009* (NSW) (**GIPA Act**), there is a general public interest in favour of the disclosure of government information. However, where there are overriding public interest considerations against disclosure, or there are commercial-in-confidence provisions, such information will not be disclosed.

In preparing this redaction register, TfNSW has:

- (a) identified the reason(s) under the GIPA Act for each redaction; and
- (b) weighed each redaction against the key public interest considerations for disclosure, including:
 - (i) promoting open discussion of public affairs, enhancing Government accountability or contributing to positive and informed debate on issues of public importance;
 - (ii) informing the public about the operations of the agency; and
 - (iii) ensuring effective oversight of the expenditure of public funds.

In determining which information should be disclosed for this project, TFNSW has endeavoured to ensure there is consistency and parity with the disclosure of certain kinds of information alongside previous projects disclosed by TFNSW under the GIPA Act.

Summary of Information NOT to be disclosed

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
DEED and SCHEDULES				
1	"State" details in the Details to the General Conditions.	The information redacted is the "Email" and "Attention" details of the Principal.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information is names of employees of TfNSW and revealing this information would disclose an individual's personal information; and</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<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>
1	"Developer" details in the Details to the General Conditions.	The information redacted is the "Email" and "Attention" details of the Contractor.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p>	<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>

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			<p>(a) the redacted information is names of employees of the contractor and revealing this information would disclose an individual's personal information; and</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>There is an overriding public interest against disclosure.</p>
1	<p>"Dexus Guarantor 1" details in the Details to the General Conditions.</p>	<p>The information redacted is the "Email" and "Attention" details.</p>	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information is names of employees of TfNSW and revealing this information would disclose an individual's personal information; and</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public</p>	<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>

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			<p>interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
1	<p>“Dexus Guarantor 2” details in the Details to the General Conditions.</p>	<p>The information redacted is the “Email” and “Attention” details.</p>	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information is names of employees of TfNSW and revealing this information would disclose an individual's personal information; and</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<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>
2	<p>Recital ‘F’(c).</p>	<p>The information to be redacted is the entirety of Recital F(c).</p>	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against</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>

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			<p>disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with the project. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>The disclosure of this information would place the contractor at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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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3	Definition of "Ambulance Avenue Fee" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with the Ambulance Avenue Area. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to liabilities, insurance and</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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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			<p>indemnity and other obligations that the contractor was prepared to price and accept in relation to Ambulance Avenue. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as</p>	

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			events and circumstances change.	
3	Definition of "Ambulance Avenue Fee Commencement Date" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with the Ambulance Avenue Area. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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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			<p>contractor in relation to liabilities, insurance and indemnity and other obligations that the contractor was prepared to price and accept in relation to Ambulance Avenue. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p>	

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			<p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
7	Deletion of specific definition throughout document	The information to be redacted is the entirety of the definitions including the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and a third party to which is specific to the project. TfNSW invested significant time developing this arrangement outside the project and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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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			<p>of risks assumed by the contractor and TfNSW in relation to deal specifics and other obligations that the contractor was prepared to price and accept;</p> <p>(c) revealing TfNSW and the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the parties (and a third party) at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of parties' information to the contractor and prejudice their business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
Various	The following definitions:	The information to be redacted is the entirety of the definitions with the exclusion of the title.	The redacted information are timeframes.	Section 32(1)(a) and definition (b) and (e) of "commercial-in-

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	<p>Date for Construction Commencement, Date of Practical Completion, Date for Practical Completion of the Development Works, Date for Practical Completion of the State Works, Day 2 Works Commence Date, Sunset Date (Commencement), Sunset Date (Completion) - Development Works, Sunset Date (Completion) - State Works</p> <p>Clause 1.1 (Definitions) of the General Conditions</p>		<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <ul style="list-style-type: none"> (a) the date would reveal the Contractor's timeframes for potential liability exposure; and (b) the date together with other programming information would reveal the Contractor's work planning methodology which would prejudice the Contractor's legitimate business and commercial interests. <p>TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against the disclosure identified above.</p>	<p>confidence provisions" (clause 1, Schedule 4).</p> <p>The disclosure of this information (or the combination of this information with other information that is not included) would disclose the Contractor's work methodology and planning arrangements and place the Contractor at a commercial disadvantage in relation to other contractors or potential contractors.</p>
12	Definition of "Design Life" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <ul style="list-style-type: none"> (a) the redacted information, together with other information which has also been redacted, 	<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 other contractors or potential</p>

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			<p>sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with Design Life and other technical requirements. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and TfNSW in relation to obligations that the contractor was prepared to price and accept in relation to Design life. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p>	<p>subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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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			<p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
12	Definition of "Developer Liability Cap" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial</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 other contractors or potential</p>

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			<p>arrangement designed by TfNSW and the contractor to manage risks associated with liabilities and indemnities;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and TfNSW in relation to liabilities and indemnities as well as the risk that has been 'priced' by both parties</p> <p>(c) revealing TfNSW and the contractor's appetite for risk would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items and 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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions, being the ability to achieve value for money in the procurement of major projects.</p> <p>There is an overriding public interest against disclosure.</p>

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12	Definition of "Developer Unacceptable Condition" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risks associated with the Development Consent. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept in relation to approvals generally and the Development Consent. Disclosing this information may provide insight into the contractor's views on its</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

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			<p>potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
12 and 13	Definition of "Developer's Rejection Right" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:	<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</p>

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			<p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing both TfNSW's and the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the</p>	<p>disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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>

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			<p>contractor and TfNSW at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and TfNSW and prejudice their business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
3	Definition of "Development Rights Fee" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosing the redacted information would provide insight into the apportionment of risks assumed by the</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 other contractors or potential subcontractors, whether present or in the future.</p>

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			<p>contractor. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(b) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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>
16	Definition of "Event of Default" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against	<i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-</i>

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			<p>disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with liabilities and default. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept relating to Events of Default. Disclosing this information may provide insight into the contractor's</p>	<p><i>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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>views on its potential capabilities and likelihood of certain default risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p>	
16	Definition of "Existing Infrastructure" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial</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 other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>arrangement designed by TfNSW and the contractor to apportion and manage risks associated with liabilities, insurance and indemnity. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept relating to the Existing Infrastructure. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p>	<p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
18	Definition of "Government Action" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>The redacted information relates to COVID-19 measures and risks between the parties.</p> <p>TFNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because the information:</p>	<p><i>Section 32(1)(a) and definition (b) and (e) of "commercial-in-confidence provisions" (clause 1, Schedule 4).</i></p> <p><i>Section 32(1)(c).</i></p> <p><i>Section 32(1)(d), items 1(f) and 2(d) and (e) of the Table to section 14.</i></p> <p>The disclosure of this information could reasonably be expected to</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(a) illustrates the risk allocation between the parties, which may prejudice the parties in future negotiations on similar projects as the counterparty will be aware of the level of risk the relevant party is willing to accept. This reduces the competitive commercial value of the information to the parties and prejudices their legitimate business and commercial interests;</p> <p>(b) would reveal the Contractor's work planning methodology which would prejudice the Contractor's legitimate business and commercial interests; and</p> <p>(c) would, if disclosed, place the Contractor at a commercial disadvantage in negotiations with subcontractors as subcontractors would be aware of the items which Contractor is unable to concede in order to comply with its head contract. The effect of this would be to diminish the commercial value of the information to the Contractor and prejudices its</p>	<p>reveal the intellectual property in which the Contractor has an interest and would disclose the Contractor's work methodology and planning arrangements and place the Contractor at a commercial disadvantage in relation to other contractors or potential contractors.</p> <p>The disclosure of the information would also 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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>business and commercial interests.</p> <p>TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p>	
20	Definition of "Interest Rate" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial 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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as</p>	

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			events and circumstances change.	
21	Definition of "Liquidated Damages Cap" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risk. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
20	Definition of "Payment Instalment 1" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by</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 other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(a) the redacted information was specific to the contractor's proposal and its offering regarding the costs;</p> <p>(b) the redacted information reveals the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's subcontractors; and</p>	<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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(c) disclosing the details of the incentive regime could reasonably be expected to prejudice TfNSW's commercial position in future procurement processes.</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
20	Definition of "Payment Instalment 2" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(d) the redacted information was specific to the contractor's proposal and its offering regarding the costs;</p> <p>(e) the redacted information reveals the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's subcontractors; and</p> <p>(f) disclosing the details of the incentive regime could reasonably be expected to prejudice TfNSW's</p>	<p>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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>commercial position in future procurement processes.</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
21	Definition of "Security" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risk. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial 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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, the disclosure of this information could reveal</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(b) disclosing the redacted information would provide insight into the risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as</p>	<p>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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			events and circumstances change.	
33	The definition of "State Rejection Right" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide</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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

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			<p>insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
34	Definition of "State Unacceptable Condition" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against	<i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-</i>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risks associated with the Development Application. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by TfNSW in relation to obligations that the contractor was prepared to price and accept in relation to approvals generally and the Development Application. Disclosing this information may provide insight into the TfNSW's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing TfNSW's appetite for risk and providing insight</p>	<p><i>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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
35	The definition of “State Works Construction Cost” in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the cost of the State Works and the contractors price structure and its offering;</p> <p>(b) the redacted information relates to the contractor’s cost</p>	<p><i>Section 32(1)(a), paragraph (b) 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 and could reasonably be expected to place the contractor at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>structure. Revealing this information is therefore expected to diminish the value of that information and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's subcontractors; and</p> <p>(c) disclosing the details of the cost structure could reasonably be expected to prejudice TfNSW's commercial position in future procurement processes.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
35	The definition of "State Works Cost Cap" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the cost of the State Works and the</p>	<p><i>Section 32(1)(a), paragraph (b) 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 and could reasonably be expected to place the contractor at a substantial commercial</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>contractors price structure and its offering;</p> <p>(b) the redacted information relates to the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's subcontractors; and</p> <p>(c) disclosing the details of the cost structure could reasonably be expected to prejudice TfNSW's commercial position in future procurement processes.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
35	The definition of "State Works Cost Contribution" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:	<p><i>Section 32(1)(a), paragraph (b) 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 and</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(a) the redacted information was specific to the cost of the State Works and the contractors price structure and its offering;</p> <p>(b) the redacted information relates to the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's subcontractors; and</p> <p>(c) disclosing the details of the cost structure could reasonably be expected to prejudice TfNSW's commercial position in future procurement processes.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>could reasonably be expected to place the contractor at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
38	The definition of "Toga Payment" in clause 1.1 (Definitions) of the General Conditions	The information to be redacted is the entirety of the definition with the exception of the title.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against	<i>Section 32(1)(a), paragraph (b) of the definition of "commercial-in-</i>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>disclosure of this information because:</p> <p>(a) the redacted information was specific to the cost of certain works and the contractors price structure and its offering;</p> <p>(b) the redacted information relates to the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and TfNSW's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor and other contractors; and</p> <p>(c) disclosing the details of the cost structure could reasonably be expected to prejudice TfNSW's commercial position in future procurement processes.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p><i>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 and could reasonably be expected to place the contractor at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
38	The definition of "Trigger Event" in clause 1.1	The information to be redacted is the entirety of the definition with the exception of the title.	TfNSW weighed the competing public interest considerations and	<i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-</i>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
	(Definitions) of the General Conditions		<p>determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with default. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential</p>	<p><i>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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
47	Clause 4 (Developer Consent Conditions)	The information to be redacted is the entirety of the clause with the exclusion of the title.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:	<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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risks associated with the Development Consent. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept in relation to approvals generally and the Development Consent. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing</p>	<p>substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
51	Clause 5 (redacted) in entirety	The information to be redacted is the entirety of the clause including headings	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out the arrangement designed by TfNSW and the contractor to apportion and manage risks associated</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(a), paragraph (b) of the definition of “commercial-in-</i></p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>indemnities and to price costs payable by TfNSW;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and retained by TfNSW. Disclosing this information may provide insight into both TfNSW and the contractor's views on the likelihood of certain risks arising;</p> <p>(c) the redacted information reveals the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and prejudice both TfNSW's and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's suppliers;</p> <p>(d) revealing both TfNSW and the contractor's appetite for risk and providing insight into their views on the likelihood of</p>	<p><i>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 and could reasonably be expected to place the contractor at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>certain risks would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
71	Clause 6.12 (FRNSW Approval)	The information to be redacted is the entirety of clause 6.12 including the heading.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risks associated with the FRNSW Approval. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business,</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept in relation to approvals generally and the FRNSW Approval. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the</p>	<p>prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
96	Clause 16.3(c), (d) and (f) (Terms of Developer Access Licence)	The information to be redacted is the entirety of the subclauses (c) and (d)	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out the arrangement designed by TfNSW and the contractor to apportion and manage risks associated indemnities and to price costs payable by TfNSW and the Developer in respect of the Ambulance Avenue Fee;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and retained by TfNSW. Disclosing this information may provide insight into both TfNSW and the contractor's views on the</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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could prejudice the effective</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>likelihood of certain risks arising;</p> <p>(c) revealing both TfNSW and the contractor's appetite for risk and providing insight into their views on the likelihood of certain risks would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
96	Clause 16.4(b)(i) (Pre-conditions to commencement of Works Portion)	The information to be redacted is the entirety of the subclauses.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out the arrangement designed by TfNSW and the</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 other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>contractor to apportion and manage risks;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and retained by TfNSW. Disclosing this information may provide insight into both TfNSW and the contractor's views on the likelihood of certain risks arising;</p> <p>(c) revealing both TfNSW and the contractor's appetite for risk and providing insight into their views on the likelihood of certain risks would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
111	Clause 18 (Infrastructure) the General Conditions	The information to be redacted is the entirety of the clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with Existing Infrastructure. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to Existing Infrastructure that the contractor was prepared to price and accept. Disclosing</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
122	Clause 21.11(f) (Developer's Variations)	The information to be redacted is the entirety of the subclauses (d) and (f)	TfNSW weighed the competing public interest considerations and determined that there was an	<i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-</i>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the contractor's proposal and its offering;</p> <p>(b) the redacted information relates to the payment mechanism and reveals the contractor's cost (including operating cost) structure. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p><i>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 other contractors or potential subcontractors, whether present or in the future.</p> <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>
123	Clause 22.2 (Claim for extension of time) of the General Conditions	The information to be redacted is the entirety of the definition with the exclusion of the title and the preamble.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by</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 other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>TfNSW and the contractor to manage risks associated with delay. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept in relation to delay. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value</p>	<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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
125	Clause 22.9 (Liquidated damages) of the General Conditions	The information to be redacted is the entirety of the clause.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement by TfNSW and the contractor to apportion and manage risks associated with liabilities for delay;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and TfNSW in</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>relation to liabilities as well as the risk that has been 'priced' by both parties;</p> <p>(c) revealing both TfNSW and the contractor's appetite for risk would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature;</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>business and commercial interests.</p> <p><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>
126	Clause 22.11 of the General Conditions	The information to be redacted is the entirety of the clause.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risks associated with delay. Revealing this information is therefore</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 other contractors or potential subcontractors, whether present or in the future.</p> <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-</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept in relation to delay. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p>	<p>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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
127	Clause 23 (redacted) of the General Conditions	The information to be redacted is the clause in its entirety including headings.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with land and existing leases, and other indemnities and liabilities. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to land and existing leases that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information</p>	

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			<p>is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
145	Clause 24.9 (redacted) of the General Conditions	The information to be redacted is the clause in its entirety including headings.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with land and existing leases, adjoining property and other indemnities and liabilities. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business,</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to land and existing leases, adjoining land and liabilities that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information</p>	

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
151	Clause 25.3(a)(vii) (Services) of the General Conditions	The information to be redacted is the subclause in its entirety.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosing the redacted information would provide insight into the risks assumed by the parties in relation to the contractor was prepared to price and accept. Disclosing this information may provide insight into the parties' views on its potential capabilities and likelihood of certain risks arising;</p> <p>(b) revealing the parties' appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>value of that information to the parties and prejudice its business, commercial and financial interests; and</p> <p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
153	Clause 26.4 (Environmental Liabilities) of the General Conditions	The information to be redacted is the entirety of the clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out the arrangement designed by TfNSW and the contractor to apportion and manage risks associated with indemnities;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and retained by</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>TfNSW. Disclosing this information may provide insight into both TfNSW and the contractor's views on the likelihood of certain risks arising;</p> <p>(c) revealing both TfNSW and the contractor's appetite for risk and providing insight into their views on the likelihood of certain risks would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>
154	Clause 26.8 (Release and Indemnity) of the General Conditions	The information to be redacted is the entirety of the clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information</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 other</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>which has also been redacted, sets out the arrangement designed by TfNSW and the contractor to apportion and manage risks associated with indemnities;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and retained by TfNSW. Disclosing this information may provide insight into both TfNSW and the contractor's views on the likelihood of certain risks arising;</p> <p>(c) revealing both TfNSW and the contractor's appetite for risk and providing insight into their views on the likelihood of certain risks would place both TfNSW and the contractor at a substantial commercial disadvantage in projects of a similar nature; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p>	<p>contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
162	Clause 29.2 (Amount of insurance) of the General Conditions	The information to be redacted is the amount of insurance required to be maintained	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement by TfNSW and the contractor to apportion and manage risks associated with insurance;</p> <p>(b) The quantum of insurance would provide insight into the premiums required to be paid by the Contractor. These premiums represent a cost in performing the Contractor's obligations under the contract and therefore reveal the Contractor's cost structure and profit margins;</p> <p>(c) the quantity of the insurance the Contractor effects may be taken as an indication of the risk allocation of the</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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>Contractor. This may provide insight into the Contractor's financial arrangements and prejudice the business, commercial and financial interests of the Contractor;</p> <p>(d) knowledge by other contractors of the Contractor's obligation to provide insurance may have an adverse impact on the Contractor's ability to negotiate with other contractors and diminish the competitive commercial value of that information to the Contractor; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>There is an overriding public interest against disclosure.</p>
163	Clause 29.4 (Amount for public and products liability insurance) of the General Conditions	The information to be redacted is the amount of insurance required to be maintained.	TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:	<p><i>Section 32(1)(a), paragraph € 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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement by TfNSW and the contractor to apportion and manage risks associated with insurance;</p> <p>(b) The quantum of insurance would provide insight into the premiums required to be paid by the Contractor. These premiums represent a cost in performing the Contractor's obligations under the contract and therefore reveal the Contractor's cost structure and profit margins;</p> <p>(c) the quantity of the insurance the Contractor effects may be taken as an indication of the risk allocation of the Contractor. This may provide insight into the Contractor's financial arrangements and prejudice the business, commercial and financial interests of the Contractor;</p> <p>(d) knowledge by other contractors of the Contractor's</p>	<p>disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>obligation to provide insurance may have an adverse impact on the Contractor's ability to negotiate with other contractors and diminish the competitive commercial value of that information to the Contractor; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
163	Clause 29.6 (Amount for environmental impairment liability insurance) of the General Conditions	The information to be redacted is the amount of insurance required to be maintained.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement by TfNSW and the contractor to apportion</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 4(b), (c) and (d) of the table in section 14.</i></p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>and manage risks associated with insurance;</p> <p>(b) The quantum of insurance would provide insight into the premiums required to be paid by the Contractor. These premiums represent a cost in performing the Contractor's obligations under the contract and therefore reveal the Contractor's cost structure and profit margins;</p> <p>(c) the quantity of the insurance the Contractor effects may be taken as an indication of the risk allocation of the Contractor. This may provide insight into the Contractor's financial arrangements and prejudice the business, commercial and financial interests of the Contractor;</p> <p>(d) knowledge by other contractors of the Contractor's obligation to provide insurance may have an adverse impact on the Contractor's ability to negotiate with other contractors and diminish the competitive commercial value</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)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>of that information to the Contractor; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
164	Clause 29.9(a)(i) and (ii) (Professional indemnity insurance) of the General Conditions	The information to be redacted is the amount of insurance required to be maintained	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement by TfNSW and the contractor to apportion and manage risks associated with insurance;</p> <p>(b) The quantum of insurance would provide insight into the premiums required to be paid by the Contractor. These premiums represent a cost in performing the Contractor's obligations under the contract and therefore reveal the</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>Contractor's cost structure and profit margins;</p> <p>(c) the quantity of the insurance the Contractor effects may be taken as an indication of the risk allocation of the Contractor. This may provide insight into the Contractor's financial arrangements and prejudice the business, commercial and financial interests of the Contractor;</p> <p>(d) knowledge by other contractors of the Contractor's obligation to provide insurance may have an adverse impact on the Contractor's ability to negotiate with other contractors and diminish the competitive commercial value of that information to the Contractor; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
165	Clause 29.11(a)(i) (Insurance requirements generally) of the General Conditions	The information to be redacted is the required rating of an insurer	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement by TfNSW and the contractor to apportion and manage risks associated with insurance;</p> <p>(b) The quantum of insurance would provide insight into the premiums required to be paid by the Contractor. These premiums represent a cost in performing the Contractor's obligations under the contract and therefore reveal the Contractor's cost structure and profit margins;</p> <p>(c) the quantity of the insurance the Contractor effects may be taken as an indication of the risk allocation of the Contractor. This may provide insight into the Contractor's financial arrangements and prejudice the business,</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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>commercial and financial interests of the Contractor;</p> <p>(d) knowledge by other contractors of the Contractor's obligation to provide insurance may have an adverse impact on the Contractor's ability to negotiate with other contractors and diminish the competitive commercial value of that information to the Contractor; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
181	Clauses 33.1 (Developer to give Security) of the General Conditions	The information to be redacted is the entirety of this clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the contractor's proposal and the bonding arrangements;</p>	<p><i>Section 32(1)(d), item 4(b) and (d) of the table in section 14, and paragraphs (a) and (e) of the definition of "commercial in confidence provisions" at clause 1 of Schedule 4.</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, and prejudice a person's legitimate</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(b) revealing the redacted information is also expected to provide lucidity on unique project specific financing arrangements;</p> <p>(c) the redacted information reveals the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and prejudice both TfNSW's and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to be made with the contractor's suppliers;</p> <p>(d) the redacted information reveals the level and type of bonding accepted by TfNSW for this particular project. Revealing this information is therefore expected to diminish the value of that information and prejudice both TfNSW's and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties.</p>	<p>business, commercial, professional or financial interests. Revealing the redacted information is also expected to provide lucidity on unique project specific financing arrangements and place the contractor at a commercial disadvantage in relation to potential contractors.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
183	Clauses 33.6 (Returning the Security) of the General Conditions	The information to be redacted is the entirety of this clause with the exception of the title	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the contractor's proposal and the bonding arrangements;</p> <p>(b) revealing the redacted information is also expected to provide lucidity on unique project specific financing arrangements;</p> <p>(a) the redacted information reveals the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and prejudice both TfNSW's and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any commercial arrangements to</p>	<p><i>Section 32(1)(d), item 4(b) and (d) of the table in section 14, and paragraphs (a) and (e) of the definition of "commercial in confidence provisions" at clause 1 of Schedule 4.</i></p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, and prejudice a person's legitimate business, commercial, professional or financial interests. Revealing the redacted information is also expected to provide lucidity on unique project specific financing arrangements and place the contractor at a commercial disadvantage in relation to potential contractors.</p> <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>

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			<p>be made with the contractor's suppliers;</p> <p>(b) the redacted information reveals the level and type of bonding accepted by TfNSW for this particular project. Revealing this information is therefore expected to diminish the value of that information and prejudice both TfNSW's and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>There is an overriding public interest against disclosure.</p>
186	Clause 36 (Assignment)	<p>The information to be redacted is the entirety of this clause with the exception of the title.</p>	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with dealings between parties and assignment including in relation to ASX requirements.</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 other contractors or potential subcontractors, whether present or in the future.</p> <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-</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is</p>	<p>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)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
187	Clause 37 (Asset restructure by the State) of the General Conditions	The information to be redacted is the entirety of this clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with dealings between parties and assignment including in relation to restructuring requirements of the State. The parties invested significant</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value</p>	<p>competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p> <p><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
195	Clause 39.3 (Trigger Event not remedied) of the General Conditions	The information to be redacted is the entirety of this clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with termination. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p>	<p>information to a person and prejudice a person's legitimate business and commercial interests.</p> <p><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
214	Clause 47 (Costs) of the General Conditions	The information to be redacted is the entirety of this clause with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the cost of implementing the project and the contractor's price structure and its offering;</p> <p>(b) the redacted information relates to the contractor's cost structure. Revealing this information is therefore expected to diminish the value of that information and the contractor's business, financial and commercial interests particularly in relation to potential future projects for both parties and any</p>	<p><i>Section 32(1)(a), paragraph (b) 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 and could reasonably be expected to place the contractor at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

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			<p>commercial arrangements to be made with the contractor's subcontractors; and</p> <p>(c) disclosing the details of the cost structure could reasonably be expected to prejudice TfNSW's commercial position in future procurement processes.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>business and commercial interests.</p> <p><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
218	Clause 50.1 (Notices)	The information redacted is the names, email and addresses of the parties stated.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information is names of employees of TfNSW and revealing this information would disclose an individual's personal information; and</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p>	<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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
225	Clause 51.22 (Stamp duty) of the General Conditions	The information to be redacted is the entirety of this clause including the heading.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
228	Clause 51.24 (Redacted) of the General Conditions	The information to be redacted is the entirety of this clause with the exception of the title.	<p>The redacted information relates to COVID-19 measures and risks between the parties.</p> <p>TFNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because the information:</p> <p>(a) illustrates the risk allocation between the parties, which may prejudice the parties in future negotiations on similar projects as the counterparty will be aware of the level of risk the relevant party is willing to accept. This reduces the competitive commercial value of the information to the parties and prejudices their legitimate business and commercial interests;</p> <p>(b) would reveal the Contractor's work planning methodology which would prejudice the Contractor's legitimate business and commercial interests; and</p> <p>(c) would, if disclosed, place the Contractor at a commercial disadvantage in negotiations with subcontractors as</p>	<p><i>Section 32(1)(a) and definition (b) and (e) of "commercial-in-confidence provisions" (clause 1, Schedule 4).</i></p> <p><i>Section 32(1)(c).</i></p> <p><i>Section 32(1)(d), items 1(f) and 2(d) and (e) of the Table to section 14.</i></p> <p>The disclosure of this information could reasonably be expected to reveal the intellectual property in which the Contractor has an interest and would disclose the Contractor's work methodology and planning arrangements and place the Contractor at a commercial disadvantage in relation to other contractors or potential contractors.</p> <p>The disclosure of the information would also 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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>subcontractors would be aware of the items which Contractor is unable to concede in order to comply with its head contract. The effect of this would be to diminish the commercial value of the information to the Contractor and prejudices its business and commercial interests.</p> <p>TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p>	
231	Party details in the signing pages.	The information redacted is the names and signatures of the relevant signatories.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information is names of employees of TfNSW and revealing this information would disclose an individual's personal information; and</p> <p>(b) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public</p>	<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>

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			<p>interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
233	Schedule 1 (Minimum Building Requirements)	The information redacted is the entirety of the Schedule.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would result in the disclosure of the interests of Atlassian SPV;</p> <p>(b) the redacted information, together with other information which has also been redacted, sets out the arrangement designed by TfNSW and the contractor apportion and manage risks;</p> <p>(c) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and retained by TfNSW; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

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			<p>is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
235	Schedule 2 (State Works Minimum Requirements)	The information redacted is the entirety of the Schedule.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with Design Life and other technical requirements. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the</p>	<p><i>Section 32(1)(a), paragraph € 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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and TfNSW in relation to obligations that the contractor was prepared to price and accept in relation to Design life and other technical requirements. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p>	<p>legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
240	Schedule 3 (Development Program)	The information redacted is the entirety of the Schedule.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would result in the disclosure of the contractor's intellectual property;</p> <p>(b) disclosure would reveal the Contractor's work planning methodology which would prejudice the Contractor's legitimate business and commercial interests.</p> <p>(c) the redacted information was specific to the contractor's proposal and its offering and revealing this information is expected to prejudice the contractor in future contracts of this nature, diminish the</p>	<p><i>Section 32(1)(a), paragraphs (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 intellectual property in which the contractor has an interest and would place the contractor at a substantial commercial disadvantage in relation to potential contractors.</p> <p><i>Section 32(1)(d), item 4(d) of the table in section 14</i></p> <p>The disclosure of this information could 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)(d), item 1(f) of the table in section 14.</i></p>

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			<p>competitive commercial value of the information and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>The disclosure of this information could prejudice the effective exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
242	Schedule 5 (Site Access Schedule)	The information redacted is the entirety of the Schedule.	<p>The redacted information are dates.</p> <p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because the dates together with other programming information would reveal the Contractor's work planning methodology which would prejudice the Contractor's legitimate business and commercial interests.</p> <p>TfNSW considers that any public interest in favour of the disclosure of this information is not</p>	<p>Section 32(1)(a) and definition (b) and (e) of "commercial-in-confidence provisions" (clause 1, Schedule 4).</p> <p>The disclosure of this information (or the combination of this information with other information that is not included) would disclose the Contractor's work methodology and planning arrangements and place the Contractor at a commercial disadvantage in relation to other contractors or potential contractors.</p>

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			<p>significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
258	Schedule 7 (Form of Security)	The information redacted is the Schedule in its entirety with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information was specific to the contractor's proposal and its offering and revealing this information is expected to prejudice the contractor in future contracts of this nature, diminish the competitive commercial value of the information and prejudice its business, commercial and financial interests; and</p> <p>(b) revealing the redacted information is also expected to provide lucidity on unique project specific financing arrangements;</p>	<p><i>Section 32(1)(a), paragraphs (a) and (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 contractors.</p> <p><i>Section 32(1)(d), item 4(d) of the table in section 14</i></p> <p>The disclosure of this information could 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)(d), item 1(f) 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.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>There is an overriding public interest against disclosure.</p>
260	Schedule 8 (Unacceptable Conditions)	The information redacted is the Schedule in its entirety with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to manage risks associated with the Development Consent. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial 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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor in relation to obligations that the contractor was prepared to price and accept in relation to approvals generally and the Development Consent. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public</p>	

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
266	Schedule 12 (Easements)	The information redacted is the entirety of the Schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information if disclosed would reveal the contractor's work methodology which would prejudice the Contractor's legitimate business and commercial interests;</p> <p>(b) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with land, technical and other commercial matters. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value</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 other contractors or potential subcontractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p>

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			<p>of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(c) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(d) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(e) TfNSW considers that any public interest in favour of the</p>	<p>There is an overriding public interest against disclosure.</p>

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			<p>disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
268	Schedule 13 (Investor's Side Deed)	The information redacted is the entirety of the Schedule with the exception of the title.	<p>The redacted information is the entirety of the schedule.</p> <p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because this information would, if disclosed, place the parties at a commercial disadvantage in negotiations. The effect of this would be to diminish the commercial value of the information to the Contractor and prejudices its business and commercial interests.</p> <p>The information provides visibility to other contractors as to the risk allocation accepted by the Contractor and TfNSW in relation to third parties, which could affect the Contractor in future negotiations on similar projects, diminishing the commercial value of the information and prejudicing</p>	<p>Section 32(1)(a) and definition (e) of "commercial-in-confidence provisions" (clause 1, Schedule 4).</p> <p>Section 32(1)(d), items 4(b), (c) and (d) of the Table to section 14.</p> <p>The disclosure of this information (or the combination of this information with other information that is not included) would place the Contractor at a commercial disadvantage in relation to other contractors or potential contractors.</p> <p>The disclosure of this information could reasonably be expected to reveal commercial-in-confidence provisions of a government contract and prejudice a person's legitimate business and commercial interests.</p>

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			<p>the Contractor's commercial and financial interests.</p> <p>TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
297	Schedule 16 (Third Party Warranties)	The information redacted is the entirety of the Schedule.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with Design Life and other technical requirements. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the</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 other contractors or potential subcontractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, the disclosure of this information could reveal commercial-in-confidence</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor and TfNSW in relation to obligations that the contractor was prepared to price and accept in relation to Design life. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its</p>	<p>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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
312	Schedule 18 (TAHE Deed Poll)	The information redacted is the Schedule in its entirety with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) The document is not a government contract between the contractor and TfNSW;</p> <p>(b) the redacted information was specific to the contractor's proposal and its offering and revealing this information is expected to prejudice the contractor in future contracts of this nature, diminish the competitive commercial value of the information and prejudice its business, commercial and financial interests.</p>	<p><i>Section 32(1)(a), paragraphs (a) and (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 future negotiations on similar projects.</p> <p><i>Section 32(1)(d), item 4(d) of the table in section 14</i></p> <p>The disclosure of this information could diminish the competitive commercial value of information to a person and prejudice a person's legitimate business and commercial interests.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>Not otherwise required to be disclosed.</p>
315	Schedule 20 (State Works Project Brief)	<p>The information to be redacted is the entirety of the Schedule with the exception of the title.</p>	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would reveal intellectual property;</p> <p>(b) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with the project. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this</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 parties at a substantial commercial disadvantage in relation to other contractors or potential subcontractors, whether present or in the future.</p> <p>The disclosure of this information discloses the intellectual property in which parties’ have an interest and would place them at a substantial commercial disadvantage in relation to potential contractors.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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>
318	Schedule 23 (Subdivision Strategy)	The information to be redacted is the entirety of the Schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would reveal intellectual property;</p> <p>(b) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with the project.</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 other contractors or potential subcontractors, whether present or in the future.</p> <p>The disclosure of this information discloses the intellectual property in which parties' have an interest and would place them at a substantial commercial disadvantage in relation to potential contractors.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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>
319	Schedule 24 (Shared Digital Engineering Principles)	The information to be redacted is the entirety of the Schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would reveal intellectual property;</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 other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(b) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with the project. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(c) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>The disclosure of this information discloses the intellectual property in which parties' have an interest and would place them at a substantial commercial disadvantage in relation to potential contractors.</p> <p><i>Section 32(1)(d), items 1(f) and 4(b), (c) and (d) of the table in section 14.</i></p> <p>The disclosure of this information could reasonably prejudice the effective exercise by an agency of the agency's functions (being the procurement of major projects).</p> <p>Further, 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>
320	Schedule 25 (Milestone Design Documents (Development Works))	The information redacted is the entirety of the Schedule with the exception of the title	TfNSW weighed the competing public interest considerations and determined that there was an	<i>Section 32(1)(a), paragraph (d) and (e) of the definition of "commercial-in-confidence</i>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would result in the disclosure of the contractor's intellectual property;</p> <p>(b) revealing the redacted information is expected to prejudice the contractor in future contracts of this nature, diminish the competitive commercial value of the information and prejudice its business, commercial and financial interests;</p> <p>(c) the information redacted sets out the security and safety management requirements for TfNSW;</p> <p>(d) the redacted information includes information, the disclosure of which may expose security vulnerabilities in the project. Revealing the redacted information is therefore expected to endanger the security of, and prejudice the system developed for protecting the project; and</p>	<p><i>provisions" at clause 1 of Schedule 4.</i></p> <p>The disclosure of this information could reveal intellectual property in which the contractor has an interest and place the contractor at a substantial commercial disadvantage in relation other contractors or potential contractors.</p> <p><i>Section 32(1)(c).</i></p> <p>The disclosure of this information could reasonably be expected to affect public safety or security.</p> <p><i>Section 32(1)(d), item 1(f), 2(e) and 4 (a), (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 and could endanger the security of, or prejudice any system or procedure for protecting, any place, property or vehicle.</p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, intellectual property in which the Contractor has an interest, undermine competitive neutrality and diminish the competitive commercial value of the information.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(e) while there is a public interest in revealing the redacted information, this consideration is outweighed by the concerns above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>There is an overriding public interest against disclosure.</p>
321	Schedule 26 (Milestone Design Documents (State Works))	The information redacted is the entirety of the Schedule with the exception of the title	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) disclosure of this information would result in the disclosure of the contractor's intellectual property;</p> <p>(b) revealing the redacted information is expected to prejudice the contractor in future contracts of this nature, diminish the competitive commercial value of the information and prejudice its business, commercial and financial interests;</p> <p>(c) the information redacted sets out the security and safety management requirements for TfNSW;</p>	<p><i>Section 32(1)(a), paragraph (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 could reveal intellectual property in which the contractor has an interest and place the contractor at a substantial commercial disadvantage in relation other contractors or potential contractors.</p> <p><i>Section 32(1)(c).</i></p> <p>The disclosure of this information could reasonably be expected to affect public safety or security.</p> <p><i>Section 32(1)(d), item 1(f), 2(e) and 4 (a), (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 and could</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(d) the redacted information includes information, the disclosure of which may expose security vulnerabilities in the project. Revealing the redacted information is therefore expected to endanger the security of, and prejudice the system developed for protecting the project; and</p> <p>(e) while there is a public interest in revealing the redacted information, this consideration is outweighed by the concerns above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>endanger the security of, or prejudice any system or procedure for protecting, any place, property or vehicle.</p> <p>The disclosure of this information could reveal commercial-in-confidence provisions of a government contract, intellectual property in which the Contractor has an interest, undermine competitive neutrality and diminish the competitive commercial value of the information.</p> <p>There is an overriding public interest against disclosure.</p>
323	Schedule 28 (Public Positive Covenant (Day 2 Works))	The information redacted is the entirety of the Schedule with the exception of the title	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks associated with security and</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 other contractors or potential subcontractors, whether present or in the future.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>other commercial matters. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a</p>	<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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
329	Schedule 29 (Day 2 Works)	The information redacted is the entirety of the Schedule with the exception of the title	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information if disclosed would reveal the contractor's work methodology which would prejudice the Contractor's legitimate business and commercial interests;</p> <p>(b) the redacted information, together with other information</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

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			<p>which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(c) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept (and any risk retained by TfNSW). Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(d) revealing TfNSW's and the contractor's appetite for risk</p>	<p>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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
330	Schedule 30 (Covenant)	The information redacted is the entire schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and a third party to apportion and manage risks associated liability. Revealing this information is therefore</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 third party at a substantial commercial disadvantage in relation to other contractors, whether present or in the future.</p> <p><i>Section 32(1)(d), items 4(b), (c) and (d) of the table in section 14.</i></p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>expected to diminish the value of that information and prejudice TfNSW's and the third party's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the third party that the third party was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the party's appetite for risk and providing insight into its views on the likelihood of certain risks would place the party at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the</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)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
337	Schedule 31 (Atlassian SPV Deed Poll)	The information redacted is the entire schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and a third party to apportion and manage risks associated liability. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the third party's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the third party that the third party was</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 third party at a substantial commercial disadvantage in relation to other contracts, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) of the table in section 14.</i></p> <p>The disclosure of this information could prejudice the effective</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing the party's appetite for risk and providing insight into its views on the likelihood of certain risks would place the party at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>exercise by an agency of the agency's functions.</p> <p>There is an overriding public interest against disclosure.</p>
339	Schedule 32 (Lot 201 Services)	The information redacted is the entire schedule with the exception of the title.	TfNSW weighed the competing public interest considerations and	<i>Section 32(1)(a), paragraph (e) of the definition of "commercial-in-</i>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information if disclosed would reveal the contractor's work methodology which would prejudice the Contractor's legitimate business and commercial interests.</p> <p>(b) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(c) disclosing the redacted information would provide</p>	<p><i>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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept (and any risk retained by TfNSW). Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(d) revealing TfNSW's and the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(e) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as</p>	

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			events and circumstances change.	
357	Schedule 37 (Public Positive Covenant (O&M))	The information redacted is the entire schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information sets out a unique commercial arrangement designed by TfNSW and a third party to apportion and manage risks associated liability. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the third party's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the third party that the third party was prepared to price and accept. Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</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 third party at a substantial commercial disadvantage in relation to other contractors, whether present or in the future.</p> <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><i>Section 32(1)(d), item 1(f) 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.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>(c) revealing the party's appetite for risk and providing insight into its views on the likelihood of certain risks would place the party at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
359	Schedule 38 (Track Possession Schedule)	The information redacted is the entirety of the Schedule with the exception of the title.	<p>The redacted information are dates.</p> <p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because the dates together with other programming information would reveal the Contractor's work</p>	<p>Section 32(1)(a) and definition (b) and (e) of "commercial-in-confidence provisions" (clause 1, Schedule 4).</p> <p>The disclosure of this information (or the combination of this information with other information that is not included) would disclose the Contractor's work methodology and planning</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>planning methodology which would prejudice the Contractor's legitimate business and commercial interests.</p> <p>TfNSW considers that any public interest in favour of the disclosure of this information is not significantly advanced by the disclosure of this information and is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	<p>arrangements and place the Contractor at a commercial disadvantage in relation to other contractors or potential contractors.</p>
360	Schedule 39 (State BMS Requirements)	The information redacted is the entirety of the Schedule with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in</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 other contractors or potential subcontractors, whether present or in the future.</p> <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</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>the future. Revealing this information is therefore expected to diminish the value of that information and prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept (and any risk retained by TfNSW). Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing TfNSW's and the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its</p>	<p>prejudice a person's legitimate business and commercial interests.</p> <p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	
362	Annexure A (Builder Approval Information Requirements)	The information redacted is the entirety of the Annexure with the exception of the title.	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because:</p> <p>(a) the redacted information, together with other information which has also been redacted, sets out a unique commercial arrangement designed by TfNSW and the contractor to apportion and manage risks. The parties invested significant time developing this arrangement and might be expected to benefit from using a similar arrangement in the future. Revealing this information is therefore expected to diminish the value of that information and</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 other contractors or potential subcontractors, whether present or in the future.</p> <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>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>prejudice TfNSW's and the contractor's business, financial and commercial interests;</p> <p>(b) disclosing the redacted information would provide insight into the apportionment of risks assumed by the contractor that the contractor was prepared to price and accept (and any risk retained by TfNSW). Disclosing this information may provide insight into the contractor's views on its potential capabilities and likelihood of certain risks arising;</p> <p>(c) revealing TfNSW's and the contractor's appetite for risk and providing insight into its views on the likelihood of certain risks would place the contractor at a substantial commercial disadvantage in projects of a similar nature. This is expected to reduce the value of that information to the contractor and prejudice its business, commercial and financial interests; and</p> <p>(d) TfNSW considers that any public interest in favour of the</p>	<p>There is an overriding public interest against disclosure.</p>

PAGE REFERENCE	REFERENCE	INFORMATION TO BE REDACTED	PUBLIC INTEREST CONSIDERATION	REASON(S) FOR REDACTION UNDER GIPA ACT
			<p>disclosure of this information is outweighed by the public interests against disclosure identified above.</p> <p>Review: This information would be reviewed for disclosure as events and circumstances change.</p>	