

Submission  
No 10

## INQUIRY INTO LOOSE FILL ASBESTOS INSULATION

**Name:** Mr Michael Bresnik

**Date received:** 26/10/2014

---

Partially Confidential

26 October 2014

Reverend the Hon Fred Nile MLC  
Chair  
Joint Select Committee on Loose Fill Asbestos Insulation  
Parliament House  
Macquarie St  
Sydney NSW 2000

Dear Reverend Nile

Please find attached, a submission from my wife and I to the Inquiry that your Committee is conducting into the issue of "Mr Fluffy" loose fill asbestos insulation that was installed in ACT and NSW homes in the sixties and seventies.

I would like to appear as a witness, to be given the opportunity to speak further about our concerns. I ask the Committee to consider my request.

Yours sincerely

## **INQUIRY INTO 'MR FLUFFY' LOOSE FILL ASBESTOS INSULATION SUBMISSION FROM**

We make this submission to inform the Committee about the significant impact that the 'Mr Fluffy' loose fill asbestos insulation ('the insulation') has had on our lives.

### **BACKGROUND**

Our house is one of the NSW homes impacted by the insulation – in Queanbeyan. [redacted] grew up in the house and we purchased it from his parents [redacted]. We had planned to eventually extend the house or buy another one.

When [redacted], we needed another telephone line. It was during this installation that Telstra advised Queanbeyan City Council of a potential asbestos issue, and the insulation was confirmed. We were in our 30s at that time with [redacted] sons, and we had entered into small business, for which the house had become security for the bank. NSW Health became involved and we, our family and our home, were subjected to various tests. The outcome was that we were told to just *"leave it alone and all should be OK"*.

All we could afford to do was to have the roof space sealed as per NSW Health advice, and hope for the best. We grew frustrated that we could do nothing to improve our lifestyle or the house because "nothing could be disturbed". Summer was the worst time as no ceiling fans or cooling could be added because it would have encroached on the contaminated roof space!

Until the day of his death, [redacted] was adamant that the insulation he purchased was cellulose fibre. This caused him great angst and the issue was avoided during family discussions. It also caused [redacted] much anger and depression that he and his family somehow

could get caught out in something not intended, or of their doing. We were further frustrated that the insulation was discovered because of \_\_\_\_\_'s wish to serve his community. We point out that he served for nearly 20 years!

In \_\_\_\_\_ we "bit the bullet" and paid \$50,000 to have this scourge removed in a similar method to what was used in the ACT nearly 10 years prior! We also had to spend a month out of the house. This meant foregoing holidays and some of the pleasures we hear average Australians enjoy, but we wanted our family to have peace of mind, and we wanted to be able to modify our house or be able to sell it.

After the removal we felt relief and safety, which gave us the confidence to spend some money on adding a covered entertainment deck and evaporative cooling across the whole house. This increased the market value and we were secure in the knowledge that when it came time to downsize and/or retire, we had an asset.

Now that remnant fibres have recently been found in the wall spaces and sub-floors of some ACT 'Mr Fluffy' properties, we live in fear that the danger was not, after all, eradicated from our house either. If further fibres are discovered when we have the house re-tested, all our thoughts and dreams will be shattered, and our retirement plans destroyed.

This uncertainty has strained our marriage and caused some heated discussions. We are naturally concerned about potential health issues and the financial implications, as we do not have the money to take any further remedial action, and our house is still held as security by the bank in supporting our small business, and the \_\_\_\_\_ staff we employ. There is the real risk that the bank may now deem our home as "worthless" and withdraw our loan facility. It is a genuine fear and just adds to our anxieties.

We now hesitate to host events at home with family and friends, something we have always loved doing. We feel compelled to remind all of them about our predicament if they wish to visit or drop-in. The worst part is that \_\_\_\_\_ looks after our \_\_\_\_\_ granddaughter \_\_\_\_\_, and now we have the added fear for her health and whether or not we are doing the right thing in having her visit.

In the first ACT removal programme, no mention was ever made of walls or sub-floor contamination risk. As our house is centrally heated by gas it has led to even more uncertainty, fear and anxiety because our furnace is located within the sub-floor!

\_\_\_\_\_ has asked our sons to have chest X-rays, and approximately six weeks ago we attempted to have the house re-tested, via the WorkCover NSW "We care" telephone number, to determine if in fact we still have asbestos risk. Despite our details being taken, we have had no response to date. In the course of pursuing a response I discovered that "Protocols are being formulated". We were confounded by this, as we expected that WorkCover would have communicated with their ACT counterpart, given their counterpart's past action and involvement in the ACT asbestos eradication programme.

We therefore joined the Fluffy Owners and Residents' Action Group (FORAG) to leverage support for our plight.

### **OUR EXPECTATIONS FOR THE WAY FORWARD**

We have spent a fortune of our own money to make our house safe, only to now find out that it may not have removed the danger of the asbestos scourge. When the ACT residents who were affected by the insulation danger were provided with assistance through the five-year

cleanup programme that the Federal Government paid for in the late eighties, nothing was done for us, despite the fact that the insulation was as dangerous wherever it was installed! We faced the same potentially deadly health risk as the ACT residents, so we should not have been treated differently. The NSW Government back then did not go into bat for us with the Federal Government. We agree with the view recently expressed by the founder of FORAG, that "... *It defies belief that the NSW Government has not revised its position that fibres do not pose a threat if left undisturbed.*"

We even took part in a TV "exposure" in an attempt to have Queanbeyan included in the cleanup programme. We were, however, bitterly disappointed and furious when we realised that it was just a simple "us -v- them" program for ratings fame, and that it did nothing to change the NSW Government's position.

Given the recent findings in the ACT, the government there is once again coming to the party and negotiating with the Federal Government about a scheme in which the houses still contaminated with the asbestos fibres would be bought by the Government or demolished. Major infrastructure projects have even been deferred to pay for the asbestos cleanup.

The common denominator in the eighties cleanup programme and the proposal being considered in the ACT now, is the Federal Government's liability. It could have prevented the harm caused because it was made aware of the dangers as far back as 1968. For example, we are aware that:

- in the attached 1968 report from the ACT Department of Health to the Department of Works (Annexure A), the potential danger of asbestos fluff was highlighted, and the report said that "... *It is considered desirable that D. Jansen and Company Pty. Ltd., should be dissuaded or even prevented, if possible, from using asbestos fluff as insulation material*

*in houses. ...”;*

- documents obtained by the FORAG founder show that the National Health and Medical Research Council and Dr David Douglas (an occupational health academic) provided separate reports to the Federal Government on the acute health risks of the ‘Mr Fluffy’ insulation in 1988, during the cleanup programme, and
- one international occupational health expert has been quoted as saying ... *“This is a public health asbestos problem far greater than any documented elsewhere in the world.”*

We therefore believe that it is only fair that the NSW and Federal Governments work together to remediate our property and those of other affected NSW residents. Indeed, the ACT Chief Minister recently said ... *“... it's not fair on individual homeowners that they carry the burden of the Commonwealth's legacy”*. The ACT Opposition Leader Jeremy Hanson said ... *“I think it's important that we work together, both to provide the financial relief in the short-term, but also working cooperatively to go to the Federal Government and saying that they need to come to the table and provide some longer term remediation of these Mr Fluffy homes.”* Why should it be any different in NSW!

While we appreciate the lobbying that our Local Member of Parliament, and Committee Member Mr John Barilaro, has done on our behalf by proposing that the NSW Government buy back all affected properties, demolish them and redevelop the land, we remain concerned at how slow the NSW Government has been to “share the load” and go into bat for affected NSW residents with the Federal Government to remedy a situation that was avoidable, had the Federal Government heeded warnings it received.

## **CONCLUSION**

If, when we finally have our house re-tested, a present danger is confirmed, our lives will be on

hold until the remediation issue is resolved, as we do not have the financial resources to fix the situation, and our house insurance, which we have paid for over 25 years, will be useless to us.

We have endured fear of a potential health risk, and financial hardship, for more than 20 years and it must stop! Up until the recent findings in the ACT, no one in the NSW Government seems to have cared about our plight.

We have been helpful, tax paying, law abiding, community serving citizens of NSW, but government inaction so far has dashed our hopes and thoughts of retirement! So we sincerely hope that this inquiry will finally put us and other affected NSW residents on a level playing field with the ACT residents who have been lucky enough to have their properties remediated not once, but twice, through government support at the Territory and Federal levels.

Thank you for considering our submission.

26 October 2014