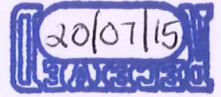




Asbestos Council of Victoria



Office:
41 Monash Road
Newborough, Vic. 3825

17th July 2015

Postal Address:
GARDS INC.
P.O. Box 111
Moe, Vic. 3825

Ph: 03 5127 7744
Fax: 03 5126 0354
Email: info@gards.org
Web: www.gards.org
ABN: 77 687 118 554
Inc. # A0042386U

Professor John Catford
Hazelwood Mine Fire Board of Inquiry
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000

Dear Professor Catford

On behalf of the Asbestos Council of Victoria/GARDS we would like to thank you for inviting us to make a submission to this very important inquiry taking place around the Hazelwood Mine Fire and the wellbeing of Latrobe Valley and its citizens.

To introduce the Asbestos Council of Victoria/ Gippsland Asbestos Related Diseases Support Inc. and to provide you with some information around our organisation.

**Asbestos Council of Victoria/ Gippsland Asbestos Related Diseases Support Inc.
(Asbestos Council of Victoria/GARDS)**

ACV/GARDS commenced in 1991 and is the largest asbestos support group in Victoria. The ACV/GARDS office is located in Monash Road, Newborough, where it primarily supports sufferers of asbestos related diseases and their families from all around Gippsland. ACV/GARDS supports people suffering from asbestos related diseases from Orbost to Pakenham and from Erica to Philip Island – a population of approximately 250,000.

The Latrobe Valley provides over 85% of Victoria's power supplies. In the Latrobe Valley, power industry workers contract mesothelioma at seven times the state average. Over 140,000 Latrobe Valley power station workers were exposed to asbestos between the 1920s and 1980s. They took asbestos home on their clothes to their families. The legacy of this exposure continues today and ACV/GARDS are the sole support group in this region. In October 2008 ACV/GARDS negotiated an apology from the then Premier of Victoria, John Brumby, to acknowledge Latrobe Valley former power industry workers' and their families' exposure and suffering. We are now increasingly seeing more people diagnosed with asbestos disease through home renovations and incidental exposure – we still have some exposure happening through work related incidents even though industry is somewhat regulated. At any one time over the year we have between 15 – 20 mesothelioma sufferers and their families on our books. Epidemiologists will advise you that for every mesothelioma diagnosed there are 6 other asbestos related diseases in the community and at least 3 – 4 of those 6 will be asbestos related lung cancer.

- ACV/GARDS has a financial membership of 200 members plus their families. It is supported by sponsorship from WorkSafe, otherwise it relies on grants and donations to carry out its activities – we are not Government funded - which include:
- 24/7 support line for asbestos disease sufferers and their families; many from all around Victoria call for support and information
- supplying free of charge medical equipment in the Gippsland area, such as oxygen concentrators, conserving devices, wheelchairs, nebulisers, and counselling – which is done voluntarily, 24 hours/7 days a week;
- Up to date website www.gards.org;
- Its own Facebook page; <https://www.facebook.com/gardsinc>
- A Volkswagen Multivan which is used for transporting equipment to members;
- Monthly support group and monthly advocacy group meetings;
- Quarterly newsletter;
- Teaching asbestos awareness at the major educational facilities in the region; TAFE, to trade students, Monash University Gippsland to 1st year med students, Federation University, to Nursing students etc.
- Home and hospital visits.
- For many in the region, contacting ACV/GARDS is done shortly after diagnosis (and often if a diagnosis is only suspected) and ACV/GARDS is able to provide immediate support via the phone or in person.

ACV/GARDS, together with the Gippsland Trades and Labour Council created the “Asbestos in the Home – Removal Kit” which is available through the Latrobe City Council. That kit has now been taken up by WorkSafe, EPA and DHS and is being trialled in eight councils in Victoria. ACV/GARDS also created the first static/mobile removal unit for domestic asbestos.

Further, ACV/GARDS:

- Is a member of the Asbestos Networking Group at WorkSafe Victoria
- CEO was a member of the executive council for the Asbestos Innovation Fund at Comcare
- CEO is the Chair of the Gippsland Regional Integrated Cancer Support groups network
- CEO is a Community Advisory Committee member for the Latrobe Regional Hospital
- ACV/GARDS collaborates with large organisations such as the Peter MacCallum Cancer Institute, Cancer Council Victoria and the Australian Mesothelioma Registry as well as universities such as Monash and Melbourne to develop projects to increase awareness about the risks of asbestos and asbestos-related diseases.
- ACV/GARDS in July 2015 were successful in gaining a grant from the Federal Government Department - Asbestos Safety and Eradication Agency to conduct Asbestos Awareness Sessions around Gippsland/Victoria.

In 2004 and 2005, ACV/GARDS were active in the James Hardie campaign to prevent James Hardie from avoiding their asbestos liabilities in Australia.

Recently in 2015, ACV/GARDS Executives met with the Victorian Attorney General Hon. Martin Pakula to help him better understand the extent of the impact of

asbestos in Victoria, and in particular, Gippsland, and to discuss the effect of the James Hardie funding uncertainty (even though the fund has been helped out recently on 27 Feb 2015, from the NSW Treasurer, Andrew Constance who agreed to lend the AICF an extra \$104 million)

However, the issue of the long term viability of the fund remains. The loan will manage the current shortfall in compensation but does not address the likely future asbestos liabilities and the long term adequacy of the funding arrangements. Approximately 50% of asbestos related injury claims are made against James Hardie. For that reason, the viability of the fund is of critical importance to ACV/GARDS.

So the Attorney General met with them to better understand the extent of the impact of asbestos in Victoria, and in particular, Gippsland, and to discuss the effect of the James Hardie funding uncertainty on sufferers and families in Victoria.

Last year, and more recently, this year, ACV/GARDS made submissions in relation to the decision of *Multari v Amaca* and participated in the debate that resulted in the amendments to the Wrongs Act 1958 (Vic). ACV/GARDS were mentioned by a number of politicians in the Victorian Hansard and were attributed with helping to bring the changes to the Wrongs Act 1958 (Vic)

In 2014, Vicki Hamilton, CEO of ACV/GARDS was awarded an OAM for service to the community through support for people with asbestos-related diseases

Recently 2015, ACV/GARDS have made contact with and have a relationship with Roman Quaedvlieg – Commissioner of Australian Border Force over imports into this country of asbestos containing products and informing him of the unseen products that are coming into this country such as children's toys, necklaces, brakes etc.

This brief overview gives you some idea of what our organisation does in the Latrobe Valley community and also State and Federally.

Recommendations for Strategies and approaches or programs that we feel might be of assistance:

- There needs to be a long term strategy around planning residential areas and community to create proper buffer zones between the people and the open cut mines. We feel that is not happening even now after the mine fire has shown how much devastation it reaped on the community. We have still not seen any planning strategies that take into account the proximity of the mines to the community. There needs to be a buyback plan such as the ACT Government are doing over the Mr Fluffy houses. All the houses, the Bowling Club and the Football Club and oval that border on the Princes Hwy and the Hazelwood Mine need to be bought and demolished as this will start the buffer zone. Those assets need to be relocated at no cost to the owners or the community.
- Fire breaks should be done on a regular basis along all roads and bush area surrounding the open cuts (they use to happen but in recent times this has not been happening)
- The community needs to be fully informed of what pollutants are coming from the mine and the power station at all times. This needs to be a transparent initiative and not just part of a report. The benzenes the

heavy metals eg. Mercury, magnesium etc. and what health consequences may result from the exposure to these pollutants.

- The Community should be informed of all the pollutants that were coming from the mine when the fire was raging.
- The community is receiving very mixed signals from Government Dept. as to what they may have been exposed to. We regularly hear of International companies setting up coal to oil plants to extract oil from the brown coal. We have media reports of proposals that companies may be able to extract magnesium in commercial quantities from the ash of power stations. We know from reports that have been conducted in the Gippsland Lakes that fish that are being caught and tested are showing very unacceptable levels of mercury – these reports suggest that the coal mining and the power industry are contributing to these unacceptable levels.
- Identification and screening for people in our community who are most at risk of developing cancers and sickness due to the toxic environment that Latrobe Valley people have been living and working in. Each screening should be relevant for the person, taking into account the work place such as mine workers, fire fighters, power station workers, etc. This screening and identification should have already been started as some levels of exposure during the mine fire may have already caused sickness of all kinds.
- Areas of high pollution (some are already known) should be identified and no one should be able to build or work in those areas. There should be an independent panel set up to steer future planning of Latrobe Valley
- All other enquiries into mine fires in Latrobe Valley have always recommended that bushland and tree plantations should not be with in close proximity to the mines. This has not been adhered to in the last 30+ years.
- We recommend a respiratory unit be set up in Latrobe Valley – one that can specialize in respiratory conditions of all sorts with specialist doctors who are lung and respiratory specialists – not just doctors with an interest!
- Actuary study on all cancers/diseases in our community to have the information published on a regular basis to allow our community to be aware and target the high levels and take action to try and prevent or treat at an early stage of cancer/disease – quite often those with asbestos disease are misdiagnosed and not found till too late – even though the stats showed for years a high rate of the incidence of asbestos disease in this community.
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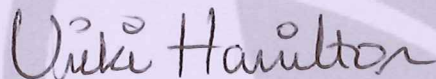
Our organisation will, if provided with adequate and ongoing funding, endeavour to keep the support and advocacy it currently provides for asbestos sufferers and their families in our community. It has in recent times had more pressure on it to provide more resources and has had increasing demands on its volunteers and the one paid staff member from this community and the wider regional Victorian communities.

Health advocate: This person needs to have an **established** genuine passion for the Latrobe Valley community. The advocate should be a proven and trusted person in the community. The person who is chosen should be adequately resourced not just a token gesture. They should have access to advice from all levels of the community and Government – even if this means that they pay for that advice. It should be totally independent of Government interference.

The advocate should be accountable to the community through public meetings and briefings to relevant departments, media and public notices. The advocate does not necessarily have to have a health background to head this office (needs to be independent from Health Dept. as the level of trust with this Dept. is at an all-time low). The public advocate may need advice from outside Latrobe Valley from time to time to discharge their duties and should have the mandate to do so. The Public advocate should have the power to demand any information it needs to do their job.

We thank you again for allowing us to make a submission and if there is anything else you would like to know about us and how we help in our community please do not hesitate to contact us.

Yours sincerely



Vicki Hamilton

Vicki Hamilton OAM
CEO/Secretary