

REPORT OF PROCEEDINGS BEFORE

**JOINT SELECT COMMITTEE ON LOOSE FILL ASBESTOS
INSULATION**

INQUIRY INTO LOOSE FILL ASBESTOS INSULATION

At Queanbeyan on Monday 17 November 2014

The Committee met at 10.30 a.m.

PRESENT

Reverend the Hon. F. J. Nile (Chair)

Legislative Council

The Hon. N. Blair

Mr D. M. Shoebridge

The Hon. M. Veitch

The Hon. S. J. R. Whan

Legislative Assembly

The Hon. G. D. Barilaro

Mr D. W. Maguire

TIM OVERALL, Mayor, Queanbeyan City Council, and

MICHAEL THOMPSON, Group Manager, Sustainability and Better Living, Queanbeyan City Council, sworn and examined:

CHAIR: Welcome to the second public hearing of the Joint Select Committee on Loose Fill Asbestos Insulation. I acknowledge the Ngambri, who are the traditional custodians of this land. I pay respect to the elders past and present and extend that respect to other Aboriginal people who may be present. This Committee was established to examine issues related to loose-fill asbestos insulation in homes in New South Wales. Its terms of reference required the Committee to inquire into and report on the number and location of homes affected by loose-fill asbestos insulation, the role of State and local governments to advise and assist homeowners and occupants, to reduce the risk posed by loose asbestos, and a requirement for property owners to notify people who could potentially be affected by it. In its deliberations the Committee will also consider actions taken by governments to deal with loose-fill asbestos insulation in other Australian jurisdictions.

Today we will hear from representatives of the Queanbeyan City Council and the Fluffy Owners and Residents' Action Group, as well as individuals and families who have been directly affected by loose-fill asbestos insulation. While members of the media may film or record committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I remind media representatives that you must take responsibility for what you publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at the hearing, so I urge witnesses to be careful about any comments they may make to the media after you complete your evidence as such comments would not be protected by parliamentary privilege should another person decide to take action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that witnesses can only answer if they have more time or with certain documents to hand. In these circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days. I remind everyone that committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. I therefore request that witnesses focus on the issues raised by the inquiry's terms of reference and avoid naming individuals unnecessarily. Please be advised that committee members and witnesses while at the table cannot be approached and that any messages for them need to be delivered through the committee staff.

I welcome witnesses from the Queanbeyan City Council.

Mr OVERALL: Thank you. I have been a councillor on the Queanbeyan City Council since 2004 and Mayor since 2008.

Mr THOMPSON: I have been on the Queanbeyan City Council for over 30 years.

CHAIR: Do either of you wish to make an opening statement?

Mr OVERALL: Yes, I would like to make a brief opening statement and then Mr Thompson, who has been dealing with this issue for well over 25 years, and I will be pleased to answer any questions. The WorkCover sampling and technical assessment program and this Committee's inquiry are welcomed by Queanbeyan City Council. This displays a sense of ownership of the issue on the part of the State Government. Queanbeyan City Council has been attempting to deal with the issue of loose Fluffy asbestos insulation in homes for almost three decades. In the late 1980s and early 1990s, as we know, the Commonwealth and Australian Capital Territory [ACT] Governments spent about \$100 million on identifying and removing the material from some 1,030 homes, or about 1 per cent of homes in the ACT. That involved removing the material from the roof spaces.

Queanbeyan residents were excluded at that time. Extrapolating the ACT numbers could mean that up to 60 properties could be affected in Queanbeyan—that is a mere extrapolation. Queanbeyan City Council's legal advice obtained at the time was that council had no power to conduct a similar mandatory inspection program without the consent of owners. At that time it was known to Queanbeyan City Council that there were nine homes affected with this insulation material.

Council has made numerous submissions to Federal and State Ministers, Prime Ministers and Premiers up to 2013 seeking intervention and assistance, but it has all been to no avail. I will not go into those processes because they are covered in our written submission, but I will make a few points. In 1995-96 council undertook an identification program with 5,000 letters sent to owners of houses built before 1980. This resulted in just two additional premises being added to council's confidential register—nine initially, two more, so we had 11. In May 2005 council again adopted a proactive stance and resolved that, first of all, this is ultimately a public health concern and that council would commit 25 per cent to removal costs, subject to similar contributions from the Commonwealth and State Governments and also the property owners. At the time that came to council I recall highlighting not only the health risks to occupants of those houses but also the public health risk in the event of an unforeseen storm event or a fire which could potentially distribute this material all over the local neighbourhood. As we now know, the removal of the material from roof spaces fails to resolve this issue.

Earlier this year I wrote to the Federal member of Parliament for Eden-Monaro and the State member for Monaro in regard to the extent of the impact of loose asbestos insulation material in Queanbeyan and sought meetings to discuss proposed representations to the Commonwealth Government. We held those meetings, but there were no meetings forthcoming with the Commonwealth Government. In August I wrote to Minister Eric Abetz, the New South Wales Premier and the New South Wales Minister for Health asking them to fund finding a solution to the extent and impact of loose insulation asbestos material in Queanbeyan homes. Minister Abetz's response in late August was it was premature to comment on the request for assistance as the ACT Government had not yet finalised its strategy and, at that time, had not requested assistance. He also made the point in his response that it is important the New South Wales Government forms its own views on the issue.

In concluding, I think the primary issues facing Queanbeyan are as follows. First, unlike for the ACT Queanbeyan City Council does not know the extent of the problem in Queanbeyan. Second, the overwhelming concern is about health risks from all affected residences. Third, there is an intense sense of frustration at the lack of support and action in the past and concerns that this may continue. The other primary issue is the loss of income equity by affected residences and the likelihood at some stage of an affected home being damaged by an unforeseen storm event or fire.

I put forward possible solutions. What we need is a robust identification and well-structured remediation program involving buyback and demolition of homes and resale of properties. In my view, the Commonwealth Government should extend a similar facility to the New South Wales Government as it has to the ACT Government. I have suggested a figure of some \$50 million would probably cover the New South Wales region. Further, I suggest that a task force be established responsible for implementing a well-structured program. If a task force is to be established in New South Wales, I submit that it should also include expertise from local government. Whatever New South Wales model is eventually adopted, council's concern is that it must incorporate flexibility providing for the different needs of owners.

CHAIR: Thank you for that important information and for your submission.

Mr DAVID SHOEBRIDGE: I thought Mr Thompson also wanted to make a brief contribution. Is that right?

Mr THOMPSON: No, Mr Chair.

The Hon. STEVE WHAN: We had evidence on Friday from both the ACT task force and the heads of coordinating authorities in New South Wales indicating that the New South Wales Department of Health's view at the moment is that it will undertake further testing and monitoring of houses in Queanbeyan to see whether or not fibres are present, but that it felt the ACT has not yet undertaken a health-risk assessment of whether there is a danger of fibres being present. The department felt that this should be done first. Do you think that is a reasonable course of action, or would you like to see some other action?

Mr THOMPSON: As you would be aware, through this whole process we have been guided by the advice from the New South Wales department of health. They have said during the entire period that, from their previous tests they did in the early 1990s, they felt asbestos was manageable providing it was quarantined from the living spaces. They have said that their tests have shown that. There does seem to be some discrepancy between those results and the results from the tests the ACT Government have done. I do not have the expertise to say whether or not the tests were done in the same way or in fact whether they even measured the same things. But the fact is that Queanbeyan is in New South Wales and we rely on the New South Wales department of health for their expertise. We have been and will continue to be guided by them until there is any change.

The Hon. STEVE WHAN: Has the department of health or WorkCover spoken to Queanbeyan City Council directly about the testing program they say they are about to commence of houses in Queanbeyan?

Mr THOMPSON: The last discussions we had were at a meeting by invitation held with the affected homeowners. There were representatives from New South Wales WorkCover and the department of health there. They indicated at that time that they had not completed their protocols for how the testing was going to be completed. We have been advised recently that they are in a position now to commence those tests but we have not had any further discussions with the department of health at this stage.

The Hon. STEVE WHAN: Given your comments on inspections of affected houses, would you suggest that a recommendation of this Committee should be to give greater power to actually compulsorily inspect houses that might be affected?

Mr THOMPSON: I do not recall any great outcry at the time the sampling program was introduced in the ACT that the Government was going into houses to inspect them. That may well have been due to the fact that they have a different system of land tenure in the ACT. All properties there are leasehold, which is not the case in New South Wales. Whether that had any impact, I do not know. Certainly we have had indications that some people may well object to someone coming into their home to conduct an inspection. I think we mentioned in our submission that initially in our sampling program we had some 350 people book in inspections and then about 10 per cent of those people withdrew their request for the sampling to take place. I think some of those cancellations were about people not wanting to know or people thinking they did have it and not wanting the stigma of having their home classed as a Mr Fluffy home. The fact remains that we need to do something to find out the extent of the problem, because at the moment we have only covered about five per cent of homes.

Mr OVERALL: I would like to add that councils like Queanbeyan City Council, in accordance with Government legislation and regulation, have a compulsory swimming pool safety inspection program. We undertake that yearly.

Mr THOMPSON: We get through a cycle every three years.

Mr OVERALL: Yes, the cycle is three years but inspections are undertaken yearly. We do not have any objections from property owners. We advise property owners that council staff will be coming to inspect their pool. I cannot see why the same should not apply in this situation.

The Hon. STEVE WHAN: You mentioned earlier that you sent out letters to 6,000 householders. What is the estimate of the number of pre-1980 houses that would need to be inspected if there was a program to actually look at all potentially affected houses in Queanbeyan?

Mr THOMPSON: We have done about 350, and there are another 120 already booked into the existing service, so we would probably be looking at somewhere between 4,500 and 5,000 premises.

The Hon. STEVE WHAN: So it is a pretty significant number of houses to look at.

Mr THOMPSON: Rather than doing that, an alternative way would be to implement some sort of program that goes with the sale of the house. So over a period of time you would collect the information. Over a period of 20 years you would probably pick up something like 60 to 70 per cent of the homes. That is another way to do it. New South Wales has just introduced a new system for swimming pools. From April next year when a person purchases a home they will have to have a current certificate to say that the safety considerations around the pool are up to scratch. It lasts for three years. That means that over a period, as homes and units are being sold and leased, we will build up much more knowledge about the number of satisfactory swimming pools. The same sort of thing could be done for asbestos.

The Hon. STEVE WHAN: So you are suggesting either doing a proactive inspection of all houses or mandating that the certificate has to be provided upon transfer of the property?

Mr THOMPSON: Yes, certainly there should be some sort of report so that we have some knowledge at the time of the transfer of the property. I suppose the only disadvantage of that would be if, like in the ACT, you want to have a program that you can run over a fixed period of time. It does not really go with that because

we are still going to be finding affected premises in 10, 15 or 20 years time, and we would need to make an allowance for that.

The Hon. STEVE WHAN: Is the labelling of houses for tradespeople coming in something the council would advocate or support?

Mr THOMPSON: Certainly we would advocate that. There are a number of people who come to homes affected by asbestos who may not be aware of that, and tradespeople are one group. There are also visitors to the home. Interestingly, just recently an elderly resident rang us and was very concerned about the fact that she now had a label in her electricity meter box that said asbestos was present in the house. She wanted to know if that label had come from the council. In fact it had not. The electricity authority had actually placed that sticker in the electricity box on the basis that the electricity box itself contained a panel that included asbestos.

The electricity box is a very good place to put a label because it is a place tradespeople often have to look in or do something with when they are at a property. I think if we do go down that path of labelling then we need to make it clear on the label whether the label relates to a bonded asbestos product in the electricity board or on the exterior of the house or whether indeed it relates to loose-fill asbestos material. Given the evidence from the ACT home about subfloor areas, perhaps a sticker should be placed on the door into the subfloor area. The other place you could consider putting a label is the manhole into the roof space. It may be preferable to actually remove the manholes altogether to discourage people from getting into the roof space. So those are a couple of suggestions about where stickers could be placed.

The Hon. STEVE WHAN: You have talked about the contrast between the approach in NSW and what the ACT is doing with the purchase and demolition of houses. Is that the approach you would like to see taken in New South Wales?

Mr OVERALL: My view is that we need to have the final resolution of this issue. Being a public health issue, it should not be permitted to continue. We do not want to be sitting here again in 10 or 20 years dealing with a problem that we have been dealing with for close to 30 years already. I believe we need a solution that addresses the problem once and for all. My personal view is that there needs to be a mandatory inspection program and a robust process put in place to address this issue, similar to what the ACT has instituted. I do not know of any other solution.

The Hon. MICK VEITCH: Has the council conducted any awareness programs for home renovators? Does the council put messages in rates notices and things like that telling people to be vigilant about loose-fill asbestos?

Mr THOMPSON: Over several years council has had a policy, which has certainly been available to people. More recently, we have been making use of the internet and websites. We not only have our own information on there but also links to New South Wales WorkCover sites and links to a very good site in the ACT. They have done some excellent work, going back as far as the mid-1990s, raising awareness of the do-it-yourself issues around not only loose-fill asbestos but also bonded asbestos products. That has been a very good website. More recently we have had Betty the WorkCover van in town twice this year raising awareness of these sorts of things. I do not think things in New South Wales have got to the same extent as things in the ACT. I know tradesmen in the ACT now have to undertake mandatory training before they can work with this material.

Mr DAVID SHOEBRIDGE: We just saw a class of tradesmen doing that training this morning.

Mr THOMPSON: I am not aware that that same requirement exists in New South Wales at the moment. It would certainly boost awareness. Having said that, whether or not they take any notice of the training they have is another matter. It is something that could happen.

The Hon. MICK VEITCH: What sort of feedback has the council had each time it has conducted an awareness campaign?

Mr THOMPSON: There has not been much feedback, to be honest. I cannot recall people ringing up and saying, "Gee, that is a great website. I use that website a lot," or anything like that. We just try to put the

information out there and encourage people to use it. I think the Mr Fluffy issue in the ACT has raised awareness far more than anything we have actually done ourselves.

The Hon. MICK VEITCH: I live in Young and residents there are fully aware of the Mr Fluffy issue. We get our news from the same media market as this region a lot of the time. One of the issues raised by Friday's inquiry in Sydney was the use of counselling services. What counselling services are provided for either owners of so-called Mr Fluffy residences or people who think they may have lived in a Mr Fluffy residence at some stage? What sort of counselling services are you aware of?

Mr THOMPSON: There are none available to residents that I am aware of, in fact it is one of the things that we have recommended in our submission. We feel that this is not just a technical issue; there are many social aspects around this. Our interactions with affected owners show that people deal with this in many different ways. Some people are quite comfortable with it. For other people it is the bane of their existence and the only thing they can really think about. At the moment if those people feel they need counselling then they have to access it privately. But we have suggested in our submission that there be some funding to assist those people and to encourage them to get counselling.

If one of the reasons they are not going to counselling is the cost then perhaps if there was some funding to cover the cost of that counselling then more people might go to counselling. Certainly I have had interactions with affected owners that would indicate that counselling could help, because it is a real situation for them and it is really having an impact on not only them but also their families. Some people feel guilty because they may have exposed their children, their friends or their family to this. Even if they were the ones working up in the ceiling, when they came down they brought fibres with them. So this is a real social issue not just a technical issue.

Mr OVERALL: A number of affected owners in Queanbeyan have identified themselves and associated with the Fluffy Owners and Residents' Action Group [FORAG] in Canberra to get some social support from that area, because it is absent here in Queanbeyan.

The Hon. STEVE WHAN: On the radio this morning you would have heard about the case of the ACT former resident of a Mr Fluffy house who is taking legal action against the Commonwealth Government. Has the council had any legal opinion about its vulnerability to claims for loss or compensation?

Mr OVERALL: Not that I am aware of.

Mr THOMPSON: I am not aware that we have had any advice to that effect.

The Hon. MICK VEITCH: The issue around removal and then disposal of the material, what are the arrangements at Queanbeyan City Council for transportation from the site and disposal?

Mr THOMPSON: Queanbeyan City Council does not operate a landfill site of any sort. We have arrangements with the ACT to have our landfill waste material, putrescible material, taken to landfill. Our recycling collection goes to a sorting facility in the ACT. For hazardous materials, like asbestos, the arrangements are that they go to the West Belconnen landfill where they are paid for the cost of asbestos disposal. We have not had any indications from the ACT Government that that process would not remain in place, but, of course, I would imagine if they go ahead with this system over there, landfill space for hazardous waste is going to become quite precious because of the number of homes that they will be dealing with. But, in the overall scheme of things, the numbers in Queanbeyan are probably not so high that they would make an overall impact over there.

CHAIR: We will move on to the Government members.

Mr JOHN BARILARO: Just following on from the comments from Mr Whan and Mr Veitch in relation to either notification on 149 certificates in the future, notifying home owners or potential buyers of these homes that these homes may have asbestos or, of course, the labelling idea in letterboxes, just digging a little bit deeper in the council's own process, if an application came to council's planning section for, say, a renovation or an extension on a home—at this stage Queanbeyan City Council has identified the 14, 15 homes that have got asbestos, and that is confidential; it is not out in the public domain—is there a process internally that you follow? Maybe a warning bell is sounded saying, "Hang on, this is a house that potentially has high risk for tradespeople", and I am talking from a tradesperson's perspective, having been out of that industry and

having had to crawl through these cavities and work on these homes in the past. Is there a process internally that could stop a renovation or demolition of these homes?

Mr THOMPSON: Yes, there is. In fact, one of the 15 homes has been cleaned up for that very reason. We were aware of the home; it was on our register. A developer came to us with a proposal to keep that particular home and build an additional three townhouses on the rear of the property, and as a condition of that development consent we required that the asbestos material be removed from that dwelling as part of the development process. That was done. It was not just from the roof space; they actually removed the wall linings and cleaned the whole premises. In fact, that owner has asked to be taken off our register now because he feels that he is no longer an affected premises.

So there is that opportunity. When we are talking to developers we have a facility at council for a pre-development meeting. It is not with everybody but we do have it for the larger developments. Certainly, nearly all multiunit developments would come through that process, but also industrial and commercial developments, and it is one of the things that we talk to them about at that stage. If they have got a lot where they are demolishing a home, we ask them at that stage have they had the home checked for loose asbestos, because it has a significant impact on the cost of development if it does. I would say that increasingly potential developers are aware of it but there is still a disturbing lack of knowledge that this could be an issue for them. Many times the developers have not bought the homes by that stage, but certainly we always encourage them to make sure that they have got that checked off their list before they go ahead and demolish them.

If I can make a comment on the 149s? I am not really sure if a 149 certificate is the place for this. A 149 certificate is a planning certificate. I do not think this is a planning matter any more than the safety on a swimming pool is a planning matter. I believe that it needs to be part of the conveyancing process, that we need to have in place some sort of requirement that says if the owner is aware of it it must be disclosed—there is no requirement that I am aware of at this point in time—and that if it is not known then some sort of inspection is done on the premises prior to it being sold. That happens in the ACT at the moment in relation to both loose-fill and bonded asbestos. So whether or not it should be extended to bonded asbestos products as well I am not sure. Our experience is that some owners were requesting building reports as part of their conveyancing, as a diligent owner would probably do, but unless they specifically asked that building inspector to look for loose-fill asbestos they simply did not look for it.

Mr JOHN BARILARO: On that, is there an obligation, say, on the building certifier or inspector, be it internally in the council or the independent contractor, to report back to council if they have come across it, regardless of whether they were asked by owners or not? Is there a reporting mechanism of some sort?

Mr THOMPSON: I must admit I have not had that situation, although, just to make it clear, council building surveyors do not perform that task. We do not go and do pre-purchase inspections; that is handled by private building surveyors, not by council. I must admit I cannot recall a situation where a council building surveyor has come across that situation, but I would certainly hope that, even just from an occupational health and safety point of view, we would make that obvious to the owner, that we think they needed to have that premises checked.

Mr JOHN BARILARO: Councillor Overall, I refer to your comment earlier that you wanted to see flexibility in relation to the response from government—and we know that in the ACT the goal is to eradicate the committing of all these homes. We as governments are saying that these homes are deadly and they need to be removed from the community, from their neighbourhoods, once and for all. When you say "flexibility" are you saying flexibility in allowing home owners to remain in those homes or on that land?

Mr OVERALL: I am aware of the situation in the ACT that there are a number of home owners who have resided in their homes for many years and have taken those precautionary measures about ceiling spaces and manholes and those sorts of things—they may be elderly citizens that are still residing in their homes and wish to stay there until such time as they go into intensive care. That is a medium situation, not a long-term situation. I would never, and do not, advocate any sort of long-term situation in terms of flexibility arrangements, but it needs to be well thought-out. There are a number of scenarios. There is the situation that Mr Thompson mentioned where the owner has requested the property be taken off the register. Whether that needs to be subject to further inspection or whether it can be taken off or it is liveable, it needs that WorkCover inspection and certification, I would have thought.

Mr JOHN BARILARO: You have met with some owners, as I have as the local member—and I know we have had some closed-door forums with those affected home owners. I have heard some talk about flexibility, others just want this resolved once and for all because of the financial and emotional impact on their lives; they are at a point where they want to end this saga once and for all. Is there a majority that want flexibility and still want to remain in their homes? Do you have a feeling of where that is at or not?

Mr OVERALL: I personally do not. I know of two that have mentioned to me that they want a resolution; one is a property owner who has an investment property and feels morally that he cannot proceed to find a tenant for that property, knowing that it is an affected home. He is looking for some resolution to the matter financially, as another property owner who resides in the property.

Mr THOMPSON: I think there are really probably four categories of people that I have come across, and this was before the ACT announced what the program over there would be. But we are seeing some of this coming across in their program. There are people who just want to be done with it. All they want to do is get out of the house; they do not really care, they do not want to be back in that house, they just want to get some sort of solution that allows them to move on to another home without being too financially disadvantaged.

Then you have got people who are generally elderly, they are unlikely to suffer from asbestos in the short term if they have not already; they would like to see out the remainder of their life in that home because quite often it has been a home that they have been in for many years. If we go down that track then you have to have a sort of process in place for what happens in the four, five or six years when that house eventually gets to the stage where it needs to be sold on to another person.

There are other people who have bought a home in the full knowledge that it has asbestos. They may even have made an adjustment to the price of the house for that. They might have had to clean it up themselves later on or something like that and they are quite happy to live with the consequences of that. Whether or not that is an effective long-term solution I am not sure, because I think if we are going to deal with the problem we need to deal with it certainly in the short to medium term. I do not think we can afford to be still fixing up premises in 20 years time. Then we have got another group of people who just really do not want to know about the problem and do not even want to participate in the program. They are the sort of four groups of people that we need to allow that flexibility for in any final solution that we come up with, and there are probably more coming up in the ACT.

Mr JOHN BARILARO: Mr Thompson, I have had the privilege of sitting in forums—and you know this issue back to front and I think your knowledge on this is extensive and I commend you for that. This question is probably more in relation to your own personal reflection. If for over 2½ decades we have had advice from health officials in New South Wales that say there are safe levels of asbestos fibres or loose-fill fibres, that you can live in these homes, you can control pathways, and you have been part of the Government's environmental and planning agency department for many, many years, what is your feeling from the information that you have been able to gather from New South Wales or the ACT about what they have done? You have probably had a lot of information in front of you. Do you feel that there is a safe level of any asbestos in a home? I am really just calling on your expertise and background and knowledge.

Mr THOMPSON: I do not know whether there is ever a safe level. I think the fact is that all the people that live in those homes would want it removed if there was a mechanism to do that and they were not disadvantaged—not to the extent that a lot of those people have chosen to move out of the house—they are prepared to take that risk, and they may well have taken that risk on the advice that the NSW Department of Health has given them. Whether that advice is sound we will probably need to wait another 15 or 20 years to see. But I think probably the best way I can say it is that I have not really met any of the affected owners—maybe one, but the majority would certainly prefer not to have the material there and to have it removed if there was a way to do that.

Mr JOHN BARILARO: Thank you, Mr Thompson. Congratulations to council for having a very proactive approach to this issue for many, many years.

The Hon. NIALL BLAIR: In your submission you talk about the fact that the council has the information of the affected houses. Have you sought legal advice as council? You address the issue of why you have not disclosed some of that information. Has council sought legal advice in the event that someone has bought one of these houses unknowingly and whether council could be party to any sort of a suit because it was

aware that that house did have asbestos? I note what your position is on that but I am interested to know whether you have legal advice that backs up your position.

Mr OVERALL: No, we do not, not that I am aware of, but perhaps we should.

Mr THOMPSON: I can tell you that we have referred the matter to our insurers, of course, as is prudent in this case.

The Hon. NIALL BLAIR: What we are seeing right along the way is that there are potentially people who do the conveyancing, the people who may sell the house, the people who lease the house, the real estate agents, potentially the lawyers that are associated with it. We could have a whole range of people that, through a process, may be unwillingly or willingly knowing that some of these houses are changing hands. One thing you say in your submission is that we should be putting it on the contract and engaging people to get someone to do an assessment. What happens if one of those assessors sticks their head in the ceiling and is exposed to this as well? Surely they need to know this information before that. That is why I was asking that question about whether council has the legal advice.

Mr OVERALL: One of the problems we have had to deal with in the voluntary participation and identification processes in the past is that to encourage a home owner that may suspect they have material to come forward for a testing program you need to give an assurance of confidentiality. Without that I think home owners have felt reluctance.

The Hon. NIALL BLAIR: Who is your insurer?

Mr THOMPSON: Statewide Mutual. It is a New South Wales local government insurer.

The Hon. NIALL BLAIR: Were they comfortable? Did it impact on your premium?

Mr THOMPSON: I do not know the answer to that.

Mr DARYL MAGUIRE: Do you have any idea how many properties that have been affected with this product may have been transacted in recent times?

Mr THOMPSON: I am aware of two people in the last four years that have come to council or we have contacted them with a mail-out or something like that and they have come back to us and said they did not know when they purchased the property that the material was there. That is two out of 15 in the last three or four years.

Mr DARYL MAGUIRE: You are calling for some kind of notification of properties that have this asbestos in them. I would suggest that by the time you get to a transaction, sales could fall through because of this product. This has been known about for so long. I am reading here Patricia Forsythe in *Hansard* from early 2005 referring to a paper entitled "Tale of Two Cities" written by Dr McKenry, who was running the ACT program at the time. So it was well publicised. Would it not be more proactive to have mandatory reporting by trades and others to a register as the properties are discovered? Electricians, plumbers or people who may have to carry out work on property that is affected could report it in a confidential way.

Mr THOMPSON: I certainly think there is merit in that. I think that could be just one of the tools. In conjunction with inspections at the time of conveyancing I see no reason why that could not be another tool. I am sure the Committee is aware that one of the premises is a unit development with 38 units and that is exactly how that one came to the attention of the strata body. There was a maintenance issue, the tradesmen went to fix the issue and they had enough awareness to think it was asbestos and suggest they get it tested. Sure enough, that is exactly what the case was.

Mr DAVID SHOEBRIDGE: At the moment you have a register in council with 15 properties on it where you know there is loose-fill asbestos. Is that right?

Mr THOMPSON: We have got a register with probably close to 300 premises that have been sampled and it shows the ones that have tested positive and negative.

Mr DAVID SHOEBRIDGE: On that there are about 15 properties that have tested positive?

Mr THOMPSON: There are about 15 properties, yes.

Mr DAVID SHOEBRIDGE: Some of those are multi-unit premises?

Mr THOMPSON: One of those premises is a multi-unit premise.

Mr DAVID SHOEBRIDGE: There is a Department of Housing premise as well, is that right?

Mr THOMPSON: There is one Department of Housing premises as well.

Mr DAVID SHOEBRIDGE: And that is confidential?

Mr THOMPSON: Yes.

Mr DAVID SHOEBRIDGE: So someone could be buying a property as we speak that the council knows has loose-fill asbestos in it?

Mr THOMPSON: That is correct.

Mr DAVID SHOEBRIDGE: They could buy the property and they would be none the wiser?

Mr THOMPSON: That is correct.

Mr DAVID SHOEBRIDGE: They could live in it for years and be none the wiser?

Mr THOMPSON: Yes, I suppose until they were informed by council or some other person.

Mr DAVID SHOEBRIDGE: They could go into the roof cavity or put their kids in the roof cavity and be none the wiser?

Mr THOMPSON: That is correct.

Mr DAVID SHOEBRIDGE: And you have not got legal advice on this?

Mr THOMPSON: No. But that could be said for bonded asbestos as well.

Mr DAVID SHOEBRIDGE: You are not comparing the two, are you—Mr Fluffy asbestos and bonded asbestos?

Mr THOMPSON: What I am saying is there are lots of things that can happen in a home that people need to be aware of. Is it council's responsibility?

Mr DAVID SHOEBRIDGE: But you are not comparing the safety risk of bonded asbestos and Mr Fluffy loose-fill asbestos? You are not saying they are comparable, are you?

Mr THOMPSON: No, that would be unfair to say that.

Mr DAVID SHOEBRIDGE: I have to say I find it extraordinary that you have not obtained legal advice on the risk to council and sought to get proactive legal advice so that you can protect potentially a large class of future residents from being exposed to this deeply dangerous material. Can you explain why you have not sought that proactive legal advice to work out how you can protect those future residents?

Mr THOMPSON: I cannot explain that. I can explain why council has the position that it has. That is detailed in the submission. We have always felt that it is an issue of buyer beware, as there are many others.

Mr DAVID SHOEBRIDGE: But you are a public authority with an obligation to do what you can to protect your residents. You have this red-hot information about a public safety issue and you do not do anything with it. How do you explain that?

Mr THOMPSON: I cannot explain that. I am sorry.

Mr DAVID SHOEBRIDGE: I understand it is enormously difficult. I also understand in the absence of the State and Commonwealth governments coming together and providing a fair and decent compensation arrangement for householders that being advised that your property has Mr Fluffy asbestos in it is a financial disaster. I think the State and Commonwealth governments have to do that so people feel that they can get their property inspected without having a financial death wish. But then I look at your authority and you have this extraordinarily important information and you are not telling anyone. At a local government level do you not think you have that obligation?

Mr OVERALL: I make the comment that councils across New South Wales have relied on State government advice, Department of Health advice, as to the safety implications of residents living in these homes. That is what we have relied on and that is what we continue to rely on until that position changes. Also I make the point that in terms of notifications and processes that have been adopted in the ACT, local government does not have the regulatory authority to make those requirements. It has to be at a State planning or State government level that is introduced across New South Wales statewide. It is not up to individual councils; we do not have the authority to do that. But I understand the point you are making, Mr Shoebridge, in regard to legal advice and we should certainly be doing that.

Mr DAVID SHOEBRIDGE: What do you understand the current advice from NSW Health to be in terms of dealing with loose-fill asbestos?

Mr THOMPSON: Their advice is that subject to the premises being maintained in a way that prevents material moving from the roof space into the living spaces there is no long-term impact on the residents.

Mr DAVID SHOEBRIDGE: But they also say do not touch it, keep it contained and keep it sealed.

Mr THOMPSON: Yes.

Mr DAVID SHOEBRIDGE: But how can people possibly comply with that NSW Health advice if they do not even know it is there because you have not told them?

Mr THOMPSON: They cannot. In fact, I am sure you may well hear from affected residents today who have done exactly that.

Mr DAVID SHOEBRIDGE: I would like to get some understanding about what you think the extent of the problem is in your local council area. You think you have identified about a quarter of the properties, is that right? Is that your best guess?

Mr THOMPSON: We are basing that on 1 per cent of the homes in the ACT. If we look at 1 per cent of the pre-1980 homes in Queanbeyan we are looking at somewhere between 50 and 60 homes.

Mr DAVID SHOEBRIDGE: And about 15 have been identified?

Mr THOMPSON: About 15, yes.

Mr DAVID SHOEBRIDGE: Mr Thompson, you spoke about one property where loose-fill has been identified. The roof and wall cavities have been cleaned and you are contemplating taking that property off the register. What advice are you seeking and who are you seeking it from about whether that is an adequate response?

Mr THOMPSON: WorkCover NSW. They issue a certificate, basically, at the time that the place is cleaned to say whether or not it has been cleaned.

Mr DAVID SHOEBRIDGE: Have they done that?

Mr THOMPSON: They have.

Mr DAVID SHOEBRIDGE: WorkCover has issued a certificate?

Mr THOMPSON: Not WorkCover. It is a requirement from WorkCover that when the material removal is being done by a licensed contractor that contractor issue a certificate.

Mr DAVID SHOEBRIDGE: Could you provide the Committee on notice the further details including your communications back and forth with WorkCover about that case?

Mr THOMPSON: Yes. There has not been a lot of backwards and forwards between WorkCover but we could certainly provide you with it. Would you like a copy of the certificate?

Mr DAVID SHOEBRIDGE: Yes, and whatever communications you have had back and forth. As you know, in the ACT the advice has been that it is not just the roof and the wall cavities but it is also the sub-floor space and the surrounding soil. Given that you have that information about properties just 10 kilometres away how are you arriving at any level of comfort that the clean-up of that site, which is just the roof and the wall cavities, is adequate? How do you have any level of comfort about that given what has happened 10 kilometres away?

Mr THOMPSON: Because the person that has to do that work is a licensed asbestos removalist. We are relying on their expertise.

The Hon. STEVE WHAN: That work happened before the ACT work, did it not?

Mr THOMPSON: That one did, yes.

CHAIR: In your opening remarks you talked about the council being prepared to contribute 25 per cent of the cost for the houses affected by loose-fill asbestos. I assume you were then thinking of 25 per cent from the Commonwealth and 25 per cent from the State. Is that the formula you were using?

Mr OVERALL: That was the motion that was put to council and supported by council in 2005. It would be 25 per cent from the three levels of government and a 25 per cent contribution from the building owner in regard to removing the material from the roof spaces. Of course, as I mentioned, that has now proved to be not the solution. It was a response from the council at that time following what had transpired in Canberra earlier on. In the absence of any support at all from the Commonwealth and lack of support from the New South Wales Government to address the issue council moved in that direction to try to get some further support from levels of government.

CHAIR: You mentioned Senator Abetz's lack of response. Do you have a letter from the Commonwealth and the State saying that they will not contribute to any of your expenses on that formula that you recommended?

Mr OVERALL: We have a letter from Senator Bill Heffernon. I believe he was assisting the Prime Minister in that regard in response to a letter we sent to the Prime Minister. More recently we have correspondence which really suggests and states that it is really a matter for the New South Wales Government.

CHAIR: Could you take that question on notice and provide that correspondence to the Committee if you do not have the letters available today?

Mr OVERALL: I can table the most recent letter to the Hon. Eric Abetz and his response and other correspondence we can provide that is not already attached to our submission.

CHAIR: Thank you. What was the council's reaction when you learnt about, as we have been told, the \$1 billion allocation to the ACT by the Federal Government?

Mr OVERALL: My response was one of disappointment. I had a personal expectation rightly or wrongly that this would be seen as a national health issue, that it was not a jurisdictional issue, that this was a Canberra-based operator at the time when the Federal Government had responsibility for the territory and that licensed operator in some form or registered company in some form at that stage was operating in the wider area. I think I mentioned that a \$50 million facility may well address the issue across New South Wales. I only came to that number because if there are about 1,030 properties affected as part of this program in the ACT and there is \$1 billion allocated it is about \$1 million per property. If there are 50 properties across New South Wales so affected that is where I got that \$50 million figure from.

Mr DAVID SHOEBRIDGE: You think there are 50 in Queanbeyan?

Mr OVERALL: We talked earlier that if take about 1 per cent of 1,000 houses built before 1980 in the ACT and extrapolate that into Queanbeyan at the time it could be as high as 50 or 60 properties just in Queanbeyan alone. There are the others in the wider area too. We just do not know the number.

CHAIR: Because there have been no inspections no-one is certain of the numbers. We heard some figures indicating there could be 60 houses affected in the small town of Berrigan. It is an unknowable figure at this stage.

Mr DARYL MAGUIRE: Mr Thompson, your last statement was that the majority of the 15 home owners you have identified would be happy to have the asbestos removed and continue to live there. Do you know how much it cost to remove the walls and remove the asbestos from the house that was part of the redevelopment? What was the total cost?

CHAIR: You might have to take that on notice.

Mr DARYL MAGUIRE: If you do not, can you supply it?

Mr THOMPSON: I have a letter from the person here somewhere, so yes, we can probably answer that question. I will just clarify that. I am not sure that it could be said that all the affected owners I said would like to have the material removed, but I do not know whether they would necessarily like to continue to live in the home. They would like to have the material removed.

CHAIR: I note in your submission that you also say that in June 2005 the NSW Department of Health withdrew the free identification service. Does that still stand? There are no assessments?

Mr THOMPSON: I must admit we were a bit perplexed by that. The sampling service had been running for probably 15 years at that stage. There was not a huge demand in the 2000s for that; it was nearly all in the first half of the 1990s. I am wondering whether they felt that by continuing to provide the service they had some commitment to or liability to continue to do that. But basically what it meant was that instead of a free service, if somebody came to council and said, "I'd like to find out whether there is asbestos in my home", we had to refer them to a private contractor to do that assessment work.

CHAIR: You had no communication with the Department of Health giving reasons for cancelling that free service?

Mr THOMPSON: Yes. The reason they said in their letter, if my recollection is correct, is that they said they were not a National Association of Testing Authorities registered laboratory—NATA is the national organisation that registers laboratories—and that it was not appropriate for them to do that sampling any more.

CHAIR: Can you in due course table that letter or provide a copy of that letter to us? Also, can we have a copy of the letter from the Department of Health outlining its policy you mentioned earlier?

Mr THOMPSON: There is a copy of that in the submission in one of the appendices.

CHAIR: Is it attached to your submission?

Mr THOMPSON: Yes. Appendix 7 or 8, I think.

CHAIR: Thank you for that. When you mentioned a moment ago the Department of Health could be concerned it may have a legal liability if it provided that free service, maybe you are closer to the truth.

Mr THOMPSON: I suppose we were just a bit perplexed about why it would be cancelled at that particular point in time. It just happened to coincide with a re-emergence of the issue in 2005. This issue has had peaks and troughs over the last 30 years. I am not quite sure, I think the 2005 re-emergence of the issue was related largely to some publicity that the Australian Capital Territory was doing at the time, really pushing again about the issue of do-it-yourself and making sure that you looked out for asbestos. I think they put out some new work at that particular time, and it raised the issue again and that is why it came back to council.

Mr OVERALL: I often think that was the time when Bernie Banton and all that publicity ignored the whole—

Mr DAVID SHOEBRIDGE: James Hardie was pulling out of the country and that is when it began.

CHAIR: So you would be concerned about what appears to be a fairly relaxed attitude by the NSW Department of Health, compared to the Australian Capital Territory Department of Health?

Mr THOMPSON: I do not think I am qualified to make that judgement.

CHAIR: By removing that free service, it certainly was removing their involvement.

Mr THOMPSON: It made it more difficult for people to come forward and have their premises tested. It was a good thing. If people came to us and said, "I'm worried about it", we could say to them, "Look, if you are really worried about it, we can arrange for somebody to do a sample", because we had staff who were trained to do it.

CHAIR: And it was free.

Mr THOMPSON: And it was free. As soon as you say to somebody it is going to cost them money for you to go and do this, and it is not inexpensive—

Mr DAVID SHOEBRIDGE: The testing is the least of the financial concerns. The concerns are if they find there is loose-fill asbestos that could be financially devastating.

CHAIR: We have finished. Thank you for appearing before the Committee today. We appreciate it. We wish you all the best with what is right in your lap, this problem.

Mr OVERALL: Thank you for the opportunity.

(The witnesses withdrew)

(Short adjournment)

LUKE ALEXANDER BROWN, Representative, Fluffy Owners and Residents' Action Group, affirmed and examined, and

PETRA WIESNER, Representative, Fluffy Owners and Residents' Action Group, sworn and examined:

CHAIR: How many people are members of the group?

Mr BROWN: We measure it—

CHAIR: Just roughly.

Mr BROWN: We measure it by family groups. We have over 550 member families. So you would say certainly more than 1,000.

CHAIR: In the Queanbeyan area?

Mr BROWN: No, sorry, this residents action group represents families both in New South Wales and the Australian Capital Territory.

CHAIR: So you have members in both areas?

Mr BROWN: Exactly, yes.

CHAIR: Do you have a position in the group? Do you have elections to elect officers like president, secretary or anything?

Ms WIESNER: No, we do not. There is a reference group within Fluffy Owners and Residents' Action Group [FORAG] who are 10 members who come together and bring the concerns of the whole group and discuss those, but there are no elected positions.

CHAIR: Did you plan to make an opening statement, in addition to your submission?

Mr BROWN: We both did.

CHAIR: Would you like to make an opening statement or add to your submission?

Mr BROWN: I would like to do that, if that is okay.

CHAIR: Yes, just briefly.

Mr BROWN: Thank you for the opportunity to speak today. I will seek to keep this statement short. In one sense I am the ring-in from the Australian Capital Territory today but the purpose of me being here today is to show support for the members of FORAG who are from New South Wales but also to share with you some insights into what it is like being an owner of one of these properties. I am a public servant. I reside in Fisher in the Australian Capital Territory. I am a husband and a father. I have two small children, Santi who is 2½ years old, and Amali who is eight weeks old, along with my wife, Romani. Four years ago I became a Mr Fluffy owner.

I appear before you in my personal capacity and as a resident of the Australian Capital Territory concerned for the economic, mental and physical wellbeing of the Mr Fluffy owners of New South Wales, particularly those owners who are resident in the border town of Queanbeyan and its surrounds. I appear on behalf of the informal but highly active action group that was formed by the residents affected by Mr Fluffy asbestos earlier this year. Our founder is Ms Brianna Heseltine, who unfortunately had other commitments in Melbourne today.

In providing my evidence I will seek to represent the sentiment and the views of the 500-plus family groups represented by our action group. I cannot speak for every one of them. I am pleased that some of the members of the action group are here today. We think it is a very welcome development that the Parliament of New South Wales established this joint select committee. A long-term solution to the management of loose-fill

asbestos insulation in New South Wales, I am sure you will all agree, is very long overdue. Finding a long-term solution will be a journey, but it is a journey that we are glad to be now on.

Along with Petra, I will be more than happy to take your questions about the submission we have made. I trust though that most of its content speaks for itself. There are two salient points about the submission I would like to highlight. Firstly, the toxicity of loose-fill asbestos insulation and the risk to occupiers of buildings in and around Canberra has been known by governments for close to half a century, which is 50 years. You would all agree, I am sure, that after 50 years it is wrong—simply wrong—that individuals can still purchase homes in this jurisdiction and in the jurisdiction across the border not knowing that that toxicity exists. The toxicity lurks like a predator throughout the very place that you and your family are supposed to feel most secure and safe. I can assure you that living and owning a Mr Fluffy home is awful. It can be terrifying, depressing, and make your life a complete and utter misery. It is without doubt that this toxicity has posed and continues to pose very real and serious risks to individuals. Children are possibly the most vulnerable.

There are those who will tell you that the toxicity can be managed. Possibly in the short term, I suppose that might be the case although I am not necessarily convinced of that at all. In the long term, I am absolutely convinced that governments do not necessarily have the wherewithal to be able to continue to manage the risk for time immemorial. Secondly, the point that I would like to highlight is that I do not think this is an insurmountable problem for the New South Wales Government. While the scale of the problem in New South Wales is still to be officially identified, that should not prevent us proceeding down the path of finding a long-term solution. The consequence of the legacy of Mr Fluffy is that the market is rejecting Mr Fluffy properties. In one sense, that is the market-based solution to this but that means that the investments and the long-term ambitions of a large number of people, who have done nothing but work hard for their wellbeing, are being discarded.

Renters do not want to live in those houses—in many cases, they cannot live in them. To ensure that livelihoods, hard work and investments are protected, the only solution is for government intervention. A long-term solution to this problem is not necessarily complex. There is bad stuff in these houses and it needs to go: It is as simple as that. It is simply about treating the Fluffy homeowners of Queanbeyan like I am sure all of you would expect to be treated in this situation. I would like to emphasise the strong sentiment of the FORAG membership—that governments should seek to ensure that arbitrary lines on maps do not prevent all individuals affected by Mr Fluffy to be treated equally. While discussions between our group and the Australian Capital Territory Government continue over the Australian Capital Territory Government's recent announcements, FORAG would encourage the New South Wales Government to at least match the solution put forward by the Australian Capital Territory Government for Australian Capital Territory residents. To do otherwise would be dealing the first-rate residents of Queanbeyan a second-class solution to this problem.

Ms WIESNER: My name is Petra Wiesner, as I said. As I also have said, I am also here representing the Fluffy Owners and Residents' Action Group [FORAG] but I am, and always have been, a Queanbeyan resident. As per the FORAG submission, we know it is not possible to fully remove all the asbestos fibres contained in Mr Fluffy homes. The only way to remove the risk is to demolish these properties and dispose of the rubble as asbestos waste, including the underlying soil. A buyback and demolition scheme, in the future, would protect our community from the serious health and financial security risks posed by these properties. When we speak about protecting our community from these risks, we are not only speaking about the individuals who live in these homes; nor are we only speaking about the tradespeople, the neighbours, the emergency service providers and volunteers that would need to attend these houses from time to time. We are talking about the community as a whole.

The safety risk is an obvious one. There is the chance that the fibres will naturally seep into and out of the home and affect those within close proximity. But more worrying still of course is the chance that an emergency situation, such as a fire or severe storm, will open these houses to the elements and lift the fibres over a large area, contaminating not only the immediate surrounds but several blocks or more, depending on the wind conditions. Once it is out there, you cannot collect it and put it all back in the ground. Only through careful demolition of these homes can you do that. But the financial risks are less obvious. That individual owners currently suffer financially is without question; similarly without question is that the costs incurred by owners in the future will escalate as the homes continue to age further and require specialised care and maintenance. But something that has been spoken of less is the financial cost to our communities. The costs that the community suffers when someone gets cancer are of course immense. Every new patient puts strain on our medical institutions, takes them from work, and costs those around them. They may need to rely on welfare payments and require greater services for their basic daily needs. Others may take time off work to care for the affected

individual, help to pay for the individual's medical and living expenses, or seek mental health services to help them cope in what would be a very traumatic situation: The list goes on and on. We all know that this type of illnesses or that illnesses linked to this asbestos are a huge burden on society.

But apart from the medical cost implications, the Government must spend money. It must review and enforce policies related to loose-fill asbestos dwellings. Each council must train its employees on what loose-fill asbestos insulation is and how to respond to queries regarding it. Councils will need to develop a record on the files of affected houses and deny any submissions for renovations. Every time one of these houses is bought and sold, there must be legalities in place to inform the new owners of this threat. Real estate agents must be given protocols for dealing with these houses, as must conveyancers and anyone else involved with the sale. Anyone wanting to rent their houses must inform potential renters of the loose-fill asbestos, where it is, and tell the renters that they must keep a constant check on the ceiling and cornices for gaps and report them to be fixed immediately. Then later, should a tenant later actually become sick, the owners will still be open to prosecution for exposing their tenants. Owners and managing agents must establish a list of sufficiently trained tradespeople so that they can call on appropriately qualified people to carry out work.

The lists that would have to be constantly reviewed and updated for these measures just go on and on. There will be no end to them until these houses are gone. Tradespeople must undergo training to work on these houses. Once again, the list of the costs involved in the long term of keeping these properties goes is endless. Each day that this threat remains there is a higher chance of individuals developing an asbestos-related illness, and the greater is the money that needs to be put towards these houses; and of course, the mental and emotional toll that it takes on owners cannot be measured. The point is that, as per our submission, we are asking the Government to buy back these houses. Yes, it will cost money, but not doing so also will cost money. And how much is a life worth?

The Hon. STEVE WHAN: Thank you for your submission and for your strong opening statements. How many members does the FORAG group have in Queanbeyan at the moment or in New South Wales?

Ms WIESNER: We have about half a dozen people who are members of FORAG, or families, I should say—affected residences.

The Hon. STEVE WHAN: Ms Wiesner, do you own one of the houses in Queanbeyan?

Ms WIESNER: My husband and I do, yes.

The Hon. STEVE WHAN: When you talk about the fearful neighbours and things like that, do you have personal experience of neighbours expressing their concern to you?

Ms WIESNER: I have not, but within the FOAG group I have certainly heard of that happening. The most comment that I have heard is that neighbours no longer want to enter the affected properties.

CHAIR: They know your properties are affected—the neighbours do.

Ms WIESNER: Yes. There is of course a big concern about confidentiality because there is such a huge stigma involved in owning one of these properties. I have heard stories within the FORAG group where someone mentions it to someone else that they have one of these properties with asbestos and they were hit instantly with, "Why did you buy one of these properties?", because the community in general sort of is not aware that we bought them not knowing that this existed. That stigma is out there. It is very hard to quash that. A lot of people do feel morally obliged to tell their neighbours. If there is a fire in this person's house, the neighbours could very easily be affected so a lot of people have told their neighbours based on that, and a lot of people have responded that their neighbours will no longer come near their house or enter their house. I personally have not had that with our neighbours. That said, we actually have not been living in that property since we heard that it is a Fluffy property, so we have not had the opportunity to do that.

The Hon. STEVE WHAN: Did you know when you bought it?

Ms WIESNER: No, we did not. We had no idea.

The Hon. STEVE WHAN: The building inspection failed to find it?

Ms WIESNER: The building inspection noted that there was loose-fill insulation. That is it. With the number of loose-fill insulations and the relatively small measure of asbestos, when we heard we were actually like "Great! There's a bit of insulation in there." We thought it was a good thing. We did not know.

The Hon. STEVE WHAN: Is there any safe level of exposure to fibres in a living environment from your point of view?

Mr BROWN: No.

Ms WIESNER: No.

The Hon. STEVE WHAN: Mr Brown, in your opening statement you referred to the difficulties of continuing to manage the risk from the advice that has been provided. I assume you mean advice about sealing the asbestos into the roof cavity. Many of the houses affected now are somewhere around 50 years old or thereabouts. Do you want to elaborate on your concerns about what happens to those houses and how difficult it is to continue to keep the insulation sealed in?

Mr BROWN: I think what I meant by that comment was that if you were to permanently seek to secure this product in the environment and then continue to live in it, it would need to be continually managed and inspected. Having had inspectors come through my house in spacesuits to seek to find it, they are not looking at the big obvious places that you might expect to see it. They are looking for the hairline cracks in the cupboards where your clothes or your children's toys are. It is the hairline cracks around cornices and it is the heating ducts. To continually inspect and manage those gaps and give people assurances that they are safe, I think, is beyond most governments' capabilities.

The Hon. STEVE WHAN: What is FORAG's view of the difference in the advice being provided in the Australian Capital Territory to New South Wales? The Australian Capital Territory is now saying that it believes on the basis of testing that some people had to move out of homes altogether and is now offering to buy up all the homes. What is your view of the difference in advice across the border?

Mr BROWN: I think that the current situation is not acceptable. We do not think that a line on a map should have people being treated remarkably differently. The other thing that is very different between the Australian Capital Territory and the New South Wales experience is that my house has been cleaned. The 1,021 houses that are elsewhere in the Australian Capital Territory have been cleaned. I did not know what loose-fill asbestos was before 16 July when I got a letter from the Government but it gets everywhere. Despite the fact that our house is cleaned, my house should be demolished because no one wants to live in it, no one wants to buy it. Somebody will buy it—I have had offers on it but they will knock it down; they do not want to live in it.

The Hon. STEVE WHAN: Are you currently still living in it?

Mr BROWN: We are living in it now, yes. We have had a lot of work on it though to make sure that we can live in it. The point I would make is that the situation in New South Wales is so much worse than that because those houses have not been cleaned. It is still sitting in big clumps in the roof spaces of houses throughout the Australian Capital Territory. I am not sure whether there is not a bloke out there today who has not long bought one of these places, who is doing what I did trying to create a nice modern home for his family, at Bunnings buying a sledge hammer to knock down one of those walls right now. We do not know that. He is exposing himself, his family and the tradie who will come in next. We get told, the medical advice is, one fibre can kill you. It is pretty tough to swallow when all you are doing is living in your home.

The Hon. STEVE WHAN: I do not know whether you have seen the transcript of the evidence the Committee received on Friday?

Mr BROWN: I do not think it was available actually.

The Hon. STEVE WHAN: One of the statements that was made by the New South Wales co-ordinating group in the Department of Health was that the Australian Capital Territory had not conducted a health risk assessment. They found the presence of fibres but they had not shown that they were a health risk and that in New South Wales they wanted to conduct a health risk. Do you think that is a reasonable approach? Does a precautionary approach require something different?

Ms WIESNER: If I could speak to that momentarily. It is my understanding that back when the clean-up was conducted in the Australian Capital Territory one proposal that was put to the Government that was meant to be undertaken was a longitudinal health study of individuals, and it did not occur. The problem with saying, "What's wrong with these people right now?" is there is no answer. In fact, the answer is probably nothing because it takes so long for the illnesses associated with this to actually occur. When my husband and I bought our house we were in our early 20's but we are not going to know until we are in our 50's whether we are likely to face one of these things. It would be, I think, a disservice to suggest to anyone that they have to show right now that they are affected by this. Knock on wood, most of us will not be.

Mr BROWN: The other point I would add to that is—and I am certainly not a medical practitioner—people are affected differently. Some people smoke, some people do not and all those sorts of things. To be honest though, I think governments have missed that opportunity. The first time that this was really starting to be raised at senior bureaucratic levels was in 1968 from the work that we have done as a group, and that is 50 years ago. All right, if you wanted to do a health risk assessment, it would have been great if they started doing it in 1968. We would have a very good sense of what the effects are. I think the title of your select committee says it all—loose-fill asbestos insulation. Everyone knows that asbestos can kill you. I do not think we need another bureaucratic process in New South Wales to seek to prove otherwise. Surely the evidence is already there.

The Hon. STEVE WHAN: Has your organisation taken any advice or had any discussions about legal or class actions on this over Mr Fluffy asbestos?

Mr BROWN: It is fair to say that it is an issue that individuals have considered. I certainly have considered it, and would reserve my position. Generally speaking, I think the operation of the legislation might inhibit that in some respects but the short answer to the question is yes. Whether the action though is against governments, real estate agents, lawyers or all of them I think is a further reason why government involvement to prevent people having to seek recourse through the justice system is a much more economically viable and effective way to do it.

The Hon. STEVE WHAN: I note comments in your submission that call for New South Wales to do at least what the Australian Capital Territory is doing. I know that you have put in your submission that you would like some other flexible options. Is it your view that if New South Wales does not go down the sort of path the Australian Capital Territory is going down that it is more likely that legal action would be taken against the Government on behalf of a group, that is, if the current situation remains in New South Wales?

Ms WIESNER: I do not think that that is something that we could answer because, of course, the nature of the group is constantly changing, being—

The Hon. STEVE WHAN: Or individuals, for that matter?

Ms WIESNER: I could not speak to that.

Mr BROWN: Perhaps another way to answer your question would be to pose a hypothetical. If the Australian Capital Territory Government did not do what it has announced I would certainly be considering my legal actions in the Australian Capital Territory. While I continue to be mindful of the offer the Australian Capital Territory Government has made, I would be seeking recourse in some way because I think I would possibly have an action because I would be likely to be out of pocket at a relatively early stage in my life several hundred thousand dollars.

The Hon. MICK VEITCH: You mentioned earlier the 1968 advice which is also in your submission. Is there a degree of anger that the senior levels of the Commonwealth public service was talking about it in 1968 yet nearly 50 years later this issue has really just been brought to the attention of people?

Mr BROWN: Yes, there is a lot of anger within the Residents Action Group. This has come and gone through a number of times. Last night I perused the submission of the Queanbeyan City Council which I think provides an excellent summary of the history in New South Wales. The degree to which governments knew about this, and things have not necessarily been addressed in the way that I think they needed to be, further reinforces my earlier comments that governments, senior bureaucrats, processes, priorities change and

continually managing an issue like this in a way that it should have been slips through the various machinations of government.

Machinery of government changes mean that the issue means that issue moves from one portfolio to the next. The files probably get lost and the people who know about the issue move on. So yes, I think that there is anger but for the most part I think people just want to put it behind them. The scared look that you get when you are in a coffee shop with your mates, and you say, "Bye the way, sorry I missed last week because I was at house inspections because we are a Mr Fluffy owner" followed by sympathy is enough to make you want to just move on altogether.

The Hon. MICK VEITCH: Are financial institutions reluctant to lend against Mr Fluffy residents?

Mr BROWN: We understand that there are some institutions that have said that, yes.

Ms WIESNER: That said, we have also heard some positive stories where individuals have talked to more senior people in the bank who have been sympathetic to Fluffy owners, and have gone out of their way to make sure that people can get loans so that they can get into the accommodation that they need to. But certainly early on we did hear of at least one circumstance where a bank would not extend a mortgage to someone because the bank valued that the Mr Fluffy home worthless so there was no equity on which to build.

The Hon. MICK VEITCH: The Maurice Blackburn submission to this inquiry states that their view is there should a central registry available for people to look at? What are your views about that?

Ms WIESNER: A central registry of?

The Hon. MICK VEITCH: Other houses.

Ms WIESNER: Yes, we believe that that is fine but, for example, in the Australian Capital Territory we believe that that should be made available once the buy-back has finished. Because again, that is stigma involved. There are a lot of Fluffy owners out there who, due to the stigma, do not wish to disclose the fact they have a Fluffy house. Once the Fluffy house is no longer there obviously that is something that they can move on from. Until that time there would be a lot of very anxious people out there if that were to be released.

The Hon. MICK VEITCH: My last question relates to counselling services. What sort of counselling services are made available for occupiers of the so-called Mr Fluffy residences in the Australian Capital Territory?

Mr BROWN: The Australian Capital Territory Government has entered into an arrangement with, I think it is called Medicare Local, which has enabled people to be able to seek independent services and have the necessary reimbursements through Medicare and those sorts of things. That is my understanding. I will share with you that I felt the need to speak with my general practitioner about the issue and the anxiety that it was causing me and my family. I would assert that a large number of people in the Australian Capital Territory affected took steps similar to that.

Ms WIESNER: I am not sure if any of you have read the group impact statement that FORAG put together which is available on the FORAG website. If you ever get the chance, good luck getting through it: I could not because the absolutely raw emotions that are in there hit hard. If you were to read that you will see why a counselling service is so very important. In relation to your question whether anger is there—yes, definitely there is anger. There is anger at anyone who knew from those of us who did not know because one day we received a letter that they were looking into it, and then overnight said "Your property is worth nothing and you have an increased risk of getting cancer through no fault of your own and we knew about this." So there is anger.

Mr JOHN BARILARO: As a resident of Queanbeyan it is fantastic to see the Australian Capital Territory body and the actual group include the Queanbeyan residents because on our own I do not think we would have had a strong enough voice so well done. I know there is still a long way to go on behalf of the residents. How long was it before you found out that your home had asbestos from the moment you purchased it?

Ms WIESNER: For about six years we owned that house. My husband will speak later today of our personal circumstances and how that affected us personally. Yes, from the day that we bought it it was approximately six years til we got the first letter informing us that we had this.

Mr JOHN BARILARO: There was no indication, no idea at all?

Ms WIESNER: No idea at all. We renovated extensively.

CHAIR: Who was the letter from?

Ms WIESNER: The letter was from Queanbeyan council. My understanding is that the Queanbeyan council—this was one of the properties that approached Queanbeyan council and asked them to do a test to determine whether asbestos was in the ceiling. It was. But, of course, my understanding is also that there was confidentiality involved in that and that council would not disclose to anyone that that house was affected, for the same reasons we have already talked about today. As a consequence, with there being no legislation in place to say that if you know it, you must inform new owners, we were unaware of it when we bought it. We know that there was at least one owner prior to us that may or may not have known as well. We know the house was turned over several times since that initial test had confirmed it.

Mr JOHN BARILARO: You also indicated that you no longer live in your home; you are now in a new property?

Ms WIESNER: That is correct.

Mr JOHN BARILARO: And we have met one-on-one as your local member?

Ms WIESNER: Yes.

Mr JOHN BARILARO: Were you planning to rent out this new home?

Ms WIESNER: We did in fact rent it out and it was, to one extent, fortuitous that our managing agent received a letter from the council just prior to a new tenant moving in that informed us that there was Mr Fluffy. Obviously we researched what this meant. Our real estate told us that they could no longer be our letting agent because their insurance would not cover any asbestos-related bits and pieces and as a consequence we could not use them to let it out and morally we did not feel that we could let it out. We also had a test done which showed an extensively elevated level of airborne fibres. It is my understanding that if they are airborne to the extent that means that if you did a swab test you would find even more, we could not morally allow anyone else to live in that property in the state that it was in and it sits vacant to this day.

Mr JOHN BARILARO: That is the point I was trying to get to; in relation to real estate agents, what are they doing in this town in relation to management of homes being rented out?

Ms WIESNER: My understanding is that if the agent is aware that there is loose-fill asbestos in the ceiling, this must be put to the tenants or potential tenants and the tenants must sign something to say that they are aware that it is in there and that is the extent of it.

Mr JOHN BARILARO: Are you hearing, as in your own case management, that agents are just releasing these homes but they have no interest in actually renting them?

Ms WIESNER: We do not know; we only know that they cancelled our contract and would no longer lease our home due to the fact that we had this. Obviously upon asking why, they informed us that their insurance and anyone who got insurance through the Real Estate Institute of New South Wales was being advised of the same thing.

Mr JOHN BARILARO: Mr Brown, are you aware whether this is similar in the Australian Capital Territory?

Mr BROWN: In terms of how we found out, it is a little bit different. I found out that we had loose-fill amosite asbestos in our house by way of a letter from the Government on 16 July.

Mr JOHN BARILARO: This year?

Mr BROWN: This year. We have owned our house since 2010. That being said, when we purchased it in 2010 there was a certificate within the contract—it is buried at about page 72—and in very small font was a disclaimer that said there may be asbestos fibres remaining in your house. The house went through the process of being cleaned up.

Mr JOHN BARILARO: So it did not identify that the house was a Mr Fluffy home that had previously been cleaned?

Mr BROWN: No. What it identified was that asbestos had been removed from it and this is where I think the management of this has really come unstuck. In the package of material that we got in the contract there was a brochure that said "And this is where you will generally find asbestos in your house", so the document referred to bonded asbestos; the typical places that everyone knows, in the eaves—you do not drill into the eaves and you do not knock your bathroom out, those sorts of things. You put two and two together and you think, "Oh yes, asbestos was taken out of this place 20 or 30 years ago. That's fantastic. I'm not going to go into the bathroom and knock anything down. I don't need to worry about this." I did not know what loose-fill asbestos was. To be honest, I did not know what Mr Fluffy was until really this group started really driving it in the media.

Mr JOHN BARILARO: Thank you for that. Mr Brown, you said that you still live in the home?

Mr BROWN: Yes.

Mr JOHN BARILARO: I know your home has been cleaned. What are some of the things you have done in a practical way to stop the pathways for any of these fibres that still remain, regardless of your ceiling space being cleaned, from the wall cavities, the sub-floors, et cetera? What practical things have you done to try to limit that and has the home been re-tested to see how many airborne fibres there might be in the living areas, especially considering this morning we heard from someone who said the testing of homes is really a snapshot of one moment but the moment they walk out of that home things change and therefore every day is a different day in relation to your home?

Mr BROWN: Yes, I think that is exactly right. To answer the first part of your question, the house was found to have traces of the asbestos in the cupboards in both our children's rooms. As you would expect, all the clothes and all sorts of things were sealed and were then completely treated. It was also found in our central heating duct in our living room. The reason why it was found there though was because I renovated the living area; I took a sledgehammer to the walls and it would appear that some has fallen into one of the heating ducts close to where the demolition happened.

We are in a slightly better position than many, though, because part of the renovation was to replace all the cornices, so we have got new cornices in them, so it has all been resealed again. A couple of other things were done; the heating was industrially cleaned. We dare not switch that thing on again, though; I did not want it on, so we spent a fairly cold last couple of months. Other things were sealed up. Like I said, hairline cracks were sealed up in various parts of the house as well. We have been told that it is safe to live in but what it is worth and what I paid for are very different things.

Mr JOHN BARILARO: And in relation to the ongoing maintenance of the home, you would be very careful calling in tradies, et cetera, to do any work?

Mr BROWN: I would not do it. Another part of your question was: was it tested in terms of the air quality?

Mr JOHN BARILARO: Correct.

Mr BROWN: As part of the process of the company that we used that was done and it was deemed to be safe, although we did not switch the heating system back on because we just did not trust it.

Mr DARYL MAGUIRE: Ms Wiesner, in your opening remarks you made a statement that the only way to solve the problem was to get rid of the houses?

Ms WIESNER: Yes.

Mr DARYL MAGUIRE: Yet we heard in evidence this morning there is a property that has been renovated, cleaned and in fact subdivided with further units being built and we have been assured that certificates have been issued for occupation or that the site is clean?

Ms WIESNER: The short of it is that these fibres are so miniscule; I think the statistic is that you can fit two million of them on a 50¢ coin. For you to think about living in a house that has not been cleaned from top to bottom exceedingly thoroughly—

Mr DARYL MAGUIRE: But there appears to be two methods—

Ms WIESNER: Yes.

Mr DARYL MAGUIRE: —one is to clean?

Ms WIESNER: Yes.

Mr DARYL MAGUIRE: The other, as I gather from the earlier evidence, is to completely strip the house to the frames and renew?

Ms WIESNER: Yes, indeed. I guess the point I was trying to make is to clean it so thoroughly you have to rip it back to virtually nothing. The cost of doing that versus demolish and rebuild, quite frankly I suspect it would be cheaper to demolish and rebuild.

Mr DARYL MAGUIRE: Can I ask you a question about your property? It is vacant?

Ms WIESNER: Correct.

Mr DARYL MAGUIRE: And has been vacant for quite some time now?

Ms WIESNER: Yes.

Mr DARYL MAGUIRE: And what is the perceived value now compared to when you bought it?

Ms WIESNER: I could not tell you because we have not had a realtor in to assess it so I simply could not tell you.

Mr JOHN BARILARO: Does your financial institution know that it is a Mr Fluffy home?

Ms WIESNER: Yes, we contacted them straightaway and we basically said, "Look, what's the story if the day comes that we can't pay for it?" They said, "Here are some forms you can fill out to claim hardship and we can put your interest on hold." And that is where we are up to, so at the moment we are paying for both properties out of one income and the savings that we have had stored up over the last few years—due to my husband being a contractor we are never sure when he is going to be out of work and it just so happened that it was me this time and it's a rainy day and we are digging into those savings now.

CHAIR: Do you still have a mortgage on the house?

Ms WIESNER: We still have a full mortgage on our Mr Fluffy house; we also have a full mortgage on the house that we built while living in the Mr Fluffy house that we now reside in, so we have two full mortgages and one income.

Mr DAVID SHOEBRIDGE: Two sets of rates?

Ms WIESNER: Yes, two sets of rates, although the Queanbeyan Council has been good enough to put our Mr Fluffy rates on hold.

Mr DARYL MAGUIRE: Do you have any other evidence of other householders who suffered similarly and the debts have been called in by the bank or who have been treated unfairly?

Ms WIESNER: Only hearsay, which is through the Fluffy Owners and Residents' Action Group, where nothing has been called in.

Mr DARYL MAGUIRE: Perhaps you can take that on notice and if there is any information provide it to the Committee. I have one last question. Of all the members of your organisation through the Australian Capital Territory and Queanbeyan, do you have any anecdotal evidence of individuals or families who have lived in these properties from 1968 who have contracted asbestos-related diseases?

Ms WIESNER: Yes. There is at least one member of our group who has mesothelioma.

Mr DARYL MAGUIRE: From Queanbeyan?

Ms WIESNER: No, from the Australian Capital Territory, is my understanding.

Mr DARYL MAGUIRE: Have you done any other work to dig a little further to try to gather more information about the health effects, apart from the anguish that owners would have—I understand that—to flesh out how many people have actually been affected and contracted diseases?

Ms WIESNER: I do not know if that has been done; I am not sure. I do know that there have been a number of people who have reported that their parents have lived in one of these houses and have passed away.

Mr DARYL MAGUIRE: Of asbestos-related diseases?

Ms WIESNER: Yes, specifically of mesothelioma, which is the one that is directly related to this particular asbestos type. For example, one of those stories is that a gentleman who lived in this house for 40 years worked in his study, which was under a manhole to the roof and often fluff was falling down.

Mr DARYL MAGUIRE: Has your organisation also had information made available from trades organisations such as plasterers, painters, et cetera, about the rate of asbestos-related diseases in the Australian Capital Territory and Queanbeyan compared to other parts of the State?

Ms WIESNER: Not to my knowledge.

Mr BROWN: I could very well be wrong but I would expect that that data has never been captured. You would be aware that there is a national database that I think is seeking to capture that information but while we have anecdotal evidence of various people suffering diseases that could be linked relatively strongly to this type of asbestos and exposure to it, with all due respect I think it is a matter for governments, if they are so concerned, to be making sure that they are collecting that data and that they are trying to find out what the long-term effects are.

Mr DARYL MAGUIRE: That is certainly a question that I have been asking.

Mr JOHN BARILARO: Ms Wiesner, do you feel let down by governments that for 50 years have never put protections in place to identify these properties and have them on a register for when you were purchasing your home, one of the greatest investments any individual could make? Do you feel let down?

Ms WIESNER: Definitely; I definitely feel let down. Even something as simple as a warning when purchasing the property would have saved us, ignoring the financial side, limitless amount of emotional burden that we have had to suffer. My husband can speak further about those circumstances, but the trauma to anyone finding out that they have lived in a house that has this in it—a house that has not been cleaned, a house that has had this fluff visible in it—is extremely traumatic and I would not wish it upon my worst enemy.

CHAIR: Do you make a distinction between getting a report that the house has been cleaned and that the house is safe?

Ms WIESNER: To an extent I would because in the Australian Capital Territory they were told that their house had gone through the removal program and while there was an assumption there by most that they were then at that point safe, the difference is that here in New South Wales the full fibre exists and by not being informed that there was any such fibre in the house, myself, my husband and our friends entered that roof space

for many hours on different occasions and that was something that could have been minimised if someone had even suggested that there was this thing in our house.

The Hon. NIALL BLAIR: Do you know what the qualifications of the person who did your building inspection were?

Ms WIESNER: We did not actually have a professional building inspection done. My father, who has worked in the industry for more than 40 years, did our building inspection. He noted that there was loose fill in the ceiling. However, an asbestos assessment is not part of the normal building application process, so should we have hired someone to do this maybe we would have got the same result but a lesser result because my father was exceedingly thorough in looking over the house.

The Hon. NIALL BLAIR: Did you use a conveyancer or a solicitor?

Ms WIESNER: We used a conveyancer.

Mr DAVID SHOEBRIDGE: Ms Wiesner, how do you feel now about the fact that the council knew and almost certainly the State Government knew that your property had loose-fill asbestos, yet they let you buy it and move into it and go into the roof space without any notice?

Ms WIESNER: Without a doubt there is anger. However, as per many people in our group, we know what has happened and we want to move on. That is where we are looking.

Mr DAVID SHOEBRIDGE: You illustrate the whole nub of the problem. Going forward, if you sold the house obviously you would want anyone who buys it to know about what is in it, would you not?

Ms WIESNER: Yes, and we cannot rent it for that same reason. Morally, we cannot live with ourselves if we do that. We cannot put someone else in the situation where they could be exposed and, again, this is the problem with keeping the houses standing. We do not know the previous owners prior to us or how many people have been in that house if that notification was given. Of course, prior to that, these individual houses, over their lifetime, will have housed multiple families. So really the problem is not that "big" in numbers of houses and properties, but the effect on the community is actually huge.

Mr DAVID SHOEBRIDGE: And the longer you leave it unresolved, the problem accumulates.

Ms WIESNER: Yes, it compounds, absolutely; there is no question. Again, you contain this stuff in a house until one day you cannot, until there is a fire, until there is a storm. You cannot do it for all time.

Mr DAVID SHOEBRIDGE: Mr Brown, if there is a particularly long dry spell, the foundations of your house could shift, you could get a crack in the corners and you have a problem again.

Mr BROWN: Absolutely. The point that I have made a couple of times is that I am not convinced that you can safely live in these houses for a long period of time short of, as we said, stripping them back to their bare bones and rebuilding them. That is pretty much just a rebuild. It is a knock down and a rebuild, which is what the Australian Capital Territory Government has proposed.

Mr DAVID SHOEBRIDGE: Ms Wiesner, if your house went on a public register it would not be able to be sold, I would imagine?

Ms WIESNER: Yes.

Mr DAVID SHOEBRIDGE: Having bought the house when that information was not in the market, you paid the usual market price for it and now it would be, what—

Ms WIESNER: Financially, we would be devastated.

Mr DAVID SHOEBRIDGE: The State Government needs to step up to the mark and do two things together. It needs to pull together a register and make it public and it needs to also make sure that the existing home owners are protected and are not suffering catastrophic financial loss. They need to happen together and they need to happen right now.

Ms WIESNER: Yes, thank you. That is exactly right.

Mr BROWN: The latter has to happen first.

Ms WIESNER: Yes, that is also important. My husband and I have been quite open to people about the fact that we have one of these homes, but I know individuals who would find it very confronting to have their family and friends find out this information.

Mr DAVID SHOEBRIDGE: When I say that they have to happen together, for the financial and emotional wellbeing of the current owners, the compensation needs to be agreed immediately, and then we also need to immediately notify the rest of the public. You are doing the right thing, Ms Wiesner, but there may well be other owners who either suspect or know that they have got loose-fill asbestos and they are not doing the right thing, either renting their homes out or onselling.

Ms WIESNER: Yes.

Mr DAVID SHOEBRIDGE: That is a public health risk that we, as a Parliament, need to consider, is it not?

Ms WIESNER: It is. Further to which, if I may, the fact that there is a voluntary scheme at the moment, until this thing that you discuss is in place, people are not as likely to come forward to say that they have it.

Mr DAVID SHOEBRIDGE: Put your hand up to suffer a \$500,000 financial loss. Very few people are willing to do that.

Ms WIESNER: Exactly, that is why it is so important. You will have an incomplete register, I suppose, until you can give people assurances that their financial savings are not going to be more than wiped out by finding out or making the steps to confirm that they have this in their house.

Mr BROWN: To give you a sense of a quantifiable figure, I paid \$555,000 for my house. A real estate agent contacted me some time ago, knowing that our house was a Mr Fluffy house, and offered me market value, less the cost of the demolition. Sorry, unimproved value. The unimproved value of land in the ACT is \$350,000, so take away \$60,000-odd for a demolition, I would get about \$290,000 from a \$555,000 house.

Mr DAVID SHOEBRIDGE: Effectively the market value of a Mr Fluffy premises is the price of the land—

Ms WIESNER: It is worth the land.

Mr DAVID SHOEBRIDGE: —less remediation costs?

Ms WIESNER: Yes.

Mr BROWN: That is what I could have got rid of my place for a couple weeks ago.

Mr DAVID SHOEBRIDGE: Would you say that would be a fair, basic rule of thumb figure across the markets?

Ms WIESNER: I would, based on the fact that no-one wants to live in these homes. These homes are dangerous for people. Even if you clean them from top to bottom, there is still the stigma involved and no-one wants to live in them. You will have one of two circumstances arising. People will buy them for a knock down, rebuild situation, or people who cannot afford anything else will buy them because they really want to have a home, and then you are putting those people who need the most protection in our society, to some extent, in harm's way because that is what they can afford.

Mr BROWN: To add to that, while keeping an eye on how things have unfolded, I have seen that people are minded to pay a bit more for land that is in a desirable location, so the approved value of a block of land in the inner south or inner north suburb in Canberra might be X on your rates notice, but people may be

willing to pay a little bit more for it, but I would assert that you would be struggling to find any winners in a Mr Fluffy home owner situation. In fact, I think we are all well and truly losers.

Ms WIESNER: I agree.

Mr DAVID SHOEBRIDGE: Governments have known since 1968 that there is a problem, so more and more renters, children and home owners are being exposed.

Ms WIESNER: Yes.

Mr DAVID SHOEBRIDGE: What would you say to the local, State and Commonwealth governments about what their response should be tomorrow about the Mr Fluffy issue?

Ms WIESNER: My personal one is: Make it stop. Buy these houses back. Demolish them. Put the land to good use. You will buy good blocks of land and you will help your citizens to be healthier, happier, and able to move on with their lives and, in turn, help society around them.

Mr DAVID SHOEBRIDGE: Do not kick the can down the corridor to the next Government.

Ms WIESNER: Yes. That is why we are all sitting here today.

Mr DAVID SHOEBRIDGE: It is almost unbelievable, is it not, it has been known for so long, and if action had been taken decades ago the information would have been much fresher about where the insulation had been used. The longer we wait, the more difficult it is to find out that information, is it not?

Ms WIESNER: Absolutely. Every day that we wait, the cost on society increases. The sooner we take care of it and put it behind us, we, as a community, will be better off.

Mr DAVID SHOEBRIDGE: It would be fair to say that the New South Wales Government's proposed voluntary inspection option is guaranteed to fail with the current structure in place?

Ms WIESNER: I suggest that it will go some way to finding some properties, but I think that it is essentially flawed and that many people who fear financial ruin will not step forward.

CHAIR: Thank you again for appearing before us as witnesses and for your submission. It has been said by other members of this Committee that it is amazing that there was evidence in 1968. You state in your submission that the Acting Director, Arthur Spears, from the Commonwealth Department of Health sent a report that stated:

The results of our investigations have disclosed what appears to be a serious exposure to asbestos dust. In view of [sic the] harmful nature of this substance the use of asbestos fluff for the purpose of insulating should be discontinued ...

That was the recommendation of the Commonwealth Department of Health and nothing happened. It is almost criminal neglect—

Mr DAVID SHOEBRIDGE: It has only been 46 years.

CHAIR: —by the person who got that report to take no action.

Mr BROWN: The next generation of young investors who want to renovate their houses who will go to Bunnings will do the same thing that Petra and Kieran did, that my wife and I did, and will continue to be exposed until it is removed. The only way we can get rid of it is to take it away, put it in a big hole in the ground and cover it up and move on.

CHAIR: We have had the question asked in our previous hearings where this would all go. Where is a big enough pit because it could be one tonne of materials, plus the soil from each demolished house.

Mr JOHN BARILARO: No, 100.

CHAIR: One hundred tonne.

Mr JOHN BARILARO: Fifty to 100.

CHAIR: Fifty to 100 tonne.

Ms WIESNER: Australia is a very big place, chair. I am sure we can find somewhere.

Mr DAVID SHOEBRIDGE: It came out of a big hole, it can go back in one.

Ms WIESNER: Yes, it came out of the ground, let us put it back there.

Mr JOHN BARILARO: From South Africa.

CHAIR: There were questions earlier about what are some of the health reports of people who have been affected by Mr Fluffy asbestos. In your submission, you have actually quoted that one in 1,000 lifetime residents of a Mr Fluffy asbestos house would die from lung cancer as a consequence of their exposure to asbestos in their homes.

Ms WIESNER: Yes, that is a report that I believe the Fluffy Owners and Residents' Action Group got through the Freedom of Information Act, or something along those lines. I believe the question from our group was how many people are suffering, and that I cannot answer, but certainly the experts are telling us that people who live in these homes are much more likely to get these forms of cancer than people who do not live in these homes. It is as simple as that.

Mr BROWN: The other point I would add is that there has been a health effects study done on—the name of the mine in Western Australia escapes me; someone else will tell me—an asbestos mine in Western Australia, which is where, to a certain extent, the one in 1,000 comes from. The important thing to remember about Mr Fluffy asbestos is that it is the most nasty type of asbestos that you can have. It is the most toxic and it is the most dangerous. Not only was it pumped into people's roofs as a cheap insulation, it was crushed. It was airborne when it was made, so no study has been done on that form of asbestos. It is a bit like climate change to a certain extent. We all know that something is going on and that something needs to be done.

CHAIR: The other tragedy, as you state in your submission, is the effect that Mr Fluffy asbestos has on children. Children with developing lungs are far more sensitive and it can cause far more damage to those children. I imagine many of these families in these homes have young children. They are not all retired aged pensioners.

Ms WIESNER: Yes.

Mr BROWN: It is fair to say that FORAG has a mix of people, but certainly there is a very large number of people with young kids. That is right.

Ms WIESNER: We have one member who is not here today, as far as I can tell, but she told the story that she has been evacuated from her house. She has two young children, one of whom enjoyed putting his face over the air vent. They were moved out because fluff was found through their air vents and they have to live with that.

CHAIR: We have heard that people could buy Mr Fluffy asbestos and install it themselves, but some Canberra people may have installed it in their holiday houses on the coast, for which there are no records. Is that a possibility?

Ms WIESNER: I have heard that through one media report. I have not heard of anyone in our group who has done that specifically. However, I certainly did read in the media that someone in Batemans Bay had bought it and installed it themselves. However, it is my understanding that that is not expected to be particularly widespread.

CHAIR: But it does indicate that the number of homes affected in New South Wales could be far larger than the current estimates?

Ms WIESNER: I would not suspect so based on the article I read. It was done because someone knew someone, so it was not done as a commercial venture. You could not just go in and buy the stuff, take it to your

house and put it in. This was a special circumstance, so I think it was not widely done. Again, I could not say for sure.

CHAIR: Are you aware of any television ads advertising Mr Fluffy asbestos?

Ms WIESNER: I am afraid it was a bit before my time.

CHAIR: You have not heard of that?

Ms WIESNER: No, not at all.

Mr BROWN: Certainly, I have seen copies of printed advertisements noting that it was perfectly safe, cheap and affordable—all those sorts of things. Television advertisements I do not know of. I add to Petra's point in answer to your previous question that we know that the company operating this business was not necessarily in the business of retailing the product per se but was in the business of installing it. We have no evidence to suggest it was being sold in shops, hardware stores and those sorts of things. The point I am keen to emphasise is I do not think the New South Wales Government should be frightened to take on this issue because it is very widespread. Probably what will be found is that it is relatively contained to certain geographic areas in New South Wales and where we are today is the Mr Fluffy epicentre, to use a word other people have used, for New South Wales.

CHAIR: We are getting some indications that it could be in other centres—Wagga, Berrigan and so on.

Mr BROWN: I read the Orange City Council submission last night that loose-fill amosite asbestos was found in a property there, so you are right. Based on what we know, the widespread nature of it is not to be expected.

The Hon. MICK VEITCH: On Friday we heard about a container load being sent to a community.

CHAIR: The other alarming fact is that the head of the Federal Asbestos Safety and Eradication Agency, Peter Tighe, who has given evidence before this Committee, said that a single episode of exposure to Mr Fluffy asbestos can produce an asbestos-related disease. People should not be complacent about how long their exposure is as a single incident can be enough.

Ms WIESNER: Indeed, and obviously the longer you are exposed to it, the greater the risks are.

Mr BROWN: Taken from a person who has undoubtedly been exposed by doing renovations in a Mr Fluffy house, the anxiety of living with that is not the most pleasant thing to go through.

CHAIR: Again, thank you for all the work you have been doing and for your evidence. I know you have a self-interest but you are representing a group of people and we appreciate your community service.

(The witnesses withdrew)

(Luncheon adjournment)

JOHN ROBSON, Managing Director, Robson Environmental Pty Ltd, and

DEAN BRUNTON, Hazard Materials Consultant, Robson Environmental Pty Ltd, sworn and examined:

CHAIR: Thank you for appearing before the Committee at very short notice. We appreciate your cooperation. Your information is valuable and we would like it put on the record.

Mr ROBSON: I am a qualified environmental hygienist.

CHAIR: Would you like to make a brief statement about your company and its role?

Mr ROBSON: I first came to the Australian Capital Territory in 1984 as an asbestos removalist. In 1985 I worked for a company that did air-monitoring; asbestos surveys, removal specifications and clearance inspections; and identified asbestos in bulk samples. From 1985 to 1988 I was involved in doing air-monitoring during asbestos removal—this is prior to the Government taking control, when there were probably 30 to 40 houses where the people decided to pay for the removal themselves and they were subsequently cleaned by the Government. In 1986-87 the ACT Government commenced a survey of all houses built prior to about 1980 to identify that there were approximately 1,092 houses in the ACT with loose-fill asbestos in the ceiling space. Subsequent to that the ACT set up a laboratory and ran the show from the monitoring site from 1988 to 1993. I had very little to do that. In 2006 we did air-monitoring in a house in Bungendore where loose asbestos was found. There were three houses in Canberra—Lyons in 2007, Mawson in 2009 and Downer in 2013—which had been missed in the earlier assessment.

With my knowledge over the years of what I have seen doing personal inspections of these houses, I believe the problem stems from how the insulation was put into the space. Four tiles were lifted up from each corner of the house and the material was blown in under the rafters into the underside of the roof decking and roof tiles, on top of the ceiling, down the wall cavities to the subfloor, in the cornice cavities where the wall meets the ceiling and on top of built-in wardrobes—quite often there were not cornices in those wardrobes so there was dust from the ceiling space coming onto the clothes in the wardrobes. It was also blown into sliding door cavities, so anywhere where there was a potential avenue for asbestos to come down through a building it did. That often included wall-mounted heaters that were flued through the wall. We found that at a house in Stirling, where a builder ripped it apart and found asbestos all over the carpet. From my knowledge, anybody who is involved in building works, specifically do-it-yourself home renovators who often renovate bathrooms, as well as plumbers, electricians and other tradespeople are potentially exposed to asbestos from disturbing wall cavities.

We need to identify the extent of the loose-fill asbestos in houses outside the ACT, which includes Queanbeyan, Bungendore and a lot of rural residences. I heard that one of the Mr Fluffy people said that they pumped it into the ceiling spaces of some of the farmhouses. These rural residences could be in Braidwood, Yass, Cooma and Jindabyne. There is potential for loose-fill asbestos in the ceiling space and adjoining cavities of homes in cold-climate areas.

I can give you an example of why it is important to look at the future of these houses. Some of these houses will not have the asbestos removed, including 50 or 60 houses in Queanbeyan, according to what I have been told. In the 1980s there was a Cape Cod extension to a house in Latham, giving it a second storey with the extension having a smaller floor area than the floor area below. The house was occupied by the family of a member of the air force who had come to Canberra from Queensland. The children were playing in the first-floor ceiling space, but he prevented his children from going into the ground-floor ceiling space because each time his daughter went in she had an asthma attack. Several months later he was told that there was loose asbestos in the ceiling space. Fortuitously he had got his daughter out of there, although for a different reason. That is an example of what could happen, especially to new Australian people where English is a second language and they do not fully understand what has gone on in Australia. There is a chance, a likelihood, that people will be exposed in the future.

The consequences of exposure are unknown really at low levels. Some people are susceptible and others are not. It is like with smokers—some people are susceptible and others are not. Looking at the hierarchy of controls for any hazardous material, elimination is the first option and personal protective equipment [PPE] is always the last option.

The Hon. STEVE WHAN: I am sorry that I missed the start of your evidence. When we visited your facility this morning you showed us just how small these asbestos fibres are. It is impossible to see them with the naked eye in some forms. So they can easily fall through quite small cracks in houses. Given that, what is your comment about the advice that loose-fill asbestos is safe in houses if it is sealed up in the roof?

Mr ROBSON: If you can confirm that it is completely sealed, and no-one is going to break into that sealed surface or wall cavities, then you can say that it is safe. But the problem is guaranteeing that you do not have minor crevices, cracks and so forth, and perhaps asbestos already in carpets, ceilings or on the tops of wardrobes and the like. Those areas could be cleaned. But in any house with loose-fill asbestos in the ceiling space there is still the potential for it to come through if it is not totally sealed, and then checked on a regular basis. The problem with that is that it impacts on maintenance issues in ceiling spaces, wall cavities, electrical, plumbing, carpentry extensions and sliding door cavities, which are a bit difficult to seal. There are a whole lot of areas where it is potentially an ongoing hazard for people living in those dwellings.

The Hon. STEVE WHAN: Given there may be the presence of asbestos fibres in a living area or in cupboards and things like that, is there a safe level or an acceptable level of fibres in a house?

Mr ROBSON: I do not have the medical evidence to quote on that. However, it is believed that you cannot set a level below which it is safe. That does not mean that one fibre can kill you; but it does mean that the level may be extremely low, depending on the person who is inhaling the fibre.

The Hon. STEVE WHAN: How would you define "extremely low"?

Mr ROBSON: If you look at the Safe Work Australia exposure standards, the detection limit is 0.1 fibres per millilitre. That is 100 fibres per litre. We breathe at six litres a minute, roughly, so that is 600 fibres per minute. That is below detection level. So the Safe Work Australia exposure standard is 0.1 fibres per millilitre. It is very difficult to actually quantify what level can cause cancer. It is likely to be low for somebody who is susceptible. That is the problem—we do not know who is or who is not susceptible.

Mr DAVID SHOEBRIDGE: So there is no safe level of exposure—that is basically the consensus, is it not?

Mr ROBSON: You get different views on that; but if you are taking that end of the scale then, yes, that is correct. People do believe that one fibre can kill. I guess those perceptions have to be dealt with because that is the reality to many people.

The Hon. MICK VEITCH: Thank you for showing us around your facility this morning. Do you get many people just turning up to your laboratory saying, "I found this in my roof cavity; is it asbestos?"

Mr ROBSON: Yes, we do. At the front of our laboratory we now have a sign saying to people coming to our facility off the street, who often have no asbestos awareness at all, that they should double-bag their sample before bringing it in. We have bags, wet wipes and so forth out there. We have had people bring in an envelope, open it up, pick up the asbestos and say, "What is this?". There is a potential hazard there for our people, especially those at the reception. So we have developed that process. But yes, people do bring it in.

CHAIR: So people just carry it in a paper or plastic bag?

Mr ROBSON: Yes, we have had people bring it in in an unsealed envelope.

Mr DAVID SHOEBRIDGE: Heaven knows how they have got it. They may have just gone up into the roof cavity and grabbed it.

Mr ROBSON: Precisely. We stress to people that if they are concerned about something in their ceiling space then it is better for us to come out and assess it rather than them taking a sample.

The Hon. MICK VEITCH: Do you go to the premises?

Mr ROBSON: Yes, we wear a suit and mask and we put plastic on the floor. We assume there is going to be asbestos so we have a suit and a mask, gloves and wet wipes. In fact we do not get into a ceiling space if we see that there is asbestos there; we just put the hatch back and take photographs.

The Hon. MICK VEITCH: When we were on site this morning we saw a group of people undergoing training. What sort of training do you deliver?

Mr ROBSON: That was asbestos awareness training. All tradespeople in the ACT who work on construction sites, through the ACT Planning and Land Authority [ACTPLA], need to have completed an asbestos awareness course. Neil Ross was presenting that course today. It takes about four hours. It involves an overview aspect of asbestos—where it comes from, where it is used and the health impacts of people inhaling it. Like in any certificate IV in training and assessment, it is good for people to then see the asbestos under a microscope so they can fully understand how tiny these fibres are. The smallest airborne fibres are smaller than bacteria. So we are dealing with very small objects.

The Hon. MICK VEITCH: So that training is just for tradespeople in the ACT?

Mr ROBSON: Yes, it is. It is mandatory in the ACT. I believe New South Wales will start to bring that in. At the moment it is only the ACT that has that training as mandatory.

The Hon. MICK VEITCH: Should it be mandatory in New South Wales?

Mr ROBSON: Yes, I believe it should be. Asbestos is in any house built before about 1984-85 roughly. So hundreds of thousands of houses across New South Wales—while they will not have loose-fill insulation—will have fibre cement sheeting and other asbestos products. There was the case in Queensland a few years back of a young man who died at the age of 26 from mesothelioma. As a two-year-old he had played in the dust at his parents' house as they renovated. He died from his exposure as a two-year-old while his parents were sanding back a Queenslander with asbestos sheeting.

Mr JOHN BARILARO: Going back to the awareness training, is that training to help tradespeople identify if there is loose-fill asbestos present?

Mr ROBSON: Asbestos awareness is not an asbestos removable course—it is not about sampling and bringing it into a lab. It is about raising awareness. When they go onto a worksite they need to look for the asbestos management plan for that building. Every non-residential building in the ACT needs to have an asbestos management plan. That does not apply to residential buildings. These people need to understand where the asbestos is and that they should not touch it.

Mr JOHN BARILARO: So asbestos management plans do not apply to homes?

Mr ROBSON: That is correct.

Mr JOHN BARILARO: So these guys are doing a four-hour awareness course. So they can identify if there is a management plan but what about in relation to a domestic home? If they have to go into a Mr Fluffy home, what does this course give a tradesperson?

Mr ROBSON: That will give where it is located, what it looks like. We have the samples of insulation there; we also have building materials, such as sheeting, corrugated vinyl floor tiles, switchboard backing sheets, roof membranes, wall sheeting—anything that contains asbestos we have samples so they can see it. Plus there is a question and answer and there is an exam at the end so that they can re-assess their fundamental ability to look at it.

CHAIR: Are you the only company doing that?

Mr ROBSON: There are other companies. There is the MBA, the HIA and there are a few others as well that are doing the presentations, and they all have the same sort of format. I believe we are the only ones doing the presentations that has a NATA label attached to it; so we have the advantage of showing them under the microscope what it looks like and also the fibre count—we were looking at it 400 times magnification to see individual fibres which are less than one micron in diameter.

The Hon. MICK VEITCH: Mr Robson, could you explain what NATA is?

Mr ROBSON: NATA is the National Association of Testing Authorities. It is an independent body which accredits laboratories to maintain an acceptable standard.

Mr JOHN BARILARO: This morning I think it was you, Mr Brunton, who mentioned the training of the removalist of asbestos certifiers, whatever we call them. The guys that are going to be called upon, these experts in the ACT and New South Wales, who go into these homes, take part in the demolition and removal of asbestos, you indicated that the level of training is aimed at, traditionally we call it bonded asbestos; I know you call it non-fibrous and fibrous.

Mr ROBSON: Friable and non-friable. They have changed the name from bonded. Bonded is the same as non-friable, but what it relates to is that bonded material can degrade to become friable on the surface.

Mr JOHN BARILARO: Do you think we have the personnel to do this in a safe way to protect the community at large?

Mr BRUNTON: The failings come not so much that the training is inadequate but that the courses that are offered or the way that the training goes about you can almost push people through fast-tracked. You have got your driver's licence and five minutes down the road you can still be speeding and crash. The guys that end up coming out, some of the bigger issues they have are that the equipment can be quite daunting and you sweat a lot and it gets quite hot in some of those places, and you shut-down and stop following procedures and that is where you will end up having bigger issues. That section is not generally policed overly well and you end up getting a lot of cross-contamination with other contaminated material as well.

Mr JOHN BARILARO: Before we jump into this whole removal, demolition and all that, is there work to be done in relation to protocols around making sure that we protect those who are actually going in there in the first place now?

Mr ROBSON: The training is so important, and you will notice that there are quite a few different accents in our laboratory; most of them are British because their level of training is about 20 years ahead of us. They have gone through, they have made the mistakes, they have amended things and so forth. So we are really behind the eight ball. I never went to an asbestos training course to become what I am; I did occupational hygiene, a graduate diploma at Deakin University, but I have not done an asbestos course like that—the P401, 402, 403, 404.

Mr JOHN BARILARO: That is what I am concerned about, after what happened with the pink batts where we had cowboys appear out of nowhere, going through a training—I do not know if there was any training for pink batts—but we do not want this fast-tracked training process that in a very short period you are able to go out as a licensed removalist.

Mr BRUNTON: You can get pretty adequate training. The training that I have seen is not half bad. The issue comes down to supervision. The same as with the pink batts: "Hey, you have done your asbestos removalist course, fine". When you do not monitor that and you do not govern that and have that supervision that is going to catch you.

Mr ROBSON: There really needs to be some sort of an apprenticeship. Maybe that is working with a company that has got A-class assessors, where they can learn on the job, like an apprentice doing fitting and turning or a carpenter or something; you just do not put them out into the field straightaway. While it is not complex—I have got 30 years experience, it is pretty straightforward. As a politician you would know that with people coming into a profession there is always a learning curve, but when you have been there for a long time you get an understanding. A lot of things are in your head too; it is hard to write everything down.

Mr JOHN BARILARO: And in truth, even though there might be similarities throughout homes, each home is unique.

Mr ROBSON: Precisely.

Mr JOHN BARILARO: In both construction and, of course, the home itself.

Mr ROBSON: Double-brick, brick veneer—

Mr JOHN BARILARO: Different materials, porous, non-porous et cetera.

Mr ROBSON: Precisely, and extensions and so forth. It is not an easy task but after 30 years you still find little surprises here and there.

Mr DARYL MAGUIRE: Mr Robson, earlier today we heard from Queanbeyan City Council who suggested that two properties, one in particular, subject to a redevelopment had been given the all-clear—it had been decontaminated. What is the authority that issues those types of clearances? Is your company involved in that?

Mr ROBSON: In New South Wales?

Mr DARYL MAGUIRE: In Queanbeyan.

Mr ROBSON: It is usually up to, say, a hygienist or in New South Wales it would be an asbestos assessor because they have just introduced asbestos assessors licences—which I have one—and they write the clearance certificates to actually say what the state of the building is. WorkCover NSW do not come in to do their inspections; it is really up to the private industry consultants such as people like our company and Noel Arnold and Parson Brinckerhoff—they are qualified assessors that come in to do the inspection and write a clearance.

Mr DARYL MAGUIRE: But those clearance certificates would not say that the house is now completely clear, 100 per cent, of asbestos.

Mr ROBSON: They would have very strong exclusions or caveats in that because there is no way that you could clear—

Mr DAVID SHOEBRIDGE: They would be talking about the competency or the thoroughness of the removal work as opposed to the safety of the property. That is what those clearances deal with, do they not?

Mr ROBSON: Those clearance certificates—I have done one this morning and there are wall cavities that you cannot assess. Based on that 30 years of experience, you know that asbestos has been around hot water pipes, embedded in brick walls, in sub-floor spaces as packers, as stormwater pipes, electrical conduits in the subterranean areas, and packers in the ceiling space. There are many locations where until you demolish the building, double-bag it and take it off the site you cannot give that site a clearance.

Mr DAVID SHOEBRIDGE: Queanbeyan council said that it had a register and they said that one of the properties on the register was being redeveloped and because it was on the register they required the roof space and the wall cavities to be opened up and all the asbestos removed, and then that property was rebuilt and there was a subdivision at the back of it. The owner was then seeking to have that property removed from the register. Would you have any observations about that proposal?

Mr ROBSON: I do not believe that you could give a 100 per cent clearance on that because you have not inspected every cavity. You have got sub-floor spaces, on the surface of the bricks, on the mortar, on the inside of the brickwork—it is so difficult to remove it.

Mr DAVID SHOEBRIDGE: What about the surrounding soils? Has there been any evidence in the ACT about asbestos being found in the surrounding soils?

Mr ROBSON: There has been, but typically after somebody has been digging at a root or something like that or has done a removal without the appropriate protections. But you will find just walking down Constitution Avenue in the city there are bits of asbestos sheeting lying on the ground. Across from the post office, between the post office and Aldi, there had been sheeting lying on the surface there for a long time before it got removed and they put that car park in. There is asbestos sheeting encountered all the time. Whether that asbestos has come from loose fill in the ceiling space or whether it has come from any sheeting that is on the outside of a building it is hard to tell.

Mr DAVID SHOEBRIDGE: The current WorkCover licensing for the removal of asbestos—I cannot remember if it is Class A or Class B—I think Class A is friable and Class B is bonded. The licensing for the

Class A removal requires not only competency but I think the supervisor must have three years' experience in the industry. Do you think that is adequate?

Mr ROBSON: Provided that that experience is not just one day a year every three months. They need to have a sort of fairly regular involvement.

Mr DAVID SHOEBRIDGE: Do you know who is checking those applications? Are those qualifications being handed out by WorkCover or is there a large number of providers who are handing out the qualifications? Do you know how they are being done?

Mr ROBSON: There are courses. I think there is one at Macquarie Fields in Sydney where they can do removal courses. But I think it is WorkCover NSW that actually issues the licences and they will be just checking to make sure that they have got passes in those courses.

Mr DAVID SHOEBRIDGE: In terms of competency, who is testing that that three years' experience is actually meaningful?

Mr BRUNTON: We went for a meeting with Work Safe a couple of weeks ago, about a month or so ago, and one of the things that they have started to implement is you have to give a notification period now. You have to give like a five- or a 10-day notification period before you are doing friable or bonded works, and part of that notification period is your SWMS but it is also who the supervisor is and they can check your qualifications for that from there, which is something they were not doing previously.

Mr DAVID SHOEBRIDGE: That is in the ACT, is it?

Mr BRUNTON: Yes.

The Hon. NIALL BLAIR: SWMS? Safe Work Method Statement?

Mr ROBSON: Yes.

Mr DAVID SHOEBRIDGE: In other words, there is an integrity test before the work is done as well as in the licensing. Do you think that is important?

Mr ROBSON: One of the issues there is that that is paperwork—that is good, but I do not know whether NSW WorkCover might go back to the insurer and say, "This person has not had any black marks against his name". That is the order of process, I think. I do not know whether they would come out on site and just do a spot check, like they do in the United Kingdom; they do spot checks on removalists there.

Mr DAVID SHOEBRIDGE: As you know, the NSW Department of Health has been suggesting that a containment process is safe, but at the beginning of your evidence you spoke about what I think is a principal thing we should look at, this hierarchy of how you deal with a hazard. Can you explain that hierarchy to us and where on the hierarchy the containment proposal would sit?

Mr ROBSON: On the hierarchy of control you have elimination to start with. So that if you have got a hazard, you are using a certain chemical to do something, whether you just get rid of it and use something that is safer.

Mr DAVID SHOEBRIDGE: That is the best, that is the most suitable: the removal of the hazard.

Mr ROBSON: Just eliminate the hazard.

Mr DAVID SHOEBRIDGE: We should aim to do that wherever possible?

Mr ROBSON: Yes. Then you have substitution where you use fibreglass instead of asbestos, so you are not dealing with an issue. Then you have engineering controls, and that is where that would come in with the ceiling and putting enclosures around—

Mr DAVID SHOEBRIDGE: You have still got the hazard but you try and stop people coming into contact with it?

Mr ROBSON: Yes, isolate it and close it and put barriers there. Then you have administrative controls. Where you have four hours of work to do you use four people for one hour so you minimise their exposure.

Mr DAVID SHOEBRIDGE: Or you put a sticker on the manhole to say "Please don't go here".

Mr ROBSON: Yes, and training and so forth. The last one is the PPE, which is the personal protective equipment, which is a suit and mask to go and do the job.

Mr DAVID SHOEBRIDGE: So the best, the safest and the most secure thing is the first option in the hierarchy, which is the removal. Is that what we should be looking at as the primary option, wherever it is feasible?

Mr ROBSON: With loose filler yes, I believe it is, because it is a friable material and it becomes easily airborne if it is disturbed. Bonded sheeting, on the other hand, is a much lower percentage—it is probably single-digit per cent—firmly bound into a stable matrix and you would need a power tool to release fibre from it.

Mr DAVID SHOEBRIDGE: Could you provide us with some information on that hierarchy of controls, on notice?

Mr ROBSON: Yes, certainly.

CHAIR: We had a discussion earlier about the decision by the NSW Department of Health in 2005 to withdraw a free identification service. I was wondering what the free identification service would do. If you have got Mr Fluffy in your house you do not need a scientist to come and tell you it is there, do you? I am just wondering what the free identification test would have involved.

Mr ROBSON: I would suspect that the free identification test would be they are saying to people that if you go and get the sample and bring it in to us we can identify it for you. The free part of it would be the actual laboratory analysis, not the collecting of the sample, which take times to get into the ceiling space. But then if you are doing that the people who are getting the sample may not be aware of the potential hazards. Looking at those samples today, some of them look very similar. You have got a layer of dust on the top of them, some cellulose or like ground up paper and it looks very much like amosite asbestos. Even if it is only 0.1 per cent of houses there is a risk that can be avoided or eliminated

CHAIR: How do people get the identification problem solved in Queanbeyan? Are you saying they all have to collect a bit of asbestos and take it to your laboratory?

Mr ROBSON: No. The way that the ACT Government did it was that they got a task force to go out and assess every house. They put a ladder on the outside of the house, they were trained in how to take samples and to have a look and identify it. They were trained in actually taking samples for analysis.

CHAIR: In the ACT?

Mr ROBSON: In the ACT.

CHAIR: What about Queanbeyan?

Mr ROBSON: It is a free service now but you would need to—

CHAIR: There is no free service.

Mr JOHN BARILARO: Yes, Mr Chair, there is a free service currently. The free service that you are referring to was taken away in 2005.

CHAIR: It has been restored.

Mr JOHN BARILARO: We have a free service as of three or four months ago where home owners register with WorkCover and then they will send out the experts to test their homes. No-one is asked to go into their roof cavities or anything like that. There are 27 councils now doing that.

CHAIR: So there is no need for people to take samples to your laboratory; WorkCover will come and do it?

Mr ROBSON: We have had a couple of residences in Queanbeyan where people have rung up independently or through a real estate agent for us to go out and take samples. There is one that my colleague Ged Keane did just recently where they had some yellow batts put on top of some friable asbestos loose-fill. People are still going into ceiling spaces just recently and adding insulation to the top of loose-fill insulation.

The Hon. NIALL BLAIR: Do you give those results just to the person who contacted you or do you report a positive result to any other authority? There is no legal obligation for you to report that, is there?

Mr ROBSON: No. I mean, there is that confidentiality acknowledged with your client but I believe that there should be a register—especially when you are looking at the fire services, emergency services, ambulance and all those sorts of people who could be involved in dealing with fires, issues or storms affecting these houses. I believe it is the case in the ACT that those protective services have a list of all of the houses that were Mr Fluffy houses or loose-fill houses.

CHAIR: With all the different brands of pink batts and other stuff is there a danger health-wise from any of that material that people are using?

Mr ROBSON: With the fibreglass, Rockwool and all of those synthetic mineral fibres the latest I have heard is that they are going to lower the hazard rating on that because there have been tests done and the level of cancer in people who have worked in those industries is not above the general population's level. While it is an irritant and you would not want too much of anything in your lungs that is not normal air, the likelihood of any increased cancer due to exposure to synthetic mineral fibre, which includes fibreglass and Rockwool, is not deemed to be significant.

CHAIR: Thank you for coming at short notice and giving your professional input to our inquiry. We appreciate it very much.

(The witnesses withdrew)

KIERAN FERRIS, Individual, affirmed and examined:

CHAIR: Thank you for appearing before our inquiry. Please tell us the reason why you appearing as an individual.

Mr FERRIS: I am here to speak about our personal case. I have some preparatory remarks if that is acceptable.

CHAIR: Yes.

Mr FERRIS: I thank the Committee for allowing me to speak. I would also like to recognise the local members, who I know from speaking to them on multiple occasions have demonstrated a compassionate and pragmatic approach to removing this threat. I would like to highlight three key points in our submission. Number one is the fact that the current WorkCover NSW risk-based approach has failed, with home owners like us being completely unaware and having exposed our families, tradespeople and our neighbours. Number two is the impact of the above on the likely effectiveness of the current paper-based audit and voluntary testing approach, especially in an environment where Queanbeyan and other New South Wales residents are aware that if their house is confirmed positive their main asset is likely worthless.

Number three is the effect that the lack of resolution is having on our moral, financial and emotional integrity and the impact that is having on our families. As someone who has been exposed in every practical way, I come to you begging for you to take this threat seriously. Containment has been shown not to work. Clean-ups have failed. Lack of mandatory disclosure has and will continue to result in hundreds if not thousands of people being affected and the current hands-off approach will only increase the health costs to the State and individuals for the foreseeable future.

The Federal and ACT governments are fixing this once and for all. Nationally recognised experts are telling people to get out of houses in New South Wales because the risk is exponentially higher. We just need to catch up here. I know that the report is not due until February, but as someone who is living this nightmare day in and day out all I can do is implore you to release interim findings that reassert a compassionate and moral approach in New South Wales and recommend a solution now to eradicate this risk once and for all. In short, please hear the voices of experts and your citizens and give us a Fluffy-free Christmas. Thank you.

The Hon. STEVE WHAN: Thank you for your submission and for participating in the inquiry. Will you tell us why you think that purchase and demolition is the best way to go in your situation?

Mr FERRIS: The simple fact is that there are many people out there who cannot afford to remediate this. Even if one was to strip back the houses to the bare walls, you are talking about wiping out people's financial situation. I talked to someone and he was saying that just to repair a leak in the roof normally might cost you a couple of hundred dollars. To do it now you are talking tens of thousands to fix it. This is completely beyond anything any individual can bear. That is just the financial impact.

If it comes to knocking down the houses, as someone who is the next generation on who has been affected by this I wish someone had solved this 20 years ago. I wish they had solved it 50 years ago. Unless we are accepting that the moral, financial and health impacts are acceptable we need to solve this now. It is the only way to fix it.

The Hon. STEVE WHAN: What is the situation for you and your family financially?

Mr FERRIS: When we got back from our honeymoon in April my wife got made compulsorily redundant by the new CEO. Since then we have had to rely on our savings. I am a contractor. If I am out of work we have got trouble. We have lost tens of thousands of dollars and we have had to face the moral choice of do you expose other people to this when your house is called a death trap? People do not use these words glibly.

You go into the house and the fibres are in the living space because I did not know any better because there is no requirement that people have to disclose. I have renovated. I have put ceiling fans in. I have put vents in. I have put downlights in. I have opened the roof. I have to reconcile with the fact that I have exposed my neighbours, my friends and tradespeople because I needed to fix a roof tile. I do not know how anyone could

honestly say that a containment approach is practical in houses that are this age. It is a huge toll on us. I just really want it to stop.

The Hon. STEVE WHAN: How old is the house?

Mr FERRIS: I would say our house is pre-1970s, I believe.

The Hon. MICK VEITCH: The council were aware of the loose-fill asbestos in your residence but they did not convey the information?

Mr FERRIS: I understand both the New South Wales Government and the council were aware. It is just a punch in the guts. If we had known and even if we had chosen to buy the property I could have done the right thing. I could have not exposed my friends. I had friends stay with us because they needed emergency accommodation. It was the right thing to do and so I let them stay with us. Look what I have done. It is really hard for us to reconcile what we have done and to know that by trying to do the right thing we are impacting others. We have tried to just eradicate the risk because we cannot let other people be affected.

Mr JOHN BARILARO: You have been courageous as one of the faces behind the campaign. I congratulate you on doing that. Are your neighbours aware that your home is one of the Mr Fluffy homes?

Mr FERRIS: Some of them are, some of them are not. I suppose the risk is if we tell our neighbours then we will become social pariahs. We have tried to do the right thing, we have tried to make it as safe as we can, but I suppose in regard to the wider neighbours we have tried to make sure that none of our wider neighbours and no other local citizens are affected as well.

Mr JOHN BARILARO: Are you aware if your neighbours have had their homes tested?

Mr FERRIS: No, I am not. Because of the privacy implications and the stigma, no-one wants to be associated with this because we do not have an answer. If you get found out your house is worthless.

Mr JOHN BARILARO: I understand that through the beer economy we all get our mates to help us renovate our homes. I know that you feel some guilt about exposing friends and family.

Mr FERRIS: Yes.

Mr JOHN BARILARO: We have had conversations. I accept that your understanding of this issue is quite thorough. You have read through a lot of documentation and advice from Health in the past that governments have relied on and you have been involved in the ACT situation and the action group. What do you see as the differences between the advice that New South Wales governments have received over the past 2½ decades versus what the ACT Government and the Federal Government has been saying in the ACT?

Mr FERRIS: I am not someone who likes to speak negatively. It really goes against who I am. I am a positive person. But if you look at the New South Wales approach it has been, "She'll be right. Just leave it up there. Tap a sticker on it and it'll be right. Put on a cornice, stick some glue on the cornice and she'll be right." The ACT did something back in the 1980s and the 1990s. The ACT is doing it now. They changed this from a WorkCover-based approach to a health-based approach and that was one of the best things that happened. That is the key difference.

They looked at the greater health of the community and of the individuals rather than talking about how many tradies are being impacted. That is critically important. I do not want to expose anyone, but there is a huge health impact as well and that is the key difference. They have taken a medical health-based risk-management approach rather than historical studies.

The Hon. NIALL BLAIR: What triggered the letter to notify you of the fact that you had this in your house?

Mr FERRIS: We got notified at the end of June by the council. I am assuming the council can speak to why they sent the letter out. I would guess that it is because of the rising awareness in New South Wales. Prior to that, we simply had no knowledge.

The Hon. NIALL BLAIR: Did you have to make any applications to do any works on your house?

Mr FERRIS: No.

The Hon. NIALL BLAIR: Nothing else prior to that?

Mr FERRIS: No.

The Hon. NIALL BLAIR: So the first you heard of it was the letter?

Mr FERRIS: It was the first we heard about it.

CHAIR: Could you table a copy of that letter?

Mr FERRIS: If you would like, no problems at all.

CHAIR: You are not living in the house now?

Mr FERRIS: No. We lived in it for many years when we renovated, as I said. The previous witness actually talked about a Queanbeyan resident who put batts over their insulation; I am ashamed to say that was us because we did it out of ignorance because we did not have the advice. If I had known I would have never let them in the roof space.

The Hon. NIALL BLAIR: Never let who in the roof space?

Mr FERRIS: Let anyone in the roof space.

The Hon. NIALL BLAIR: Did you install the batts?

Mr FERRIS: No, we had professional installers. We had insulation specialists install them.

The Hon. STEVE WHAN: They did not notice anything?

Mr FERRIS: They did not know.

The Hon. NIALL BLAIR: They were not able to identify it?

Mr FERRIS: They did not identify it. They did not say, "That's Fluffy there, you should get it checked out." That was done when we lived there.

The Hon. NIALL BLAIR: That was not under the Federal Government batt scheme?

Mr FERRIS: I think we were about two months before that started. So we did that at our own cost.

CHAIR: You are not living in the house?

Mr FERRIS: No, we are not. We moved out of the house several years ago. As my wife said, we built our new house and we rented it out. When the letter came in June when the new tenant was coming along we said, "No, enough's enough. We can't expose anyone else." The house is vacant today. I cannot reconcile any moral approach where I would do anything else.

Mr DAVID SHOEBRIDGE: Can I get your timetable in order?

Mr FERRIS: Sure.

Mr DAVID SHOEBRIDGE: When did you buy this property?

Mr FERRIS: We bought the property on 31 July 2008.

Mr DAVID SHOEBRIDGE: When did you move into it?

Mr FERRIS: Probably weeks after. We started doing renovations immediately, as you do when you are a young excited couple. You start painting, you start having a look at the tastic in the bathroom. I wish I had known about that then. I would fix that tastic and put in one of those heat ones instead.

Mr DAVID SHOEBRIDGE: So you would get home from work and you do all the renovation work and—

Mr FERRIS: Absolutely.

Mr DAVID SHOEBRIDGE: —you cut holes in the ceiling, put fans in.

Mr FERRIS: Yes, air-conditioning systems. If you could think of whichever way you could expose yourselves, we have done it.

Mr DAVID SHOEBRIDGE: Then at some point you got the installation, so some contractors went up and they were exposed to loose-fill asbestos.

Mr FERRIS: Absolutely. Just to be clear, beyond that, other contractors, plumbers who fixed our kitchen, they would crawl underneath the house. Cabling trades people, friends of ours, they have crawled underneath the house.

The Hon. NIALL BLAIR: Have you been back in contact with those trades people to let them know?

Mr FERRIS: Yes. That was the first thing we did. I have to tell you that is probably the hardest telephone call I have ever had to make in my life. Can you imagine phoning someone and saying, "Through my ignorance I have potentially exposed you to something which is going to kill you."?

Mr DAVID SHOEBRIDGE: We will get to that. So you did all that. You have a mortgage on it, you renovate it.

Mr FERRIS: Yes.

Mr DAVID SHOEBRIDGE: You are exposed, others are exposed.

Mr FERRIS: Absolutely.

Mr DAVID SHOEBRIDGE: You have moved out of the property. When did that happen? You do not have to give the exact date.

Mr FERRIS: Probably about two years ago approximately.

Mr DAVID SHOEBRIDGE: When you moved out did you then rent it out?

Mr FERRIS: Yes.

Mr DAVID SHOEBRIDGE: And you have bought another place?

Mr FERRIS: We built another place.

Mr DAVID SHOEBRIDGE: Do you have a mortgage on that place?

Mr FERRIS: Absolutely.

Mr DAVID SHOEBRIDGE: So you have a mortgage on the two properties, and no doubt part of your financial plan was to rent out the previous one to pay the mortgage.

Mr FERRIS: Absolutely.

Mr DAVID SHOEBRIDGE: And that plan had been going reasonably well?

Mr FERRIS: Fantastically. We had been using it as a way to try to achieve some financial freedom.

Mr DAVID SHOEBRIDGE: And then you get a letter in June.

Mr FERRIS: Yes.

Mr DAVID SHOEBRIDGE: What happened?

Mr FERRIS: It was a punch in the guts. I really cannot couch it in any other terms. It was the carpet being ripped out from underneath us. It was the reality that our house was worth nothing.

Mr DAVID SHOEBRIDGE: So you get the notice in June. Did you have a tenant in the property at the time?

Mr FERRIS: We did. We received the advice on the 27th. Sorry, that is not true. The advice from the council was sent to the real estate on the 27th. The real estate agent told us on 1 July. We immediately said we need tests now. So we paid at our expense to get testing done. On the 14th there was a scheduled start date. The tenant cancelled. We supported them. We told them, we gave them full disclosure because no-one had ever given it to us and I do not know how anyone could ever expect you would not give it to someone else. It is just the right thing to do.

Mr DAVID SHOEBRIDGE: I do not mean this in any derogatory way. You are an ordinary Australian couple trying to get ahead, doing what you can to get your financial security and then you are basically sideswiped by Mr Fluffy.

Mr FERRIS: Yes.

Mr DAVID SHOEBRIDGE: And your financial future is just knocked sideways with one letter from council.

Mr FERRIS: Absolutely. My wife has been out of work since April and we have been living on one income. It is no secret that it is a tough employment situation so we were already under strain and then this thing came along.

Mr DAVID SHOEBRIDGE: That is why we have governments, so that when individuals like you get knocked over through no fault of your own we can try to find some collective response.

Mr FERRIS: If I could solve this myself I would. I have insurance. I cannot use it. I have savings. I am having to use them. I am begging you, help us out here. I am one of the lucky ones. There are many people with far worse stories than me.

CHAIR: Thank you again for appearing as a witness before our inquiry. We appreciate all that you have had to say to us.

Mr FERRIS: No worries, thank you.

CHAIR: All the best in the future.

(The witness withdrew)

MICHAEL ALBERT CHARLES BRESNIK, Individual, sworn and examined:

CHAIR: Would you like to make a brief opening statement?

Mr BRESNIK: A bit of an off-the-cuff one. You have my submission. My wife and I are in the position that we have been through this 21 years ago, and here we are again. In our particular circumstance in brief, we purchased the home from my father. It was a family deal. I was talking extension; he was talking moving on, so it was one of those family deals that you did. Back in those days there was no building inspection as such, so there was no thought of anything of this particular nature on the horizon. When the proverbial hit the fan in the Australian Capital Territory and then the talk started coming through, in our circumstance we had already been identified, which I made note of in my submission. I was elevated to the rank of deputy captain in what was then the New South Wales Fire Brigades, and as a result I needed a business line at home. Telstra was contracted to come in and put that line in, and to my understanding they had some form of reciprocal arrangement with council.

The first we knew, we had a council officer knocking at the door asking my wife if he could have access to grab a sample and basically they would come and report back. And as they say, the rest is history. The frustration that I am feeling at the moment, I am frustrated because on top of all this we did what NSW Health said we had to do. So exhaust fans out, sealed up holes in roofs. To be frank, and I had no choice in this matters, and it is good when you have good friends, but I needed to seal up three large vents leading directly from the rooms into the roof space. I had something to do with the then ducted diesel heating. And what can I say? I had mates come over. What do you do? Dust masks help. None of those mates—they are still mates, by the way—have got recriminations. But we were terribly frustrated and again as I pointed out in my submission with three young sons growing up we could not move anywhere.

As I said, we sealed up—everything was somewhat hunky-dory. In 2004 we mortgaged again with the specific aim of getting rid of it, which we did do. We had it done by professionals. We have our clearance certificate, et cetera. I have to be frank. I felt very safe. I do not know how I feel now. With all the notifications, I suppose coming via media, et cetera, when it all started again in recent times in the Australian Capital Territory, my wife, Maryanne, and I probably had our biggest blue because we are in business, it is our own, the house is underpinning the business. I have eight staff. As I said, we have raised three sons in this house. I do not know I could say to you that I had any guilt trip about that. It was just a restriction. The biggest blue now is over our granddaughter. I have made jokes. It is bad enough getting between a mother and her sons but by God get between a granny and her granddaughter and she is on for young and old.

My biggest frustration and why I am here today, I have here a copy from NSW Health dated 6 July 1993 and amazing how in 2014 something similar, "There will be no cost to the home owner/occupier and any inconvenience will be minimal." They are talking about the bloody testing, 1993, 2014. Newspaper reports, "Asbestos houses a time bomb", 28 January 1993. It just goes on and on. Basically, as I thought all those years ago, NSW Health should have been the lead in this. They abrogated their responsibility. I have never held Queanbeyan city council responsible for any of this because I do not think it is their responsibility, on my way of understanding. There are checks and balances with everything that you do in building a home. As I said, as far as I was concerned, up until this very point in time, 2004, at my expense we had it cleared. So what I would be simply imploring you is I do not think you have any time left. I do not think you have a choice. To me, there is no answer other than demolition.

By the way, I think I noted that as a result I thought we needed a bit more grunt this time around and they were supportive. I also in turn joined FORAG. To me, it would be fair and reasonable restitution. I do not particularly want to leave my family home, and I always brag and some of those in the know here, some of the local members, et cetera, know the street I live in. Very seldom do you see a for sale sign. Yet houses sell. It is a sought after street. I do not particularly want to leave it, but at the end of the day I do not see any other answer. Demolition is your answer. In my case, I still have intentions of residing in Queanbeyan. Even if I accelerate any potential retirement plans I may have had, I cannot see that happening for a few more years. But my attitude would be, brutally, I am already out of pocket. Why should I go through it all over again? For mine, not only demolition, but if you will allow me to say that if I purchase a home in New South Wales, I think the stamp duty should be waived as well.

I would also like to point out that I, too, do not think WorkCover is the department, if that is the right word, for this type of thing. This is a public health issue. You would have seen steam coming out of my ears in recent times. Number one, we still have not had the test that we requested nearly three months later. The meeting that we had here, some two or three months ago, was a total waste of time. I heard it all before and I was absolutely incredulous when the professor indicated they did not even have a protocol formed for testing. Now I receive some great big manila envelope. I am to tell everybody exactly the construction of my home, where vents are located, all that type of thing. I can do that easily enough but then to tell me that we will have seven days, 24-hour air monitoring.

If it is anything like what it was 21 years ago with two monitors going 24 hours a day—this was mentioned in the plural, by the way, for this test so I am envisaging in different strategic locations. You try to sleep at two o'clock in the morning with compressors going. Even though they are little ones, they are a bit like a fish tank. I just do not even see that as being the right way. I remember at the meeting questioning why NSW WorkCover is developing its own protocols when six minutes up the road not only had they developed them, they had already tested them and now they are already talking about demolition, and here we are having a gabfest about it all over again. I meant to keep it short. I am sorry.

The Hon. STEVE WHAN: Thanks. I think you have probably covered a lot of it in your opening statement. I can certainly understand your frustration with having expended a large amount of money on what everybody thought was safe, only to find the evidence from the Australian Capital Territory. Can you confirm that what you would like to see happen is for New South Wales to essentially take on the lesson from the Australian Capital Territory and proceed along those lines? We have been told by NSW Health that it wants to go through a process of doing a health risk assessment on these properties after they do the air monitoring.

Mr BRESNIK: You are going to get me cranky again. It is a gabfest again. You know, terrific! Any time or any friend I mention this to, everybody says the same thing. Stalling for time seems to be a—dare I suggest among all these eminent politicians—a bit of a stall fest. What is hoped to be achieved out of it? I have been guilty of making the same comments to, again, my friends and family. Here they were telling us again that asbestos is airborne; it is a natural fibre; it is a this; it is a that. But at the end of the day it is being made out to be what it is, okay? Why is it that I can hit the evening news and you suddenly discover there has been a truckload of asbestos dumped somewhere in Sydney and oh my God it is the biggest bloody thing. You are throwing all the resources at it, and here I am sitting, three months later after asking for a test, still in my home not knowing whether it is safe or not. The fact remains I have already lived in it for 21 years so come what may, come what may.

To be quite frank I am not really sure—that might be another source of argument with my wife—as to what if we are told to move out? I can tell you now that then I would not know what to do. I really do not know what to do. I have it underlying in the back of my mind. We talked about finances before. This house is underpinning my business. It has been in the back of my mind. Apart from the fact that I am with one big bank, and I think a bit of lousy media speaks volumes for them, it remains in the back of my mind. What if they suddenly turn around and say, "Righto, your house is worthless. What other securities have you got?" Where am I then? It just goes on and on and on. That is why it gets emotional. I am over it.

The Hon. MICK VEITCH: Thank you for your quite moving contribution. As a matter of interest, there have been issues about disclosure from other people. Have you disclosed your insurance company and stuff like that?

Mr BRESNIK: I have taken a cheeky attitude to that. Twenty-one years ago in an attempt to try and get the bloody New South Wales Government moving I appeared on *60 Minutes*. After being told all sort of anecdotal comments about insurance and insurers, I kind of fall back on that little clause that they like to use—you do not have to tell us anything unless we reasonably should know. Well, I reckon being on national television [TV] is pretty reasonable, so I was hoping it is some fallback position if ever I need it. But funny you say that because I now ask the same question. If I turned around to my insurance company tomorrow and said, "Righto, what's the go?", and they suddenly say, "No, you're not covered.", can somebody tell me who is going to recoup my last 21 years of premiums that I have paid to safeguard my home? It just compounds it. It goes on and on.

As a result of being public—I mean, I have done a few TV interviews and the likes—there are two things I would like to point out. It was interesting that I have had three networks at my house. Two had absolutely no concern, coming in, taking photos, et cetera, and the final one was the ABC. It was not intended as

a joke. I mean, the lass who was going to interview me was on her mobile phone when they were in the driveway and the cameraman was there. I told him, I said, "Come on, I'm an old hand at this. Come and have a stickybeak in the house. We'll see where you can set up your lighting." And, I tell you, his face went ashen. Deadset. I nearly fell over. It was ashen. I thought he was joking in the first instance when he said, you know, he was not entering because I had a Mr Fluffy home. I remember saying, "No, it's all right, it has been cleared", or, "cleaned". Of course he said, "No, that's policy."

He literally—and he did—he took an interview on the front veranda and then he actually proceeded around the driveway to the rear veranda. He was not passing through that particular home and that was policy. Again, gentlemen, a government department has a decree that everything to do with asbestos is bad and yet again I state: Here I am sitting in the bloody thing for the last 21 years plus three months while we are all having a bit of a chat.

Mr JOHN BARILARO: The first thing is this: Are the banks aware that your home is a Mr Fluffy?

Mr BRESNIK: I have not told them.

Mr JOHN BARILARO: That is okay. I have no problem with that.

Mr BRESNIK: The same again. I mean, being in business, I suppose I had a business bank manager. You seldom see them but anyway I see him once every two years, I think. It is the same again: I mean, I am letting sleeping dogs lie. I really am.

Mr JOHN BARILARO: If your business is being underpinned by the asset, which is your home, and all of a sudden they find that it is a Mr Fluffy home and it is worth 50 per cent, we are in a bit of other here with eight jobs, a business and a livelihood.

Mr BRESNIK: Well, you are talking bankruptcy. I just could not recover from it.

Mr JOHN BARILARO: I just wanted to clear that up. What would you say would be the state of your home now? You have been aware of it and you have done a lot of maintenance on it to get it to limiting pathways and you have followed the health advice and the advice from the New South Wales governments in the past. What would you say would be the maintenance for your home now? What sort of maintenance do you do to make sure that you keep it safe?

Mr BRESNIK: I have got to say that I am very fortunate that the house was extremely professionally built. I am not very politically correct [PC]; I often say it was built by a Croatian and they are bloody, you know, tight-as. The cornices have never moved and, truthfully—and I had never seen this happen before—the very first time this hit the fan in recent months my wife walked around the house and actually came and said to me, "Lucky they put the ceilings in before the built-ins went in." I mean, she has never looked for that sort of stuff before. They were things we heard on the news, et cetera, once things were found in cupboards and all the rest of it.

Mr JOHN BARILARO: That is right because the common practice was never to put cornices in cupboards.

Mr BRESNIK: Correct. But obviously they put the ceilings in first. To be fair, my area of concern now—and when I truthfully said to you when the asbestos was taken out in 2004 I felt safe—is that now they are talking blooming subfloor.

Mr JOHN BARILARO: Wall cavities—everywhere.

Mr BRESNIK: I probably expected the wall cavities to a degree. I mean, I am not naive in the ways of building, but I never even considered—

Mr JOHN BARILARO: The point I am trying to make is that if you know your home is a Mr Fluffy home, you know you are limited in what you can do in extensions and renovations. You still have a mortgage; and you have to be very careful with what you are trying to achieve. I think a lot of homeowners would not be maintaining their homes to a standard of "We'll keep these pathways to prevent the fibres becoming airborne." That would be a fair assessment?

Mr BRESNIK: I agree. But with the same reasoning, if a guy who thought his house was suddenly safe suddenly undertook those additions, yet again we are in situations. I used to always curse how hot the joint was in summer. Apart from the fact that obviously we insulated with pink batts after the asbestos was taken out, I actually put in a roof ventilator. It just so happens that I just remember seeing it on one of the WorkCover questionnaires, "Do I have external vents?" Well, yes I do because the roof ventilator needs them. It is a two-storey house. How the hell am I going to get someone up there now, for argument's sake, to remediate that? Then I suppose, brutally, the question would have to be: What are those eaves made out of? It just goes on and on. That is what I am saying to you. Whereas at the moment I fundamentally feel safe, my biggest concern now, after hearing some of the other talk, is that my gas-ducted heating is in the subfloor.

The Hon. NIALL BLAIR: You have been waiting three months for a test?

Mr BRESNIK: Yes.

The Hon. NIALL BLAIR: Are there any other contacts you have asked for that?

Mr BRESNIK: No.

The Hon. NIALL BLAIR: Three months?

Mr BRESNIK: Literally last week was the first that we actually received a letter from WorkCover. It was a simple business envelope. I remember recounting to my wife, "This must be the appointment time", thinking I am just going to be told and, bugger me, it is a, "We're pricing PricewaterhouseCoopers to do X, Y, Z." Truly, I seldom have it but it just happened to be one time I had some internet problem at home so it took three days, but I finally sent both the lass from PricewaterhouseCoopers a polite but cranky opinion. I recall saying that across the border they are demolishing, and here, what? We are having an audit on Mr Fluffy? I could not believe it.

CHAIR: Presumably they are conducting audit on behalf of WorkCover, are they?

Mr BRESNIK: I presume so, sir, yes.

The Hon. NIALL BLAIR: I have run out of time. I feel like I am sitting through the movie *Erin Brockovich* listening to your story 29 years later and it is quite harrowing. I have run out of time, but I would have hated to have thought the contrast would have been that if this was in your fire station when you were deputy captain, I reckon we would not be sitting here now.

Mr BRESNIK: No.

Mr DAVID SHOEBRIDGE: Mr Bresnik, when you had the asbestos removed—at least some of it removed—what did the contractor say to you? Did you have any communications with the contractor about whether that would be safe or not safe?

Mr BRESNIK: Insomuch as we had a clearance certificate—I suppose that is what they are calling it—and in fairness, the certificate in principle says they have cleared as per whatever the guidelines were at that particular time. There is always—and in re-reading it as a result of all this—you will find it within a couple of pages in those typical disclaimers.

Mr DAVID SHOEBRIDGE: Caveats.

Mr BRESNIK: Yes. You know, those, "Of course that there could be some residue in wall cavities", and all the rest, but you do not think of that at the time because they did what they did in the Australian Capital Territory [ACT]. Apart from the obvious removal, they then heavily hit it with PVC blue. So, again, part of me is feeling safe, you know: okay, no more fibres floating around. I will say and I should have said that we will also one of those initial homes in that initial study in Queanbeyan. The pleasing thing was that we were identified as house No. 2 and they actually found no asbestos in our general living area. They found one little fibre, which had nothing to do, apparently, with loose-fill insulation. So that was pleasing as well.

Mr DAVID SHOEBRIDGE: Could you provide us with a copy of your clearance certificate?

Mr BRESNIK: Sure.

Mr DAVID SHOEBRIDGE: Would that be possible?

Mr BRESNIK: Yes. I will have to take note of that—that I will provide.

Mr DAVID SHOEBRIDGE: I think the Committee will tell you. Can I just ask you about your communications with the council?

Mr BRESNIK: Yes.

Mr DAVID SHOEBRIDGE: What, if any, communications or guidance have been had from the council? I assume you have been on the register with the council.

Mr BRESNIK: I never knew a register existed, to be frank, other than I knew the council know of what started off as 10 houses is 12, and now 15 I think. Probably in fairness the thing that I most recollect, again back in the nineties in that initial phase, was simply having a few meetings with the then council. I thought they were terrific; they were sympathetic, probably because I am an ex-councillor's son. When I say I did not hold the city council responsible, I did not think it was their brief. This is a building material that was allowed in so I just really did not think it was its brief. Even back in those days that there was talk. I recall they were talking about, "How would we fund it? How could council move forward to assist?"

There was even talk about the old 25 per cent from four parties—homeowner, local, State, Federal. Even then I still did not think it was. I thought, "What the hell's local going to be throwing in 25 per cent for?" But that basically amounted to nothing. No, there has been no other communication other than, I would have to say to you, on a necessity point of view. Same thing again: We were already hearing all the news reports from the ACT, but as a said, that led to a bit of a discussion between my wife and I. Then we get the letter from council. I mean, we knew what it was.

Mr DAVID SHOEBRIDGE: I just have one question. You said potentially you have got to discuss about your granddaughter with your wife. What did you mean by that?

Mr BRESNIK: The health implications.

Mr DAVID SHOEBRIDGE: Having your granddaughter around the house?

Mr BRESNIK: Basically at the end of the day, as typical grandparents do—assisting with child care—we have got her for a full day once a week and, of course, any time the kids need to do anything, we are more than happy to have her stop overnight.

CHAIR: Just a follow-up, in your submission you actually state that because you were concerned about the health situation, you had your son's chest X-rayed. What was the result of that?

Mr BRESNIK: No. That was actually misreported, if I may. I had a family friend of mine assist me in the submission, just to bring it into a more level speak. It was more a case of probably the discussion points that we suggested, or their mother suggested, that they go and have an X-ray. Quite frankly, they are all like me. They are all like, "C'est la vie. If it's done, it's done. We're out of the house." To the best of my knowledge none of them have had a chest X-ray. I have got to be brutal: based on my days in the fire brigade, I do not know what the hell it would do anyway. I do not know how much it is going to show.

CHAIR: It might show signs of lung cancer from these threads.

Mr BRESNIK: It might. You are quite correct, but from my understanding something like that is going to take, traditionally, anywhere between 20 years and 40 years to manifest itself. My eldest has just turned 30, so it is the same scenario. If it is going to occur, then we will speak to somebody in another 20 years time—probably lawyers. Unfortunately, it is one of those things. How are you actually going to know? With my comment about the fire brigade, I have been in enough situations in those early days. You did not have the breathing apparatus and all the rest that you have now. I would even tell you I can recall one fire when we all came out looking like snowmen, so we will call that loose-fill rockwool, perhaps. It is pointless even for me.

I know I have had chest X-rays via the brigade for different things and it showed scarring. Scarring of what? Nothing will come of it.

CHAIR: Thank you very much for appearing before our inquiry. It is very helpful to have firsthand reports from witnesses. We appreciate your doing that and being so frank with us. Obviously it is very emotional for you as well, which we appreciate. We hope everything works out well for you.

Mr BRESNIK: Thank you. Thank you for your time.

(The witness withdrew)

MAXWELL GEORGE DEWS, Executive Committee, 11-15 Buttle Street, Queanbeyan, affirmed and examined:

CHAIR: In what capacity do you appear before the Committee today?

Mr DEWS: I am appearing on behalf of the executive committee of a unit block in Queanbeyan.

CHAIR: Does that have 38 units?

Mr DEWS: That is the 38-unit one.

CHAIR: Do you want to make an opening statement?

Mr DEWS: Yes. I am probably going to put my witness statement in even more figurative language than previous speakers. I am going to start by giving a quote from *The Crucible*, "and fear swept the land". That is a very large statement but in microcosm that is really what is happening in and around Queanbeyan-Canberra, and I daresay other areas in the future. Having said that, I thank you for allowing time for me to speak on behalf of some residents of the Queanbeyan unit block affected by Mr Fluffy asbestos. I am sure that all present are of the one purpose—that is, to find a solution to what is a real quandary; "quandary" being an interesting word which means evil, flight, adversity, difficulty, necessitating pain and care.

I am sure everybody is in a state of perplexity as to what to do because it is an extremely difficult and somewhat unique situation, gathering momentum by the moment. My aim is to acquaint panel members with some general and specific observations as they relate to the block of units known as [REDACTED]¹, Queanbeyan, which is a block comprising, as I said, 38 dwellings, mostly one-bedroom and bedsit-type accommodation. Some are owner occupied and some are tenanted, some are owned or partially owned by investors who are trying to build up a portfolio of assets in lieu of employer-government funding superannuation schemes. It is fair to say that it is modest-type accommodation and the people who live therein are mostly modest, humble people.

I interviewed two people and I would just like to give a profile of the type of people who are in the situation at [REDACTED]. I will call one Ms Y, who is the owner of the unit. She is a single old-age pensioner who has spent many years paying bit by bit, dollar by dollar. Like a lot of others in the unit block, a modest type of payment. What has happened since Mr Fluffy developed there has been added strain on her as to the future and what will happen. She is having to pay \$600-plus per quarter in strata fees. Together with council rates, that is taking about one-quarter of her income due to that increase. She, of course, is extremely worried as to what the future brings because she would not be able to afford accommodation at 2014 prices anywhere else.

Mrs X is the owner of two units—it sounds as though she is a wealthy lady; she is not. She is a self-employed cleaner. She does not enjoy any superannuation, she does not enjoy flexi days or redundancies or any other benefits of being government or employed in business. As I said, she does not have flexible hours, she does not have flexibility—maybe she does, maybe she can clean three houses one day and the next four but that is about the only flexibility she has. She has also been affected by the increased strata rates, the devaluation, loss of rent, all those hitting very hard and very quickly so you cannot plan for them. She wonders what market value might be in terms of what she has done to the units through renovation and things like that. Is it a flat price here and does not take into consideration condition?

There are some small investors, myself included. I came down from Dubbo, where I sold my beautiful four-bedroom, quarter-acre block with a pool for \$360,000 and all I could get down here was a townhouse and a little tiny bit left over, which I transferred to [REDACTED]. Investor sentiment is that bricks and mortar are normally seen as a safe investment, but bricks and mortar with Mr Fluffy is not. When Mr Fluffy first raised its ugly head at the unit block the first thought was to contain the Mr Fluffy asbestos. The costing was received of \$350,000. That would approximately equate to about \$10,000 or \$9,500 per owner. That was sharing because a lot of the people could not even think about that sort of money so it went on a saving, and the levies went up, the view being that, of course, in two, three or four years' time, or sometime or never, we would be able to afford it. But really it is like a dog chasing its tail: The longer it takes to get to the fear, the higher the quotes go.

¹ Information redacted according to resolution of the committee of 17 November 2014.

A little later on a report of December 2013 indicated several areas where asbestos was present but they said at the time that the normal maintenance schedule would be sufficient to solve the problem. But here is another dilemma or quandary: Do the owners of the strata and the corporation put \$65,000 for maintenance with the risk next month, week or year of the whole thing being pulled down? As I said, it is a crisis which is gaining momentum. The cost on humans, apart from the health aspect—you know, the purely quintessential health—there is mental health involved too. Some of the terms used to describe the feelings are fear, uncertainty and doubt. Anybody who has got a legal background will know that is the old FUD theory—that is what solicitors do to you. They put fear, uncertainty and doubt—the FUD theory. One lady said she was very vexed about what to do. What does the future hold for her?

Anyway in conclusion, I suppose you could say we have had a brief look at the human condition as it relates to this current situation. I have actually taken upon myself, in a humble way, to put some recommendations or some thoughts towards the Committee. I hope you accept it in the constructive way they are meant. Recent developments with the Commonwealth Government mean that they should have some role and show some consideration, as they did with the Australian Capital Territory. Parochialism and exceptions are not good enough. Since when has the Australian Capital Territory been more of the Commonwealth than New South Wales? The decision taken was, as in a quote in the paper, premature and unconscionable defined by a line on a map—I thought that was very well said.

I also note dealing with a problem with social issues that there are eight men on this panel. My thoughts would be that involving all of the community you should at least have some female input. You may not agree but at least 51 per cent of the population would. Some of the statements that I have heard from women really hit the nail on the head. One person said, "I am going through the living hell of uncertainty". Another said, "I struggle to maintain my dignity". I have two other recommendations to finish with. A lot was said about inaction and coming to meetings and finding there are no timelines, no constructive moves forward. I invite you all to come to the Queanbeyan racecourse next time it is on where there is a horse called Acta Non Verba racing. Translated, that means action, not words, and that is what I think should be the underlying principle of your panel discussion. As an old schoolteacher—very old in the sense of my forty-seventh year at the game—I often take children away on a bus. When they get rowdy and restless we sing a song that goes as follows:

The wheels on the bus go round and round,
Round and round, round and round.

The people on the bus chat and chat, and chat. I appeal to the drivers of this bus—maybe a bureaucratic bus—that I want you to avoid engine seizures, blown head gaskets, punctures et cetera and deliver all the passengers to a safe and secure destination. Good luck.

CHAIR: The Committee has received other information about that unit block and we understood that the residents wanted to keep its address confidential. Do you represent the executive today?

Mr DEWS: Yes, well, anything that I have said went through the three-person executive committee that is here present today.

CHAIR: Are they happy for the address of the block to be published?

Mr DEWS: That is where we are on the executive committee.

The Hon. NIALL BLAIR: Just to be clear, the transcript will be publicly available. Are you satisfied that all of the owners that your executive represents will be happy for the address of that unit block to be published?

Mr DEWS: No, I take your point. I could not be happy that they will all be happy because I am only representing the executive committee of that building. If there is any doubt at all, do not.

Mr JOHN BARILARO: I suggest that we redact any identification of the property.

Mr DEWS: Yes.

Mr JOHN BARILARO: As someone who lives in this community, this information has not been public knowledge. Yes, there have been assumptions of which block it may be but I am very concerned that all those residents are not aware, or would not like that information on public record.

The Hon. NIALL BLAIR: I also think the examples of people, even though they may be identified as Ms Y, Ms X, with their careers and address being published they would be quite easy to identify.

Mr DAVID SHOEBRIDGE: I move that until we decide further there be a non-publication order in relation to the address until we have further advice from the owners of this building.

Mr DEWS: Do you say a further understanding from the owners?

Mr DAVID SHOEBRIDGE: For the moment, we have a non-publication order on the address.

Mr DEWS: Right, okay, I am comfortable with that.

CHAIR: We will remove any reference to the actual address.

Mr DEWS: Yes, certainly.

Mr DAVID SHOEBRIDGE: Mr Chair, I ask for a second motion that you inform those present that it would be a breach of that non-publication order for them to publish that address and we make that clear to any media present. I will also move in that direction. At some later point as a Committee we need to consider about publication of materials but, for the moment, I ask that you communicate the effect of the non-publication order to any media present and explain that it will be a breach of the Parliament's privilege.

Mr JOHN BARILARO: I second the motion.

CHAIR: There being no objection, the motion is carried.

The Hon. STEVE WHAN: I appreciate the depth of your report. Is the consensus among residents that there should be a program as outlined in the Australian Capital Territory that the building should be demolished?

Mr DEWS: It is very difficult with that situation in that unknown place to get anything from the owners at all. So I could not say a consensus. As you know from your studies, there are for and against containment. I probably personally think containment would be more practical in the unit blocks because it is in the ceiling. There are other sections that have been identified but there is none in the rooms. There have been air tests.

Mr JOHN BARILARO: Can I interrupt? Mr Dews, I attended a forum of strata people who are looking after the block to listen to residents. The block has a lot of common areas. This block of units was built in a period where the ceiling space, unlike in modern-day buildings that have divisions between units and apartments block and each unit can be blocked off, in this particular block there are a lot of common areas right through from emergency fire provisions and it would be almost impossible to have any practical way of limiting pathways.

Mr DEWS: When you say "a lot", how many? What figure do you have in your head?

Mr JOHN BARILARO: At that meeting that was held behind closed doors here a couple of months ago, firstly, your strata managers indicated they believed it was impossible for the public common areas to have any method or any construction made in a way that would restrict the pathways for the asbestos not entering each and every room. I understand the issue came about when one apartment ceiling had flooded and got repaired and that is when they identified the asbestos.

Mr DEWS: Yes, that did happen.

Mr JOHN BARILARO: I am being careful to say that we could look at repairing or somehow limiting pathways but I think in this block it might be very difficult.

CHAIR: The other point is discussing the option of demolition there would have then to be compensation to each of the unit owners.

Mr DEWS: I understand that.

CHAIR: It would simply be demolished and a block of land would be left. That is something the State and Federal governments have to work out to make sure it is fair and just for all the owners of those units.

Mr DEWS: I understand that. I read a report in the *Canberra Times* that said this process, if it was demolition, would go on for a long, long time. There has got to be a timetable; people will feel much more comfortable if they know there is a reasonable timetable rather than just some time.

Mr DARYL MAGUIRE: Has the body corporate commissioned a professional report from a qualified company, such as those that have given evidence this morning? Is that report available to the Committee?

Mr DEWS: One was done in 2013 and another is pending.

Mr DARYL MAGUIRE: Would you take that question on notice and make the report available to the Committee, understanding our timelines, please?

Mr DEWS: Yes, certainly

Mr DAVID SHOEBRIDGE: What interaction have you had with the State Government? They have said that you can have an inspection and monitoring carried out. What, if any, interaction have you had in that regard?

Mr DEWS: As I understand it the monitoring will be done on selected units. The strata at the moment are saying that that is coming but it has not yet come.

Mr DAVID SHOEBRIDGE: For how long have you been waiting?

Mr DEWS: Weeks and weeks and weeks, going into months, I would imagine.

Mr DAVID SHOEBRIDGE: When you bought the property did you know that there was this problem?

Mr DEWS: Nobody knew about Mr Fluffy at that time.

Mr DAVID SHOEBRIDGE: When did everybody first become aware, and how?

Mr DEWS: I am not terribly certain of that.

Mr DAVID SHOEBRIDGE: Or how?

Mr DEWS: Probably through the strata and of only fairly recent times. I am sorry I cannot be more precise.

Mr DAVID SHOEBRIDGE: We might ask that question for you on notice and you can look at the records.

Mr DEWS: Yes.

CHAIR: Could it have been this year or last year?

Mr DEWS: I imagine it was last year. I will go to the strata and find out and I will let you know. I will do that through your secretariat.

Mr DAVID SHOEBRIDGE: My school motto was gesta a non verba, and then I became a lawyer and politician.

Mr DEWS: I hope I have made an impact.

(The witness withdrew)

CHAIR: I remind members of the public that a motion was passed by the Committee so I make it clear to each person present and remind you, and the media, that the Committee has agreed to keep the evidence provided by Mr Dews confidential, particularly regarding the address of the unit block, and any evidence that identified those units, out of fairness to other residents of that unit block.

(Public hearing concluded)

The Committee adjourned at 3.06 p.m.
