

TfNSW is unable to provide historical information on organisational structure or reporting lines for staff involved in the property acquisition, limiting our ability to conduct the audit effectively and efficiently. These limitations, combined with other probity and governance gaps, mean that we cannot rule out misconduct or maladministration.

Exhibit 7: Sufficiency of TfNSW records of discussions with Grand 4 Investments

Date	Form and time of engagement	Participants	Comments/Detail	Sufficiency of retained record
15 March 2016	Meeting	PLR Stakeholder Briefing	Range of topics including noting that Camellia was being considered as a SaM depot.	Y
1 April 2016	Meeting	TfNSW, Grand 4 Investments (G4I), CBRE	First meeting between TfNSW and G4I.	Y
7 April 2016	Email 5.36 pm	TfNSW to G4I	Update and scheduling next meeting.	N
8 April 2016	Email 4.46 pm	TfNSW to G4I	Scheduling meeting for 12 April.	Y
9 April 2016	Email 8.57 pm	G4I to TfNSW	Re-scheduling meeting for 12 April.	Y
11 April 2016	Email 9.40 am	G4I to TfNSW	Re-scheduling meeting for 12 April.	Y
12 April 2016	Meeting	TfNSW, G4I	Second meeting between TfNSW and G4I.	N (nil record)
15 April 2016	Email 5.58 pm	G4I to TfNSW	Provide an indication of expected value and requesting a contract.	Y
17 April 2016	Email 7.39 pm	TfNSW to G4I	Acknowledging email from 15 April.	Y
18 April 2016	Email 4.15 pm	TfNSW to G4I	Provide an indication of possible view on site value and notification of preparing a draft contract.	Y
18 April 2016	Email 5.52 pm	G4I to TfNSW	Request meeting and noting urgency.	Y
18 April 2016	Email 6.09 pm	TfNSW to G4I	Scheduling meeting time.	Y
18 April 2016	Email 6.14 pm	G4I to TfNSW	Scheduling meeting time and reinforcing urgency.	Y
19 April 2016	Phone approximately 2 pm		Negotiation on pricing.	N (notation in email but missing key details).

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 Date: 15 / 06 / 2021
 Resolved to publish Yes / No

Date	Form and time of engagement	Participants	Comments/Detail	Sufficiency of retained record
19 April 2016	Phone approximately 2.20 pm		G4I requesting to retain a strip of the site along Grand Avenue, and requesting an alternative offer on that basis.	N (notation in email but missing key details)
19 April 2016	Email 5.01 pm	G4I to TfNSW	Requesting meeting with TfNSW finance manager and Project Director.	Y
20 April 2016	Meeting	TfNSW, G4I		N (nil record)
21 April 2016	Email 11.18am and Letter	TfNSW to G4I	Offer letter for \$53.5 million exclusive of GST.	Y
22 April 2016	Email 8.51 am	G4I to TfNSW	Response to offer letter raising numerous concerns.	Y
22 April 2016	Email 3.38 pm	TfNSW to G4I	Response to email raising concerns.	Y
26 April 2016	Email 9.46 am	G4I to TfNSW	Provision of environmental studies commissioned by from Akzo Nobel.	Y
28 April 2016	Phone approximately 9 am		G4I requesting shorter settlement period.	N (notation in email but missing key details)
6 May 2016	Email 10.20 am	G4I to TfNSW	Follow-up on approvals.	Y
19 May 2016	Agreement signed			Y
24 May 2016	Email 12.56 pm	TfNSW to G4I	Contact to arrange access to the site.	Y
26 May 2016	Email 8:26 am	G4I to TfNSW	Request for side deed for first right of refusal should TfNSW decide to sell.	N
26 May 2016	Email 11:15 am	TfNSW to G4I	Clarification re: request for first right of refusal.	N

Source: Audit office analysis based on research of Transport for NSW documents.

In 2019, TfNSW considered undertaking an investigation into potential misconduct affecting the transaction

In late March 2019, following media enquiries regarding TfNSW's acquisition of 4–6 Grand Avenue, TfNSW staff reviewed available documentation to assess the potential exposure to probity or integrity risks and provide options for next steps. Staff involved in the discussion included:

- Associate Director, Workplace Conduct and Investigation
- Director, Fraud and Corruption Prevention
- Director, Audit and Risk
- General Counsel
- Chief of Staff, Office of the Secretary.