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Standing Committee on Public Accounts
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**Submission to the Inquiry into the proposed Appropriation (Loose-fill
Asbestos Insulation Eradication) Bill 2014-15**

Background

Together with my wife and two children,
own a Mr Fluffy house in

We moved into our home in early 2002, only a few months before the birth of
our first child.

Our home survived the 2003 bushfires. With only 6 homes in our street, two
were totally destroyed and one partially destroyed. Our home was on fire but
was saved by neighbours. We now wish hadn't been saved.

As a result of these and other experiences (both good and bad), we are
physically, mentally and emotionally invested in our home and
neighbourhood.

ACTPLA Approval for Home Extension – August 2014

In August 2013, ACTPLA approved our application to renovate and extend
our home. This extension cost us around \$200,000. While we knew that this
would result in some over-capitalisation of our home in the short-term, we had
no intention of ever selling, so the investment was more in improved lifestyle
and comfort.

This extension and renovation turned our modest 3 bedroom, 1 bathroom
home into our 5 bedroom, 2 bathroom dream home. It was a place that we
could live the rest of our lives, welcoming our children's own families as they
grew older.

The work to our home was completed in late February 2014. As a result of
the Mr Fluffy determination and buy-back scheme, this virtually new home,
with many new inclusions still under warranty, is now condemned.

In reviewing our situation, and noting the ACT Government has known about
the Mr Fluffy issues since 2005, my wife and I are cannot understand why the
ACTPLA never raised any concerns with us about Mr Fluffy, either before,

during or after our renovation. If they had, we would never have engaged in the renovation, or sought the required loan, in the first place.

Ironically, in late November 2014, the ACT Government finally provided us with a Certificate of Occupancy. This Certificate states that all work has been completed to the required standard, and that our home was now, strangely, safe to live in! This would be hilarious if it didn't demonstrate that the ACT Government's left hand, really doesn't know what the right is doing. Where is the accountability or responsibility for this?

At this point, I would likely to highlight the lack of concern that we have noticed over the many tradesmen that have worked on Fluffy homes over the years. Our Builder, his staff and sub-contractors are terrific people. I worry about their long term health having crawled not only through our roof, and sub-floor, but in also having cut through and removed interior walls etc. Our builder has conducted such activities in several Mr Fluffy home. These people need to be looked after!

In moving forward, my family has found a new home. After several extremely stressful weeks, during which I had to take both my wife and son to hospital with stress related issues, we have secured a loan and exchanged contracts.

Our preference, however, would have been to rebuild our home to its current design on our existing block, without having it rezoned and subdivided. This option has been taken from us by the inflexible buy-back program that the ACT Government has put in place.

Moving into a house for most families is usually an exciting time. In our case however, our significant feelings remain those of loss, depression and anger over the loss of our home, and an ongoing anxiety over the health of our children.

ACT Government Communication with Affected Home-Owners

The communication between the ACT Government and affected homeowners, has, I believe, been poor. The Chief Minister has listened almost exclusively to 'hand-picked' representatives on the CERG, none of whom have demonstrated a pro-active approach to seeking community consultation. My experience is that home-owners have had to initiate communication to the CERG, sometimes with limited response. As an example, I wrote an e-mail to the CERG several weeks asking several relevant questions, and this went unanswered.

The Chief Minister also appears to have relied heavily (some would say almost exclusively) on seeking affected home-owner feedback/interaction via the Fluffy Owners and Residents Action Group (FORAG). While this Group had done some excellent early work in highlighting the Mr Fluffy issue, my personal experience of this group's leadership has been less than positive. A recent and topical concern is that the 'Spokesperson' for this Group

committed at the last 'Town Hall' meeting to sharing with members the Group's formal response to the ACT Government's proposed buy-back scheme. The commitment was that this response would be provided to members *before* it was submitted to Government. To date, and despite several requests from members for the 'Spokesperson' to provide this response, it has still not been circulated. As my family have no idea what was included in this response, I can only formally state that it was submitted without our consideration or endorsement.

It is also worth noting that at best, FORAG represented around half of the affected home-owners, leaving the other half with very little means of communication. This situation could have been easily addressed by the ACT Government through running regular information sessions across Canberra.

I would like to state that my personal experience in dealing with the ACT Asbestos Taskforce has been extremely positive. Both Andrew Kefford and Sarah Conway (our assigned case Officer) have been extremely supportive of my family and our situation and have provided us with a level of support that I believe helped us secure our new home.

Need for Health Fund

Finally, there is one major issue that my wife and I see as being critical in moving ahead. As with all parents we love our children dearly and want them to live long, safe and happy lives. We trust this will still be the case. However, should anyone become sick due to Mr Fluffy asbestos, immediate financial help and assistance must be made readily available.

To date, the ACT Government has allowed people to retain the option to sue for adverse health related issues should the need arise. We will have to waive any right to sue in relation to our property when we accept the ACT Government's buy-back offer.

Having to sue for financial assistance at some point in the future would no doubt cause an affected person, and their families, greater stress and anxiety, as well as potential financial loss through having to engage lawyers, etc. We therefore call on the ACT Government to show some good-will and establish a 'health fund' for affected Mr Fluffy Owners, and tradespeople. This Fund could be used to help families of anyone who becomes seriously ill through exposure to this insidious toxic substance.

Submitted by Desmond - Mr Fluffy Home Owner