

# WOMBAT FORESTCARE INC

715 Little Hampton Road Glenlyon 3461

## MEDIA RELEASE

### Illegal Victorian Land-Management up the creek

The rule of law in country Victoria is in crisis!

A Victorian Government report has found land and water management apply, and enforce environment, natural resource and primary industry laws improperly.

In a new report the Victorian Auditor-General's Office (VAGO) finds;

- “Department of Primary Industry’s (DPI) poor central oversight of its compliance (law-enforcement) functions and Department of Sustainability and Environment’s (DSE) broader lack of good governance over its functions reduce their control and assurance over how they exercise their powers and meet their responsibilities.”  
This – now official- reality reasonably calls into doubt DPI and DSE’s legitimacy as lawful land managers. It seriously undermines public respect for thousands of laws and regulations under more than 60 Acts of Parliament and is unacceptable to everyone except bad-corporate-citizens seeking to profiteer despite ecological and human harm.
- DPI and DSE currently fail to, but are now required to transparently identify, prioritise, monitor and address high unmanaged risk across environment, natural resources and primary industry legislation.
- DPI and DSE should now publish transparent compliance information. This will encourage voluntary public compliance across legislation.
- DSE need to make regional compliance plans that are risk-based, soundly targeted and consistent.

Regional plans should necessarily protect a region’s greatest assets from the highest risk threats. This means Ecological-Landscape-Planning. This will provide a core set of compliance outcomes now lacking according to the VAGO report.

The Wombat State Forest, the site of various proposed mines, is the prime ecological and water production asset of our region. It has high biodiversity significance. The headwaters of six river systems originate in the forest, as well as the recharge of the area’s nationally significant mineral water springs. The forest is the basis of the region’s long established thriving recreation and tourism industries.

The maturing Wombat Forest is also the recharge and source of multiple aquifers, part of the precious domestic and agricultural waters. It provides for farms, towns and cities across Western Victoria.

Maturing native forest is an enormously more efficient carbon sink per hectare than any new plantation in efforts to mitigate climate change and its impacts.

This audit validates Victorian's demand that mining and logging planning for the Wombat Forest immediately cease as they pose direct high risk threats to its values; ecological, hydrological social and economic.

Planned mining and industrial logging here in primary water catchments would inevitably degrade and pollute regardless of modified practices and public assurances.

At a public meeting in July 2012 Wombat Forest locals unambiguously called on government to rescind one particular mine licence and for a moratorium on all new mine works across the forest until proper community consultation occurs and proper hydrological and ecological assessments made. Locals at this meeting resolved to write all relevant politicians, land managers and authorities calling each to account for their responsibilities in this matter.

The result is a growing pile of hard evidence of reassurances that proper wildlife and water surveys, permits and licences have occurred when they haven't and continued claims proper community consultation has been happening when it manifestly hasn't.

Pandora's Box is open and the emperor is naked.

Local environment group, Wombat Forestcare has needed to use a solicitor and pay a fee to obtain DPI approved copies of Work Plans for the South Bullarto mine and other proposed, mostly dormant licensed projects across the Wombat Forest and surrounding arable lands. We now expect honest and transparent consultation from authorities.

Considering the VAGO audit the public may reasonably expect the environment department (DSE) to recover its enforcement responsibilities for some important Environment Acts – Catchment and Land Protection Act 1994 and Wildlife Act 1975 – back from the logging and mining department (DPI). DPI ignored the need for a 'works on waterways' permit as required by the Water Act 1989 and proceeded with Work Plan approval.

The public rightfully expects government and its land managers to uphold and enforce Environment Protection laws to override Industry laws when industrial operations jeopardise water, biodiversity, arable lands and native forest ecologies.

This audit describes the mechanisms by which this does not occur and how Industry law as a frequent standard practice overrides Environment Protection law, enabling mining and logging in Native Forests.

Domestic water for Melbourne from the Heritage-listed Lerderderg River is pumped out a few kilometres downstream from the proposed 'licensed' gold mine site at Bullarto. There is no social licence for this mine. A government licence was granted without proper water permits or hydrological and biodiversity assessments. We have considerable hard evidence this is so.

We should not vent our natural anger on individual front line workers for the audit findings. DSE are under resourced – especially in the biodiversity area. They must do what their managers and ultimately what the State politicians we elect tell them.

Rule-of-law relies on due diligence from government and its agents to guarantee environment, water and food security. The Wombat Forest communities rightfully expect no new industrial works in our forest with a moratorium on all mining and logging plans until the VAGO recommendations

are implemented and proper (Victorian Environment Assessment Council) biodiversity assessments and hydrological assessments are conducted.

All Victorians have the right to demand no new works in primary water catchments until DPI and DSE implement audit recommendations.

Write and ring our State Members of Parliament and Environment and Industry Ministers, to ensure the audit recommendations are enacted – an enforcing commission is probably necessary.

Failure of the government to respond correctly will see a surge of civil-disobedience in Victoria such as the growing “Lock-The-Gate” movement across rural private lands. These community actions will spread to public forests and lands, certainly the Wombat Forest.

In current circumstances public civil disobedience shall enforce legal compliance on Government and Land and Water Management.

Victorians now reasonably expect government land managers must obey the Environment Protection laws they are duty bound to enforce. Government and departmental leadership are required to ensure Victoria’s voluntary compliance, prosperity and good-corporate-citizenship.

David Stephens  
Wombat Forestcare