Issue 21 - September 2012

Wombat Forestcare Newsletter

At last the sun is shining and the wattles blooming. We leave the cold and wet winter behind and look forward to enjoying our forest. The campaign to oppose the mining in our wonderful Wombat Forest has been arduous and time-consuming and keeps many of us tied to our computers. We are kept optimistic by the overwhelming community support and assistance to save our waterways and biodiversity from this destructive venture. ... Gayle Osborne (editor) & Angela Halpin (design)

The Wisdom of Dirt – trading ore for awe

Words and images by Alison Pouliot

Dirt is rarely considered kindly. After all, it's dirty. It's where we bury faeces and radioactive waste and objects no longer desired. It harbours germs and worms and makes stains that must be vehemently scrubbed from sight. It's the place we call 'away' when something is discarded. With its menacing legion of bacteria, dirt is to be feared and expunged and prised from children's fingernails. But it could also be thought of differently.

Hostile beliefs toward dirt are reflected in our language, culture and the ever expanding artillery of cleaning products. If we viewed it more positively, we couldn't defile it, foul it, degrade it or blast out the bits of interest. Fortitude could not consider mining reefs in the Wombat if they thought otherwise. After all, according to their promotion, they are 'developing' Abel's Reef. Governments tell us that development can only be positive and through their multi-million dollar spin campaign, that mining has saved Australia from financial meltdown. While there may arguably be some truths in the latter clause, the real environmental, societal and lesser understood impacts are largely blithely disregarded.

One may well wonder what more scientists can do to convince us of the urgency of arresting our slide toward environmental collapse. Each exploitation of our biosphere including destruction of the Wombat brings us one step closer. But is seems knowledge alone is not persuasive enough to mobilise change. The great challenge in resolving

Wombats are the world's largest herbivorous burrowers.
Photography © Alison Pouliot

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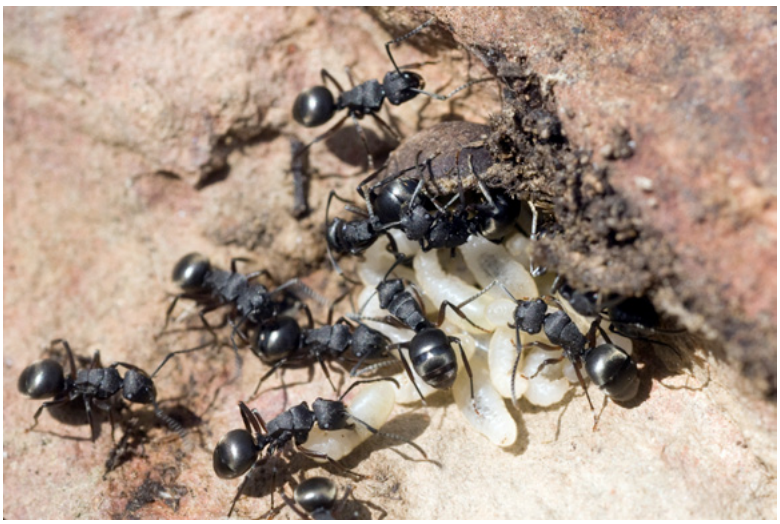
conflicting views on the Wombat may require a philosophical overhaul that engages both the intellect and the heart, to combine knowledge and values. This involves understanding ecological interactions but also developing emotional connectivity that realigns our desires with the needs of the biosphere.

So getting back to dirt....

Ecosystem engineers

Although often symbolic of darkness and inertia, soils are realms of phenomenal ecological dynamism. They shelter the intimate interconnectivities of organisms, largely invertebrates, fungi and bacteria that support producers and hence the biosphere. Soils maintain hydrological and nutrient cycles, sequester carbon and stabilise climate. They filter, absorb, buffer and store, making life possible on earth. Given they underpin our own existence, it's dumbfounding that we treat them so wantonly.



Some of the Wombat's welcome ecosystem engineers. Photography © Alison Pouliot

Ecologists sometimes refer to these organisms as *ecosystem engineers* because they modify landscapes through tunnelling, decomposing, building and rearranging. In the Wombat this includes the creation of soil by fungi, the mound-building activities of ants and subsequent renovation by echidnas, digging for truffles by various mammals and the aerating of soils by worms. Oh and of course, the burrowing of wombats. But despite their collective ubiquity, none shape the earth as dramatically as that of our own species which endlessly shunts vast quantities of dirt and rock around the globe. However, there is a fundamental difference. Unlike the aforementioned creatures and their clan, the actions of *Homo sapiens* almost always decrease rather than increase ecological complexity. These losses in ecological complexity, however seemingly small, accumulatively contribute to an overall decline in resilience and capacity to flourish, of the Wombat and the planet.

Fragments and wholes

So what's all the fuss about with Fortitude? After all it's just a few thousand tonnes of ore they want to extract.

The issue is one of potential. A few hectares mined here so often becomes a few hectares mined there. Then there are all those hectares in between that are likely to be disrupted by ore transport and the great suite of effects that escalate when humans shift rock and soil – loss of habitats and organisms, disruption to ground and surface waters along with the multitude of less tangible losses. Shifts in the synergies of subsoil organisms and natural processes are often unrecognised and difficult to restore. If we mine part of the Wombat, log another part, burn another still, the effects quickly amount to something much greater than habitat destruction and fragmentation from the questionably negligible quantity of 5000 tonnes of ore removal. Or was that actually 120,000?

Imagining dirt differently

So how do we overcome these differences in the many ways the Wombat is valued? Science cannot make it any more evident that the ongoing existence of the biosphere, including humanity, requires an urgent revision of our relationship with 'nature'. Ecology has provided a framework through which to understand the complexities and interconnectivities of the biosphere. It's now time to take the next step. With its foundations defined by objectivity, ecology may not help us to resolve differences in values or inspire a change in thinking. From these foundations we need to initiate a transformation of our desires conducive to sustaining the biosphere. This requires an emotional change, a cultural realignment that infuses 'nature' with emotion and meaning that strives toward reconciliation between human desires and biospheric needs. Imagine, for example, if we were to expand our imaginative capacity to think of dirt differently, not merely as 'inert matter'. Imagine what might be achieved through an ontological shift in thinking from an anthropocentric viewpoint to one that allows 'matter', that allows dirt and rock, to have agency and capacity. Imagine if we developed a different

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relationship to 'matter' that embodied a symbiotic and reciprocal arrangement where humanity is embedded within and sensitive to matter, sharing mutual dependencies, vulnerabilities and futures.

Political theorist, Jane Bennett proposes that *Homo sapiens* could forge a more harmonious union with nature if we had greater recognition of the agency of non-human entities, that is, with the 'vital materiality' of things. She suggests that by expanding our concept of how agency is distributed not just across humanity, but also across physical phenomena, we could foster greater environmental connectivity. One might ponder how political responses to issues such as mining in the Wombat could be approached differently if we were to recognise the vital materiality of its soils, rock, water and biota in their entirety. A change in thinking could catalyse a paradigm that is less destructive, less dominating and less consuming – a paradigm that could unravel the nature-culture dichotomy that supports the premise of nature as 'other', as separate from humanity and hence exploitable.

Ore or awe?

The Wombat has been mined and logged and burnt and looted and is now threatened with mining again. However insignificant Fortitude may consider the potential impacts of their actions, it will inevitably destroy more than trees, more than rock and soils. Each assault on the Wombat erodes its own special type of fortitude and capacity as a source of so much more than ore.

Those opposing Fortitude are faced with a challenging task as processes that allow for 'developments' are often flawed in their underlying assumption that impacts are inconsequential until proven otherwise. The bias in this pro-development protocol places the burden of proof on those who endeavour to protect the Wombat for its myriad values beyond ore. Legislated species lists such as those in the *Flora and Fauna Guarantee Act 1988* are some of the few tools available to justify curbing impacts. However, this process can be undermined if no listed species are found in the designated area and therefore the assumption often follows that impacts will be negligible and 'developments' proceed. While acknowledging the inadequacies of species lists in that they're underpopulated, the real issues lie in the assumptions of the regulatory process and what we choose to recognise and value.

Conservation issues are notoriously difficult to resolve as values are inevitably conflicting and multifarious. Pragmatists may dismiss ideas of vital materiality as utopic theorising but surely to re-examine the assumptions of our thinking and values could be an important starting point toward resolving disparate views on the worth of the Wombat, of the biosphere. A reviewed conception of matter may not provide all the necessary solutions but as Jane Bennett asserts it can "... inspire a greater sense of the extent to which bodies are kin in the sense of being inextricably enmeshed in a dense network of relations." This requires a transformation of values that situates human desires within the needs of the biosphere; a realignment that extends way beyond current reductivist and anthropocentric approaches toward maintaining our current comfort levels under the thinly disguised jargon of 'sustainable development'.

Perhaps one way to foster the integrity and resilience of the Wombat is through ongoing efforts to encourage shifts in thinking and recognise ourselves as interacting participants within the biosphere; to inspire new ways of imagining. Ultimately, we may consider this not as an option, but as a necessity. We have the choice to extract ore for a few, or share awe with many. ■

Lichens are colonisers that create soils through the process of **pedogenesis.** Photography © Alison Pouliot

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A couple of books of interest about the less publicised impacts of mining (Nixon & Benns) and thinking about matter differently (Bennett):

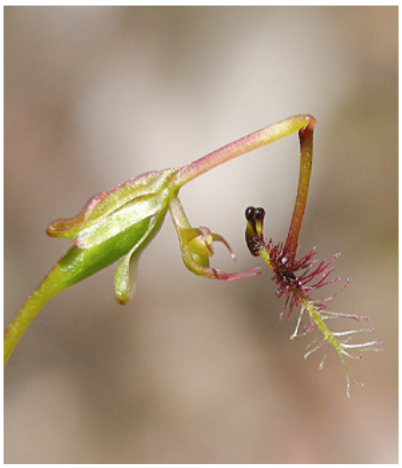
Slow Violence and the Environmentalism of the Poor by Rob Nixon
Dirty Money by Matthew Benns
Vibrant Matter – A political ecology of things by Jane Bennett

Spring Bounty or too much competition for some

By John Walter

The arrival of the spring wildflowers each year provides me with yet another reason to venture into the local forests and wilder places. Long before I began studying and recording fungi, mosses and the like, I was out and about hunting up wildflowers and my favourites among them are the orchids. Nowadays I don't have much time for the old favourites as I seek out all the other forms of plant life, from the smallest fungus or cryptogram through to the largest trees; but I always keep an eye out for them while searching the ground for other less noticeable plants.

The Group's website lists 17 species of orchid for the Wombat Forest but that is by no means a complete list. I have recorded several additional species within the main forest and many others in the dryer forests to the north (Upper Loddon and Fryers). I am sorry to say that I have never found the first orchid listed on the website, *Thynninorchis huntianus* – the Elbow Orchid (formerly *Arthrochilus huntianus)*. It has been recorded at Blackwood and Musk. You can readily see where the Elbow name comes from and the new genus name, *Thynninorchis*, is named after the thynnine wasps which are tricked by the mimicry of the orchid into attempting copulation with a highly modified petal called the labellum. The elbow or hinge in the labellum causes the male wasp to bump into the column when he tries to fly off with his prize, thereby either depositing pollen or retrieving pollen to fertilise another flower. (The female wasps are wingless and loiter in a prominent position while emitting a sex pheromone to attract a male who carries them off for copulation). While this orchid is now believed to be widespread it is not often seen,



top :
Elbow Orchid
(Thynninorchis huntianus)
Photography © Cathy Powers

middle and lower:
Large Duck Orchid
(Caleana major)
The column and pollen are clearly seen at the base of the flower in the image above.
Photography © John Walter

and as it is summer flowering, I will certainly not find it when doing my spring hunts. The photo of this species was supplied by orchid enthusiast, Cathy Powers, I recommend you visit her website for stunning photos of everything orchid. www.banjorah.com

Another beautiful orchid that uses mimicry to attract its pollinator is the Large Duck Orchid, *Caleana major*. The duck's head and bill are the labellum and while they are not insect-like to us, they do attract male sawflies which land on the bill and attempt copulation. Instead they get an almighty surprise as the curved duck's neck dips and then suddenly straightens, throwing the labellum with attached sawfly onto the column just near the duck's feet. I have not yet found this species in the wetter forests but know one extensive patch with over 1000 plants in the dryer forest to the north. I have found it in mid November and it is reported to flower through to January.

So where is the spring bounty? Spring really seems to start in late July when the early wattles put out their golden blooms. There is a sequence to the flowering, one Acacia species having its time in the sun before giving way to the next and so on, right through to mid summer. The small lilies come up in profusion and numerous orchids also have their day, each species making the most of its allocated time in the procession before vacating the field and another species rises to replace it. The day temperatures also rise and then the peas come to the fore; once again we see a series of species as the

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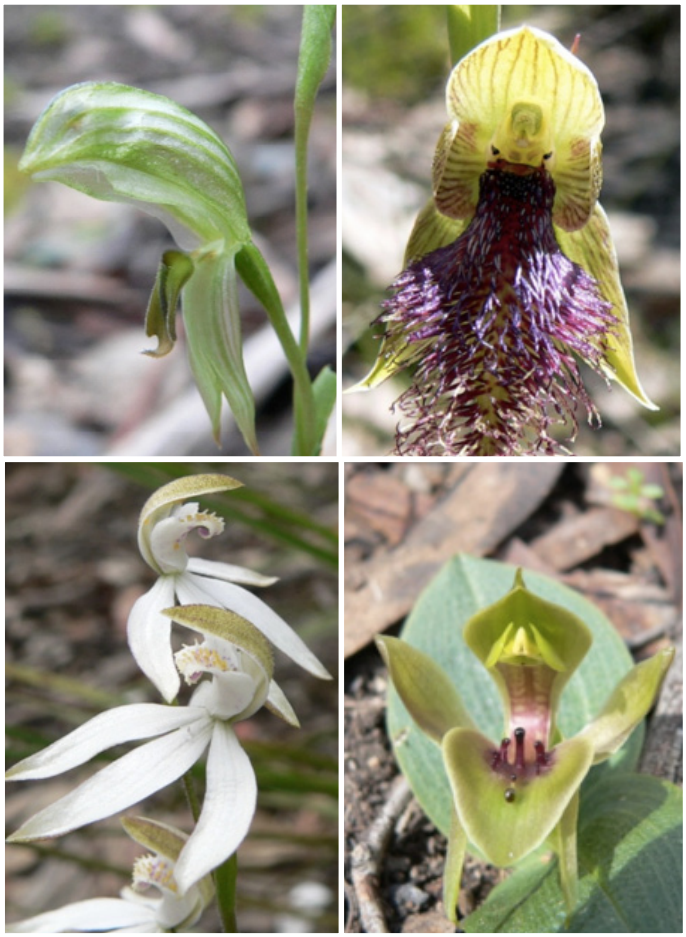
season progresses. Some plants hug the ground while others reach up for light in the forest or to position themselves in the flight path of insects, others produce nectar to trade with the honeyeaters in return for pollination.

And yet, in the midst of all this bounty, I can go into the Wombat Forest in spring and hardly see a flower. This partly depends on where I go and some locations manage to produce massed displays over several months every year while other sites are more subdued and their bounty is to be taken in smaller doses and subtle ways. Much of the "showier" vegetation types in the Wombat occurred on land deemed to be ideal for farming and has now been cleared, but the dryer, poorer soils in the forests to the north still produce massed displays in good seasons. Large parts of the Wombat take the more subdued path; two, three or four species flowering at a time with the flowering season spread out over much of the year. This same spread occurs in the other forests as well, but the spring bounty of those areas tends to overshadow the more reclusive species that save their displays for summer or autumn. Some, such as the Correas and Hakeas even flower in winter.

It is now recognised that plants use day length as a control or trigger to their flowering, timing their flowers for the appearance of insects or other pollinators (or is that the other way around) while allowing enough warm days for their seed to ripen and disperse before the winter cold arrives. Evolution has a way of filling niches over time and many of our plants have evolved to flower at different times and capitalise on the reduced competition, or for example, the lower numbers of insect pests in autumn.

The first two orchids I mentioned are late spring and summer flowering but the *Pterostylis, Caladenia, Chiloglottis* and one of the *Calochilus* species listed on the website are more readily found during spring. The *Pterostylis melagramma* (formerly *P. longifolia*) is one of the first to flower, and like the first two species, has a trick for the insect visitors that aid the pollination process. The labellum is tensioned and set, waiting for an insect to touch its upper surface and then it snaps upwards pushing the insect into the column hidden within the hood. The column is a specialized adaptation of the orchids and consists of the combined male (anther) and female (stigma) organs and their supporting parts into a single fleshy structure.

The *Dipodium* species are mid-summer flowering as



top left: Tall Greenhood *(Pterostylis melagramma)*

top right: Purple Beard-orchid *(Calochilus robertsonii)*

lower right: Common Bird-orchid (*Chiloglottis valida)*
Bird-orchids emit imitation sex pheromones of specific species of thynnine wasps to "call in" their pollinator

lower left: This is a pale form of the Musky Caladenia *(Caladenia gracilis)*
Photography © John Walter

are the *Gastrodea* (Hyacinth and Potato orchids). The species of both these genera are leafless and have been described as epiparasites, meaning they are parasitic upon another parasite. The other parasite is most likely an unknown fungus species and the orchids use the fungus to "get" their carbon from another common host such as a green plant or in this case, a Eucalypt. I have not yet seen the *Dipodium punctatum* listed on the website but I have found a similar looking species, *D. pardalinum*, that is not listed. It is richly spotted like *D. punctatum* but it has a white background instead of the purplish tones found on *D. punctatum*. The labellum is also different, being spotted on *D. pardalinum* and generally a solid colour or at least with a broad band of solid colour through the centre on *D. punctatum*. The other local species, *D. roseum* has minor spotting on a pink background and several

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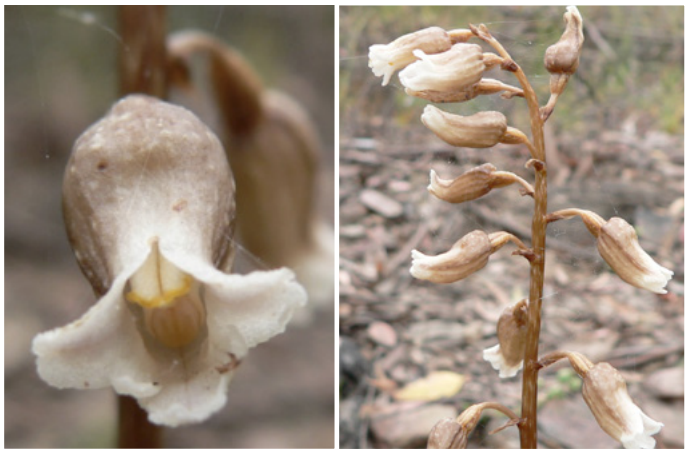
clearly-defined stripes on the labellum. This is by far the most common species found, generally in full display around Christmas. *D. pardalinum* was only identified as a separate species in the 1980's and is considered rare, possibly due to lack of recognition. The arrival of autumn heralds the arrival of another wave of orchids including several *Pterostylis* species (Greenhoods), the difficult to find *Corunastylis* species



above: Cinnamon Bells *(Gastrodia sesamoides)*
Photography © John Walter

(Midge-orchid), the *Acianthus* species (Mosquito-orchid) and the slightly larger, but still hard to see, Parson's Bands, *Eriochilus cucullatus.* This last named species occurs in reasonable numbers at some nearby sites but in the Wombat I generally find just a single plant or perhaps two or three.

I have learned over the years that you must make many visits to a site that are spread throughout the year, as well as many return visits over several years before you can truly know what grows at a given location. Many orchids do not flower every year or only flower for a few short weeks before disappearing into the litter again. Fungi can also be difficult to find and the Sarcodon discovered at several sites in autumn 2011 has not been seen anywhere this year despite many hours spent searching. While I respect the efforts of the company who carried out the flora survey of the proposed mine site near Bullarto, a single onsite summer survey and database search is only a guide to the species on a site but should not be considered a comprehensive study and this was acknowledged by the company undertaking the survey in their report. As I said earlier, much of the Wombat takes the more subdued path.

We have much to learn about the bounty of the Wombat, something I am often reminded of when I find yet another unknown or unrecorded species. I sometimes wonder if the world's mining companies would be happier if they could behave like some plants and move their mining activity to a "time" where there is less competition. Perhaps some have already succeeded via another means; after all if you do not look, you do not find; if you do not find, it does not exist; if it does not exist you do not have to fix it. "Bam!" And the competition is gone!

top left: Spotted Hyacinth-orchid *(Dipodium pardalinum)*
top right: Parson's Bands *(Eriochilus cucullatus)*
lower right: Autumn Greenhood (*Pterostylis sp aff revoluta)*
lower left: Rosy Hyacinth-orchid (*Dipodium roseum)*
Photography © John Walter

Could a mining company be described as a parasite on the bounty supplied by nature, stripping the wealth without concern for the life forms that get in the way? If that were true, would the government then become an epiparasite for designing laws in ways that facilitate the mining and secure tax or royalty revenue but offer little opportunity or support to those who seek to stand up for nature? Perhaps not, for in true parasitism, the parasite never kills the host.

It takes real fortitude to publically defend nature in the face of profit seekers, but there is no fortitude to be found in destroying our forest for a short-term financial gain. ■

Rediscovering meaning in the Campaspe

Words and images by Alison Pouliot

This is the sixth article in the series documenting rivers that rise in the Wombat, focussing this time on the Campaspe.

River sources provide not just a source of water, but also inspiration. Here in the Campaspe's upper reaches, the forest is softened by a light misty rain that doesn't seem to actually fall from above, but gently wafts about us. The river murmurs and slides past lichen-tattooed boulders as we duck beneath the contorted limbs of blackwoods, clad in their finest bryophyte greens. On this wintry afternoon I'm accompanied by a dozen university students who are learning about river health.

From the volcanic soils of its origins in the Wombat southwest of Woodend, the Campaspe flows northwards through Lake Eppalock then wends its way across flat sedimentary plains to its confluence with the Murray near Echuca. Seven tributaries meet the river along its course, the Coliban being the largest. During its 175km journey the Campaspe drains a catchment of just over 4000km2.

Downstream of Lake Eppalock the river's flow is regulated, largely for irrigation, inevitably reversing summer-winter flows with a consequent succession of impacts. The river's biodiversity has been reduced by these changes but several FFG-listed* fish including Macquarie Perch, Golden Perch and Murray Cod still eke out an existence in the river. Like most central Victorian rivers the Campaspe bears the brunt of agricultural and mining practices that have reduced river health through loss of catchment vegetation, changes to channel morphology; increases in erosion, nutrient inputs, sedimentation, turbidity and salinity as well as changes to flows and temperature regimes.

Any internet search of the word *Campaspe* will provide quantifiable descriptors from water 'authorities' similar to those you've just read. These typically anthropocentric descriptions portray water as a quantifiable commodity and rarely as a source of life. This quantification of water as a consumable resource has enabled its extraction while overshadowing its necessity to the river's biota. Largely absent are the genuine ecological or cultural dialogues that explore either the river's inherent values or our relationships with water beyond its perception as a resource. The disruption of the Campaspe's seasonal rhythms, cycles and flows has not only severely compromised its potential as a life source but has also eroded the less tangible qualities of its power and vitality, of its sentience. This is not something that can be measured.

However, if you shut down the computer and go for a wander along the Campaspe, your experience will likely surpass that which is quantifiable. By engaging with the river and its catchment, connecting with it and experiencing it through the senses, you might just feel its pulse, hear its poetry and awaken to its agency.

As we push through the wet understorey welcome rays of weak sunshine illuminate a labyrinth of spiders' webs jewelled with water droplets. The

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students heave a swag of equipment; buckets, nets, laptops and a great jumble of meters to measure flow, electrical conductivity, dissolved oxygen and the like. They clamber about dropping probes into the river and cranking up machines in a discordant whir of beeps and flashes. After a few moments of frenzied activity, the students perch along a log, faces strangely pallid from the reflected glow of laptop monitors.

Photography © Alison Pouliot

'So what did you discover about the health of the upper Campaspe?' I ask. The students stare mesmerised by the sequences of numbers and graphs appearing on their monitors. 'How does the water quality seem?' A head appears above a monitor. 'It's nine', a student replies. Nine. I've no idea what nine means; whether it's a good or bad sign or something in between. I wondered if the students had a really good look at the water and observed whether it was clear or turbid, or whether they smelt or saw anything unusual. I wondered whether they perhaps turned over a rock and noticed any creatures clinging to the underside or if they noted any water plants. I was curious whether they heard any frogs or the buzzing of insects. Or whether the river was simply nine.

During the course of the afternoon I have some profound realisations. It seems there's a belief that a cluster of meters and gauges has greater potential to inform us of our surrounds than our own senses. Certainly they are useful in confirming what we glean through sensual perception but no meter can compete with the human body that is so superbly well designed to perceive our world. Given we exist in a three-dimensional world with five senses with which to experience it, it is odd to think that we'd reduce it to something so much less. Technology has undoubtedly brought us tangible innovations and benefits but the growing conviction in its capacity to tell us about our world, especially when we place greater trust in the data it spews forth than our own perceptions, means we risk losing track of our senses, of our common sense. When technology is elevated to the fore, we jeopardise the deeper concepts of meaning, of possibilities for transcendent experiences.

To experience something with the senses enhances its potential to become memory, especially when charged with curiosity. This in turn becomes knowledge which may spark interest and passion. Sensual connections with a real world, with the Wombat, with the Campaspe in all their dimensions including those that aren't quantifiable, provide opportunities to connect with what is larger than ourselves.

The Wombat and the Campaspe need us to advocate for them because they don't speak our language and our waning memories mean we perhaps forget how to speak theirs. As our world increasingly beeps and flashes around us, take time to just be, to connect, to engage with the forest, with the river, to contemplate their greater meaning.

In one of life's compelling moments, there's a rustle behind us and a wombat, nose twitching, stumbles blindly into our party. With heads behind monitors, only a few notice its presence, their delight apparent. ■

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Footnote *: The FFG is the Flora and Fauna Guarantee Act and is Victoria's key legislation for the listing of threatened species/communities.

How did this happen?

By Gayle Osborne

Surely the days of digging up creeks are over. What sort of process allows for a mine in the headwaters of the Heritage listed Lerderderg River?

When is a waterway not a waterway? Photography © Gayle Osborne

A Mining Licence was issued for 5 hectares in 2007 on a site in the Wombat State Forest near South Bullarto and a Work Plan approved by Department of Primary Industries (DPI) on 30 May 2012. According to a letter from DPI this Work Plan is for 'bulk sampling' and is exploration. This exploration will see 5,000 tonnes of the reef removed and trucked, probably to Maldon for processing.

This Work Plan was endorsed under the Mineral Resources (Sustainable Development) Act 1990, for a mine less than 5 hectares and there are minimal requirements. Hydrological and engineering reports are not required. However one of the requirements is to provide "the general drainage pattern of the area" and this has not been included.

It is our understanding that over 60 large trees and all the vegetation can be removed from 3.8 hectares of the site (a buffer of 10 metres has been established). There is provision to dig a trench the length of the 480 metre site and 20 metres deep to expose the reef.

Apart from two small circles on a map denoting dams there are no engineering reports to show how water and sediment from the site will be contained. There are also concerns regarding pollution by heavy metals, the works will disturb historic mining where mercury would have been used and will also disturb the naturally occurring arsenic in the reef.

The office of the Minister for Energy and Resources has twice stated in the media that the "bulk sample" will be returned to the site after processing and this raises more issues about potential contamination.

Many of us believe that there are laws to protect our water quality. Surely the Catchment Authorities and the EPA would have something in place to halt the granting of a mining licence over a section of a waterway that forms part of the headwaters of an important catchment.

Four water authorities have a stake in the waterway of this proposed mine site; Port Phillip and Westernport Catchment Management Authority (PPWCMA), Melbourne Water, Central Highlands Water and Southern Rural Water.

PPWCMA has a River Health Strategies which recommends the protection of existing high-value rivers and creeks in good condition and includes the implementation of measures to prevent environmental degradation. PPWCMA aims to pass "waterways onto future generations in a better condition than they have been received." Unfortunately PPWCMA does not seem to have a way to legally enforce these high ideals.

It also appears that the protection of this waterway is in part the responsibility of the Department of Sustainability and Environment (DSE) and it is partly their failure to recognise that a waterway dissects the site that has led to the granting of the mining licence and the work plan. This is despite the government mapping which is publicly available on the Department of Primary Industries (DPI) website showing the waterway.

The waterway is also a tributary of Crowley Creek and according to DSE mapping is a 'Code of Forest Practice Exclusion Zone' which requires the retention of a filter strip at least 5 metres wide on either side of a temporary stream or drainage line. This appears to have been overlooked by DSE.

At the point the Mining License was granted in 2007, this waterway may have been enough to stop the license. Melbourne Water should have been notified and we believe this did not happen. We have been informed that Melbourne Water would have had the ability to refuse the application at that point, but now cannot legally intervene as the legal time limit has long expired.

Although this waterway is a line on a map and is either a temporary stream or a drainage line according to the

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How did this happen? *continued...*

Code of Forest Practice, it appears that whether the water authorities consider it a waterway as defined by the Water Act 1989 will hinge on the following statement. "A waterway exists at a particular site if a natural channel is present and there is a catchment above the channel of 60 hectares or more, or if a spring or absorbent soil feeds the channel."

While we wait for Melbourne Water to tell us if this waterway is a waterway as defined by the Act, we can only feel despair at the craziness of a system that defies common sense. How can we have four water authorities and a government department and water running in a waterway in a primary water catchment and its protection is dependant on the size of the catchment above it. What if the catchment turns out to be only 58 hectares?

If it is not a waterway and the works do proceed we doubt that the water can be contained on the site in the two proposed dams for which there are no hydrological or engineering reports.

We also ask how DSE came to approve the removal of all native vegetation including over 60 mature eucalypts from the 3.8 hectare site. Well, as it is in a State Forest, which is there to provide resources, probably the only thing which would halt permission is for the 5 hectare area to contain an endangered flora or fauna specie which is listed under the Australian Government's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

However, we believe that DSE did not try very hard. A flora and fauna report for the mine area suggests surveys be carried out for the Common Bent-wing Bat (Miniopterus schreibersii), a species that roosts only in caves and disused mine shafts and maybe found in the many old shafts on the site. No such surveys have been ordered by DSE as a condition of the works. There are two species of Common Bent-wing Bats and one is listed under the EPBC Act.

There are two flora species of significance that appear on the site, the Wombat Bush-pea (Pultenaea reflexifolia var. reflexifolia) and Netted daisy-bush (Olearia speciosa). Although the Wombat Bush-pea is listed as rare, it is common in the Wombat Forest; however the Netted Daisy-bush, listed as poorly known, is not recorded on the Viridans Flora data base as occurring in this forest. Does that mean that the only known example in the Wombat Forest is to be destroyed?

The destruction of wombat burrows is as irrelevant as the community consultation. If the mine activities are likely to cause the death of wildlife the miner will only need to apply for a permit under the Wildlife Act 1975.

At this stage, we ask how it is that the protection of our flora and fauna depends on finding a species that is so endangered that it is listed under the EPBC Act.

It is worth reading the Environment Defenders Office (EDO) report 'Reforming Mining Law in Victoria' to see how the mining industry is "exempt from the need to obtain a range of approvals under environment and planning laws." The document also states that "Very few projects undergo credible environment impact assessment."

Basically, a Work Plan is an open-ended right as regulators rarely enforce the legal obligations of a mining company once work has commenced and the EDO can find no example of a work plan or licence being cancelled due to a serious breech.

In many ways the community consultation requirements are irrelevant as, although they are a condition of the Work Plan, their outcome has no bearing on the miner's right to proceed. The community could vigorously object but the mining works could still proceed.

Wombat Forestcare is working with the Environment Defenders Office to attempt to establish that an incorrect process has occurred.

Our legal options are few – VCAT, the Mining Warden and the Supreme Court. None of these options are likely to stop the mine. They may only impose conditions which could be so onerous that the mine does not proceed.

As only the Minister for Minerals and Energy can rescind the mining licence and the work plan, community pressure is critical to the stopping of this venture which has the potential for significant environmental destruction. ■

Wombat Forestcare Membership

Wombat Forestcare Inc. is dedicated to preserving the biodiversity and amenity of the Wombat State Forest by utilising the skills and resources of the community. By becoming a member you will have input into our activities and projects, and give support to caring for our forests.

For memberships and further information contact Gayle Osborne, phone 03 5348 7558 or email info@wombatforestcare.org.au

Membership fees are only $10 single and $15 family. **Visit our website - www.wombatforestcare.org.au**