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Submission to the ACT Legislative Assembly, Public Accounts Committee

Inquiry into the proposed Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-15

Kilcullen, resident joint owner

Some owners of houses affected by loose-fill asbestos are happy with the government's sale and buy-back offer, but we are not among them.

What we want

We want to have the affected building demolished (by the approved contractors) and to rebuild on its footprint on our land. We seek compensation from the government for the costs of demolition and the value of the old house (corresponding to what was offered to those who did the same before 28 October 2014).

The value of the old house could be determined by the authorized valuers at the same time as they assess the total buy-back value of our land and all the improvements (including driveways, trees, landscaping etc). We would retain ownership of our block throughout the process.

Savings to government and community in our preferred approach

1. Reduced total cost

The initial cost to the government would be considerably less than the full cost of buying us out. It would also avoid some of the heavy front-loading of the costs of the scheme, and the associated interest payments payable by the ACT government: we would be content to have our compensation paid out in instalments as the demolition and rebuilding takes place.

2. Reduced waste from demolition process

Where owners can be involved during the demolition process, many tons of cleanable materials can be kept out of landfill.

Taskforce technical advice that has been given in relation to home contents indicates that hard-surfaced items can usually be safely cleaned and re-used. Applying the same rules provided by experts when it comes to the building, if an owner remains in control of the property, many tonnes of cleanable roofing

metal, metal framed double glass windows and sliding doors, metal deck railings, water tanks, solar water heaters and panels, metal window shutters, security doors, detached carports and sheds, etc, can be stored on the individual property and recycled. Otherwise, huge quantities of material will be going unnecessarily to a contaminated waste disposal site that will very soon be overflowing.

An owner who is allowed to maintain input into the demolition process will have the time and incentive to prevent the waste that would happen in a large-scale government-run demolition process. Smaller machinery could be used, so that a more finely-tuned process could retain uncontaminated areas of vegetation where that is safe: the big machines would not take the time or care to do so.

3. Centrelink complications

Many affected residents receive full or partial Centrelink benefits. Recalculating assets, liabilities, lump sum payments, home ownership versus rental status, and so on, and changing them all again at some undetermined time when buy-back occurs, will be an administrative nightmare for government and clients alike.

Most of this would be avoided if current owners retained their own properties during the process.

Implications of government proposed scheme

We understand that the government wants to recover as much as possible of the costs of remediation from later sale of cleared blocks. But it should not be at our expense: we are the injured parties, having relied on government assurances that have turned out not be reliable. (We were given a notice about loose-fill asbestos at purchase, but accepted the government's assurance that it had been cleared, and were careful, as advised, about any repairs involving the wall cavities.) We shall still be suffering from the loss of prized possessions and memories, the harmful stresses of uncertainty and dislocation, and the lurking fear (that we do our best to ignore) that someone we love may have acquired a terrible disease unawares. Nobody but ourselves can deal with that. It is neither fair nor necessary to impose on us the additional stresses of uncertainty of time frames and escalating market values of land and building.

The proposed sale and buy-back scheme, as announced, would leave us with such uncertainties for possibly five years or more. By then we would be around 80 years old (present ages are 76.8 and 73.2 years respectively); would we have health and strength to deal with moving house or rebuilding by then? We would not know when demolition would occur, so would be uncertain how much of our household goods to pack up and store, or for how long. We would not be able to invite friends and family into our home. We would have the valuation money (if we accepted it), but would not know how to invest it as we would not know the time-frame for term deposits etc. We would not know how it would affect our Centrelink payments to have a lump sum rather than our own residence, or for how long. We would not know whether to look for a place to rent, or to purchase

a residence we did not really want, because we would not know how long it would take for our own block to be offered back to us, at what price, and under what conditions (apparently likely to be with enforced subdivision).

Owners need clear time-frames

For this reason we would earnestly request that some definite time-frames for government action be built in to the sale and buy-back arrangements for those owners who are sure that they want to return to the same block if they can afford to do so. This would mean there would be some reasonably achievable outer limits placed on the time between sale transaction and demolition (could we continue to live in our home that have been temporarily remediated, or the part in which no contamination has been detected or likely, such as new extensions with no common walls with affected areas?). Similarly we need some reasonably achievable outer limits to be placed on the time between demolition and/or remediation and the opportunity to buy the block back.

The above statements apply for the most part to other affected owners we have met. Some of them will also be making submissions in favour of a Knock Down Rebuild option.

Particular reasons

We have our own particular reasons for wanting to continue to live on this block. We bought our house in in 2001 after retiring from work in Sydney. It is two doors from our daughter's house on the same side of the street, and two other children of ours were living in Canberra at that time. We have made good friends of our neighbours. We participate in local school events, and our grandson comes home to our house after school if his parents happen to be out. Until the discovery of asbestos contamination, we had all of our grandchildren here for regular sleepovers, building their sense of safe independence, and enabling contact between cousins while their parents had a little time off-duty.

The plan for living here is to enable us to support our daughter's family while they are young and in turn be supported by them as we age. Two of our children have by now gone to live overseas. In 2010 we built a \$350,000 extension so we could have family gatherings several times a year with them near to their sister and her family.

Social and environmental capital

We accept the need for demolition of the affected house and the requirement to make the community safe from this asbestos risk once and for all. But it is not necessary to demolish the other uncontaminated improvements on the land, wasting all that embodied energy and destroying mature trees. It would add to the government's costs. It would go against the principles of environmental responsibility that are thankfully given so much weight in the ACT. It would create significant additional stress to neighbours of affected properties.

Friendliness within neighbourhoods is a precious feature of life in Canberra. So are the widely-held attitudes that energy should not be wasted, that usable things should not be lightly discarded, that trees and plants are environmentally and aesthetically valuable. These values are not easy to quantify in monetary terms, but they are real. Canberra would be a much less desirable place if all 1,021 contaminated houses were knocked down and blocks in residential areas laid waste, open to vandalism and bushfire risk, while the long uncertain process rolled out.

Our requests

We request that the Knock Down Rebuild option be added to what the government offers to affected residents. We also request that, whether or not the KDRB option is permitted, there should be some requirement that the horrible uncertainties of the situation be reduced by some government commitment to specified reasonable time-frames between stages of the process.