

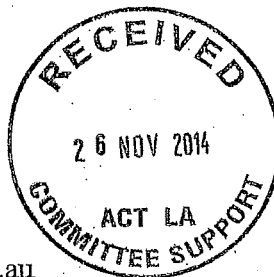
North Canberra Community Council Inc.


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Protecting, promoting and enhancing the economic, cultural, social and environmental well-being of the residents of Acton, Ainslie, Braddon, Campbell, Canberra City, Dickson, Downer, Duntroon, Hackett, Lyneham, North Lyneham, O'Connor, Pialligo, Reid, Russell, Turner and Watson

The Secretary
Standing Committee on Public Accounts
Legislative Assembly for the ACT
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	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
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Submission to the Public Accounts Committee, ACT Legislative Assembly Inquiry into Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-2015

To the Committee Secretariat:

Our interest in this Inquiry is that we represent the residents of Canberra's Inner North, and we are concerned at the impacts on our community from the buyback scheme funded by this Appropriation Bill.

Council's submission is based on a public meeting held on 19 November 2014, during which affected owners raised concerns with Mr Shane Rattenbury MLA. These concerns arose from reading the buyback offer (posted on the Taskforce's web page) and from detailed input from affected owners. Council regrets that the Asbestos Response Taskforce declined an invitation to speak at the meeting where these issues were to be discussed.

Council understands that owners of homes containing residual loose-fill asbestos insulation seek a range of options. Some wish to remain in their homes over the long term, others want their homes demolished and rebuilt, whilst others are open to the buyback scheme with appropriate financial support and safeguards. Council understands the Government did not consult with affected owners on the buyback scheme.

One resident who comes to mind is Mrs L. Reed of ... Mrs Reed is strongly of the view that her home is not contaminated with loose-fill asbestos and is adamant that she will remain in her home. Council believes the Government must work more closely with

Mrs Reed and her family to establish beyond doubt that her home is contaminated, and to find a solution that is agreeable to all.

Council believes there are moral and financial grounds on which owners should be allowed to have their homes demolished and land remediated by the Government, and for the Government to contribute to financing the rebuild. Those grounds include that:

1. the Government has known of the seriousness of the asbestos contamination since 2005 (2005 and 2010 reports), withholding this public health information from the community, reportedly to prevent impacts on house values;
2. if owners had known the risks to their family, they would not have purchased these properties. Government failure to disclose public health and market sensitive information means their health and financial well-being have been placed at great risk;
3. owners purchased locations and homes to suit their family's needs, with a view to the long term. Owners are devastated that they are not afforded the opportunity to rebuild, and will have to leave their local communities, with which they are closely connected;
4. owners have submitted renovation and extension plans to ACTPLA, and ACTPLA has made no mention of the presence and risk of loose-fill asbestos. The Government's enduring reluctance to disclose this public health information creates a moral obligation for Government to do more to assist affected owners;
5. some owners were advised by the Asbestos Response Taskforce and Community and Expert Reference Group members to wait for announcement of the Government's remediation program, and did not proceed with planned demolition prior to 28 October 2014. Consequently, some owners have forgone additional concessions/financial assistance from the Government that would have enabled them to remain and rebuild on their property. It is only equitable that this be offered to all owners;
6. there has been little consideration of the impacts of the Government arbitrarily subdividing properties without regard to zoning rules. This will potentially impact neighbourhoods far beyond the owners of affected properties themselves.
7. demolition and rebuild would significantly reduce the need for capital since the value of the land is not traded, reducing interest payments. This will place less pressure on the real estate market, as owners will not need long term housing. Owners will only need alternative accommodation during a shorter rebuild period, with staggered demolition and rebuilding, rather than owners forced into the real estate market almost simultaneously. Further, blocks will remain vacant for a shorter period of time, reducing maintenance costs for the ACT and opportunities for vandalism; and
8. Government is not abusing its position as monopoly land supplier, or profiteering, with owners well-being safeguarded, along with minimising the impact of double blocks on existing neighbourhoods. This would also provide equity vis a vis those who rebuilt between 18 February and 28 October 2014.

On the other hand there are affected owners likely to be open to the buyback scheme, but where those owners seek additional concessions, such as:

- being protected against rising house prices created by a forced, artificially created housing price bubble. Owners have been subject to health risks, they wish now to be protected from financial risks posed by the 28 October 2014 valuation date;
- the waiver of all stamp duty, including on net cost to affected owners purchasing into a more expensive market;
- protection against forced acquisition of their property at below market value. This may require legislative amendments;
- cash payment of stamp duty should they relocate to another jurisdiction. At present the ACT will waive stamp duty only on repurchases, but will not pay stamp duty on a replacement property in another jurisdiction; and
- situation-specific arrangements for asbestos management post June 2015. Uniform, onerous management requirements should not be imposed on all affected homes, forcing owners into the buyback scheme prior to finding a suitable replacement home.

I hope you find the North Canberra Community Council's submission to the Inquiry helpful. My colleagues and I would be very happy to speak with the Public Accounts Committee on any issues raised in the above. My e-mail is chair@northcanberra.org.au and phone number is

Sincerely

Mike Hettinger
Chair, North Canberra Community Council

26 November 2014