



Tim NICHOLLS MP

Member for Clayfield

8th November 2019

Mr Neil Scales
Director-General
Department of Transport and Main Roads
GPO Box 1412
BRISBANE QLD 4001

Queensland Legislative Assembly	
Number: 56207299	
 19 FEB 2020	Tabled <input checked="" type="checkbox"/>
MP: Mr Nicholls	By Leave <input type="checkbox"/>
Clerk's Signature: <i>[Signature]</i>	

Elizabeth.Dickens@dsmip.qld.gov.au; tnr.qld.gov.au

Dear Director-General

Mr Gerry Winter – 1 Lodge Road Kalinga – Airport Link

I am writing to you on behalf of my constituent Mr Gerry Winter.

Mr Winter lives at 1 Lodge Road Kalinga. The Airport Link tunnels are directly below Mr Winter's property. Since completion of construction of the tunnels, Mr Winter has experienced substantial subsidence at his property.

His matter is well known to the Department, the contractors Thiess John Holland and the operators of Airport Link, Transurban. There have also been numerous media reports on Mr Winter's situation.

The Department has itself investigated Mr Winter's claims and as I understand accepted that Mr Winter has a valid claim. This has gone so far as the Department asking Mr Winter to obtain a valuation of his property to allow an assessment of compensation to be considered

Despite much time being spent on communications and correspondence Mr Winter is continually frustrated in getting his claim resolved.

The latest attempt in December 2018 to resolve the matter involved an offer made in early 2019 by TJH to purchase Mr Winters property. Mr Winter rejected the offer as unsatisfactory. A subsequent offer at the same amount plus an increased monetary component was made but was unacceptable to Mr Winter.

Quite clearly, Mr Winter has been seriously affected by the damage to his property arising from the Airport Link construction. Equally clearly, the contractor has done its best to avoid accepting liability for as long as possible and do all in its power to frustrate Mr Winter's claim. This includes, in my view, seriously misinforming government (and, via City North Infrastructure, myself when Treasurer) as to Mr Winter's valid complaints. It has now been seven years since Airport Link opened and since Mr Winter raised his concerns.



Mr Winter has had to engage solicitors and others to establish his claim in the face of obdurate and unhelpful resistance from the contractors and City North Infrastructure who appear to have not pursued this matter at all as they should have on behalf of the State. This has resulted in Mr Winter incurring considerable costs both for legal and other assistance and for his own time and effort in pursuing a resolution to this matter.

It is long past time that Mr Winter received some meaningful and constructive communication to finalise negotiations, settle on an appropriate amount of compensation and allow him to move on from this most distressing and worrying situation.

To this end, I request you intervene to call the relevant parties to meet with Mr Winter to finalise a settlement as soon as possible. A "without prejudice" meeting to discuss matters would I think go some considerable way to finalising the matter. I believe this only fair and reasonable and indeed necessary in the circumstances of Mr Winter's case.

I look forward to your reply and urge your prompt and careful consideration of this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Tim Nicholls". The signature is written in a cursive, slightly slanted style.

Tim Nicholls MP
Member for Clayfield