

**Submission
No 11**

INQUIRY INTO LOOSE FILL ASBESTOS INSULATION

Organisation: Orange City Council

Date received: 30/10/2014

RECEIVED

30 OCT 2014



D14/24834

17 October 2014

The Revd the Hon Fred Nile MLC
Joint Select Committee on Loose Fill Asbestos Insulation
Parliament House
6 Macquarie Street,
Sydney, NSW 2000.

Dear Reverend Nile

INQUIRY INTO LOOSE FILL ASBESTOS INSULATION

Orange City Council welcomes the opportunity to comment on the Inquiry into Loose Fill Asbestos Insulation.

The Orange Local Government Area has been identified as an area where loose fill asbestos was distributed. To date one house has been identified as being insulated with Mr Fluffy. This house was demolished in 2013 and all the correct procedures were followed for both the demolition and the disposal of material.

At this stage owners of a further five properties have applied to WorkCover to have loose fill insulation in their homes tested.

It is anticipated that the report by your committee, due in February next year, will generate a plan for the management of this issue. Orange City Council submits that a robust plan for management of the matter needs to be developed by the NSW Government as a priority.

The primary focus of the plan should obviously be the health of anyone who may come in contact with loose fill asbestos.

The terms of reference for the inquiry are appropriate.

However, significant matters that must be addressed are resourcing for identification and consultation, resourcing to address the contamination and de-contamination, air monitoring on and off site of identified properties and health monitoring of occupants and possibly neighbours of identified sites.

Additionally it is suggested a critical element of the plan should include consultation with pre purchase building inspectors. It is likely this industry sector may already have a resource to assist in the identification of loose fill asbestos insulation.

INQUIRY INTO LOOSE FILL ASBESTOS INSULATION Cont...

In terms of consultation, Council has been working with the Heads of Asbestos Coordination Authorities, WorkCover and NSW Environment Protection Authority on this matter.

While this has been a mutually beneficial arrangement recent correspondence from WorkCover has stepped outside a reasonable approach to collaboration.

On 9 October 2014 Council received a "Notice to Produce Documents" that may make reference to loose fill asbestos insulation. The closing date for a response was 20 October.

There are a number of concerns around the issuing of this notice. Firstly, Council was not aware of this approach until the notice arrived. Secondly, the response time was grossly inadequate. Thirdly and most critically it would require significant resources for little outcome based on experience in investigating the identified property in Orange containing loose fill asbestos and reviewing all the Council files associated with the property. This investigation did not find reference to loose fill insulation of any type in files or building plans.

It should be noted that homeowners did not need to obtain the consent of Council to install insulation of any type during the loose fill asbestos insulation period and that remains the case today. Therefore the likelihood that the "Notice to Produce" will uncover relevant details is very remote.

Nonetheless Council is happy to work with the NSW Government and the Inquiry to ensure the health of Orange residents is protected.

Yours faithfully

Garry Styles
GENERAL MANAGER