

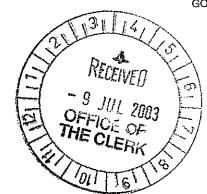
#### PREMIER'S DEPARTMENT NEW SOUTH WALES

TELEPHONE: (02) 9228 5255 FACSIMILE: (02) 9228 4757 G.P.O. BOX 5341, SYDNEY 2001

Mr J Evans PSM
Clerk of the Parliaments
Legislative Council

Parliament House

SYDNEY NSW 2000



GOVERNOR MACQUARIE TOWER 1 FARRER PLACE SYDNEY NSW 2000

SAS/2741

9/7/03

Dear Mr Evans

#### Order of Papers - Millennium Trains

I refer to your letter of 26 June 2003 advising of the Resolution of the Legislative Council dated 7 May 2003 concerning the publication of the previously tabled documents on Millennium Trains, with the following provisos:

- "(1) That this House orders the publication without restricted access of all privileged documents relating to the Millennium Trains lodged with the Clerk on Tuesday 27 May 2003, and Friday 6 June 2003, in accordance with the resolution of the House of Wednesday 7 May 2003.
- (2) That before any documents are released for publication, the relevant Departments and Authorities are to reassess their claim of privilege on the documents and provide to the Clerk of the House, within 14 days of the passing of this resolution:
  - (a) a list of those documents which should not, in the public interest, be released for publication, and
  - (b) reasons in support of the claim of privilege
- (3) Any documents identified under paragraph 2(a) may not be published without a further order of the House under the terms of the original order of the House."

The four agencies that had tabled documents for which a claim for privilege was made (NSW Treasury, State Rail and the Rail Infrastructure Corporation) were asked to review the documents for which privilege had been claimed. Each agency was provided with a copy of your letter of 26 June 2003 to assist in the review of the claims for privilege.

I have been advised by the Secretary NSW Treasury that the document that agency sought to claim privilege on has been reclassified as 'non privileged'. A copy is attached at Annexure A.

The Cabinet Office (TCO) has advised that the document tabled by TCO is an extract of advice by the Crown Solicitor. Accordingly as the document falls within the category of legal professional privilege and a continuing claim for privilege is made.

In terms of reviewing the documents provided by the State Rail Authority the complexity of material tabled on 27 May 2003 does not allow for a simple "..... list of those documents which should not in the public interest, be released for publication:". I am advised that the documents provided in a number of those boxes are so intertwined between cases where a claim for privilege must be maintained to those where the claim could be waived that the documents have had to be physically separated.

The scenario in the preceding paragraph has required the separation of files and the reindexing of each document to separate "continuing claims for privilege" and for "where privilege is to be waived." Accordingly 36 boxes which replicate previously tabled documents are tabled again to assist both the Legislative Council and the legal arbiter review the material. I regret the need to table documents again but I am advised it is simply impossible, on the time allowed, to develop an index that would assist meet the Council's Resolution.

In the amended set of documents tabled by the State Rail Authority new lists of boxes, which incorporate the previously tabled boxes have been prepared, for privileged and non privileged documents. This will allow you to open for public inspection immediately those documents where the claim has been waived. Conversely it will allow the legal arbiter to be able to review in a clear way the documents for which continuing privilege is claimed. A more detailed index has been developed describing the particular claim for privilege.

A claim for privilege is being maintained by the State Rail Authority for all boxes not included as part of the reviewed documentation. I am advised that the majority of this material concerns the commercial in-confidence tender material.

An index showing the incorporated boxes for documents to be disclosed and boxes for which continuing privilege is claimed is attached as Annexure B.

A new index for documents where a re-assessed claim for privilege is attached as Annexure C.

The case by the State Rail Authority for continuing privilege where it has been assessed that the documents should remain privileged is attached as Annexure D. Importantly the case includes correspondence from all tenderers that suggests disclosure of their information would place the companies at a substantial commercial disadvantage.

In terms of the documentation provided by the Rail Infrastructure Corporation (RIC) I have attached a letter and attachments which review the papers previously tabled by RIC. As Annexures to this letter a new table for 'documents in respect of which privilege is waived', and a new table for "documents for which privilege is maintained" and a case supporting privilege are attached. All of this documentation is provided as Annexure E.

Should you require any further information please do not hesitate to contact Mr Alex Smith of my office on 9228 3323.

Yours sincerely

Col Gellatly

Director General

Received by me 4.15pm 9 July 2003 17 boxes not privileged 19 boxes privileged.

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# ANNEXURE A



Dr Col Gellatly
Director General
Premier's Department
Level 39
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Contact: K McCarthy Telephone: (02) 9228 3242 Our Reference: E20858



1 JUL 2003

Dear Dr Gellatly

#### Standing Order No. 18 - Millennium Trains

I refer to your request of 26 June 2003 seeking a reassessment of the "privileged" nature of documents submitted by agencies in response to the Legislative Council's Standing Order No. 18 – Millennium Trains.

I wish to advise that the one document classified as "privileged" in the NSW Treasury submission can now be reclassified to "non-privileged".

The details of the document are as follows "State Rail Authority (SRA) – Monthly Management Meetings 2002-03 Part 1 (T03/0401.1) minutes". The document itself is headed "Project Status Report". Please contact Kyla McCarthy on 9228 3242 should you require any further information.

Yours faithfully

John Pierce Secretary

# ANNEXURE B

#### Millennium Train documents

#### Reassessment of SRA privilege claim

#### Index of Boxes to be Disclosed

New Box No.	Contains documents from boxes produced previously
D1	Box 52
D2	Box 53
D3	Box 54
D4	Box 56, Box 57
D5	Box 59, Box 60, Box 61
D6	Box 62, Box 63, Box 64
D7	Box 65, Box 66, Box 90
D8	Box 92
D9	Box 93
D10	Box 94
D11	Box 95
D12	Box 96
D13	Box 97, Box 98
D14	Box 99
D15	Box 100, Box 101
D16	Box 102, Box 105, Box 106
D17	Box 107, Box 108

#### Millennium Train documents

#### Reassessment of SRA privilege claim

#### **Index of Privileged Boxes**

New Box No.	Contains documents from boxes produced previously
P1	Box 52, Box, 53, Box 54, Box 56
P2	Box 55
P3	Box 58
P4	Box 57, Box 60
P5	Box 59, Box 62
P6	Box 61, Box 64
P7	Box 63, Box 65
P8	Box 66
P9	Box 67
P10	Box 68
P11	Box 69
P12	Box 70
P13	Box 90, Box 91, Box 92
P14	Box 93, Box 94, Box 95, Box 96, Box 97
P15	Box 98, Box 99
P16	Box 100, Box 101
P17	Box 102, Box 105
P18	Box 106
P19	Box 107, Box 108

# ANNEXURE C

Privileged					-
Box :13	<u>,                                      </u>				
File Reference	FileTitle	LPP	WPP	PII	Disclose
TD.00001.001	Adtranz - 4GT Tender Volume 2D Technical Reports			V	No
TD.00001.002	Adtranz - 4GT Tender Volume 2E Technical Reports			V	No
TD.00001.003	Adtranz Example Manuals			✓	No
TD.00001.004	Adtranz 4GT Tender Volume 3 Supporting Documents			<b>✓</b>	No
TD.00001.005	4GT Tender Sample Materials			✓	No
TD.00001.006	4GT Tender Example Manuals Volume 1			<b>V</b>	No
TD.00001.007	4GT Tender Example Manuals- Volume 2			<b>✓</b>	No
TD.00001.008	4GT Tender-Volume 1- Essence of the Bid and Tender Schedules			V	No
Box :14					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TD.00001.009	4 GT Tender- Volume 2A Technical Reports			<b>V</b>	No
TD.00001.010	4GT Tender- Volume 2B Technical Reports			<b>✓</b>	No
TD.00001.011	4GT Tender- Volume 2C Technical Reports			V	No
TD.00001.012	Car Body Structural Design			<b>V</b>	No
TD.00001.013	Specification No S96/0301 (Revision1 of 29.08.97) Design, Build, Supply and Maintain Fourth Generation Train. Additional Information			V	No
TD.00002.000	Contract NO. LN40 Engineering Specification and Delivery Schedule			V	No
TD.00002.001	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 10			V	No
TD.00002.002	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 8			<b>✓</b>	No
TD.00002.003	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 6			_	No
TD.00002.004	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 11			<b>.</b> —	No
Box :15					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TD.00002.005	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 7			<b>☑</b>	No
TD.00002.006	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 9/2				No
TD.00002.007	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 12			<b>V</b>	No
TD.00002.008	Tender for the fourth Generation Trains for SRA of NSW Spec. S96/0301 (Rev. 1 of 29.8.97) Volume 9/1			<b>•</b>	No
TD.00002.011	The Fourth Generation Train; Tender Documentation			<u> </u>	No
TD.00002.020	Tender Amounts and Rates			<b>✓</b>	No
TD.00002.040	Tender Documentation Volume 4 Technical			<b>V</b>	No

Privileged					
Box :16	·				
File Reference	FileTitle	LPP	WPP	PII	Disclose
TD.00003.000	Design, Build, Maintain 4GT Deed of Agreement, Contract Schedule and General Conditions of Contract			V	No
TD.00003.001	Goninan 4GT Generation Train			V	No
TD.00003.002	Goninan 4GT Generation Train			$\mathbf{V}$	No
TD.00003.003	Goninan 4GT Generation Train			V	No
TD.00003.004	Goninan 4GT Generation Train			V	No
TD.00003.005	Goninan 4GT Generation Train			V	No
Box :17				-	
File Reference	FileTitle	LPP	WPP	PII	Disclose
TD.00003.006	Goninan 4GT Generation Train			V	No
TD.00003.007	Goninan 4GT Generation Train			V	No
800,E0000.GT	Goninan 4GT Generation Train			V	No ·
TD.00003.009	Goninan 4GT Generation Train			<b>V</b>	No
TD.00004.000	Design, Build, Maintain 4GT Statement of Work			<b>V</b>	No
TD.00005.000	Design, Build, Maintain 4GT Technical Specifications			V	No
TD.00006.000	Design, Build, Maintain 4GT Drawings, Technical Reports and Reference Material Volume 4 Book 1			V	No
TD.00007.000	Design, Build, Maintain 4GT Drawings, Technical Reports and Reference Material Volume 4 Book 2			✓	No
TD.00008.000	Design, Build, Maintain 4GT Drawings of 4GT (layout etc.) by Clyde Engineering			<b>V</b>	No
Box :18					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TD.00009.000	4th Generation - Tender 1 Antranz			V	No
TD.00010.000	4th Generation - Tender 2 Antranz			V	No
TE.00044.000	Deed of variation of Release re Specification S96/0301			<b>V</b>	No
TE.00045.000	Deed of Agreement Contract Schedules & General Conditions of Contract (Part B)			V	No
TE.03001.000	T1- Adtranz- Tender Documentation- 28 January 1998			V	No
TE.03002.001	T2- Clyde- Tender Documentation- 20 May 1998			<b>V</b>	No
Box :19					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.03002.002	T2- Clyde- Tender Documentation- 20 May 1998			<b>V</b>	No
TE.03003.000	T2- Goninan- Tender Documentation- 15 April 1998			V	No
ΓΕ.03004.000	Sub- Committee Evaluation Report- Report Dated 22 January 1998			<b>V</b>	No
TE.03005.000	Sub- Committee Evaluation Report- Report Dated 20 February 1998			<b>V</b>	No
E.03006.000	Score Sheet-Tender Evaluation- 17 February 1998			V	No .

LPP = Legal Professional Privilege WPP = Without Prejudice Privilege

#### Privileged Box:19 File Reference FileTitle LPP WPP PII Disclose TE.03007.001 T1- Adtranz Tender documentation- 22 January 1998 ablaΝo TE.03007.002 V T1- Adtranz Tender documentation- 22 January 1998 No TE.03008.001 T2- Clyde- Tender documentation- 24 April 1998 V No **V** TE.03008.002 T2- Clyde- Tender documentation- 24 April 1998 No V TE.03008.003 T2- Clyde- Tender documentation- 24 April 1998 **V** TE.03008.004 T2- Clyde-Tender documentation- 24 April 1998 No V TE.03008.005 T2- Clyde- Tender documentation- 24 April 1998 No V TE.03009.001 T3- Goninan- Tender Documentation- 5 May 1998 No TE.03009.002 **V** T3- Goninan- Tender Documentation- 5 May 1998 Νn Box:20 LPP WPP File Reference FileTitle PII Disclose V TE.04001.001 T1 Adtranz Tender Documentation 13 January 1998 TE.04001.002 $\checkmark$ T1 Adtranz Tender Documentation 13 January 1998 No TE.04002.001 T2 Clyde Tender Documentation 22 January 1998 ✓ No **V** TE.04002.002 T2 Clyde Tender Documentation 22 January 1998 No TE.04003.001 No T3 Goninan Tender Documentation 15 April 1998 V TE.04003.002 V T3 Goninan Tender Documentation 15 April 1998 No TE.04004.000 $\Box$ ✓ No Sub-Committee Evaluation Report dated 20 January 1998 V TE.04005.000 Sub-Committee Evaluation Report dated 10 December 1997 No V TE.04006.001 T1 Adtranz Tender Documentation dated 28 January 1998 No TE.04006.002 T1 Adtranz Tender Documentation dated 28 January 1998 $\checkmark$ No TE.04007.001 T2 Clyde Tender Documentation dated 22 January 1998 **Y** No TE.04007.002 T2 Clyde Tender Documentation dated 22 January 1998 **V** No V TE.04008.001 T3 - Sub-Committee - Auxiliary Power Νo TE.04008.002 V T3 Goninan Tender Documentation dated 28 January 1998 No TE.04009.001 $\checkmark$ T1 Adtranz Tender Documentation 24 November 1997 No TE.04009.002 T1 Adtranz Tender Documentation 24 November 1997 **V** Νo TE.04010.001 ✓ T2 Clyde Tender Documentation 25 November 1997 No TE.04010.002 V T2 Clyde Tender Documentation 25 November 1997 No Box:21 File Reference FileTitle WPPPII Disclose TE,04011.001 T3 Goninan Tender Documentation 24 November 1997 and 7 January No

TE.04011.002

T3 Goninan Tender Documentation dated 28 January 1998

#### Privileged Box :21 File Reference FileTitleLPP WPP PII Disclose T3 Goninan Tender Documentation 24 November 1997 and 7 January TE.04012.000 $\checkmark$ TE.04013.000 Drawings ✓ No TE.04014.000 Drawings $\mathbf{V}$ No TE.04015.000 Interim Final Report 4th Generation Train Body Shell Structure and V No Crashworthiness Amendment 2 18/12/97 TE.04016.000 V Tangara Shell Νo TE.04017.000 Sydney Canberra VHST Service VHST Reference Group V No TE.04018.000 T3 Goninan Section 13.11.2.3 Qualifications/Non Compliance No TE.05001.001 Fourth Generation Train Tender Documentation (for evaluation $\checkmark$ No purposes only) TE.05001.002 Fourth Generation train Tender Documentation (for evaluation TE.05002.001 Fourth Generation Train Tender Documentation (For evaluation V No TE.05002.002 Fourth Generation Train Tender Documentation (for evaluation V No TE.05003.001 Fourth Generation Train Tender Documentation (for evaluation $oldsymbol{ ellipsi}$ No TE.05003.002 Fourth Generation Train Tender Documentation (for evaluation Y Νo purposes only) TE.05004.000 Fourth Generation Train Project V No Sub-Committee Evaluation Report TE.05005.000 Fourth Generation Train Project V No Sub-Committee Evaluation Report Box:22 File Reference FileTitle WPP PII Disclose TE.05006.001 Fourth Generation Train Tender Documentation (For evaluation TE.05006.002 Fourth Generation Train Tender Documentation (for evaluation V No purposes only) TE.05007.001 Fourth Generation Train Tender Documentation (for evaluation ✓ No TE.05007.002 Fourth Generation Train Tender Documentation (for evaluation ✓ No TE.05008.001 Fourth Generation Train Tender Documentation (for evaluation $\checkmark$ No TE.05008.002 Fourth Generation Train Tender Documentation (for evaluation ✓ No TE.06001.000 Adtranz Deed of Agreement and General Conditions of Contract $\mathbf{V}$ No TE.06002,000 Clyde technical Specification S96/0301 Volume 3 V No TE.06003.000 Goninan Technical Specification S96/0301 Volume 3 $\mathbf{V}$ No TE.06004.000 Contract - Deed of Agreement and General Conditions of Contract -**V** Nο

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#### Privileged Box:22 File Reference FileTitle LPP WPP PII Disclose Spec No S/96/0301 Design, Build and Maintain Contract - Deed of Agreement and General Conditions of Contract - Marked Up Version TE.06005.000 No **V** TE.06006.000 Spec No S96/0301 Design, Build, Supply and Maintain 29/8/97 No lacksquareTE.06007.000 No Commercial Compliance Evaluation Preliminary Scoring V TE.06008.000 Commercial Compliance Evaluation - Scoring Letters No $\overline{\mathbf{V}}$ TE.06009.000 Commercial Review Evaluation Report dated 13 March 1998 No $\checkmark$ TE.06010.000 Sub-Committee Evaluation Report dated 26 November $\overline{\mathbf{V}}$ TE.06011.000 Commercial Review Committee Report - Commercial and Financial No Report dated 16 March 1998 Box:23 FileTitle LPPWPPPII Disclose File Reference TE.06012.001 Goninan Spec S96/0301 (Revision 2) - Attachment E - Commercial - $\checkmark$ No Payment Schedule Meeting No 4 dated 20 April 1998 V TE.06012.002 Goninan Spec S96/0301 (Revision 2) - Attachment E - Commercial -No Payment Schedule Meeting No 4 dated 20 April 1998 TE.06013.000 $\mathbf{V}$ No Spec S96/0301 (Revision 1) dated 29 August 1997 V TE.06014.000 Spec No S96/0301 Design, Build, Supply and Maintain dated 22 No October 1997 TE.06015.000 lacksquareT1 - Adiranz Tender Documentation dated 5 November 1997 No $oldsymbol{ early}$ TE,06016.000 T2 - Clyde Tender Documentation dated 5 November 1997 No $\mathbf{V}$ TE.06017.000 T3 - Goninan Tender Documentation dated 4 November 1997 and 4 No May 1998 $oldsymbol{\checkmark}$ TE.06018.000 Compliance No TE.06019.000 Storage Unit for Project Management Commercial Compliance No 8 lacksquareNo V TE.06020.000 No Storage Unit for Project Management Commercial Compliance No 8 **V** TE.06021.000 4GT Insurance Commercial Compliance No TE.06022.000 Storage Unit for Project Management Commercial Compliance No 8 $oldsymbol{ olimits}$ No TE.07001.001 Spec. No S96/0301 Volume 3 (Rev. 1) - Meeting No. 4 of 20 April, $\checkmark$ Nο $\mathbf{V}$ TE.07002.000 Communications Sub Committee Evaluation Report, 4 February 1998 No V Νo TE.07003.001 T1 Communications, Tender Documentation dated as 28, January $\checkmark$ No TE.07003.002 T1 Communications, Tender Documentation dated as 28, January **V** TE.07004.001 No T2 Communications, Tender Documentation dated as 20, May 1998 TE.07004.002 T2 Communications, Tender Documentation dated as 20, May 1998 **~** Νo TE.07005.001 V Νo T3 Communications, Tender Documentation dated as 15 April, 1998 Box:24

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FileTitle

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PII = Public Interest Immunity

File Reference

TE.07005.002

T3 Communications, Tender Documentation dated as 15 April, 1998

PII Disclose

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LPP

WPP

#### Privileged Box:24 File Reference FileTitle LPP WPP PII Disclose TE.07006.001 T1 Crew Control, Tender Documentation dated as 13 January, 1998 V No TE.07006.002 T1 Crew Control, Tender Documentation dated as 13 January, 1998 ✓ No TE.07007.001 T2 Crew Control, Tender Documentation dated as 16 April, 1998 **V** Νo TE.07007.002 T2 Crew Control, Tender Documentation dated as 16 April, 1998 **V** No TE.07008.001 T3 Crew Control, Tender Documentation dated as 8 January, 1998 ✓ No TE.07008.002 T3 Crew Control, Tender Documentation dated as 8 January, 1998 No TE.07009.000 Crew Control Sub- Committee Evaluation Report dated 28 January, **✓** No TE.07010.001 Tender Documentation dated 22 December, 1997 T1 Fire & ✓ No TE.07010.002 Tender Documentation dated 22 December, 1997 T1 Fire & V No TE.07011.001 Tender Documentation dated 16 December, 1997 T2 Fire & Νo TE.07011.002 Tender Documentation dated 16 December, 1997 T2 Fire & **✓** No TE.07012.001 Tender Documentation dated 16 December, 1997 T3 Fire & **✓** No TE.07012.002 Tender Documentation dated 16 December, 1997 T3 Fire & ✓ No TE.07013.000 Sub-Committee Evaluation Report Fire and Emergency report dated V No 12, February 1998 TE.07014.000 Sub-Committee Evaluation Report Fire and Emergency report dated **V** No 18, February 1998 TE.08001.001 V Tender Documentation T1 Intercar Interface No TE.08001.002 Tender Documentation T1 Intercar Interface $oldsymbol{ olimits}$ No TE.08002,001 Tender Documentation T2 Intercar Interface **V** Nο TE.08002.002 Tender Documentation T2 Intercar Interface **V** No TE.08003.001 V Tender Documentation T3 Intercar Interface No TE.08003.002 Tender Documentation T3 Intercar Interface lacksquareNo TE.08004.001 Tender Documentation T1 Maintenance No TE.08004.002 Tender Documentation T1 Maintenance $\checkmark$ Νo TE.08005.001 Tender Documentation T2 **V** Νo Maintenance TE.08005.002 Tender Documentation T2 V No Maintenance Box:25 File Reference FileTitlePII Disclose TE.08006.001 Tender Documentation T3 No Maintenance TE.08006.002 Tender Documentation T3 Nο Maintenance

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#### Privileged Box:25 File Reference FileTitle LPP WPP PII Disclose TE.08006.003 Tender Documentation T3 ~ No Maintenance TE.08007.000 Maintenance Sub-committee Evaluation Development Papers V Nο TE.08008.000 Tender Documentation T3 Maintenance V Νo TE.08009.000 Tender Documentation T2 Intercar Interface V No TE.08010.000 Bundle of Plans **✓** No TE.09001.000 Goninan Specification No S96/0301 Volume 6 V No TE.09001.001 ✓ T1 - Adtranz Tender Documentation dated 5 November, 1997 Project No TE.09001.002 T1 - Adtranz Tender Documentation dated 5 November, 1997 Project V No TE.09002.000 T2 - Clyde Tender Documentation dated 5 May, 1998 Project Νo Management Box:26 File Reference FileTitle 4 8 1 PII Disclose LPPWPPTE.09003.000 T2 - Clyde Tender Documentation dated 5 May, 1998 Project **V** No Management TE.09004.000 Goninan Specification No S96/0301 Volume 9 $\Box$ $\overline{\mathbf{V}}$ No TE.09004.001 T3 - Goninan Tender Documentation dated November 1997 Project $\checkmark$ No Management TE.09004.002 T3 - Goninan Tender Documentation dated November 1997 Project ✓ Νo Management TE.09005.000 Sub-Committee Supplement to Evaluation Report dated 10 May, 1998 $\checkmark$ No Project Management TE.09006.000 Responses to Questions Clyde T2 Project Management V No TE.09007.001 4GT Main Mock Up At Clyde Engineering July 99 Video Tapes $\square$ No TE.09007.002 4GT Main Mock Up At Clyde Engineering July 99 Video Tapes V Νo TE.09007.003 4GT Main Mock Up At Clyde Engineering July 99 Video Tapes П $\checkmark$ No TE.09010.000 Goninan Specification No S96/0301 Volume 7 **V** Νo Box:27 File Reference FileTitleWPPPII Disclose TE.09009.000 The Fourth Generation Train Volume 8 $\checkmark$ No TE.09011.000 Goninan Specification No S96/0301 Volume 8 $\mathbf{V}$ No TE.09012.000 Tender Evaluation Processes and methodology evaluation **V** Νo TE.09013.000 ANI Pre Registration No S96/0301 P for Procurement of a new Double V Νo decker suburban electric train TE.10001.000 Subcommittee: System T2 $\mathbf{V}$ Νo TE.10002.000 $\mathbf{V}$ Subcommittee: System T3 No Sub- Committee Evaluation Report Version: 1.1 (Final) TE.10003.000 $\square$ No TE.10004.000 Subcommittee- System T1 **Y** No

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#### Privileged Box:28 File Reference FileTitleLPP WPP PII Disclose TE.10005.000 Tonality $oldsymbol{ olimits}$ No TF 10006,000 П $\checkmark$ Subcommittee: System T1 No $\Box$ TE.10007.000 Storage Unit for System, Body, crew control, NO 1 ✓ No TE.10008.000 Subcommittee: System T1 V Νo TE.10009.000 Responses to Questions Clyde (T2) $\mathbf{V}$ No TE.10010.000 V Subcommittee: System T2 No П TE.10011.000 V Disc Copy No V TE.11001.001 Subcommittee: Styling T1 No **Y** TE.11002.001 Subcommittee: Styling T2 No V TE.11002.002 Subcommittee: Styling T2 No П TE.11003.001 $\checkmark$ Subcommittee: Styling T3 No V TE.11003.002 Subcommittee: Styling T3 No TE.11004.001 Subcommittee: Main Power T1 **V** No $\Box$ TE.11004.002 Subcommittee: Main Power T1 **V** No TE.11005.001 Subcommittee: Main Power T2 **✓** No Box:29 File Reference FileTitleLPP WPP PII Disclose TE.11005.002 Subcommittee: Main Power T2 V No $\Box$ **V** TE.11006.001 Subcommittee: Main Power T3 No TE.11006.002 **Y** Subcommittee: Main Power T3 No V TE.11007.001 Subcommittee: Lighting T1 No lacksquareTE.11007.002 Subcommittee: Lighting T1 No $\Box$ TE.11008.001 V Subcommittee: Lighting T2 No TE.11009.001 **/** Subcommittee: Lighting T3 No **V** TE.11009.002 Subcommittee: Lighting T3 No TE.11010.001 Subcommittee: Traction T1 V No TE.11010.002 **V** Subcommittee: Traction T1 Nο TE.11011.001 Subcommittee: Traction T2 V TE.11011.002 Subcommittee: Traction T2 V No **\** TE.11012.001 Subcommittee: Traction T3 No TE.11012.002 Subcommittee: Traction T3 **✓** No TE.11013.000 Section 4 Statement of Work (Rev. 2 of 14.5 **/** Νo TE.12001.000 T1 Financial, LCC & Residual Value Tender Documentation dated 5 V No November, 1997

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#### Privileged Box:29 File Reference FileTitleWPPPII Disclose TE.12001.001 T1 Tender documentation dated 5 November, 1997 Financial, LCC & **V** No Residual Value TE.12002,000 Fourth Generation Train Project Evaluation **Y** No TE.12003.001 $\checkmark$ T3 Tender Documentation dated 5 November, 1997 financial, LCC No Residual Value TE.12003.002 T3 Tender Documentation dated 5 November, 1997 financial, LCC **Y** Nο Residual Value TE.12004.000 $\mathbf{V}$ Notes Draft Modified Specification clauses for discussion purposes No TE.12005.000 П Commercial and Financial Report dated 13 March, 1998 **Y** No Box:30 File Reference WPPPIIDisclose TE.12006.000 Financial & LCC Evaluation Report dated 12 March, 1998 (5 copies) $\checkmark$ No ✓ TE.12007.000 Commercial Compliance Sub-Committee Evaluation Report dated 27 No November 1997 TE.12008.000 Commercial Compliance Sub-Committee Evaluation Report Revision V No 2 of Part C dated 19 February 1998 TE.12009.000 Commercial Compliance Sub-Committee Evaluation Report Revision $\mathbf{V}$ Νo 2 of Part C dated 14 May 1998 TE.12010.000 Commercial Review Committee Report Commercial and Financial $\checkmark$ No dated 16 March 1998 V TE.12011.000 Model Runs & Price Scoring - 29 January 1998 (2 copies) Νo $oldsymbol{ olimits}$ TE.12012.000 Goninan Rise & Fall Calculations - Version 2 dated 25 May 1998 No TE.12013.000 $\mathbf{V}$ Rise & Fall Calculations - Version 2 dated 25 May 1998 Clyde No V TE.12013.001 Clyde Rise & Fall Calculations - Version 2 dated 25 May 1998 П No lacksquareΝo TE.12014.000 Summary of Costs - 2 copies Adtranz $\overline{\mathbf{V}}$ TE.12015.000 Summary of Costs - Clyde No ablaTE.12016.000 Summary of Costs - Goninan No $\overline{\mathbf{V}}$ No TE.12017.000 Financial Evaluation dated 25 June 1998 ✓ TE.12018.000 Evaluation of Financial Aspect of Tenders dated 11 march 1998 Nο $\checkmark$ Νo TE.12019.000 Price Waterhouse Evaluation of Financial Aspects of Tender Responses dated 12 March 1998 $\mathbf{V}$ TE.12020.000 Draft Report and Model Runs for the Evaluation of Tenders No $\overline{\mathbf{V}}$ TE.12021.000 Tender Documentation dated 29 August 1997 No Tenders for the Design, Build, Supply and Maintain of 4Gt Spec. S96/0301 dated 26 November 1997 lacksquareTE.12022.000 No Tenders for the Design, Build, Supply and Maintain of 4Gt Spec. $\mathbf{V}$ TE.12023.000 No S96/0301 dated 12 December 1997 lacksquareNo TE.12024.000 State Rail Authority Fourth Generation Train. Evaluation of Financial Aspects of Tender Responses. 12 March 1998 $\checkmark$ TE.12025.000 T2 Tender Documentation dated 5 November, 1997 financial, LCC No Residual Value

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Box :31					· · · · · · · · · · · · · · · · · · ·
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.13001.000	Spec S96/0301 (Revision 1)- Additional Information- Adtranz, Clyde, Goninan			V	No
TE.13002.000	4GT Project Tender Evaluation- Sub- Committee Report			<b>✓</b>	No
TE.13003.000	4GT- Risk Analysis of Commercial Radio to Drivers Cab			<b>✓</b>	No
TE.13004.000	4GT- Back Up Information for Pricing Analysis			V	No
TE.13005.000	4GT- Tender Evaluation Process and Methodology			V	No
TE.13006.000	Goninan- Statement of work			V	No
TE.13007.000	Statement of Work- Evaluation Report dated29 May 1998			<b>V</b>	No
TE.13008.000	Statement of Work- Evaluation Report dated29 May 1998			<b>V</b>	No
TE.13009.000	4GT Options- Management of Graffiti and Vandalism Repair			V	No .
TE.13010.000	4GT Analysis- Analysis of Proposals for ACDEP Maintenance			V	No
TE.13011.000	T3 Goninan- Part 2A- Design & build Phase- Contract Management Requirements			V	No
TE.13012.000	4GT SOW- Statement of Work- Final Contract Document Part One			<b>V</b>	No
TE.13013.000	Volume 2 Statement of Work for 4GT Contract			<b>V</b>	No
TE.14001.001	Tender Documentation Dated 28 January, 1998 T1 (Adtranz) Subcommittee: Train Operating System			Z	No
TE.14001.002	Tender Documentation Dated 28 January, 1998 T1 (Adtranz) Subcommittee: Train Operating System			<b>V</b>	No
TE.14002.001	Tender Documentation Dated 20 May, 1998 T2 (Clyde) Subcommittee: Train Operating System			<b>V</b> .	No
TE.14002.002	Tender Documentation Dated 20 May, 1998 T2 (Clyde) Subcommittee: Train Operating System			V	No
TE.14003.001	Tender Documentation Dated 15 April, 1998 T3 (Goninan) Sub-Committee: Train Operating System			<b>V</b>	No
TE.14003.002	Tender Documentation Dated 15 April,1998 T3 Subcommittee: Train Operating System			✓	No
Box :32					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.15001.000	Specification No S96/0301 - Tender Adtranz Pre Tender Stage (4/8/97 - 3/11/97)			V	No
TE.15002.000	Specification No S96/0301 - Tender Adtranz Pre Tender Stage (4/11/97 -1/12/97)			<b>V</b>	No
TE.15003.000	Specification No S96/0301 - Tender Adtranz Pre Tender Stage (1/12/97 - 16/1/98)			<b>V</b>	No
TE.15004.000	Specification No S96/0301 - Tender Adtranz Pre Tender Stage (1/17/98 - 27/2/98)			<b>✓</b>	No
TE.15005.000	Specification No S96/0301 - Tender Adtranz Pre Tender Stage (27/2/98 - 18/6/98)			$\checkmark$	No

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#### Privileged Box:32 File Reference FileTitleLPP WPP PII Disclose ADTRANZ Correspondence In/Out TE.15006.000 $\checkmark$ Νo TE.15007.000 ADTRANZ 35 Year LCC V No TE.15008.000 ADTRANZ Post Tender Prices ✓ No TE.16001.000 Draft Consolidated Document - Clean Version ~ No Draft Consolidated Document - Marked Up Version TE.16002.000 **Y** No TE.16003.000 Clyde Response to Consolidated Document 1 June 1998 ✓ No Box:33 File Reference FileTitle WPPPII Disclose Final Draft Consolidated Document Volume 2 Statement of Work TE.16004.000 V No issued to Clyde 21 August 1998 Clyde Engineering - Volume 3 26 August 1998 Final Draft Version 2 TE.16005.000 ~ No TE.16006.000 Clyde Engineering - Volume 3 26 August 1998 Final Draft Version 2 $\mathbf{V}$ No TE.16007.000 Final Draft Consolidated Document Volume 1 General Conditions of ✓ No Contract issued to Clyde 26 August 1998 TE.16008.000 Final Draft Consolidated Document Volume 1 General Conditions of **V** No Contract issued to Clyde 8 September 1998 TE.16009.000 Design, Build, & Maintain - Spec No. S96/0301 between SRA and **V** No Clyde Engineering Volume 1 - Deed of Agreement - Contract Schedules - General Conditions of Contract TE.16010.000 Design, Build, & Maintain - Spec No. S96/0301 between SRA and ✓ No Clyde Engineering Volume 1 - Deed of Agreement - Contract Schedules - General Conditions of Contract issued 6 October 1998 TE.16011.000 Design, Build, & Maintain - Spec No. S96/0301 between SRA and $\checkmark$ No Clyde Engineering Volume 2 - Technical Specification TE.16012.000 Design, Build, & Maintain - Spec No. S96/0301 between SRA and $oldsymbol{ olimits}$ No Clyde Engineering Volume 3 - Technical Specification TE.16013.000 **V** Tender Specification Volume 1 Deed of Agreement and General Νo Conditions of Contract Specification Amendment TE.16014.000 Tender Specification Volume 2 Deed of Agreement and General $\checkmark$ No Conditions of Contract Specification Amendment TE.16015.000 Tender Specification Volume 3 Technical Specification Amendment $\sqcup$ No TE.16016.000 4GT Clyde Responses 17 December 1997 ✓ Νo Box:34 File Reference FileTitle LPPWPPPII Disclose TE.16017.000 4GT Barry Lovat Clyde Responses 6 April 1998 $\mathbf{V}$ No TE.16018.000 4GT Barry Lovat Clyde Responses Clyde Technical Negotiation V Nο Issues 14 April 1998 TE.16019.000 Tender Specification Technical - Volume 3 Clyde Engineering $\square$ No Working Papers Barry Lovat TE.17001.000 Clyde - Statement of Work Negotiation Issues V Nο TE.17002.000 Clyde Revised Prices - Received 1 June 1998 **√** Nο TE.17003.000 Clyde - Responses to Consolidated Document 1 June 1998 M $\checkmark$ Nο

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PII = Public Interest Immunity

#### Privileged Box:34 File Reference FileTitle LPP WPP PII Disclose TE.17004.000 Clyde - Drawings received at meeting $\overline{\mathbf{v}}$ No ✓ TE.17005,000 Part 1 Pre Tender Stage (13 August 1997 - 3 November 1997) Nο TE.17006.000 Part 2 Pre Tender Stage (4 November 1997 - 30 November 1997) ~ Νo TE.17007.000 **V** Part 3 Pre Tender Stage (1 December 1997 - 18 December 1997) No TE.17008.000 Part 4 Pre Tender Stage (19 December 1997 - 14 January 1998) ~ Νo Box :35 File Reference FileTitleLPPWPPPII Disclose TE.17009,000 Part 5 Pre Tender Stage (15 January 1998 - 4 March 1998) П **V** No TE.17010.000 **V** Part 6 Pre Tender Stage (5 March 1998 - 6 April 1998) No TE.17011.000 Part 7 Pre Tender Stage (7 April 1998 - 29 April 1998) **V** No TE.17012.000 Part 8 Pre Tender Stage (30 April 1998 - 22 May 1998) **Y** No **V** TE.17013.000 Part 9 Pre Tender Stage (23 May 1998 - 5 August 1998) No TE.17014.000 Part 10 Pre Tender Stage (6 August 1998 - 24 August 1998) **V** No TE.18001.000 ✓ Post Tender Stage(25 August 1998 - 9 September 1998) No TE.18003.000 ✓ No Post Tender Stage (19 September 1998 - 25 September 1998) Box :36 File Reference FileTitle LPP WPP PII Disclose $\Box$ TE.18004.000 Post Tender Stage(25 September 1998 - 30 September 1998) $\checkmark$ No TE.18005.000 Post Tender Stage( 1 October 1998 - 16 October 1998) ✓ Νo TE.18006.000 Additional Documents $\checkmark$ No TE.18007.000 Correspondence In/Out ✓ No TE.18008.000 The Case for Development of the 4th Generation Train V No TE,18009,000 Rail Access Corporation - Minimum Operating Standards for V No Rollingstock - Final Draft for Use by 4Gt Project Only - Version 1 July TE.18010.000 $\checkmark$ Clyde Reponses 12 January 1998 No TE.18011.000 **V** Clyde Consolidation Document No TE.19001.000 V Pre Tender Stage (8 August 1997 - 6 November 1997) No TE.19002.000 **V** Post Tender Stage (6 November 1997 - 2 December 1997) Nο TE.19003.000 Post Tender Stage (3 December 1997 - 15 January 1998) V No TE.19004.000 Post Tender Stage (16 January 1998 - 23 March 1998) $\mathbf{V}$ No TE.19005.000 Post Tender Stage (24 March 1998 - 22 April 1998) $\checkmark$ No Box:37 File Reference FileTitleLPP WPPPII Disclose TE.19006.000 Post Tender Stage (23 April 1998 - 20 May 1998) No

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Privileged					
Box:37					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.19007.000	Post Tender Stage ( 21 May 1998 - 6 November 1998)			V	No
TE.19008.000	Revised Prices - Received 1 June 1998			<b>V</b>	No
TE.19009.000	Response to Consolidated Document 1 June 1998			V	No
TE.19010.000	Correspondence In/Out			V	No
TE.19011.000	Draft Consolidated Document - Marked Up Version			<b>V</b>	No
TE.19012.000	Draft Consolidated Document - Clean Version			<b>✓</b>	No
TE.19013.000	Consolidated Document			<b>✓</b>	No
TE.20001.000	46T Rollingstock, RSA (Peter Handel) Correspondence In			~	No
TE.20002.000	46T SRA of NSW Correspondence In/ Out			<b>V</b>	No
TE.20003.000	4GT Addenda			<b>✓</b>	No
TE.20004.000	Specification No S96/0301 Design, Build , Supply & Maintain Fourth Generation Train			<b>V</b>	No
TE.20005.000	4GT Rollingstock, RSA (Peter Handel) Correspondence Out			<b>V</b>	No
TE.20006.000	4GT Rollingstock RSA (Peter Handel) Correspondence IN			V	No
Box :38					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.20007.000	4GT SRA Of NSW Correspondence In/ Out			<b>V</b>	No
TE.20008.000	4GT Addenda			V	No
TE.20009.000	Specification No A96/0301 Design, Build Supply & Maintain Fourth Generation Train			<b>V</b>	No
TE.20010.000	4GT Rollingstock RSA (Peter Handel) Correspondence Out			V	No
TE.20011.000	Deed of Agreement and General Conditions of Contract			<b>y</b>	No
TE.21001.000	Statement of work evaluation reports			V	No
TE.21002.000	Specification No S96/0301 Volume 2 Statement of Works			<b>✓</b>	No
TE.21003.000	Interim Tender Evaluation Report 12 March 1998 Master			V	No
TE.21004.000	Interim Tender Evaluation Report 05 March 1998 Master			V	No
TE.21005.000	Statement of work Evaluation Reports			<b>✓</b>	No
TE.21006.000	Best and Final Offer Comparison of T2/ T3 Volume 3			<b>V</b>	No
TE.21007.000	Additional Funds Project Creation/ Modification Form			<b>V</b>	No
TE.22001.000	RFC Originals 001-275 - File No 1			V	No
TE.22002.000	RFC Originals 276-535 - File No 2			V	No
TE.22003.000	RFC Originals 536-750 - File No 3			<b>V</b>	No

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Box :39					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.22004.000	RFC Originals 751-925 - File No 4			V	No
TE.22005.000	RFC Originals 926-1025 - File No 5			<b>~</b>	No
TE.22006.000	RFC Summary Report 22 July 1998			V	No
TE.22007.000	RFC - 11 November 1997 to 18 November 1997			<b>~</b>	No
TE.22008.000	RFC 26 November 1997 to 14 January 1998			<b>✓</b>	No
TE.22009.000	RFC 18 November 1997 to 14 January 1998			<b>V</b>	No
TE.22010.001	List of Drawings ( 2 copies)			V	No
TE.22010.002	List of Drawings ( 2 copies)			V	No
TE.22011.000	Clarification Letters Technical			<b>✓</b>	No
TE.22012.000	Responses - 20/11/97 to 13/1/98			<b>V</b>	No
TE.22013.000	Responses - 14/1/98 to 26/5/98			V	No
TE.22014.000	Overall RFC Progress Status 15/12/97			✓	No
TE.22015.000	RFC Design Review Question - Clyde - 26/11/97			<b>V</b>	No
TE.22016.000	RFC Response Status 13/1/98			<b>✓</b>	No
TE.22017.000	RFC - Clyde - 12/12/97			<b>✓</b>	No
TE.22018.000	RFC - Sub-Committee - Communications - 14/1/98			<b>V</b>	No
Box :40					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.23005.000	Legal Advisor On Evaluation of 4 GT Part Two (half sec)			<b>V</b>	No .
TE.23006.000	Legal Advisor on Evaluation of 4GT Part Two (half sec)			V	No
TE.23007.000	Environmental Results Correspondence			V	No
TE.23008.000	Draft Consolidated Document			V	No
TE.23009.000	Deft Consolidated Document Marked Up Version - Clyde			<b>✓</b>	No
TE.23010.000	Draft Consolidated Document Marked Up Version - Clyde			V	No
TE.23011.000	Draft Consolidated Document - General Conditions of Contract			V	No
TE.23013.000	Financial Correspondence - Evaluation Period Clyde Response To Consolidated Document			V	No
TE.23014.000	Final Version of draft consolidated document issued to Clyde 29 July 1998			<b>V</b>	No
Box :41					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.23015.000	Tender Documentation			<b>✓</b>	No
TE.23018.000	Financial evaluation Process - Post Tender Prices			V	No
TE.23020.000	Technical			V	No
TE.23022.000	Statement of Works			V	No

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Box :41					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.23025.000	Probity Issues Deloittes Touche Tohmatsu			<b>✓</b>	No
TE.23028.000	Pre-Contract Volume 1 Part A			V	No
TE.23029.000	Technical Specification Volume 3			V	No
TE.23030.000	Statement of Work Volume 2			V	No
TE.23032.000	Commercial Advisor - Part 1			V	No
TE.23035.000	General Correspondence			<b>V</b>	No
TE.23036.000	Revision 1 of 29/8/97 (sec 1)			V	No
TE.23037.000	Revision 1 of 29/8/97 (sec 2)			V	No
TE.24001.000	Superseded Technical Reports (#2)			<b>✓</b>	No
TE.24002.000	Commercial 4GT Final Contract Documentation			V	No
TE.24003.000	Technical 4GT Final Contract Documentation			V	No
TE.24004.000	4GT Project Barry Lovat Technical Information			V	No
TE.24005.000	Technical Issues 1998			✓	No
Box :42					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.24006.000	Superceded Tech Reports (1)			<b>✓</b>	No
TE.25001.000	Technical Issues 1998			<b>✓</b>	No
TE.25002.000	Commercial 4GT Final Contract Documentation			<b>V</b>	No
TE.25003.000	4GT Project Contract Tender Schedules			V	No
TE.26001.000	Archiving Millennium Train Tender Evaluation			<b>V</b>	No
TE.26002.000	Design, Supply, Maintain Fourth Generation Spec No. S96/0301 between Clyde Engineering A division of Evans Deakin Industries and SAB Wabco D&M Engineering Ltd. Brake supplier (4GT/006			V	No
TE.26003.000	Design, Supply, Maintain Fourth Generation Spec No. S96/0301 between Clyde Engineering A division of Evans Deakin Industries and SAB Wabco D&M Engineering Ltd. Brake supplier (4GT/006 Book 2 of 2			V	No
TE.26004.000	4Gt Project Goninan Meetings (Copies) - Tapes			V	No
Box :43				_	
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.27001.000	Rollingstock Project Management Staff Time Sheets			V	No .
TE.27002.000	RollingStock Project Management Administration Manager Resumes			<b>V</b>	No
TE.27003.000	RollingStock Project Management Administration Manager Resumes			<b>V</b>	No
TE.27004.000	RollingStock Project Management Adtranz, Clyde / GEC & Goninan Tender Enquiries / Responses			<b>✓</b>	No
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#### Privileged Box:43 File Reference FileTitle LPP WPP PII Disclose TE.27005.000 RollingStock Project Management Adtranz, Clyde / GEC & Goninan No Tender Enquiries / Responses TE.27006.000 4TH Generation Train Tender Evaluation RSA Timesheet No TE.27007.000 V Rollingstock Project Management Brian Follett TE.27008.000 Rollingstock Project Management Brian Follett V П TE.27009.000 ✓ No Rollingstock Project Management Corporate Secretary TE.27010.000 lacksquareRollingstock Project Management Corporate Secretary No TE.27011.000 Rollingstock Project Management Staff Time Sheets $\overline{\mathbf{V}}$ No TE.27012.000 V Consultants Contracts Alan Cullen Nο TE.27013.000 Consultants Contracts Alan Cullen V Νo TE.27014.000 Rollingstock Project Management Tender Change Approvals $oldsymbol{ olimits}$ No $\checkmark$ TE.27015.000 Rollingstock Project Management Tender Change Approvals TE.27016.000 $\Box$ 4TH Generation Train Tender Evaluation RSA Timesheet ablaNo TE.27017.000 $\mathbf{V}$ Contracts (ALL) Evans Deakin Νo TE.27018.000 Contracts (ALL) Evans Deakin V No TE.27019.000 V Rollingstock Project Management Payment Options No V TE.27020.000 Rollingstock Project Management Payment Options No $\overline{\Box}$ V TE.28001.000 Final Tender Evaluations Report 10 June 1998 No Box :44 FileTitle WPPFile Reference LPPPII Disclose TE.29003.000 V Clayton Utz - Legal Advisor on Evaluation of 4GT Part One (half sec) No V TE.29004.000 Clayton Utz - Legal Advisor on Evaluation of 4GT Part One (half sec) No TE,29012.000 Draft Consolidated Document - Clean Version - Clyde lacksquareNo TE,29016.000 V Indec - Maintenance Options and Costings - Part One (half sec) Νo TE.29017.000 Indec - Maintenance Options and Costings - Part One (half sec) **V** No TE,29019.000 Tender Evaluation Material - Financial and Commercial - Tender ✓ Nο Evaluation Period TE.29021.000 Subcommittee Reports Technical (Folder No. 2) V No TE.29023.000 V Evaluation Period - Environmental Results Correspondence No TE.29024.000 Evaluation Period - Condition of Tendering Documentation ✓ No TE.29026.000 Legal Contracts - State Rail Internal correspondence with Contract **V** Νo and Procurement relating to legal matters TE.29027.000 V Internal general correspondence with SRA and RSA No TE,29030.000 RTF Draft - Statement of work Volume 2 $\checkmark$ No TE.29033.000 ✓ Price Waterhouse Coopers - Financial Evaluation Part One Νo $\Box$ TE.29034.000 Price Waterhouse Coopers - Financial Evaluation Part Two **V** No

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Box :44					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.29036.000	Specification NO. S96 0301 Revision 1 of 29/08/97 (sec 1)			V	No
TE.29037.000	Specification NO. S96 0301 Revision 1 of 29/08/97 (sec 2)			<u> </u>	No
Box :45					·
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.31001.000	Facilities Maintenance Centres Hornsby - Civil Works Road 16			$\checkmark$	No
TE.31002.000	Accounting Invoices Outstanding - 1.5.98 - Asset Management Passenger Fleet Maintenance			<u> </u>	No
TE.31003.000	Millennium Train Tender Evaluation Information John Dawes Papers A Smith Correspondence			<b>✓</b>	No
TE.31004.000	Millennium Train Tender Evaluation Information John Dawes Papers Ministerial / CEO Correspondence			<b>Y</b>	No
TE.31005.000	Millennium Train Tender Evaluation Information John Dawes Papers Project Program			✓	No
TE.31006.000	Millennium Train Tender Evaluation Information John Dawes Papers Board Papers			✓	No
TE.31007.000	Millennium Train Tender Evaluation Information John Dawes Papers Barry Lovat Copy			✓	No
TE.31008.000	Fourth Generation Train Project Communication Reports			<b>V</b>	No
TE.31009.000	Fourth Generation Train Project Tenderer's Correspondence & File Register Pre Award of Contract Barry Lovat Copy			V	No
TE.31010.000	Fourth Generation Train Gominan Response to Consolidated Document 1 June 1998 Barry Lovat Copy			<b>V</b>	No
TE.31011.000	Fourth Generation Train Project John Dawes Papers Statement of Works Subcommittee (Evaluation) Reports: Project Management; Systems Assurance; and Maintenance			<b>V</b>	No
TE.31012.000	Fourth Generation Train Project John Dawes Papers Technical Subcommittee Reports			V	No
TE.31013.000	Fourth Generation Train Project John Dawes Papers Technical Subcommittee Reports Folder No. 2			V	No
TE.31014.000	Fourth Generation Train Technical Evaluation Information Pack			V	No
TE.31015.000	4 GT Tender Evaluation Presentation to SRA Board 26 March 1998			V	No
TE.32001.000	Evaluation of Financial Aspects of Tender Responses (12 March 1998			V	No
Box :46					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.33001.000	Tenders - Specifications - General			<b>V</b>	No
TE.34001.000	Evaluation of financial aspects of tender responses			<b>V</b>	No
TE.35001.000	Investment Evaluation - review of Fourth generation Train Based on Tender Prices -			<b>Z</b>	No
TE.37001.000	Rollingstock Tenders - Pre-Registration - Evaluation Report			V	No
TE.38001.000	Rollingstock Tenders - Pre-Registration			<b>V</b>	No
TE.39001.000	Rollingstock Tenders - Pre-Registration Documents - S96/0301P			<b>✓</b>	No
TE.40001.000	4GT Tender Evaluation			<b>V</b>	No

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Box :46					<u></u>
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.40002.000	4th Gen Tender Evaluation			<u> </u>	No
TE.40003.000	Committees, Meetings, 4GT Tender Evaluation Committee Tec			<b>V</b>	No
TE.40004.000	Deed of agreement and General Conditions of Contract- Clean Version 20 January 1998			<u> </u>	No
TE.40005.000	Administration Program Evaluation Subcommittee Tender Documentation Requests - 4GT Project			V	No
TE.40006.000	Administration Project Management Closure of Tenders - Spec No S96/0301 Fourth Generation Train Projects			V	No
TE.41001.000	Final Tender Evaluation Report (Spec No s96/0301)			V	No
Box :47			·		<del></del>
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.42001.000	Contract C98014 for Design Build & Maintain Train Project (4GT)			V	No
TE.43001.000	Deed of Variation & Release (vol 2) Contract # C98014			<b>V</b>	No
Box :48					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TE.44001.000	Deed of Variation & Release Contract # C98014			<b>V</b>	No
TE.45001.000	Spec No S96/0301 (Vol 1) Deed of Agreement, Contract Schedules and General Conditions of Contract (Part B)			<u>V</u>	No
Box :49					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TF.02001.000	Goninan Specification No S96/0301			<b>V</b>	No
TF.02002.000	Goninan Specification No S96/0301 Volume 1			<b>V</b>	No
TF.02003.000	Goninan Specification No S96/0301 Volume 2			V	No
TF.02004.000	Goninan Specification No S96/0301 Volume 3			<b>✓</b>	No
TF.02005.000	Goninan Specification No S96/0301 Volume 4			<b>~</b>	Ńo
TF.02006.000	Goninan Specification No S96/0301 Volume 5			<b>V</b>	No
ΓF.04001.000	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8,97 Volume 1 ORIGINAL			V	No
TF.04002.000	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 2 ORIGINAL			V	No
ΓF.04003.001	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 3/1 ORIGINAL			Ø	No
Box :50					
File Reference	FileTitle	LPP	WPP	PII	Disclose
F.04003.002	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 3/2 ORIGINAL			V	No
F.04004.000	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 4 ORIGINAL			V	No
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Box :50					
File Reference	FileTitle	LPP	WPP	PII	Disclose
TF.04005.000	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 5 ORIGINAL			V	No
TF.04006.000	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 5/1 ORIGINAL			V	No
TF.04007.002	Clyde 4GT Specifications S96/0301 Rev 1 of 29.8.97 Volume 5/2 ORIGINAL			V	No
TF.06001.000	Technical Evaluation Report Final Originals Volume 2 Copy Only			<b>Y</b>	No
TF.06002.000	Technical Evaluation Report Final Originals Volume 1 Copy Only			V	No
TF.06003.001	Technical Evaluation Report Final Originals Volume 1 Copy Only			<u> </u>	No
TF.06003.002	Technical Evaluation Report Final Originals Volume 2 Copy Only			<b>V</b>	No
Box :51					-
File Reference	FileTitle	LPP	WPP	PII	Disclose
TF.06004.000	Clyde GEC Alstom Joint Venture 4GT Project			<b>V</b>	No
TF.06005.000	Clyde Original			V	No
TF.06006.000	Slyde 4GT - An Experience for the New Millennium			V	No
TF.06007.000	Final Tender Evaluation report on Control Copy 01 10 June 1998			<b>V</b>	No
TF.07001.000	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 6			<b>✓</b>	No
TF.07002.000	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 7			<b>V</b>	No
TF.07003.000	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 8			<b>Y</b>	No
TF.07005.001	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 9/1			V	No
TF.07006.002	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 9/2			V	No
TF.07007.000	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 10			<b>?</b>	No
TF.07008.000	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 11			<b>V</b>	No
TF.07009.000	Tender for 4 GT Train for SRA Specification s96 0301 (rev 1 of 29.8.97) Volume 12			<b>✓</b>	No
Box :52 - Docum	ents can be found in box(es) P1, D1				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MP.00003.002	Project Master Schedule Monthly Reports				Yes
MP.00005.003	Fortnightly Progress Review Reports				Yes
MP.00005.004	Fortnightly Progress Review Reports				Yes
MP.00005.005	Fortnightly Progress Review Reports				Yes
MP.00005.006	Fortnightly Progress Review Reports				Yes
MP.00006.004	Fortnightly Progress Meeting Minutes				Yes
MP.00006.005	Fortnightly Progress Meeting Minutes				Yes

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#### Privileged Box:52 - Documents can be found in box(es) P1, D1 WPPFile Reference FileTitleLPPPII Disclose MP.00006.008 Fortnightly Progress Meeting Minutes Yes Yes MP.00006.011 Meeting & Minutes Fortnightly Progress Review Meetings Yes MP.00007.001 MTP Executive Management Committee Meetings **V** MP.00007.005 MTP Executive Management Committee Meetings Part Box:53 - Documents can be found in box(es) P1, D2 LPP WPP PII Disclose File Reference FileTitleV MP.00010.001 Bank Guarantee & Assignment Rights Part MP.00012.001 Contract Amendments Concessions and Waivers $\mathbf{V}$ Part MP.00012.002 Contract Amendments Concessions and Waivers Yes MP.00013.001 Project Status Report Yes П MP.00019.001 П Yes Extension of Time to Mock-up Yes MP.00020.002 Eveleigh General File Part MP.00020.003 Eveleigh General File $\overline{\mathbf{V}}$ $\overline{\mathbf{V}}$ MP.00020.004 $\mathbf{V}$ Part Eveleigh General File MP.00020.005 Eveleigh General File Yes $\Box$ Yes MP.00021.001 Cardiff Site **V** Part MP.00022.001 Foreign Exchange Hedgings П П V MP.00022.002 Part Foreign Exchange Hedgings П $oldsymbol{\checkmark}$ Part MP.00024.001 Eveleigh Track Upgrading Eveleigh Overhead Wiring **V** MP.00025.001 No MP,00025.002 Eveleigh Overhead Wiring $\checkmark$ Part $\checkmark$ MP.00026.002 Eveleigh Droptable Installation Part MP.00029.001 Eveleigh Roofing $\mathbf{V}$ Part MP.00031.001 $\square$ Part Variation Requests ~ Part MP.00033.001 $\mathbf{V}$ Variation Orders MP.00033.002 **V** $\mathbf{V}$ Part Variation Orders **V** MP.00034.001 V Part Legal Issues ~ MP.00034.002 Legal Issues Part MP.00036.001 Dept of Transport (DOT) + Minister $\square$ Part MP.00037.001 Internal Audit Yes Yes MP.00039.002 Programming & Schedules (Master Schedules) ~ MP.00040.001 Part Cost Control Issues **V** MP.00041.001 GST - Goods & Services Tax Issues No **V** MP.00042.001 Acquisition of Additional Cars Stages 2&3 Part

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#### Privileged Box:53 - Documents can be found in box(es) P1, D2 File Reference *FileTitle* LPP WPP PII Disclose MP.00042.002 Acquisition of Additional Cars Stages 2 & 3 $\checkmark$ Part MP.00043.001 **Budgeting Expenditure Capital** Yes Box:54 - Documents can be found in box(es) P1, D3 File Reference FileTitleLPP WPP PII Disclose MP.00043.002 **Budgeting Expenditure Capital** П Yes MP.00043.003 Part **Budgeting Expenditure Capital** V MP.00043.004 **Budgeting Expenditure Capital** Yes MP.00043.005 **Budgeting Expenditure Capital** Yes $\prod$ MP.00043.006 **Budgeting Expenditure Capital** Yes П V MP.00043,007 **Budgeting Expenditure Capital** Part MP.00044.001 Project Staff/Personnel Yes $\overline{\mathbf{V}}$ MP.00045.001 $\checkmark$ Eveleigh Remodeling Project Part MP.00048.001 Testing and Commissioning Costs Yes MP.00050.001 V Part Quality Review Reports П MP.00050.002 Quality Review Reports **V** Part MP.00051.001 Train leasing documentation Yes Box:55 - Documents can be found in box(es) P2 FileTitle File Reference LPP WPP PII Disclose MP.00052.001 $\checkmark$ Foreign Exchange & Customs Duty Documentation MP.00052.002 **V** Foreign Exchange & Customs Duty Documentation No MP.00052.003 **V** Foreign Exchange & Customs Duty Documentation Nο $\Box$ MP.00052.004 Foreign Exchange & Customs Duty Documentation $\checkmark$ No MP.00052.005 Foreign Exchange & Customs Duty Documentation $\mathbf{V}$ Νo MP.00052.006 Foreign Exchange & Customs Duty Documentation $\mathbf{V}$ No MP.00052.007 Foreign Exchange & Customs Duty Documentation $\checkmark$ No MP.00052.008 ✓ Foreign Exchange & Customs Duty Documentation No MP.00052.009 Foreign Exchange & Customs Duty Documentation $\mathbf{V}$ No Box:56 - Documents can be found in box(es) P1, D4 File Reference FileTitle LPP WPP PII Disclose MP.00052.010 Foreign Exchange & Customs Duty Documentation Yes MP.00052.011 Foreign Exchange & Customs Duty Documentation Yes MP.00052.012 Part Foreign Exchange & Customs Duty Documentation MP.00052.013 Foreign Exchange & Customs Duty Documentation Yes MP.00052.014 Foreign Exchange & Customer Duty Documentation Yes

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Box :56 - Doca	uments can be found in box(es) P1, D4				
File Reference	• • • • • • • • • • • • • • • • • • • •	LPP	WPP	PII	Disclose
MP.00056.001	Cost Control Report			V	No
MP.00056.002	Cost Control Report			V	Part
MP.00057.001	Cost Adjustment Report			<b>✓</b>	No
MP.00058.001	Minutes of Technical Meetings			<b>V</b>	Part
MP.00061.001	EDI Resolution Proposal (The Big Claim)	<b>V</b>	<b>V</b>	<b>V</b>	Part
MP.00061.002	EDI Resolution Proposal (The Big Claim)	<b>Z</b>	<b>V</b>	<b>V</b>	Part
Box :57 - Docu	ments can be found in box(es) P4, D4				···
File Reference	FileTitle	LPP	WPP	PII	Disclose
MP.00061.003	EDI Resolution Proposal (The Big Claim)		<u> </u>	<b>✓</b>	Part
MP.00061.004	EDI Resolution Proposal (The Big Claim)	<u> </u>	V	<b>V</b>	Part -
MP.00061.005	EDI Resolution Proposal (The Big Claim)	<u> </u>	<b>V</b>	<b>V</b>	Part
MP.00061.006	RDI Rail Resolution Proposal	· ·	<b>Y</b>	<b>V</b>	Part
MP.00061.007	EDI Rail Resolution Proposal	<b>✓</b>		<b>V</b>	Part
MP.00061.008	EDI Rail Resolution Proposal	V	<b>V</b>	<b>V</b>	Part
MP.00061.009	EDI Rail Resolution Proposal	V			Part
MP.00061.010	Edirail Resolution Proposal				Yes
MP.00062.001	Eveleigh Maintenance Facility Claims			<b>Y</b>	Part
MP.00064.001	Train testing Program Progress Reports				Yes
MP.00067.001	EDI Rail test Reports			<b>V</b>	Part
MP.00067.002	EDI Rail test Reports			<b>✓</b>	Part
Box :58 - Docu	ments can be found in box(es) P3				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MP.00067.003	3 EDI Rail test Reports 3A Test & Verification- EDI Bill Test Reports			V	No
MP.00067.004	EDI Rail test Reports			<b>✓</b>	No
MP.00067.005	EDI Rail test Reports	. 🔲		<b>✓</b>	No
MP.00067.006	EDI Rail test Reports			<b>V</b>	No
MP.00067.007	EDI Rail test Reports			V	No
MP.00067.008	EDI Rail test Reports			<b>V</b>	No
MP.00067.009	EDI Rail test Reports			<b>✓</b>	No
MP.00067.010	EDI Rail test Reports			V	No
MP.00067.011	EDI Rail test Reports			<b>✓</b>	No
MP.00067.012	EDI Rail test Reports			<b>V</b>	No
Box :59 - Docum	nents can be found in box(es) P5, D5				
File Reference	FileTitle	LPP	WPP	PII	Disclose

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<del>-</del>					
Box:59 - Docum	ments can be found in box(es) P5, D5			-	
File Reference	FileTitle	LPP	WPP	PII	Disclose
MP.00067.013	EDI Rail test Reports			V	No
MP.00067.014	EDI Rail test Reports			V	No
MP.00067.016	EDI Rail test Reports			V	No
MP.00067.017	EDI Rail test Reports			<b>V</b>	No
MP.00071.002	Practical Completion Delivery of car sets and			V	Part
MP.00071.003	Practical Completion Delivery of car sets and			V	Part
MP.00071.004	Practical Completion Delivery of car sets and			<b>✓</b>	Part
MP.00071.005	Practical Completion Delivery of car sets and	<u> </u>		V	Part
Box:60 - Docum	nents can be found in box(es) P4, D5		···		
File Reference	FileTitle	LPP	WPP	PII	Disclose
MP.00071.006	Practical Completion Delivery of car sets and			V	Part
MP.00071.007	Practical Completion Delivery of car sets and				Yes
MP.00073.001	Reports - Reports to Chief Executive				Yes
MP.00075.001	Meetings & Minutes- Board Papers		Ø	✓	Part
MP.00076.001	Corporate Investigations				Yes
MP.00082.001	Reliability Demonstration Plans			V	No
MP.00084.001	Financial Risk & Legal - Payments for Each Set	V		V	Part
MP.00084.002	Financial Risk & Legal - Payments for Each Set			<b>✓</b>	Part
MP.00084.003	Financial Risk & Legal - Payments for Each Set				Yes
MP.00091.001	Capitalisation				Yes
MP.00094.001	Supply Upgrades (Auxiliary Feeders)				Yes
Box :61 - Docum	nents can be found in box(es) P6, D5				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00001.001	General (Car body)			V	Part
MT.00001.002	General (Car body)			V	No
MT.00001.003	General (Car body)			V	Part
MT.00001.005	Carbody Parts			<b>✓</b>	Part
MT.00002.003	General (Bogie)			✓	Part
MT.00002.004	General (Bogie)			<b>V</b>	No
MT.00002.005	General (Bogie)			V	No
MT.00002.006	General (Bogie)			V	Part
MT.00002.007	General (Bogie)			V	Part
MT.00003.001	General (Intercar Interface)			<b>✓</b>	Part
MT.00005.001	General (Brakes)			<b>✓</b>	Part

Pow 161 Dogge	nents can be found in box(es) P6, D5				
File Reference	rems can ve jouna in vox(es) F0, D3 FileTitle	$\mathit{LPP}$	WPP	זזק	Disclos
MT.00005.002	Millennium train technical - Brake system generat		<i>"11</i>		Рап
MT.00006.001	General (Climate Control)			<u> </u>	No No
MT.00006.002	General (Climate Control)				Part
MT.00006.003	General (Climate Control)				Part
MT.00007.003	General (Traction)				Part
MT.00007.005	General (Traction)			<b>V</b>	Part
MT.00008,001	General (Aux Power)				Part
MT.00009,001	General (Main Power)				Part
MT.00009.002	Mainpower- General			<u> </u>	Part
Rox :62 - Docum	vents can be found in box(es) P5, D6				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00012.002	General (Comms)				No
MT.00013.001	General (TOS)			<b>V</b>	Part
MT.00013.006	General (TOS)			<b>V</b>	No
MT.00014.001	General (Fire & Emerg)				Yes
MT.00014.002	General (Fire & Emerg)			<u>V</u>	Part
MT.00015,001	System Definition Review			<u> </u>	No
MT.00016.001	Cab Mock-up (Crew Control)			<b>V</b>	Part
MT.00016.002	Cab Mock-up (Crew Control)				Yes
MT.00016.004	Cab Mock Up			<u> </u>	Part
MT.00017.006	Critical Design Review			V	No
MT.00017.008	Critical Design Review		<b>✓</b>	V	Part
MT.00018.002	RAC Rolling Stock Units (RSU) (Interfaces)			V	Part
MT.00018.004	Interfaces - RSU			V	Part
MT.00020.001	Passenger seats			<u> </u>	Part
MT.00020.002	Passenger seats			V	Part
MT.00020.003	Passenger seats			<b>V</b>	Part
Box :63 - Docum	ents can be found in box(es) P7, D6				
File Reference	FileTitle	LPP	WPP	PII	Disclose
/T.00020.004	Passenger seats			<b>V</b>	Part
MT.00021.001	Testing IEC1133 (Test & Verification Plan)			<b>V</b>	Part
MT.00028.001	Overhead Wiring (Interfaces)			<b>V</b>	Part
MT.00029.001	Signals (Interfaces)			V	Part
NT.00029.002	Signals (Interfaces)			<b>V</b>	Part

#### Privileged Box:63 - Documents can be found in box(es) P7, D6 FileTitleFile Reference LPP WPP PII Disclose MT.00029.003 Signals (Interfaces) Part ablaMT.00029.004 Signals (Interfaces) V MT.00033.001 Wheel unloading (Dyn Perf) No MT.00035.001 Energy Consumption (Dyn Perf) Yes V MT.00036.001 Noise & vibration (Dyn Perf) Part MT.00037.001 Windows V Part MT.00037.002 V Carbody Window Technical No MT.00038.001 Crashworthiness and structural testing V No MT.00038.002 Crashworthiness and structural testing V Part MT.00038.003 Crashworthiness and structural testing **✓** Part Box :64 - Documents can be found in box(es) P6, D6 LPP WPP File Reference FileTitlePII Disclose MT.00038.004 Crashworthiness and structural testing V Νo MT.00038.005 ✓ Carbody Crash Worthiness & Structural Part MT.00039.001 $\Box$ **V** Part Interior Materials and Appearance MT.00039.002 V Part Interior Materials and Appearance MT.00042.001 Secondary suspension V No MT.00044.001 Fatigue Testing -Static **~** Part **V** MT.00048.001 Couplers and draft gear **~** MT.00050.001 Testing (Intercar Interface) Part MT.00053.001 **V** Crew bodyside doors Part No MT.00053.002 $\mathbf{V}$ Access Crew Bodyside Doors MT.00054.001 V Millennium Train Technical Access Terminal end Emergency Part Detrainment (Access) MT.00054.003 Terminal end emergency / detrainment (Access) **V** Part Box:65 - Documents can be found in box(es) P7, D7 LPP WPP File Reference FileTitlePII Disclose MT.00054.004 Terminal end emergency / detrainment (Access) Part $\Box$ MT.00055.001 **V** Part Cab transverse door MT.00056.001 Testing (Access) **V** Part $\checkmark$ MT.00059.001 Blending control Part MT.00061.001 Wheel slip/slide ✓ Part MT.00067.001 $\checkmark$ Part Signal interference testing (Traction) MT.00067.002 Traction System - Signal Interference Testing **V** Part MT.00070.001 Electrical auxiliary Part

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Box :65 - Docu	ments can be found in box(es) P7, D7				
File Reference	FileTitle	· LPP	WPP	PII	Disclose
MT.00075,001	Batteries				Yes
MT.00089,001	Trip Gear			V	Part
MT.00103.001	Event Recorder			<b>V</b>	Part
MT.00114.003	Technical Drawings and Plans			<b>V</b>	No
MT.00118.002	Emergency Egress of Passengers From Train			<b>V</b>	No
MT.00119.001	Test Instructions for Sub-Systems			<u> </u>	Part
MT.00119.002	Test Instructions for Sub-Systems			<b>✓</b>	No
Box :66 - Docum	nents can be found in box(es) P8, D7				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00119.003	Test Instructions for Sub-Systems			<b>✓</b>	No
MT.00119.004	Test Instructions for Sub-Systems			<b>V</b>	Part
MT.00119.005	Test Instructions for Sub-Systems			<u> </u>	Part
MT.00119.006	Test Instructions for Sub-Systems			V	Part
MT.00119.007	Test Instructions for Sub-Systems			<b>V</b>	Part
MT.00119.008	Test Instructions for Sub-Systems			✓	Part
MT.00119.009	Test Instructions for Sub-Systems			V	Part
MT.00119.010	Test Instructions for Sub-Systems			V	Part
MT.00119.011	Test Instructions for Sub-Systems			V	Part
MT.00119.013	Test Instructions for Sub-Systems			✓	Part
MT.00119.014	Test Instructions for Sub-Systems			<b>V</b>	Part
MT.00119.015	Test Instructions for Sub-Systems			✓	Part
MT.00119.016	Test Instructions for Sub-Systems			V	Part
Box :67 - Docum	nents can be found in box(es) P9				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00119.017	Test Instructions for Sub-Systems			<b>Y</b>	No
MT.00119.018	Test Instructions for Sub-Systems			✓	No
MT.00119.019	Test Instructions for Sub-Systems			V	No
MT.00119.022	Test Instructions for Sub-Systems			V	No
MT.00119.023	Test Instructions for Sub-Systems			✓	No
MT.00119.025	Test Instructions for Sub-Systems			<b>✓</b>	No
MT.00119.026	Test Instructions for Sub-Systems			<u> </u>	No
MT.00119.027	Test Instructions for Sub-Systems			V	No
MT.00119.029	Test & Verification Plan Issued by EDI 15/01/2002 - 28/10/2002			V	No
MT.00124.001	Routine Test Report for SP2			<b>V</b>	No

Privileged					
Box :67 - Docu	ments can be found in box(es) P9			•••	
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00124.002	Test & Verification Plan Routine Test for SP2			V	No
Box :68 - Docu	ments can be found in box(es) P10				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00124.003	Test & Verification Plan Routine Test Reports for SP2			<b>✓</b>	No
MT.00125.001	Routine Test Report for SP3			<b>✓</b>	No
MT.00125.002	Routine Test Report for SP3			V	No
MT.00125.003	Test & Verification Plan Routine Test for SP3			V	No
MT.00126.001	Routine Test Report for SP4			<b>V</b>	No
MT.00126.002	Routine Test Report for SP4			<b>V</b>	No
MT.00126.003	Routine Test Report for SP4			<b>✓</b>	No
MT.00127.001	Routing Test Report for SP5			<b>✓</b>	No
MT.00127.002	Routing Test Report for SP5			<b>✓</b>	No
Box :69 - Docum	nents can be found in box(es) P11				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00127.003	Routing Test Report for SP5			✓	No
MT.00128.001	Routine Test Report for SP6			~	No
MT.00128.002	Routine Test Report for SP6			V	No
MT.00129.001	Routine Test Report for SP7			V	No
MT.00129.002	Routine Test Report for SP7			V	No
MT.00129.003	Routine Test Report for SP7			✓	No
MT.00130.001	Routine Test Report for SP8			✓	No
Box :70 - Docun	nents can be found in box(es) P12				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MT.00130.002	Routine Test Report for SP8			<b>V</b>	No
MT.00131.001	Routine Test Report for SP9			<b>✓</b>	No
MT.00131.002	Routine Test Report for SP9			<b>✓</b>	No
MT.00132.001	Routine Test Report for SP10			V	No
MT.00132.002	Routine Test Report for SP10			V	No
MT.00133.001	Routine Test Report for SP11			<b>✓</b>	No
MT.00133.002	Routine Test Report for SP11			<b>V</b>	No
MT.00134.001	Routine Test Report for SP12			<b>V</b>	No .
MT.00134.002	Routine Test Report for SP12			V	No
Box :71					
File Reference	FileTitle	LPP	WPP	PII	Disclose

WPP = Without Prejudice Privilege PII = Public Interest Immunity

Wednesday, 9 July 2003

#### Privileged Box:71 File Reference FileTitleLPP WPP PII Disclose CDR.01001.001 V Communications Sub-System (Digital Voice Annunciation) No CDR.01001.002 **~** Communications Sub-System (Digital Voice Annunciation) No CDR.01001.003 Communication Sub-System (Digital Voice Enunciator) ✓ No CDR.01002.001 $\Box$ П V Communication Sub-System (One Person Operation) No CDR.01002.002 **V** Communication Sub-System (One Person Operation) No CDR.01003.001 Communication Sub-System (Destination Indicators) V No CDR.01003.002 ✓ Communication Sub-System (Destination Indicators) No Box:72 File Reference FileTitleLPP WPP PII Disclose CDR.01003.003 Communications Sub-System (Destination Indicators) П Νo CDR.02001.001 Critical Design Review (CDR) Communication Sub-System **~** No (Surveillance Recording) CDR.02001.002 Critical Design Review (CDR) Communication Sub-System **~** No (Surveillance Recording) CDR.02002.001 Critical Design Review (CDR) Communication Sub-System ✓ No (Passenger Emergency and Intercom) CDR.02002.002 Critical Design Review (CDR) Communication Sub-System **V** No (Passenger Emergency and Intercom) CDR.02003.001 Critical Design Review (CDR) Communication Sub-System (PA & $\mathbf{V}$ No Intercom) Box:73 File Reference FileTitleLPP WPP PII Disclose CDR.02003.002 Critical Design Review (CDR) Communication Sub-System (PA & ✓ No CDR.02003.003 Critical Design Review (CDR) Communication Sub-System (PA & Ш **✓** Νo Intercom) CDR.03001.001 Surveillance Cameras $\checkmark$ No CDR.03001.002 Surveillance Cameras ✓ No CDR.03002.000 Project Safety Management Plan ✓ Nο Eveleigh Millennium Train Yard Remodelling Project 2001/2002 CDR.03003.000 $oldsymbol{ olimits}$ Communication Sub-System (Commercial Radio) Νo CDR.03004.000 $\checkmark$ Communication Sub-System No CDR.05001.000 Critical Design Review (CDR) Carbody Structure (Draft Copy) ✓ No Box:74 File Reference FileTitleLPPWPPPIIDiscloseCDR.05002.001 Critical Design Review (CDR) Carbody Structure $\checkmark$ Νo CDR.05002.002 $\mathbf{V}$ Critical Design Review (CDR) Carbody Structure No CDR.05002.003 Critical Design Review (CDR) Carbody Structure No CDR.05002.004 Critical Design Review (CDR) Carbody Structure No

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Box :74					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.05002.005	Critical Design Review (CDR) Carbody Structure			V	No
CDR.05002.006	Critical Design Review (CDR) Carbody Structure			✓.	No
CDR.05003.001	Critical Design Review (CDR) Emcrgency Door Sub-System			<b>✓</b>	No
CDR.05003.002	Critical Design Review (CDR) Emergency Door Sub-System			<b>✓</b>	No
CDR.06001.001	Critical Design Review (CDR) Bogie Sub-System			<b>V</b>	No
Box :75					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.06001.002	Critical Design Review (CDR) Bogie Sub-System			V	No
CDR.06001.003	Critical Design Review (CDR) Bogie Sub-System			V	No
CDR.06001.004	Critical Design Review (CDR) Bogie Sub-System			<b>V</b>	No
CDR.06002.001	Critical Design Review (CDR) Carbody Interior			<b>V</b>	No
CDR.06002.002	Critical Design Review (CDR) Carbody Interior			<b>✓</b>	No
CDR.06002.003	Critical Design Review (CDR) Carbody Interior			V	No
CDR.06003.000	Carbody Windows Sub-System			<b>V</b>	No
CDR.07001.001				<b>V</b>	No
CDR.07001.002	Carbody Cab			<b>✓</b>	No
CDR.07001.004	Carbody Cab			<b>✓</b>	No
Box :76					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.07001.005	Carbody Cab		. 🗀 "	V	No
CDR.07002.001	Access Sub-System			V	No
CDR.07002.002	Access Sub-System			V	No
CDR.07002.003	Access Sub-System			V	No
CDR.07003.001	Climate Control Sub-System			<b>V</b>	No
CDR.07003.002	Climate Control Sub-System			V	No
CDR.07004.000	Bundle of Plans			✓	No
CDR.08001.001	Brakes Sub-System			V	No
CDR.08001.002	Brakes Sub-System			<b>✓</b>	No
Box :77			•		
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.08001.003	Brakes Sub-System			<b>V</b>	No
CDR.08001.004	Brakes Sub-System			<b>V</b>	No
CDR.08001.005	Brakes Sub-System			<b>√</b>	No
CDR.08002.001	Communications Sub-System			V	No

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WPP = Without Prejudice Privilege PII = Public Interest Immunity

Privileged					
Box :77					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.08002,002	Communications Sub-System			V	No
CDR.08002.003				~	No
CDR.09001.001	Critical Design Review (CDR) Crew Controls Sub-System			<b>V</b>	No
CDR.09001.002	Critical Design Review (CDR) Lighting Sub-System			<b>✓</b>	No
CDR.09001.003	Critical Design Review (CDR) Crew Control Sub-System			<b>✓</b>	No
Box :78					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.09001.004	Critical Design Review (CDR) Crew Control Sub-System		· .	<b>~</b>	No
CDR.09001.005	Critical Design Review (CDR) Crew Controls Sub-System			<b>✓</b>	No
CDR.09002.001	Critical Design Review (CDR) Lighting Sub-System			<b>V</b>	No
CDR.09002.002	Critical Design Review (CDR) Lighting Sub-System			<b>V</b>	No
CDR.09002.003	Critical Design Review (CDR) Lighting Sub-System			<b>V</b>	No
CDR.09002.004	Critical Design Review (CDR) Lighting Sub-System			<b>V</b>	No
CDR.10001.001	Critical Design Review (CDR) Auxiliary Power Sub- System (Mechanical)			V	No
CDR.10001.002	Critical Design Review (CDR) Auxiliary Power Sub- System (Mechanical)			V	No
CDR.10002.001	Critical Design Review (CDR) Traction Subsystem			V	No
Box :79					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.10002.002	Critical Design Review (CDR) Traction Sub- Design			<b>V</b>	No
CDR.10002.003	Critical Design Review (CDR) Traction Sub- System			<b>V</b>	No
CDR.10002.004	Critical Design Review (CDR) Traction Sub- System			V	No
CDR.10002.005	Critical Design Review (CDR) Traction Sub- System			V	No
CDR.10003.001	Critical Design Review (CDR) Main Power Sub- System			V	No
CDR.10003.002	Critical Design Review (CDR) Main Power Sub-System			✓	No
CDR.11001.001	Train Operating System Sub-System			V	No
CDR.11001.002	Train Operating System Sub-System			V	No
Box :80		•			
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.11001.003	Train Operating System Sub-System			<b>✓</b>	No
CDR.11001.004	Train Operating System Sub-System			V	No
CDR.11001.005	Train Operating System Sub-System			V	No

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Box :80					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.11001.006	Train Operating System Sub-System			V	No
CDR.11003.000	CBR Additional Documentation - Traction Sub-System			<b>✓</b>	No
CDR.12001.001	Critical Design Review (CDR) Carbody Seating Sub-System			<b>V</b>	No
CDR.12001.002	Critical Design Review (CDR) Carbody Seating Sub-System			<b>V</b>	No
Box :81		-	· · · · <u>-</u> ·		
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.12002.000	Critical Design Review (CDR) Fire and Emergency Sub-System			✓	No
CDR.12003.000	Critical Design Review (CDR): Initial System Level			✓	No
CDR.12004.000	Rail Infrastructure Corporation Test Reports			<b>✓</b>	No
CDR.12005.000	Rail Infrastructure Corporation Design Documents			<b>✓</b>	No
CDR.12006.001	SA - 13 Contract Deliverable Test Specifications and Reports (Brakes Sub- System)			<b>V</b>	No
CDR.12006.002	SA - 13 Contract Deliverable Test Specifications and Reports (Brakes Sub- System)			V	No
CDR.12006.003	SA - 13 Contract Deliverable Test Specifications and Reports (Brakes Sub- System)			<b>V</b>	No
CDR.13001.001	4 GT Contract Reference Document: Design, Build, Supply and Maintain 4GT Specification No. S96/030 - Development Baseline			V	No
CDR.13001.002	4GT Contract Reference Document: Design, Build, Supply and Maintain 4GT Specifications No. S96/030 - Development Baseline			V	No
Box :82					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.13001.003	4GT Contract Reference Document: Design, Build, Supply and Maintain 4GT Specification No. S96/030 - Development			Ý	No
CDR.13001.004	4GT Contract Reference Document: Design, Build, Supply and Maintain 4 GT Specification No S96/030 - Development Baseline			<b>V</b>	No
CDR.13001.005	4GT Contract Reference Document: Design, Build, Supply and Maintain 4GT Specification No. S96/030 - Development Baseline			<b>V</b>	No
CDR.13002.001	Clyde Engineering A Division Of Evans Deakum Industries & Sab Wabio D & M Engineering Ltd Brake Supplier (4GT/006)			<b>V</b>	No
CDR.13002.002	Clyde Engineering A Division Of Evans Deakum Industries & Sab Wabio D & M Engineering Ltd Brake Supplier (4GT/006)			~	No
CDR.13003.002	Clyde Engineering & Knorr Brake Australia Pty Ltd. CBR: Initial System Level			V	No
CDR.13004.002	Clyde Engineering & Knorr Brake Australia Pty Ltd. Technical - Air International Transit			<b>V</b>	No
CDR.13004.003	Clyde Engineering & Knorr Brake Australia Pty Ltd. Technical - Air International Transit			V	No
CDR.13005.001	Clyde Engineering & Knorr Brake Australia Pty Ltd			✓	No
CDR.14001.000	Critical Design Review (CDR) Bogie Sub-System			<b>√</b>	No
CDR.14002.000	Critical Design Review (CDR) Access Sub- System			V	No

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#### Privileged Box:83 File Reference FileTitleLPP WPP PII Disclose CDR.14003.000 SDR Document Review Rick's **V** Νo **V** 4GT Technical Specification - Tangara Specification CDR.14004.000 No CDR.14004.003 **V** No V CDR.14005.001 4GT Contract Reference Documents No 4GT Contract Reference Documents CDR.14005.002 V No V CDR.14006.001 4GT S.O.W Reference Documents - SRA, RS & RAC Documents Nο $\checkmark$ CDR.14006.002 4GT S.O.W Reference Documents - SRA, RS & RAC Documents No CDR.14007.000 Australian Standards - 4 GT Reference Documents **V** No V CDR.15002.001 SRA Documents Specifications Standards and Drawings CDR.15003.001 SRA Documents Other ✓ No $\checkmark$ CDR.15003.002 SRA Documents Other No **V** CDR.15005.000 Non-SRA Documents Specifications, Standards & Drawings Νo Box:84 File Reference FileTitleLPPWPPPII Disclose CDR,15006.001 Non-SRA Documents (Continued) $\square$ $\mathbf{V}$ CDR.15006.002 Non-SRA Documents (Continued) No V CDR.15007.000 Initial Systems Level Review No CDR.15008.000 V No Structure of Manual V CDR.15009.000 Department of Transportation, Passenger Equipment Safety No Standards; Final Rule CDR.16001.001 ~ Νo Non-SRA Documents, Specifications, Standards & Drawings CDR.16002.001 Non-SRA Documents, Standards (Continued), & Drawings $\mathbf{V}$ Νo CDR.16002.002 $\mathbf{V}$ Non-SRA Documents, Standards (Continued), & Drawings No Box:85 FileTitle LPPWPPPIIDisclose File Reference $\overline{\mathbf{V}}$ CDR.16003.001 Non-SRA Documents, Specifications & Standards No CDR.16003.002 ✓ Νo Non-SRA Documents, Specifications & Standards CDR.16004.001 Indirectly Reference Documents No ñ CDR.16004.002 $\mathbf{V}$ Indirectly Reference Documents No CDR.16005.001 Specifications No. S96/0301 Vol.3 Engineering Specification and $\mathbf{Y}$ No Delivery Schedule CDR.16006.001 Electric Train Maintenance Centres - Safety Manual **√**. No CDR.16007.001 $\overline{\mathbf{V}}$ Contract No: LN40 Specification No. S96/0301 - Engineering No Specifications and Drawings CDR.16008.001 ✓ Engineering Specifications and Drawings No CDR.16009.001 lacksquareΝo **Engineering Specifications**

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Privileged					
Box :85					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.17001.000	4GT Train Non-Referenced Documents Standards (Australian)			<b>V</b>	No
CDR.17002.000	Dynamic Technology Vol 3 Engineering Specification & Delivery Schedule			<b>V</b>	No
CDR.17003.001	Industry Standards Australian Standards			V	No
Box :86					
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.17003.002	Industry Standards Australian Standards			V	No
CDR.17003.003	Industry Standards Australian Standards			V	No
CDR.17003.004	Industry Standards Australian Standards			<b>√</b>	No
CDR.17003.005	Industry Standards Australian Standards			<b>V</b>	No
CDR.17004.000	Design, Build, Supply and Maintain 4GT Spec No S96/0301 for Evaluation Purposes Only			✓	No
CDR.17005.001	Design, Build, Supply and Maintain 4GT Spec No S96/0301 For Evaluation Purposes Only			<b>V</b>	No
CDR.17005.002	Design, Build, Supply and Maintain 4GT Spec No S96/0301 For Evaluation Purpose Only			V	No
CDR.17006.000	Huntsman - Resonix Phenolic Laminating Resins			V	No
CDR.18001.000	Department of Defense- Test method standard for environmental engineering considerations and laboratory tests			V	No
CDR.18002.001	Design, Build and Maintain Fourth Generation Train (4GT) - System Definitions Review			<b>V</b>	No
Box :87					
File Reference	FileTitle	LPP	WPP	ΡII	Disclose
CDR.18002.002	Design, Build and Maintain Fourth Generation Train (4GT) - System Definitions Review			<b>V</b>	No
CDR.18002.003	Design, Build and Maintain Fourth Generation Train (4GT) - System Definitions Review			✓	No
CDR.18003.000	Engineering Specifications for Brake Equipment			V	No
CDR.18004.001	Development Baseline			V	No
CDR.18004.002	Development Baseline			<b>Y</b>	No
CDR.18004,003	Development Baseline			<b>V</b>	No
CDR.18004.004	Development Baseline			V	No
CDR.18004.005	Development Baseline			V	No
CDR.19001.000	Ciyde Management Plans - Project Management Plan, Configuration Management Plan, Project Quality Plan			<b>~</b>	No
Box :88	-				
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.19002.000	Consolidated Claim for Time and Costs, September 2002			V	No
CDR.19003.000	Consolidated Claim for Time and Costs, Draft August 2002			<b>V</b>	No
CDR.19004.000	4th Generation Train, Non-referenced documents - International Standards Structural Requirements for Railway Vehicles			<b>V</b>	No

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Box :88					····
File Reference	FileTitle	LPP	WPP	PII	Disclose
CDR.19005.000	Consolidated Claim for Time and Costs, September 2002			<b>V</b>	No
CDR.19006.000	Consolidated Claim for Time and Costs, Draft August 2002			<b>✓</b>	No
CDR.19007.000	Consolidated Claim for Time and Costs, Draft August 2002			<b>V</b>	No
CDR.19008.000	Consolidated Claim for Time and Costs, Draft August 2002			✓	No
CDR.19009.000	Consolidated Claim for Time and Costs, Draft August 2002			<b>v</b>	No
CDR.23001.000	C P 'n C			V	No
CDR.23002.000	CP'n'C			V	No
CDR.23003.000	C P 'n' C			V	No
CDR.23004.000	CP'n'C			<b>V</b>	No
CDR.23005.000	C P 'n' C			✓	No
CDR.23006.000	C P 'n' C			<b>✓</b>	No
Box :90 - Docum	nents can be found in box(es) P13, D7				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MG.00001.001	Accidents - Collisions (Glenbrook)				Yes
MG.00004.001	DOT & Minister Representations				Yes
MG.00004.002	DOT & Minister Representations			Y	Part
MG.00005.003	Overhead Transparencies			V	Part
MG.00005.004	Project Management Overhead Transparencies Millennium Train Project				Yes
MG.00006.001	Maintenance Payment Structure				Yes
MG.00007.001	Crashworthiness Analysis Dr Gregory Szuladzinski				Yes
MG.00010.003	M-Train Planning Documentation				Yes
MG.00017.001	Evaluation of 4GT Tender - User Pays				Yes
MG.00020.001	Board Papers & Issues			<b>V</b>	Part
MG.04027,002	Audit / Auditor General			<b>V</b>	No
MG.04027.003	Audit / Auditor General			V	No
MG.04027.004	Audit / Auditor General			<b>✓</b>	No
MG.04027.005	Audit / Auditor General			V	No
MG.04027.006	Audit / Auditor General			V	No
MG.04027.007	Audit / Auditor General			<b>V</b>	No
Box :91 - Docum	nents can be found in box(es) P13		•		
File Reference	FileTitle	LPP	WPP	PII	Disclose
_G.00001.000	99/5197 Pt 1a - Millennium Train Project 1a	V			No
.G.00002.000	99/5917 - Millennium Train Project Part 8	V			No
.G.00003.000	99/5197 - Millennium Train Project Part 3	<b>V</b>			No

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#### Privileged Box:91 - Documents can be found in box(es) P13 File Reference FileTitle LPP WPP PII Disclose LG.00004.000 99/5197 - Millennium Train Project Part 8 $\mathbf{V}$ No LG.00005.000 99/5197 Part 4 - Millennium Train Project Executive Management V Nο Committee Meetings Part 4 V LG.00006.000 99/5197 - Millennium Train Project Part 1 No MG.04027.008 **✓** Audit / Auditor General No MG.04027.009 Audit / Auditor General $\checkmark$ No Box:92 - Documents can be found in box(es) P13, D8 File Reference FileTitleWPPPII Disclose MC.00001.000 15 CDs of Signal Interference testing & results **V** No Eveleigh - Environmental Results 4GT 97/001 Environmental Results Pty Ltd Mr Stuart McLachlan MC.00001.001 Yes MC.00002,001 Probity Auditor - Contracts 4GT 003/97 Yes MC.00003.001 Finance Officer 4GT 056/01 Alectus Personnel (TMP) Pty Ltd Ms Yes Jeanne Zhu MC.00003.002 Millennium Train Consultants/ Contractors. $\checkmark$ Part Finance Manager- Millennium Train Project Alectus Personnel Pty Ltd- Ms Jeanne Zhu Commercial Advisor/ Chief Negotiator 4GT 006/97 Finlay Consulting MC.00004.001 Yes MC.00004.002 Commercial Advisor/Chief Negotiator Yes Finlay Consulting - Correspondence V MC.00005.001 Legal Advisors 4GT 001/97 Clayton Utz Solicitors Mr Doug Jones Part $\overline{\mathbf{V}}$ MC.00005.002 Legal Advisors 4GT 001/97 Clayton Utz Solicitors Mr Doug Jones П Part MC.00006.001 Consultants Contracts Tozer Associates 4GT Project Yes lacksquare $\Box$ V Part MC.00007.001 Financial Advisor 4GT 004/97 Price Waterhouse Urwick $\checkmark$ Part MC.00008.001 Maintenance Advisor 4GT 007/97 Indec Consulting Pty Ltd Maintenance Advisor 4GT 007/97 Indec Consulting Pty Ltd MC.00008.002 ✓ Part MC.00009.001 Ideac Consulting - Peter Shepherd Yes Maintenance Cost Estimator MC.00012.001 Commercial Radio Risk Study 4GT 010/98 Sinclair Knight Merz Yes MC.00013.001 Consultants Yes Contracts Contract Supervisor-4GT David Hall Consulting Pty Ltd Box:93 - Documents can be found in box(es) P14, D9 File Reference FileTitleLPP WPP PII Disclose MC,00014.001 Review Project Plans 4GT 012/98 Yes MC.00015.001 Rev Documentation & Develop Briefs 4GT 013/98 Rail Services Yes Australia (RIC) David Kippist & Stephen Van Dort MC,00015.002 Rev Documentation & Develop Briefs 4GT 013/98 Rail Services Yes Australia (RIC) David Kippist & Stephen Van Dort Rev Documentation & Develop Briefs 4GT 013/98 Rail Services Australia (RIC) David Kippist & Stephen Van Dort MC.00015.003 Yes

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Box :93 - Docu	ments can be found in box(es) P14, D9				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MC.00016.001	Environmental Condition Audit - ACDEP Eveleigh 4GT 014/98 IT Environmental Group			<b>V</b>	Part
MC.00016.003	Consultants, Contracts, Environmental Condition, Audit-Eveleigh, IT Environmental Group				Yes
MC.00017.001	Planning & Costing Engineer 4GT 016/99 Clexan Peak Personnel Pty Ltd Mr Hussain Mahmoud				Yes
MC.00017.002	Consultants Contracts Planning & Costing Engineer - Millennium Project Mr Hussain Mahmoud - Clexan Peak Personnel				Yes
MC.00018.001	Contracts Officer 4GT 015/99 Clexan Peak Personnel Mr Michael Ryan			V	Part
MC.00018.002	Contracts Officer 4GT 015/99 Clexan Peak Personnel Mr Michael Ryan				Yes
MC.00020.001	Project Engineer - Eveleigh 4GT 017/99 Rail Services Australia (RIC) Mr Leon Sae-Lieo			<b>✓</b>	Part
MC.00020.002	Consultants - Contracts- Project Engineer - Eveleigh - Mr Leon Sae- Ueo				Yes
MC.00021.001	Consultants, Contracts - Fire Test Methods - 4GT Train CSIRO. 06/4/99 - 4/6/99				Yes
MC.00022.001	Ergonomic Audit of Millennium Train 4GT 019/99 Considered Solutions Pty Ltd Ms Airdrie Long				Yes
MC.00023.002	Customer Survey of MT Mock-up 4GT 020/99 Marketing & Research Assoc Pty Ltd				Yes
MC.00023.003	Customer Survey of MT.Mock-up 4GT 020/99 Marketing & Research Assoc Pty Ltd				Yes
MC.00024.001	Consultants Contracts- CSIRO- Fire Testing Analysis- Tangara Materials. Benchmark Comparison to Millennium Train				Yes
MC.00027.002	Consultants - Liberty Risk Services 10/9/99				Yeş
MC.00030.001	Ergonomic Review of Millennium Train 4GT 028/99 Considered Solutions Pty Ltd			<b>V</b>	Part
MC.00031.001	Prepare Specification for 'Driver Only' operation 4GT 029/99 Rain Services Australia (RIC)				Yes
MC.00032.001	Review Track Layout of Eveleigh 4GT 030/99 Rail Services Australia (RIC)				Yes
Box :94 - Docum	nents can be found in box(es) P14, D10	_		•	
File Reference	FileTitle	LPP	WPP	PII	Disclose
MC:00033:001	Consultants-Contracts-Aged & Disability Audit on Millennium Train - Australian Quadriplegic Association				Yes
MC.00034.001	Operational Risk Analysis 4GT 031/99 Liberty Risk Services Aust Pty Ltd				Yes
MC.00035.001	Erecting Safety Barrier Fenting at Eveleigh 4GT 034/99 Rail Services Australia (RIC)				Yes
MC.00036.001	Assessment of Overhead Wiring & Track Upgrading 4GT 033/99 Rail Services Australia (RIC)				Yes
MC.00037.001	Design & Construct of OHW & Track Upgrading 4GT 035/99 Rail Services Australia (RIC)			V	Part
MC.00037.002	Contracts, Design & Construction of Overhead Wiring & Track Upgrading			<b>V</b>	Part

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#### Privileged Box:94 - Documents can be found in box(es) P14, D10 FileTitleFile Reference LPP WPP PII Disclose MC.00039.001 Update of Cost Control Model 4GT 038/00 Swetha International Pty $\checkmark$ Part MC.00041.001 Contract Review of the M-Train Project 4GT 037/00 Clexan Peak Yes Personnel Mr Robin Wilkinson MC.00042.001 Review of Clyde Engineerings (EDI) Systems and Processes 4GT Yes 041/00 E.L.M. Systems Pty Ltd Mr Barry Watson MC.00044.001 Value Management Study of Eveleigh Yard 4GT 040/00 John Bushell Yes Value Mingt Pty Ltd Mr John Bushell MC.00046.001 Cost Estimate for Study of Track & Signal Layout 4GT 045/00 Rail V Part Services Australia (RIC) MC.00047.001 Proposed M-Train Bogie Assessment 4GT 043/00 Interfleet **V** Part Technology Pty Ltd Booz Allen & Hamilton MC.00047.002 Proposed M-Train Bogie Assessment 4GT 043/00 Interfleet Yes Technology Pty Ltd Booz Allen & Hamilton MC.00047.003 Proposed M-Train Bogie Assessment 4GT 043/00 Interfleet Yes Technology Pty Ltd Booz Allen & Hamilton MC.00048.004 Yes MC.00049.001 Planning & Costing Engineer 4GT 048/00 Objective Strategy Planners V Part Mr Hussain Mahmoud MC.00050.001 Contracts Assistant & Procedures Officer 4GT 047/00 Clexan Peak V Part Personnel Mr Sunil Chitnis MC.00051.001 Quality Review of M-Train Construction 4GT 050/00 Rail Services 1 1 П Yes Australia (RIC) MC.00052.001 Develop Cost & Report System 4GT 049/00 Swetha International Pty $\checkmark$ Part Ltd Mr Allen Chan MC.00054.000 П Yes MC.00055.001 Testing Program Manager 4GT 053/01 Rail Services Australia (RIC) V Part Mr Rick Nabkey MC.00057.001 Audit Process & Procedures for Management of MTP 4GT 052/01 Part П $\square$ Teal Management Pty Ltd Mr Anthony Howitt MC.00058.001 Conduct Analysis for Implementation of M-Train 4GT 058/01 Indec $oldsymbol{ early}$ Part Consulting Pty Ltd Review Design of Crashworthiness 4GT 059/01 Interfleet Technology MC.00059.001 $\checkmark$ No MC.00059.002 Review Design of Crashworthiness Millennium Train Interfleet $\checkmark$ Part Technology Pty Ltd. Millennium Train Consultants / Contr - Remodelling Eveleigh Yard MC.00060.001 Yes Tracks Roads 5-10 Rail infrastructure Corporation Box:95 - Documents can be found in box(es) P14, D11 File Reference FileTitleWPPPII Disclose MC.00062.001 Audit Systems for Engineering processes & procedures By EDI Rail $\square$ Part 4GT 051/01 ELM Systems Pty Ltd MC.00063.001 Program & Control Systems Adequacy Delivery 4GT 063/01 Bovis Yes Lend Lease

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MC.00064.001

MC.00065.001

Review of Progress of Project Against Schedule 4GT 062/01 Rain

Contract Business Systems Analyst for Introduction of M-Train 4GT

Infrastructure Corporation (RIC)

065/01 Doll Martin Associates Pty Ltd

Yes

✓ Part

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Box:95 - Docu	ments can be found in box(es) P14, D11				<del></del>
File Reference	FileTitle	LPP	WPP	PII	Disclose
MC.00066,001	Contracts Manager 4GT 066/01 - tender stage -			V	Part
MC.00067.001	Prepare Design Docs to Upgrade 1500 DC Power Supply - Eveleigh 4GT 061/01 Rail Infrastructure Corporation (RIC)				Yes
MC.00068.001	Electrolysis Testing for traction current 4GT 068/01 Rail Infrastructure Corporation (RIC)				Yes
MC.00069.001	Trial of 8 Suburban Car for DVA & Traction Locking Systems 4GT 069/01 Rail Infrastructure Corporation (RIC)			V	Part
MC.00069.005	Trials of 8 Car Suburban (non Tangara) for DVA & Traction Interlocking Systems RIC Contractor			V	Part
MC.00070.001	Eveleigh Ford Remodelling - RIC 20/7/01	V		V	Part
MC.00071.001	Independent assessment of Tenders for Contracts Manager position DPW 4GT 071/01 Max Tonkin			$\overline{\mathbf{V}}$	Part
MC.00072.001	Review of Cardiff and athirst facilities By Bovis Lend Lease 4GT 072/01			<b>V</b>	Part
MC.00074.004	Consultants contracts proposed millennium train bogie assessment interfleet			<b>V</b>	Part
MC.00076.003	Traction System Simulation for Proposed Parramatta Rail Link E D I RAIL & PRLC 4GT 076/01			V	Part
MC.00076.004	Traction System Simulation for Proposal Parramatta Rail Link - EDI Rail (Evans Deaken)			<u> </u>	Part
MC.00078.001	Blue Moon Market Research Introduction to Millennium Train 4GT 078/01			<u>~</u>	Part
MC.00079.001	Independent Evaluation Tender for Eveleigh Yard 4GT 079/01				Yes
MC.00080.001	Analysis of Operations & Training Risks 4GT 080/01				Yes
MC.00081.001	Implementation of Millennium Train Maintenance Fee Model 4GT 081/02				Yes
MC.00082.001	Financial Tender Assessment of Millennium Train Contract - EDI Rail Kingsway Financial Assessments Pty Ltd				Yes
MC.00083.001	Construction of Remodeling Eveleigh Yards 5 to 10 4GT 083/02			V	Part
Box :96 - Docum	nents can be found in box(es) P14, D12				
File Reference	FileTitle	LPP	WPP	PII	Disclose
AF.00001.000	Accounting for Millennium Train Cross Border Lease Agreement	<b>✓</b>			Part
AF.00002.000	Accounting for Millennium Train Cross Border Lease Agreement				Yes
AF.00003.000	Accounting for Millennium Train Cross Border Lease Agreement NOT REVIEWED.				No
AF.00004.000	Accounting for Millennium Train Cross Border Lease Agreement NOT REVIEWED.				No
VF.00005.000	Accounting for Millennium Train Cross Border Lease Arrangement				Yes
\F.00009.000	Budgeting (All) From July 1997				Yes
AF.00013.000	Millennium Trains - Cross Border Lease Part 1	<b>V</b>			No
AF.00014.000	Cross Border Lease 2003	✓			No
AF.00015.000	Millennium Train - EDI - KPMG	<b>V</b>		V	Part
VF.00016.000	Cross Border Lease - Millennium Train Vol 1	V			Part
EVI . "ACCUMENTATION AND A	NO. 1997 Philippe Print Constitution of the Co				

LPP = Legal Professional Privilege WPP = Without Prejudice Privilege PII = Public Interest Immunity

#### Privileged Box:96 - Documents can be found in box(es) P14, D12 File Reference FileTitleLPP WPP PII Disclose AF.00017.000 Cross Border Leases Yes CT.00019.001 Consultants - Preveene Challa 1999 Yes CT.00023.001 Part Consultants - Customer Survey at Millennium Train Mock Up 7-5-99 CT.00026.001 Consultants, Contracts D&C 1500 Volt DC Electric Traction. System & $oldsymbol{ olimits}$ Part Track Upgrading At Eveleigh ACDEP CT.00027.001 Consultants - Liberty Risk Services Australia Pty Ltd 16/7/99 - 10/9/99 Yes $\checkmark$ CT.00028.000 Consultant - Independent Evaluation of a Tender for the Design and Part Construction of An Electrification System and Upgrading of Siding Roads for the Millennium Train Maintenance Facility At Eveleigh CT.00029.001 Consultants - Independent Assessment of Environmental Impact $\mathbf{V}$ Part Documentation for the Millennium Train Maintenance Facility at Eveleigh EML.00001.000 John Snider Emails Yes EML.00002.000 Miscellaneous Tom Forrest No NOT REVIEWED. MC.00084.001 Marketing Campaign to introduce City Rail's New Passenger Rail 4GT Yes 084/02 MC.00086.001 Review Millennium Train Signaling Test Results MTR Corp Ltd 4GT Yes 086/02 MC.00087.002 Installation of Over Voltage Protection Unit Eveleigh RIC 4GT 087/02 Yes MC.00088.001 V Resolving Millennium Train Contract Issues with EDI Rail Evans & Part Peck 4GT 088/02 MC.00090.001 $\Box$ Assistance with Contract Correspondence Bovis Lend Lease 4qt Yes MC.00092.001 Eveleigh Yard 1500 Volt DC Power Supply Upgrading $\mathbf{V}$ Part MC.00093.001 V Eveleigh Maintenance Centre Construction of Toilets Storeroom and Part Conference Room MC.00094.001 Develop & Review Doc. - Resolution Agreement Yes Eveleigh Yard 1500 Volt DC Power Supply - (Authorization in MC.00096.001 Yes Underwriting Procurement) Box:97 - Documents can be found in box(es) P14, D13 File Reference FileTitleLPPWPPPII Disclose AF.00018.000 Cross Border Lease - Millennium Train Vol 1 ✓ Part **Y** AF.00019.000 Cross Border Lease - Millennium Train Vol 4 Part ~ Part AF.00020.000 Cross Border Lease Millennium Train Vol 3 V V AF.00021.000 Cross Borerf Lease Part Millennium Train Vol 2 AF.00022.000 Cost Central Report Oct 200 Yes **Y** AF.00023,000 Millennium Train - Economic Appraisal Backup (Doc 11) Part AF.00024.000 Hedging Summary Report - Hedging Actual & Forecast Yes AF.00025.000 Millennium Train - Hedging Summary Report

LPP = Legal Professional Privilege

WPP = Without Prejudice Privilege

#### Privileged Box: 97 - Documents can be found in box(es) P14, D13 FileTitle File Reference LPP WPP PII Disclose AF.00026.000 June 2000 Yes Cost Control Report (27) AF.00027.000 Cost Control Report 2000 June (29) Yes AF.00028.000 Cost Adjustment Review Report July 2000 Yes AF.00029.000 cost Adjustment Review Report June 2000 (30) Yes AF.00030.000 Cost Adjustment Review June 200 Yes AF.00031.000 Cost Control Report March 2001 AF.00032.000 01/5918 - Millennium Trains Cross Border Lease Part 3 V No AF.00033.000 $\overline{\mathbf{V}}$ 01/5918 Millennium Trains - Cross Border Lease Part 2 No AF.00034.000 Cross Border Lease No NOT REVIEWED. AF.00038.000 Cross Border Lease NOT REVIEWED. Box:98 - Documents can be found in box(es) P15, D13 File Reference WPPPII Disclose AC.00001.000 Millennium Train Project Account **V** Νo AC.00002.000 Millennium Train Project $\checkmark$ V AC.00003.000 Millennium Train Project Executive Management Committee Meeting No V $\Box$ AC.00004.000 Millennium Train Project Νo AF.00039.000 No NOT REVIEWED. EM.00001.000 Millennium Train Project Eveligh Maintenance No NOT REVIEWED. EM.00003.000 V Eveleigh Maintenance Facility No EM.00004.000 Eveleigh EDI Specs + Submissions Νo NOT REVIEWED. MIS.00055.000 Copies of documents, meeting papers and emails held in deputy chief V **Y** Part executive's office MIS.00062.000 State Rail Boardpapers No NOT REVIEWED. MI\$.00066.000 Item 6: Strategic Issues Yes MIS.00206.000 State Rail Boardpapers Yes $\sqcap$ MIS.00207.000 N/G Briefing Note to Costa Yes MTO.00059.001 MTO Performance Reports Box:99 - Documents can be found in box(es) P15, D14 FileTitle File Reference LPPWPPPII Disclose MIS.00001.000 ✓ Νo MIS.00003.000 Millennium Train - Communications and Marketing V Part

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WPP = Without Prejudice Privilege

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Box :99 - Docu	ments can be found in box(es) P15, D14				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MIS.00007.000	Quality & Technical Supply 4 GT- General Box 2			V	Part
MIS.00008.000	Millennium Train Project Eveleigh Maintenance		. 🔲		Yes
MIS.00012.000	Review of Fire Testing to TRS 589 23/4/02 NOT REVIEWED.				No
MIS.00016.000	Registered Corporate Files Stored on Site (Archival)				Yes
MIS.00017.000	Millennium Train service Suspension				Yes
MIS.00018.000	Incidents in Service			V	Part
MIS.00019.000	Charges to Downer EDI Limited (T/AS Sheila Bangus - EDI Rail) For Relocation of Failed Sets Returned				Yes
MIS.00020.000	Signage - Target Colour Change				Yes
MIS.00022.000	Rollingstock Carriages Body Structure			V	Part
MIS.00023.000	Consultants Contracts Engineering Logistics Management Systems				Yes
MIS.00024.000	Rollingstock				Yes
MIS.00025.000	Personnel Temporary Adecco Centacom				Yes
MIS.00026.000	Rollingstock Project Management Meetings				Yes
MIS.00043.000	Cardiff - Sale of Land Part 1 9/5/01 - 11/10/01			<b>V</b>	Part
MIS.00044.000	Millennium Train Project Part 1	<b>✓</b>			No
MIS.00047.000	Millennium Train Project Part 5	<b>V</b>			No
MIS.00049.000	Millennium Train Bogie Review			<b>✓</b>	No
MIS.00050.000	Strategic Review of the Maintenance Options for the 4GT			V	Part
MIS.00052.000	Millennium Train Executive MAT CTEE Meeting	V			Part
MIS.00053.000	Rolling Stock 4GT Millennium Train - Quality Inspection Audit EDI Rail Cardiff				Yes
MIS.00054.000	Rolling Stock Maintenance - Facility			<b>Y</b>	Part
MIS.00056.001	Millennium Train Executive Management Committee Meetings	$\checkmark$		V	Part
MIS.00058.000	Millennium Train 2		V		Part
Box :100 - Docu	ments can be found in box(es) P16, D15				
File Reference	FileTitle	LPP	WPP	PII	Disclose
MIS.00063.000	F00011057 - Security Management Planning Mill Train				Yes
MIS.00065.000	N/G - Millennium Train Claim	✓	¥		No
MIS.00068.000	White Folder, EFT Payments & Other Payments			V	Part
MIS.00070.000					Yes
MIS.00071.000		<b>~</b>	<b>~</b>		No

 $LPP = Legal\ Professional\ Privilege$ 

WPP = Without Prejudice Privilege

#### Privileged Box:100 - Documents can be found in box(es) P16, D15 LPP WPP FileTitlePII Disclose File Reference MIS.00072.000 Submission - Variation to Contract C98014 Yes MIS.00073.000 Radio - Train Radio - Metro Net V MIS.00074.000 Bogies - Wheel - Rail Interface No V MIS.00075.000 Quality and Technical Supply 4GT- General No $\mathbf{V}$ $\checkmark$ MJS.00076.000 4GT Commercial Compliance Sub- Committee, Deed of Agreement No $\mathbf{V}$ No MIS.00079.000 4th Generation - Tender 3 Antranz - parts A & B No MIS.00080.000 Various letters and documents re Amended General Conditions of Contract NOT REVIEWED. MIS.00103.000 V No Brief Cost Control Report Dec 2000 Yes MIS.00104.000 Capital and Maintenance Cost Brief (23) MIS.00105.000 Part **AGT Noise** MIS.00106.000 Interfleet Technology No MIS.00107.000 Acquisition 60 Mill Yes Carriages: Investment Evaluation Feb 2001 MIS.00110.000 Rollingstock Design **V** Part $\Box$ lacksquareStrategic Review of the Maintenance Options for the 4GT MIS.00117.000 Part Box:101 - Documents can be found in box(es) P16, D15 LPP WPP File Reference FileTitle PII Disclose Information Technology Software Core Yes MIS.00083.000 MIS.00086.000 Yes Contract Correspondence Inwards Jan 2002- March 2003 V MIS.00088.000 Maintenance fee System June 2002 - April 2003 Part Part V MIS.00091.000 Maintenance Fee System 26 April 2002 - 7 February 2003 MIS.00092.000 $\Box$ Yes Contract Corro Outwards Yes MIS.00094.000 MIS.00095.000 Monthly Maintenance Review Meeting Sept 2002-March 2003 Yes $\Box$ MIS.00096.000 Yes Cab Controls MIS.00116.000 Consultants, Contracts, Morgan & Banks Yes $\Box$ $\mathbf{V}$ MIS.00118.000 Νo April 2003 - May 2003 V lacksquarePart MIS.00119.000 **OPS Division** Rollingstock Fleet General **V** $\checkmark$ MIS.00121.000 Tom Forrest Pt 5 $\checkmark$ Part MIS.00124.000 $\mathbf{V}$ Part Report on the Millennium Train Bogie Testing conducted at the Deutsche Bahn (DB) Research & Technology centre at Mindin, Germany

WPP = Without Prejudice Privilege

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Box :102 - Doc	uments can be found in box(es) P17, D16				
File Reference	FileTitle	LPP	WPP	PII	Disclose
EML.00004,000	Peter Doller Emails Book 2	<b>V</b>		<b>✓</b>	Part
MIS.00125.000	Maintenance Payments 26 August 2002 - 12 May 2003			V	Part
MIS.00126.000	Contract Price Adjustment Forecast (Excld Duty)				No
	NOT REVIEWED.				
MIS.00128.000	Acquisition 60 Millennium carriages: Investment Evaluation Capital Unit Rail Development				Yes
MIS.00129.000					No
	NOT REVIEWED.				
MIS.00130.000	Alstom 4GT Witness Tests			V	No
MIS.00131.000	Millennium Train Implementation Analysis			V	No
MIS.00135.000	Project Casting Transaction Details Review (Passenger Fleet Production)				Yes
MIS.00140.000	SR Capital Works Program 99/2000			V	Part
MIS.00141.000	4th Gen Train Project Commercial Review March 1998			V	No
MIS.00142.0 <sup>00</sup>	SRA- Contract 99222 Dec 1997	. 🗆			Yes
MIS.00143.000	Registered Corporate Files Stored on Site Archival			V	Part
MIS.00144.000	Acquisition 60 Mil Investment Evaluation Feb 200				Yes
MIS.00145.000	Passenger Fleet Maintenance				Yes
MIS.00159.000	Update to Review of Maintenance Options			V	No ·
MIS.00161.000	Acquisition 60 Millennium suburban carriages Investment Evaluation				Yes
MIS.00162.000	Strategic Review of the Maintenance options for the 4GT			V	No
MIS.00164.000	R.S.A Rollingstock - 4GT			V	Part
MIS.00165.000	Train Project - Nov 2000 Cashflows (13) SRA Budget Data - FY 99/00 to FY 04/05 (14)				Yes
MIS.00168.000	Project Capitalization John Packets			V	Part
MIS.00169.000	Mill Train Project - March 2001 (17)				Yes
MIS.00172.000	SRA - PFM Division - Capital Works				Yes
MIS.00173.000	Downer EDI Limited - Tax Invoice			V	Part
MIS.00174.000	Millennium Train Project Draft Deed of Variation and Release Briefing Paper	V	✓		No
MIS.00175.000	Tax Invoice for design and implementation support for millennium train crew training program				Yes
MIS.00190.000	Peter Dolier Emails Book 4	<b>V</b>		<b>✓</b>	Part
MIS.00191.000	Ops Division Rolling Stock Fleet General 40/00481 Part 1				Yes
/IS.00192.000	Ops Division Fourth generation Train Final Evaluation Report	<b>V</b>		V	Part
Box :105 - Docu	ments can be found in box(es) P17, D16				
File Reference	FileTitle	LPP	WPP	PII	Disclose
ML.00006.000	Peter Dolier Emails	<b>✓</b>		<b>V</b>	Part

WPP = Without Prejudice Privilege

PII = Public Interest Immunity

# Privileged

Box :105 - Doc	uments can be found in box(es) P17, D16				
File Reference	FileTitle	LPP	WPP	PII	Disclose
EML.00007.000	Barry Lovat Emails Book 16	<b>V</b>		<b>✓</b>	Part
EML.00008.000	Barry Lovat Emails Book 19 - Inbox				Yes
EML.00009.000	Millennium Train Emails - Peter Scarlett		<b>V</b>	V	No
EML.00010.000	Emails- Tony Eid			<b>~</b>	Part
EML.00011.000	Emails	<b>V</b>	<b>~</b>		Part
EML.00012.000	Barry Lovat Emails	<b>✓</b>		V	No
EML.00013.000	Peter Dolier Emails Book 3	<b>V</b>	V		No
EML.00016.000	Emails 5- Barry Lovat Emails	<b>✓</b>		~	Part
EML.00017.000	Barry Lovat Emails Book 2	<b>✓</b>		V	Part
EML.00018.000	Barry Lovats Emails Book4.		<b>V</b>	V	Part
EML.00019.000	Emails- Greg Klamus Book 1. Rollingstock Delivery- Greg Klamus Emails Book 1		<b>V</b>	<b>V</b>	Part
EML.00020.000	Arthur Smith Emails 5			· 🗀	Yes
EML.00021.000	Emails - John Snider Emails (Folder 2)				Yes
EML.00022.000	Sent emails - Greg Klamus	✓		✓	Part
EML.00023.000	Barry Lovat Emails book 14	<b>V</b>		<b>V</b>	Part
EML.00024.000	Peter Dolier's emails - Book 2 of 2	✓			No
EML.00025.000	Peter Dolier's emails - Book 5	V	<b>✓</b>	<b>✓</b>	Part
EML.00026.000	Emails	<b>V</b>		<b>V</b>	Part
EML.00027.000	John Snider Emails Book 2A	✓		~	Part
EML.00028.000	Greg Klamus Emails - Millennium Train Directory				Yes
EML.00029.000	Emails	✓			Part
EML.00034.000	Barry Lovat Emails (Book 11)			<b>✓</b>	Part
EML.00039.000	Barry Lovat Emails Book 11	V		~	Part
Box :106 - Docu	ments can be found in box(es) P18, D16		_		_
File Reference	FileTitle	LPP	WPP	PII	Disclose
EML.00030.000	Barry Lovat Emails				Yes
EML.00031.000	Document log				Yes
EML.00032.000	Barry Lovat Email Book 15				Yes
EML.00033.000	Emails (Arthur Smith)				Yes
EML.00035.000	Emails				Yes
EML.00036.000	Barry Lovat Emails (Book 15)	<b>V</b>	<b>✓</b>		Part
EML.00038.000	Emails (Arthur Smith)	<b>V</b>			Part
EML.00041.000	John Snider Emails Book 3 "Sent"			<b>V</b>	No
EML.00042.000	John Snider Emails Book 7				Yes

 $LPP = Legal\ Professional\ Privilege$ 

WPP = Without Prejudice Privilege

Privileged					
Box :106 - Doc:	uments can be found in box(es) P18, D16				
File Reference	FileTitle	LPP	WPP	PII	Disclose
EML.00043.000	John Snider Emails Book 6				Yes
EML.00044.000	John Snider Emails Book 5			V	Part
EML.00045.000	Rollingstock Delivery- Barry Lovat Emails Book 18- Nov 2002- Dec 20030		V	<b>V</b>	Part
EML.00046.000	Barry Lovat Book 12	V		<b>✓</b>	Part
EML.00047.000	Barry Lovat Emails Book 9			V	Part
EML.00048.000	John Snider Emails Book 1				Yes
EML.00049.000		V	V	V	Part
EML.00050.000	John Snider Emails " Inward" 1				Yes
EML.00052.000	Barry Lovat Emails Book 8				Yes
EML.00053.000	Barry Lovat Emails Book 7			V	Part
EML.00054.000	Barry Lovat Emails Book 10	<b>V</b>		<b>V</b>	Part
EML.00055.000	Emails (Arthur Smith)			<u> </u>	Part
EML.00056.000	Rollingstock Delivery - Barry Lovat Emails Book 13	V	V	<b>V</b>	Part
EML.00057.000	Peter Doller Emails Book 3		<b>V</b>		Part
EML.00058.000	Peter Dolier Emails Book 3	<b>✓</b>		V	Part
EML.00194.000	Document log				Yes
EML.00199.000	Document log				Yes
EML.00204.000	Communication, Media, Correspondence				Yes
MIS.00193.000	Miscellaneous - Tom Forrest				Yes
MIS.00195.000	Premises Maintenance Eveleight ACDEP - Millennium Train Project Maintenance			<b>✓</b>	Part
MIS. <b>0</b> 0196.000	Maintenance Files				Yes
MIS.00197.000	Millennium Train Documentation As Provided By Sue Miller, BRM, IT&T			V	Part
MIS.00198.000	Miscellaneous - Tom Forrest	✓	<b>V</b>		Part
MIS.00200.000	Millennium Train Contract Cost Model (Interim Internal Audit Report)				Yes
MIS.00201.000	Millennium Train Project - EDI Rail Consolidated Claim for Extension of Time and Additional Costs - Assessment Document November 2002		V		No
MIS.00202.000	2 Copies of 3 CD Disks (6 CD Disks in Total), Copy of Cost System, Foreign, Exchange and Customs, Duty Electronic Files			<b>V</b>	No
Box :107 - Docu	ments can be found in box(es) P19, D17				
File Reference	FileTitle	LPP	WPP	PII	Disclose
AG.00001.000	Administration- Audit- Auditor General. 25/11/02- 7 March 03				Yes
AG.00002.000	Auditors Generals Documents- From Greg Klamus. Emails, reports, memo's			V	No
AG.00004.000	Barry Lovat Emails (Book 1)			V	No

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WPP = Without Prejudice Privilege

# Privileged

Box :107 - Doc	uments can be found in box(es) P19, D17				
File Reference	FileTitle	LPP	WPP	PII	Disclose
AG.00005.000	Barry Lovat Emails Book 16			✓	No
AG.00006.000	Millennium Train Emails- Peter Scarlett			V	No
AG.00007.000	Auditor Generals Documents- From Greg Klamus. Emails, reports, memo's			<b>V</b>	No
AG.00008.000	Auditor Generals Documents- From Barry Lovat. Emails, reports, memo's			V	No
AG.00009.000	Greg Klamus- Emails received 'audit'			<b>Y</b>	No
AG.00010.000	Millennium Train Audit. Peter Scarlott's File. Audio- General's Report			V	No
AG.00011.000	Audit File July 01 (Part 4). Trains- Passenger- 4GT Project Part 4	<b>V</b>	V	V	Part
AG.00013.000	Audit File July 01. Millennium Train Assessment Review	V		V	Part
MIS.00156.000	Millennium Train State Rail Authority Board Minutes, Board Papers and Ministerial Approvals	V	V	<b>✓</b>	Part
Box :108 - Doci	ments can be found in box(es) P19, D17				
File Reference	FileTitle	LPP	WPP	PII	Disclose
SUP.01001.000	Consultants, Contracts, Proposed Millennium Train Bogie Assessment, Interfleet			V	Part
SUP.01002.000	Millennium Train Consultants/Contractors, Contracts, Project Management for re-modelling of Eveleigh Rail Yard			V	Part
SUP.01003.000	Test & Verification Plan, Test Instruction for Sub-systems			~	No
SUP.01004.000	Facilities, Eveleigh Remodelling Project, Close out Report			<b>V</b>	Part
SUP.01005.000	Facilities, Eveleigh Remodelling Project, Project Safety Management Plan			<b>y</b>	Part
SUP.01006.000	Facilities, Construction, Eveleigh Remodelling Project			V	Part
SUP.01007.000	Rollingstock Carriages, Millennium Train (4GT), Brake System, Regenerative Brake			V	Part
SUP.01008.000	Consultants, Contracts, Review Track Layout, Eveleigh Yard, Railway Services Australia (Part 2)			V	No
SUP.01009.000	Peter Dolier Emails	<b>V</b>			No
SUP.01010.000	Signage - Target Colour Change				Yes
SUP.01011.000	Millennium Train Consultants/Contractors, Contracts, Audit Processes & Procedures, Management of MTP, Teal Management Pty Ltd				Yes
SUP.01012.000	Buildings - Eveleigh ACDEP, EDI				Yes
SUP.01013.000	Accounting for Millennium Train Cross Border Lease Arrangement	V			No
SUP.01014.000	Millennium Train, Test Reports			$\checkmark$	No
SUP.01015.000	Buildings - Eveleigh ACDEP, EDI				Yes
SUP.01016.000	Peter Dolier Emails Book 5				Yes
SUP.01017.000	Auditor General documents			<b>V</b>	No
SUP.01018.000	Signal Testing			<b>V</b>	No
SUP.01019.000	Accounting for Millennium Train Cross Border Lease Arrangement				Yes
SUP.01020.000	Trains, Electric, Millennium Trains	V	V		Part

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WPP = Without Prejudice Privilege

# Privileged

Box:108 - Documents can be found in box(es) P19, D17					
File Reference	FileTitle	LPP	WPP	PII	Disclose
SUP.01021,000	EDI Rail, Consolidated Claim for Extension of Time and Additional Costs, Nov 2002		V		No
SUP.01022,000	Correspondence (One Memo & Three emails) relating to "Eveleigh Millennium Train Facility - Ownership of OHW by RIC"				Yes
SUP.01023.000	Millennium Train Project, Eveleigh Maintenance			<b>✓</b>	Part
SUP.01024.000	Peter Dolier Emails Book 2		<b>✓</b>		No
SUP.01025.000	Cross Border Lease - Millennium Train (Vol 4)				Yes
SUP.01026.000	Ops Division, Rollingstock Fleet, General (40/00482 Part 2)			Ø	Part
SUP.01027.000	Extracts from progress reports		V	<b>V</b>	No
SUP.01028.000	Millennium Train 2 - Finance Division			V	Part
SUP.01029.000	Budgeting, (All), From July 1997				Yes
SUP.01030.000	Consultants, Contracts, Value Management Study of Eveleigh Yards, John Bushell Value Management Pty Ltd				Yes
SUP.01031.000	Copies of documents, meeting papers and emails held in Deputy			V	Part

# ANNEXURE D

Acting Chief Executive Officer Level 6, 18 Lee Street CHIPPENDALE NSW 2008 Ph: (02) 8202 3175 Fax: (02) 8202 2970



9 July 2003

Dr Col Gellatly
Director-General
Premier's Department
Level 39
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Dr Gellatly

### RESOLUTION OF THE LEGISLATIVE COUNCIL DATED 25 JUNE 2003

I refer to the resolution of the Legislative Council dated 25 June 2003 (the "Review Resolution"). The Review Resolution concerns documents produced to Parliament on 27 May 2003 and 6 June 2003 subject to a claim for privilege, pursuant to a resolution of the Legislative Council dated 7 May 2003 in relation to the Millennium Train project (the "First Resolution"). The Review Resolution relevantly provides:

"That before any documents are released for publication, the relevant Departments and Authorities are to reassess their claim of privilege on the documents and provide to the Clerk of the House, within 14 days of the passing of this resolution:

- (a) a list of those documents which should not, in the public interest, be released for publication, and
- (b) reasons in support of the claim of privilege."

State Rail has undertaken the following actions to date:

#### 1. THE FIRST RESOLUTION

By way of background, the terms of the First Resolution were very broad and required review, collation, indexing, photocopying and production of a substantial number of documents within approximately 14 working days.





In response to the First Resolution, State Rail made enquiries throughout its organisation and reviewed in excess of 170 archive-size box files. Of those documents reviewed, files and documents amounting to 107 boxes were considered to fall within the terms of the First Resolution and were produced to Parliament. Of these, 93 boxes were subject to a claim for privilege. State Rail retained a copy of the documents produced to Parliament.

Having regard to the terms of the First Resolution and the complexity of issues raised in the documents, it was not physically possible in the short time frame available to examine every page of every document in each box to determine claims for privilege. Importantly, the time frame did not permit consultation with the authors or owners of the information contained in the documents in order to assist in assessing whether public disclosure would be contrary to the public interest.

Nor was it possible in that time frame to separate privileged material from non-privileged material in every case. For example, if a part of a document contained privileged material, a claim for privilege was made over the whole document. Furthermore, most files held by State Rail contained a mixture of privileged and non-privileged material, and there was no time available to separate out non-privileged documents.

The original index therefore was formulated on the basis that, if a file contained some privileged material, the whole file was categorised as privileged.

Claims for privilege were made in respect of documents falling into the following categories:

- legal professional privilege;
- without prejudice privilege; and
- public interest immunity (the "Privilege Claims").

A explanation of each claim of privilege is set out in Attachment 1 to this letter.

### 2. THE REVIEW RESOLUTION

### 2.1 Process

The reassessment exercise undertaken in response to the Review Resolution required State Rail to review the copies which it had retained of the 93 archive-size boxes of documents produced to Parliament subject to a claim for privilege under the First Resolution.

The exercise involved:

- identifying those documents which are subject to the three categories comprising the Privilege Claims; and
- reassessing whether State Rail maintains its claim in respect of those documents.

Since the terms of the First Resolution covered the tender process for the Millennium Train project, State Rail wrote to each of the three tenderers - Evans Deakin Pty Limited ("EDI"), Bombardier Transportation Australia Pty Limited ("Bombardier") and United Goninan Pty Ltd ("Goninan") - requesting comment in relation to the

review exercise. Copies of State Rail's letter to each tenderer, and the response from each tenderer, are attached as Attachment 2.

### 2.2 Disclosure of additional documents

As a result of this more detailed review, and taking into account submissions from the tenderers who supplied the documents, State Rail has now been able to physically separate non-privileged material from files previously categorised as privileged. This has enabled further documents to be disclosed (amounting to 17 boxes of documents). The process State Rail undertook is discussed in more detail in 2.5 below.

### 2.3 Tender and tender-related documents

The claim for privilege in respect of the tender and tender evaluation files, which comprise 39 boxes (Box Numbers 13 to 51), has been maintained on the basis of public interest immunity - that is, documents, the disclosure of which would be contrary to the public interest.

The operation of public interest immunity is discussed in Attachment 1 to this letter. Many of the documents in boxes 13 to 51 contain commercial information (particularly trade secrets) which would place the owners and providers of the information at a substantial commercial disadvantage and/or would affect the ability of State Rail and Government to obtain competitive tenders for future projects.

In this regard, letters from EDI (2 July 2003), Bomardier (2 July 2003) and Goninan (3 July 2003) expressed strong opposition to the release of documents falling within this category (see Attachment 2 to this letter).

A very small percentage of tender and tender evaluation documents in boxes 13 to 51 comprise or concern documents such as CVs and Company brochures. In the limited time available, it has not been possible to extract these documents from the boxes. Consequently, claim for privilege in respect of these 39 boxes is maintained.

### 2.4 Critical design review documents

The claim for privilege in respect of the critical design review files, which comprise 18 boxes (Box Numbers 71 to 88), has been maintained on the basis of public interest immunity, since they contain commercial information (particularly trade secrets) which would place the owners and providers of the information at a substantial commercial disadvantage and/or would affect the ability of State Rail and Government to obtain competitive tenders for future projects. The letter from EDI expressed strong opposition to the release of documents falling within this category (see Attachment 2 to this letter).

#### 2.5 Other documents

In reassessing the remaining 36 boxes which were subject to a claim for privilege there was a logistical issue. State Rail determined, in consultation with Alex Smith from your Department, that the most efficient and practical means of complying with the Review Resolution was to adopt the following process:

- (a) State Rail examined its copies of the documents produced to Parliament and these have been divided into the following 2 categories:
  - (i) Documents in respect of which a claim for privilege is maintained. In this regard and as part of the reassessment exercise, each document will have a colour tag to identify the relevant category

of privilege which is claimed, that is, documents which are subject to legal professional privilege (Pink), without prejudice privilege (Green) or public interest immunity (Blue or Red).

- (ii) Documents which can now be disclosed following the reassessment. Approximately 17 boxes fall into this category. This is approximately 47% of the 36 boxes.
- (b) The documents have been placed into new boxes according to the above categorisation. Each new box is labelled with:
  - (i) a new box identification number (eg. box P1 is the first new box containing documents which are still subject to a claim for privilege, and box D1 is the first new box containing documents which may now be disclosed); and
  - (ii) a reference to the relevant boxes produced pursuant to the First Resolution which identifies which boxes produced under the First Resolution are represented in that new box (eg. new box P4 contains documents from boxes 57 and 60 which were produced under the First Resolution). The new labelling index is contained in Attachment 3.
- (c) A Reassessment Index has been prepared in respect of the documents which were subject to a claim for privilege in response to the First Resolution. The Reassessment Index identifies whether:
  - (i) a claim for privilege is maintained and, if so, the relevant category of privilege; or
  - (ii) a document is to be disclosed.

The Reassessment Index also refers to a category "Not Reviewed". This is a very small category of documents in respect of which State Rail does not hold a copy and the originals of which cannot be located at present. There are 14 files in this category. Consequently, the only way to accurately review these documents is for Parliament to release them to State Rail for review.

A copy of the Reassessment Index is also attached to this letter.

Yours sincerely

Vince Graham

**Acting Chief Executive** 

### 1. Legal Professional Privilege

Each document in this category:

- is a confidential document which was prepared by State Rail or its lawyers (internal and external), or contains or records a confidential communication between the SRA and its lawyers that was made, for the dominant purpose of its lawyers providing legal advice to State Rail; and/or
- is a confidential document that was prepared, or contains or records a confidential communication between its lawyers and State Rail or another person that was made for the dominant purpose of State Rail being provided with professional legal services relating to anticipated Court proceeding against State Rail.

### 2. Without prejudice communication

Each document in this category is a "without prejudice" communication in connection with an attempt to negotiate a settlement of a dispute. This category of privilege is, however, likely to be considered as a sub-category of public interest immunity, that is, there is an important public interest in encouraging parties to a dispute to engage in negotiations to resolve the dispute.

### 3. Public Interest Immunity

Each document in this category contains information the disclosure of which would be contrary to the public interest and is subject to public interest immunity. In regard to this category, State Rail has considered a number of factors, including:

- the letters from Evans Deakin Pty Limited ("EDI") dated 2 July 2003 Bombardier Transportation Australia Pty Ltd dated 2 July 2003 and United Goninan dated 3 July 2003; and
- the terms of Memorandum No. 2000-11 Disclosure on Information on Government Contracts with the Private Sector issued by the Premier's Department (the "Memorandum").

The Memorandum provides guidelines which are designed to clarify what information relating to the Government's contractual arrangements with the private sector should, and should not, be made public. For example, Schedule 3 of the Memorandum identifies Commercial-in-Confidence information which is not to be disclosed for any contract, namely:

- "• The contractor's financing arrangements;
- The contractor's cost structure or profit margins;
- Items of the contractor having an intellectual property characteristic (eg. non-tangible property that is the result of creativity, such as patentable ideas or inventions, trademarks, copyrights, etc);
- Any other matters where disclosure would place a contractor at a

substantial commercial disadvantage with its competitors both at the time of entering into the contract and at any later date when there would be an effect on future competitive arrangements."

Included in the privileged bundle is a substantial number of documents which contain commercial information obtained in confidence from parties involved in the Millennium Train Project. This material includes cost structure and financing arrangements, trade secrets, design information and methodologies and other confidential material that is not in the public domain.

Publication of this information would place the providers and owners of the information (particularly trade secrets and intellectual property) at a substantial commercial disadvantage with their competitors, both in relation to the contract with State Rail for the Millennium Train and other existing and future contracts with State Rail and others. This, in turn, would be likely to prejudice the ability of State Rail and the government to obtain competitive tenders for future projects and information in support of any tenders submitted.

Also included in the privileged bundle are several documents containing information the disclosure of which would reveal analysis and evaluation by the Government and State Rail of key issues in relation to the contracting arrangements for the Millennium Train Project and, in particular, the evaluation and analysis of the preferred tenderer's proposal. Disclosure of this information could have a significant adverse effect on the ability of the Government and State Rail to evaluate proposals in current and future competitive tenderers for train projects and to negotiate contracts with tenderers in respect of those projects.

Capital Works

30 June 2003

Mr Danny Broad Group General Manager EDI Rail Rollingstock and Maintenance 2B Factory Street **GRANVILLE NSW 2142** 

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STATE RAIL REF: Ltr - EDI Rail - Parliamentary Notice - 30 June

FILE: (Inquiry)

Dear Mr Broad.



## PARLIAMENTARY NOTICES OF MOTION DATED - 7 MAY 2003 AND 25 JUNE 2003

Dear Sir

As you may be aware, on 7 May 2003 the Legislative Council passed a resolution requiring the production of various categories of documents relating to the Millennium trains (the "Resolution") by 27 May 2003. A copy of the Resolution is attached.

In response to the Resolution, the State Rail Authority (the "SRA") produced approximately 108 archive-size boxes of documents. Of those boxes of documents, 94 were subject to a claim for privilege. The claim for privilege included legal professional privilege, without prejudice privilege and public interest privilege. A significant number of documents falling within the claim for privilege were classified by the SRA as being subject to public interest privilege - that is, documents, the disclosure of which would be contrary to the public interest because they contain commercial information which would place the owners and providers of the information at a substantial commercial disadvantage and/or would affect the ability of SRA and government to obtain competitive tenders for future projects.

You may also be aware that there has been a debate within the Parliament regarding the quantum of documents which are subject to the claim for privilege. consequence of that debate, the Legislative Council passed a further resolution on 25 June 2003, which provides:

- That this House orders the publication without restricted access of "(1) all privileged documents relating to the Millennium Trains lodged with the Clerk on Tuesday 27 May 2003 and Friday 6 June 2003, in accordance with the resolution of the House of Wednesday 7 May 2003.
- (2)That before any documents are released for publication, the relevant Departments and Authorities are to reassess their claim of privilege on the documents and provide to the Clerk of the House, within 14 days of the passing of this resolution:

- (a) a list of those documents which should not, in the public interest, be released for publication, and
- (b) reasons in support of the claim of privilege.
- (3) Any documents identified under paragraph 2 (a) may not be published without a further order of the House under the terms of the original order of the House—put and passed."

In respect of your company, the SRA identified the following general categories of documents falling within the public interest privilege claim and the without prejudice communications claim for non-disclosure:

## 1. Tender process (including evaluation)

1.1 Tender submissions

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- 1.2 Tender clarification correspondence and material
- 1.3 Evaluation material
- 1.4 Determination, notification and post-notification material

### 2. Contract negotiations

- 2.1 Correspondence
- 2.2 Commercial/financial material provided in the course of negotiation
- 2.3 Financing documents
- 2.4 Material relating to contractual and financial close
- 2.5 Documents which record or relate to the contractual negotiations
- 2.6 Specifications, technical or design details and drawings

### 3. Contract administration

- Project reporting (monthly reports, meeting minutes, schedules, delays, risks, etc.)
- 3.2 Financing arrangements
- 3.3 Contract scope changes (variations, evaluations, amendments, concessions)
- 3.4 Eveleigh Maintenance Centre/Cardiff materials
- 3.5 Contract price adjustment documentation for verification of:
  - 3.5.1 Rise and fall milestone calculations

### PARLIAMENTARY NOTICES OF MOTION DATED - 7 May 2003 And 25 June 2003

- 3.5.2 Sub-contractor documentation including invoices for Foreign Exchange and Customs Duty Claims
- 3.5.3 Variations
- 3.6 Legal issues which EDI or subcontractors have raised
- 3.7 Programme and schedule (updates, extensions of time etc.)
- 3.8 Costs (budget, contract payments, GST, other issues)
- 3.9 Quality (plan, reports)
- 3.10 Testing and Commissioning (instructions, reports, costs)
- 3.11 Train leasing
- 3.12 Practical Completion (acceptance, defects, non-compliance)
- 3.13 Project Plans
- 3.14 Corporate investigations
- 3.15 Technical Design
  - 3.15.1 Carbody
  - 3.15.2 Bogie
  - 3.15.3 Brakes
  - 3.15.4 Climate Control
  - 3.15.5 Traction
  - 3.15.6 Communications/surveillance/passenger emergency/DVA/radio
  - 3.15.7 Crew Control
  - 3.15.8 Power (main and auxiliary)
  - 3.15.9 Train Operating System (TOS)
  - 3.15.10 Fire and Emergency
  - 3.15.11 Seats
  - 3.15.12 Signals
  - 3.15.13 Dynamic Performance
  - 3.15.14 Windows
  - 3.15.15 Crashworthiness
  - 3.15.16 Access (doors), crew, passenger, intercar, emergency/end door

### PARLIAMENTARY NOTICES OF MOTION DATED - 7 May 2003 And 25 June 2003

3.15.17 Couplers
3.15.18 Other systems (electrical (auxiliary power), batteries, trip gear, lighting, event recorder)
3.15.19 Critical design review (all subsystems)
3.15.20 Interior/exterior appearance

#### 4. Claims and settlement

- 4.1 Correspondence and supporting documents relating to claims
- 4.2 Schedules of variations
- 4.3 Reports and evaluation of claims
- 4.4 Claim settlement documents
- 4.5 Records of payment of claims

This list is indicative only and is not exhaustive, however, you will be able to assess for yourself from the terms of the Resolution and your knowledge of your own documents, the relevant classes of documents.

I advise that the reassessment which the SRA is required to undertake in accordance with the resolution dated 25 June 2003 may result in the disclosure of documents which are currently the subject of the claim for privilege. Is there anything you wish to put to us regarding the classification of or the production of documents. If so, please provide your comments by 5 pm on 2 July 2003.

Yours faithfully,

GREG KLAMUS PROJECT DIRECTOR ROLLINGSTOCK

[Encl.]

# Legislative Council Notice Paper No. 3—Wednesday 7 May 2003 35

### 29. Mr Pearce to move-

- 1. That, under Standing Order 18, there be laid on the table of the House by 5.00 pm on Tuesday 27 May 2003, and made public without restricted access, all documents whether recorded in written or electronic form relating to:
  - (a) the cost of acquisition, construction, delivery, commissioning, operating and maintaining the electric trains known as the "Millennium" trains,
  - (b) all tenders, tender evaluation, all variation instructions, requests and evaluations and all progress reports disclosing or relating to the cost or financing the "Millennium" trains,
  - (c) any defect, non-compliance or fault in the design, construction, supervision, commissioning or operation of the "Millennium" trains, including any evaluations or reports in respect of such matters and the cost and other implications of such matters,
  - (d) any report or other communication to the Hon. Michael Costa referring or relating to any of the matters referred to in paragraphs (a), (b) and (c) above.
- 2. That an indexed list of all documents tabled under this resolution be prepared showing the date of creation of the document, a description of the document and the author of the document.
- 3. That anything required to be laid before the House by this resolution may be lodged with the Clerk of the House is not sitting, and unless privilege is claimed, is deemed for all purposes to have been presented to or laid before the House and published by authority of the House.
- 4. Where a document required to be tabled under this order is considered to be privileged and should not be made public or tabled:
  - (a) a return is to be prepared and tabled showing the date of creation of the document, a description of the document, the author of the document and reasons for the claim of privilege,
  - (b) the documents are to be delivered to the Clerk of the House by the date and time required in paragraph 1 and:

### PARLIAMENTARY NOTICES OF MOTION DATED - 7 May 2003 And 25 June 2003

- (i) made available only to Members of the Legislative Council,
- (ii) not published or copied without an order of the House.
- 5. (a) Where any Member of the House, by communication in writing to the Clerk, disputes the validity of a claim of privilege in relation to a particular document, the Clerk is authorised to release the disputed document to an independent legal arbiter, for evaluation and report within 5 days as to the validity of the claim.
  - (b) The Independent legal arbiter is to be appointed by the President and must be a Queen's Counsel, a Senior Counsel or a retired Supreme Court Judge.
  - (c) A report from the independent legal arbiter is to be lodged with the Clerk of the House, and:
    - (i) made available only to Members of the Legislative Council,
    - (ii) not published or copied without an order of the House.







Evene Deakin Pty Limited Aan 92 000 002 031 28 Fectory Street Granville NSW 2142 PO Box 73 Granville NSW 2142 Tel: 61 2 9697 8298 Fax: 61 2 9897 2305 sales@edirall.com.au

2 July 2003

Mr G Klamus
Project Director Rolling Stock
State Rall
PO Box K349
Haymarket NSW 1238

Dear Sir,

#### PARLIAMENTARY NOTICES OF MOTION DATED 7 MAY AND 25 JUNE 2003

We refer to your letter of 30 June concerning this matter. We thank you for the opportunity to give you our comments on the production of documents required by the Resolutions.

We note that the Resolution of 25 June requires that a List of Documents be provided to the Clerk of the House detailing those which should not, in the public interest, be released for publication, together with reasons in support of the claim of privilege.

### 1. PUBLIC INTEREST PRIVILEGE

Our position is that it is important that the claim for privilege on the basis of public interest be made and observed in relation to all relevant documents concerning EDI Rail. In considering those documents which EDI Rail believes should be the subject of a claim for privilege, we have taken into account the following issues:

- whether disclosure of the document to a competitor of EDI Rail would be likely to seriously disadvantage EDI Rail;
- whether disclosure of a document or information to a competitor of any supplier to EDI Rall under the 4GT Contract would result in a serious commercial disadvantage to that supplier or to EDI Rail;





- whether the disclosure of a document or information to the market would be capable
  of resulting in a misinformed market in the shares for Downer EDI Limited, a listed
  public company, which is EDI Rail's parent;
- whether the disclosure of the document or information would be likely to cause serious damage or disruption to the relationship between EDI Rail and any of its suppliers or subcontractors:
- whether the disclosure of the document or information would be likely to seriously
  disadvantage EDI Rail's financiers in the 4GT Project, Westpac or impact upon the
  relationship both Downer EDI Limited and EDI Rail have to the financial markets.

Having regard to these considerations, we have identified a number of general categories of documents and information which, in our view, would properly be covered by a claim for public interest privilege. The categories of documents and information are as follows:

### 1.1 Prices and Costing

Documents and information in this category would cover the pricing schedules contained in the 4GT Contract; all tender submissions and negatiations relating to those schedules and their composition; documents and information provided in relation to claims for rise and fall, foreign exchange and customs duties adjustments; documents provided in support of claims for variations; invoices and claims for payment and supporting documents; maintenance pricing and costing calculations; extensive details of cost structures, cash flows and financial structures provided during negotiation of the Deed of Variation and Release both to Messrs Webster and Prince and to SRA.

Information in this category would not include high level details of costs of the nature contained in the Auditor-General's Performance Audit Report on the Millennium Train Project.





### 1.2 EDI Rall Financing of Design and Manufacture of Rolling Stock

All documents and information provided concerning this financing, which was arranged with Westpac. This information would include not only the finance documents themselves, but also all financial and commercial information provided to SRA in conjunction with the financing, including cash flows and other commercial information and all summaries and descriptions of the financing structure and arrangements.

### 1.3 Intellectual Property and Trade Secrets

The Millennium Trains incorporate a number of unique innovative technical and design features, which have been designed and developed by EDI Rail and its suppliers. They also incorporate numerous technical features which have been designed and supplied by EDI Rail or its suppliers by using their own proprietary technical information and applying it to the Millennium Train design. In addition, EDI Rail is the owner of the intellectual property in the overall design and layout of the train. This intellectual property and trade secrets are to be found in documents and information provided in EDI Rail's tender response and subsequent negotiation documents; CDR's and other design documentation submitted to SRA in accordance with contract requirements; requests for variations; various methodologies submitted to SRA from time to time including in relation to programming, scheduling and testing and commissioning. The intellectual property and trade secrets extend across all aspects and components of the trains. Some particularly important examples include the traction system; the train operating system; the communications system; windows; doors, particularly the plug door design; the single air spring bogie; crew cab layout; and crashworthiness.

Whilst it is relatively easy to state in these general terms those areas of information and documentation which we believe should be protected by a public interest privilege claim, it is difficult on the information available to us to relate these claims more specifically to documents and materials in the various categories set out in your letter. You have very helpfully provided us with a list of the general categories of documents falling within the privileged claims already made by SRA. In some cases, it is relatively easy for us to identify particular items in that list in respect of which we believe that a privileged claim can be made and readily sustained. These items would include 1.1, 2.3, 3.2, 3.5, 3.7, 3.8, 3.10, 3.13, 3.15 and 4.





However, that is not to say that documents and information which EDI Rail believes should also be the subject to a privilege claim are not included within the other categories of documents. In a transaction as complex as this one has been, it is most likely that scattered throughout virtually every category mentioned in your letter would be some documents, materials or information which would be the subject of a valid privilege claim. In order to assist SRA identify these documents, we would be happy to devote whatever resources may be necessary to reviewing your documents on a page-by-page basis in order to identify those which, in our opinion, should be made the subject of a claim.

### 2. WITHOUT PREJUDICE PRIVILEGE

In general terms, we believe that this form of privilege may, in fact, be a sub-set of public interest privilege. That is, it is clearly in the public interest that without prejudice communications between government and a third party not be made publicly available in order to assure that government is not hampered in undertaking frank and open negotiations and dialogue to attempt to resolve issues in dispute.

Regardless of this, in EDI Rail's view, all documents, materials and information provided to the SRA and the facilitators, Messrs Webster and Prince, in connection with the negotiation and execution of the Deed of Variation and Release, as well as the Deed itself, would be the proper subject of a privilege claim.

Again, we are not able readily to identify where these documents are to be found in the categories set out in your letter. However, if we can assist in doing so by reviewing documents, we would be happy to provide the necessary resources.

### 3. FORMULATION OF PRIVILEGE CLAIM

We note that during debate in the Legislative Council a comment was made that "departments ought to take a sensible approach to the very bulky detailed specifications and planning results, tables at cetera, that they have disclosed. Such documents are not really germane to the matters about which the public has expressed an interest."



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In fact many of the documents about which we are concerned, particularly those described in item 1.3 above, would fall into this category.

While acknowledging that decisions on the form and manner of making claims for privilege clearly rests with the SRA, we would like to suggest that if a way of structuring the amended submission could be found which clearly identified documents of the type referred to in the above comment, some of the concerns evident in the debate in the Legislative Council may be able to be alleviated.

For the sake of the record, we reserve all our rights in relation to the confidentiality of our documents, materials and information.

Again, thank you for the opportunity to make this submission. We look forward to being of further assistance.

Yours sincerely,

DANNY BROAD

Group General Manager



Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.001.001.0001	28-Feb-2003	Report entitled Millennium Train Test Performance Report			Waived
RIC.001.027.0007	14-Aug-2002	Email with attachment	NABKEY Rick	NOLAN David	Waived
RIC.001.027.0266	12-Apr-2002	Report entitled Millennium Train Set M1 — 50HZ Impedance Measurement Supplementary Test Report	StateRail		Waived
RIC.001.027.0274	16-May-2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Signalling Track Circuit Compatibility Review	Halcrow		Waived
RIC.001.028.0004	June 2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Millennium Train Signalling Interference Standard Review (Draft)	Halcrow .		Waived
RIC.001.028.0041	June 2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Millennium Train Signalling Interference Standard Review (Draft)	Halcrow		Waived
RIC.001.028.0110	12-Apr-2002	Report entitled Millennium Train Set M1 — 50Hz Impedance Measurement Supplementary Test Report	StateRail		Waived
RIC.001.028.0135	Apr-2002	Report entitled Proposal to Provide Professional Services for the Review of the Millennium Train Signalling Test Results	Halcrow		Waived
RIC.001.028.0241	June-2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Millennium Train Signalling Interference Standard Review (Draft)	Halcrow		Waived

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.001.029.0143	June-2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Millennium Train Signalling Interference Standard Review (Draft)	Halcrow		Waived
RIC.001.029.0417	4-Oct-2001	Letter	LOVAT Barry of Millennium Train Project	JOHNSON Brad of EDI Rail	Waived
RIC.001.030.0175	16-May-2002	Report entitled Halcrow/Mass Transit Railway corporation Ltd — Signalling Track Circuit Compatibility Review	Halcrow		Waived
RIC.001.031.0165	12-Apr-2002	Report entitled Millennium Train Set M1 — 50 Hz Impedance Measurement Supplementary Test Report	StateRail		Waived
RIC.001.031.0169	Undated	Extract titled Discussion			Waived
RIC.001.031.0170	18-Mar-2002	Report entitled Millennium Train Set M1 – 50HZ Impedance Measurement Test Report	StateRail		Waived
RIC.001.031.0179	24-May-2002	Fax with attachment	ADAMS Chris	LOVAT Barry	Waived
RIC.001.031.0198	12-Apr-2002	Report entitled Millennium Train Set M1 — 50HZ Impedance Measurement Supplementary Test Report	StateRail		Waived
RIC.001.031.0227	June-2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Millennium Train Signalling Interference Standard Review (Draft)	Halcrow		Waived
RIC.001.032.0168	14-Mar-2002	Email	NOLAN Dave	NABKEY Rick	Waived
RIC.001.033.0002	16-May-2002	Report entitled Halcrow/Mass Transit Railway corporation Ltd — Signalling Track Circuit Compatibility Review	Halcrow and MTR		Waived

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.002.001.0010	01-May-2001	Memorandum	NOLAN David	LOVAT Barry of State Rail	Waived
RIC.002.001.0013	22-Feb-2001	Facsimile, with attachments	NELSON G OF EDI RailL	LOVAT Barry of State Rail	Waived
RIC.002.001.0018	12-Feb-2001	Letter, with attachments	LOVAT Barry of State Rail	RICHARDS M, McGREGOR P	Waived
RIC.002.001.0097	18-Dec-2000	Facsimile, with attachments	LOVAT Barry of State Rail	GRAHAM R	Waived
RIC.002.004.0101	12-Apr-2002	Facsimile, with attachments	NABKEY Rick	SZACSVAY Paul, NOLAN	Waived
RIC.002.004.0104	07-Mar-2002	E-mail	SAKALLARIS Carl of EDI Rail	NABKEY Rick of StateRail	Waived
RIC.002.004.0125	03-Jul-2002	Letter	EDI Rail	JOHNSON Brad	Waived
RIC.002.005.0006	15-Apr-2002	E-mail	SIMPSON Warwick of EDI	BELLOMO Jean-Philippe, CROSET Alain, MAUMY Francois, MONTAURIOL J.C, NABKEY Rick, NOLAN David, SZACSVAY Paul, KIPPIST David	Waived
RIC.002.005.0047	15-Jul-2002	Facsimile, with attachments	VAUGHN Danny of Halcrow	NABKEY Rick	Waived
RIC.002.005.0081	12-Mar-2002	Facsimile, with attachments	NABKEY Rick	NOLAN David	Waived
RIC.002.005.0156	31-Jan-2001	Letter, with attachments	LOVAT Barry of State Rail	TURNBULL Bryan, HOLLIDAY	Waived
RIC.002.009.0001	18-Mar-2002	Report entitled Millennium Train Set M1 - 50 HZ Impedance Measurement Test Report	NABKEY Rick		Waived
RIC.002.009.0009	12-Apr-2002	Report entitled Millennium Train Set M1 50 HZ Impedance Measurement Supplementary Test Report			Waived
RIC.002.009.0014	21-Jan-2002	Facsimile, with attachments	NABKEY Rick	HALING Jim, NOLAN David	Waived
RIC.002.011.0001	16-Jul-2002	Letter	LOVAT Barry	JOHNSON Brad	Waived
RIC.003.001.0084	16-Apr-2002	Handwritten Note entitled Millenniur Train Inductive Interference Test	n SZACSVAY Paul of RIC		Waived

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
		Method			·
RIC.003.001.0090	16-Apr-2002	Handwritten Note entitled Millenniur Train Inductive Interference Test Method	m SZACSVAY Paul of RIC		Waived
RIC.003.001.0098	12-Apr-2002	Facsimile, with attachments	NABKEY Rick of StateRail	SZACSVAY Paul, NOLAN	Waived
RIC.003.001.0130	10-Apr-2002	Memorandum	FULLER John		Waived
RIC.003.004.0001	19-Aug-2002	Letter, with attachments	LOVAT Barry	NOLAN David	Waived
RIC.003.004.0002	01-Jul-2002	Report entitled Millennium Train Signalling Interference Standard Review	Halcrow & Mass Transit Railway Corporation Ltd.		Waived
RIC.003.004.0028	01-Jun-2002	Report entitled Millennium Train Signalling Interference Standard Review (DRAFT)	Halcrow & Mass Transit Railway · Corporation Ltd.		Waived
RIC.003.004.0059	16-May-2002	Report entitled Millennium Train Signalling Track Circuit Compatibility Review (DRAFT)	Halcrow & Mass Transit Railway Corporation Ltd., MTRC		Waived
RIC.003.006.0095	10-Apr-2003	Facsimile, with attachments	NABKEY Rick of StateRail	NOLAN David	Waived
RIC.003.006.0142	11-Feb-2003	E-mail	NOLAN David	MORRISON Alistair	Waived
RIC.003.006.0157	Undated	Extract entitled One from CSEE			Waived
RIC.003.006.0159	07-Feb-2003	Document entitled Westinghouse DPU Track Circuits & AC Traction Motor Interference — Notes of Meet	RIC		Waived
RIC.003.007.0001	06-Jun-2001	Facsimile	NABKEY Rick	SZACSVAY Paul, NOLAN	Waived
RIC.003.007.0005	19-Dec-2001	Letter, with attachments	LOVAT Barry	NOLAN David	Waived
RIC.003.007.0046	12-Sep-2001	Report entitled Millennium Train Signal Interference Test Program	NOLAN David		Waived

Doc ID	- Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.003.007.0208	23-Nov-2001	Facsimile	NABKEY Rick	NOLAN David	Waived
RIC.004.005.0001	02-Dec-2002	Letter, with attachments	LOVAT Barry of State Rail	HUNTER Greg	Waived
RIC.004.005.0048	04-Jun-2001	E-mail, with attachments	KIPPIST David	HUNTER Greg, RIEPER Mark	Waived
RIC.004.005.0055	02-May-2001	Letter, with attachments	StateRail	HUNTER Greg	Waived
RIC.004.005.0064	13-Feb-2001	E-mail	HUNTER Greg	KIPPIST David of State Rail	Waived
RIC.004.005.0065	08-May-2001	E-mail, with attachments	HUNTER Greg	LOVAT Barry	Waived
RIC.005.001.0004	18-Dec-2000	Letter	GRAHAM R	LOVAT Barry of State Rail	Walved
RIC.005.001.0140	23-Nov-2000	Letter	TABRETT Brett of EDI	TURNBULL Bryan of Rail Access Corporation	Waived
RIC.005.003.0080	05-Nov-2001	Letter	Edirail	TURNBULL Bryan	Waived
RIC.005.003.0141	14-Aug-2001	Letter, with attachments	EDI Rail Rollingstock and Maintenand	ce JOHNSON Brad	Waived
RIC.005.008.0014	25-Jan-2002	Letter, with attachments	LOVAT Barry of StateRail	STAPLETON John of Rail Infrastructure Corporation	Waived
RIC.006.002.0161	Undated	Report entitled NSW Draft Audit Report on the Millennium Train Acquisition	TURNBULL Bryan		Waived
RIC.006.002.0221	Undated	Report entitled NSW Draft Audit Report on the Millennium Train Acquisition	TURNBULL Bryan		Waived
RIC.006.002.0229	14-Apr-2003	B Email, with attachments	BRODERICK Julie	SPITERI David	Waived
RIC.006.002.0235	08-Apr-2000	Report entitled NSW Draft Audit Report on the Millennium Train Acquisition	TURNBULL Bryan		Waived

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.006.004.0217	17-Dec- 2001	Email, with attachments	TERREY Craig	alain.croset@crn.alstom.com & ors	Waived
RIC.006.004.0250	11-Dec- 2001	Email, with attachments	TERREY Craig	alain.croset@crn.alstom.com & ors	Waived
RIC.006.006.0005	26-Mar-2003	Board Paper of Rail Infrastructure Corporation Board Meeting			Waived
RIC.006.006.0008	06-Feb-2001	Board Paper of Rail Infrastructure Corporation Board Meeting			Waived
RIC.006.006.0010	30-Jan-2002	Board Paper of Rail Infrastructure Corporation Board Meeting			Waived
RIC.006.006.0018	25-Sep-2002	Board Paper of Rail Infrastructure Corporation Board Meeting			Waived .
RIC.006.006.0031	25-Sep-2002	Board Paper of Rail Infrastructure Corporation Board Meeting			Waived
RIC.007.004.0295	16-May-2002	Report entitled Halcrow/Mass Transit Railway Corporation Ltd — Signalling Track Circuit Compatibility Review	Halcrow and MTRC		Waived
RIC.007.005.0173	Undated	Report entitled Millennium Train Signal Interference Testing			Waived

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.001.027.0043	17-May-2002	Email with attachment	NOLAN David	SIMPSON W	Public Interest Immunity
RIC.001.027.0051	14-May-2002	Email with attachment	<u>Alstom</u>	FULLER John and others	Public Interest Immunity
RIC.001.027.0101	24-May-2002	Email with attachment	SIMPSON Warwick of EDI	LOVATT Barry and NOLAN David	Public Interest Immunity
RIC.001.027.0136	24-May-2002	Email with attachment	SIMPSON Warwick of EDI	LOVATT Barry and NOLAN David	Public Interest Immunity
RIC.001.027.0149	07-May-2002	Report entitled Millennium Train – Signal Interference	Alstom		Public Interest Immunity
RIC.001.027.0187	21-May-2002	Report entitled Interference Tests Final Report	Alstom		Public Interest Immunity
RIC.001.027.0259	16-May-2002	Report entitled Analyze of RIC Recording During 10/05/02 night	Alstom		Public Interest Immunity
RIC.001.027.0435	26-Feb-2002	Report entitled Australia 4GT Double Deck EMUs Traction Sub- System – Failure Modes, Effects and Criticality Analysis	Alstom	·	Public Interest Immunity
RIC.001.028.0161	12-Aug-2002	Letter	LOVAT Barry of Millennium Train Project	JOHNSON Brad of EDI Rail Rollingstock and Maintenance	Public Interest Immunity
RIC.001.028.0201	19-Apr-2002	Document entitled Millennium Train – Signal Interference	Alstom Transport		Public Interest Immunity
RIC.001.028.0210	22-Apr-2002	Document entitled Analyse of RIC recordings	Alstom		Public Interest Immunity
RIC.001.028.0213	22-Apr-2002	Document entitled Analyse of RIC recordings	Alstom		Public Interest Immunity
RIC.001.028.0225	7-May-2002	Document entitled Millennium Train – Signal Interference	Alstom		Public Interest Immunity
RIC.001.028.0555	22-Apr-2002	Document entitled Analyse of RIC recordings	Alstom		Public Interest Immunity
RIC.001.029.0032	10-Aug-1994	Report entitled Engineering Gest Report – JTC Mainline Receiver Noise Immunity Test	Westinghouse Signals		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.001.029.0073	Oct-2002	Powerpoint Presentation entitled 3-3/Function "Wheelside Control" in the Traction Equipment of the Millennium Train	Alstom	-	Public Interest Immunity
RIC.001.030.0008	13-May-2002	Document entitled Analyse of RIC recordings	Alstom		Public Interest Immunity
RIC.001.030,0013	13-May-2002	Document entitled Analyse of RIC recordings	Alstom		Public Interest Immunity
RIC.001.030.0019	14-May-2002	Email	SIMPSON Warwick	SZACSVAY Paul	Public Interest Immunity
RIC.001.030.0031	24-May-2002	Email	SIMPSON Warwick of EDI	LOVATT Barry	Public Interest Immunity
RIC.001.030.0047	24-Apr-2003	Document entitled Millennium Train – EMI with Signaling – Analysis of Tests Performed	Alstom Transport		Public Interest Immunity
RIC.001.030.0056	16-Apr-2003	Report entitled Millennium Train — EMI with Signaling — Daily Report	Alstom Transport		Public Interest Immunity
RIC.001.030.0063	Undated	Schedule entitled Failure Modes Effects and Criticality Analysis			Public Interest Immunity
RIC.001.030.0080	26-Feb-2002	Document entitled Traction Subsystem FMECA Criticality Table			Public Interest Immunity
RIC.001.030,0089	26-Feb-2002	Document entitled Traction Subsystem FMECA Criticality Table			Public Interest Immunity
RIC.001.030.0098	26-Feb-2002	Schedule entitled Failure Modes Effects and Criticality Analysis			Public Interest Immunity
RIC.001.030.0146	26-Feb-2002	Report entitled Australia 4GT Double Deck EMUs Traction Sub- System — Failure Modes, Effects and Criticality Analysis	Alstom		Public Interest Immunity
RIC.001.030.0170	3-May-2002	Document entitled Signal Interference – Proposed List of Tests	Alstom		Public Interest Immunity
RIC.001.030.0227	16-May-2002	Report entitled Analyze of RIC Recording During 10/05/02 night	Alstom		Public Interest Immunity
RIC.001.030.0261	22-May-2002	Email with attachment	Alstorn	JOHNSON B of EDI Rail and others	Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.001.030.0312	8-May-2002	Email with attachment	Alstom	NABKEY R of State Rail and others	Public Interest Immunity
	Undated	Report entitled FAEC Report	Alstom	This is a state of the state of	Public Interest Immunity
	18-Feb-2003	Report entitled Australia 4GT	Alstom		Public Interest Immunity
110.001.000.0000	10 1 00 2000	Double Deck EMUs Traction Sub- System – 8-car Train Signal Interference Tests Analysis			,
RIC.001.031.035	10-Aug-1994	Report entitled Engineering Test Report – JTC Mainline Receiver Noise Immunity Test	Westinghouse Signals Limited		Public Interest Immunity
RIC.001.031.0054	Undated	Report entitled Engineering Report  - CER00640 Rev - 4GT Signal Interference with Revised Inverter Strategy	SIMPSON Warwick of EDI Rail		Public Interest Immunity
RIC.001.031.0098	6-Feb-2003	Report entitled Australia 4GT Double Deck EMUs Traction Sub- System – Hardware and Software Evolutions	Alstom		Public Interest Immunity
RIC.001.031.0106	24-Jan-2003	Report entitled Australia 4GT Double Deck EMUs Propulsion Delivery Notes	Alstom		Public Interest Immunity
RIC.001.031.0315	18-Feb-2003	Report entitled Australia 4GT Double Deck EMUs Traction Sub- System – 8-car Train Signal Interference Tests Analysis	Alstom		Public Interest Immunity
RIC.001.032.0037	7-Apr-2002	Email	NOLAN Dave	ELLIOTT Charlie	Public Interest Immunity
RIC.001.032.0189	24-May-2002	Email	SIMPSON Warwick of EDI	LOVATT Barry	Public Interest Immunity
RIC.001.032.0223	16-May-2002	Document entitled Calculation of the Input Filter Impedance	Alstom		Public Interest Immunity
RIC.002.001.0001	09-May-2002	Facsimile, with attachments	KIPPIST David	NOLAN David, RIC Signals Standards	Public Interest Immunity
RIC.002.001.0060	25-Feb-2000	Report entitled Australia 4GT Double Deck EMUs Trainset EMC Control Plan	MAUMY Francois of Alstom		Public Interest Immunity
RIC.002.004.0002	24-Oct-2001	Facsimile, with attachments	McSPEDDAN John of EDI Rail	NABKEY Rick	Public Interest Immunity
RIC.002.004.0026	07-May-2002	Document entitled Millennium Train-	Alstom		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
		Signal Interference, Main Conclusions from the Analysis of Data Recorded During the Different Tests- Edition 2			
RIC.002.004.0067	10-May-2002	Diagram entitled Measurements to Be Done- Alstom	Alstom		Public Interest Immunity
RIC.002.004.0069	17-Apr-2002	Document entitled Alstom- Signal Interference- Proposed List of Tests	Alstom		Public Interest Immunity
RIC.002.004.0071	24-Apr-2002	Facsimile, with attachments	LAUIHE-REALIX Didier of Alstom	NOLAN David, SZACSVAY Paul	Public Interest Immunity
RIC.002.004.0086	13-May-2002	Document entitled Alstom- Analyze of RIC Recording During 10/05/02 Night	Alstom		Public Interest Immunity
RIC.002.005.0025	23-Apr-2002	Report entitled Signal Interference - Proposed List of Tests	Alstom		Public Interest Immunity
RIC.002.005.0038	09-May-2001	Facsimile, with attachments	KIPPIST David	NOLAN David	Public Interest Immunity
RIC.002.005.0074	06-May-2002	Signal Interference Testing Report for Millennium Train - Signal Interference Main Conclusions from the Analysis of Data Recorded During the Different Tests	Alstom		Public Interest Immunity
RIC.002.005.0136	22-Feb-2001	Letter, with attachments	NELSON G OF EDI Rail	LOVAT Barry of State Rail	Public Interest Immunity
RIC.002.005.0140	12-Mar-2002	E-mail	MONTAURIOL Jean-Claude of Alstom	HICKEY John of EDI Rail and BALLARIN Patrice of Alstom	Public Interest Immunity
RIC.002.005.0166	Undated	Document entitled PWM Strategy Versus Speed Calculators			Public Interest Immunity
RIC.002.005.0172	03-Sep-2001	Facsimile, with attachments	NABKEY Rick	NOLAN David	Public Interest Immunity
RIC.002.005.0180	22-Feb-2001	Letter, with attachments	NELSON G OF EDI Rail	LOVAT Barry of State Rail	Public Interest Immunity
RIC.002.006.0013	07-May-2002	Report entitled Millennium Train-signal Interference, Main Conclusions from the Analysis of Data Recorded During the Different Tests-edition 2	Alstom		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.002.007.0001	11-Mar-2002	Letter, with attachments	LOVAT Barry of State Rail	NOLAN David	Public Interest Immunity
RIC.002.007.0002	22-Aug-2002	Report entitled SAB Wabco Driver's Safety System for 4GT EMUs Technical Description	COLE A of SAB Wabco		Public Interest Immunity
RIC.002.010.0001	05-May-2003	Report entitled Australia 4GT Double Decker EMUs , Traction Sub-system, 8-car Train Signal Interference Tests Analysis	MAUMY François of Alstom		Public Interest Immunity
RIC.002.010.0061	12-Jul-2002	Report entitled Test Instructions & Result for 4GT Project, Signalling Interference Tests	Alstom .		Public Interest Immunity
RIC.002.010.0084	Undated	Powerpoint Presentation entitled Software Presentation Millennium Train	Alstom		Public Interest Immunity
RIC.002.010.0116	16-May-2002	Report entitled Calculation of the Input Filter Impedance	Alstom		Public Interest Immunity
RIC.002.010.0182	21-May-2002	Report entitled Australia 4GT, Double Decker EMUs, Interference Tests Final Report	Alstom		Public Interest Immunity
RIC.002.010.0229	14-Jan-2002	Report entitled Test Instruction for 4GT Project, Signalling Interference Tests	LAUIHE-REALIX Didier of Alstom		Public Interest Immunity
RIC.002.010.0237	14-Jan-2002	Signal Interference Testing Report for Test Instruction for 4GT Project, Signalling Interference Tests	Alstom		Public Interest Immunity
RIC.002.010.0245	13-Dec-2002	Facsimile, with attachments	NABKEY Rick	NOLAN David	Public Interest Immunity
RIC.002.010.0253	20-Apr-2001	Document entitled Traction Inverter Open Loop Test	Alstom		Public Interest Immunity
RIC.002.010.0258	19-Jan-2001	Report entitled Signalling Interference Tests	Alstom		Public Interest Immunity
RIC.002.011.0003	29-Aug-2002		SZACSVAY Paul of RIC	LOVAT Barry of State Rail	Public Interest Immunity
RIC.002.011.0074		Facsimile, with attachments	NABKEY Rick	NOLAN David	Public Interest Immunity
RIC.003.001.0047	06-May-2002	Document entitled Millennium Train -	Alstom		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
		Signal Interference - Main Conclusions from the Analysis of Data Recorded During the Different Tests			
RIC.003.001.0082	18-Apr-2002	Extract entitled Alstrom Analyse of RIC Recording	Alstom		Public Interest Immunity
RIC.003.001.0087	17-Apr-2002	Facsimile, with attachments	LAUILHE D of Alstom	NOLAN David, SZACSVAY	Public Interest Immunity
RIC.003.003.0001	Undated	Document entitled Alstom B Coil Output Characteristics	Alstom		Public Interest Immunity
RIC.003.003.0002	Undated	Bundle of Graphs for (Alstom B Details) AC (50hz) Rail Current Against Coil EMF	Alstom		Public Interest Immunity
RIC.003.003.0012	Undated	Schedule of Electrical Power Details	Alstom		Public Interest Immunity
RIC.003.006.0015	Undated	Bundle of Graphs entitled Transport Millennium Train - EMI With Signalling	Alstom		Public Interest Immunity
RIC.003.006.0019	06-Feb-2003	Report entitled ALSTOM Australia 4GT Double Deck EMUs Traction Sub-system Hardware and Software Evolutions	BALLARIN Patrice of Alstom		Public Interest Immunity
RIC.003.006.0073	18-Feb-2003	Report entitled Traction Sub-System 8 Car Train Signal Interference Tests Analysis	Alstom		Public Interest Immunity
RIC.003.006.0136	03-Aug-2000	Document entitled Traction Control Unit Software Delivery	Alstom		Public Interest Immunity
RIC.003.006.0172	07-Feb-2003	Report entitled Australia 4GT Double Deck EMUs Traction Sub-system 8-car Train Signal Interference Tests Analysis	LAUIHE-REALIX Didier		Public Interest Immunity
RIC.003.006.0186	17-Mar-2003	Report entitled Australia 4GT Double Deck EMUs Traction Sub-system 8-car Train Signal Interference Tests Analysis	LAUIHE-REALIX Didier of Alstom		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.003.007.0109	14-Nov-2001	Project Planner entitled EDI Rail Possession Schedule	EDI Rail		Public Interest Immunity
RIC.004.004.0011	Undated	Document entitled Settlement on the 4GT Contract Claims			Without Prejudice
RIC.004.004.0013	Undated	Schedule entitled Millennium Train Project – Stage 1, Resolution Proposal – 16 July 2001			Without Prejudice
RIC.004.004.0024	Undated	Letter, with attachment	SNEDDON Noel KIPPIST David	LOVAT Barry of State Rail	Public Interest Immunity
RIC.004.004.0285	01-Jan-2002 (est)	Document entitled Millennium Train Contract – Background to the Downer EDI Claim	Rail Infrastructure Corporation		Without Prejudice
RIC.004.004.0297	21-Nov- 2001	Letter	SNEDDON Noel of RIC Engineering	LOVAT Barry of State Rail Authority	Without Prejudice
RIC.004.005.0006	Undated	Powerpoint Presentation entitled Software Presentation- Millennium Train	Alstom		Public Interest Immunity
RIC.004.005.0013	05-Nov-2002	Facsimile, with attachments	NABKEY Rick	HUNTER Greg	Public Interest Immunity
RIC.004.005.0020	06-Sep-2002	Letter	EDI Rail	LOVAT Barry of State Rail	Public Interest Immunity
RIC.004.005.0043	Undated	Document entitled Approval of Millennium Train Electrical Aspects			Public Interest Immunity
RIC.004.005.0070	28-Sep-2000	Report entitled Australia 4GT, Double Decker EMUs, Traction Sub - System, PERFORMANCES	Alstom		Public Interest Immunity
RIC.004.006.0008	11-Jul-2001	Site Specific Management Plan re Testing of Millennium Train Sets at East Sulphide Junction	MCSPEDDEN John of EDI Rail		Public Interest Immunity
RIC.004.006.0219	13-Aug-2001	Test Specification re Static Train Test for 4GT – Pneumatic Tests	SAB Wabco		Public Interest Immunity
RIC.004.006.0243	13-Aug-2001	Test Specification re Static Train Test for 4GT – EP Brake and WSP Tests	SAB Wabco		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.004.006.0283	07-Dec-2001	Test Instruction for 4GT Project entitled Telecommunication Interference Tests	Alstom		Public Interest Immunity
RIC.004.006.0294	07-Dec-2001	Test Instruction for 4GT Project entitled Radiated Emission Tests	Alstom .		Public Interest Immunity
RIC.004.006.0306	11-Jan-2001	Test Instruction for 4GT Project entitled Magnetic Field Measurement	Alstom		Public Interest Immunity
RIC.004.006.0312	14-Jan-2001	Test Instruction for 4GT Project entitled Signalling Interference Tests	Alstom .	•	Public Interest Immunity
RIC.004.007.0117	Undated	Project Plan for the Millennium Train Verification and Testing Project — Cashflow Estimate			Public Interest Immunity
RIC.005.001.0006	19-Jan-2001	Document entitled Test Instructions for 4gt Project - Signalling Interference Tests	Alstom		Public Interest Immunity
RIC.005.001.0014	15-Jan-2001	Document entitled Test Instruction for 4GT Project - Telecommunication Interference	Alstom		Public Interest Immunity
RIC.005.001.0025	13-Dec-2000	Document entitled Test Instruction for 4GT Project - Radiated Emission Tests	Alstom		Public Interest Immunity
RIC.005.001.0036	11-Jan-2001	Document entitled Test Instruction for 4GT Project - Magnetic Field Measurement	Alstom	•	Public Interest Immunity
RIC.005.001.0042	13-Dec-2000	Document entitled Static Gauge Test Millennium Train and Test Report	EDI Rail		Public Interest Immunity
RIC.005.001.0062	13-Dec-2000	Document entitled Anti- Roll Bar Cycling Test	EDI Rail		Public Interest Immunity
RIC.005.001.0067	14-Dec-2000	Document entitled Bogie Dynamic Validation Millennium Train	ED! Rail		Public Interest Immunity
RIC.005.001.0075	08-Dec-2000	Document entitled Kinematic Gauge Test Millennium Train	EDI Rail		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.005.001.0136	16-Nov-2000	Letter, with attachments	LOVAT Barry of State Rail	TURNBULL Bryan	Public Interest Immunity
RIC.005.001.0233	05-Mar-1999	Facsimile, with attachments	STAPLETON John	PÄFF John	Public Interest Immunity
RIC.005.001.0240	05-Mar-1999	Facsimile, with attachments	STAPLETON John	PAFF John	Public Interest Immunity
RIC.005.003.0001	08-Nov-2001	Facsimile, with attachments	EDI Rail Rollingstock and Maintenance	TURNBULL Bryan, MABKY	Public Interest Immunity
RIC.005.003.0084	31-Oct-2001	E-mail, with attachments		MOORE Rick, EDI Rail	Public Interest Immunity
RIC.005.003.0091	Undated	Diagram entitled Diagrams			Public Interest Immunity
RIC.005.003.0117	01-Nov-2000	Document entitled CTI00395- Static Wheel Unloading -4GT			Public Interest Immunity
RIC.005.003.0139	04-Oct-2001	Letter, with attachments	LOVAT Barry of State Rail	TURNBULL Bryan	Public Interest Immunity
RIC.005.003.0148	18-Sep-2001	Facsimile, with attachments	KIPPIST David	TURNBULL Bryan	Public Interest Immunity
RIC.005.003.0192	17-Nov-2000	Report entitled EDI Rail Engineering Report ER-431, 4GT Critical Design Review, Bogie Sub-system	EDI Rail Rollingstock and Maintenance		Public Interest Immunity
RIC.005.003.0238	Undated	Diagram entitled Misc. Diagrams			Public Interest Immunity
RIC.005.004.0001	23-Oct-2000	Test Instruction for Squeal Reduction - Millennium Train Wheels	EDI Rail		Public Interest Immunity
RIC.005.004.0010	12-Nov-1998	Report entitled System Definition Review, Axlebox Bearings, Clyde Engineering Report, ER 277	EDI Rail		Public Interest Immunity
RIC.005.004.0013	12-Jan-2001	Report entitled Engineering Report ER00423 Rev - Axle Design Calculations Millennium Train	EDI Rail		Public Interest Immunity
RIC.005.004.0023	24-Oct-2000	Report entitled Engineering Report ER 426 Rev - Critical Design Review - P2 Track Force Calculations Millennium Train	EDI Rail		Public Interest Immunity
RIC.005.004.0037	05-Jan-2001	Report entitled Engineering Report, Er00437 Rev A, 3d - Durability Test Primary Spring, Millennium	EDI Rail		Public Interest Immunity
RIC.005.004.0050	17-Nov-2000	Report entitled Engineering Report, ER 444 Rev, Bearing Life	EDI Rail		Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
RIC.005.004.0062	12-Jan-2001	Report entitled Engineering Report, ER 453 Rev, Analysis of Wheel, Millennium Train	EDI Rail		Public Interest Immunity
RIC.005.004.0112	04-Jan-2001	Report entitled Engineering Report, ER00471 Rev, Squeal Reduction in Millennium Train Wheels	EDI Rail		Public Interest Immunity
RIC.005.004.0132	15-Jan-2001	Schedule entitled Verification Requirements Matrix (SA-12), Primary Suspension Constraint Allocation	EDI Rail		Public Interest Immunity
RIC.005.004.0136	09-Jan-2001	Schedule entitled Verification Requirements Matrix (SA-12), Wheels and Axles Constraint Allocation	EDI Rail		Public Interest Immunity
RIC.005.004.0145	09-Jan-2001	Schedule entitled Verification Requirements Matrix (sa-12), Bearings Constraint Allocation	EDI Rail		Public Interest Immunity
RIC.005.004.0170	10-Apr-2001	Test Instruction for CTI00408, Anti-roll Bar Advanced Life Test	·		Public Interest Immunity
RIC.005.004.0185	06-Apr-2001	Letter, with attachments	EDI Rail Rollingstock and Maintenance	LOVAT Barry of State Rail	Public Interest Immunity
RIC.005.004.0187	10-Apr-2001	Test Instruction for Anti- Roll Bar Advanced Life Test			Public Interest Immunity
RIC.005.004.0201	Undated	Diagram entitled Anti- Roll Bar Test Jig			Public Interest Immunity
RIC.005.005.0002	26-Aug-2002	Facsimile, with attachments	DONOVAN Adrian	TURNBULL Bryan	Public Interest Immunity
RIC.005.005.0008	23-Aug-2002	Facsimile, with attachments	DONOVAN Adrian	TURNBULL Bryan	Public Interest Immunity
RIC.005.005.0012	01-Oct-2002	Letter, with attachments	LOVAT Barry of State Rail	TURNBULL Bryan, RIC	Public Interest Immunity
RIC.005.005.0015	26-Aug-2002	Facsimile, with attachments	DONOVAN Adrian	TURNBULL Bryan	Public Interest Immunity
RIC.005.005.0097	19-Feb-2002	Test Instruction for Clyde Test Instruction - CTI00400			Public Interest Immunity
RIC.005.005.0119	Undated	Project Planner entitled Test & Commissioning Millennium Train -			Public Interest Immunity

Doc ID	Date	Title	Author	Addressee	Privilege / Confidentiality Claim
		SP01 Static/Dynamic Test & Commissioning			
RIC.005.005.0126	28-Jan-2001	Schedule entitled EDI Rail Millennium Train Testing Requirements - Possessions Alterations Request			Public Interest Immunity
RIC.005.005.0141	23-Nov-2001	Test Instruction for Clyde Test Instruction - CTI00465			Public Interest Immunity
RIC.005.006.0001	12-Aug-2002	E-mail, with attachments	HOBBS Peter	LEUNG Wilfred	Public Interest Immunity
RIC.005.006.0021	05-Dec-2000	E-mail, with attachments	KERR Malcolm	PAFF John	Public Interest Immunity
RIC.005.006.0025	19-Oct-2000	Report entitled EDI Rail Engineering Report - Critical Design Review - P2 Track Force Calculations	MILLER L		Public Interest Immunity
RIC.005.006.0043	24-Aug-2000	Facsimile, with attachments	KERR Malcolm	LOVAT Barry of State Rail	Public Interest Immunity
RIC.005.006.0049	23-Aug-2000	Letter, with attachments	LOVAT Barry of State Rail	KERR Malcolm	Public Interest Immunity
RIC.005.007.0001	Undated	Report entitled Traction Power Review, Fleet Deployment and Operations 2006 to 2011	StateRail		Public Interest Immunity
RIC.005.007.0062	07-Apr-2003	E-mail	HOBBS Peter	TURNBULL Bryan	Public Interest Immunity
RIC.005.008.0001	26-Mar-2002	Facsimile, with attachments	DONOVAN Adrian of StateRail	TURNBULL Bryan	Public Interest Immunity
RIC.005.008.0022	05-Dec-2000	E-mail, with attachments	CHUNG Beri	KERR Malcolm	Public Interest Immunity
RIC.006.001.0154	18-Feb-2003	Report entitled ALSTOM SRA 4 GT Double Deck EMU S			Public Interest Immunity
RIC.006.001.0163	07-Feb-2003	Report entitled Alstom Australia 4GT Double Deck EMU S Traction Sub-system 8-car Train Signal Interference Tests Analysis	LAUIHE-REALIX Didier		Public Interest Immunity
RIC.006.004.0013	07-Apr-2003	Email	HOBBS Peter	TURNBULL Bryan	Public Interest Immunity
RIC.006.004.0299	24-Oct-2001	Email, with attachments	NABKEY Rick	KIPPIST David	Public Interest Immunity
RIC.006.006.0001	27-Mar-2002	Board Paper of Rail Infrastructure Corporation Board Meeting			Public Interest Immunity

Doc ID	Date	Títle	Author	Addressee	Privilege / Confidentiality Claim
RIC.006.006.0003	29-May-2000	Board Paper of Rail Infrastructure Corporation Board Meeting			Public Interest Immunity
RIC.006.006.0037	02-Jul-2002	Letter, with attachments		•	Public Interest Immunity
RIC.007.001.0035	25-Feb-2002	Email, with attachments	McGREGOR Peter of Rail Access	ATTARD Joe EDWARDS, Eric	Public Interest Immunity
RIC.007.001.0107	14-Nov-2001	Email, with attachments	NABKEY Rick of State Rail	NOLAN D of Rail Services	Public Interest Immunity
RIC.007.002.0001	28-Feb-2002	Email	NOLAN Dave	CASSAR Paul	Public Interest Immunity
RIC.007.002.0062	08-Feb-2002	Letter	GERSBACH Robert of MRD Rail Technologies	NOLAN Dave of Rail Infrastructure Corporation	Public Interest Immunity
RIC.007,003.0177	11-Mar-2002	Report entitled Test Instruction for 4GT Project	Alstom		Public Interest Immunity
RIC.007.003.0208	5-Apr-2002	Email with attachment	RETNAVEL Kavitha	NABKEY Rick	Public Interest Immunity
RIC.007.004.0038	Undated	Document entitled Millennium Train Hazard Assessment for Final Approval			Public Interest Immunity
RIC.007.004.0076	17-Mar-2003	Report entitled Australia 4GT Double Deck EMUs Traction Sub-System – 8-car Train Signal Interference Tests Analysis	Alstom		Public Interest Immunity
RIC.007.004.0103	17-Mar-2003	Report entitled Australia 4GT Double Deck EMUs Traction Sub-System – 8-car Train Signal Interference Tests Analysis	Aistom		Public Interest Immunity
RIC.007.005.0034	02-Dec-2002	Document entitled Australia 4GT Double Deck EMUs Toscu Software — Delivery Notes	Alstom		Public Interest Immunity
RIC.007.005.0159	Undated	Email with attachment	NABKEY Rick	PSZACSVAY	Public Interest Immunity
RIC.007.008.0001		Bundle of emails, memoranda and authorities from City and Illawarra Region			Public Interest Immunity
RIC.007.008.0015	13-Feb-2003	Email	ADDINALL Andrew	ATTWOOD Peter	Public Interest Immunity
RIC.007.008.0124	18-Feb-2003	Report Titled Test Analysis	Alstom	ATTWOOD Peter	Public Interest Immunity

# DOCUMENTS IN RESPECT OF WHICH PRIVILEGE IS UPHELD BY RIC

Doc IDDateTitleRIC.007.009.0001Bundle of en

Bundle of emails between EDI, RIC and SRA regarding waivers and Rova Mech Authorities

Privilege / Confidentiality Claim

Addressee

Author

Public Interest Immunity

### Schedule "C"

Our client ref:

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8 July 2003

Mr P McCann Corrs Chambers Westgarth Governor Phillip Tower 1 Farrer Place SYDNEY NSW 2000

Dear Sir

### PARLIAMENTARY NOTICES OF MOTION DATED 7 MAY AND 25 JUNE 2003

We refer to your email of 7 July and previous correspondence with your client.

We note that the Resolution of the Legislative Council of 25 June requires that a List of Documents be provided to the Clerk of the House detailing those which should not, in the public interest, be released for publication, together with reasons in support of the claim of privilege.

Our client's position is that it is important that the claim for privilege on the basis of public interest be made and observed in relation to all relevant documents concerning EDI Rail. In considering those documents which EDI Rail believes should be the subject of a claim for privilege, we have taken into account the following issues:

- whether disclosure of the document to a competitor of EDI Rail would be likely to seriously disadvantage EDI Rail;
- whether disclosure of a document or information to a competitor of any supplier to EDI
  Rail under the 4GT Contract would result in a serious commercial disadvantage to that
  supplier or to EDI Rail;

- whether the disclosure of a document or information to the market would be capable of resulting in a misinformed market in the shares for Downer EDI Limited, a listed public company, which is EDI Rail's parent;
- whether the disclosure of the document or information would be likely to cause serious damage or disruption to the relationship between EDI Rail and any of its suppliers or subcontractors;
- whether the disclosure of the document or information would be likely to seriously disadvantage EDI Rail's financiers in the 4GT Project, Westpac or impact upon the relationship both Downer EDI Limited and EDI Rail have to the financial markets.

Having regard to these considerations, we have identified a number of general categories of documents and information which, in our view, would properly be covered by a claim for public interest privilege. A number of these categories are not relevant to the documents which Rail Infrastructure Corporation (RIC) holds.

The category which is relevant to those documents concerns intellectual property and trade secrets.

The Millennium Trains incorporate a number of unique innovative technical and design features, which have been designed and developed by EDI Rail and its suppliers. They also incorporate numerous technical features which have been designed and supplied by EDI Rail or its suppliers by using their own proprietary technical information and applying it to the Millennium Train design. In addition, EDI Rail is the owner of the intellectual property in the overall design and layout of the train.

This intellectual property and trade secrets are to be found in the documents which were marked on the list which we returned to RIC by fax on 3 July 2003. Whilst it is not necessarily readily apparent from the title of the documents marked, each of those documents contained significant confidential intellectual property or trade secrets, the release of which to the public and therefore, potentially to competitors of EDI Rail, would have the potential to cause our client serious commercial detriment. A number of the documents consist of Critical Design Reviews or CDR's. These contain detailed confidential design information. A number of others are detailed test procedures. These also disclose confidential details of design and methodologies. The remainder contain details of critical confidential design features of the Millennium Train.

You have asked us to refer to you authorities to support claims for privilege. As you will appreciate, there is very little that, from a legal point of view, is legally privileged from public disclosure when the Legislative Council exercises its power to require government to table

papers. Notwithstanding this, the Legislative Council, in its most recent resolution of 25 June, indicated that privilege claims on the basis of public interest should be identified. It is on this basis, rather than on the basis of legal authority, that we have made the claim for privilege in respect of the identified documents.

We note that during debate in the Legislative Council a comment was made that "departments ought to take a sensible approach to the very bulky detailed specifications and planning results, tables et cetera, that they have disclosed. Such documents are not really germane to the matters about which the public has expressed an interest."

In fact many of the marked documents would fall into this category.

While acknowledging that decisions on the form and manner of making claims for privilege clearly rests with RIC, we would like to suggest that if a way of structuring the amended submission could be found which clearly identified documents of the type referred to in the above comment, some of the concerns evident in the debate in the Legislative Council may be able to be alleviated.

We would be happy to discuss this matter further.

Yours faithfully GILBERT + TOBIN

A J Tobin