

Personal Submission

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

Committee Secretary
Standing Committee on Public Accounts
ACT Legislative Assembly

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A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE	
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Thank you for the opportunity to contribute to the inquiry into the proposed Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-15. We take this opportunity to discuss our current position as unfortunate fluffy home owners and to express our deepest concerns in the distribution of appropriations stated in the proposed Bill.

Identified as fluffy home owners in 2014 we have been deceived by the failing systems and poor government policies on asbestos management. We were in complete ignorance about our dilemma since 2006. The lives of our children, friends and tradespeople have been placed at mortal risk by the inaction of ACT Planning and Land Authority (ACTPLA) by its failure to inform us from 2006 to 2014 of the danger we faced.

We chose Australia as our new home and embraced Australian values, and believed that Canberra is the best place to live and a safer place for our kids. Our dream as well as all Australians' dream to be homeowner is now falling apart.

The ACT Government's laudable buyback program is a long term solution and a way forward to eradicate asbestos exposure. However, it is **not providing any confidence for our current and future financial stability nor is it providing any answers to our questions on the future health concerns stemming from extensive exposure to loose-fill asbestos which could have been avoided if even minimum systems/policies had been operating as required.**

We strongly believe that due to consequences of poor government policies to manage asbestos and the overall system failures that occurred in our particular situation, we should be properly compensated thereby providing support and stability to our (fluffy homeowners) future financial situations. The additional compensation proposal will support fluffy owners who are living in such dire uncertainty regarding their future. Also this will showcase the extent of the ACT Government's good will and concern about the welfare of its residents during this turbulent time (and therefore not only treating and managing a risk at a single point in time without future considerations.)

ACT Government's buyback program has **limitations and is not meeting the fluffy home owners' uncertainty of future financial crisis.**

We request ACT Government's attention on the following proposals.

Our proposals to the Government

Proposal 1—Merit based assessment for the purpose of additional allowance

Consider each case to be assessed on its individual merit basis in addition to the market value of the property. Meeting the assessment requirement will determine an additional allowance to be included in the proposed buy back payment under columns 4 and 5 of the Schedule 1 of the Bill. The proposed assessment criteria are as follows.

- **Age and related financial circumstances:**
Consider the current retirement/preservation age of residents; if a person's age $55 \geq$ as at 28 Oct 2014 an additional allowance to compensate for difficulties and personal circumstances.
- **Information available at the time of the purchase of the property**
Consider whether buyers (current homeowners) were fully informed about the status of the property.
- **The renovations/extensions have followed the proper Government procedures.**
 - Consider whether the current owner has taken necessary steps to follow the Government's requirements, processes and procedures.

- Consider whether the government has provided the correct information and exercised their duty of care during the process.
- **Distress, depression and mental trauma caused by the unexpected shock from asbestos presence and personal circumstances.**

Consider the extent of emotional suffering caused by the burden of knowledge that asbestos is present in homes and the mental anguish that asbestos exposure caused to each family and its members.

Proposal 2—Land release for fluffy homeowners

- ACT Government to consider issuing land in new crown land releases to support fluffy owners. This will minimise the long waiting periods for a return to the original land tainted by asbestos.
- Provide flexible arrangements for occupants to leave or stay in their fluffy home **subject to meeting the Government's safety requirements** during the construction of the new home. This requires individual assessment of the safety aspects to remain in such homes subject to the safety precautions available in each case.

Proposal 3—Future health concerns


- Clear processes to identify asbestos related health issues in the future, such as:
 - How to establish a future asbestos related disease is linked to and resulting from the current asbestos crisis?
 - Is this future health support only to be considered by the ACT Government or as a national and federal approach incorporating Medicare and the public/private health system?
 - Consequence of insurance losses (life or health) such as to pay high cost premiums or refusal for insurance coverage for the future generation, which our children may have to face?
 - National system to track the health of our children to ensure they are protected and cared for should the worst case scenario eventuate as a result of living in an asbestos infected home.

We understand that the ACT Government's offer is a voluntary program. Our principal concern is **we should not be in this financial crisis** as the asbestos menace was **not caused by us**, it was **not our decision to install** it and we were not given the choice in 2006 to judge whether to remain in such a home. **We received dubious asbestos removal certificates dated 20 May 1992 at the time of the purchase of the property and the completion of renovation/extension on 30 July 2014.** The failure of the Government is overwhelming to us, in **approving our extensive renovation in April 2013** and not informing us that 'Mr Fluffy' asbestos pervaded our home.

Our story is attached in Appendix to support the above short summary. We have included our personal details in the Appendix and would appreciate it if you would **consider not publishing the Appendix** for privacy reasons. We are looking forward to discussing our submission in further detail if required, and to providing more information with evidence to support the above proposals.

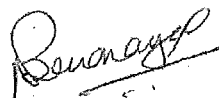
Please understand our very real and devastating plight, and we look forward to your positive consideration and response.

Yours sincerely



Senanayake

26 November 2014



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