The sculptor who helped save the snipe

Port Fairy sculptor Don Stewart with one of his creations. Lately it has been his activism, as much as his art, that has propelled him into the headlines.

By Carol Altmann

On first appearances, **Don Stewart** looks more like the artist that he is and much less like the robust activist he has become.

Yet the slightly-built, soft-spoken, always-smiling sculptor from Port Fairy has been a central figure in one of the longest-running planning sagas to hit the town and which has only just been resolved.

In a battle which stretches back 14 years, Don – and a small group of determined, like-minded souls – has fought to protect

the habitat of a migratory bird called Latham's Snipe that arrives between August and April each year from its breeding sites in Japan to rest up at the Powling St wetlands.

The wetlands are just a short walk from Don's home and studio near Port Fairy's South Beach, where Don is usually immersed in creating his wonderful fibreglass sculptures that capture a sense of character and fun.

There has been less fun, however, around the tug-o-war that developed when a large portion of Moyne Shire council-owned land adjacent to the wetlands was sold in 1998 to a former council engineer, since retired, **John Bock**.

Worth fighting for: the Powling Street Wetlands in Port Fairy are home to one of the largest congregations of Latham's Snipe in Australia.

"Mr Bock", as Don always calls him, had hopes of converting the 3.5ha space into 43 building blocks but this would, Don explains, have spelt disaster for the snipe which relies on the protection of tall grass and the sustenance of the nutrient-rich wetlands.

Powling St is one of the few sites in Australia where the snipe still congregates in large numbers.

“In my view, nothing should be built there, because there are only about 36,000 of these birds left in the world and we have one of the largest habitats right here,” Don says.

> *Indeed, a congregation of 18 migratory birds is considered to be of national significance and 360 birds is of international significance: the Powling St wetlands has recorded up to 430 Latham’s Snipes.*

Don, his wife **Sherril**, who is a retired art teacher, and their neighbour, author **Jodie Honan**, were founders of the **South Beach Wetlands and Landcare Group** that was set up in 1999 in response to the Moyne Shire Council’s decision to sell-off part of the site and they began to actively monitor and care for the wetlands area.

Using their first-hand knowledge, backed by expert opinion about bird habitats, the group mounted not one, but two challenges through the Victorian Civil and Administrative Tribunal (VCAT) against Mr Bock’s proposals.

Don on a patch of the Powling Street Wetlands that has been at the middle of an intense battle about its future.

The first, in 2008, resulted in Mr Bock having to revise his plans, which he did, reducing the subdivision to 32 blocks, including one allotment that would be given back to the council and added to the wetlands. The revised plans were put to the council last year and approved.

Most people would have given up there, but Don Stewart and the South Beach Wetlands and Landcare Group are not like most people. Just as it takes time and enormous patience to create a life-size figure in fibreglass, Don knew it would take patience to protect the snipe.

Don and Jodie, this time represented by Environmental Justice Australia (formerly the Environmental Defenders Office), returned to VCAT this year and argued that 32 blocks was still too many. VCAT agreed and reduced the number to 23, with a number of conditions, including that a protective fence be built around the snipe's habitat. It was a significant victory for the Landcare group.

“It is a good decision and probably the best decision we could hope for, but whether the birds actually stay around once the development goes ahead, we won’t know until it is built,” Don says.

Don has created fibreglass versions of Latham’s Snipe: “Jodie says the legs are a bit too long.”

Don suggests we wander out to see the wetlands and guides me through a wire fence and onto an invisible council “road” that cuts through the private land owned by Mr Bock. As long as we stay on the “road”, he explains, we are not trespassing.

As it happens, Mr Bock – who no longer lives in Port Fairy – is down for a few days to mow his land and he spots us in the distance. I wave (what else do you do?) and he takes the opportunity to glide over on his ride-on mower to say hello.

Suddenly, I am standing between the two antagonists in what has been a long and no-doubt often heated battle, and for the first few minutes neither looks at the other as they talk. (Gulp.)

> *But then, Mr Bock – who I remember from his days at Belfast Shire Council – says two extraordinary things. The first: "you can't cry over spilt milk". The second, this time looking directly at Don: "I saw one of your snipes today".*

Don, now looking directly at Mr Bock, replies: "Really? Wow, that is late (in the season). I will have to make a note of that."

And in that single moment – after 14 years, two VCAT hearings, endless legal argument and a lot of anxiety and stress on both sides – it felt like something of a truce.

Don at home in the studio, with dog Tuff: "It's a good decision and probably the best decision we could hope for."

The South Beach Wetlands and Landcare Group holds regular stalls at the Port Fairy Farmers Market to raise funds to pay its legal bills from the VCAT battles. Don Stewart and Jodie Honan both contribute work for sale.