	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
MEMORANDUM NUMBER	S
DATE AUTH'D FOR PUBLICATION	27/11/14

2 Submission into the Inquiry into the proposed Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-15 - ACT Legislative Assembly

Documents included in review

- *Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-2015* (the Appropriation Bill)
- *Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-2015* Explanatory Statement
- The ACT Government's Preferred Way Forward on Loose Fill Asbestos: Overview
- The ACT Government's Preferred Way Forward on Loose Fill Asbestos: Supporting Detail
- Asbestos Management in the ACT Report 2005
- 2010 ACT Asbestos Review

Summary of issues and concerns:

1. The *Appropriation (Loose-fill Asbestos Insulation Eradication) Bill* (noting the explanatory notes) does not provide for fair compensation to be negotiated with affected homeowners. This document identifies that under the *Australian Capital Territory (Self-Government) Act 1998* public money may not be issued or spent except as authorised by law.
2. The current preferred way forward identifies that money will only be paid as for the purchase of the properties at market value as at 28 October 2014, and for the provision of emergency funding of \$10,000 per household and \$2,000 per dependent child.
3. This fails to identify any other items or matters which would be identified as 'compensation', noting that the legal definition of 'compensation' is a *pecuniary remedy that is awarded to an individual who has sustained an injury in order to replace the loss caused by said injury. This is the amount received to 'make one whole' (or at least better) after an injury or loss.*
4. As the current approach does not seek to mitigate possible liability of the ACT Government in the management of the Mr Fluffy loose-fill asbestos issues, there are a large number of affected homeowners that have purchased or renovated their properties since 2005 and are still within the legal statute of limitations. These homeowners, such as ourselves, may be forced into a position where we have no other option but to litigate the following matters:
 - o Cost of replacing the property to the same or similar standard of amenity, on the same or similar sized block in the same or similar location.
 - o The actual costs of relocation and purchasing replacement properties – removalists, conveyancing costs, etc.
 - o The cost of remediating contaminated items where possible.
 - o The cost of replacing contaminated items where they cannot be remediated.
 - o The costs of renovations approved by the ACT Government within the statute of limitations that are not appropriately reflected in the valuations.
 - o The cost of amenity improvements which have not been appropriately reflected in valuations (please see my personal experiences for examples).
5. As the current Appropriation Bill and ACT Government approach does not provide sufficient flexibility to negotiate these, affected homeowners within the statute of limitations will be forced to consider litigation which dramatically increasing costs of the program for the ACT Government and taxpayers.
6. In this context, no consideration appears to have been given to making good on affected items beyond the emergency funding already available. Even in this instance, the approach is flawed and may further expose the ACT Government to liability due to cross contamination issues. For example, our linen cupboard is contaminated meaning that all linen (sheets, towels, doonas, pillows) stored in that location must be disposed of. No consideration or flexibility has been applied to the cross contamination caused through the use of items stored in a contaminated area on other furnishings such as mattresses. A further example is the cross contamination of clothes and linen washed with items from contaminated:

cupboards. I note that National WorkSafe standards specify cross contamination in these instances, however this has not been taken into consideration. Further, the ACT Asbestos Taskforce Report identifies that it has proven the case that vacuum cleaners, washing machines and dryers cannot be remediated. As such, it is safe to assume that any affected households must replace these items however there is not allowance for this in the current approach.

7. This is further supported by the ACT Asbestos Taskforce's 2014 report which states that even for short-term habitation, considering (sometimes visible) asbestos has been identified in the living spaces of affected homes, all porous items such as carpets, and soft furnishings such as curtains, lounges, bedding and clothing may have to be removed and disposed of as asbestos contaminated waste. Although clothing could feasibly be washed, there is no validated technique to test that such clothing (and other porous items) are free from asbestos fibres. No provisions have been identified within the current Appropriation Bill and current approach does not identify a mechanism or provide the flexibility to address these issues.
8. Since the commencement of recent action in 2014, the ACT Government has not engaged successfully or suitably with Mr Fluffy property owners. No forums have been run independently to ensure that all stakeholders have the opportunity to be engaged in discussions about the impact of Mr Fluffy on them, with respect to their individual circumstances. This is contrary to the ACT Government's *Engaging Canberrans: A guide to community engagement* which identifies that the ACT Government is committed to the principles of 'Open Government' which means:
 - o Transparency in process and information
 - o Participation by citizens in the governing process
 - o Public collaboration in finding solutions to problems and participation in the improved well-being of the community
9. The ACT *Human Rights Act 2004* identifies that every citizen has the right, and is to have the opportunity, to take part in the conduct of public affairs, directly or through freely chosen representatives.

Possible liability:

- Under the Memorandum of Understanding between the ACT and the Commonwealth of Australia (signed on 7 June 1991), responsibility for the conduct of the program was transferred to the ACT upon self-government.
- The 2005 report *Asbestos Management in the ACT* stated that *'it is acknowledged, and widely supported by evidence, that when asbestos materials are contained in a bonded form that is maintained in good condition and left alone, they present no health risks. However, when asbestos fibres become airborne, there is a potential for the fibres to be inhaled and lodge in the lungs. From there, fibres can also migrate to lodge in the abdominal cavity. Asbestos-related diseases have a dose-response relationship, with increasing cumulative asbestos exposure over a number of years increasing the risk of asbestos-related disease. Mesothelioma in particular can occur with very low exposure, and there is no established level at which there is absolutely no risk. Other asbestos-related diseases may occur with very low exposure, but usually are the result of heavier exposures.'*
- This 2005 report went on to state that *'The loose-fill asbestos insulation was quite unlike typical bonded asbestos products, such as asbestos cement sheeting. Bonded material containing some asbestos (for example, asbestos cement mix with 5% -15% asbestos) does not release fibres if it is kept in good repair, is sealed and is not mechanically disrupted or disturbed (for example, by being drilled, cut, sanded or broken). This is not the case with loose asbestos insulation. Loose-fill asbestos used as ceiling insulation was free to become airborne at any time, for example when lifted by wind moving through a roof space.'*
- The primary treatment of this was the drafting of a letter sent to all affected homeowners in 2005 ([Attachment A](#)) and the provision of a certificate on the building file which had to be provided with all sales of affected properties ([Attachment B](#)). **THESE DOCUMENTS DO NOT DETAIL THE RISKS IDENTIFIED IN THE REPORT, LEAVING OWNERS, BUILDERS, REAL ESTATE AGENTS, AND NEW PURCHASERS UNAWARE TO THE RISK THAT THE ACT GOVERNMENT HAD IDENTIFIED.**

- We received these documents in 2012, seven years after the publication of the 2005 report and two years after the publication of the 2010 report. **THEY DO NOT ARTICULATE OR REFLECT THE INFORMATION THAT WE HAVE SUBSEQUENTLY IDENTIFIED IN ACT GOVERNMENT REPORTS FROM 2005 AND 2010.**
- Further information published by the Canberra Times on 27 August 2014 identifies that the then ACT Government bowed to pressure from then Mr Fluffy owners who negotiated changes to the 2005 letter ([Attachment A](#)), so as not to affect the values of their properties.
- The Canberra Times article also identifies that this approach was criticised by Trevor Wheeler (former general manager of the Asbestos Branch, which handled the Commonwealth clean-up) who was commissioned to document the details of the abatement program by the 2004 ACT Asbestos Taskforce. This report apparently identifies that risk of residual amosite asbestos left behind in walls.
- The article identifies that a recommendation from the covering letter this report from the head of the 2005 Taskforce, Lincoln Hawkins to Minister Gallagher stated that 'it is sensible to dismiss the possibility that some houses remain that have loose asbestos insulation either in bulk or residual form. There may also be some non-residential dwellings in a similar situation. Whether an acknowledgement of such a possibility justifies a major survey effort at public expense is a matter for judgement. There should be little debate however about the need to be prepared, to raise awareness, to provide explicit information and to learn from the experience of the 1988-93 program.'
- This article also identifies that Lincoln Hawkins identified that 'there is no guarantee that current owners of these houses are well informed, or informed at all, about this issue. A strengthened system is required for providing appropriate advice to owners and potential purchasers about the management of any residual fibres.'
- Section 5.1 Awareness & Education of the 2010 ACT Asbestos Management Review 2010 states that 'all current and future owners of houses involved in the Loose Asbestos Insulation Removal Program (1988-1993) are provided with appropriate information on the possible presence of residual loose-fill asbestos encased in wall cavities, and the need to take care when undertaking extension and renovation activities'.
- The Government response was 'Agreed. Action was taken during June and July 2005 to advise current owners, in writing, of their homes' involvement in the Loose Asbestos Insulation Removal Program (1988-1993)'.
- The progress report regarding this recommendation identified that next actions were to 'to further progress the intent of the Asbestos Taskforce recommendation, modify the form letter to the Loose Fill Asbestos Insulation Removal Program (1989-1993) homeowners to further strengthen the message and to further strengthen the message and to further clarify legal obligation, for instance when homeowners undertake alterations or renovations to the property'. As far as I am aware, no further action was undertaken and the ACT Government failed to send out the required letter to homeowners in 2010.
- In the 2011 ACT Government Submission to the Australian Government Asbestos Management Review Issues paper, the ACT Government stated that 'the ACT Government undertakes to inform these property owners and occupants of the ongoing risk of the loose fill asbestos which may be present in their homes. Advice is provided as to the need to engage licensed asbestos assessors and removalists when undertaking renovations that may disturb wall cavities etc' (pages 5 and 6). No further advice was provided between the lodgement of this report and when we purchased our property in June 2012.
- The Important Asbestos Advice for ACT homes built before 1985 fact sheet ([Attachment C](#)) fails to identify loose-fill asbestos as an issue. Under Assessing the Risk, the public has been advised to visually check the condition of the Material Containing Asbestos (MCA) to see whether it is cracked or broken. The advice provided identifies that if it is in good condition and left undisturbed, it does not provide a health risk. If you suspect it is not good condition, arrange for appropriate maintenance or removal by a qualified person.
- It can be argued that the ACT Government was negligent as it failed to ensure that information was appropriately communicated. It has been demonstrated above that the ACT Government was aware of risks and failed to ensure that owners, real estate agents, builders, and future buyers were effectively briefed of the issues and risks.

Summary of possible liability:

- The ACT Government Asbestos reports (2005 and 2010) identify specific concerns with exposure to friable or loose asbestos, and note concern regarding loose-fill asbestos.
- The ACT Government fact sheet provided with our 2012 contract of sale does not communicate the issues or risks identified with loose-fill asbestos (Mr Fluffy) identified in the 2005 or 2010 reports.
- The letters and certificates provided in 2005 did not convey the information held on the risks and issues with loose-fill asbestos, as identified in the ACT Government's 2005 Asbestos report.
- No action appears to have been undertaken as per the Government's response to Recommendation 2(a) (Section 5.1) of the ACT Asbestos Management Review 2010. This appears to be the case with the information provided to us on our 2012 contract of sale.

Other considerations:

- There are similarities between the management of the Mr Fluffy issues and the sheep dip case within the ACT, where not only were home owners bought out of their properties but also compensated \$40,000 per family (as at 1996). No personal items were required to be destroyed in this instance.
- The compensation included payments for factors such as loss of family home, disruption and relocation, loss of business and stamp duty.
- I believe that one significant factor of difference is the ACT Government's awareness of the issue (as detailed above) and responsibility to advise property owners, new purchasers, builders, legal representatives and real estate agents of this.
- The financial assistance package made available through the ACT Government is described as an emergency support package is a grant of up to \$10,000 per household for those people advised by an asbestos assessor to leave their place of residence. An additional \$2,000 is payable for each dependent child residing in the home. The purpose of these funds is to cover costs of emergency accommodation and other necessities such as food and clothing as well as immediate remediation work.
- The current support package does not provide comparable support/assistance levels to address items identified in the sheep dip/contaminated land issue.

Personal circumstances:

- Purchased property at June 2012 unaware of Mr Fluffy issues. Property bought as family home with the intention of being there for up to 30 years. We would never have purchased the property had we been properly advised of the presence and risk of loose-fill asbestos in the property.
- After purchase in 2012, upgraded the amenity of the property including additional split-system air conditioning to main living areas, repainting interior of the property, installation of large solar PV system, installation of security CCTV system, installation of digital and additional insulation to underfloor area and over heating and cooling ducts in ceiling cavity. These were made to improve the efficiency, security and comfort of the property as a family home. Total cost approximately \$18,000.
- Installed approximately \$27,000 of security and insulation roller shutters to all windows of the property with street access in February 2014. These were installed to improve the efficiency, security and comfort of the property. We did not receive the February letter regarding Mr Fluffy asbestos insulation and as such had no awareness of the issues at the time.
- Upgrades conducted to home improve the security and amenity of the property will not be reflected in the market value of the home. We would never have spent the additional money on the property had we been fully informed about the loose-fill asbestos issues with the property based on the information held by the Government in 2005 and 2010. Actually, we never would have bought the property in the first instance.
- May 2014 upgraded the pump system for the bladder tanks under the property in the sub-floor. My eight year old daughter came into the subfloor cavity with me. This has been identified by the Asbestos Assessor as a highly contaminated area. The ACT Asbestos Taskforce has advised me that both my daughter and I have now been highly exposed.

- While working in these locations I would enter my primary vehicle (noting that we have two vehicles in the household) and drive to Bunnings to purchase parts and items required for this work. I would move straight from the highly contaminated locations to the vehicle, meaning that it is highly likely that my vehicle is contaminated. I asked the ACT Asbestos Taskforce to approve this being tested as part of the asbestos assessment but this was declined (emails available). I am now looking to have this tested at my own cost.
- Received registered post letter from ACT Asbestos Taskforce regarding the status of the property as a Mr Fluffy property approximately in May 2014, one week after having daughter in sub-floor area – she has now been highly exposed to loose-fill asbestos.
- Immediately registered with the ACT Asbestos Taskforce and commenced getting e-newsletters.
- Three cupboards were identified as being contaminated in our property after an asbestos assessment was undertaken in October 2014. These included the cupboard in bedroom two used for one of my daughters and for general storage of other clothes, the linen cupboard which has been used to store all linen and bedding, and the entry cupboard used to store the vacuum cleaner, ventilators and other assorted items.
- Emergency relief funding used to replace a small proportion of the clothes and linen. I was advised that:
 - a) other clothes that had previously been stored in the affected cupboards will not be able to be replaced
 - b) no other clothes that have been washed or stored with contaminated clothes are to be replaced
 - c) no allowance to replace washing machine, dryer or vacuum
 - d) no allowance to replace mattresses or other furnishings that have had contaminated linen used on them since 2012.
- I have been advised that these would not be replaced as no asbestos was found in the living areas, however I note that no tests were conducted on these items regardless that I had requested it.
- Limited support is available to replace other items in the property. For example, I have raised concerns that our mattresses are contaminated as all sheets have been stored in the linen cupboard and must now be destroyed. When I informed a member of the ACT Asbestos Taskforce of the risk of cross contamination as per WorkSafe standards I was advised that this could not be considered as asbestos was not located in those areas. I note that no tests were carried out in those locations by the asbestos assessor engaged by the ACT Government. This extends to clothes and items that have been previously stored in contaminated cupboards (noting that we have only been in the property for 26 months) and those that have been washed with clothes and items from contaminated cupboards.
- The costs of moving are significant with additional fees for the disconnection and reconnection of utilities, removalists costs, time off work to negotiate and purchase another property, etc. These are additional costs now to be incurred by myself and my family, regardless that we are now forced to relocate as we purchased our current home with the intent of living in there for up to 30 years.
- Medical issues including stress are continuing to take a toll on our health. On Friday 21 November 2014 my blood pressure recorded 179/114. At a doctor's appointment on Sunday 23 November 2014, my blood pressure was recorded was 149/106 (noting that I had been resting over the weekend and had given up looking at properties by the Sunday). My blood pressure during other stressful times has remained within the 'normal range' as tested by doctors. The serious levels of my current blood pressure due largely to the circumstances and uncertainty in the management of the Mr Fluffy debacle places me at risk of serious medical conditions including heart attack and stroke.
- No contact representation appears to have been made by the ACT Government to financial institutions prior to the release of the 'proposed approach'. This has left the majority of people such as ourselves unable to secure finance using the equity on our current properties, and having to pay additional mortgage insurance to secure a loan to purchase a new property. This appears to be yet another oversight or failure in the ACT Government's legacy of management of the Mr Fluffy loose-fill asbestos issue.
- We are unable to secure finance. ACT Government apparently had not resolved finance issues with financial institutions prior to announcing the current approach. It is unknown as to whether they even engaged financial institutions prior to announcing the proposed management plan. This has left us and

many other affected homeowners unable to draw on the equity in our properties to secure finance, and therefor unable to purchase replacement properties which would enable us to move our families to a safe location. Obtaining finance at this stage would require us paying mortgage insurance, regardless of the significant equity that we have in the current property. This is not being costed into the ACT Government's current approach.

- Concern continues to be raised that the ACT Government is requiring affected homeowners to pay the stamp duty on a replacement property which will then be reimbursed. This is inappropriate as many people like ourselves have all our equity tied up in our current properties, noting that we intended to stay in the properties for up to 30 years and as such never saved for this purpose. As such we will have to borrow money to pay for the stamp duty which will then incur additional fees and interest before it is reimbursed by the ACT Government. This yet again appears to be yet another oversight or failure in the ACT Government's legacy of management of the Mr Fluffy loose-fill asbestos issue.
- Buyback offer under current ACT Government response is for market-value of property as at 28 October 2014. Estimates from real estate agent and bank indicate that this will not cover the actual cost of the property (purchase and upgrades) since 2012. Property market already heating due to increased demand and a lower than normal number of properties available for purchase meaning that we will be unable to purchase a similar property in a similar standard in a similar area. As such, the economic loss stands to be significant (up to 9% of the cost of the property) on these items alone. This has continued to be documented in recent ABC and Canberra Times articles.
- Current ACT Government response does not allow for compensation for other items to be replaced or remediated (as detailed above), or the costs of purchasing a replacement property/moving from the current property at
- The culmination of these issues stands to cost my family up to \$150,000 in a worst case scenario. No compensation has been identified regardless of the serious liability issues identified above, and these damages cannot be claimed under insurance as with fires or other natural disasters.

Possible maladministration:

As you can see, there are significant issues that have been identified with the ACT Government's current approach to addressing the Mr Fluffy loose-fill asbestos issue. These stand to significantly disadvantage my family, with long-term health implications caused by our exposure. Information currently available demonstrates that the ACT Government were aware of risks and issues relating to Mr Fluffy loose-fill asbestos since 2004. However, this information was not appropriately passed on leaving families such as mine exposed, and now experiencing financial loss and serious health risks.

I feel that the management of the Mr Fluffy issues by the ACT Government since 2005 falls within the category of maladministration. I note that this refers to the conduct of a public authority that appears to be (definition obtained through the NSW Ombudsman's Maladministration fact sheet):

- **Contrary to law** – decisions or actions contrary to law or to lawful and reasonable orders, or breaches of natural justice/procedural fairness (I note here the possible implications of the *Public Health Act 1997 Part 4: Insanitary Conditions*)
- **Unreasonable** – decisions or actions so unreasonable that no reasonable person would so decide or act, applying a policy inflexibly without regard to the merits of an individual case, serious delays in making a decision or taking action
- **Unjust** – decisions or actions not justified by any evidence or that are unreasonable
- **Oppressive** – unconscionable decisions or actions, abuses of power, intimidation or harassment
- **Improperly discriminatory** – inconsistent application of the law, policy or practices when there is no reasonable, justifiable or appropriate reason to do so, or the application of distinctions not authorised or required by law
- **Based wholly or partly on improper motives** – decisions or actions for a purpose other than that for which a power was conferred, conflicts of interest, bad faith or dishonesty
- **Mistake of law** – incorrect interpretation or application of the law, ignorance of the law

- **Mistake of fact** – decisions or actions based on information that is factually in error or misinterpreted

http://www.ombo.nsw.gov.au/__data/assets/pdf_file/0015/3705/FS_PSA_13_Maladministration.pdf

Proposal:

In considering the Appropriations Bill, I would ask that the Legislative Assembly consider the following elements:

1. Allow for flexible negotiations within the approach and Appropriations Bill to allow the ACT Government to reasonably negotiate a suitable outcome and mitigate the risk of litigation. This could include the allocation of 'compensation' payments to allow homeowners to remediate or replace items, cover all costs of removal and conveyancing associated with the relocation. This would be comparable with the ACT Government's previous approach to the sheep dip buy-back program, however should be based on individual negotiation taking into account any legal liability or statute of limitations issues to mitigate the risk of significant litigation against the ACT Government, and agreed under a confidentiality agreement to reduce the risk of people 'shopping' for higher payout figures.
2. Board of Enquiry should be held into the operations of the ACT Government's handling of the Mr Fluffy loose-fill asbestos issues since 2005, including determining what information was known by the ACT Government, to the then Minister for Industrial Relations and Chief Minister. I recommend that this include:
 - a. reference to the information and advice provided to the ACT Government, Minister and Chief Minister at the time
 - b. copies of all reports to the then Minister regarding concerns about the lack of awareness and potential health risks of loose-fill asbestos
 - c. any discrepancies between that and the information communicated to the public, particularly affected homeowners and people purchasing the properties where the 2005 letter may have been 'softened' at the request of then Mr Fluffy homeowners
 - d. in the interest of ensuring transparency and accountability, consideration should be given to the influence that the FORAG group, and identified leaders in this group purporting to represent the interests of affected homeowners, have had in negotiation with the ACT Government and Chief Minister including any commitments made from either party

Thank you for accepting this submission.



Movie

AIL - 7862.



ASBESTOS AWARENESS Helping everyone breathe easier



**ACT Planning &
Land Authority**

Dear Home Owner

Loose Asbestos Insulation Removal Program 1988-93

We are writing to you as the owner of . Loose fill asbestos insulation was removed from this house in the 1988-93 Asbestos Removal Program.

This letter provides advice for when you are considering extensions or renovations to this house. (If this property is not owned by you, please pass this letter on to the owner. If you are not aware who the owner is, please phone 62078103 so that we can ensure that a copy is delivered to the correct person/s).

Over the period 1968 to 1978, loose asbestos insulation was sold by one local firm as ceiling insulation for houses in Canberra and, apparently, in some New South Wales towns. The insulation was pumped into the roof cavities of houses.

Because of the potential danger associated with this loose asbestos, a government-funded program was put in place to identify these houses in Canberra and to remove all visible and accessible loose asbestos insulation.

In 1988 all Canberra houses built before 1980 were surveyed. The survey identified that your house contained that loose asbestos insulation. Subsequently it was safely removed from your roof cavity, and all accessible roof and wall cavities were sealed with the adhesive, poly vinyl acetate (PVA).

While the PVA acted to bond and make safe any possible residual loose asbestos in accessible locations, some residual fibres may remain in inaccessible wall cavities.

The Asbestos Branch at the time wrote to all the homeowners recommending that they contact Building Control when considering extensions or renovations, for advice as to how to proceed. The current Asbestos Task Force believes that it is time to reinforce that message.

If you are considering extensions or renovations, you should advise your builder that your house was part of the Loose Asbestos Insulation Removal Program, and instruct your builder to contact a licensed asbestos removalist to undertake the safe removal of any residual fibres during the removal of wall or ceiling lining.

If you are undertaking this work yourself, contact a licensed removalist direct. Asbestos removalists are listed in the Yellow Pages telephone directory under 'Asbestos'. Asbestos removalists should contact a building certifier regarding building approval for this work.


If you wish to obtain a copy of documents relating to the Asbestos Removal Program from your Building File, an application form is attached to this letter.

If you have queries about your building file, please contact the ACT Planning and Land Authority;

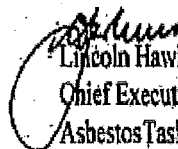
- By phone on (02) 62076262,
- By post to GPO Box 1908 Canberra ACT 2601,
- via e-mail to ACTPLAIS@dpa.act.gov.au
- or in person at the Mitchell Customer Service Centre, Corner Hoskins & Lysaght Streets Mitchell. Please bring a copy of this letter with you.

New laws apply to home owners regarding asbestos. Information about these new laws is provided in the booklet accompanying this letter.

Yours sincerely



Neil Savery
Chief Planning Executive
ACT Planning and Land Authority



Lincoln Hawkins
Chief Executive
Asbestos Task Force



ACT Government
Department of Urban Services
City Operations Branch
Asbestos Program
PO Box 574, Kingston ACT 2604

Telephone: (06) 239 6276
-acsimile: (06) 295 6717

Certificate of Completion of Asbestos Removal Work

This document confirms that loose asbestos insulation has been removed from:

Address

in accordance with the standards and requirements of ACT Building Control.

Tests carried out on 20/11/91 established that the National Health and Medical Research Council and Worksafe Australia standards of safety for asbestos removal have been met.

Signed (Manager - Policy and Administration)

Date

10/12/92

Residual fibres may still be present in the wall cavities of the building. Prior approval of the Building Controller is to be obtained for any building work involving the alteration or removal of internal wall sheeting or external brickwork. It may be necessary for a licensed asbestos removalist to attend this work.

PA12103(1/92)

ATTACHMENT B

Important Asbestos Advice for ACT homes built before 1985

Asbestos is hazardous but it can be managed safely.

Follow the three steps for managing materials containing asbestos (MCAs) in your home.

Step 1. Identify where MCAs may be in your home

When was your house built?

- If your house was built before 1985, the table below gives you an indication of where you are likely to find MCAs in your home. There is also a diagram on the back of this sheet showing where MCAs are commonly found.
- If your house was built after 1985, it is unlikely to contain MCAs.
- If in doubt, assume that materials DO contain asbestos.

Common locations of MCAs in ACT homes*

(Percentage (%) of properties sampled where asbestos was detected)

Location	Pre 1965	1965-1979	1980-1984	1985-now†
Eaves	86%	92%	40%	0%
Garage/shed	80%	70%	15%	0%
Bathroom	54%	75%	50%	0%
Laundry	75%	80%	50%	0%
Kitchen	52%	23%	15%	0%

*Results of 2005 Asbestos Survey of over 600 ACT homes. †One MCA was found in a 1985 house supporting roof tiles on a gable end.

Step 2. Assess the risk

Visually check the condition of the MCA – is it cracked, broken, etc?

- If it's in good condition and left undisturbed, it does not pose a health risk.
- If you suspect it is not in good condition, arrange for appropriate maintenance or removal by a qualified person.

Step 3. Manage safely

Make sure you remember to:

- Keep an eye on MCAs to make sure they remain in good condition.
- Consider removal of the MCA by a qualified person, when renovating or doing home repairs.
- Inform tradespeople working on your home of the location of any possible MCAs.
- Engage a qualified person if you decide to obtain a professional asbestos report on MCAs in your home.

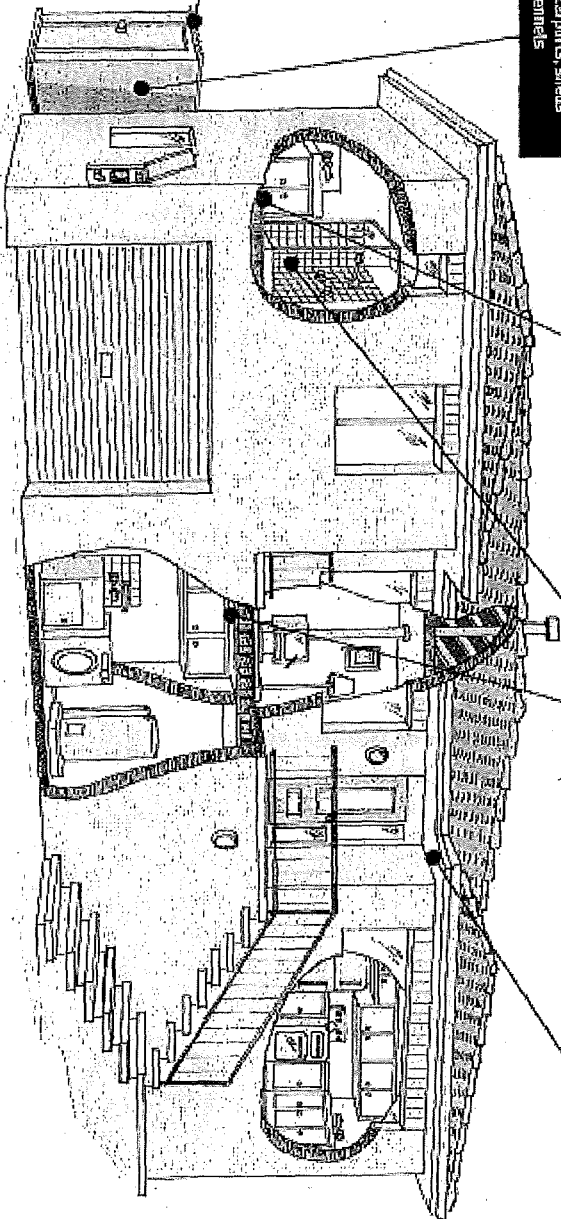
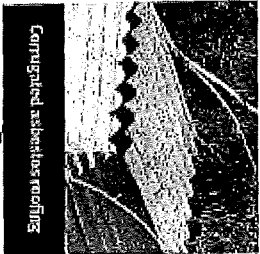
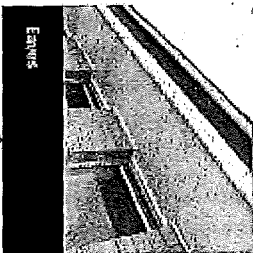
For further information or advice on managing asbestos or home renovations visit the asbestos website www.asbestos.act.gov.au or call 13 22 81.



Asbestos Awareness.
Helping everyone breathe easier.

Common locations of materials containing asbestos in ACT homes

If your house was built before 1985, some of the materials it was built from probably contain asbestos.



Asbestos Awareness.
Highlighting every year's healthiest choice.