

12 December 2018

Revd The Hon Fred Nile MLC
Chair
Public Accountability Committee
Parliament House
SYDNEY NSW 2000

Dear Chair

Inquiry into the impact of the CBD and South East Light Rail Project

I write in response to the email of 5 December 2018 from Ms Sarah Dunn, Acting Principal Council Officer of Upper House Committees, and the email from the Committee with attached supplementary questions, and answers to the questions taken on notice by the Secretary, Transport for NSW, when he appeared before the Committee on 29 November 2018.

Corrections to transcript

Please find enclosed a copy of the transcript with amendments.

Request for unredacted copy of Health Check – In Delivery Report

I note the Committee has requested a copy of the unredacted version of the *Health Check – In Delivery Report* dated 24 November 2016 on a confidential basis 'at this stage'.

As advised to the Committee in Transport for NSW's letter of 28 November 2018, the *Health Check Report* was redacted on a very limited basis. While Transport for NSW wishes to assist the Committee with its inquiry, Transport for NSW maintains that disclosure of the unredacted version would prejudice current negotiations with ALTRAC Light Rail and Acciona and is therefore not in the public interest.

Confidentiality requests

- (a) **Question on Notice No 5:** Consistent with the Committee's resolution in relation to the above Health Check report, Transport for NSW requests that the names and titles of the persons listed in Appendix B of the February 2016 preliminary draft Gateway Health Check Report provided in response to this question be kept confidential.
- (b) **Supplementary Question No 6:** Transport for NSW requests that the draft documents provided in response to this question remain confidential while the

Supreme Court proceedings, which Transport for NSW is engaged in defending, remain current.

Supplementary Question 7

Transport for NSW appreciates that the Committee is not bound by the sub judice convention but is concerned that production of the requested documents at this stage of the current Supreme Court proceedings will directly prejudice Transport for NSW's ability to defend those proceedings. Instead, and to assist the Committee, Transport for NSW would be prepared to consider any specific requests or questions the Committee may have while preparing its report in relation to the subject matter of this question.

If you have any further questions, Mr Anthony Meere, Director, Media, Communications, and Parliamentary Services, Transport for NSW, would be pleased to take your call on 0421 041 361.

Yours sincerely



Elizabeth Mildwater
Acting Secretary