

The Senate

Environment and Communications
References Committee

Tasmanian Wilderness World Heritage Area

May 2014

© Commonwealth of Australia 2014

ISBN 978-1-76010-000-1

Committee address

PO Box 6100

Parliament House

Canberra ACT 2600

Tel: 02 6277 3526

Fax: 02 6277 5818

Email: ec.sen@aph.gov.au

Internet:

[http://www.aph.gov.au/Parliamentary Business/Committees/Senate/Environment and Communications](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications)

This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 3.0 Australia License.



The details of this licence are available on the Creative Commons website: <http://creativecommons.org/licenses/by-nc-nd/3.0/au/>.

This document was printed by the Senate Printing Unit, Parliament House, Canberra

Committee membership

Committee members

Senator the Hon Lin Thorp, Chair	ALP, Tasmania
Senator John Williams, Deputy Chair	NATS, New South Wales
Senator Louise Pratt	ALP, Western Australia
Senator Anne Ruston	LP, South Australia
Senator the Hon Ursula Stephens	ALP, New South Wales
Senator Larissa Waters	AG, Queensland

Substitute members

Senator Christine Milne (AG, Tasmania) replaced Senator Larissa Waters (AG, Queensland) for this inquiry

Senators Carol Brown (ALP, Tasmania), the Hon Jacinta Collins (ALP, Victoria) and Anne Urquhart (ALP, Tasmania) replaced Senators Louise Pratt (ALP, WA), the Hon Ursula Stephens (ALP, NSW) and the Hon Lin Thorp (ALP, Tasmania) from 17 to 21 March 2014

Participating members

Senator Peter Whish-Wilson	AG, Tasmania
----------------------------	--------------

Committee secretariat

Ms Christine McDonald, Committee Secretary
Ms Sophie Power, Principal Research Officer
Mr Chris Lawley, Senior Research Officer (to 28 March 2014)
Ms Meryl Hampson, Research Officer (from 22 April 2014)
Mrs Dianne Warhurst, Administration Officer

Table of Contents

Committee membership	iii
Chapter 1 - Background	1
Referral of the inquiry	1
Conduct of the inquiry	1
Note on references	2
Structure of the report.....	2
Background.....	3
Chapter 2 - Reasons for the 2014 modification.....	13
Introduction	13
Inclusion of degraded areas	13
Objections from adjoining landholders and communities.....	25
Social and economic outcomes	28
Chapter 3 - Other key issues	35
Introduction	35
Process followed for the 2014 modification.....	35
Cultural heritage issues.....	41
Impacts on the Tasmanian Wilderness World Heritage Area	44
Possible international reaction to the proposal.....	47
Possible response of the World Heritage Committee.....	50
Chapter 4 - Conclusions and recommendations	51
Government Senators Dissenting Report	55
Appendix 1 - Submissions, form letters, tabled documents and answers to questions taken on notice.....	63
Submissions	63
Form letters.....	66
Tabled documents.....	66
Answers to questions taken on notice	67

Appendix 2 - Public hearings69

Appendix 3 - *Operational Guidelines for the Implementation of the World Heritage Convention*71

 II.D Criteria for the assessment of Outstanding Universal Value 71

Appendix 4 - World Heritage Values of the Tasmanian Wilderness.....73

Chapter 1

Background

Referral of the inquiry

1.1 On 13 February 2014, the Senate referred the following matter to the Senate Environment and Communications References Committee, for inquiry and report by 15 May 2014:

- (a) the natural world heritage values of the Tasmanian Wilderness World Heritage Area minor boundary extension passed by the World Heritage Committee in June 2013;
- (b) the interaction between the Department of the Environment and the Prime Minister and other ministers' offices, and the process followed in the department's review of the 2013 extension that led to a lesser minor boundary extension being submitted for consideration at the 2014 World Heritage Committee meeting;
- (c) any action the Department of the Environment has funded, directed and overseen to rehabilitate any degraded areas within the World Heritage Area identified in the department's 2013 review, as per the requirements of the World Heritage Convention;
- (d) the extent and description of any areas of degraded forest included in the 2013 boundary adjustment and the World Heritage Committee's rationale for including them;
- (e) implications for the World Heritage status of the Tasmanian Wilderness World Heritage Area of the Government's request to withdraw the 74,000 hectares for logging; and
- (f) any related matter.¹

Conduct of the inquiry

1.2 In accordance with usual practice, the committee advertised the inquiry nationally in *The Australian* newspaper and on the internet. The committee also wrote to relevant organisations, inviting submissions by 7 March 2014. The committee received 117 submissions, listed at Appendix 1. The submissions may be accessed through the committee's website.

1.3 The committee also received over 9,600 form letters and emails. The vast majority of these were in response to a campaign by the organisation GetUp! Action for Australia and were opposed to the proposed revocation. Due to the large number of emails and form letters received, along with limitations on committee resources, only a sample was published on the committee's website.

1 *Journals of the Senate*, No. 14, 13 February 2014, p. 475.

1.4 The committee held a public hearing in Hobart on 31 March 2014 and in Canberra on 6 May 2014. A list of witnesses who appeared at the hearings may be found at Appendix 2.

Maps of the Tasmanian Wilderness World Heritage Area

1.5 At the time the committee commenced its inquiry, the Department of the Environment's website contained a map of the proposed boundary modification of the Tasmanian Wilderness World Heritage Area on the Department's website. However, this map provided limited detail of the areas to be removed.

1.6 On 21 February 2014, the committee wrote to the Department of the Environment requesting that more detailed maps of the areas of the Tasmanian Wilderness World Heritage Area proposed for delisting be provided on the Department's website. On 28 February 2014, the committee again wrote to the Department of the Environment with a number of questions on notice.

1.7 On 7 March 2014, in addition to their submission, the Department provided answers to the questions on notice and a series of more detailed maps, which were published on the committee's website. The Department's website was also updated to include the more detailed maps. The committee thanks the Department for their cooperation in this regard.

1.8 The committee also corresponded with Forestry Tasmania to request further data in relation to the areas proposed for delisting, including the extent of past logging in the areas in question. The committee also thanks Forestry Tasmania for its cooperation with the inquiry.

1.9 The committee would like to thank all the organisations, individuals and government departments that contributed to the inquiry.²

Note on references

1.10 Hansard references in this report are to the proof committee Hansard. Page numbers may vary between the proof and the official Hansard transcript.

Structure of the report

1.11 This chapter outlines the conduct of the inquiry and provides a background and overview of the Tasmania Wilderness World Heritage Area.

1.12 Chapter 2 critically examines the reasons advanced by the Government in the proposal submitted to the World Heritage Committee to modify the boundaries of the Tasmania Wilderness World Heritage Area.

1.13 Chapter 3 discusses other key issues raised in evidence to the inquiry including the process followed for the 2014 modification proposal; cultural heritage issues; the potential impacts of the excision proposal; and the possible international reaction to the proposal, including the World Heritage Committee's likely response.

2 The committee notes that Forestry Tasmania and the Forest Industries Association of Tasmania were invited to make submissions but both declined. The Forest Industries Association of Tasmania was asked to appear before both public hearings but declined.

1.14 Chapter 4 contains the committee's conclusions and recommendations.

Background

1.15 This section provides a background and overview of the Tasmania Wilderness World Heritage Area, including the processes leading up to the June 2013 extension to that area, and the current request from the Australian Government to the World Heritage Committee, which is seeking to remove 74,039 hectares from the area.

World Heritage

1.16 The *Convention concerning the Protection of the World Cultural and Natural Heritage* (World Heritage Convention) was adopted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1972. The World Heritage Committee is the body responsible for the implementation of the World Heritage Convention.³ The World Heritage Committee meets once a year and consists of representatives from 21 of the State Parties to the Convention as elected by their General Assembly.⁴

1.17 In 1974, Australia became the seventh State Party to accede to the World Heritage Convention. Australia currently has 19 properties on the World Heritage List.⁵ Only the Australian Government can nominate Australian places for entry on the World Heritage List. The World Heritage Committee assesses nominated places against set criteria and makes the final decision on the places included on the World Heritage List.⁶

1.18 The *Operational Guidelines for the Implementation of the World Heritage Convention* (Operational Guidelines) provide guidance to the World Heritage Committee in deciding which nominations should be included on the World Heritage List. These guidelines state that nominations should be based on specific criteria, which relate to the cultural and/or natural values of the area. To be included on the World Heritage List, sites must be of 'outstanding universal value' and meet at least one out of ten selection criteria.⁷ These criteria are listed at Appendix 3 of this report.

3 UNESCO, *About World Heritage*, <http://whc.unesco.org/en/about/> (accessed 2 April 2014).

4 UNESCO, *World Heritage Committee*, <http://whc.unesco.org/en/committee/> (accessed 2 April 2014).

5 Department of the Environment, *Australia's World Heritage*, <http://www.environment.gov.au/topics/heritage/about-australias-heritage/world-heritage> (accessed 2 April 2014).

6 Department of the Environment, *World Heritage listing process*, <http://www.environment.gov.au/topics/heritage/about-australias-heritage/world-heritage/world-heritage-listing-process> (accessed 2 April 2014).

7 UNSECO, *Operational Guidelines for the Implementation of the World Heritage Convention*, July 2013, Paragraph 77, <http://whc.unesco.org/en/guidelines> (accessed 2 April 2014). See also Department of the Environment, *Australia's World Heritage*, <http://www.environment.gov.au/topics/heritage/about-australias-heritage/world-heritage> (accessed 2 April 2014).

1.19 Nominations are referred to the World Heritage Committee's advisory bodies, the International Council on Monuments and Sites (ICOMOS) and the International Union for the Conservation of Nature (IUCN), for review. These advisory bodies then make a recommendation to the World Heritage Committee.⁸

1.20 In Australia, once a site is listed on the World Heritage List, it is protected and managed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* as a 'matter of national environmental significance'.⁹ As the Department of the Environment's website states:

There are many benefits to a property being inscribed on the World Heritage List, including increased tourist visitation, increases in employment opportunities and income for local communities, and better management and protection of the place. Listing is often accompanied by greater scrutiny of a place, given its internationally acknowledged importance.¹⁰

1.21 The World Heritage Committee's Operational Guidelines also provide for modifications to boundaries of listed properties.¹¹ Modifications can be 'minor' or 'significant'. Paragraph 163 of the Operational Guidelines provides that:

A minor modification is one which has not a significant impact on the extent of the property nor affects its Outstanding Universal Value.

1.22 A State Party can submit a minor modification request to the World Heritage Secretariat, which will seek the evaluation of the relevant Advisory Bodies on whether this can be considered a minor modification or not. The secretariat then submits the Advisory Bodies' evaluation to the World Heritage Committee. The World Heritage Committee may approve the minor modification, or it may consider that the modification to the boundary is sufficiently significant as to constitute a *significant* boundary modification of the property, in which case the procedure for new nominations will apply. This provision applies to extensions as well as reductions.¹²

8 Department of the Environment, *World Heritage listing process*, <http://www.environment.gov.au/topics/heritage/about-australias-heritage/world-heritage/world-heritage-listing-process> (accessed 2 April 2014).

9 EPBC Act, Part 3, Division 1, Subdivision A. See also Part 15, Division 1.

10 Department of the Environment, *Australia's World Heritage*, <http://www.environment.gov.au/topics/heritage/about-australias-heritage/world-heritage> (accessed 2 April 2014).

11 UNESCO, Operational Guidelines, paragraphs 163–165.

12 UNESCO, Operational Guidelines, paras 164–165.

The Tasmanian Wilderness World Heritage Area

1.23 The Tasmanian Wilderness was first inscribed on the World Heritage List in 1982 on the basis of all four natural criteria and for three cultural criteria.¹³

1.24 The Department of the Environment's website describes the Tasmanian Wilderness area as:

...one of the three largest temperate wilderness areas remaining in the Southern Hemisphere. The region is home to some of the deepest and longest caves in Australia. It is renowned for its diversity of flora, and some of the longest lived trees and tallest flowering plants in the world grow in the area. The Tasmanian Wilderness is a stronghold for several animals that are either extinct or threatened on mainland Australia.¹⁴

1.25 In terms of cultural heritage, the Department's website states:

In the southwest Aboriginal people developed a unique cultural tradition based on a specialized stone and bone toolkit that enabled the hunting and processing of a single prey species (Bennett's wallaby) that provided nearly all of their dietary protein and fat. Extensive limestone cave systems contain rock art sites that have been dated to the end of the Pleistocene period. Southwest Tasmanian Aboriginal artistic expression during the last Ice Age is only known from the dark recesses of limestone caves.¹⁵

1.26 A more comprehensive description of the world heritage values of the Tasmanian Wilderness World Heritage Area is set out at Appendix 4.¹⁶

1.27 The boundary of the Tasmanian Wilderness World Heritage Area was extended in 1989, June 2010, June 2012 and most recently in June 2013.¹⁷ Prior to the 2013 extension, the Tasmanian Wilderness World Heritage Area was over 1.4 million hectares.¹⁸ In June 2013, the World Heritage Committee approved the addition of

13 Department of the Environment, *Submission 14*, p. 6. That is, criteria (iii), (iv), (vi) and also criteria (vii), (viii), (ix) and (x) of the Operational Guidelines: see Appendix 3 of this report for the list of criteria. At that time it was called the 'Western Tasmania Wilderness National Parks'. It was renamed the 'Tasmanian Wilderness' when it was extended in 1989: UNESCO, *Report of the Rapporteur*, December 1982, <http://whc.unesco.org/archive/1982/clt-82-conf015-8e.pdf> (accessed 4 April 2014).

14 Department of the Environment, *World Heritage Places—Tasmanian Wilderness, Overview*, <http://www.environment.gov.au/node/19816> (accessed 20 March 2014).

15 Department of the Environment, *World Heritage Places—Tasmanian Wilderness, Overview*, <http://www.environment.gov.au/node/19816> (accessed 20 March 2014).

16 They are also listed at: Department of the Environment, *World Heritage Places—Tasmanian Wilderness—Values*, <http://www.environment.gov.au/node/34173> (accessed 26 March 2014).

17 Department of the Environment, *World Heritage Places—Tasmanian Wilderness, Overview*, <http://www.environment.gov.au/node/19816> (accessed 20 March 2014).

18 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 4, <http://www.environment.gov.au/system/files/pages/f99dbb51-03c2-4eb2-a66e-87c4044117b4/files/twwha-dossier.pdf> (accessed 25 March 2014).

more than 170,000 hectares to the Tasmanian Wilderness World Heritage Area, taking the total area to around 1.6 million hectares.¹⁹

History of the June 2013 extension

1.28 Prior to the June 2013 extension, the World Heritage Committee had expressed concerns for many years about logging activities adjacent to the Tasmanian Wilderness World Heritage Area. It had also made repeated requests to Australia for the addition of areas adjacent to the Tasmanian Wilderness World Heritage Area.

1.29 For example, in 1995, the World Heritage Committee recalled and noted concerns that 'there is forested land outside the site which may have World Heritage values' and that 'logging and roading activities adjacent to the site could have an adverse impact on the existing World Heritage site'.²⁰ In 2006, the World Heritage Committee again noted concerns in relation to logging activities adjacent to the property.²¹ In 2007, the World Heritage Committee urged Australia to consider the extension of the Tasmanian Wilderness World Heritage property 'to include critical old-growth forests to the east and north of the property, or at least to manage these forests in a manner which is consistent with a potential World Heritage value.'²² This request was reiterated in 2008 (after a joint World Heritage Centre, IUCN and ICOMOS reactive monitoring mission recommended the boundaries be extended to include adjoining parks and reserves), and again in 2010 and 2012.²³

1.30 A number of domestic agreements were also made in the lead up to the June 2013 extension to the Tasmanian Wilderness World Heritage Area. In August 2011, the then Prime Minister, the Hon Julia Gillard MP and the then Tasmanian Premier, the Hon Lara Giddings MP, signed the *Tasmanian Forests Intergovernmental Agreement 2011*. Under the terms of that agreement, some areas adjacent to the Tasmanian Wilderness were given interim protection from logging activities, while an independent verification process was undertaken to assess the values of these areas and available timber reserves.²⁴ The work of the Independent Verification Group (IVG) was drawn upon in the Australian Government's 2013

19 UNESCO World Heritage Committee, Decision 37 COM 8B.44 <http://whc.unesco.org/en/decisions/5174> (accessed 25 March 2014).

20 UNESCO World Heritage Committee, Decision CONF 203 VII.A.2.11 <http://whc.unesco.org/en/decisions/2609> (accessed 25 March 2014).

21 UNESCO World Heritage Committee, Decision 30 COM 7B.32, <http://whc.unesco.org/en/decisions/1118> (accessed 25 March 2014).

22 UNESCO World Heritage Committee, Decision 31 COM 7B.43, <http://whc.unesco.org/en/decisions/1424> (accessed 25 March 2014).

23 UNESCO World Heritage Committee, Decision 3 2COM 7B.41; Decision 34 COM 8B.46; and Decision 36COM8B.45, <http://whc.unesco.org/en/list/181/documents/> (accessed 25 March 2014).

24 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 7.

proposal for the boundary extension to the Tasmanian Wilderness World Heritage Area.²⁵

1.31 The June 2013 extension was also a key component of the *Tasmanian Forests Agreement 2012* (TFA), which was signed in November 2012 after negotiations between forestry industry groups, unions and conservation groups. Clause 37 of the TFA contained a recommendation that the Government nominate to the World Heritage Committee, for consideration in June 2013, a proposed minor extension to the Tasmanian Wilderness World Heritage Area of 123,650 hectares.²⁶

1.32 These agreements 'paved the way for the development of a proposal for a minor boundary modification' to the Tasmanian Wilderness World Heritage Area.²⁷

June 2013 extension

1.33 Following these agreements and after consideration of the outcomes of the IVG process, the Australian Government lodged a proposal with the World Heritage Committee on 1 February 2013 to add over 170,000 hectares to the Tasmanian Wilderness World Heritage Area.²⁸ This area included around 46,000 hectares of existing reserves as well as areas agreed under the *Tasmanian Forests Agreement 2012*.²⁹ The proposal included areas along the northern and eastern boundary of the existing World Heritage property, encompassing:

...extensive stands of magnificent tall eucalypt forest, associated rainforest, significant karst and glacial landforms as well as alpine and sub-alpine environments.³⁰

1.34 The Australian Government proposal explained that:

-
- 25 Australian Government, *Tasmanian Wilderness, Supplementary information to the proposal for a minor boundary modification*, 28 February 2013, p. 30, <http://www.environment.gov.au/system/files/pages/f99dbb51-03c2-4eb2-a66e-87c4044117b4/files/twwha-supplementary.pdf> (accessed 25 March 2014). See also Department of the Environment, *Independent Verification Group Report*, <http://www.environment.gov.au/resource/independent-verification-group-report> (accessed 2 May 2014).
- 26 *Tasmanian Forests Agreement 2012*, <http://www.forestsagreement.tas.gov.au/wp-content/uploads/2012/11/Tasmanian-Forest-Agreement-2012.pdf> (accessed 25 March 2013). See also Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 8.
- 27 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 8.
- 28 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013. Table 1 later in this chapter contains a list of the areas added as part of the 2013 extension.
- 29 Australian Government, *Tasmanian Wilderness, Supplementary information to the proposal for a minor boundary modification*, 28 February 2013, pp 5–7.
- 30 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 5 and see further pp 9–10.

The proposed additions will markedly improve the conservation of the natural values of the property along the northern and eastern borders. Sweeping landscapes of exceptional natural beauty, especially associated with tall eucalypt forests, will now be protected. Significant features, notably remarkable karst systems and glacial features extending beyond the existing boundary, will be brought into the property. The boundary will be more robust and manageable.³¹

1.35 The proposal identified a number of features in the extension which it suggested would contribute to the outstanding universal values of the area and meet the natural heritage criteria for World Heritage Areas, including:

- additional areas of exceptional beauty, particularly majestic stands of tall eucalypt forest, the Great Western Tiers escarpment and 'superlative karst features' (criterion (vii));
- additional important glacial and karst features, major escarpment sections of the Central Plateau landform and significant geomorphic features (criterion (viii));
- increased representation of endemic species and additional species not already known in the World Heritage property and the addition of important stands of eucalypt forest, enhancing 'integrity of this globally important forest ecosystem' and allowing for greater connectivity and interaction between tall eucalypt forest and rainforest (criterion (ix)); and
- enhanced representation of wet eucalypt forests, and addition of important habitat for rare and threatened species, such as the Tasmanian devil, spotted-tailed quoll and *Clarence galaxias* as well as other rare and threatened species not already included or known in the property (criterion (x)).³²

1.36 The proposal did not identify cultural heritage features or values, but noted that 'the cultural values will need further identification and consultation with the Tasmanian Aboriginal community'.³³

1.37 The proposal was reviewed by the World Heritage Committee's advisory bodies, the IUCN and ICOMOS. The IUCN noted the history of requests for the area to be extended and recommended that the World Heritage Committee approve the minor boundary modification.³⁴ ICOMOS recommended that the proposal be referred

31 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 11.

32 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, pp 9–10.

33 Australian Government, *Tasmanian Wilderness, Proposal for a Minor Boundary Modification*, 1 February 2013, p. 10.

34 IUCN, *World Heritage Minor Boundary Modification Proposal Technical Evaluation, World Tasmanian Wilderness (Australia)*, WHC-13/37.COM/INF.8B2.Add, <http://whc.unesco.org/archive/2013/whc13-37com-8B2inf-Add-en.pdf> (accessed 1 May 2014).

back to Australia in order to allow it to undertake further study and consultation, and provide further information, in relation to the cultural heritage values of the area.³⁵

1.38 On 24 June 2013, the World Heritage Committee approved the proposed extension to the Tasmanian Wilderness World Heritage Area as a minor modification. In approving the modification, the Committee noted that it was 'submitted under natural criteria only although it appears to contain significant cultural attributes'. The World Heritage Committee requested that the Australian Government address a number of concerns in relation to the cultural values of the property. Australia committed to report progress on this in 2015.³⁶

Proposed modification

1.39 During the 2013 federal election campaign, as part of its *Economic Growth Plan for Tasmania*, the Coalition stated that:

The Coalition has never supported Labor's recent rushed and political World Heritage extension, which was put in place against the will of the Tasmanian people, and we will seek to have it removed.³⁷

1.40 On 18 December 2013, the Minister for the Environment, the Hon Greg Hunt MP, wrote to the World Heritage Committee conveying the Australian Government's intention to undertake a reassessment of the extension and to request a further minor boundary modification in 2014.³⁸ The letter stated that the Government was:

...concerned that the extension approved by the World Heritage Committee in June 2013 includes a number of pine and eucalypt plantations along with some areas of forest that have previously been subject to heavy logging. These areas detract from the overall outstanding universal values of the property.³⁹

1.41 After the Minister wrote to the World Heritage Committee, and at the Minister's request, the Department advised that it undertook a review of the 2013 extension and prepared documentation for the submission of a minor boundary modification to remove parts of the 2013 extension to the Tasmanian Wilderness

35 ICOMOS, *Evaluations of Nominations of Cultural and Mixed Properties to the World Heritage List*, June 2013, WHC-13/37.COM/INF.8B1.Add, p. 2, <http://whc.unesco.org/archive/2013/whc13-37com-8B1infAdd-en.pdf> (accessed 1 May 2014).

36 UNESCO World Heritage Committee, Decision 37 COM 8B.44 <http://whc.unesco.org/en/decisions/5174> (accessed 25 March 2014). See also Department of the Environment, *Submission 14*, p. 2.

37 *The Coalition's Economic Growth Plan for Tasmania*, p. 18, http://lpaweb-static.s3.amazonaws.com/The%20Coalition%E2%80%99s%20Economic%20Growth%20Plan%20for%20Tasmania_.pdf (accessed 25 March 2014).

38 Department of the Environment, *Submission 14*, p. 3.

39 Department of the Environment, *Response to written questions on taken on notice*, 7 March 2014, p. 6.

World Heritage Area. The submission was prepared to meet a deadline of 31 January 2014, for consideration by the World Heritage Committee at its June 2014 meeting.⁴⁰

1.42 On 31 January 2014, the UNESCO World Heritage Centre received the Australian Government's request seeking the World Heritage Committee's approval for a minor modification to the boundaries of the Tasmanian Wilderness World Heritage site. The World Heritage Centre has stated that:

In line with the provisions of the Operational Guidelines for the Implementation of the World Heritage Convention, the World Heritage Centre will seek the evaluation of the relevant Advisory Bodies in this matter. It shall then submit the Advisory Bodies' evaluation to the 38th session of the World Heritage Committee...[which] will take place in Doha, Qatar, from 15 to 25 June 2014.⁴¹

Areas proposed to be removed

1.43 The Australian Government's 2014 boundary modification proposal seeks to remove 74,039 hectares of the extension approved by the World Heritage Committee in June 2013.⁴² The proposal identifies a number of areas to be removed from the Tasmanian Wilderness World Heritage Area, as set out in Table 1.1 overleaf.⁴³ As noted earlier in this chapter, maps received from the Department of the Environment in relation to the proposed excisions have been made available on the committee's website.

1.44 The Australian Government's 2014 proposal explained that:

In selecting areas for excision, consideration was given to retaining the overall coherence of the boundary, maintaining connectivity and areas with important values such as habitat for threatened species, cultural sites, karsts or other features that contribute to the Outstanding Universal Value of the property.⁴⁴

40 Department of the Environment, *Submission 14*, pp 2–3.

41 UNESCO World Heritage Centre, *Potential boundary modification to the Tasmanian Wilderness World Heritage site*, 12 February 2014, <http://whc.unesco.org/en/news/1105> (accessed 25 March 2014).

42 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 3, <http://www.environment.gov.au/system/files/pages/f99dbb51-03c2-4eb2-a66e-87c4044117b4/files/twwha-2014-proposal-dossier.pdf> (accessed 25 March 2014).

43 Table 1 has been compiled using Tables 1 and 2 from Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014; and Table 1 from Australian Government, *Supplementary information to the proposal for a minor boundary modification*, 28 February 2013. See also Australian Government, *Supplementary information to the proposal for a minor boundary modification*, 28 February 2013, pp 12–18 for more detailed descriptions of these areas.

44 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 7.

Table 1.1: Areas proposed to be removed from the Tasmanian Wilderness World Heritage Area

Name of Area	Area added in 2013 (hectares)	Area to be removed (hectares)	Reason for Removal
Nelson Falls	1,116	0	-
Dove River	6,558	748	Contains disturbed areas
Upper Mersey	5,717	3,906	Contains logged/degraded areas
Mole Creek Karst	6,544	0	-
Great Western Tiers (Northern)	13,662	5,924	Contains logged/degraded areas
Great Western Tiers (Eastern)	26,291	3,668	Contains logged/degraded areas
Upper Derwent	18,573	16,193	Contains logged/degraded areas
Florentine	3,952	1,375	Contains plantations and logged/degraded areas
Mount Field	24,790	5,390	Contains logged/degraded areas
Mount Wedge – Upper Florentine	12,977	10,580	Contains logged/degraded areas
Styx-Tyenna	19,133	3,099	Contains plantations and logged/degraded areas
Weld-Snowy Range	8,757	5,778	Contains logged/degraded areas
Huon-Picton	12,204	6,587	Contains logged/degraded areas
Hartz-Esperance	7,347	6,873	Contains logged/degraded areas
Recherche	4,430	3,918	Contains logged/degraded areas
TOTAL (hectares)	172,051	74,039	

1.45 The proposal further noted that:

While this approach has resulted in the loss of some attributes...it has the benefit of minimizing the overall impact on the integrity and coherence of the boundary. In some cases, consideration of these issues has resulted in the proposal to reinstate the 2012 boundary for some sections.⁴⁵

Justification for the modification

1.46 The 2014 boundary modification proposal states that:

...the excision of these areas from the property will enhance the credibility of the World Heritage List by excluding areas that detract from the Outstanding Universal Value and the overall integrity of the property.⁴⁶

1.47 The proposal further states that the proposed modification seeks to remove a number of areas in the extension that 'contain pine and eucalypt plantations and previously logged forest' and that the Government:

...considers these areas detract from the Outstanding Universal Value of the property and its overall integrity and that the assessment work that included such areas in the property did not sufficiently take this in to account.⁴⁷

1.48 In addition, the proposal notes the Australian Government's concern that:

...when taking its decision in June 2013, the World Heritage Committee was not fully aware that a number of communities and landholders whose properties adjoin the revised boundary did not support the extension and did not consider they had adequate opportunity to comment on the proposed change.⁴⁸

1.49 Finally, the proposal states that 'there should be a long term sustainable forest industry in Tasmania' and that the proposal 'will assist the long term viability of the special species timber sector and local communities that rely on these areas for their wellbeing'.⁴⁹

45 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 7.

46 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 5.

47 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 5.

48 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 5.

49 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, pp 8–9.

Chapter 2

Reasons for the 2014 modification

Introduction

2.1 As outlined in the previous chapter, the Government's proposal advanced the following reasons for the 2014 boundary modification request:

- inclusion of degraded areas in the 2013 extension, specifically plantations and previously logged forests;
- objections from adjoining landholders and communities; and
- social and economic reasons, including the need for sustainable forest industry in Tasmania, and to assist the long term viability of the special species timber sector.

2.2 This chapter critically examines these reasons in turn below.

Inclusion of degraded areas

2.3 The 2014 boundary modification proposal states that it:

...seeks to remove a number of areas in the extension approved by the [World Heritage] Committee in June 2013 that contain pine and eucalypt plantations and previously logged forest. The Australian Government considers these areas detract from the Outstanding Universal Value of the property and its overall integrity and that the assessment work that included such areas in the property did not sufficiently take this in to account.¹

2.4 This issue was also highlighted in the letter from the Environment Minister, the Hon Greg Hunt MP, on 18 December 2013, to the Chair of the World Heritage Committee conveying the Australian Government's intention to undertake a reassessment of the extension and to request a minor boundary modification in 2014. The letter stated that the government was:

...concerned that the extension approved by the World Heritage Committee in June 2013 includes a number of pine and eucalypt plantations along with some areas of forest that have previously been subject to heavy logging. These areas detract from the overall outstanding universal values of the property.²

Extent of 'degraded' areas in the 2013 extension

2.5 The committee notes that the Government's 2014 proposal provides very little detail on the areas in the proposed excision which have actually been logged or

1 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 5.

2 Department of the Environment, *Response to written questions on taken on notice*, 7 March 2014, p. 6.

contain plantations. Indeed, some witnesses were highly critical of this lack of detail.³ For example, Mr Adam Beeson, a solicitor from the Environmental Defender's Office in Tasmania (EDO (Tas)) told the committee that the government has failed 'to detail the so-called degraded areas they heavily relied on in the proposal':

The government submission does not spell out where and how large those areas are nor does it spell out what terms like 'degraded' or 'disturbed' or 'logged' mean.⁴

2.6 Mr Peter Hitchcock, a world heritage consultant who was involved in the independent verification process leading up to the 2013 extension, described the government's proposal dossier as 'extraordinary for a submission to the World Heritage Committee in the lack of information about World Heritage matters'.⁵

2.7 Several submissions urged this committee to obtain precise data on the areas within the Tasmanian Wilderness World Heritage Area that have been logged and their current state, including plans for rehabilitation.⁶ The Australian Network of Environmental Defender's Offices (ANEDO) noted that:

The failure to publicly release the details of the allegedly 'disturbed' areas, which the Australian government argues warrant the proposed modification, is unfortunate.⁷

2.8 Indeed, evidence to this inquiry revealed that the vast majority of the 74,000 hectares proposed for excision is in fact intact natural vegetation which is in no way degraded. Many argued more than 90 per cent of the excision area has high conservation values and has not been logged.⁸ As Mr Geoff Law observed on behalf of The Wilderness Society, 'the overwhelming majority of the area proposed for excision by the current government is ecologically intact natural vegetation'.⁹

3 See, for example, Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, pp 23–24; Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 13.

4 Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, pp 23–24.

5 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38. Note that the independent verification process is discussed further in the previous chapter and later in this chapter.

6 See, for example, Tasmania Conservation Trust, *Submission 11*, p. 2.

7 ANEDO, *Submission 17*, p. 15.

8 See, for example, Friends of the Earth, *Submission 7*, pp 1–2; Tasmanian Conservation Trust, *Submission 11*, p. 2; Tasmanian National Parks Association, *Submission 15*, p. 1; National Parks Australia Council, *Submission 21*, p. 1; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 3; Florentine Protection Society, *Submission 18*, p. 3; West Wellington Protection Group, *Submission 20*, p. 1; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, pp 6–7; Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38; Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 10.

9 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2.

2.9 The Wilderness Society, Australian Conservation Foundation (ACF) and Environment Tasmania submitted that within the 74,039 hectares proposed to be excised from the World Heritage Area:

- approximately 7,600 hectares had been logged post-1960 (or around 10 per cent of the proposed excision);
- approximately 30,000 hectares is old growth forest (around 40 per cent of the proposed excision); and
- almost all remaining vegetation consists of other natural vegetation such as buttongrass or other types of unlogged forest.¹⁰

2.10 They concluded that the claims about logged areas and plantations are 'grossly overstated' and 'blatantly misleading if not downright dishonest'.¹¹

2.11 Indeed, a number of other submitters and witnesses described the government's 2014 proposal as 'misleading' and 'incorrect'.¹² For example, Mr Geoff Law, a consultant for The Wilderness Society, expressed the view that:

The Australian government's claim that large areas of this proposed excision are degraded is grossly misleading. We believe that the government is being deceitful in pushing that argument out to the public. The figures show that it is only about 10 per cent of the area proposed for excision that has previously been logged, and the area of plantations is negligible.¹³

2.12 The Wilderness Society, ACF and Environment Tasmania cited the example of the area of the Upper Florentine Valley, where they claimed that the logged area comprises about one per cent of the excision, with old growth forest comprising over 50 per cent.¹⁴

2.13 Mr Sean Cadman, an environmental consultant, who had been involved in the independent verification process prior to the 2013 extension, advised that his work indicated that in the areas proposed for excision:

...the level of disturbance overall is low. Only four per cent of the area was identified as being heavily disturbed. The majority of the 7,300-odd hectares that have been logged since 1960 has recovered or is recovering... For all intents and purposes the areas proposed for retention and excision

10 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3, 5 and 14; see also Mr Sean Cadman, *Supplementary Submission 26*, pp 1–2.

11 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3 and 13.

12 See, for example, Huon Valley Environment Centre, *Submission 8*, p. 1; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 6; Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38.

13 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 6; see also Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38.

14 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3, 15–16.

are in similar condition and contain similar values. The most significant difference is the amount of potentially available timber in the areas proposed for excision compared to the areas proposed to be retained.¹⁵

2.14 In contrast, both the Tasmanian Special Timbers Alliance and Mr George Harris from the Huon Resource Development Group argued that other areas in the proposed excision, such as almost all of Recherche Bay, had been extensively and intensively logged.¹⁶

2.15 In order to establish the extent of disturbance in the proposed excision area, the committee wrote to Forestry Tasmania requesting further details as to the amount of old growth forest in the area proposed to be excised from the Tasmanian Wilderness World Heritage Area. Forestry Tasmania advised that the 'proposed excision area contains approximately 28,530 hectares of mapped old growth forest' – or around 38 per cent of the proposed excision area.¹⁷

2.16 The Department of the Environment confirmed, in response to the committee's questioning, that only four per cent of the 74,000 hectares could be described as heavily disturbed.¹⁸ However, they also advised that:

The degraded areas are not in a uniform and singular place within the area; they are scattered throughout it. The government is concerned that those areas together detract from the value of the property and has submitted an application for consideration by the World Heritage Committee that retains what we would call a sensible boundary that joins the pre-existing national parks onto the new World Heritage area and takes into account the values that exist across it.¹⁹

Degraded areas – plantations

2.17 In terms of plantations, the committee notes that 218 hectares of plantations were contained in the whole of the 2013 extension to the World Heritage Area. This was specifically stated in the information provided by the Australian Government to the World Heritage Committee in 2013:

Several existing plantations, covering 218 hectares, have been included in the proposed addition. These include young *Eucalyptus nitens*, a species introduced to Tasmania and therefore capable of invading and interbreeding with local Tasmanian eucalypt species. These plantations are a potential

15 Mr Sean Cadman, *Committee Hansard*, 31 March 2014, p. 39.

16 Mr George Harris, President, Huon Resource Development Group, *Committee Hansard*, 31 March 2014, p. 12; Tasmanian Special Timbers Alliance, *Submission 96*, p. 18.

17 Forestry Tasmania, *Answers to questions on notice*, dated 11 April 2014 and 7 May 2014; see also Mr Sean Cadman, *Supplementary Submission 26*, p. 1.

18 Dr Kimberly Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 21.

19 Dr Kimberly Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 22.

source of invasive species and consideration will be given to removal of trees to avoid seed dispersal. These sites are to be rehabilitated.²⁰

2.18 The precise area of plantations in the excision area was not spelled out in the Government's 2014 proposal to the World Heritage Committee. The only areas identified as containing plantations are the Styx-Tyenna area and the Florentine.²¹

2.19 Witnesses and submitters told the committee that the amount of plantation in the proposed excision area is 'negligible', or around 8–10 hectares of the 74,000 hectares proposed to be excised from the World Heritage Area.²²

2.20 The committee notes that, since the original extension contained 218 hectares of plantations, this means over 200 hectares of plantations will remain in the Tasmanian Wilderness World Heritage Area. As Mr Law observed:

The government's proposal, which is supposedly all about removing areas of unacceptable plantation within the World Heritage area, actually leaves other areas of plantation within the World Heritage area, some of which are undergoing rehabilitation...it certainly adds an element of inconsistency and ecological irrationality to the government's proposal.²³

2.21 In any case, it was suggested that any areas of plantation that are within the extension 'can be removed and rehabilitated'.²⁴ Indeed, the Department advised that government funding of \$1,237,500 over two years had been provided in July 2013 for work to restore former plantations back to native forests in the area.²⁵ A departmental representative advised that this rehabilitation work was being conducted in areas that are not proposed to be excised from the World Heritage Area.²⁶

Reasons for including 'degraded' areas

2.22 Many submitters and witnesses pointed out that the World Heritage Committee was well aware of the presence of these 'degraded' areas when it approved

20 Australian Government, *Tasmanian Wilderness World Heritage Area, Supplementary information to the proposal for a minor boundary modification*, 28 February 2013, p. 27.

21 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 6.

22 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 3; see also Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38; Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 10; ANEDO, *Submission 17*, p. 7, footnote 14; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2; Mr Sean Cadman, *Submission 26*, p. 3.

23 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 8.

24 See, for example, Tasmanian Conservation Trust, *Submission 11*, p. 2; see also Mr Peter Hitchcock AM, *Submission 25*, p. 7.

25 Department of the Environment, *Submission 14*, p. 4; see also Huon Valley Environment Centre, *Submission 8*, p. 3.

26 Ms Claire Howlett, Assistant Secretary, Biodiversity Policy Branch, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 30.

the 2013 extension, and that the Australian Government's 2013 submission had made it clear that some areas within the proposed modification had been logged and others contained plantations.²⁷ It was also noted that the extension was in response to a long history of requests by the World Heritage Committee as evidence of its willingness for these areas to be included.²⁸ For example, Mr Nick Sawyer, Secretary of the Tasmanian National Parks Association, observed that:

The World Heritage Committee was well aware of the existence of coops and plantations in the area of the 2013 extension at the time it was evaluated...So I find it extraordinary that they [the government] should now use the existence of these as an argument for reversing that nomination.²⁹

2.23 In addition, submitters commented that, in any case, under the World Heritage Convention and associated Operational Guidelines, World Heritage areas do not need to be 'pristine'.³⁰ While it was noted that the World Heritage Operational Guidelines require properties to meet the conditions of 'integrity',³¹ some submitters pointed out that the Operational Guidelines make it clear that 'integrity' does not require a complete absence of disturbance.³² The Operational Guidelines state:

For all properties nominated under criteria (vii) - (x), bio-physical processes and landform features should be relatively intact. However, it is recognized that no area is totally pristine and that all natural areas are in a dynamic state, and to some extent involve contact with people. Human activities,

-
- 27 See, for example, Friends of the Earth, *Submission 7*, p. 2; Tasmanian National Parks Association, *Submission 15*, p. 2; ANEDO, *Submission 17*, p. 9; Women's Forest Trust, *Submission 19*, p. 2; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3 and 11; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4; Mr Nick Sawyer, Secretary, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 29.
- 28 See, for example, Florentine Protection Society, *Submission 18*, p. 3; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 7–9; Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3; Mr Nick Sawyer, Secretary, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 29; Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 15; Mr Alec Marr, *Submission 106*, pp 1–2.
- 29 Mr Nick Sawyer, Secretary, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 29.
- 30 See, for example, Mr Peter Hitchcock AM, *Submission 25*, p. 8; Friends of the Earth, *Submission 7*, p. 2; Florentine Protection Society, *Submission 18*, p. 3; Tasmanian Conservation Trust, *Submission 11*, p. 2; Law Council of Australia, *Submission 27*, p. 10; Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, pp 23–24; ANEDO, *Submission 17*, p. 7.
- 31 Operational Guidelines, paragraph 78; see also, for example, Tasmanian Special Timbers Alliance, *Submission 96*, p. 16.
- 32 See, for example, ANEDO, *Submission 17*, p. 9; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 17; Law Council of Australia, *Submission 27*, p. 11.

including those of traditional societies and local communities, often occur in natural areas. These activities may be consistent with the Outstanding Universal Value of the area where they are ecologically sustainable.³³

2.24 Mr Adam Beeson from the EDO (Tasmania) explained further:

...the convention and the operational guidelines that are used to apply it are clear in that World Heritage areas do not have to be completely pristine. That is the case throughout a number of areas around the world and indeed in Tasmania. For example, in 2010 an area in Melaleuca was included within a World Heritage listing which had been extensively tin mined. It is a furphy to say that an area has to be completely pristine and untouched. It is also somewhat insulting to the Tasmanian Aboriginal community to an extent. It is a furphy to say that it has to be pristine and untouched in order to be included as a World Heritage area.³⁴

2.25 Several submitters and witnesses noted that there were good reasons for including the 'degraded' areas in the 2013 extensions, such as ecological connectivity and boundary integrity.³⁵ Indeed, many argued that the 2013 extension had contributed to a 'more rational and contiguous boundary' for the World Heritage Area.³⁶ Mr Vica Bayley, from The Wilderness Society, told the committee that:

Including some of those degraded areas, irrespective of the statistics, is a very deliberate and very conscious decision in order to deliver boundary integrity, sensible reserve design...and sensible long-term reserve management.³⁷

2.26 Similarly, Mr Sawyer of the Tasmanian National Parks Association observed that:

...boundary integrity is a practical consideration for drawing boundaries...The boundary of the World Heritage area, ever since it was first proclaimed, has always been something of a political compromise rather than being based on sound ecological parameters. The 2013 extensions may not have been perfect but they were a major step towards

33 Operational Guidelines, paragraph 90.

34 Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, p. 24.

35 See, for example, Mr Peter Hitchcock AM, *Submission 25*, pp 2, 6, 9; Mr Sean Cadman, *Submission 26*, p. 3; Professor Brendan Mackey, *Submission 9*, p. 3 and *Committee Hansard*, 6 May 2014, pp 10 and 15; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3 and 17.

36 Tasmanian Conservation Trust, *Submission 11*, p. 2; see also, for example, Mr Peter Hitchcock AM, *Submission 25*, p. 5; Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 10.

37 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3; see also The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 3; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2; Law Council of Australia, *Submission 27*, pp 11–12.

giving us a more ecologically sound boundary. The revocations are basically reversing this.³⁸

2.27 Other submissions emphasised the importance of the extension for connectivity of a corridor of tall eucalypt forests.³⁹ The Tasmanian National Parks Association pointed out that:

The whole is obviously greater than the sum of its parts and the tall eucalypt forests now included within the TWWHA [Tasmanian Wilderness World Heritage Area] form a near continuous connected ribbon of forest extending for more than 180 km. The global significance of a connected area of tall eucalypt forests, albeit involving some restoration, added a major new dimension to the TWWHA.⁴⁰

2.28 Mr Peter Hitchcock explained that the tall eucalypt forest in the Tasmanian Wilderness World Heritage Area:

...should not be seen as simply patches of different pieces of forest disjunct. They are in fact part of a continuum up the eastern boundary, which takes in the full altitudinal range, from near sea level at the bay to more than 1,000 metres in the Upper Derwent. It is a corridor of forest and you simply cannot take out pieces without having a serious impact on the integrity of those values, and that is what is being proposed.⁴¹

2.29 In response to questioning as to how the same data was used to draw up different boundaries, representatives of the Department of the Environment advised that 'there is a degree of subjectivity in the construction of boundaries around natural properties' and that the Department had attempted to 'map a boundary that assured connectivity between the existing protected areas' and that was 'practical in management terms'.⁴²

2.30 However, the Wilderness Society, ACF and Environment Tasmania argued, by way of example, that the excision proposal in Upper Florentine 'fails to consider boundary coherence, connectivity, habitat, cultural sites, karst or any other features in that critical valley'.⁴³

38 Mr Nick Sawyer, Secretary, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, pp 29–30.

39 See, for example, Tasmanian National Parks Association, *Submission 15*, p. 2; Huon Valley Environment Centre, *Submission 8*, p. 2; Mr Peter Hitchcock AM, *Submission 25*, p. 9 and *Committee Hansard*, 31 March 2014, p. 42.

40 Tasmanian National Parks Association, *Submission 15*, p. 2.

41 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 42.

42 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 19; Mr Stephen Oxley, First Assistant Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 19.

43 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 21.

Other features in 'degraded' areas

2.31 Submitters and witnesses noted that some of the previously logged areas to be excised from the Tasmanian Wilderness World Heritage Area contain other significant features which need to be taken into consideration. This included geomorphological features such as karst and cave systems, glacial landscapes, wildlife habitat as well as cultural heritage sites.⁴⁴

2.32 For example, the Tasmanian National Parks Association submitted that the other values in the area include:

...glacial and karst features, additional primitive flora and fauna groups, increased representation of endemic species within the TWWHA and addition of new species, and additional important habitat for threatened and rare species, including the Tasmanian devil, Spotted-tailed quoll and the Denison Rain Crayfish.⁴⁵

2.33 Dr Kevin Kiernan argued that the Tasmanian Wilderness World Heritage Area contains significant geomorphic features, and that the 2013 extension had increased 'the integrity of the geomorphic features'.⁴⁶ Indeed, he questioned the quality of technical advice behind the decision to propose revocation of certain areas from the Tasmanian Wilderness World Heritage Area:

...it would appear that an exclusively biocentric perspective has been adopted while overlooking the geodiversity and geoheritage values of areas contained within the areas involved and their relevance in terms of the World Heritage Operational Guidelines and Criteria.⁴⁷

2.34 Dr Kiernan gave the example of the Navarre Plains in the Upper Derwent area, describing their calibre as 'undoubtedly world heritage', as an area 'noteworthy for its glacial geomorphological phenomena'.⁴⁸ Noting that the boundary of this glacial feature had been 'chopped off', Dr Kiernan submitted that the proposed revocation of the Navarre Plains area:

...directly targets a site with very clearly demonstrable world heritage values from a geomorphological perspective. From the fact that revocation is proposed, I can only presume that the officials or politicians responsible for proposing revocation of this area either haven't properly investigated the

44 See, for example, The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 3; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2. Note that cultural heritage is discussed in the next chapter.

45 Tasmanian National Parks Association, *Submission 15*, p. 2.

46 Dr Kevin Kiernan, *Committee Hansard*, 31 March 2014, p. 31.

47 Dr Kevin Kiernan, *Submission 6*, p. 1.

48 Dr Kevin Kiernan, *Submission 6*, p. 8.

World Heritage values involved, haven't had sufficient expertise to recognise those values, or simply don't care.⁴⁹

2.35 Dr Kiernan's view was supported by other witnesses. Mr Hitchcock, for example, told the committee that the areas proposed for delisting contain:

...numerous important attributes and values that make important contributions to the integrity of the outstanding universal values which make up the World Heritage area. It is not just the very important tall eucalypt forests—because they have been front and centre of the whole exercise—but a range of other important features, such as karsts, caves, glacial features, threatened species and threatened communities.⁵⁰

2.36 Mr Geoff Law for The Wilderness Society explained that:

...when it comes to glacial landscapes...the fact that there has been some logging in some of the forests on the landscape, is neither here nor there ...other than to say it is necessary to rehabilitate them for the future integrity of the area.⁵¹

2.37 The Wilderness Society, ACF and Environment Tasmania also noted that:

...the inclusion, protection and rehabilitation of previously logged areas within crucial parts of the hydrological system is essential to safeguard the natural processes that create and maintain caves, cave decorations and other karst features. For this reason, several logged and recovering areas in the Florentine and Tyenna valleys are within the World Heritage property because they are part of the outstanding Junee-Florentine karst system.⁵²

2.38 A representative of the Department of the Environment advised that other features were considered in developing the dossier for the 2014 request for a minor boundary modification:

In developing the dossier for the request for a minor boundary modification, ...consideration was given to both maintaining connectivity and retaining areas with important values, such as habitat for threatened species, cultural sites, karsts or other features that contribute to the outstanding universal value of the property.⁵³

2.39 The process followed by the Department in preparing the 2014 boundary modification proposal is discussed in further detail in the next chapter.

49 Dr Kevin Kiernan, *Submission 6*, pp 4 and 8; also Dr Kevin Kiernan, *Committee Hansard*, 31 March 2014, pp 31 and 35; see also The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 18.

50 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38.

51 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2.

52 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 18.

53 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 18.

Rehabilitation of 'degraded' areas

2.40 As noted earlier in the context of plantations, the potential for rehabilitation of degraded areas was also raised during the committee's inquiry. The committee was told that the World Heritage Convention recognises, provides for and, indeed, imposes a duty to rehabilitate World Heritage.⁵⁴ For example, ANEDO stated that the World Heritage Convention 'clearly envisages the inclusion of areas with natural values, which require rehabilitation or active management'.⁵⁵

2.41 The Tasmanian Conservation Trust argued that the 'degraded' areas could be rehabilitated and this would enhance the world heritage values of the whole area:

Contrary to claims made by the Australian Government, the retention and rehabilitation of areas affected by logging will result in the best outcome for the values within those areas, areas immediately surrounding them and for the entire TWWHA.⁵⁶

2.42 Mr Peter Hitchcock expressed the view that the majority of degraded areas included in the June 2013 extension 'are capable of rapid natural rehabilitation with minimal intervention'.⁵⁷

2.43 The Tasmanian National Parks Association pointed out that:

Past logging practices may add to a perception of loss of value greater than is actually the case. A not uncommon practice, and one used overseas, known as strategic logging is to first log the upper reaches of a valley so as to claim that the values of the whole valley have been diminished. Where this has occurred, such practices should not be rewarded. This would be akin to punching a small hole in the Mona Lisa and then claiming the whole picture has been destroyed. Obviously we would repair the picture, just as we can with the valley.⁵⁸

2.44 Several submitters cited examples of areas added to the Tasmanian Wilderness World Heritage Area in the past which had undergone rehabilitation. The addition of the Melaleuca-Cox Bight area, which had been the subject of mining activities in 2012 was provided as evidence of the World Heritage Committee's

54 ANEDO, *Submission 17*, p. 8; National Parks Australia Council, *Submission 21*, p. 2; Tasmanian National Parks Association, *Submission 15*, p. 2; Law Council of Australia, *Submission 27*, p. 10; Huon Valley Environment Centre, *Submission 8*, pp 2 and 7; Florentine Protection Society, *Submission 18*, p. 3; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2; Mr Nick Sawyer, Secretary, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 29; Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 50; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 17–19.

55 ANEDO, *Submission 17*, p. 7.

56 Tasmanian Conservation Trust, *Submission 11*, p. 2.

57 Mr Peter Hitchcock AM, *Submission 25*, p. 2; see also The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3–4.

58 Tasmanian National Parks Association, *Submission 15*, p. 2.

willingness to include disturbed areas within a World Heritage boundary and, indeed, in the Tasmanian Wilderness World Heritage Area.⁵⁹

2.45 Dr Kevin Kiernan pointed to the example of Exit Cave, where quarrying of limestone had occurred in the past. The area was added to the Tasmanian Wilderness World Heritage Area in 1989 and rehabilitated with 'good results'. Dr Kiernan submitted that 'rehabilitation of areas that have simply been logged is a far less complicated matter'.⁶⁰

2.46 Mr Geoff Law, for The Wilderness Society, commented that there are also examples from other World Heritage areas where degraded areas had been included:

...the basic premise that a World Heritage area cannot contain some areas that have previously been degraded and which are being subject to rehabilitation is fatally flawed...there are many World Heritage areas around the world which contain forests that were damaged prior to their inscription.⁶¹

2.47 Several submitters noted that a large part of the World Heritage listed California Redwood Forests had been logged prior to listing, and were being rehabilitated. Mr Law explained that these 'the inclusion of these [logged] areas was accepted because they were essential for proper catchment management'.⁶² He also noted that, in the context of the Tasmanian Wilderness World Heritage Area extension:

Rehabilitating those small logged areas within those ancient landscapes is absolutely critical to protecting the integrity of landscapes that have been created by the action of glaciers or which have been created by the action of water making its way through soluble rocks such as dolomite and limestone. The protection of those catchments is absolutely critical to the integrity and establishment of long-term viable boundaries for the Tasmanian wilderness World Heritage area.⁶³

59 Tasmania Conservation Trust, *Submission 11*, p. 2; ANEDO, *Submission 17*, p. 10; Tasmanian National Parks Association, *Submission 15*, p. 2; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 19; Law Council of Australia, *Submission 27*, p. 12.

60 Dr Kevin Kiernan, *Submission 6*, p. 7; see also Dr Kevin Kiernan, *Committee Hansard*, 31 March 2014, p. 33; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 19.

61 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2.

62 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 2; see also Friends of the Earth, *Submission 7*, p. 8; Tasmanian National Parks Association, *Submission 15*, p. 2; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 3, 14, 19–21.

63 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 7.

Objections from adjoining landholders and communities

2.48 As noted in Chapter 1, another justification put forward in the 2014 boundary modification proposal is a concern that:

...when taking its decision in June 2013, the World Heritage Committee was not fully aware that a number of communities and landholders whose properties adjoin the revised boundary did not support the extension and did not consider they had adequate opportunity to comment on the proposed change.⁶⁴

2.49 However, ANEDO noted that little information had been provided on these objections:

The facts behind the argument that adjoining landholders were not supportive of the 2013 Extension are not provided in the 2014 Proposal. The 2014 Proposal gives no particulars of the landholders; where their properties are situated or why they were unsupportive.⁶⁵

2.50 Some groups, such as the Huon Resource Development Group, told the committee that they had put in a letter of objection to the World Heritage Centre but that no response had been received.⁶⁶

2.51 In response to the committee's questioning as to the number of landholders that had objected to the extension, the Department of the Environment advised that it was a 'relatively small number of landholders'.⁶⁷

2.52 It was noted in other evidence that the major adjacent landowner for the overwhelming majority of the boundary is actually Forestry Tasmania, which supported the 2013 minor modification. For example, The Wilderness Society, ACF and Environment Tasmania submitted that:

Only a small proportion of the proposed excisions adjoin private land (parts of Great Western Tiers, Central Plateau, Mersey and Dove River). The vast majority of the proposed excisions adjoin other public land, predominantly State forest managed by Forestry Tasmania. Forestry Tasmania has supported the Tasmanian Forest Agreement, which gave rise to the 2013 World Heritage minor modification...⁶⁸

64 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 5.

65 ANEDO, *Submission 17*, p. 5.

66 Mr George Harris, President, Huon Resource Development Group, *Committee Hansard*, 31 March 2014, p. 11; see also, for example, Ms Alison Carmichael, Institute of Foresters Australia, *Committee Hansard*, 6 May 2014, p. 1; Tasmanian Special Timbers Alliance, *Submission 96*, p. 20.

67 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 18; see also Department of the Environment, *Answers to questions on notice*, dated 13 May 2014, p. 1; and Mr Sean Cadman, *Committee Hansard*, 31 March 2014, p. 44.

68 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 26; see also Mr Sean Cadman, *Committee Hansard*, 31 March 2014, p. 44; ANEDO, *Submission 17*, p. 5.

2.53 In addition, as ANEDO observed, it is 'clear from the IUCN report into the 2013 extension, that objections to that modification were received and considered'.⁶⁹ The committee notes that the IUCN Evaluation Report stated that:

IUCN has taken note that some letters of objection were received by the World Heritage Centre to the nomination, and that a reply to the points raised has been provided to the World Heritage Centre by the State Party.⁷⁰

2.54 However, some submitters and witnesses expressed concern about the adequacy of consultation during the process leading up to the 2013 listing. Indeed, of the submissions which supported the proposed excision, one of the key reasons put forward was criticism of, and concerns about, the process leading up to the 2013 listing. This included concerns about the independent verification process and the Tasmanian Forest Agreement, such as the adequacy of consultation and socioeconomic impact assessments.⁷¹ As a result of these concerns, some submitters called for the entire 2013 extension to be withdrawn or reviewed.⁷²

2.55 For example, Mr Andrew Denman of the Tasmanian Special Timbers Alliance argued that these processes were 'not inclusive of our sector nor many other sectors in the Tasmanian economy'.⁷³ Mr Denman told the committee that 'the areas that were included in the 2013 extension actually took a substantial portion of the specialty timber resource in Tasmania'.⁷⁴ He further argued that the 2013 extension breached Federal Government obligations under the 1997 Tasmanian Regional Forest Agreement, which required 'full consideration' of the 'potential social and economic

69 ANEDO, *Submission 17*, p. 5.

70 IUCN, *IUCN Evaluations of Nominations of Natural and Mixed Properties to the World Heritage List - IUCN Report for the World Heritage Committee, 37th Session Phnom Penh, Cambodia, 16 - 27 June 2013*, p. 3. WHC-13/37.COM/INF.8B2.Add. <http://whc.unesco.org/archive/2013/whc13-37com-8B2inf-Add-en.pdf> (accessed 1 May 2014).

71 See, for example, Tasmanian Special Timbers Alliance, *Submission 96*, pp 2–12, 21; Mr Andrew Denman, Spokesman, Tasmanian Special Timbers Alliance, *Committee Hansard*, 31 March 2014, pp 16–17; Huon Resource Development Group, *Submission 31*, p. 2; Mr George Harris, President, Huon Resource Development Group, *Committee Hansard*, 31 March 2014, p. 10; Mr Alan Duggan AM, Committee Member, Huon Resource Development Group, *Committee Hansard*, 31 March 2014, p. 13; Institute of Foresters Australia, *Submission 34*, pp 1–2; Ms Alison Carmichael, Chief Executive Officer, Institute of Foresters Australia, *Committee Hansard*, 6 May 2014, pp 1–2; Tasmanian Farmers and Graziers Association, *Submission 13*, pp 4–5; Meander Liffey Resource Management Group, *Submission 33*, p. 2; The Hon Greg Hall MLC, *Submission 114*, pp 1–2.

72 See, for example, Institute of Foresters Australia, *Submission 34*, p. 1; Mr George Harris, President, Huon Resource Development Group, *Committee Hansard*, 31 March 2014, p. 10; Tasmanian Special Timbers Alliance, *Submission 96*, p. 21; Ms Alison Carmichael, Chief Executive Officer, Institute of Foresters Australia, *Committee Hansard*, 6 May 2014, p. 2.

73 Mr Andrew Denman, Spokesman, Tasmanian Special Timbers Alliance, *Committee Hansard*, 31 March 2014, p. 16.

74 Mr Andrew Denman, Spokesman, Tasmanian Special Timbers Alliance, *Committee Hansard*, 31 March 2014, p. 17.

consequences of any World Heritage nomination of places in Tasmania and that any such nomination will only occur after the fullest consultation'.⁷⁵

2.56 The Tasmanian Farmers and Graziers Association were similarly concerned that private landowners were excluded from the Tasmanian Forest Agreement process which led to the boundary extension.⁷⁶ The Association also pointed to the lack of information provided to landholders whose properties might be affected:

The failure to undertake a simple communication process with landowners underscores the greater failure of the World Heritage Extension process and, more broadly, the Tasmanian Forest Agreement in garnering broad community support.⁷⁷

2.57 The Tasmanian Farmers and Graziers Association concluded that:

...there has been a critical failure in not only engaging with the community but in providing adequate and relevant information to those most impacted. Ultimately, this has contributed to a feeling of distrust and suspicion about the process and its authenticity.⁷⁸

2.58 However, the committee received evidence which expressed support for, and confidence in, the 2013 process, including the Tasmanian Forest Agreement and the independent verification process leading up to the World Heritage nomination.⁷⁹ For example, the Florentine Protection Society claimed that, as a result of the independent verification process and Tasmanian Forest Agreement:

...the world heritage values of the 2013 extension forests are widely recognised and their inclusion in the TWWHA is supported by broad sections of the Tasmanian community, including the majority of the forest industry.⁸⁰

2.59 Indeed, the committee heard from a number of witnesses who were involved in the Independent Verification Group (IVG) process.⁸¹ One member of the IVG, Professor Brendan Mackey, told the committee that the IVG undertook 'the most

75 Mr Andrew Denman, Spokesman, Tasmanian Special Timbers Alliance, *Committee Hansard*, 31 March 2014, p. 16; see also Ms Alison Carmichael, Chief Executive Officer, Institute of Foresters, *Committee Hansard*, 6 May 2014, p. 2.

76 Tasmanian Farmers and Graziers Association, *Submission 13*, p. 4.

77 Tasmanian Farmers and Graziers Association, *Submission 13*, p. 5.

78 Tasmanian Farmers and Graziers Association, *Submission 13*, p. 5.

79 See, for example, Florentine Protection Society, *Submission 18*, pp 2–3; Friends of the Great Western Tiers, *Submission 32*, pp 1–2; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 9–10; Friends of the Earth, *Submission 7*, p. 3.

80 Florentine Protection Society, *Submission 18*, pp 2–3.

81 For example, Professor Brendan Mackey, *Submission 9* and *Committee Hansard*, 6 May 2014, pp 9–16; Mr Peter Matthews, *Submission 16* and *Committee Hansard*, 6 May 2014, pp 9–16; Mr Peter Hitchcock AM, *Submission 25* and *Committee Hansard*, 31 March 2014, pp 38–46; Mr Sean Cadman, *Submission 26* and *Committee Hansard*, 31 March 2014, pp 38–46.

comprehensive, regional-scaled environment and heritage forest evaluation ever undertaken in Australia' and that:

Our approach was thoroughly reviewed by the reference group of signatory representatives and also by expert peer review...⁸²

2.60 Professor Mackey expressed the view that the Government's 2013 proposal:

...was based on a detailed examination of each relevant forest block in terms of OUV and integrity, connectivity and restoration context and in my professional opinion was a first class proposal that is consistent with the evidence and conclusions of the IVG.⁸³

2.61 The committee also received evidence from Mr Peter Matthews, the project manager for the IVG. Mr Matthews explained that the IVG 'conducted a lot of research over five months'. Their work included meetings and consultation with a signatories reference group, which 'covered the spectrum of parties ranging from forestry through to conservation'. He also stated that the research and verification work was undertaken independently 'without any political interference or any cross-sector interference', and that it was a 'very transparent process'—all the work and reports were made publicly available.⁸⁴

2.62 In response to the committee's questioning, a representative of the Department of the Environment acknowledged that 'the 2013 independent verification process was extremely detailed' and 'thorough'.⁸⁵

Social and economic outcomes

2.63 The final rationale in the Government's 2014 boundary modification proposal is encompassed in the statement that the proposal 'will deliver additional economic and social outcomes' and that:

The Australian Government believes there should be a long term sustainable forest industry in Tasmania. The proposed amendment to the World Heritage Area boundary extension will assist the long term viability of the special species timber sector and local communities...⁸⁶

2.64 The intention to log the delisted areas appears to be confirmed from the evidence received by the committee. A departmental representative confirmed that the new Tasmanian Government has indicated that, if the land is excised from the World

82 Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 10; see also Mr Peter Matthews, *Committee Hansard*, 6 May 2014, p. 13.

83 Professor Brendan Mackey, *Submission 9*, p. 4.

84 Mr Peter Matthews, *Committee Hansard*, 6 May 2014, pp 9–10.

85 Department of the Environment, *Committee Hansard*, 6 May 2014, p. 20.

86 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, pp 8–9.

Heritage area, it is proposed to 'be added to the Future Potential Production Forest zone'.⁸⁷

2.65 Many submitters expressed the view that providing access to the delisted areas for forestry-related activities is the Government's main reason for removing the areas from the Tasmanian Wilderness World Heritage Area.⁸⁸ Mr Bayley from The Wilderness Society was concerned that the proposal:

...is deeply political and ideological in its motivations and is explicitly driven by a policy to open up this area for logging. It appears to have absolutely no appreciation for World Heritage criteria or processes and certainly shows a deep lack of respect for the World Heritage Convention.⁸⁹

2.66 The Wilderness Society, ACF and Environment Tasmania argued that the proposal 'arises—at least partly—from a political commitment to the logging industry'.⁹⁰

2.67 The committee notes that, during the 2013 federal election campaign, the Coalition stated that it would seek to have the World Heritage extension removed.⁹¹ The Department of the Environment's evidence indicated that the starting premise of the boundary modification proposal was indeed the election commitment made by the Coalition in 2013 to seek a reduction in the World Heritage boundary.⁹²

Impact on the Tasmanian Forest Agreement

2.68 Some submitters also expressed concern the proposed revocation will undermine the Tasmanian Forest Agreement.⁹³ The committee heard from some witnesses and submitters that the Tasmanian Forest Agreement and resultant World Heritage extension had resolved decades of conflict in Tasmania over the area. For

87 Mr Stephen Oxley, First Assistant Secretary, Wildlife, Heritage and Marine Division, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 26.

88 See, for example, The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 2, 21 and 26; Florentine Protection Society, *Submission 18*, p. 3; Markets for Change, *Submission 30*, p. 3; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 7; Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 48.

89 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, pp 1–2.

90 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 26.

91 *The Coalition's Economic Growth Plan for Tasmania*, p. 18, [http://lpaweb-static.s3.amazonaws.com/The%20Coalition%E2%80%99s%20Economic%20Growth%20Plan%20for%20Tasmania .pdf](http://lpaweb-static.s3.amazonaws.com/The%20Coalition%E2%80%99s%20Economic%20Growth%20Plan%20for%20Tasmania.pdf) (accessed 25 March 2014).

92 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 20.

93 West Wellington Protection Group, *Submission 20*, p. 1; Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4; Florentine Protection Society, *Submission 18*, p. 4. Note, however, the discussion earlier in this chapter that some submitters and witnesses had expressed concerns about the TFA processes.

example, Mr Bayley from The Wilderness Society argued that the World Heritage extension:

...resolved 30 years worth of community, scientific and indeed committee conflict over the placement of the eastern and northern boundary of the World Heritage area.⁹⁴

2.69 The West Wellington Protection Group agreed:

...the 2013 additions to the Tasmanian WHA [World Heritage Area] were drawn up as an integral part of an over-arching agreement between broad, representative swathes of both the forestry sector and that of conservationists. This agreement represents an historical compromise between two factions that have been in conflict for generations... To wind back on the WHA extensions in 2014 would jeopardise the compromise reached and negate the years of negotiations that took place to reach this point. It would also be a betrayal and a breach of trust...⁹⁵

2.70 Mr Bayley from The Wilderness Society explained that the proposed excision 'strikes at the heart of the conservation deliverables from the Tasmanian Forest Agreement'.⁹⁶ He continued that the proposal jeopardises a 'whole range of outcomes that are on offer for Tasmania by the Tasmanian Forests Agreement', including investor and market confidence in the Tasmanian forest industry.⁹⁷ However, the committee notes that newly elected Tasmanian Government has in any case indicated its intention to repeal the Tasmanian Forest Agreement.⁹⁸

2.71 The committee notes that some of the key signatories to the Tasmanian Forest Agreement, including forest industry groups such as the Forest Industries Association of Tasmania, have expressed concern in the media about the proposed revocation and its impact on the industry.⁹⁹ Unfortunately, they did not provide evidence to this inquiry, despite the committee's repeated invitations.

94 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 1.

95 West Wellington Protection Group, *Submission 20*, p. 1.

96 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4.

97 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4.

98 Zoe Edwards, 'Protected forests to be opened up for logging in Tasmania as peace deal dismantled', ABC News, 8 April 2014, <http://www.abc.net.au/news/2014-04-08/liberals-to-detail-plan-to-dismantle-forestry-peace-deal/5374746> (accessed 10 April 2014).

99 See, for example, Jane Calvert 'Saturday soapbox: 'Old thinking' will cost Tasmanian jobs', *The Mercury*, 22 March 2014, p. 36; Jamie Walker, 'Forest foes find common enemy in Abbott', *The Australian*, 6 December 2013, p. 1. See also Tasmanian National Parks Association, *Submission 15*, p. 3.

Impact on the forestry industry

2.72 Submitters and witnesses also cautioned that the proposed delisting could actually be detrimental to the Tasmanian forestry industry, the very industry it aims to benefit. For example, The Florentine Protection Society submitted that:

...the request for delisting is based on a spurious assumption that by releasing wood back to the forestry industry this will somehow revive the unsustainable forestry industry in Tasmania.¹⁰⁰

2.73 Markets for Change similarly warned against the assumption that excising the area and opening it up for logging would benefit the forest industry:

...wood product arising from forests delisted from the Tasmanian Wilderness World Heritage Area, should such a delisting proceed, will be unacceptable in the markets. Delisting would also tarnish the reputation of wood supply from Tasmania more generally due to a sense that environmental protections are subject to reversal in this jurisdiction and that Australia does not respect World Heritage obligations. It would not only be an environmentally irresponsible course of action to proceed with the application to delist the forests, it would be counter-productive to efforts to stabilise the industry and its markets.¹⁰¹

2.74 A particular concern was expressed about access to Forest Stewardship Council certification for Tasmanian forest products. It was argued that the Government's proposal would ultimately jeopardise this certification and thus market demand for Tasmanian forest products.¹⁰² As Mr Tom Baxter observed, the problem for most of the Tasmanian forestry industry is 'no longer a supply-side one'. Rather, customers are demanding Forest Stewardship Council certification. He stated:

The problem is really a demand driven one and that Forest Stewardship Council certification that customers are now demanding...there is nothing more certain to scare customers away from Tasmanian forest products than the delisting of areas that are currently in the Tasmanian Wilderness World Heritage area and the starting up of logging there. That is going to send an appalling message internationally to the markets who are looking for...controversy-free timber.¹⁰³

100 Florentine Protection Society, *Submission 18*, p. 4.

101 Markets for Change, *Submission 30*, p. 3; see also Mr Alec Marr, *Submission 106*, p. 4.

102 See, for example, Tasmanian National Parks Association, *Submission 15*, p. 3; Australian Plants Society Tasmania, Hobart Group, *Submission 28*, pp 1–2; Florentine Protection Society, *Submission 18*, p. 4; also Jamie Walker, 'Forest foes find common enemy in Abbott', *The Australian*, 6 December 2013, p. 1.

103 Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 50 and *Submission 105*, p. 5; see also Markets for Change, *Submission 30*, pp 1–2.

2.75 At the same time, the committee heard that the impact of the 2013 World Heritage extension on the special timbers industry and related communities has been 'devastating'.¹⁰⁴ The Tasmanian Special Timbers Alliance explained that:

Special timbers are named as such because they are truly special not only to the manufacturers and end users but because of the physical properties they contain. The majority of these timbers are slow grown and in many cases take a minimum of 200-400 years to reach commercial maturity. Species such as Celery Top Pine, Black Heart Sassafras, Myrtle, Silver Wattle and Blackwood are still commercially harvested and our other most highly valued special timbers Huon pine and King Billy pine are still available in limited quantities from salvage operations but have not been harvested commercially for decades.

The common link to all these species is that they generally come from Tasmania's old growth rainforest areas...¹⁰⁵

2.76 The Tasmanian Special Timbers Alliance submitted that, prior to the Tasmanian Forest Agreement, Forestry Tasmania's 2010 *Special Timbers Strategy* had set aside '97,300ha of specialty timber rich areas'. The Alliance submitted that:

...15,600ha of this 97,300ha, including some of the best stands of non-blackwood special timbers, were reserved in the 2013 TWWHA extension. Our sector had requested that these areas not be included in the TWWHA as no wood resource supply scenarios had been conducted for special timbers during the IVG process.¹⁰⁶

2.77 The Tasmanian Special Timbers Alliance further noted that the problem was compounded because 'other large tracts of significant special timber resource were reserved under the TFA [Tasmanian Forest Agreement]'.¹⁰⁷

2.78 However, Mr Bayley from The Wilderness Society argued that the specialty timber sector 'can be accommodated within the areas that have been very specifically and very deliberately set aside for specialty timber harvest'.¹⁰⁸

2.79 The Tasmanian Special Timbers Alliance responded to this argument and noted that the Speciality Craft Timber Zone (SCTZ), which was 'meant to be the major supply area of special timbers' under the Tasmanian Forest Agreement, 'was

104 Mr George Harris, President, Huon Resource Development Group, *Committee Hansard*, 31 March 2014, p. 12.

105 Tasmanian Special Timbers Alliance, *Submission 96*, p. 2.

106 Tasmanian Special Timbers Alliance, *Submission 96*, p. 10; see also Forestry Tasmania, *Special Timbers Strategy*, February 2010, <http://www.forestrytas.com.au/uploads/File/pdf/pdf2010/special%20timbers%20strategy%20ssml.pdf> (accessed 8 May 2014).

107 Tasmanian Special Timbers Alliance, *Submission 96*, p. 11.

108 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 6; see also Tasmanian Government, *Special Species*, <http://www.forestsagreement.tas.gov.au/supporting-our-industry/special-species/> (accessed 8 May 2014).

chosen by ENGO [environmental non-government organisation] Signatories without any input from the special timber sector'. The Alliance raised concerns that the areas set aside contain 'little in the way of speciality timbers for the industry'.¹⁰⁹ The Tasmanian Special Timbers Alliance explained that:

If the SCTZ, at 37,954ha, was largely made up of high quality specialty timber areas then the industry was looking at a 40-50% reduction in available special timber harvest areas. Now that the SCTZ has been proven to consist of very poor quality and unsuitable special timber areas...this figure would be around an 80% reduction in available areas for non-blackwood special species harvesting – a shocking outcome for the industry.¹¹⁰

2.80 The committee further notes that a Special Timbers Management Plan was to have been prepared under the Tasmanian Forest Agreement.¹¹¹ However, the committee received little evidence on this and is unclear as to the status of this plan.

2.81 The committee also heard evidence that the World Heritage listing would not necessarily preclude access to the area by the special timber industry. Mr Tom Baxter told the committee that:

If the specialist species industry believe they can extract their wood without having a significant impact and can do it consistently with the World Heritage Convention then legally under Australian law it could occur at the moment. We do not need to be seeking a delisting...¹¹²

Other social and economic impacts

2.82 Submitters also expressed concern about the proposed excision and its impact on other sectors of the Tasmanian economy, in particular, on the tourism industry.¹¹³ For example, Mr Peter Hitchcock noted that the World Heritage Convention requires parties:

...to provide opportunities for people to appreciate a World Heritage area. Some of the areas that have been proposed for delisting I would regard as being prime examples of opportunities for nature based tourism...In particular, the Upper Florentine, the Weld, Mount Wedge and, especially, the Navarre Plain, are all areas which—because they are on the eastern side of the World Heritage area and are already accessible from Hobart—would be opportunities foregone. In the case of the Upper Florentine there are

109 Tasmanian Special Timbers Alliance, *Submission 96*, p. 4 and see further pp 5–9.

110 Tasmanian Special Timbers Alliance, *Submission 96*, p. 11.

111 Tasmanian Government, *Special Species*, <http://www.forestsagreement.tas.gov.au/supporting-our-industry/special-species/> (accessed 8 May 2014).

112 Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 49.

113 See, for example, Friends of the Earth, *Submission 7*, p. 2; Tasmanian National Parks Association, *Submission 15*, p. 3; Florentine Protection Society, *Submission 18*, p. 2; West Wellington Protection Group, *Submission 20*, p. 2; Dr Kevin Kiernan, *Committee Hansard*, 31 March 2014, p. 37.

already world-famous walking tracks through the area that is proposed to be delisted.¹¹⁴

2.83 The Tasmanian National Parks Association observed that 'the outstanding natural and cultural values currently protected within Tasmania's national parks and WHA are one of the central tenets of Brand Tasmania'. TNPA were concerned that the proposed delisting, and any subsequent logging, could result in a World Heritage 'in danger' listing which could be a 'disaster' for the Tasmanian tourism industry.¹¹⁵

114 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 39.

115 Tasmanian National Parks Association, *Submission 15*, p. 3.

Chapter 3

Other key issues

Introduction

3.1 This chapter examines other key issues raised in evidence to the inquiry, including:

- the process followed for the 2014 modification;
- cultural heritage issues;
- the potential impacts of the excision proposal; and
- the possible international reaction to the proposal, including the World Heritage Committee's likely response.

Process followed for the 2014 modification

3.2 As noted in the previous chapter, the Department of the Environment's evidence made clear that the starting premise for the boundary modification proposal was the commitment made by the coalition during the 2013 federal election campaign to seek a reduction in the World Heritage boundary.¹

3.3 The Department of the Environment advised that it was asked to undertake a review of the 2013 extension after the Minister wrote to the Chair of the World Heritage Committee on 18 December 2013. The Minister requested the Department of the Environment to prepare the minor boundary modification for submission to the World Heritage Centre by 31 January 2014.²

3.4 In response to the committee's questioning on this issue, the Department of the Environment indicated that it was given only a few weeks to prepare the dossier provided to the World Heritage Committee:

In early January 2014, departmental staff met with the Minister for the Environment, the Hon Greg Hunt MP to discuss principles for preparing the first draft of the minor boundary modification. The first draft map of the proposed excisions was prepared by the Department following this meeting and provided to the Minister on 21 January 2014. The final map was provided on 29 January 2014.³

3.5 The Department also advised that it:

...consulted with the Department of Agriculture in relation to data. The Department and the Department of Agriculture also sought information from the Tasmanian Government. Beyond this, the review was largely

1 Dr Kimberley Dripps, Deputy Secretary, *Committee Hansard*, 6 May 2014, p. 20.

2 Department of the Environment *Submission 14*, p. 3.

3 Department of the Environment, *Response to written questions taken on notice*, 7 March 2014, p. 1.

informed by information that the Department already had access to including composite aerial photographs and other remotely sensed imagery, and data publicly available from the Tasmanian Government.⁴

3.6 The Department advised that 'a range of factors were considered in preparing the minor boundary modification proposal to meet the Government's election commitment'. The Department indicated that this included:

- a review of the world heritage values;
- use of available maps and data to identify areas within the extension that clearly show signs of previous disturbance from forestry activities;
- the need to create a coherent and sensible management boundary;
- connectivity between the property and national parks or other formal reserves that existed prior to June 2013; and
- the retention of as much tall wet eucalypt forest, giant trees and habitat for nationally listed threatened species as possible while also providing access for improved economic returns for Tasmania.⁵

3.7 In terms of consultation processes and expert advice on the proposal, the Department of the Environment advised that:

Departmental staff provided advice on the values and the requirements for the Australian government's submission. No independent scientific or heritage expert peer review was undertaken.⁶

3.8 A departmental representative added that:

...the consultation with the community around the government's election commitment was undertaken by members of the now government during the election campaign. The department did not add to that consultation between the period of being asked to prepare the dossier and its submission at the end of January.⁷

3.9 The Department also advised that it 'did not undertake any field visits as part of preparing the revised boundary modification requests', and nor did it have access to Forestry Tasmania's coupe data.⁸

3.10 During the committee's Canberra hearing, the Department of Agriculture advised that it had provided data to the Department of the Environment on the

4 Department of the Environment, *Submission 14*, p. 3; see also Dr Kimberley Dripps, Deputy Secretary, *Committee Hansard*, 6 May 2014, p. 24.

5 Department of the Environment, *Submission 14*, pp 3–4.

6 Department of the Environment, *Response to written questions taken on notice*, 7 March 2014, p. 4.

7 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 18.

8 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 24.

distribution of plantations, and also data relating to special species timber resources.⁹ In response to the committee's questioning as to the need for the data relating to special species timber, the Department of the Environment advised:

In advising the government on the possible options that might be available for a minor boundary modification, we wanted to take into account the potential alternative uses that had raised concern in Tasmania, and so we used all of the available data layers that we had. The process of reserve boundary design often involves overlaying competing issues...¹⁰

3.11 However, several submitters and witnesses queried the adequacy of this process. Concern was expressed that the 2014 proposal 'has not been through any consultation process whatsoever'.¹¹ It was also suggested that the motivation for the proposal was purely political and not based on scientific evidence nor world heritage criteria and values.¹² In their joint submission, The Wilderness Society, ACF and Environment Tasmania submitted that the 2014 proposal fails to identify or address the Outstanding Universal Values affected by the proposed excision and is 'demonstrably flawed in its arguments, lacks genuine evidence and supportive information and is politically motivated'.¹³

3.12 Indeed, the process for the proposed 2014 modification was contrasted by some with the process leading up to the 2013 listing, as discussed in the previous chapter.¹⁴ For example, the Wilderness Society, ACF and Environment Tasmania submitted that the 2014 minor boundary modification proposal:

...provides a stark contrast to the comprehensive and persuasive arguments of 2013. Very little real information is provided. The claim that the areas proposed for excision 'contain logged/degraded' areas is used *ad nauseum* as a one-size-fits-all argument irrespective of context or validity. No statistics or maps pertaining to the 'logged/degraded areas' are provided. No arguments of substance are advanced. Key issues are ignored. No back-up materials in the form of references, illustrations or appendices are provided.

9 Mr Mark Tucker, Deputy Secretary, Department of Agriculture, *Committee Hansard*, 6 May 2014, p. 25.

10 Dr Kimberley Dripps, Deputy Secretary, *Committee Hansard*, 6 May 2014, p. 25.

11 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 6.

12 See, for example, Florentine Protection Society, *Submission 18*, p. 3; Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, pp 1–2; Mr Alec Marr, *Submission 106*, p. 3.

13 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 1; see also Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, pp 1–2.

14 See, for example, Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, pp 1 and 6.

It is devoid of references to past requests made by the World Heritage Committee with respect to the Tasmanian Wilderness.¹⁵

3.13 Ms Anne McConnell, Vice-President of the Tasmanian National Parks Association, similarly told the committee of the Association's concern:

...that the proposal for withdrawing some of those areas does not seem to have gone into a lot of detail on what the existing values in those areas are and what will be lost and what will not be lost.¹⁶

3.14 In same vein, Australian ICOMOS submitted that it is:

...alarmed that this proposal by the Australian Government fails to respect that due process was followed by the World Heritage Committee and that Outstanding Universal Value has been established as the prerequisite for the decision to support the 2013 Boundary Modification. We hence query how the Australian government states it believes the excision of identified areas from the property will enhance the credibility of the World Heritage listing. The opposite seems more likely.¹⁷

3.15 Australian ICOMOS concluded that:

...the proposal appears to be driven by political and economic imperatives arising from the recent change of Federal government in Australia, and by ongoing lobbying in relation to the proposed changes to the way logging is managed in the State of Tasmania. This is made clear in points 5 and 6 of the Australian Government submission to UNESCO.¹⁸

Minor or significant boundary modifications

3.16 As noted in Chapter 1, modifications to boundaries of World Heritage properties are covered under the Operational Guidelines and can be considered either 'minor' or 'significant'. There was some discussion during the committee's inquiry as to whether the Government's current proposal can be considered a minor boundary modification, and indeed whether the previous 2013 extension should have been treated as a significant rather than a minor modification.

2014 proposal

3.17 Several submitters and witnesses suggested that the proposal would not qualify as a minor modification but should be considered a significant modification due to its impacts on the Tasmanian Wilderness World Heritage Area.¹⁹ For example, Mr Peter Hitchcock, a world heritage consultant, told the committee that paragraph 163 of the Operational Guidelines:

15 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 13.

16 Ms Anne McConnell, Vice President, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 30.

17 Australian ICOMOS, *Submission 12*, p. 2.

18 Australian ICOMOS, *Submission 12*, p. 2.

19 See, for example, Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38; Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 51; ANEDO, *Submission 17*, p. 10.

...requires that any proposal for a minor modification of a boundary does not affect its outstanding universal value. My advice is that the proposal does affect the outstanding universal value of the World Heritage area. Therefore, arguably, it should not be considered a minor modification.²⁰

3.18 Mr Adam Beeson from the EDO (Tas) noted that an application by Tanzania for removal of an area, for the purposes of building a uranium mine, was considered a significant modification by the World Heritage Committee even though it was removing only one per cent of the area in question.²¹ He therefore suggested that:

...this proposal should not be framed as a minor modification. The most relevant decision of the World Heritage Committee in relation to the Selous Game Reserve in Tanzania suggests that altering boundaries to allow for resource exploitation, which plainly this application is, should be done via the significant modification process. It would strengthen the convention for this to be the position, as applying for a significant modification is a longer and more in-depth process than for a minor modification.²²

3.19 ANEDO argued that because the objective of the World Heritage Convention is preservation, the process for removing areas should be more rigorous than the process of extending boundaries. ANEDO therefore believed that 'applications to reduce the area of a listed property, particularly if motivated by resource exploitation, should be characterised as significant modifications'. ANEDO argued that this view 'is supported by the past practice of the World Heritage Committee'.²³

3.20 In relation to this issue, representatives of the Department of the Environment advised that the Operational Guidelines:

...distinguish between minor and significant modifications on the basis of their impact on the outstanding universal value of the property. Boundary modifications should enhance protection of the property's outstanding universal value through contribution to the criteria for which the property was inscribed on the World Heritage List, the integrity and/or authenticity of the property and aspects of its protection and management.²⁴

2013 extension

3.21 Some witnesses also suggested that the 2013 extension should not have been treated as a minor modification, since it was an increase of over 10 per cent of the

20 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38.

21 Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, p. 27.

22 Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, p. 23.

23 ANEDO, *Submission 17*, pp 11–13.

24 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 17.

original area.²⁵ For example, Mr Denman of the Tasmanian Special Timbers Alliance suggested that, given that the 2013 extension was around 12 per cent of the original area, it was a not a 'minor' adjustment and, as such, it should have undergone a full assessment.²⁶ The Huon Resource Development Group called the 10 per cent figure an 'absolute upper limit'.²⁷

3.22 Other witnesses described the number of 10 per cent as a 'rough guide' and a 'rule of thumb'.²⁸ For example, Mr Tom Baxter advised that the Operational Guidelines indicate that it is not just about the size of the modification, but also the impact of the modification on the outstanding universal value.²⁹ Mr Beeson from the EDO (Tas) similarly explained that modifications need to be considered in the context of the objectives of the convention, and as such 'it is not just about the land area, it is about the purpose for the modification'.³⁰

3.23 ANEDO pointed out that the IUCN advisory report to the World Heritage Committee had in any case addressed this issue in 2013. The advisory report stated:

IUCN notes that the size of the property is around the unofficial upper level for consideration as a minor boundary modification (which has been considered as typically c.10%). IUCN considers that it is reasonable and appropriate for the Committee to approve the proposal through the minor modification process, given (a) the clear and established position of the World Heritage Committee noted in its past decisions, (b) the degree of past consideration of these issues by the Committee and Advisory Bodies, including via both evaluation and monitoring missions, and (c) clear analysis provided in the proposal regarding its values, integrity, protection and management.³¹

3.24 A representative from the Department of the Environment confirmed that 'the 10 per cent figure in the operational guidelines for minor boundary modification is a general guide to state parties'.³² She further advised that the World Heritage

25 See, for example, Huon Resource Development Group, *Submission 31*, pp 1 and 2; Ms Alison Carmichael, Chief Executive Officer, Institute of Foresters Australia, *Committee Hansard*, 6 May 2014, p. 1; Mr Andrew Denman, Spokesman, Tasmanian Special Timbers Alliance, *Committee Hansard*, 31 March 2014, p. 17.

26 Mr Andrew Denman, Spokesman, Tasmanian Special Timbers Alliance, *Committee Hansard*, 31 March 2014, p. 17.

27 Huon Resource Development Group, *Submission 31*, p. 2.

28 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 5; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 5; Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, p. 24.

29 Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 51.

30 Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, p. 27.

31 ANEDO, *Submission 17*, p. 12; see also IUCN Evaluation Report, 2013, p. 3.

32 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 22.

Committee had been 'disposed to accept' Australia's application in 2013, particularly since it 'had requested for a number of years that it receive such an increase in the property's area'.³³

Cultural heritage issues

3.25 A number of submitters raised cultural heritage as an issue, both in relation to the original June 2013 extension and the current proposed modification. As Australian ICOMOS pointed out:

Any assessment of World Heritage values and the current proposal for a boundary modification in the TWWHA [Tasmanian Wilderness World Heritage] cannot be undertaken in isolation of the significant cultural heritage values related to the WHA and its surrounds.³⁴

3.26 In approving the June 2013 extension, the World Heritage Committee noted that:

...the proposed minor boundary modification has been submitted under natural criteria only although it appears to contain significant cultural attributes that relate to those located within the inscribed property.³⁵

3.27 The World Heritage Committee requested that Australia address the following concerns regarding the cultural values of the property:

- a) Undertake further study and consultation with the Tasmanian Aboriginal community in order to provide more detailed information on the cultural value of the additional areas and how these relate to the Outstanding Universal Value of the existing property;
- b) Provide detailed information on the legal provisions for the protection of cultural heritage in the extended property;
- c) Provide detailed information on the management arrangements for cultural heritage and in particular for the control of access to archaeological sites and sites of cultural significance.³⁶

3.28 At the time the Tasmanian Wilderness World Heritage extension proposal was approved by the World Heritage Committee, the then Minister for the Environment, the Hon Tony Burke MP, acknowledged that, while the natural values had been listed,

33 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 23.

34 Australian ICOMOS, *Submission 12*, p. 1; see also, for example, Ms Ruth Langford, State Secretary, Tasmanian Aboriginal Centre, *Committee Hansard*, 31 March 2014, pp 21–22.

35 UNESCO World Heritage Committee, *Decision 37 COM 8B.44*, <http://whc.unesco.org/en/decisions/5174> (accessed 9 April 2014).

36 UNESCO World Heritage Committee, *Decision 37 COM 8B.44*, <http://whc.unesco.org/en/decisions/5174> (accessed 9 April 2014).

'there was still more work to be done in protecting the cultural values'.³⁷ On 19 June 2013, the Minister therefore announced funding for a study to 'help identify cultural values in the Tasmanian Wilderness World Heritage Area'. The Minister noted that:

There are known sites of Aboriginal cultural heritage value recorded within the proposed boundary modification...However, further work is required to better understand and articulate how these sites, especially those in the proposed boundary modification, contribute to the Tasmanian Wilderness' Outstanding Universal Value.³⁸

3.29 The Minister stated that 'the study will be designed and undertaken in close consultation with the Aboriginal community in Tasmania' and would be 'forwarded to the World Heritage Committee in February 2015'.³⁹

3.30 The Australian Government's 2014 proposal acknowledges that the cultural values of the 2013 extension:

...require further study and consultation with the Tasmanian Aboriginal community in order to better document and understand how these relate to the Outstanding Universal Value. The current proposal retains many of these important features within the property.⁴⁰

3.31 Australian ICOMOS submitted that:

While we had concerns that the 2013 proposed boundary modification did not include an assessment of cultural values, the 2013 decision has more by accident than design provided for the inclusion and hence protection of some places of significant cultural value...⁴¹

37 The Hon Tony Burke MP, then Minister for Sustainability, Environment, Water, Population and Communities, *Tasmania's precious forests protected forever*, media release, 19 June 2013, <http://www.environment.gov.au/minister/archive/burke/2013/mr20130624.html> (accessed 2 April 2014).

38 The Hon Tony Burke MP, then Minister for Sustainability, Environment, Water, Population and Communities, *Study to help identify cultural values in Tasmanian Wilderness World Heritage Area*, media release, 19 June 2013, <http://www.environment.gov.au/minister/archive/burke/2013/mr20130619.html> (accessed 2 April 2014).

39 The Hon Tony Burke MP, then Minister for Sustainability, Environment, Water, Population and Communities, *Study to help identify cultural values in Tasmanian Wilderness World Heritage Area*, media release, 19 June 2013.

40 Australian Government, *Proposal for a Minor Modification to the Boundary of the Tasmanian Wilderness World Heritage Area*, 31 January 2014, p. 5.

41 Australian ICOMOS, *Submission 12*, p. 1.

3.32 Indeed, several submissions and witnesses identified culturally significant sites in the areas proposed to be excised from the extended World Heritage Area.⁴² For example, Australian ICOMOS identified sites such as:

- Nanwoon Cave (in the Mount Wedge-Upper Florentine Section);
- Navarre Plains area (Upper Derwent Section); and
- the Recherche Bay West area (Recherche Section).⁴³

3.33 Mr Peter Hitchcock informed the committee that his research indicated that at least 24 Aboriginal cultural sites may be adversely impacted by the proposed delisting.⁴⁴

3.34 The Law Council of Australia strongly supported ongoing consultation with Tasmanian Aboriginal communities regarding the management of the listed property and recommended the Australian Government:

- undertake the cultural heritage protection studies, reporting, and consultation activities requested by the World Heritage Committee; and
- ensure adequate resources are made available for the identification of cultural heritage values in the Tasmanian Wilderness World Heritage Area and development of management strategies to protect those values.⁴⁵

3.35 However, as the Tasmanian National Parks Association submitted, 'the full significance of the cultural values relating to previous Aboriginal occupation in the areas marked for revocation is yet to be determined'.⁴⁶

3.36 For this reason, a number of submitters and witnesses told the committee that it is premature for the Government to be pursuing this modification prior to the completion of the assessment of the cultural values assessment. For example, Australian ICOMOS noted that Australia is required to report on its assessment of cultural values to the 39th session of the World Heritage Committee in 2014, and as such 'it is premature to be proposing any modification before that time'.⁴⁷

3.37 The Tasmanian Aboriginal Centre agreed, stating that it is 'stunned' that the Government is:

42 See, for example, Australian ICOMOS, *Submission 12*, p. 2; The Wilderness Society, ACF, Environment Tasmania, *Submission 23*, p. 11; Ms Anne McConnell, Vice President, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 30; Florentine Protection Society, *Submission 18*, p. 4.

43 Australian ICOMOS, *Submission 12*, p. 2; see also Ms Anne McConnell, Vice President, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 36; Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 42.

44 Mr Peter Hitchcock AM, *Submission 25*, p. 17 and *Committee Hansard*, 31 March 2014, p. 38.

45 Law Council of Australia, *Submission 27*, p. 14.

46 Tasmanian National Parks Association, *Submission 15*, p. 2.

47 Australian ICOMOS, *Submission 12*, p. 2; see also, for example, Florentine Protection Society, *Submission 18*, p. 4.

...seeking to repeal the TWWHA boundaries without undertaking full and proper consultation with the Tasmanian Aboriginal Community, in order to determine the Aboriginal Cultural values as requested by the WHC [World Heritage Committee]. Until an extensive assessment of the Aboriginal Cultural Values conducted by the Aboriginal Community has occurred, both the Government and the World Heritage Council will not be able to make informed decisions.⁴⁸

3.38 Several submitters also expressed concern as to the status of the study to help identify cultural values in the Tasmanian Wilderness World Heritage Area.⁴⁹ For example, Australian ICOMOS submitted that:

We have not been able to gain a reassurance that the \$500,000 committed last year by the Federal Labour government to undertake the cultural assessment will be forthcoming under the Federal Coalition government.⁵⁰

3.39 In response to questioning on the status of the cultural heritage assessment, the Department of the Environment advised that that the 'project has not yet commenced and funding has not yet been provided'.⁵¹

Impacts on the Tasmanian Wilderness World Heritage Area

3.40 Several submitters and witnesses expressed concern about the impact that the proposed removal of areas would have on the values and integrity of the Tasmanian Wilderness World Heritage Area. It was suggested that the removal of areas alone would diminish the values and seriously damage the integrity of the Tasmanian Wilderness World Heritage Area.⁵² Mr Hitchcock told the committee that:

The proposed delisting will have a serious impact on the outstanding universal values—as defined in the operational guides—of the World Heritage area. Firstly, there will be a serious impact on the integrity of the World Heritage area, especially in regard to the tall eucalypt forests. I should point out that at present the tall eucalypt forests in the Tasmanian World Heritage area represent the world's premier example of temperate tall eucalypt forests. The truncation of these forests by the proposed delisting would seriously detract from the outstanding universal value of these magnificent forests.⁵³

48 Tasmanian Aboriginal Centre, *Submission 103*, p. 2.

49 See, for example, Ms Ruth Langford, State Secretary, Tasmanian Aboriginal Centre, *Committee Hansard*, 31 March 2014, p. 22; Australian ICOMOS, *Submission 12*, p. 2.

50 Australian ICOMOS, *Submission 12*, p. 2.

51 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 18.

52 See, for example, Mr Peter Hitchcock AM, *Submission 25*, pp 2 and 13; Florentine Protection Society, *Submission 18*, p. 3; Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 14.

53 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 38.

3.41 Mr Bayley from The Wilderness Society told the committee that the Tasmanian Wilderness World Heritage Area:

...was greatly enhanced by this 2013 minor modification—the giant hardwood trees of the Styx Valley; other extensive tracts of a connected band of tall eucalypt forests up the eastern boundary of the World Heritage Area; intricate and spectacular cave systems, such as in the Florentine and Mole Creek; rainforests in Dove River; and the forested slopes of the Great Western Tiers. It absolutely added to the integrity of the property.⁵⁴

3.42 The Wilderness Society, ACF and Environment Tasmania submitted that 'the impact of the proposed excisions on the Outstanding Universal Values, integrity and management of the Tasmanian Wilderness would be severe', including:

- significant loss of old growth forest, including tall-eucalypts and rainforest;
- loss of scenic viewfields;
- loss and fragmentation of habitat of threatened species;
- loss of significant areas of karst and glacial landscapes;
- loss of integrity in certain key catchments;
- disrupted ecological processes involving the dynamic relationships between eucalypt forest, buttongrass and rainforest;
- loss of Aboriginal cultural heritage sites; and
- loss of effective management boundaries along several sections of the eastern and northern boundaries of the Tasmanian Wilderness.⁵⁵

3.43 Several submitters and witnesses emphasised that the proposed excision would result in a 'serious loss of boundary integrity'. Mr Peter Hitchcock, for example, told the committee that:

Notwithstanding statements to the contrary in the submission, the new boundary that would result from the proposed delisting is ill-considered, and would be regarded as seriously compromising the integrity of the existing World Heritage boundary.⁵⁶

3.44 Indeed, Mr Hitchcock described the new boundary as a 'very much more complicated boundary, as well as leaving out important items of conservation value'. He went on to state:

The proposed delisting creates absolute havoc, creating a boundary which in some cases is quite laughable, unfortunately. It would turn the clock back in a lot of places, adopting quite inappropriate boundaries. I tabled the

54 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 1.

55 The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, pp 4, 24–25; see also, for example, Mr Peter Hitchcock AM, *Submission 25*, pp 11–12; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3.

56 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 39.

matter of the Navarre Plains, where it re-creates a boundary which was previously seen to be quite inappropriate, not just in terms of management but in terms of protection of that important glacial precinct.⁵⁷

3.45 Mr Hitchcock provided the revised boundary in the Great Western Tiers area as an example of an inappropriate change:

The removal, which appears to be very ad hoc, of a number of areas on the Great Western Tiers means that the boundary now becomes quite inappropriate. In places, the boundary runs along the top of the cliff, dives down to the bottom of the hill, down to the low lands, follows the low lands for a little while and then goes back up to the tops of the cliffs. In other words, it becomes a completely inappropriate boundary for any World Heritage area.⁵⁸

3.46 Mr Law for The Wilderness Society agreed that the new boundary would be more complex and would complicate management of the property. Mr Law concluded that 'overall the integrity of the World Heritage Area will be reduced if that excision ahead'.⁵⁹

3.47 Professor Brendan Mackey concluded that:

...any argument that excising these 74,000 hectares will somehow enhance the integrity and connectivity flies in the face of the facts and scientific understanding...the proposed excision will lead to worse not better outcomes for boundary coherence, connectivity and the retention of heritage values.⁶⁰

3.48 Concerns about the impact of the proposed excision were exacerbated by the prospect that the areas are likely to be opened up for forestry activities, as discussed elsewhere in this report.⁶¹

3.49 In relation to the world heritage values, the Department of the Environment advised that:

The current boundary of the Tasmanian Wilderness World Heritage Area remains in place and the values of the property continue to be protected under national environment law until a decision on a new boundary is adopted by the World Heritage Committee, in which case any areas that the

57 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 42.

58 Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 42.

59 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3.

60 Professor Brendan Mackey, *Committee Hansard*, 6 May 2014, p. 10.

61 See, for example, Ms Anne McConnell, Vice President, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 30; Tasmanian National Parks Association, *Submission 15*, p. 2; ANEDO, *Submission 17*, p. 7; The Wilderness Society, ACF and Environment Tasmania, *Submission 23*, p. 21.

Committee agreed to remove would no longer have World Heritage status.⁶²

Possible international reaction to the proposal

3.50 Another key issue raised in evidence was the impacts of the proposed excision on Australia's international reputation and obligations. Several submitters and witnesses expressed concern that the proposal and possible delisting of areas would damage Australia's international standing and reputation on matters of environmental protection.⁶³ Several witnesses described it as 'embarrassing'.⁶⁴ For example, Mr Law stated that:

...a proposal as threadbare and lacking in factual information and as oblivious to World Heritage values as the proposal before it this time will bring Australia into disrepute at that international level.⁶⁵

3.51 Mr Bayley from The Wilderness Society was concerned that the excision proposal is 'incredibly insulting to the World Heritage Committee' and was 'snubbing the work that they have done over decades and the unilateral decision that they made last year to list this property on all four natural heritage values criteria'.⁶⁶

3.52 ANEDO was similarly concerned that the 2014 proposal 'may be construed as insulting' because 'the clear implication would be that the Australian Government believes the [World Heritage] Committee got it wrong in 2013'.⁶⁷

3.53 Several submitters were also concerned that the proposed removal would breach Australia's international treaty obligations. For example, the Tasmanian National Parks Association pointed out that, under the World Heritage Convention, Australia has acknowledged in article 4 its duty to 'do all that it can...to ensure the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage situated within its territory'.⁶⁸

3.54 It was argued that the World Heritage Committee, by inscribing the extension on the World Heritage List, had 'legally acknowledged their outstanding universal

62 Department of the Environment, *Submission 14*, p. 5.

63 See, for example, ANEDO, *Submission 17*, p. 15; Friends of the Earth, *Submission 7*, p. 2; Florentine Protection Society, *Submission 18*, p. 4; Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, pp 23 and 25; Mr Alec Marr, *Submission 106*, p. 4.

64 See, for example, Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4; Ms Anne McConnell, Vice President, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 30.

65 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4.

66 Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3.

67 ANEDO, *Submission 17*, p. 9.

68 Tasmanian National Parks Association, *Submission 15*, p. 3.

value' and that 'delisting, then logging, these forests would contravene Australia's treaty obligations'.⁶⁹

3.55 Mr Law for The Wilderness Society declared that:

By putting forward this proposal, the Australian government is in breach of its international obligations under the World Heritage Convention already and has been grossly misleading and deceitful towards the Australian public in its use of the term 'logged/degraded areas'.⁷⁰

3.56 Mr Adam Beeson from the EDO (Tas) expressed further concern that the proposal could 'weaken the World Heritage Convention', and that it is inappropriate 'for state parties to be bringing in domestic political considerations to what they say to the World Heritage Committee'.⁷¹

Precedents for reductions in World Heritage Areas

3.57 Others were concerned about the potential precedent that Australia might be setting with its proposal. For example, ANEDO argued that:

Modifying properties on the basis of domestic political whim is a bad precedent to set...This precedent could open the flood gates for signatories to the Convention to seek modification or removal of properties to satisfy domestic political demands. More broadly it sets a precedent that matters not the subject of the Convention can be invoked in order to modify boundaries and, by extension, to list and de-list properties.⁷²

3.58 Friends of the Earth also supported this argument and commented that:

...advanced economies like Australia should be leading the way globally on matters of environmental protection. If a country like Australia seeks to reduce existing environmental protections through de-listing of high conservation ecosystems, this would set a negative example to other nations in the world.⁷³

3.59 Submitters, including the Law Council, noted that there are examples of request to modify boundaries to excise areas from listed World Heritage properties. However, these are small in number and modification is unusual. The Law Council

69 Tasmanian National Parks Association, *Submission 15*, p. 3; see also Huon Valley Environment Centre, *Submission 8*, p. 6; Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3; Ms Anne McConnell, Vice President, Tasmanian National Parks Association, *Committee Hansard*, 31 March 2014, p. 30; Mr Tom Baxter, *Submission 105*, p. 6.

70 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 3.

71 Mr Adam Beeson, Solicitor, EDO (Tas), *Committee Hansard*, 31 March 2014, p. 25 and also p. 23; see also Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 28.

72 ANEDO, *Submission 17*, p. 5; see also Florentine Protection Society, *Submission 18*, p. 4 and Mr Tom Baxter, *Committee Hansard*, 31 March 2014, p. 49 and *Submission 105*, p. 5.

73 Friends of the Earth, *Submission 7*, p. 2.

noted that there have only been a limited number of requests to modify boundaries to excise areas from listed World Heritage properties.⁷⁴

3.60 For example, the Law Council noted that the World Heritage Committee approved Tanzania's request to exclude an area from the Selous Game Reserve in 2011 to facilitate mining, in light of the 'exceptional' economic situation facing Tanzania and included a number of conditions. According to the Law Council, a request by the Government of Guinea to reduce the Mt Nimba Nature Reserve to allow for mining was rejected in 1991 and the property was subsequently added to the World Heritage In-Danger list.⁷⁵

3.61 On the other hand, in 1995, the Law Council observed that the Willandra Lakes World Heritage Area in Australia was reduced by around 30 per cent, because the World Heritage Committee 'was satisfied that the revised boundaries better reflected the areas in which the cultural and natural values of the property were located and would allow better management of those values'.⁷⁶

3.62 Given these examples, the Law Council commented that 'it would be unusual for the boundary of a World Heritage Area...to be modified without evidence of a significant change in ecological conditions which compromises the world heritage values of the area'.⁷⁷ The Law Council further concluded that the previous examples demonstrate that boundary modifications:

...will be considered [by the World Heritage Committee] only in exceptional circumstances and where there is clear evidence of management strategies to improve management of Outstanding Universal Values across the balance of the listed property.⁷⁸

3.63 ANEDO similarly noted that 'past practice indicates boundary modifications are usually sought in the form of extensions, rather than reductions'.⁷⁹ Mr Geoff Law agreed that 'the World Heritage Committee does not take lightly delisting areas'.⁸⁰

3.64 In response to the committee's questioning on this issue, a representative of the Department of the Environment advised that:

...the operational guidelines state that they are required to enhance the property, and it is unusual, if not unprecedented, for that to be achieved

74 Law Council of Australia, *Submission 27*, p. 9; see also Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4.

75 Law Council of Australia, *Submission 27*, p. 9; see also ANEDO, *Submission 17*, pp 12–14.

76 Law Council of Australia, *Submission 27*, p. 10; see also World Heritage Committee, Decision CONF 203 VIII.B.1, <http://whc.unesco.org/en/decisions/3077> (accessed 9 May 2014).

77 Law Council of Australia, *Submission 27*, p. 3.

78 Law Council of Australia, *Submission 27*, p. 10.

79 ANEDO, *Submission 17*, p. 11.

80 Mr Geoff Law AM, Expert Consultant, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 4.

through the reduction in area of a property, unless there is a corresponding addition of another area elsewhere.⁸¹

Possible response of the World Heritage Committee

3.65 There was some speculation during the committee's inquiry as to the World Heritage Committee's likely response to the proposal, with some suggesting that it could reject the proposal.⁸² ANEDO expressed the view that:

The approval of this minor modification request, in light of previous decisions of the World Heritage Committee, would be extraordinary and its prospects of success must be considered remote.⁸³

3.66 Others warned that the 2014 proposal could ultimately result in the placement of the entire Tasmanian Wilderness Area on the 'World Heritage in Danger' list.⁸⁴

3.67 The Department of the Environment advised that 'it is anticipated that a draft decision of the World Heritage Committee will be released on 16 May' 2014 and that the final decision will be made at the 38th session of the World Heritage Committee between 15 and 25 June.⁸⁵ The Department further advised that there are four possible decisions that the World Heritage Committee could make:

The World Heritage Committee could choose to accept the Australian government's request for the minor boundary modification. They could reject it outright. They could refer it back to us for additional information that would require us to submit it either the following year or, at the very least, within three years for further consideration by the committee. Or they could defer it for substantial revision or a more in-depth assessment, which would result in the request of the Australian government being evaluated over an 18-month period and then going to the meeting two years hence.⁸⁶

81 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 20.

82 See, for example, Mr Peter Hitchcock AM, *Committee Hansard*, 31 March 2014, p. 44.

83 ANEDO, *Submission 17*, p. 15.

84 See, for example, Tasmanian National Parks Association, *Submission 15*, p. 3; see also Florentine Protection Society, *Submission 18*, p. 4; Mr Vica Bayley, Tasmanian Campaign Manager, The Wilderness Society, *Committee Hansard*, 31 March 2014, p. 8; Lawyers for Forests, *Submission 22*, p. 4; Mr Tom Baxter, *Submission 105*, p. 5.

85 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 18.

86 Dr Kimberley Dripps, Deputy Secretary, Department of the Environment, *Committee Hansard*, 6 May 2014, p. 20.

Chapter 4

Conclusions and recommendations

4.1 The vast majority of submissions, form letters and other emails received by the committee did not support the Government's proposal to excise 74,000 hectares from the Tasmanian Wilderness World Heritage Area.

4.2 Like those submitters, the committee is not convinced by the Government's justifications for the proposal it has put to the World Heritage Committee.

4.3 The committee considers the argument that 'degraded' areas, such as previously logged forest and plantations, should be removed from the extended Tasmanian Wilderness World Heritage Area because they detract from the integrity of the property is without merit. Further, the committee considers that the Government, by not providing adequate detail to the World Heritage Committee as to how much of the 74,000 hectares actually fits this description, undermines its own arguments for the delisting.

4.4 Indeed, the evidence received by the committee reveals that only a small proportion of the 74,000 hectares proposed to be removed could actually be described as 'degraded'. This evidence was received not only from forestry experts and interested stakeholders but also from Forestry Tasmania, which advised that around 48 per cent of the 74,000 hectares contains old growth forest. Other expert witnesses told the committee that less than 10 hectares contains plantations and only 10 per cent had been logged in the past. The Department of the Environment told the committee only 4 per cent had been heavily degraded. It can only be concluded that the vast majority of the area proposed for delisting is intact native vegetation and not degraded areas.

4.5 The committee further notes that even though an area may be considered 'degraded', this does not, in itself, automatically justify its exclusion from World Heritage listing. There are many good reasons for the inclusion of these 'degraded' areas in the 2013 extension, including the need for boundary integrity and ecological connectivity, as well as management and rehabilitation considerations. In addition, there is ample evidence that the degraded areas can be rehabilitated. Indeed, the World Heritage Convention recognises, provides for and imposes a duty to rehabilitate World Heritage. There are many overseas examples where degraded World Heritage areas have been rehabilitated. Furthermore, the previous Government recognised the benefits of rehabilitation of areas of plantation with \$1.2 million being provided in 2013 for such work, although not in the areas proposed for excision.

4.6 The committee also considers that the Government's contention that the degraded areas detract from the integrity of the property ignores the World Heritage Committee's 2013 evaluation and its awareness that there were 'degraded' areas in the proposed extension. It further ignores the World Heritage Committee's repeated requests that the Tasmanian Wilderness World Heritage Area be extended along its northern and eastern boundaries.

4.7 The committee is concerned that the Government's proposal to the World Heritage Committee is overly weighted towards consideration of the vegetation in the area. There are many other important features, such as outstanding geomorphological features, which contribute significantly to World Heritage values and need to be protected.

4.8 Finally, the committee is disquieted that the proposal could be seen as insulting to the World Heritage Committee, given its approval of the 2013 extension, and its repeated requests to Australia to extend the boundary to include high conservation value forests. The committee recognises that Australia has an international obligation to protect, manage and rehabilitate the extended Tasmanian Wilderness World Heritage Area under the World Heritage Convention. As such, the committee is concerned that the proposal will potentially damage Australia's international reputation and set a terrible precedent for other countries.

4.9 Another argument put forward by the Government for the proposed excision is the objections from adjoining landholders and communities. The committee notes that objections were received and considered by the World Heritage Committee when approving the extension. The Department's evidence also indicated that the number of adjoining landholders who objected to the proposal was actually quite small. In fact, Forestry Tasmania is the adjoining landholder for the majority of the boundary and it agreed to the extension.

4.10 The committee is also not convinced by claims that the process leading up to the 2013 extension was inadequate. The committee considers that the extension in 2013 was the result of an extensive, independent and rigorous process based on sound scientific evidence. This is in stark contrast to the process for the 2014 proposal to excise the area. The Department advised that the latter process involved no consultation or independent expert peer review at all and no field visits were undertaken. Rather, the committee was informed that consultation with the community around the Coalition's election commitment to propose the excision of the area was undertaken by the members of the now Government during the election campaign.

4.11 The only conclusion that can be drawn from this evidence is that this proposal has nothing to do with concerns about the integrity of the World Heritage Area; the real reason behind the proposal is to delist the areas for the purposes of allowing access for forestry activities.

4.12 The Government claims that the proposed excision will deliver economic and social outcomes for Tasmania. The committee recognises the need to support a long term, sustainable forest industry in Tasmania based largely on its plantation resource. However, this should not be at the cost of the integrity of the Tasmanian Wilderness World Heritage Area, or the overturning of the Tasmanian Forest Agreement, or risks to the reputation and competitiveness of the Tasmanian forest industry or Australia's international standing. The committee is further concerned that the Government appears to have failed to consider the impact of the proposed excision on other industries such as tourism. This amounts to a very high price for the implementation of a flawed election promise.

4.13 The committee notes the assertion of anecdotal evidence of the impact of the 2013 extension on the special timbers sector of the forestry industry. The committee notes evidence that some areas that had been set aside for the special timbers industry under Forestry Tasmania's 2010 *Special Timbers Strategy* were included in the 2013 extension. The committee does not consider that these concerns warrant the wholesale removal of 74,000 hectares from the Tasmanian Wilderness World Heritage Area. Nevertheless, the committee believes that the needs of the special timbers sector should be considered. The committee suggests that Forestry Tasmania conduct a review of the special timber sector, including an assessment of the special timber supply, utilisation and management issues from forests outside the World Heritage Area. The committee considers that such a review may identify ways to ensure the supply of special timbers without undermining the integrity of the Tasmanian Wilderness World Heritage Area.

4.14 The committee is also disappointed that some of the signatories to the Tasmanian Forest Agreement who have expressed concern in the media about the proposed revocation did not give evidence to this inquiry, despite the committee's repeated invitations.

4.15 The committee concludes that the Government's proposal to remove 74,000 hectares from the extended Tasmanian Wilderness World Heritage Area is fundamentally flawed and will have an adverse impact on the values of the Tasmanian Wilderness World Heritage Area. The committee agrees with evidence that the Government's proposal to the World Heritage Committee is misleading and fails to consider boundary integrity, ecological connectivity, potential for rehabilitation, and the many outstanding geomorphological features in the area. The committee therefore recommends that the Government's proposal to the World Heritage Committee be withdrawn.

Recommendation 1

4.16 The committee recommends that the Government's proposal to the World Heritage Committee to remove 74,000 hectares from the Tasmanian Wilderness World Heritage Area be withdrawn.

4.17 The committee acknowledges the evidence that there are a number of important cultural heritage sites in the proposed excision. The committee notes that the World Heritage Committee has requested that Australia undertake further study and consultation with the Tasmanian Aboriginal community in order to provide more detailed information on the cultural values of the additional areas in the 2013 extension. The committee was deeply disappointed to hear the Department's evidence that this assessment has not yet commenced and that no funding has been provided for it.

4.18 The committee agrees that the Government should not be pursuing this proposed modification prior to undertaking the cultural heritage assessment. The Australian Government undertook to provide this material to the World Heritage Committee by February 2015, and the committee considers that this work should be continued and completed in collaboration with the Tasmanian Aboriginal community.

Recommendation 2

4.19 The committee recommends that the study of the cultural heritage values of the extended Tasmanian Wilderness World Heritage Area be commenced and completed in collaboration with the Tasmanian Aboriginal community and submitted to the World Heritage Committee by February 2015.

**Senator the Hon Lin Thorp
Chair**

Government Senators

Dissenting Report

Introduction

The submission seeking a minor boundary modification was sent to the World Heritage Committee on the 31st of January 2014, for a decision to be announced in June.

Prior to the 2013 Federal election, the Coalition made an election commitment to the Tasmanian people that it would strengthen the forestry industry through more employment and investment. It has been acknowledged that of all the States and Territories the Tasmanian economy had suffered most because of the economic vandalism by the Labor-Green State government.

The Coalition government has requested through the World Heritage Committee agreement to excise 74,039 hectares from the Tasmanian Wilderness World Heritage Area. In requesting this minor boundary modification, the Government is removing areas that detract from the Overall Universal Value of the property and diminish its overall integrity. The removal areas make up less than 5% of the entire World Heritage Area.

Of the 74,039 hectares to be removed there are 117 disturbed areas that contain pine and eucalypt plantations as well as areas that have previously been impacted by forestry operations and other infrastructure.

Areas which were National Parks will remain in the World Heritage Area. The high value tall forests and giant trees in the Styx-Tyenna, Weld-Snowy, Huon Picton and Great Western Tiers areas will be retained and remain protected.

The proposed boundary modification will deliver additional economic and social outcomes for all Tasmanians while maintaining the Outstanding Universal Value of the Tasmanian Wilderness.

Evidence for the excision

Whilst it is important to protect the environment and our natural heritage, the loss of productivity and negative effect on the economy warrants close consideration. The Tasmanian Farmers and Graziers Association (submission 13) presented figures showing the value of agriculture, forestry and fisheries –

In 2010/11, the farm gate value of production (GVP) of agriculture, forestry and fishing was \$1.98 billion. This comprised: agriculture – \$1.150 billion; forestry – \$235 million; and fishing – \$597 million. Some 10,500 people were employed directly in agriculture forestry and fishing. A further 8,500 people were employed in services to agriculture and food and fibre value-adding. This is close to 9% of the working population in Tasmania.

The Tasmanian Farmers and Graziers Association pointed out the extension of World Heritage Area as approved in 2013 has added uncertainty and resultant economic loss –

Furthermore, the inclusion of forestry as a long cycle crop enterprise in farming businesses in the state means that the overall economic contribution must include these figures too. Our best estimate is that in 2009/10 this added a further \$400 million to farm gate income. Clearly, as a result of the uncertainty currently evident in this sector, that figure has fallen significantly since then. Nonetheless, on a long term outlook, forestry remains an integral part of a diversified farm business.

This was backed by the Huon Resource Development Group which said the extension approved in 2013 is already hurting business (Hobart hearing, Page 12)–

Mr Harris: "No. For example, almost all of the special timber zone within the electorate of Franklin is locked up under this proposal. Almost all of that is included in the World Heritage extension, and its impact is devastating. The impact that we see in our community is of businesses that no longer exist, rising levels of unemployment and that ancillary businesses are well and truly suffering. When you look at a diesel supplier south of the Huon River, having a \$1 million drop in turnover, and the amount of bankruptcies and vacancies in the township of Geeveston and around our area, the impact is devastating."

Lack of consultation for those affected by the new boundaries was also highlighted in the Association's submission –

The Committee is reminded that private landowners were excluded from that process and, indeed, told that the TFA and outcomes from the process would not impact on them. This assertion has now proven to be completely baseless and those who perpetrated this misinformation have moved on. Nevertheless, private landowners are once again left counting the cost to their businesses and farms

In its evidence, the Huon Resource Development Group (submission 31) takes exception to the extension under the previous Labor government. It refers to conflicting advice by the International Union for the Conservation of Nature (IUCN) in relation to approval as a minor boundary adjustment –

The IUCN report states in relation to the massive extension: "IUCN notes that the size of the property is around the unofficial upper level for consideration as a minor boundary modification (which has been considered as typically c.10%)".

This claim is completely at odds with the IUCN advice to the committee in 2012:

"A notional cut-off of 10% increase has generally been considered to be the absolute upper limit for a modification to be considered via the "minor modification" process,"

This point was taken up by Senator Ruston during her questioning of Mr. Geoffrey Law during the hearing in Hobart on the 31st of March (page 5) –

Senator RUSTON: The area that we are talking about for the 2013 successful application was greater than 10 per cent. In reading the requirements of the approving body, one would suggest that it was more than a 10 per cent increase in the land area

and it would have to be a whole new listing and cannot be put through as the minor use of approval. How do we reconcile that?

Mr Law: 10 per cent was only ever a rough guide. The increase in the extent of the property in 2013 was 12 per cent. That is in the order of 10 per cent and—

Senator RUSTON: So you just throw out the 10 per cent.

Mr Bayley: You also have to remember that this is in the context of repeated requests from the World Heritage Committee to have this issue addressed. When it is addressed and it comes out a per cent or two over and above the rule of thumb, clearly both the IUCN and the World Heritage Committee itself deduce that that rule of thumb is just that; it is a rule of thumb and that this meets the values and the criteria, and it adds to the integrity of the property and should be approved. And it was approved.

Government Senators consider that stakeholders which generally oppose the Australian Government's 2014 proposed minor boundary adjustment (and supported the 2013 adjustment) have been inconsistent. We note that witnesses at the Hobart hearing did not consider the 12% increase of TWWHA in 2013 to be "significant" despite unambiguously clear IUCN advice that all adjustments over 10% should be termed "significant" and require a new WHA listing. Evidence given at Hobart by Mr Adam Beeson of the Tasmanian Environment Defenders Office is quite revealing in this respect:

Senator RUSTON: I want to move on to comments in relation to this minor variation-significant variation that we have been talking about. You raised, in response to Senator Milne, the fact that this 10 per cent has never really been a 'welded in stone' number, despite the fact that it has been bandied around. You contend in your submission, at point 45:

ANEDO considers that the World Heritage Committee is likely to consider the current application to reduce the area...to be a "significant modification".

My understanding is that the amount of land that we are talking about is less than half of the land that was annexed in the 2013 application—an application which people earlier this morning said was only minor and should not have been considered significant. I am struggling to reconcile how something 12 months ago that was twice the size was not significant, and yet when there is the reversal of a decision, then only a matter of minutes later all of a sudden it has become significant.

Mr Beeson: As I said earlier, you do have to look at the objectives of the convention. I suppose the other point to make is the only example we have, which is the one from Tanzania—that was about 500 square kilometres that was proposed to be removed—went through a very tortuous process through the World Heritage Committee—

Senator RUSTON: That is 500,000 square metres?

Mr Beeson: Five hundred square kilometres, is that what I just said?

Senator RUSTON: Apples with apples: so how does that relate to my 74,000?

Mr Beeson: It is not really that important.

Senator RUSTON: It is important to me.

Further evidence from Mr Beeson revealed a biased perspective and a lack of any intention to counsel any view alternative to his own.

While such stakeholders consider the 12% increase in 2013 to be "minor", these stakeholders consider a proposed excision of less than 5% of the TWWHA to be "significant" despite it falling well beneath the IUCN's 10% threshold. This is a blatant and completely unjustified double standard which disrespects the process and strongly discredits stakeholders who oppose the 2014 "minor" boundary adjustment application on this basis.

The Institute of Foresters Australia declared the case for extending the World Heritage Area in 2013 was not based on known facts and evidence -

However, the process and conclusions were in fact a hasty and superficial analysis of conservation values where no peer review was undertaken and many claims and conclusions were based on limited information. These claims were open to scientific interpretation and, in many situations, have been shown to be in error.

And

The Institute believes that this major extension will result in perverse outcomes to forest management and socioeconomic livelihoods of affected communities, and even to biodiversity conservation. We believe that socioeconomic and biodiversity conservation impact statements would prove this to be the case if they were done. The State of forests report 2013 identifies that, in 2011, 20 per cent of Tasmania's forests were in World Heritage areas, which is 3½ times that of any other state or territory. With the extension, this has now increased even further. We believe the government should have justified why a further extension and inclusion of state forests used for production was warranted.

There was a suggestion from the Tasmanian Special Timbers Alliance, which employed 2,000 people plus a further 8,500 in ancillary industries, that the extension in 2013 is invalid, is flawed and was based on incorrect information- (submission 96)

- The 2013 TWWA 172,000 ha extension breached Federal Government obligations under the
- 1997 Tasmanian Regional Forest Agreement.
- The 2013 TWWA 172,000ha extension damages Tasmanian Intangible Cultural Heritage.
- The 2013 TWWHA 172,000ha extension was only possible as an outcome from the Tasmanian Forest Agreement in which the broader specialty timber sector was excluded.
- The TFA Act 2013 which was only passed by Tasmania's Upper House by one vote after misleading and factually incorrect information was presented to the Parliament.

Its submission painted a gloomy picture for its survival –

The specialty timber sector is facing certain collapse under the TFA and the 2013 TWWHA extension is a substantial contributor to that outcome. If a proper assessment had been carried out, our sector would not be in such difficult circumstances now.

Government Senators are concerned at the inference that further areas of Tasmania could in future be earmarked to be included in the TWWHA (Hobart hearing, Page 5) -

Senator RUSTON: Do you think there is more area in Tasmania that should be added to this heritage area?

Mr Bayley: There are absolutely areas that meet World Heritage criteria and should be added to the Tasmanian Wilderness World Heritage Area, be they areas that are currently excluded on the west coast of Tasmania or additional areas of cultural heritage in the south-east of Tasmania.

This is also of clear concern to the forestry industry, which considers opposition to the 2014 application to be more an attack on livelihoods in a sustainable industry than any genuinely altruistic attempt to preserve Tasmania's wilderness areas, with considerable negative implications for jobs in Tasmania:

Mr Ruzicka: A comment like that says to me that it is quite obvious that the process of pushing the native species logging to its very limits is definitely on the agenda with the NGOs. I do not think it is actually going to provide any further peace in the forest or stability in the marketplace if that sort of thing continues. It sends the wrong messages around the world in our international markets and it also sends the wrong messages to the regional people about the confidence they can get out of having an agreement that is already standing there. We need to work at it, we need to massage it and we need to get it in the right place. If that means bringing back the entire World Heritage area application into a proper process of full consultation with all the stakeholders then that is probably the most confident thing that could actually come out of this process. If they have other areas they wish to submit, to put up then they should put them up now. We should then get this on the table and get it clear where they bloody stand.

The question of impartiality in the assessment process was an issue for Government Senators. At the Hobart hearing, Senator Ruston raised her concerns during questioning of private witness Peter Hitchcock (Hansard page 40) –

Senator RUSTON: I was just trying to get to the bottom of this—and Senator Whish-Wilson raised the issue of impartiality. I think the concerns that have been raised have been more around the fact that you potentially could have been involved in setting the agenda for the application and then, in your role as somebody who assessed that application, you sat as judge and jury on your own submission.

Mr Hitchcock: When I provide advice on what constitutes World Heritage—that is, what constitutes outstanding universal value—I provide that to whoever is seeking that advice. That is my specialty and I am a professional consultant in that field.

Senator RUSTON: When you were providing that advice to the Australian government in the lead-up to the 2013 application, did the Australian government also seek advice from a consultant who perhaps was not as committed to increasing boundaries as your reputation suggests you are and that you committed to in your dissenting report in 1989? Obviously, you have a position that you clearly adhere to. Did the government at the same time, as far as you are aware, seek to have somebody give it advice who perhaps was not so wedded to the position that you obviously have been all your life?

Mr Hitchcock: You would have to address that to the department. The department obviously was in contact with a lot of different people, including in the Tasmanian government at that time.

Senator RUSTON: It just appears as if your advice has perhaps been most influential in the outcome.

A second private witness, Mr Sean Cadman, was also questioned about his links to environmental groups and his independence in the process – (Hansard page 45)

Senator RUSTON: As Mr Hitchcock said before, have you been engaged to undertake work either paid or unpaid for any of these ENGOs who originally sought to have the submission submitted—for example, the Wilderness Society, the Australian Conservation Foundation? Are you a member? Do you work for them? Do you consult to them?

Mr Cadman: I have never been a member of any political party. So let's put that on the table.

Senator RUSTON: I was not asking about political parties.

Mr Cadman: And I am not a member of any ENGO. However, I have worked for almost every large ENGO in the country as a consultant and, in the case of the Wilderness Society, for 2½ years as their forest campaign coordinator. I have also worked for the Commonwealth government and for private individuals. I am a consultant.

Senator RUSTON: Finally, on your comment about me googling you, I did google you and I found that you run guided walk tours. Just for the record, whereabouts does your business occur and could there be any suggestion that you could possibly be benefiting financially in your own personal venture from—

Senator WHISH-WILSON: Like a private landowner.

Senator RUSTON: Excuse me, I am speaking.

Senator WHISH-WILSON: Sorry, I cannot control my cynicism sometimes.

Mr Cadman: I am quite happy to answer the question.

Senator RUSTON: Thank you.

Mr Cadman: Yes, I am blessed to live in the valley of Jackeys Marsh—which has been at the centre of a storm of political controversy around logging for 30 years—and proud of it. My wife and I set up an eco-lodge at the base of Quamby Bluff in order to

demonstrate there were economic alternatives to generate income from the forest than logging. Long before the IVG was set up I came to a commercial arrangement with Forestry Tasmania in respect of the areas which we use for our business. So the short answer to your question is, no, there was no conflict of interest. We had already secured our interest before this process began.

Senator RUSTON: But you might have to concede that there could be those who might think that there is a conflict of interest.

Government Senators consider that the evidence suggests that Mr Hitchcock's impartiality is somewhat questionable.

SUMMARY

The Australian Government will honour its forestry election commitments in Tasmania to ensure the industry is sustainable in the long-term and is not hampered by self-interest groups.

On the question of cultural heritage, Government Senators acknowledge that Australia will report on the progress on identification of cultural values for the property in the next State of Conservation report to be prepared in response to Decision 36 COM 7B.36 for consideration at the 39th session of the World Heritage Committee in 2015.

- The EPBC Act and the World Heritage area management arrangements recognise that Aboriginal heritage, together with natural heritage, forms the Outstanding Universal Value of the property. Should the World Heritage Committee accept the Australian Government's proposed boundary modification, forestry operations undertaken in accordance with the Tasmanian Regional Forest Agreement, and outside of the world heritage area, can continue; subject to Tasmanian Government approval.
- The Australian Government is committed to sustainable forest management. The extension of the Tasmanian Regional Forest Agreement will mean an appropriate balance of economic, social and environmental outcomes for our forests continues.
- These commitments will move the industry forward, providing opportunities for market growth and the certainty industry needs for investment.
- The Government will support the strength of our forestry industry and we will encourage more investment and stronger jobs growth in the sector.

Senator John Williams
Deputy Chair
Senator for New South Wales

Senator Anne Ruston
Senator for South Australia

Appendix 1

Submissions, form letters, tabled documents and answers to questions taken on notice

Submissions

1	Ms Genevieve Grant
2	Ms Diana Rickard
3	Mr Keith Thompson
4	Ms Kylie Jones
5	Ms Lorraine Perrins
6	Dr Kevin Kiernan
7	Friends of the Earth
8	Huon Valley Environment Centre
9	Professor Brendan Mackey
10	The Bob Brown Foundation
11	Tasmanian Conservation Trust Inc
12	Australian ICOMOS
13	Tasmanian Farmers and Graziers Association
14	Department of the Environment
15	Tasmanian National Parks Association Inc
16	Mr Peter Matthews
17	Australian Network of Environmental Defender's Offices
18	Florentine Protection Society
19	Women's Forest Trust
20	West Wellington Protection Group
21	National Parks Australia Council
22	Lawyers for Forests
23	The Wilderness Society (Tasmania) Inc, Environment Tasmania and the Australian Conservation Foundation
24	North East Bioregional Network Inc
25	Mr Peter Hitchcock AM
26	Mr Sean Cadman
27	Law Council of Australia
28	Australian Plants Society Tasmania, Hobart Group
29	Ms Virginia Young
30	Markets For Change
31	Huon Resource Development Group

32	Friends of the Great Western Tiers (Kooparooka Niara) Inc
33	Meander Liffey Resource Management Group
34	Institute of Foresters Australia
35	Mr Nathan Tremain
36	Dr John Cianchi
37	Mrs Kaylyn Geeves OAM
38	Dr John Biggs
39	Mr Patrick Hockey
40	Ms Eve Lamb
41	Mr Brian Waldron
42	Stanislaw Pelczynski and Barbara Pelczynska
43	Mr Don Tylee
44	Mr Matthew Campbell-Ellis, Tarkine Learning Centre
45	Mr Andy Baker, Wildsite Ecological Services Pty Ltd
46	Ms Kristy Dixon
47	Name Withheld
48	Ms Annie Costin
49	Ms Jocelyn Parry-Jones
50	Ms Angela McGowan
51	Ms Katie Roberts
52	Mr Ed Hill
53	Ms Bridie McEntee
54	Dr Beth Gilfillan
55	Mr Damien Power
56	Mr Nick Feneley
57	Mr Neil Innes Smith
58	Mr Nick Fitzgerald
59	Ms Kim Calder
60	Mr Rob Blakers
61	Mrs Annette Cam
62	Dr Cyril Edwards
63	Mr Kirk Bell
64	Dr John R Wilson OAM
65	Ms Patricia Ellison
66	Mr Roland Browne
67	Mr Jeremy Price
68	Ms (Verna) Romaine Rutnam
69	Mr Jim Walker
70	Mr Timothy J Bidder

71	Mr Wren Fraser Cameron
72	Dr Graham Cam
73	Mr Brendan Wilson
74	Ms Lucy Johannsohn
75	Katie Stackhouse and family
76	Mr Dhyani D'Souza
77	Mr Ivan Carter
78	Ms Beth Chamberlain
79	Ms Emma Capp
80	Mr John Lord
81	Ms Emily Brett
82	Ms Karen Beltran
83	Mr Roger Martin
84	Mr Jurate Kantvilas Flanagan
85	Mr Graham King
86	Ms Abby Gee
87	Ms Emma Lee
88	Ms Alison Pouliot
89	Mr Michael Bond
90	Ms Katherine Carroll
91	Ms Marie-Anne Lees
92	Ms Elizabeth Connor
93	Mr Greg Burrows
94	Ms Geraldine Brooks
95	Ms Fiona Smith
96	Tasmanian Special Timbers Alliance
97	Mrs Melva Truchanas
98	Mr Graham Daly
99	Mr Howie Cooke
100	Mrs Christine Jansson-Dehle
101	Ms Carol Rea
102	Ms Ko Oishi
103	Tasmanian Aboriginal Centre Inc
104	Mr Peter C Sims OAM
105	Mr Tom Baxter
106	Mr Alec Marr, Strategic Interventions
107	Upper Meander Catchment Landcare Group
108	Ms Holly Williams
109	Ms Maria Riedl

110	Ms Claire Williams
111	Dr Adrian Flitney
112	Mr Jerry de Gryse
113	Mr James Wilkins
114	The Hon Greg Hall MLC
115	Confidential
116	Name Withheld
117	Mr Peter Godfrey

Form letters

Form Letter Variation 1 was received from 3, 229 individuals

Form Letter Variation 2 was received from 44 individuals

Form Letter Variation 3 was received from 160 individuals

Form Letter Variation 4 was received from 6 individuals

Tabled documents

Huon Resource Development Group (public hearing, 31 March 2014, Hobart)

Correspondence, dated 27 February 2013, to the Director, World Heritage Centre

Correspondence, dated 10 June 2013, to the Chairperson, ICOMOS

Mr George Harris – *A personal view*

Supplementary information

Tasmanian Special Timbers Alliance (public hearing, 31 March 2014, Hobart)

Extract from the Regional Forest Agreement, Clause 40

Extract from the Independent Verification Group report

The Greens Tasmania – Forest Transition Strategy, March 2010

Email from Kim Booth, The Greens, Tasmania, dated 25 February 2014

Maps (9) related to Greens Tasmania policy

Letter from Ms Lara Giddings, Premier of Tasmania, dated 16 July 2012

Tasmanian Aboriginal Centre (public hearing, 31 March 2014, Hobart)

Extract – international agreements

Tasmanian National Parks Association (public hearing, 31 March 2014, Hobart)

Tasmanian National Parks Association submission to the World Heritage Mission to the Tasmanian Wilderness World Heritage Area, March 2008

Dr Kevin Kiernan (public hearing, 31 March 2014, Hobart)

Conservation, timber and perceived values at Mt Field, Tasmania by Kevin Kiernan

Managing Protected Areas – A Global Guide edited by Michael Lockwood, Graeme L Worboys and Ashish Kothari

Mr Peter Hitchcock (public hearing, 31 March 2014, Hobart)

Photographs (5) showing proposed delisting site

Mr Tom Baxter (public hearing, 31 March 2014, Hobart)

Saturday soap box: 'Old thinking' will cost Tasmania jobs by Jane Calvert, *The Mercury*, 22 March 2014

Professor Brendan Mackey (public hearing, 6 May 2014, Canberra)

Independent Verification Group – 20 February 2012

Answers to questions taken on notice

Department of the Environment – Response to written questions taken on notice (with maps), 7 March 2014

Professor Brendan Mackey – Answer to a question taken on notice (from public hearing, 6 May 2014, Canberra)

Professor Brendan Mackey – Answer to a question taken on notice (from public hearing, 6 May 2014, Canberra)

Institute of Foresters of Australia – Answers to questions taken on notice (from public hearing, 6 May 2014, Canberra)

Forestry Tasmania – Answers to written questions taken on notice, dated 11 April 2014

Forestry Tasmania – Answers to written questions taken on notice, dated 7 May 2014

Department of the Environment – Answers to questions taken on notice (from public hearing, 6 May 2014, Canberra)

Appendix 2

Public hearings

Monday, 31 March 2014 – Hobart

The Wilderness Society

Mr Vica Bayley, Tasmanian Campaign Manager

Mr Geoffrey Law AM, Expert Consultant

Huon Resource Development Group

Mr Alan Duggan AM, Committee Member, Founding Member and Immediate Past President

Mr George Harris, President

Tasmanian Special Timbers Alliance

Mr Andrew Denman, Spokesman

Mr Pavel Ruzicka, Special Species Representative

Environmental Defender's Office, Tasmania

Mr Adam Beeson Solicitor

Dr Kevin Kiernan, Private capacity

Tasmanian National Parks Association

Ms Anne McConnell, Vice President

Mr Nicholas Sawyer, Secretary

Mr Sean Cadman, Private capacity

Mr Peter Hitchcock AM, Private capacity

Mr Tom Baxter, Private capacity

Tuesday, 6 May 2014 – Canberra

Institute of Foresters Australia

Ms Alison Carmichael, Chief Executive Officer

Mr Mark Parsons, Member

Professor Brendan Mackey, Private capacity

Mr Peter Matthews, Private capacity

Department of the Environment

Dr Kimberley Dripps, Deputy Secretary

Mr Stephen Oxley, First Assistant Secretary, Wildlife, Heritage and Marine Division

Ms Claire Howlett, Assistant Secretary, Biodiversity Policy Branch

Department of Foreign Affairs and Trade

Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division

Mr Noel Campbell, Assistant Secretary, International Organisations Branch

Department of Agriculture

Mr Mark Tucker, Deputy Secretary

Mr Paul McNamara, Assistant Secretary, Forestry Branch

Appendix 3

Operational Guidelines for the Implementation of the World Heritage Convention

II.D Criteria for the assessment of Outstanding Universal Value¹

77. The Committee considers a property as having Outstanding Universal Value (see paragraphs 49-53) if the property meets one or more of the following criteria. Nominated properties shall therefore:

- (i) represent a masterpiece of human creative genius;
- (ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
- (iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;
- (iv) be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;
- (v) be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change;
- (vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);
- (vii) contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;
- (viii) be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;

1 These criteria were formerly presented as two separate sets of criteria - criteria (i) - (vi) for cultural heritage and (i) - (iv) for natural heritage. In March 2013, the 6th extraordinary session of the World Heritage Committee decided to merge the ten criteria into one set (Decision 6 EXT.COM 5.1): <http://whc.unesco.org/archive/6extcom.htm> (accessed 14 May 2014).

(ix) be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;

(x) contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of Outstanding Universal Value from the point of view of science or conservation.

Appendix 4

World Heritage Values of the Tasmanian Wilderness¹

1.1 Note that the Department of the Environment's website states that:

A draft Statement of Outstanding Universal Value which will take into account the new areas added in 2013 is expected to be considered by the World Heritage Committee in 2014.

Outstanding Universal Value

1.2 The Tasmanian Wilderness is an extensive, wild, beautiful temperate land where cultural heritage of the Tasmanian Aboriginal people is preserved.

1.3 It is one of the three largest temperate wilderness areas remaining in the Southern Hemisphere. The region is home to some of the deepest and longest caves in Australia. It is renowned for its diversity of flora, and some of the longest lived trees and tallest flowering plants in the world grow in the area. The Tasmanian Wilderness is a stronghold for several animals that are either extinct or threatened on mainland Australia.

1.4 In the southwest Aboriginal people developed a unique cultural tradition based on a specialized stone and bone toolkit that enabled the hunting and processing of a single prey species (Bennett's wallaby) that provided nearly all of their dietary protein and fat. Extensive limestone cave systems contain rock art sites that have been dated to the end of the Pleistocene period. Southwest Tasmanian Aboriginal artistic expression during the last Ice Age is only known from the dark recesses of limestone caves.

1.5 The Tasmanian Wilderness was inscribed on the World Heritage List in 1982 and extended in 1989, 2010, 2012 and again in 2013.

1.6 The world heritage criteria are periodically revised and the criteria against which the property was listed in 1982 and 1989 are not identical with the current criteria.

Criteria

Outstanding examples representing the major stages of the earth's evolutionary history.

1.7 The Tasmanian Wilderness is an outstanding example representing major stages of the earth's evolutionary history. The world heritage values include:

- geological, geomorphological and physiographic features, including:
 - rock formations including Precambrian rocks and Cambrian rocks;
 - Late Cambrian to Early Ordovician sequences of the Denison Range;

1 As set out at: Department of the Environment, *World Heritage Places – Tasmanian Wilderness – Values*, <http://www.environment.gov.au/node/34173> (accessed 26 March 2014).

- fossiliferous Ordovician limestone;
- Permian-Triassic sediments and associated Jurassic dolerite intrusions;
- Darwin Crater and Lake Edgar fault;
- karst systems including glacio-karstic features;
- karst geomorphology and karst hydrology;
- glaciation, including glacial deposits of the Late Cainozoic, Permo-Carboniferous and Precambrian;
- extraglacial areas (eg solifluction sheets, block streams, rock glaciers, landslip deposits);
- periglaciation (e.g. Mt Rufus, Frenchman's Cap);
- soils (e.g. peatlands); and
- undisturbed river systems which show particular geomorphological processes;
- relict biota which show links to ancient Gondwanan biota including:
 - endemic conifers (including the King Billy pine *Athrotaxis selaginoides*, the Huon pine *Lagarostrobos franklinii* and the genera *Diselma*, *Microcachrys*, *Microstrobos*);
 - plant species in the families Cunoniaceae, Escalloniaceae and Winteraceae;
 - the plant genera *Bellendena*, *Agastachys* and *Cenarrhenes* in the Proteaceae;
 - other plant genera with Gondwanan links (e.g. *Eucryphia*, *Orites*, *Lomatia* and *Nothofagus*);
 - monotremes (e.g. platypus *Ornithorhynchus anatinus*, short beaked echidna *Tachyglossus aculeatus*);
 - dasyurid species;
 - parrots (e.g. orange-bellied parrot and the ground parrot);
 - indigenous families of frogs with Gondwanan origins (e.g. Tasmanian froglet *Ranidella tasmaniensis*, brown froglet *Ranidella signifera*, Tasmanian tree frog *Litoria burrowsi*, brown tree frog *Litoria ewingi*);
 - invertebrate species in the genera *Euperipatoides* and *Ooperipatellus*;
 - the Tasmanian cave spider (*Hickmania troglodytes*);
 - aquatic insect groups with close affinities to groups found in South America, New Zealand and Southern Africa (e.g. dragonflies, chironomid midges, stoneflies, mayflies and caddisflies);
 - crustaceans (e.g. *Anaspidacea*, *Parastacidae*, *Phreatoicidae*);
 - primitive taxa showing links to fauna more ancient than Gondwana (e.g. Anaspids, *Trogloneta* (a mysmenid spider), species of alpine moths in the

subfamily Archiearinae, species in the genus *Sabatinca* of the primitive lepidopteran sub-order Zeugloptera).

Outstanding examples representing significant ongoing geological processes, biological evolution and man's interaction with his natural environment.

1.8 The Tasmanian Wilderness has outstanding examples representing significant ongoing geological processes and ongoing ecological and biological processes in the evolution and development of terrestrial, fresh water and coastal ecosystems and communities, including:

- sites where processes of geomorphological and hydrological evolution are continuing in an uninterrupted natural condition (including karst formation, periglaciation which is continuing on some higher summits (e.g. on the Boomerang, Mount La Perouse, Mount Rufus, Frenchmans Cap), fluvial deposition, evolution of spectacular gorges, marine and aeolian deposition and erosion, and development of peat soils and blanket bogs);
- ecosystems which are relatively free of introduced plant and animal species;
- coastal plant communities free of exotic sand binding grasses which show natural processes of dune formation and erosion;
- undisturbed catchments, lakes and streams;
- alpine ecosystems with high levels of endemism;
- the unusual 'cushion plants' (bolster heaths) of the alpine ecosystems;
- ecological transitions from moorland to rainforest;
- pristine tall eucalypt forests;
- examples of active speciation in the genus *Eucalyptus*, including sites of:
 - hybridisation and introgression;
 - clinal variation (e.g. *E. subcrenulata*);
 - habitat selection (e.g. *E. gunnii*); and
 - transition zones which include genetic exchanges between *Eucalyptus* species;
- plant groups in which speciation is active (e.g. *Gonocarpus*, *Ranunculus* and *Plantago*);
- conifers of extreme longevity (including Huon pine, Pencil pine and King Billy pine);
- endemic members of large Australian plant families (e.g. heaths such as *Richea pandanifolia*, *Richea scoparia*, *Dracophyllum minimum* and *prionotes cerinthoides*);
- endemic members of invertebrate groups;

- invertebrate species in isolated environments, especially mountain peaks, offshore islands and caves with high levels of genetic and phenotypic variation;
- invertebrates of unusually large size (e.g. the giant pandini moth - *Proditrix* sp, several species of Neanuridae, the brightly coloured stonefly - *Eusthenia spectabilis*);
- invertebrate groups which show extraordinary diversity (e.g. land flatworms, large amphipods, peripatus, stag beetles, stoneflies);
- skinks in the genus *Leiopisma* which demonstrate adaptive radiation in alpine heaths and boulder fields on mountain ranges;
- examples of evolution in mainland mammals (e.g. sub-species of Bennett's wallaby - *Macropus rufogriseus*, swamp antechinus - *Antechinus minimus*, southern brown bandicoot - *Isodon obesulus*, common wombat - *Vombatus ursinus*, common ringtail possum - *Pseudocheirus peregrinus*, common brushtail possum - *Trichosurus vulpecula*, eastern pygmy possum - *Cercartetus nanus*, the swamp rat - *Rattus lutreolus*) in many birds (e.g. the azure kingfisher - *Alcedo azurea*) and in island faunas;
- animal and bird species whose habitat elsewhere is under threat (e.g. the spotted-tail quoll *Dasyurus maculatus*, swamp antechinus *Antechinus minimus*, broad-toothed rat - *Mastacomys fuscus* and the ground parrot - *Pezoporus wallicus*); and
- the diversity of plant and animal species.

Contains superlative natural phenomena, formations or features, for instance outstanding examples of the most important ecosystems, areas of exceptional natural beauty or exceptional combinations of natural and cultural elements.

1.9 The landscape of the Tasmanian Wilderness has exceptional natural beauty and aesthetic importance and contains superlative natural phenomena including:

- viewfields and sites of exceptional natural beauty associated with:
 - flowering heaths of the coastline;
 - the south and south-west coasts comprising steep headlands interspersed with sweeping beaches, rocky coves and secluded inlets;
 - eucalypt tall open forests including *Eucalyptus regnans*, the tallest flowering plant species in the world;
 - rainforests framing undisturbed rivers;
 - buttongrass, heath and moorland extending over vast plains;
 - wind-pruned alpine vegetation;
 - sheer quartzite or dolerite capped mountains (including Cradle Mountain, Frenchmans Cap, Federation Peak and Precipitous Bluff);
 - deep, glacial lakes, tarns, cirques and pools throughout the ranges;

- the relatively undisturbed nature of the property;
- the scale of the undisturbed landscapes;
- the juxtaposition of different landscapes;
- the presence of unusual natural formations (e.g. particular types of karst features) and superlative examples of glacial landforms and other types of geomorphic features; and
- rare or unusual flora and fauna.

Contain the most important and significant habitats where threatened species of plants and animals of outstanding universal value from the point of view of science and conservation still survive.

1.10 The ecosystems of the Tasmanian Wilderness contain important and significant natural habitats where threatened species of animals and plants of outstanding universal value from the point of view of science and conservation still survive, including:

- habitats important for endemic plant and animal taxa and taxa of conservation significance, including:
 - rainforest communities;
 - alpine communities;
 - moorlands (e.g. in the far south-west);
 - riparian and lacustrine communities (including meromictic lakes).
 - habitats which are relatively undisturbed and of sufficient size to enable survival of taxa of conservation significance including endemic taxa;
 - plant species of conservation significance
 - animal species of conservation significance, such as:
 - spotted-tail quoll *Dasyurus maculatus*;
 - swamp antechinus *Antechinus minimus*
 - broad-toothed rat *Mastacomys fuscus*
 - ground parrot *Pezoporus wallicus*
 - orange-bellied parrot *Neophema chrysogaster*
 - Lake Pedder galaxias *Galaxias pedderensis*
 - Pedra Branka skink *Niveoscincus palfreymani*.

Bear a unique or at least exceptional testimony to a civilisation which has disappeared.

1.11 The Tasmanian Wilderness bears a unique and exceptional testimony to an ancient, ice age society, represented by:

- Pleistocene archaeological sites that are unique, of great antiquity and exceptional in nature, demonstrating the sequence of human occupation at high southern latitudes during the last ice age.

An outstanding example of a traditional human settlement which is representative of a culture which has become vulnerable under the impact of irreversible change.

1.12 The Tasmanian Wilderness provides outstanding examples of a significant, traditional human settlement that has become vulnerable under the impact of irreversible socio-cultural or economic change. The world heritage values include:

- archaeological sites which provide important examples of the hunting and gathering way of life, showing how people practised this way of life over long time periods, during often extreme climatic conditions and in contexts where it came under the impact of irreversible socio-cultural and economic change.

Directly or tangibly associated with events or with ideas or beliefs of outstanding universal significance.

1.13 The Tasmanian Wilderness is directly associated with events of outstanding universal significance linked to the adaptation and survival of human societies to glacial climatic cycles. The world heritage values include:

- archaeological sites including Pleistocene sites, which demonstrate the adaptation and survival of human societies to glacial climatic cycles and periods of long isolation from other communities (e.g. the human societies in this region were the most southerly known peoples on earth during the last ice age).