

# ***Government Information (Public Access) Act 2009***

## **Explanatory Table**

### **IWRLV Fleet Repair Activities Consent Deed**

Capitalised terms in this table have the meanings given to them in the IWRLV Fleet Repair Activities Consent Deed unless the context indicates otherwise.

In preparing this explanatory table, TfNSW has:

- (a) identified the reason(s) under the *Government Information (Public Access) Act 2009* (NSW) (**GIPA Act**) for each redaction; and
- (b) where required, weighed each redaction against 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) creating public awareness and understanding on issues of public importance;
  - (iii) enhancing government transparency and accountability;
  - (iv) informing the public about the operations of the agency;
  - (v) ensuring effective oversight of the expenditure of public funds and the best use of public resources; and
  - (vi) ensuring fair commercial competition within the economy.

Item	Clause (and general description)	Information redacted	Reason(s) for redaction under GIPA Act	Public interest considerations
1.	Execution Pages	The information redacted is part of the execution blocks.	<p>Section 32(1)(d), item 3(a) of the table in section 14</p> <p>The disclosure of this information would reveal an individual's personal information.</p> <p>There is an overriding public interest against disclosure.</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 redacted information would disclose personal information of individuals, including names and signatures.</p> <p>TfNSW considers that any public interest in favour of the disclosure is not significantly advanced by the disclosure of this information, and is outweighed by the public interest against the disclosure as identified above.</p>
2.	Clause 5(b)(iii) "Application of Clause 51.5 of the Project Deed to the Remediation Agreement"	The information redacted is information about the application of service payment deductions.	<p>Section 32(1)(a), items 4(b) and 4(d) of the table in section 14.</p> <p>This is commercial-in-confidence information and the disclosure of it could reasonably be expected to prejudice the Contractor's legitimate business, commercial, professional or financial interests.</p>	This is commercial-in-confidence information, the disclosure of which would place the contractor at a substantial commercial disadvantage in relation to other contractors (including subcontractors) or potential contractors, whether at present or in the future.
3.	Schedule 2 IWLRV Cracking	The information redacted is a diagram	<p>Section 32(1)(d), item 4(b) and (d) of the table in section 14</p> <p>There is an overriding public interest against disclosure.</p>	<p>TfNSW weighed the competing public interest considerations and determined that there was an overriding public interest against disclosure of this information because revealing the information:</p> <p>a) would diminish the competitive commercial value of a person's technical designs; and</p>

Item	Clause (and general description)	Information redacted	Reason(s) for redaction under GIPA Act	Public interest considerations
				<p>b) could reasonably be expected to prejudice a person's legitimate business, commercial, or financial interests.</p> <p>This is redacted as it is identical information redacted in the Inner West Light Rail Vehicle remediation deed between TfNSW and Construcciones y Auxiliar de Ferrocarriles dated 28 November 2022.</p>