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CSL15



Lane Cove Tunnel Project

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3 July 2006

The Director
Joint Select Committee On the Cross City Tunnel
Parliament House
Macquarie St
Sydney NSW 2000

Dear Sir,

Re: Inquiry into the Lane Cove Tunnel

In response to your letter dated 21 June 2006, I have been reviewing the uncorrected transcript and the questions on notice.

In answer to a question from Ms Lee Rhiannon on page 86, I said and it is recorded on pages 86 and 87 that;

“We check that when we are finished with them and say, “We’ve now finished that work. Please sign this if you are happy with the work.””

Whilst this was my understanding at the time, this is not correct. I knew that the Deed contained clauses in consideration of the completed work. It however, also contains a provision seeking the owner’s permission for TJH to enter the premises to carry out the work. Accordingly the residents are required to sign the Deed before the work is carried out.

I apologise to you if my statement has caused you any inconvenience or mislead you. I can assure you that this was not my intention.

Yours faithfully,
Thies John Holland

Brendan Donohue
Project Director

JSC CROSS CITY TUNNEL

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Questions on notice to Brendan Donohue, Thiess John Holland

1. How many people have signed the Deed of Agreement to have the noise mitigation installed?

A total of 124 properties were identified as being eligible for noise treatment. The owners of these properties were invited to have their properties inspected to determine the details of the noise treatment to be offered. The inspection identifies the area of glazing on the affected façade the condition of windows, doors and seals, the number of rooms to be treated and any special features. This enables the measures required to reduce noise to the target levels to be established.

One hundred and twelve (112) owners have taken up the offer for an inspection and two (2) have formally declined the offer. The remaining ten owners are still considering their position.

Following inspection, owners are sent a letter outlining the proposed “works” with a schematic floor-plan of their property showing each room to be treated and the details of the treatment being offered. It includes items such as the location of window and door seals to be upgraded, power points to be installed and the agreed location of the mechanical ventilation units. At this time the owners are also sent the deed of agreement which refers to the works outlined in the accompanying letter and schematic diagram. Owners in units or common property are requested to obtain any necessary body corporate or co-owner agreement required for the work to proceed and to forward their signed deed of agreement. Seventy one (71) owners have signed the original deed of agreement or an agreed modified version following further consultation.

One owner has formally declined treatment after the inspection. Treatment has been installed in 51 properties and a further 18 properties have been scheduled for treatment to be installed.

TJH has offered to fund the costs of a by-law for each strata plan to clarify long term responsibility for common property maintenance associated with the installation into the strata properties.

2. How many residences have had the noise mitigation installed?

See Question 1

3. How many in all have been offered noise mitigation?

See Question 1

4. Where are the residences that have been offered noise mitigation located?

Generally these residences are near the Gore Hill Freeway in Artarmon and Naremburn, and near the Falcon Street ramps in Cammeray and Neutral Bay.

5. Have any residents been asked to sign the Deed of Agreement on noise mitigation before the noise mitigation has been installed?

Yes. All residents are asked to sign the Deed of Agreement and return them to TJH before noise mitigation can be installed.

6. How many residents been asked to sign the Deed of Agreement on noise mitigation before the noise mitigation has been installed?

All owners are asked to sign the Deed of Agreement and return them to TJH before noise mitigation can be installed. A number of owners have suggested amendments to the deed and these have been agreed and incorporated.

7. Do you agree that under the conditions of approval for the Lane Cove Tunnel all residents, irrespective if they sign the Deed of Agreement or not, have a right to noise mitigation?

No. TJH is only obliged to offer treatment to properties identified in the approved Operational Noise Management Sub Plan.

In accordance with Minister's Conditions of Approval (MCoA) 225 & 241 and the approved Operational Noise Management Sub Plan (MCoA 59), TJH is required to offer noise mitigation to eligible properties consistent with those outlined in Appendix M of the Representations Report and in accordance with the Environmental Criteria for Road Traffic Noise and the RTA's Environmental Noise Management Manual (ENMM). The ENMM guideline includes a standard form of the Deed of Agreement that is used by RTA for architectural treatments throughout NSW. Owners are under no obligation to accept the treatment.

8. How has the community impacted by the Lane Cove Tunnel been informed that aids such as earmuffs with music, accommodation or holidays are available?

- For driven tunnelling, TJH has followed the Communication Strategy for Driven Tunnelling attached. It identifies areas where tunnelling activities will be intensive. This strategy formed part of TJH's application for an EPA license for 24 hour tunnelling. In addition to written notification, the strategy includes "advising residents that TJH has effective management measures in place to assist residents who may be disturbed by noise and vibration and encourage residents to contact TJH should they experience any disturbance. Residents are notified that should noise and vibration become particularly disturbing, there are a number of measures which can be used for example, noise attenuating headphones, relaxing music and relocation to provide respite".

- The offer of alternative accommodation is made on a case by case basis to residents who are genuinely impacted by noise and vibration. Prior to making the offer:
 - a. It will be confirmed that the TJH tunnelling activities are in the vicinity of the resident;
 - b. Confirmation will be made that the resident is within the 40dBA (evening) or 35dBA(night time) regenerated noise contour as described in the Noise Impact Statement, or the resident is genuinely suffering from disturbance from tunnelling activities;
 - c. The resident must be making a complaint on their own behalf (ie requests for alternative accommodation on behalf of others will not be considered);
 - d. With agreement with the resident, other measures more suitable to the resident's needs may be provided such as movie tickets or transport to a relative's house. TJH recognises that residents have varying sensitivities to noise levels and therefore, all disturbances are dealt with on a case-by-case basis to meet the specific needs of the individual(s).

- The Community Construction Liaison Groups (CCLGs) and Councils are consulted on these management measures as part of the development of the Construction Method Statements and Noise Impact Statements. TJH has stated the offers of alternate accommodation are not made on a wholesale basis as this is open to abuse.

- For other construction activities, the specific construction method statement and each EPA license variation application includes measures to mitigate noise impacts. For extended noisy night works, the measures are similar to those provided for tunnelling. Residents are notified and information sessions have been held. Two examples include an information session for residents near Falcon Street and residents living near the Pacific Highway.

- For special cases, relocation and noise treatment have also been offered to shift workers and temporary noise treatment installed for a resident with a medical condition affected by lack of sleep and headphones for students studying for exams.

- Other options provided to residents have included cost of occasional child care, movie tickets, dinner and cab fare.

9. Can you provide any pamphlets or letters that detail the assistance that can be provided to local residents during the construction phase?

Several examples of letters to residents are attached.

10. How many residents have been offered holidays?

One family.

11. How many residents have been offered alternate accommodation?

A total of 75 residents have been provided with 118 room nights of accommodation. Many more offers of accommodation were made and declined. This does not include residents relocated from the two Longueville Road apartment blocks affected by the tunnel subsidence incident.

12. Are you aware of a letter from Sue Netterfield, Thiess John Holland, Community Relations Manager of May 19, to Maria Maire of Somerville First National, Strata title managers of 2 Parkes Road Artarmon, states that a signed Deed of Agreement was from the owner of No 19 unit in 2 Parkes Road?

Yes.

13. Are you aware that the owner of No 19 unit did not sign such a Deed of Agreement?

TJH has received a signed Deed from the owner of Unit 19, copy attached.

14. Why was this incorrect statement made?

This statement is not incorrect.

15. Are you aware that the owners of units 10,11,12,13,14,15,16,17,18,19,20 and 21 at 2 Parkes Road, Artarmon, which all face or have rooms facing Gore Hill Freeway, were offered noise mitigation?

Yes.

16. Are you aware that unit number 1 in the same block, and which is parallel to unit number 16 and also faces Gore Hill Freeway, was not offered noise mitigation?

Unit number 1 is in the building that faces Parkes Road and does not face the Gore Hill Freeway. It is at a point that is furthest away from the Freeway with the building containing Unit 16 between it and the Freeway. It has been assessed as not subject to additional noise impact attributable to the Project, and is therefore not eligible for noise mitigation treatment.

17. Why was unit number 16 offered noise mitigation?

Unit 16 was offered noise mitigation treatment as it was found on inspection of the property that the living room sat just above the noise wall. With the predicted increase in traffic noise in 2016, and noise levels slightly above the EPA and RTA guidelines at their facade, this property was eligible for noise mitigation treatment. For the record, please note that the owner of Unit 16 has formally declined any noise mitigation treatment to his property.

18. How many residences have been offered Level 2 noise mitigation treatment and how many have been offered Level 4 treatment?

- Level 2 treatment – 68
- Level 4 treatment – 2

19. Was any noise mitigation offers made on the basis that the agreement that the arrangement had to be confidential?

Yes, all offers for noise mitigation treatment are made in strict confidence to the affected property owners in accordance with TJH's privacy policy.

20. If some offers were made on a confidential basis why did you decide to make such a request?

Noise mitigation offers being made are specific to the affected property owner and contain information that, in TJH's view, might impinge on the privacy or private matters of the owner. TJH has a privacy policy and does not make public the private details of residents or property owners.

21. What is the scientific measure of traffic noise that you used to determine which residences are offered noise mitigation and which are not?

The scientific measure of traffic noise adopted by the EPA and RTA is Leq, which is a steady noise level which contains the same amount of acoustic energy as all of the varying noise levels observed during a particular time period. Three Leq measurements are used in the traffic noise assessments:

- Leq(15hr) – Leq noise level for the 15hour period between 7am and 10pm
- Leq(9hr) – Leq noise level for the 9hour period between 10pm and 7am
- Leq(1hr) – the highest tenth percentile hourly Leq noise level for the given period day or night time.

22. What is the projected traffic volumes used to determine the traffic noise forecasts on which the noise mitigation decisions are based?

Projected traffic volumes for the year 2016 are used to determine the traffic noise levels in the operational noise modelling.

23. If the actual traffic volumes are higher than those used to determine noise mitigation measures what action will you take to ensure residents are not subject to unacceptable noise levels?

The Minister's Conditions of Approval (MCoA 60), requires that traffic noise levels be measured 12 months after the Project opening and a report be prepared to the satisfaction of the Director- General of Planning and in consultation with the EPA, to assess the adequacy of the traffic noise mitigation measures. If the assessment indicates a clear trend in traffic noise levels on surrounding roads which exceed the Operational Noise

Management sub plan defined noise design goals, then further feasible and reasonable noise mitigation treatment may be required and implemented in consultation with affected property owners. (Note: the noise design goals are prepared in accordance with the RTA's Environmental Noise Control Manual.)

24. Why are the existing noise walls on the north side of Gore Hill Freeway between Reserve Road bridge and Hampden Road Bridge, which were barely adequate when Gore Hill Freeway was built, not being upgraded if the traffic on the Gore Hill Freeway is increasing?

The existing noise walls between Reserve Road bridge and Hampden Road bridge are between 2 to 3.8metres in height. Under the EPA and RTA guidelines, it was assessed that it is not reasonable or feasible to remove this noise wall and construct a significantly higher new noise wall. The assessed wall height of 6metres has been shown as providing no significant benefit to affected residents. The noise wall height to achieve the target noise levels would be between 8 to 10metres. This was assessed as not being viable and not feasible to construct.

25. Do you acknowledge that the value of some properties will have dropped due to the Lane Cove Tunnel project?

This is not a matter for Thiess John Holland.

26. For those residences where the property value has dropped will compensation be provided and if so how much?

No compensation will be provided by TJH.

27. If no compensation will be provided why was such decision made?

Our contract is to build the project approved by the Minister for Planning in accordance with the Minister's Conditions of Approval and the RTA's Scope of Works and Technical Criteria.

28. Are you aware of any residents, who had lived in the apartment block that collapsed, who are dissatisfied with how they have been handled by your company?

Yes.

29. Considering the email I received from Mr Hunt on June 1 this year he states in connection with the collapse of an apartment block "Parties were encouraged to obtain legal advice and were informed that reasonable costs of legal advice would be met by TJH" could you explain what you mean by "reasonable costs of legal advice" and how much money have you paid out for legal costs of people impacted by the tunnel collapse?

TJH has paid the reasonable legal fees for the preparation of claims and representation of the interests of claimants. The fees for representation under the Early Compensation Process have averaged between \$2,000 and \$3,500. Reasonable fees are expected to fall within this range. In cases where TJH agrees to purchase a property, TJH also reimbursed the legal fees (conveyancing) for sale of the old property (\$1500) and purchase of the new property (\$1750). In some cases, parties have changed lawyers during the process. TJH has considered fees in such situations on a case by case basis and reimbursed fees incurred in good faith. To date, TJH has reimbursed over \$190,000 in legal costs.

30. What is your response to a comment in a letter from Mario Retemal dated 5 April 2006, addressed to Mrs Janet Holmes a Court, and forwarded by email to Mr Hunt, which asserts that pressure was put on Mario Retemal and his family to return to their flat at 2/15 Longueville Rd Lane Cove before a safety test had been carried out?

On Wednesday 18 January, 2006, Lane Cove Council signed off on reoccupation of the unit block at 15 Longueville Road, “after being given satisfactory assurance by its independent engineer that the building and its site is secure” (Lane Cove Council media release- Source LCC website). TJH wrote to residents on 19 January to advise they could reoccupy their units and they were asked to do so by the 28 January, 2006. Some residents sought leave to delay their return for personal reasons and TJH accommodated these requests.

31. Is it true that residents impacted by the tunnel collapse were told that they only had to the end of January to make a claim for compensation?

TJH established an “Early Compensation Scheme” as an alternative to residents having to deal with our insurers.

Affected parties who chose not to use the Early Compensation option retain their rights to claim compensation from TJH’s insurers. TJH provided several letters, including the attached, with questions and answers to assist in their understanding of the offer, including that the cost of legal advice could be included in the claim. TJH also wrote to parties on 2 February 2006, indicating that if claims were not received by 10 February, 2006, it would be assumed the parties had elected to make their claim to TJH’s Insurer. Contact details of the insurer were provided. Notwithstanding this advice, TJH has since accepted some additional claims and extended the date for the close of the Early Compensation Scheme to 31 May 2006. TJH encouraged parties to obtain legal advice at TJH’s cost and also provided access to an independent facilitator to assist in the resolution of claims, again at TJH’s cost.

32. Why was the species impact study of Pages Creek bushland not carried out until after construction on the Lane Cove Tunnel project commenced?

TJH was not involved in the EIS Stage, however, on our reading of the relevant documents, a Flora and Fauna assessment was undertaken during the EIS stage of the Project, which included an assessment of the strip of vegetation to be removed on the southern side of Epping Road, between the Lane Cove River to Pittwater Road (near Pages Creek). Several representations were raised at that stage concerning potential impacts of the Project on Pages Creek and the need for more extensive survey. This was considered in the Director-General's report and it was determined that potential impacts on this area could be managed through the preparation and implementation of a Flora and Fauna Management Sub Plan prior to construction works.

Prior to substantial construction, TJH prepared a Flora and Fauna Management Sub Plan for the Project, in accordance with MCoA 95. In addition, during preparation of the Construction Method Statement (CMS) for the Lane Cove West surface works, a specific flora and fauna report was prepared for the Epping Road works (near Pages Creek) and Pittwater Road worksite. The mitigation measures from this report were then incorporated into the CMS for this area, which was approved by the Environmental Management Representative, prior to the commencement of construction activities in this area.

33. Has a water and drainage study of Pages Creek been undertaken?

Prior to construction works, a Soil and Water Quality and Flooding and Drainage Sub Plan was prepared by TJH for works from Pittwater Road to the Lane Cove River, in accordance with MCoA 113 & 106. The recommendations from that report were then incorporated in the CMS to minimise impacts to Pages Creek during construction activities.

34. Is such a study a requirement of the Planning Director's instruction for the EIS?

TJH was not involved in the EIS stage, but from our reading, a water and drainage study of Pages Creek was not a specific requirement of the Planning Director's instruction for the EIS.

35. Could you supply the details of the solution recommended by the RTA in relation to the gap in the barrier between Epping Road and the M2?

This question is a matter for Connector Motorways.

The Hon Greg Pearce MLC to Mr Brendan Donohue

36. Was the location of the two new Falcon St Ramps in the original tender, approved by the Minister or was it a variation, proposed after approval was given [page 89]

This was a pre-agreed variation to be taken up after the award of the Contract at the option of the RTA.

Attachments

1. Signed Deed of Agreement 19/2 Parkes Road Artarmon
2. Selection of letters to residents detailing offers of relocation and other actions to address noise disturbance
3. Communications Strategy for Driven Tunnelling provided to EPA with the application for Environmental Protection License
4. Letter to residents regarding Early Compensation Process with commonly asked questions and answers.

ATTACHMENT 1

SCANNED



Deed of Agreement

EO13

THIS DEED POLL is made 7th day of March, 2006

BY (insert exact names of all registered proprietors of the premises) (the "Releasor")

IN FAVOUR OF Thiess Pty Ltd ABN 87 010 221 486 and John Holland Pty Ltd ABN 11 004 282 268 trading as Thiess John Holland ABN 17 438 477 568 ("TJH")

WHERE AS:

- A. The Releasor is the registered proprietor of the land and improvements generally described as being located at 19/2 ... (the "premises").
B. TJH proposes to carry out certain works in the vicinity of the premises, in connection with the construction of the Lane Cove Tunnel that is being undertaken by TJH for Lane Cove Tunnel Nominee Company Pty Limited (the "Project Works").
C. The Releasor has requested TJH to carry out or procure certain noise mitigation works to the premises, as set out in the Schedule (the "Works").
D. TJH has agreed to arrange for the Works to be carried out.

NOW THIS DEED WITNESSES THAT:

- 1. The Releasor grants TJH and its contractors, servants and agents permission to enter the premises to carry out the Works and to occupy the premises as reasonably required for the purposes of undertaking the Works.
2. The Releasor will do all things reasonably necessary to facilitate the carrying out the Works.
3. In consideration of the Works being carried out and completed by TJH or by others on behalf of TJH, the Releasor:
(i) Releases TJH unconditionally and forever from all claims and causes of actions against TJH in respect of the carrying out of the Works, the costs of operating and maintaining the Works or any requirement for noise mitigation works to be carried out as a result of the carrying out of the Project Works or the future operation or use made of the Project Works; and
(ii) Agrees to indemnify and keep indemnified TJH from and against all claims and causes of action which may be brought against TJH in respect of the matters referred to in clause 3(i), including any claim in respect of such matters by any person who has any other title or interest in the premises, and
(iii) Agrees to obtain a release and indemnity in the same terms as this Deed from any successor in title.

IN WITNESS WHEREOF the Releasor executes this Release and Indemnity as a Deed Poll

SIGNED SEALED AND DELIVERED by the Releasor

DR. B.S. DEOL [Signature]
(Releasor) 8.3.2006

[Signature]
(other Releasors if more than one)

In the presence of:

J. DAVIES [Signature]
(Witness)

In the presence of:

[Signature]
(Witness)

19/2 Parkes Rd. Artarmon Parkes Rd. NSW Sydney Aust.

SCHEDULE

(Attach schematic design and description of the Works)

ATTACHMENT 2

Ms [REDACTED]
[REDACTED] Walkers Drive
Lane Cove NSW 2066

30th July 2004

FILE COPY

Dear [REDACTED]

Thank you for your call to the Lane Cove Tunnel Project on the 28th July 2004. Our Community Relations Coordinator, Emily Cracknell, has briefed me on the conversations you had on Wednesday regarding noise at your property in Walkers Drive, Lane Cove. Your feedback is extremely valuable, especially at this early stage in construction where we can make improvements to our processes.

As a result of your call we have taken, or will take the following actions;

1. Conducted noise monitoring at your home, 1/45 Walkers Drive Lane Cove, on the 28th July 2004 to determine noise levels within your home and the source of the noise (report attached). We will also provide you with the results of noise monitoring recorded on the nights when you were affected, when they become available.
2. Committed to contact you on a daily basis to monitor how noise is affecting you and to ensure the issue is being managed effectively
3. Continue with noise monitoring in your building
4. Contact residents in neighbouring apartments to establish if they are experiencing similar noise impacts

For more information or if you have enquiries, please contact our 24 hour toll free hotline 1800 009 280, visit our website on www.lanecovetunnelproject.com.au or call into our Display Centre located at Unit 7, 401 Pacific Hwy, Artarmon.

Thank you for advising us of the situation and your patience in allowing us to manage the issue.

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project

Mrs [REDACTED]
[REDACTED] Johnston Crescent
Lane Cove NSW 2066

3rd June 2005

FILE COPY

Dear Mrs [REDACTED],

Thank you for your calls to the Thiess John Holland Lane Cove Tunnel Project on Saturday 28 and Tuesday 31 May 2005, regarding tunnelling noise at your property in Johnston Crescent.

I understand that you have spoken with our Community Relations Coordinators (CRCs), who have updated you on where tunnelling is occurring in relation to your home. Noise monitoring and alternate accommodation have both been offered to you but declined at this stage. Please be advised that these offers will remain available to you whilst tunnelling is creating a disturbance at your home. In addition to this, our CRCs will keep in contact with you to monitor how noise levels are affecting you at your home.

We apologise for the inconvenience of this work and thank you for your patience. Should you require any further assistance please do not hesitate to contact Emily on 9034 8210.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 10am to 6pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

Susan Allton
A / Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

[REDACTED]
Pacific Highway
Lane Cove NSW 2066

FILE COPY

30th August 2004

Dear Ms [REDACTED],

Thank you for your call to the Lane Cove Tunnel Project on the 24th August 2004. Our Community Relations Coordinator, Emily Cracknell, has briefed me on the conversations you have had with her regarding noise at your property on the Pacific Highway, Lane Cove. Your feedback is extremely valuable, especially at this early stage in construction where we can make improvements to our processes.

As a result of your call we have taken the following actions;

1. Made the offer of alternate accommodation for any night when you or your son are affected by construction noise. This offer was accepted on Wednesday the 25th August 2004.
2. Conducted noise monitoring at your home on Wednesday the 25th August to track noise levels which we recorded at between 30 and 34 dBA.
3. Provided your son with two sets of noise attenuation headphones to trial
4. Made follow-up calls to you to check if there was any further noise disturbance
5. Conducted a follow-up doorknock/letterbox drop to residents between Cobden and Allison Avenues to provide an update on tunnelling activities, reiterate potential impacts that residents may experience and remind residents to contact the Community Relations Team if they have any questions or complaints.

Tunnelling works have now moved past your property and with this we anticipate a decrease in noise and vibration. I hope that this will also reduced the impacts of tunnelling felt in your home. If you experience any further disturbance, please do not hesitate to call Emily on 0400 664 670 or our Project Hotline on 1800 009 280.

Thank you for advising us of the situation and your patience in allowing us to work with you to minimise the disturbance.

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project

Mr [REDACTED]
[REDACTED] Longueville Road
Lane Cove NSW 2066

FILE COPY

20th May 2005

Dear [REDACTED]

Thank you for your call to the Lane Cove Tunnel Project Hotline on Friday 13 May 2005, regarding tunnelling noise at your property on Longueville Road.

You have spoken with my Community Relations Coordinator Emily, who has briefed me on your conversations and the actions taken to assist you. I understand that you were offered both noise monitoring and alternative accommodation. Alternative accommodation was arranged for you and your partner for Friday 13 and Sunday 15 March 2005 (although you only stayed on the Friday night).

Since the weekend, Emily has contact you to update you on where tunnelling is occurring in relation to your property and to see if you and your partner were still disturbed by tunnelling noise. I understand that it was agreed that you would contact Emily if you require any further assistance. As tunnelling has now moved past your property, it is expected that the noise will reduce.

We apologise for the inconvenience and thank you for your patience. Should you require any further assistance please do not hesitate to contact Emily on 0400 664 670.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 10am to 6pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

A/ Susan Allton
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

Mr [REDACTED]
[REDACTED] Gatacre Avenue
Lane Cove NSW 2066

2 December 2005

FILE COPY

Dear Mr [REDACTED]

Thank you for your call to the Lane Cove Tunnel Project Hotline on Thursday 24 November 2005, regarding noise at your property in Gatacre Avenue, Lane Cove.

As discussed with our Community Relations Coordinator, piling activities on the Pacific Highway is likely to be the cause of the noise you have been hearing. Due to the incident on Longueville Road and recent wet weather, it has been necessary to extend the duration of these works. It is anticipated that another 2-3 nights of piling will be necessary to complete this activity.

Please be reminded that should these works continue to cause disturbance, TJH has a number of options available to assist including earplugs, noise attenuation headphones or relocation to alternate accommodation. I understand that you have agreed to contact TJH again if you require this assistance.

We apologise for the inconvenience and thank you for your patience while we complete these works.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 11am to 4pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

Mr [REDACTED] and Mrs [REDACTED]
[REDACTED] Johnston Crescent
Lane Cove NSW 2066

5th May 2005

FILE COPY

Dear Mr and Mrs [REDACTED],

Thank you for your call to the Lane Cove Tunnel Project Hotline on Thursday 28 April 2005, regarding tunnelling noise at your property in Johnston Crescent.

You have spoken with both myself and my Community Relations Coordinator Emily, who has briefed me on you conversations and the actions taken to assist you. I understand that the following actions have been taken.

- During our conversation you were offered noise monitoring, this was declined
- Alternate accommodation was organised for you for 28-29 April and 2-6 May
- Emily has kept regular contact with you to update you on where tunnelling is occurring in relation to your property and to ensure your alternate accommodation is satisfactory

It is expected that by Monday 9 May, noise from the excavation of the eastbound tunnel will no longer create a disturbance at your home. Emily will keep you informed about the timing of excavation of the westbound tunnel which will pass approximately 10-20 meters to the south of your home.

We apologise for the inconvenience and thank you for your patience. Should you require any further assistance please do not hesitate to contact Emily on 0400 664 670.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 10am to 6pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

Ms [REDACTED]
[REDACTED] Pacific Highway
Artarmon NSW 2065

FILE COPY

20 April 2006

Dear Ms [REDACTED]

Thank you for your call to Thiess John Holland (TJH) Lane Cove Tunnel Project hotline on 12 April 2006 regarding noise from construction activities that were occurring at night..

As a result of your call, Thiess John Holland conducted noise monitoring at night on Tuesday 18 April 2006 when we recommenced construction activities in close proximity to your property. The results from noise monitoring show noise levels were within the Noise Impact Study predictions of 71dBA. I have attached a copy of the noise monitoring record for your information.

I also understand that Community Relations Coordinators from my team left a number of messages for you updating you on the current and expected works.

We apologise for any inconvenience and thank you for your patience whilst we investigated your complaint.

If you would like to know more about this or any other aspect of the project, or if you wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on **1800 009 280** (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre. The display centre is located at 7/401 Pacific Highway, Artarmon until 29 April 2006. **From 1 May 2006, it will be located at 34 Waterloo Road, North Ryde.** The display centre is open Monday to Friday from 11am to 4pm and Saturday from 10am to 1pm (public holidays excepted). Visits at other times can be arranged by telephoning 1800 009 280.

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland



ABN 17 438 477 568

Lane Cove Tunnel Project

34 Waterloo Road
North Ryde NSW 2113

Locked Bag 2010
North Ryde BC NSW 1670

T: +61 2 9034 8111
F: +61 2 9218 9333

24hr Community Contact: 1800 009 280
www.lanecovetunnelproject.com.au

Ms [REDACTED]
[REDACTED] Gatacre Ave
LANE COVE NSW 2066

15 November 2005

FILE COPY

Dear Ms [REDACTED],

Thiess John Holland have provided you with noise attenuation headphones to assist in managing regenerated noise within you property. Please find:

- 1 x Sony noise attenuation headphones. The headphones have been supplied with 1 AAA battery inside the unit and spares. The headphones must be switched on in order to attenuate noise.

To assist us in tracking this equipment, please sign the copy of this letter attached as a receipt of receiving this equipment.

Please do not hesitate to contact Community Relations on 9034 8111 should you have any questions or comments regarding this equipment.

Kind Regards,

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

Signature of recipient:

[REDACTED]
[REDACTED] Epping Road
Lane Cove NSW 2066

3 August 2005

FILE COPY

Dear Ms [REDACTED],

Thank you for your call to the Lane Cove Tunnel Project Hotline on Wednesday 27 July 2005, regarding tunnelling noise at your property on Epping Road.

In response to your call, alternative accommodation was arranged for you and your flatmate for Wednesday 27, Thursday 28 and Friday 29 July 2005.

Our Community Relations Coordinator has since contacted you to see how you and your flatmate are coping with the tunnelling noise. I understand that tunnelling has now moved past your property and you can expect noise to steadily reduce.

We apologise for the inconvenience and thank you for your patience. Should you require any further assistance please do not hesitate to contact Emily on 9034 8210.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 10am to 6pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

18 May 2006

Mr [REDACTED]
[REDACTED] Pacific Highway
Lane Cove
NSW 2066

FILE COPY

Dear Mr [REDACTED]

Thank you for calling the Thiess John Holland (TJH) Lane Cove Tunnel Project Hotline on Tuesday 16 and Wednesday 17 May 2006 regarding noise from night works trenching on the Pacific Highway adjacent to your property.

Our Community Relations Coordinators checked that the night works were undertaken in accordance with our EPA license requirements, explained the remaining night works, and heard your concerns. We recognise that in your situation, noisy night works disrupt you. Consequently, we discussed with you our readiness to address your situation for remaining noisy night works, including overnight relocations if required.

Our office phoned your home and left a message late on the evening of 17 May giving you an update on the progress of works, the remaining night works for this week (this phase to end on the evening of 17 May) and inviting you to call us with any queries or concerns. Later that evening, before 10pm, we phoned and left a detailed message in response to your call at 9.40pm.

Until the week commencing Monday 29 May, there will be no further night works associated with our project near your residence.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre. The display centre is located at **34 Waterloo Road, North Ryde**. The display centre is open Monday to Friday from 11am to 4pm and Saturday from 10am to 1pm (public holidays excepted). Visits at other times can be arranged by telephoning **1800 009 280**.

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

[REDACTED]
[REDACTED] Birdwood Avenue
Lane Cove NSW 2066

23rd May 2005

FILE COPY

Dear Mr [REDACTED]

Thank you for your call to the Lane Cove Tunnel Project Hotline on Wednesday 18 May 2005, regarding tunnelling noise at your property in Birdwood Avenue.

You have spoken with my Community Relations Coordinator Emily, who has briefed me on your conversations and the actions taken to assist you. I understand that you were offered noise monitoring, noise attenuation headphones and if required, alternative accommodation. Noise attenuation headphones were delivered to your property on Thursday 19 May.

Since last Wednesday, Emily has contact you to update you on where tunnelling is occurring in relation to your property and to see if you and your family were still disturbed by tunnelling noise. I understand that you feel that the noise has reduced and have agreed to contact Emily if you require any further assistance.

We apologise for the inconvenience and thank you for your patience. Should you require any further assistance please do not hesitate to contact Emily on 0400 664 670.

If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 10am to 6pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

Susan Allton
A/ Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland



ABN 17 438 477 568

Lane Cove Tunnel Project

34 Waterloo Road
North Ryde NSW 2113

Locked Bag 2010
North Ryde BC NSW 1670

T: +61 2 9034 8111
F: +61 2 9218 9333

24hr Community Contact: 1800 009 280
www.lanecovetunnelproject.com.au

15 July 2005

Mrs [REDACTED]
[REDACTED] Garling Street
LANE COVE NSW 2066

FILE COPY

Dear Mrs [REDACTED]

Thank you for your call to the Lane Cove Tunnel Project Hotline on Tuesday 12 July 2005 regarding disturbance from noisier activities at the air intake worksite.

Your complaint was investigated by the community relations coordinator. The investigation found that rock breaking activities commenced on the 7th July 2005. Prior to rock breaking activities occurring, the primary activity at this site was excavation work, which produces less noise.

I understand Faye Rescigno, Community Relations Coordinator met with you on Thursday 14th July 2005 to provide a construction update as well as movie tickets and headphones to mitigate noise.

Thiess John Holland is committed to reducing impacts on neighbouring residents. Faye has informed you that TJH will reimburse occasional day care costs for a period of 4 days, for your daughter, Cate. The occasional day care and movie tickets will assist in alleviating some of the discomfort while construction activities occur.

We apologise for the inconvenience and any disturbance from the air intake worksite.

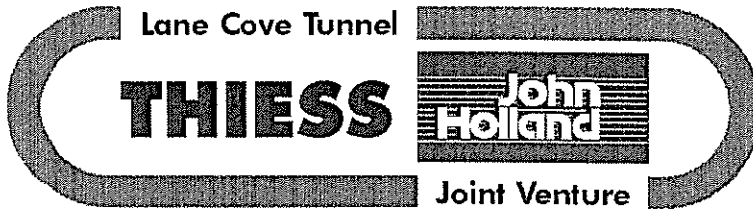
If you have enquiries on any other aspect of the project, or wish to make a complaint about Thiess John Holland activities, please call the Community Contact Line on 1800 009 280 (24 hours, toll free).

Alternatively, you may send an email to community.enquiries@LCT.optusincite.com, visit the project website, www.lanecovetunnelproject.com.au, or call in to the project display centre at 7/401 Pacific Highway, Artarmon. The display centre is open Monday to Friday 10am to 6pm and Saturday 10am to 1pm (public holidays excepted).

Yours sincerely

Sue Netterfield
Community Relations Manager
Lane Cove Tunnel Project
Thiess John Holland

ATTACHMENT 3



Lane Cove Tunnel Project

Communications Strategy for Driven Tunnelling

TJH-PL-TU-ENV-074

Revision	Date	Prepared	Reviewed	Remarks
C	04/10/05	E Cracknell	S Netterfield	Issued for EPL application



The procedures outlined below are aimed at advising and educating the community in advance of tunnelling activities to ensure that they are aware of predicted noise and vibration impacts, mitigation measures available to them and contact details of TJH personnel if they wish to make a complaint regarding the tunnelling and sub-surface rock breaking works. There are several mechanisms and opportunities to prepare the community including the following:

- Property Condition surveys to be undertaken of potentially impacted properties and heritage structures to assess any impacts caused by settlement or vibration;
- Personalised letters and where necessary Personal Visits to residents where regenerated noise and vibration levels are expected to exceed 35dBA at night and 40dBA during evening periods;
- Letterbox drops to residents who are located along the tunnel alignment and may hear some activity however are not located within the 35dBA (night) and 40dBA (evening) noise contours; and
- General Information updates and where appropriate visits to the tunnel for residents where regenerated noise and vibration levels are expected to exceed 35dBA at night and 40dBA during evening periods.

Details of these measures are described below.

A: PREPARING THE COMMUNITY

No:	Management Action	Details
A1	Property Condition Survey Package to be distributed approximately 2 months in advance of the arrival of excavation beneath the property	Property Condition Survey Information will be distributed to property owners located along the tunnel corridor. The information package will include: <ul style="list-style-type: none"> • A letter seeking landowner's agreement to survey, and encouraging them to make an appointment • Information about what the property condition survey will entail, • Details of 1800 number to receive further information about project and/or surveys, • Program for undertaking property condition surveys • Information about the process for making a claim regarding property damage • Information on how claims will be dealt with (copy available as attachment)

No:	Management Action	Details
A2	Property Condition Surveys	<p>Property Condition surveys to be undertaken of potentially impacted properties and heritage structures to assess any impacts caused by settlement or vibration in accordance with MCoA 78.</p> <p>If an owner does not respond to the letter offering a survey. Four further attempts will be made by phone, letter, door knock and leaving a calling card.</p> <p>During the personal visit (refer A1), the property owner can arrange a suitable time for the inspection, or alternatively contact the Community Relations Manager to schedule an appointment.</p> <p>A register of Property Condition surveys will be maintained by TJH and made available to the Director General on request in accordance with MCoA 79. Measures to advise the community of the forthcoming tunnelling activities and the expected impacts are and the process for responding to complaints are described below. Arrangements for survey will include contacting those residents who are not owners to ensure minimal disruption.</p>
A3	Property Condition Survey provided to Property Owner	<p>Following the completion of the property condition survey and report, a copy of the property condition report will be provided to the property owner in accordance with MCoA 79 at no cost to the owner.</p>
A4	Personalised letter to all properties in corridor and zone of affectation (ie >35dBA as assessed in the NIS) 14 days in advance of tunnelling occurring within 50 metres of their property	<p>Two weeks prior to tunnelling occurring within 50 metres of the defined area, a Personalised Letter will be distributed to all residents and businesses, outlining expected progress of excavation. A rolling program for delivery of this notice will be developed in line with the progression of the roadheaders (ie the entire corridor will not receive letters at one time). The personalised letter will include:</p> <ul style="list-style-type: none"> • A timeframe for when tunneling activities are expected to commence in the vicinity of their property • An aerial photograph outlining where tunneling activities will occur in relation to their property and an approximate depth • An invitation to arrange a personal visit with a community staff member to discuss tunnelling activities in more detail • Contact details including 1800 number refrigerator magnet, website, email address and display center opening hours.
A5	Reminder Personalised Letter to all properties in the corridor and zone of affectation (ie: >35dBA as assessed in the NIS) when tunneling occurring in the vicinity of their properties.	<p>When tunnelling reaches the defined area, a second personalised letter is delivered to residents. This second reminder Personalised Letter will include:</p> <ul style="list-style-type: none"> • a timeframe for when tunneling activities will move out of their area • a reminder for residents to contact TJH should they experience disturbance • A direct contact number for tunneling CRC for additional information or arranging a personal visit • Contact details including 1800 number, website, email address and display center opening hours.

No:	Management Action	Details
A6	Personalised Visits / Calls to known and / or anticipated sensitive receivers	<p>When tunnelling reaches a defined area where there are known and / or anticipated sensitive receivers, TJH community staff will conduct a personal visit or where applicable personal telephone call to residents. Areas of known and / or anticipated sensitive receivers are areas where tunnelling is occurring close to the surface such as Lane Cove North Estate, Longueville Road properties in the vicinity of the exit ramp to the Pacific Highway and Pacific Highway and Gatacre Avenue properties in the vicinity of the entry ramp to the Westbound Tunnel. Areas which will experienced multiple tunnel excavations over the duration of the project are also included as known and / or anticipated sensitive receivers, such as residents in Johnston Crescent and Fraser Street. Personal visits will also be conducted when requested by resident or where two or more complaints are received from a building.</p> <p>The personal visit will include:</p> <ul style="list-style-type: none"> • Update regarding progress of tunneling activities; • Advising residents that TJH have effective management measures in place to assist residents who may be disturbed by noise and vibration and encourage residents to contact TJH should they experience any disturbance. Residents are notified that should noise and vibration become particularly disturbing, there are a number of measures which can be used for example noise attenuating headphones, relaxing music and relocation to provide respite; • Aerial photographs showing where tunneling is currently occurring on relation to their property; • Photographs from inside the tunnel • Information regarding the procedure for managing community complaints including provision of relevant contact details and the procedure that will be followed by TJH in the event that a complaint is made.
A7	Follow up Letterbox drop approximately 2 weeks following excavation activities in the tunnel	Follow up letterbox drop thanking residents for their patience and outlining what will happen in the tunnels following tunnelling works (maintenance, lining, cross passages etc).
A8	General information updates (including website)	Information updates on tunnelling progress will be included in the project quarterly advertisement and on the project website . Regular updates will be sent to key stakeholders such as local Councils, local politicians (refer to bimonthly newsletter, display center, Community Involvement Plan).



No:	Management Action	Details
A 9	Request by organisations or community groups, to explain noise and vibration impacts of tunnelling works	If deemed appropriate by RTA, TJH and/or RTA will attend specific meetings to address noise and vibration issues raised by stakeholder groups. Specialist consultants will attend these meetings as required.
A10	Noise Impact Statement & presented to Construction Community Liaison Groups	Construction Community Liaison Groups will be consulted on the Tunnelling NIS. Specialist consultants will attend the meetings as required.

B: MANAGING COMMUNITY RESPONSE

No:	Management Action	Details
B1	Undertake planned regenerated noise and vibration monitoring	Regenerated noise and vibration monitoring will be undertaken at sensitive locations along the tunnel route and selected residential locations subject to property owner agreement to confirm and validate modeling of regenerated noise and vibration impacts. Refer to Noise Impact Statement and Construction Method Statement for tunnelling works.
B2	Implementation of Complaints Handling Procedure	<p>The Projects established complaints management procedure will be used to record comments and respond to the community. All material issued will have the 24-hour community contact number included.</p> <p>All residents will be advised of the 24-hour community contact number.</p> <p>All notifications to residents within the 40dBA (evening) and 35dBA (nighttime) noise contours will include the 24-hour contact number. The complaint will be logged in the system in the approved manner. A call to the contact number activates pagers to ensure a response is provided within 2 hours.</p> <p>The CRM (or delegate) has the contact phone numbers of operational staff and the tunnelling manager that can be contacted during both day and night shifts.</p>
B3	Response to complaints	<p>If a complaint is received, the CRM (or delegate) will confirm the location of the roadheader and determine, where possible, the source of the noise ie tunnelling activities, rock breaking, or other. Where the source of noise is likely to be from TJH works, the measures identified in the following sections will be implemented. TJH recognizes that residents have varying sensitivities to noise levels and therefore all disturbances are dealt with on a case-by-case basis to meet the specific needs of the individual(s).</p>
B4	Complaint management for residents, regardless of whether located within the > 40dBA (evening) or >35dBA (night time) noise contours	<p>Residents located along the tunnel corridor who make a formal complaint will be advised of the effective management measures in place to assist residents who may be disturbed by noise and vibration. In addition, attended noise monitoring will be offered to confirm the regenerated noise levels. TJH recognizes that residents have varying sensitivities to noise levels and therefore all disturbances are dealt with on a case-by-case basis to meet the specific needs of the individual(s).</p> <p>Several options are available to residents who make a genuine, formal complaint regarding TJH tunnelling activities including:</p> <ul style="list-style-type: none"> • Earplugs, headphones and noise attenuation headphones; • Transportation to a friends or relatives house, or • Alternative accommodation to provide respite. <p>If the above options do not suit the specific needs of the individual(s) then alternative reasonable requests by the complainant are also considered by TJH on a case-by-case basis.</p> <p>Refer to Table C (below) for further details.</p>

C: ALTERNATIVE ACCOMMODATION AND COMPENSATION

No:	Management action	Details
C1	Offer of free transportation to residents to an alternative location (e.g. relatives house)	Many residences that are impacted by noise and vibration may not be interested in the offer of alternative accommodation. These residents may wish to stay at a friends or relatives house during the period of affectation. In this circumstance, TJH would consider transportation costs (i.e. taxi) associated with this relocation (within the Sydney Metropolitan Area).
C2	Offer to residents for alternative accommodation on a case by case basis	<p>Residents who are genuinely impacted by noise and vibration will be offered alternative accommodation.</p> <p>Prior to making the offer:</p> <ul style="list-style-type: none"> • It will be confirmed that the TJH tunneling activities are in the vicinity of the resident; • Confirmation will be made that the resident is within the 40dBA (evening criteria) or 35dBA (night time) regenerated noise contour as described in the NIS or residents who are genuinely suffering from disturbance from tunneling activities; • The resident must be making the complaint on their own behalf (i.e. requests for alternative accommodation on behalf of others will not be considered); • With agreement with the resident, other measures more suitable to the residents needs may be provided such as movie tickets or transport to a relatives house. TJH recognizes that residents have varying sensitivities to noise levels and therefore all disturbances are dealt with on a case-by-case basis to meet the specific needs of the individual(s).

ATTACHMENT 4

Transmission Report

Date/Time
 G3 Local Terminal ID
 G4 Local Terminal ID
 Local Name
 Company Logo

19-12-05; 3:31PM
 61 2 92189331
 Human Resources
 Thless John Holland

Document has been sent.
 Document Size A4S



Thiess John Holland
 34 Waterloo Road
 North Ryde NSW 2113
 ASN 17 438 477 528
 Locked bag 2010
 North Ryde NSW 1570
 Telephone 02 7034 8111
 Facsimile 02 9218 9332

FACSIMILE

Ref: 17010200

To: Front Desk From: Jackie Prior
 Company: Sebel Phone Direct: 9034 8257
 Fax No: 9411 8177 Page 1 of 7 Date: 16/12/05
 Subject: Update for Residents/Owners

Please arrange copies of the following residential update to be placed under the apartment door for the following guests.

Name:	Room No.
Kamodorian	907
Jakusic	1403
Wee	1311
Choi	1008
Paschia	1107
Baccan	1305
Stan Chesh	1411
Stephen Dearing	1411
Retama	1208
Khalchadorian	1302
Nicholas	1002
Lowe	708

Please charge Thiess John Holland should there be any photocopying costs relating to this update.

Jackie Prior (9034 8183)

This facsimile contains confidential information intended only for the individual or entity named above. If you are not the intended recipient, any use, review, personal communication, dissemination or copying of this document is strictly prohibited. If you have received this message in error, please immediately telephone us and destroy the original.

Original to follow in mail?
 Yes No

Total Pages Scanned : 7
 Total Pages Sent : 7

No	Doc.	Recipient	Start Time	Durat.	Pages	Mode	Contents	Status
1	0031	94116177	19-12: 3:30PM	1' 22"	7 / 7	SG3		CP

Note:

EC: Error Correct	RE: Resend	BC: Broadcast	CR: Check Remote
CP: Completed	PG: Polling	MB: Send to Mailbox	MP: Multi Polling
RA: Receive Again	EN: Engaged	RS: Relay Send	PW: Print Wait
RB: Relay Broadcast	RV: Remote Service	SA: Send Again	TM: Terminated
RD: Relay Request	DR: Document Remove		



Thiess John Holland

34 Waterloo Road
North Ryde NSW 2113
ABN 17 438 477 568

Locked bag 2010
North Ryde BC NSW 1670

Telephone (02) 9034 8111
Facsimile (02) 9218 9333

FACSIMILE

Ref: TJH Guests

To: Residents/Owners From: Jackie Prior
Company: Sebel Phone Direct: 9034 8267
Fax No: 9411 6177 Page 1 of 6 Date: 19/12/05
Subject: Update for Residents/Owners

Please note that I will be on annual leave from Thursday 22nd December through until Tuesday 3rd January 2006.

Should you have any queries, please telephone Heather Jackson on 0409 324 879 during this period.

I wish you all a Happy Christmas and Happy New Year.

Regards

Jackie Prior
Thiess John Holland
Lane Cove Tunnel Project

This facsimile contains confidential information intended only for the individual or entity named above. If you are not the intended recipient, any use, review, perusal, dissemination, distribution or copying of this document is strictly prohibited. If you have received the message in error, please immediately telephone us and destroy the original.

Original to follow in mail?

Yes No



ABN 17 436 477 568

Lane Cove Tunnel Project

34 Waterloo Road
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North Ryde BC NSW 1670

T: +61 2 9034 8111
F: +61 2 9218 9333

24hr Community Contact: 1800 009 280
www.lanecovetunnelproject.com.au

Compensation for Residents/Owners 11-13 Longueville Road 15-19 Longueville Road

Since the tunnel incident Thiess John Holland (TJH) has confirmed that it will compensate owners and residents of 11-13 and 15-19 Longueville Road for costs they incur in putting themselves back in their position immediately prior to the incident. We have explained to you our approach is aimed at facilitating a resolution as soon as possible (referred to in the attached notes as the "early compensation" process). This has already been communicated to you in various ways including group meetings, one-on-one meetings and letters to certain of you who have been transferring from the Somerset Hotel to the Sebel and other intermediate accommodation.

The purpose of this letter is to again request those who have not yet submitted a written compensation claim to please do so without delay. This should include all aspects of compensation you feel need to be addressed. If you are in any doubt as to the form in which the claims should be made please contact Jackie Prior on 0411 017 772 or 9034 8267.

Claims should please be submitted to :

Brendan Donohue
Thiess John Holland
Locked Bag 2010
North Ryde BC 1670

Or by Fax on 02 9218 9333.

Attached are some commonly asked questions and answers to provide further information. If you need any further explanation or have any other information needs please contact Jackie Prior.

Yours sincerely
Thiess John Holland

A handwritten signature in black ink, appearing to read "B Donohue".

Brendan Donohue
Project Director

Why is TJH conducting the early compensation process?

TJH has insured itself against losses of the type caused by the incident. It was however necessary to act quickly on 2 November 2005 to attend to the immediate need of affected parties and to reimburse the legitimate expenses of dislocated residents and locate emergency accommodation for you. The quickest and most practical way for us to do this was to do it ourselves.

At that time TJH offered to pay compensation to promptly reinstate residents and owners to their position before the incident (referred to here as the "early compensation" option). It is hoped that this offer would give affected parties the opportunity of quick resolution of their claims. TJH's participation in the "early compensation" of residents and owners should be in no way interpreted as an admission of liability.

How long will compensation be available through the early compensation option?

When the incident occurred TJH decided and publicly stated that it would compensate affected parties as described above. This afforded the residents and owners an opportunity to settle claims quickly. This offer of early compensation however cannot remain available indefinitely. Whilst we currently have no specific cut off date, we will, at the end of January 2006 consider whether the offer will be continued past that point.

If and when the TJH "early compensation" option is brought to a close, claims received thereafter will have to be processed by our Insurers. However, any agreements made prior to that date by TJH in good faith will be honored. So for example, if accommodation is being paid pending the availability of new long term accommodation, this will continue as per any agreement already made with you.

What should be included in any claim?

The intention of TJH is to compensate owners and residents for costs incurred in returning themselves, as far as is possible, to their position prior to the incident. You should therefore include any costs you have incurred which you believe are in this category. Supporting documentation should also be submitted, where available.

Will TJH pay for my legal advice?

TJH will pay the reasonable legal costs of residents and owners where they are directly related to TJH's efforts to promptly reinstate tenants and owners to their situation prior to the incident through the early compensation process. TJH will not be liable for any legal fees once participation in the "early compensation" option ceases.

Is it proposed to deal with residents and owners as a group or individually?

During the "early compensation" period TJH will deal with residents and owners individually. This is because the personal situations of the affected parties are very different. They vary from tenants to owner residents. The "early compensation" option packages will be individually tailored in negotiation to match the circumstances of each party. At the same time, TJH will also deal with body corporates and their legal representatives, as appropriate.

How will the claims process be conducted?

We propose that:

- i. Affected parties consider their position and lodge a comprehensive claim as soon as possible;
- ii. The claims are considered by us and agreement sought;
- iii. If any aspect of the claim cannot be agreed the Independent Facilitator, Mr Michael Whelan is available for referral at the option of the owner/resident.

What happens if TJH and the individual residents/owners cannot agree upon compensation?

If TJH and residents/owners cannot reach agreement as part of this "early compensation" option TJH will, with your agreement, seek the help of the Independent Facilitator. If agreement still cannot be reached TJH will refer the respective unagreed claims to its Insurers for processing and assessment.

What happens if part of a compensation claim is agreed and other parts are not?

TJH will address claims made as a package. If the whole package cannot be agreed, even after referral to the Independent Facilitator then the claim will be referred to our Insurers for processing and assessment.

Is TJH still prepared to purchase units from owners?

Yes. As part of the "early compensation" option TJH will purchase the units from owners who wish to sell in either block. This offer applies whether the unit has

been damaged by the incident or not. TJH has employed a valuer and will also pay the reasonable costs of valuation advice obtained separately by owners and which is directly related to this "early compensation" option. The valuations will be the starting point for our discussions and, we hope, agreement.

The Independent Facilitator will be available to assist in the agreement on price and related expenses, at the option of owners/residents.

TJH has committed and will act in good faith to agree a fair and reasonable price based on the value of the property immediately prior to the incident and will cover transaction costs such as stamp duty etc.

The TJH offer to acquire units will remain open at least until 31 January 2006 at which time continuation of the offer will be considered.

If agreement is unable to be reached on the purchase of a unit by TJH, TJH's insurer will not be bound by any discussions, valuations or representations made during the negotiation period.

How long will tenants be provided with accommodation?

TJH will provide tenants with accommodation for as long a period as is reasonable for them to find alternative accommodation. You should use the services of the specialist real estate personnel within the community relations team who continue to be available to help you source alternative long term accommodation as soon as possible. The offer of accommodation support will not be available indefinitely.

What happens if my new rent is higher than my old rent?

Again these situations will be considered on a case by case basis and details should be included by you in your claim. TJH will, consistent with its prior undertakings, pay for reasonable costs necessarily incurred by tenants, owners and other residents to return them to their position prior to the incident.

What do tenants need to do to finalise their situation?

Clearly the top priority for tenants is to find alternative long term accommodation and finalise their claim for compensation with TJH. To do this a written claim should be submitted to Brendan Donohue at the address earlier quoted. It will then be discussed with you and hopefully an agreement reached on an amount of final compensation. Supporting documentation should be submitted with your claim.

Do tenants and owners have access to the Independent Facilitator?

Yes. All parties affected by the incident will have access to the Independent Facilitator, Mr Michael Whelan. Whilst we hope his services can be used to assist in the finalisation of claims, this is a decision to be taken entirely at the discretion of the tenant. TJH is committed to participate in any facilitation sought by a tenant or owner.

Can a tenant still return to the unit if the owner has sold to TJH?

Yes. TJH will be seeking tenants for those units it purchases. You should not however wait for that purchase to take place if you wish to return to your unit. Your existing lease should continue irrespective of the sale by the owner. If you have not already done so please advise Jackie Prior if you wish to remain in your old unit.

Will TJH pay my bond?

Where tenants wishing to live elsewhere have not recovered their bonds lodged on the Longueville Road tenancies TJH will pay an equivalent bond on behalf of tenants for the new tenancy. When the original bond is released TJH will be reimbursed.

Will TJH pay removal costs?

TJH will pay all reasonable costs (including removal costs) which are necessarily incurred in putting tenants (and all other residents and owners) back in the same position as prevailed immediately prior to the incident.

Will TJH compensate for lost pay while searching for long term accommodation?

TJH will consider reasonable requests for lost pay where this is clearly a cost of a party returning to the same position as prior to the incident. These requests should be documented, appropriately supported and lodged with your claim. They will be evaluated on a case by case basis.

Further questions

Please address any further questions or requests for information to Jackie Prior on 0411 017 772 or 9034 8267.