

**Submission
No 26**

INQUIRY INTO LOOSE FILL ASBESTOS INSULATION

Organisation: Palerang Council

Date received: 31/10/2014

Joint Select Committee on Loose Fill Asbestos Insulation

Comments from Palerang Council, October 2014

While problems associated with loose fill asbestos insulation do not appear to be widespread in the Palerang LGA, the impact on the few home owners that may be affected can be devastating. It is not only the direct risk to the physical health of affected families that is of concern, but also the impact of the associated financial stress on their general wellbeing.

In this context, Palerang Council welcomes the opportunity to provide input to the Joint Select Committee on Loose Fill Asbestos Insulation.

Homes Affected by Loose Fill Asbestos

To date, only a single home in the Palerang LGA, in Bungendore, has been identified as having contained loose fill asbestos insulation. This information was made available to Palerang Council by Queanbeyan City Council, based on records that were made available to them through investigations into the business activities of 'Mr Fluffy'. A 2012 building report on this residence, however, showed no visible evidence of the material in the ceiling space.

Nonetheless, to date the current owners of this home, as well as four other home owners within the Palerang LGA, have sought assistance through WorkCover to investigate more thoroughly whether or not loose fill asbestos is currently present in their homes.

Actions Taken in Other Jurisdictions

Palerang Council notes the recent announcement by the Australian Government of an assistance package to aid the ACT Government in dealing with the problem of loose fill asbestos in their jurisdiction. Given the recognition of the fact that it is practically impossible to remove all traces of asbestos from affected homes, we would encourage the NSW Government to consider negotiating a similar arrangement to deal with the problem in NSW.

Assisting Home Owners

Since becoming aware of the 'Mr Fluffy' problem, and in consultation with WorkCover, Palerang Council has prepared and distributed to all home owners a guide to assist residents concerned that loose fill asbestos might be present in their home. The above mentioned requests for inspections are a direct result of this local campaign.

The *Home Owner's Guide* provides relevant background information and answers to some common questions relating to the presence of loose fill asbestos:

How do I know if my home contains loose asbestos insulation?

Can I renovate my home if it contains loose asbestos insulation?

How can I satisfy myself that my home is safe if loose asbestos is present?

What are the laws about disclosure of asbestos in homes?

Containment

Who Can Help

The last item refers residents to the WorkCover website for further assistance and information, and it is noted that the involvement of WorkCover in providing assistance to local residents was an essential part of this effort.

Palerang Council also contacted the one owner mentioned above directly to offer advice on the timing of a relevant information session that was conducted nearby in Queanbeyan.

Palerang Council will be participating in National Asbestos Awareness Month, and presenting a formal Asbestos Policy for adoption at its November meeting.

Home Owner Responsibilities

Clearly, anyone with knowledge of the presence of loose fill asbestos has some degree of responsibility for containment of the material. However, as we point out in our *Home Owner's Guide*, in NSW there is no law that requires a seller to disclose whether a home contains asbestos—it is a 'buyer beware' situation. Council advises residents that if their house was built before the 1980s, it should be specifically checked for loose-fill asbestos. Residents are advised to specifically request that any building report include information on the presence of asbestos or separately obtain a specialist report.

Palerang's *Home Owner's Guide* also notes that there are current legal requirements to disclose the presence of asbestos if a property is tenanted out, and Palerang Council is supportive of this requirement. Palerang Council notes that the *Work Health and Safety Regulation 2011* states that the person conducting a business or undertaking in any building constructed before 31 December 2003 must identify if there is any asbestos in the building, and that all commercial properties that contain asbestos must have and maintain a current asbestos register and asbestos management plan.

Concluding Comment

The problem with loose fill asbestos insulation would appear to be relatively minor within the Palerang LGA. We would nonetheless welcome any effort on the part of the NSW Government to address the associated health and financial impacts of this problem.