

Our ref: A5460049

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Mr Ian Blayney MLA  
Chairman  
Economics and Industry Standing Committee  
Legislative Assembly Committee Office  
Parliament House  
PERTH WA 6000

By email: [laeisc@parliament.wa.gov.au](mailto:laeisc@parliament.wa.gov.au)

Dear Mr Blayney

## INQUIRY INTO THE MANAGEMENT OF WESTERN AUSTRALIA'S FREIGHT RAIL NETWORK: CURRENT CLARIFICATIONS AND REQUESTS

I refer to your and Dr Abernethie's correspondence dated between 17 September 2014 and 2 October 2014 requesting a number of clarifications and documents.

Firstly I provide you an update on all of the requests that are currently before me:

<i><b>Your reference</b></i>	<i><b>Date Sent</b></i>	<i><b>Short Title</b></i>	<i><b>Status</b></i>
A466156	17/09/2014	Provide evidence of discussions in 2007 - 2009 to support OAG's statement in relation to surrender of the lines	Provided in this response. Application for closed evidence.
NIL – Email	29/09/2014	Request for meeting notes of Corridor Clearing Meetings on 13/02/2007 and 26/06/2007	Provided in this response. Application for closed evidence.
NIL – Email	01/10/2014	Request for safety review report of T3 rail lines	Not provided, advice on Ministerial direction, provided in this response.
A467665	02/10/2014	Clarification of Transcript: Mr Waldock	Provided in this response.

In response to your request referenced as A466156 the only documents that we have been able to find that may assist the Committee are provided at **Attachment 1**. I make application for these documents to be closed evidence due to these discussions to be commercial-in-confidence in nature and reference to deliberations of Cabinet.

In regard to Dr Abernethie's request of 29 September 2014, please find attached minutes and agendas where they are available of the meetings referenced in your request (**Attachment 2**). It should be noted by the Committee that the formal surrender of lines was never requested, and that the items within the agenda and minutes relate to general advice on the leases clauses and a request for an officer to discuss the specifics of lease clauses. As indicated in Ms McCarrey's oral evidence there was never any submission under section 16 of the lease received by the Government to terminate the lease in relation to any lines. I make application for these documents to be closed evidence due to these discussions to be commercial-in-confidence in nature.

In regard to Dr Abernethie's request of 1 October 2014 for a copy of the safety review report of Tier 3 rail lines, this report is currently before the Minister as it is his intention to refer the report to Cabinet. As Cabinet documents have a significant impact on high level policy decisions it is my determination that the Committee needs to make the request to the Minister directly in Parliament. Should the document be formally requested by the Committee I will seek a formal direction from the Minister in relation to my determination.

Finally, I can advise in relation Dr Abernethie's request of 2 October 2014 to clarify my evidence to the Committee on 17 September 2014, the "Yes, Who wants to go first? Sue." referred to in the transcript was not answering any specific questions, however in saying "Yes" in that I was confirming that Westnet Rail decided to withdraw certain lines, and then handing over for more detail to Ms McCarrey.

I anticipate that this information assists the Committee in finalising its inquiry.

Yours sincerely



**Reece Waldock**  
Director General

9 / 10 / 2014

Att

CC: Hon Dean Nalder MLA; Minister for Transport