

# Australia: Methane gas landfill leak forces residents to evacuate suburb

“The land should never have been sold”

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On September 11, Country Fire Authority chief officer Russell Rees advised owners of about 250 houses in the working class outer-Melbourne suburb of Cranbourne to move out after methane levels of 60 to 65 percent were found in some houses. Concentrations of 5-15 percent are considered an explosion risk.

The gas emanated from a closed landfill bordering the Brookland Greens housing development. Since the evacuation notice was issued, it has been revealed that the state government planning review body approved the housing development after ignoring Environmental Protection Agency safety warnings.

Residents were initially advised they would have to stay away for a year, and that it could be as long as 24 months before measures were put in place to fix the leakage problem. While the Victorian state government offered paltry conditional emergency grants of \$8,500, it was left up to households to organise their own accommodation. With few options available, only 33 of the 230 households in the affected zone initially moved out. In the past week, at least 21 of those have returned following zero readings from methane gas monitors.

The immediate danger of home gas explosions seems to have passed, but hundreds of residents are now faced with ongoing safety fears and a continuing methane stench. Many, including those with large mortgages, also face a devastating collapse in the value of their homes, threatening their income security and retirement nest-egg.

The land developer, local council and the Victorian state Labor government and its planning regulatory bodies are now engaged in a mutual blame-shifting exercise. But what emerges is the complicity of all those who had material interests in the development project—yet another expression of the impact of a profit-driven system in which the rights of ordinary people to decent, safe and affordable housing are sacrificed to corporate interests. This fundamental problem has been compounded by a lack of rational urban planning. A chronic housing shortage in Melbourne—which has fuelled rents and property prices particularly in inner-city suburbs—has led to a situation in which many working people can only afford to live in housing developments in outlying areas, often with grossly inadequate public transport, recreational facilities, and other critical social infrastructure.

Brookland Greens, located nearly 50 kilometres south-east of Melbourne, adjoins an exhausted sand quarry in Stevensons Road, which the City of Casey operated as a rubbish tip from 1996 to 2005. About 100,000 tonnes of household waste was dumped each year. Contrary to best practice, the landfill was never lined with clay. Instead, the site was capped with a layer of soil and a gas collection and burning system was installed, designed to collect all the methane

produced. This is now failing. According to the EPA, an estimated 1,300 cubic metres of methane per hour are produced with a proportion—several hundred—leaking sideways and percolating up through the ground outside the capped area of the landfill site.

The EPA and council have been monitoring gas problems and fielding complaints about the landfill for at least eight years. Residents have reported skin rashes, eye infections, asthma, burning sensations and headaches.

If there was a substantial buffer-zone between the landfill and residential buildings, then the methane would find its way to the surface and (being lighter than air) simply escape through the ground and into the atmosphere. But when the gas is restricted by an impermeable object like a home’s concrete floor slab, it can be channelled through a pipe or cabling penetration and then build up to explosive concentrations in unventilated cupboards or wall cavities. This is what happened two weeks ago in Brookland Greens.

## EPA safety warning ignored

Western Australian-based developer Peet Limited bought what was then farmland, adjoining the former Stevensons Road landfill site, in June 1998 for \$3.5 million and planned Brookland Greens as a staged subdivision with some 800 lots. Revenue was projected at \$100 million over a 10-year period.

In 2000 the council rezoned the land for residential subdivision on condition that a 200-metre buffer between houses and the landfill site would be maintained until declared safe by the EPA and the council. But in 2003 Peet Limited applied to have the buffer effectively junked, based on its assertion that because the tipping of rubbish had ceased in some parts, the 200-metre boundary should move to reflect the point of distance from the active area of the site. Had the company waited for the projected 25 years for the methane gas leakage to abate, about one third of the 800 lots in Brookland Greens could have been blocked. This would have had a significant impact on the company’s bottom line, which last year recorded an annual profit of \$48 million.

Casey City Council initially refused the application to remove the buffer zone. In response, Peet Limited successfully appealed to the Victorian Civil and Administrative Tribunal (VCAT), the state government planning review body.

Established in 1998, VCAT has been utilised by successive Liberal

and Labor state governments as a means of fast-tracking developers' appeals against unfavourable council planning decisions. The *Age* newspaper reported: "Angry talkback callers have filled the radio airwaves with their own 'tribunal horror stories' since news broke of the gas emergency. Many of the callers have been upset with what they saw as a lack of accountability and transparency."

The Labor government of Premier John Brumby has denied any responsibility for the situation in Brookland Greens. Its position, however, is untenable. The entire land usage regulatory system presided over by the government is geared towards the corporate developers. Underscoring the close relationship between these interests and the state government, it has emerged that Peet donated \$10,000 to the Victorian Labor Party between 2003 and 2005.

The council has similarly denied all responsibility and pointed to its denial of Peet's initial application on the buffer zone. But it has been suggested that the local body had an interest in the development and the additional development contribution fees, taxes and rates it would bring. Ben Hardwick, a lawyer acting for Brookland Greens' residents who are considering a class action suit, noted: "[I]t is common practice, for political reasons, for local councils to refuse developers' applications or decline to make a decision, safe in the knowledge that VCAT will make the hard decision for them."

Details of the 2004 VCAT decision, overruling the local council and the EPA on the need for a buffer-zone, provide a damning portrait of the scant regard shown by official state bodies for public safety. The review body simply dismissed out of hand the EPA's recommendation that the buffer should be increased from 200 metres to 500 metres because of the serious problems with the unlined leaking landfill. The environmental agency had fined tip operator Grosvenor Lodge three times and imposed 19 enforcement actions for odour emissions.

After the successful appeal, Peet Limited quickly built 47 homes in the contested area, garnering revenue of \$16.45 million. As the landfill was progressively closed, the buffer was effectively eliminated, with new houses abutting the edge of the capped landfill.

There are indications that Brookland Greens is no isolated incident. The EPA has announced an investigation into dozens of landfill sites in Victoria, while the federal Liberal Party has called on Prime Minister Kevin Rudd to convene a national inquiry and an audit of every landfill site in Australia.

### **"The land should never have been sold"**

The *World Socialist Web Site* spoke to a number of residents whose houses back on to the landfill site. They explained that no government agency warned them of any potential danger before they bought their land.

Andy Rhodes, mechanical engineer, and Nixz Kerr, finance clerk, bought land for \$300,000 in March 2007 and moved in later that year.

"We liked this particular block because we were told by the developers that the culprit behind us would be a park by about now," Andy explained. "We specifically asked if there would be any problems or had been any problems, and we were told it's all behaving as normal, everything's on schedule. When we bought the land, we were told the tip had been closed for a couple of years. Now the proposed park is years away."

Nixz said: "I think that the land should never have been sold. They didn't know that it was going to be 100 percent OK, so they shouldn't have sold it in the first place. Obviously the developer needs to take some blame because they were already doing monitoring. But we never heard anything until we moved in, although we did ask and were told everything was OK."

Andy added: "I personally think all three are equally to blame—the developer, the council and VCAT. The council hasn't done enough to mitigate the problems and deal with their own landfill. Then VCAT probably jumped the gun. The developer probably pushed pretty hard and they made a lot of money out of the land. We've heard that this is highly unusual; that this is only one of two rubbish dumps that did this. They're supposed to line the bottom and sides. When they cap it they put a layer on top that the methane gas can't come through.

"The smell gets really bad sometimes but we can't move out. We don't have the option and haven't got anywhere to go. We've got a [methane gas measure] monitor but haven't had any positive readings. Technically we're still in the danger zone and we probably shouldn't have a house here. We're worried on a number of counts. What are the health effects? They've said it doesn't harm your health but it can't be good for you either. There's obviously other stuff coming out of the ground when it smells. Is that harmful? We're worried about the potential danger to property if it does explode. And obviously no-one can sell their house. No one's going to buy here, not for decent market value anyway."

Another resident, Antony Krause, moved from Sydney six months ago to be closer to his daughter and look after his grandchild. Now retired, he worked for 21 years at the Reckitt Benckiser factory in Sydney, and paid \$295,000 for a house that backs onto the landfill site. "I never heard anything about the gas," he explained. "We do get the smells, the bad egg smells every week or so, only outside. When I bought this house I asked the real estate agent about the tip and he said 'don't worry about that, they're going to build parkland'. And the next day I phoned the council and they sent me a letter that said there's nothing to worry about, we're building a park. I didn't know it was going to be so serious. I can't move out because I planted all my money here and I don't have money to buy another house."

Retired factory manager Graeme Hiam moved into his house 16 months ago. He paid \$130,000 for the land and another \$190,000 for the house.

"We were never told anything," he told the WSWs. "From the time we purchased the land there was never any mention of the tip. One would assume they didn't know or they weren't telling. Ever since we've been here we've seen people putting rods down the drains. They first put a [methane gas measure] meter in my house a month ago. The house next door had the high reading that has been reported. My opinion is that blame rests between Peet and VCAT. But everyone's blaming someone else."



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