

Submission  
No 8

## INQUIRY INTO LOOSE FILL ASBESTOS INSULATION

**Name:** Name suppressed

**Date received:** 30/10/2014

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Partially Confidential

**Affected Resident's Submission to the NSW Joint Parliamentary Select Committee on Loose Fill Asbestos**

Members of the Committee,

**I am vehemently opposed to compulsory acquisition of my property "aka State Government buy-back".**

Having lived in shared, rented premises for more than 20 years, I bought my house for the purpose of having tenure over where I lived, with the intention of living in my house for the rest of my life. I am an owner-occupier, I happily live alone and have no children.

I purchased my home in 2011. At that time I had the loose-fill asbestos removed from my roof space by an appropriately qualified and licenced operator. Subsequently, I have had the air quality inside the home tested and the property has been confirmed as safe. The Asbestos Assessor provided advice on how to manage the property to ensure risks of exposure to any residual loose-fill asbestos (or bonded asbestos), if present, were mitigated. I have abided by the advice given in all regards and accept the limitations this imposes on development of my property. As I have no plans to undertake modifications to my house that would pose a risk, now or in the future, I am comfortable living with these "limitations". I have acted responsibly at all times in relation to the care and upkeep of my home.

**I am not, nor am I likely to be, in a position to re-purchase my property if it is compulsorily acquired.** I am employed full-time but live on a single income. More importantly, however, I love where I live and will be devastated to have my property taken from me. I have found this entire process extremely stressful and upsetting.

The reaction of the ACT Government to the loose-fill situation is extremely heavy handed, inflexible and, with its blanket "one size fits all" approach, does not take into account the actual level of contamination or risk at each property, or the individual circumstances or needs of the residents of these properties.

The ACT Government has drawn an arbitrary line of contamination that equates to the property boundary. Their approach involves demolishing houses and out buildings with heavy machinery, then removing vegetation and topsoil. The images of men in protective equipment supervising gross demolition by heavy machinery, as seen in the print media, are a ludicrous sight. Containment is better achieved by allowing the outer building to stand, and removing the lining (plasterboard walls and ceilings). **The ACT Government's approach to removing the asbestos is unsatisfactory and uncontained.**

**The Plan proposed by the Member for Monaro closely resembles the ACT approach and is also, in my view, extremely unsatisfactory.**

If the Government requires that the asbestos be removed, they must:

- **Provide alternative approaches to remediation** for residents and investment property owners, as their needs and personal circumstances are very different; and
- **Ensure all houses built before the 1980s are inspected for loose-fill asbestos.** The Queanbeyan Council and NSW Government's list of affected residents is not comprehensive. The list is comprised of residents who have done the right thing - i.e., have had their properties assessed and/or had the material removed to what was, at the time, the industry standard.

Furthermore, these residents undertook this work at their own cost. Now they are being punished for their efforts. **The approach is not fair or equitable.**

If the Government requires that the asbestos be removed, they should:

- **Allow residents the option of retaining ownership of their property** and managing its remediation, with appropriate independent and professional assistance (i.e., compulsory acquisition should **not** be imposed on residents);
- Allow residents to have their property comprehensively assessed, by a licenced assessor of their choice, in order to determine the extent of contamination of their property;
- Allow residents to determine, on the advice of their assessor, the requirement for remediation actions and at their particular property (e.g., effective risk management measures may be an appropriate option);
- Allow residents to determine, on the advice of their assessor, the most appropriate approach for remediation of their particular property;
- Pay for all costs associated with assessment and remediation. Where remediation has resulted in partial or full demolition of buildings and gardens, the full cost of restoring or replacing these should be borne by the Government; and
- Ensure that residents are able to rebuild their home on their property. This includes *inter alia* ensuring Local Government pre-approval of a Development Application to rebuild their home prior to commencing any demolition activity.

The Government should consider as an alternative:

- Developing a plan that looks at a **range of remediation options** and allow residents to opt in to the plan.

In conclusion, as an owner-occupier who has taken responsible action to manage the risks at my property, and who values greatly the space in which I live, I strongly encourage the Committee and the Member for Monaro to consider a different approach from that of the ACT Government.

Consider, instead, an approach which respects the circumstances of each owner, and provides them with options to manage their own situation in a manner commensurate with their particular level of risk.

Yours sincerely