



FEDERAL COURT OF AUSTRALIA

NOTICE AS TO PROPOSED SETTLEMENT OF THE WRECK BAY PFAS LAND CONTAMINATION CLASS ACTION

IMPORTANT INFORMATION

- The Court is going to hold a hearing starting on 19 June 2023 to decide whether the \$22 million settlement of the class action is fair and reasonable.
- The Court will decide later how the settlement should be divided up between WBACC, and eligible group members.
- The settlement is only about claims for damage to the ability to use and enjoy land (including ability to practise culture). It is not about claims for personal injury.
- You can give your views about whether the settlement is fair and reasonable by following the steps in this Notice.
- There is a meeting on 13 June 2023 at 11.00am at Wreck Bay Village, next to the Childcare Centre where you can get more information.

A. What is this Notice about?

1. This notice explains some things about the proposed settlement to allow you to work out whether you agree or disagree with it, and to let you know how you can tell the Court (if you want) your views.

B. What is the Settlement?

2. The proposed settlement provides the Commonwealth will pay **\$22 million** (without admitting liability) to settle all claims for property value losses, for inconvenience and distress, and for interference with use and enjoyment of the Wreck Bay land, including on traditional community and cultural usages. All those claims will be released (which means they cannot be brought again).
3. The settlement does not prevent any future claim for personal injury being brought.
4. Under the settlement, a capped amount of up to \$5 million will go to pay the legal costs of bringing the case, and the rest will go to WBACC and community members (after adding interest and then taking out the costs of getting the money to everyone). The solicitors, Shine Lawyers, estimate at least \$16.5 million will be the amount left to be paid to WBACC and community members.

C. What is the Court hearing on 19 June 2023 about?

5. A judge must decide whether the settlement amount of \$22 million is fair and he will do this on 19 June 2023 in Sydney.
6. If the Court approves the settlement, the judge will work out later how to pay the money to everyone.



7. If the Court does not approve the settlement, a judge will have to decide whether the claims brought should win or lose (and this may not be able to happen soon).

D. How much will you receive under the settlement (if it is approved)?

8. No-one knows yet for sure. If the settlement is approved, the Court will hold another hearing at a later date to work out who gets what and you will get a chance to have your say.

E. What do you have to do now?

9. You now have the opportunity to tell the Court if you agree or disagree with the proposed settlement. You need to do this before the hearing starting on 19 June 2023.

If you <u>support</u> the proposed settlement	You do not have to do anything, but if you want to you can tell the Court that you agree.
If you <u>disagree</u> with the proposed settlement	You need to tell the Court why you disagree, either by: <ul style="list-style-type: none">• Sending an email letter to wreckbaycomments@fedcourt.gov.au. The Court would prefer if this was sent by 15 June 2023.• Telling the Court your concerns at the hearing starting on 19 June 2023, either in person or by way of video / telephone link.

F. Where can you get further information?

10. There will be a public information session held on 13 June 2023 at 11.00am at Wreck Bay Village opposite the Childcare Centre regarding the proposed settlement at which time there will be the opportunity to ask further questions, and make comments.
11. If you want more information or documents, you should not contact the Court but email Shine Lawyers at pfaswreckbay@shine.com.au, or telephone Shine Lawyers on 1800 325 172.
12. Please consider the above matters carefully. If there is anything of which you are unsure, you should contact Shine Lawyers, or seek your own legal advice (but try to ask questions at the meeting to try to keep costs down for everyone).