

The battle for Glenugie

Heroic Stand against coal seam gas. The stuff of legends.

The saga opened on the afternoon of 21st November, 2012, when the Clarence Environment Centre (CEC) received a call that earth works on preparation of a coal seam gas (CSG) exploration site had begun on 'The Avenue' at Glenugie, south of Grafton in Northern NSW.

This was not a total surprise as the mining company, Metgasco, had previously announced it had received approval from the State Government for the exploration drilling. However, in response to CEC's request for a copy of the Review of Environmental Factors (REF), which included the required flora and fauna assessment, we were politely refused, and told it would be posted on the Government web site.

Nobody had sighted that REF, and an immediate search of the web site found it had not been posted. A series of phone calls were made to the Department, and the REF was finally posted 2 days later. None of the immediate neighbours had been informed that the work, which involves noisy drilling, 24/7, was about to get under way.



A hastily called on-site meeting to form a plan of action.

When the REF was finally posted, we found it was a scanned copy which was virtually unreadable. Nevertheless, we undertook our own assessment of the REF's flora and fauna work. We inspected the Study Area and compiled our own species list for comparison with that provided in the REF which identified only 20 native species. Our list of 37 species showed the REF's work was pathetically inadequate.

Our overall assessment of the REF was supported by the Environmental Defenders Office (EDO) in Lismore, who provided legal advice, and our letter, sent to the Premier and all relevant Ministers, made the following points:

Dear Mr O'Farrell

I am writing to lodge a series of complaints which have already been sent to Minister Hartcher's office on 27th November, relating to the processes involved with Metgasco's gas drilling operations within the Clarence Valley local government area, specifically

TE03

Lot 66 DP 751382 off Banyabba Road, Banyabba, and

TE04

Lot 2 DP 793765 Golden Mile Road, Glenugie.

Some months ago, the Clarence Environment Centre contacted Metgasco requesting a copy of its Review of Environmental Factors (REF) in relation to these two sites. Despite Metgasco's oft-repeated claims of comprehensive consultation, they declined to provide the document, claiming instead that the REF would be posted on the relevant government website.

When construction work began at the TE04 site three weeks ago, there was nothing posted on the web site, and neighbours had received no notification that work was to begin.

We contacted the relevant department, to find out why the REF had not been posted, and received what can only be described as a "run-around", and the short story is, the document was finally posted on the web site 2 days later. However, upon receiving the document, we discovered the flora and fauna components for both sites were scanned and virtually unreadable. This is unacceptable.

According to the REF document, we note:

Condition 2: Notice of Activities.

"Metgasco will provide notice to nearby residences of proposed activities at TE04". This never happened.

Then we have the claim that Metgasco: ***"Will consult with the local Aboriginal Land Council"***. This too, as far as we can ascertain, has not occurred.

In terms of the flora and fauna component of the REF, we have to bring a number of anomalies to your attention and insist that proper studies be undertaken, rather than depending on desk-top assessments and a one hour meander across the site.

We drew Mr Hartcher's attention to Section 111 of the EP&A Act which provides the broad duty on the determining authority. i.e. how can the duty to consider have been discharged if all matters that ought to have been considered to the fullest extent possible have not.

S 111 Duty to consider environmental impact

- (1) For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.
- (4) Without limiting subsection (1), a determining authority must consider the effect of an activity on:
 - (a) critical habitat, and
 - (b) in the case of threatened species, populations and ecological communities, and their habitats, whether there is likely to be a significant effect on those species, populations or ecological communities, or those habitats, and
 - (c) any other protected fauna or protected native plants within the meaning of the [National Parks and Wildlife Act 1974](#).

Firstly, in relation to Koalas. The Ecological Report acknowledges the occurrence of Koalas, through NSW Wildlife Atlas Records, within the locality, and that the Koala feed tree species, *Eucalyptus tereticornis*, dominates part of the study area, concluding that: “*Potential habitat does occur on the site due to the dominance of Eucalyptus tereticornis in the canopy*”.

However, we assert that the presence of Koalas, coupled with a dominance of Koala feed tree species makes it “core Koala habitat” at the site under the definition of the State Environmental Planning Policy 44 (SEPP44), not “potential habitat”.

As well the desk-top assessment, using only NSW Wildlife Atlas records, has resulted in the REF failing to identify two, possibly more, Endangered Ecological Communities that occur within the 5km radius, specifically within the significant Coldstream wetlands, which lie immediately downstream of the drill site.

We point out also, the we have ground-truthed the flora component of the one hour ecological survey of the site. The consultants identified only 20 native species, while our 30 minute meander identified 37. We found that one large tree species that occurs in numbers, Grey Box, was not even identified by the consultants, so we can only conclude that the survey was woefully inadequate. Consultants must be required to take these surveys seriously.

We point out that the assessment of ecological impacts for the second site, **TE03**. Lot 66 DP 751382 off Banyabba Road, Banyabba, is equally cursory and inadequate. The forest community at that site has high conservation value, and we ask that you immediately request the relevant Government Department to require Metgasco to undertake adequate surveys as required under the EP&A Act before any work commences at that site.

As a result of the failures listed above in relation to the Glenugie site, the Clarence Environment Centre also calls on you to require those matters to be addressed before further work is undertaken, and ask that your Department require a far more robust assessment of all CSG activities in the future. A survey that involves a simple one hour meander about the site is clearly inadequate, and totally unacceptable.

Yours sincerely

John Edwards
Honorary Secretary

As of the 15th December, we have received no reply.

The local contractor completed work at the site, but a protest vigil began which has grown ever since. During the first week of December, Metgasco brought a truck load of fence material to the site, and the ensuing blockade, which involved one brave lady, Deb Whitley, locking herself onto the truck, forced a five hour delay and attracted wide media attention.



At the end of the day, however, the police forced the peaceful, non violent protesters aside, and the fencing was delivered and erected that night.



A tent city grows, as protesters converge from all over the state.

Lessons were learned and with help from more experienced campaigners from the Lismore district, strategies were introduced in preparation for the expected delivery of the drilling rig on Monday 10th December.

By now, protesters had come from everywhere, from as far north as Queensland's Sunshine Coast, all areas of the NSW north coast, and from as far south as

Newcastle. Tents were raised, a port-a-loo placed on site, an information table, control centre, and kitchen were erected.

Banners and notices were tied onto any available pole, tree or fence.

Outstations were established with walkie-talkie armed sentries in place to warn of approaching contractors or Metgasco staff, and also to warn of aggressive drivers which, unfortunately, there were a few of. The valuable organising skills of the Lock The Gate members from the Richmond River area cannot be understated.



The Knitting Nannas against CSG

On 10th December, Metgasco tried to deliver a large generator. The non-violent direct action ramped up a gear. The “knitting nannas against gas” set to work with their needles flashing as they blocked the entrance, along with musicians and carol singers in front of a large decorated Christmas tree which had been planted in front of the site's gate.

Literally hundreds of protesters blocked the roads with cars which had broken down or whose owners had lost their keys, and vehicles were towed away. An accident involving a cyclist had to be investigated, holding up traffic. There was a medical emergency which required all traffic to be backed up for a kilometre to allow the patient to get to hospital. People were overcome by emotion or heat and collapsed in the middle of the road.



Finally, faced with musicians and carol-singing “extremists”, and with insufficient police numbers, a hasty conference between Metgasco staff, the police and the contractor, the truck was forced to leave, along with its load, and return to Casino.



Victory! The truck carrying the generator departs

Since then a drill rig has joined the generator at the Metgasco compound in Casino, where opponents of CSG mining are keeping a close watch to alert those at Glenugie when the trucks move out, and are even prepared to block their departure.

The stand-off continued all week.

The CEC's media release failed to get printed in the Daily Examiner, so for those that would like to read it and understand our 'take' on events, here it is:

At Glenugie on Monday, we witnessed a magnificent display of civil action by over a hundred local residents and supporters, that saw a lengthy stand-off between contractors of gas mining company Metgasco, and protesters fearing for their land, homes, lifestyles and livelihoods.

The action was part of a four week vigil in support of local residents who feel their homes, livelihoods, and health are all at risk from gas mining. "They feel betrayed by their elected government", said Clarence Environment Centre spokesman, John Edwards. There has been no consultation, they have nowhere to go for help, leaving them with no option but to take this non-violent direct action".

The gas industry has wormed its way into the region on the back of a lie, claiming that the unconventional gas they were looking for is a clean fuel, ideal for providing electricity during the transition away from coal to renewable energy.

And they are still peddling those lies today, despite clear evidence that when you add the carbon emissions of all the processes involved in the production of unconventional gas, it is as dirty, if not dirtier than coal.

The government was informed of this, from their own inquiry held earlier this year. They also know, through advice from the Intergovernmental Panel on Climate Change, the International Energy Agency, the World Bank, and even Australia's own CSIRO, that unless we make an immediate transition to renewable energy, we face 6 degrees of warming within 90 years. "That's a catastrophic level of climate change" Mr Edwards said. "So we are asking the O'Farrell government – what in Hell do they think they are doing?"

The protesters are not fools. Metgasco's claim that they are only drilling at Glenugie for rock cores, and not for gas, is an insult to everyone's intelligence. "Rest assured", Mr Edwards said, "if a viable gas resource is discovered, that will be followed by a gas field, and that will impact every landowner within kilometres".

An unconventional gas field involves scores of well-heads, all connected by pipelines and roads which will see bushland cleared. There will be endless noise from drilling rigs, compressors, pumping stations, and bulldozers digging holding ponds for produced water. There will be an endless stream of trucks carting the toxic water away for treatment, along with the potential for ground water pollution, aquifer disruption, and other environmental breaches.

"These folk are sending a strong message to the O'Farrell Government that they do not want the gas industry here or anywhere else", said Mr Edwards. "In fact we have surveyed scores of roads in the Clarence Valley, going door to door, and in every case more than 95% of residents have signed declarations and declared their communities gas field free".

"Metgasco has claimed it would not proceed in this region without community support, well now is the time for Metgasco to take stock, they are not wanted, they have no social licence, and it's time they honoured that pledge and left", said Mr Edwards.

Protesters at Glenugie, the majority of whom have never protested before, are standing in the way of a gas miner whose end product has been identified as a major driver of climate change which threatens life on earth as we know it, and yet it is the protesters that are deemed to be the criminals. Where is the justice.

On Friday 14th, the NSW Greens' Upper House member, Jeremy Buckingham, fresh from his "Frack Finding Tour" of America visited the protest site attended by television and other media, and praised those involved as heroes, saying this protest was receiving world-wide attention.



The NSW Greens' Jeremy Buckingham, interviewed at the Glenugie blockade, praising protesters for having the courage to stand up to the gas miners.

Jeremy was a mine of information and encouragement regaling us with horror stories from the USA where the “Rape, Ruin and Run” industry has left a legacy of environmental destruction in its wake.

On Sunday 16th December, over 300 people marched across the Grafton Bridge to send another message to our politicians. So far, however, there is no indication that they are listening, and our own member, we are told, is currently touring Israel.



Some of the more than 300 people that participated in the protest march

On Monday, another Greens' Upper House Member, Jan Barham, spent most of the day, giving support and joining the Knitting Nannas.

The media coverage has been good, and the community support largely positive

One thing that is certain is that Metgasco won't give up easily. They are expected to come back, this time



The Clarence Environment Centre's 'Metgasco' banner.

accompanied by the “Riot Squad”, more generally referred to as the Tactical Response Unit, to force protesters off the site, and once again the community will have no say.

There will doubtless be further lock-ons, arrests, and a variety of other ingenious tactics to keep the miners at bay and, hopefully, the media will tell the world that the people of NSW will not meekly surrender to the corporate bully boys.

Beyond the point where Metgasco accesses the drill site, future plans for protest are unclear, but rest assured it will continue at every site they try to develop.

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