

Critics label Fluffy scheme unfair, confused and unlikely to save any lives

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Asbestos Taskforce head Andrew Kefford has rejected suggestions that the Mr Fluffy buyback scheme is unjustified, given the cost and health risks.

Mr Kefford said health was only one of the reasons to buyback and demolish Canberra's 1021 Fluffy homes.

He was responding to the Inner South Community Council, whose chairman Gary Kent questioned whether the \$1 billion program would save a single life, and said the plan to allow dual occupancy on Fluffy blocks is unfair on the elderly, the less well-off and neighbours.

As the government prepares for the first pilot demolitions in the coming weeks, Mr Kefford said the net cost of the scheme, by the time the blocks and been sold again, was \$400 million, not \$1 billion.

The scheme was justified on health grounds - while mesothelioma was rare, having such a pure form of asbestos inside people's houses was inherently dangerous. And there were other reasons the government had decided to demolish, including the fact that as the crisis unfolded last year people's homes had become unsellable. There had been reports of banks valuing them at less than the land value, he said.

There was also a risk of social isolation, with some people deciding they could not have grandchildren or other family visit their Fluffy home. The ACT's decision had been reinforced by NSW, now devising a similar scheme.

Inner South Council chairman Gary Kent said the government's draft plan change to allow Fluffy blocks to be divided and sold off as two new blocks was confused and unfair. It applied only to blocks bought by the government, allowing the government to make a premium when it sold the blocks, but not to cases where Fluffy owners had demolished their own homes.

"Why it is appropriate for the government to be able to recover its remediation costs this way when private owners may not, is puzzling, and is not explained," he said, saying a bad precedent was set by the government weakening planning rules simply to resolve a funding crisis.

In the standard residential zone, dual occupancy is only allowed on 800-square-metre blocks and even then the blocks can't be subdivided. The territory plan change now on the table will allow Fluffy blocks of only 700 square metres to be divided for dual occupancy, and sold as strata titles - as two separate blocks. The plan has upset Fluffy owners who say their blocks will be too expensive for them to buy back, and neighbours, who say suburbs will be transformed with higher-density developments.

Mr Kent said the change would create "quasi RZ2" blocks in the midst of RZ1 zones and disadvantage neighbours. Real-estate agents had suggested the loss in value of neighbouring homes could be \$50,000 to \$100,000. If that was accurate, the amount gained by the government by allowing strata title was effectively being paid by the neighbours.

People who couldn't afford to pay a premium to buy their land back - including

retirees or people close to retirement - would be forced to move to cheaper suburbs, a social disaster for those forced to move.

The council also questioned a new design criteria which says the design of new homes on Fluffy blocks "encourages high-quality architectural standards that contribute to a visually harmonious streetscape character with variety and interest, whilst not detrimental to, or overtly detracting from, the existing streetscape". The criteria was not mandatory, Mr Kent said. In addition, it was full of so many subjective terms "as to collectively deprive the criterion of any real meaning".

Given Fluffy homes are clustered, because the company went door to door selling its product, the impact would be intensified in some streets. And he questioned what would happen later if a developer wanted to merge a Fluffy block with a neighbouring block, both of which still retained an RZ1 zone, but under very different rules.

The government should test houses and exempt those that presented no realistic risk, Mr Kent said, suggesting a the national occupational cut-off of 0.1 fibres/ml of air, or a level of asbestos associated with other common risky behaviours, such as smoking a packet of cigarettes a day.

The government's position that there was no safe level of asbestos exposure was confused, he said, given asbestos risks were dose dependent in the same way radiation risks were dose dependent.

Mesothelioma was overwhelmingly a disease of older men, with 84 per cent of deaths among men, and a lag time of 20 to 40 years or longer after exposure. The scheme would not prevent a single death from people exposed when the insulation was installed in the 1960s and 1970s, and seemed unlikely to prevent new cases. Any it did prevent would-be cases occurring between 2035 and 2055, he said.

"The expenditure of \$1 billion to acquire and demolish all potentially affected houses, prior to any testing to determine whether there is a need to demolish, cannot be characterised as efficient," he said, asking how many fatal traffic accidents or deaths from other diseases could be avoided by spending \$1 billion.

"Given that the programs will neither prevent very many, if any, deaths from asbestos-related diseases ... nor protect the ACT from litigation by sufferers of such diseases, it also does not appear to be efficacious."

People who wanted to age in their own homes should be allowed to stay as long as they chose.