28 January 2020

The Honourable Sussan Ley MP
Minister for the Environment
Parliament House
Canberra ACT 2600

Dear Minister

Tasmanian Wilderness World Heritage Area
Aboriginal Cultural Heritage, Tourism Master Plan Process and Related Matters

Australia ICOMOS is writing to convey its grave concern regarding the Tourism Master Plan process for the Tasmanian Wilderness World Heritage Area (TWWHA) and protection for cultural heritage values, as well as allied concerns regarding the current management of cultural values in the TWWHA. We have also written to the Tasmanian Minister for Environment and Parks.

The purpose of this letter is to:

- encourage the timely completion of an Aboriginal cultural landscape assessment of the Tasmanian Wilderness World Heritage Area,
- request deferral of the TWWHA Tourism Master Plan until the Aboriginal cultural landscape assessment is available,
- seek a moratorium on new substantial or significant tourism or major infrastructure development until the Tourism Master Plan is approved by the World Heritage Committee, and
- seek re-establishment of a specific Advisory Committee for the TWWHA.

As you are aware, ICOMOS – the International Council on Monuments and Sites – is a non-government professional organisation that promotes expertise in the conservation of cultural heritage. ICOMOS is also an Advisory Body to the World Heritage Committee under the World Heritage Convention. Australia ICOMOS, formed in 1976, is one of over 100 national committees throughout the world. Australia ICOMOS has over 700 members in a range of heritage professions. We have expert members on a large number of ICOMOS International Scientific Committees, as well as on expert committees and boards in Australia. We have a particular interest in Australia’s World Heritage sites, including the Tasmanian Wilderness World Heritage Area.

Australia ICOMOS’ interest and involvement in the management of the TWWHA has been extensive. It includes having made submissions to, and met with, the UNESCO World Heritage Centre reactive monitoring missions in 2008 and 2015; having made submissions in relation to the Australian Government’s proposed de-listing of the TWWHA in 2014 and on the 2014 Draft TWWHA Management Plan; and providing comment earlier last year on the Draft Retrospective Statement of Outstanding Universal Values for the TWWHA at the request of the Australian Government. Australia ICOMOS members have worked in the TWWHA in relation to cultural heritage and have served on the former Tasmanian Wilderness World Heritage Area Consultative Committee and on the Tasmanian National Parks and Wildlife Advisory Council.

Australia ICOMOS’ concern is that the Tourism Master Plan for the TWWHA, which is currently being developed, will be completed prior to the assessment of the Aboriginal cultural landscape values of the TWWHA being completed. This, in our view, creates a situation that will put the potential Aboriginal cultural landscape values at significant risk from future tourism development because those values will not be able to be taken into account in the Tourism Master Plan. These values are potentially of Outstanding Universal Value and it is noted they are also not protected through the current Management Plan.
Australia ICOMOS strongly believes that the TWWHA has significant Aboriginal cultural landscape values. The TWWHA has a widespread and diverse Aboriginal cultural heritage of acknowledged Outstanding Universal Value demonstrating historic and no longer practiced lifeways. This occurs in the essentially natural setting of the TWWHA, a setting similar to that in which these historic lifeways occurred. The high integrity of the natural setting, recognised through its acknowledged wilderness quality, provides the pre-conditions for the TWWHA to be in part, or in whole, a high quality Aboriginal associative cultural landscape and/or organically evolved cultural landscape, of probable Outstanding Universal Value. However this status remains to be tested and is why timely assessment is required.

Particular discrete and spatially limited heritage values are unlikely to be subject to the same risk from development as cultural landscape values given that the TWWHA Aboriginal cultural landscape values are likely to be extensive, and may apply to most of the TWWHA. These values will be highly dependent on the integrity of the natural environment (given the importance of integrity and authenticity for a cultural landscape of Outstanding Universal Value). This means that new development, including new tourism development, outside of developed areas of the TWWHA will put any such Aboriginal cultural landscape values at risk. It is therefore imperative that the Aboriginal cultural landscape values are properly understood before any new development occurs to avoid loss of such values. Since the Tourism Master Plan will direct where tourism occurs, it is of critical importance that the Aboriginal cultural landscape values of the TWWHA are assessed and taken into account in the Tourism Master Plan.

While it might be argued that the TWWHA Management Plan can still operate to protect these values, they are not recognised in the 2016 Management Plan and so are not explicitly protected. In addition, changes to the zoning and development assessment process in the 2016 Management Plan have, in our opinion, weakened the ability of the TWWHA Management Plan to protect values in relation to development.

Australia ICOMOS is cognisant that the Tourism Master Plan has been requested by the World Heritage Committee (Decision WHC 40 COM 7B.66), but would also point out that the World Heritage Committee requested more effective management of the Aboriginal cultural heritage values of the TWWHA, including through increased research, eight years prior to its request for a Tourism Master Plan (Decision WHC 32 COM 7B.41). We also note that the World Heritage Committee’s intent in requesting that a Tourism Master Plan be prepared is the achievement of a better balance, “between legitimate tourism development and conservation of cultural and natural attributes, based on consultation and negotiation with relevant stakeholders, including the Tasmanian Aboriginal Community” (Decision WHC 40 COM 7B.66).

With minimal significant additional consultation in the area of Aboriginal heritage having been carried out, this suggests that the understanding of this area is insufficient to meet the World Heritage Committee requirements.

We further note that the Australian Government provided significant funding in 2015 to Tasmania to undertake a comprehensive assessment of Aboriginal values, presumably to further the 2008 recommendation of the World Heritage Committee, and this was also highlighted in a 2016 decision (with reference to a ‘comprehensive cultural survey’ requested by the World Heritage Committee, Decision WHC 40 COM 7B.66). Although we are aware that a start to the assessment (a plan, background reviews, and initial Aboriginal community consultation) has been made, it is disappointing that the assessment has not been completed, now five years later, and that there appears to be no set time frame for the completion of the assessment. We also understand that there is no advisory or consultative mechanism established to allow for input to the project by the Tasmanian Parks & Wildlife Service or to take advantage of other expertise. This is also a matter of concern to Australia ICOMOS.

The current Tourism Master Plan development and implementation process together with the existing management framework therefore appears to have created a situation where significant Aboriginal values, including established Outstanding Universal Value and the likely cultural landscape values, may be compromised through future tourism use and development within the TWWHA. The Tourism Master Plan development should therefore be delayed until the comprehensive assessment of Aboriginal values, in particular the Aboriginal cultural landscape values, is completed and the values should then be taken into account in developing the TWWHA Tourism Master Plan.

To address this, Australia ICOMOS urges the Australian Government to work in partnership with the Tasmanian Government to ensure that:

1. As a matter of high priority an Aboriginal cultural landscape assessment of the TWWHA is progressed to completion.
2. Completion of the TWWHA Tourism Master Plan is deferred until the comprehensive cultural survey, or, at minimum, the Aboriginal cultural landscape assessment, is completed and found acceptable by the World Heritage Committee; and the results can then be taken into account in the Tourism Master Plan.

3. No new substantial or significant tourism or major infrastructure development is approved in the TWWHA (other than in the existing Visitor Management Zones) until the Tourism Master Plan is in place after approval by the World Heritage Committee, given the risk of inappropriate development and irreversible impacts.

4. Aboriginal cultural heritage assessment of the TWWHA managed by Aboriginal Heritage Tasmania be steered by a Project Management Committee that includes representation from the Tasmanian PWS and the Australian Department of the Environment and Energy, as well as other relevant representation, in particular Aboriginal representation, to ensure the study meets TWWHA management needs and is undertaken in a timely manner.

5. In line with current standard practice for Australian World Heritage areas, an Advisory Committee specifically for the TWWHA be re-established (along the same lines as the former TWWHA Consultative Committee, although with greater Aboriginal representation given the extensive Aboriginal values of the TWWHA) to assist in providing expert guidance for the management of the TWWHA, including the further development and implementation of the Tourism Master Plan. The current advisory committee, the National Parks & Wildlife Advisory Committee, is not a dedicated TWWHA Advisory Committee and would not appear adequately constituted to undertake this role.

The detailed basis for our concerns, which give rise to the above recommendations, is provided in Attachment 1.

We would be willing to provide additional advice if requested.

Yours sincerely

Duncan Marshall AM
Vice President

Copies:
- World Heritage Centre
- ICOMOS, Paris
Attachment 1

Summary of Australia ICOMOS’ Concerns in Relation to the Tasmanian Wilderness World Heritage Area, the Identification of its Cultural Landscape Values and Protection for these Values in Current Tourism Planning

Introduction
The following outlines the basis of Australia ICOMOS’ concerns regarding the timing and nature of the Tasmanian Wilderness World Heritage Area Tourism Master Plan, the inadequacies of the management framework of the Tasmanian Wilderness World Heritage Area (TWWHA) and the consequent risk of failure to adequately protect known and potential values, including those of Outstanding Universal Value. Our concerns centre around the future use, in particular the tourism and recreational use, of the TWWHA and our comment focusses primarily on the Aboriginal cultural landscape values of the TWWHA.

In making comment, Australia ICOMOS has given special regard to the:

- Precautionary Principle; and
- UNESCO Operational Guidelines for the Implementation of the World Heritage Convention 2017, paragraph 98, which states,

> ‘Legislative and regulatory measures at national and local levels should assure the protection of the property from social, economic and other pressures or changes that might negatively impact the Outstanding Universal Value, including the integrity and/or authenticity of the property. States Parties should also assure the full and effective implementation of such measures.’

We have also considered the broader framework and obligations for management of World Heritage Areas as set out under the UNESCO Operational Guidelines for the Implementation of the World Heritage Convention 2017; the Australian World Heritage Management Principles contained in Schedule 5 of the Environment Protection and Biodiversity Conservation Regulations 2000; and other more general standards for the conservation of natural and cultural values, including the Australia ICOMOS Burra Charter and the Australian Natural Heritage Charter, both of which are included as Key Guiding Documents in the TWWHA Management Plan 2016; and relevant ICOMOS doctrinal texts such as the Nara Document on Authenticity (1994) and the Xian Declaration on the Conservation of the Setting of Heritage Structures, Sites and Areas (2005).

Recognition and Protection of the Aboriginal Cultural Landscape Values of the TWWHA

The Aboriginal cultural landscape values of the TWWHA remain essentially unknown, and no assessment of Aboriginal cultural landscape values in the TWWHA has yet been undertaken. This is despite such values being flagged in 2002, an Aboriginal community view that such landscape values exist, a request by the World Heritage Committee for greater investigation of the cultural values of the TWWHA in 2008, and the provision of significant funding from the Australian Government in 2015 to undertake such studies.

- To date there have been very few dedicated studies to determine the Aboriginal values of the TWWHA, with most existing studies having been undertaken prior to the creation of the TWWHA and most of these comprising small area or site-based research or environmental impact assessment driven studies focused on sites. In its briefing to the 2008 Reactive Monitoring Mission to the TWWHA,

1 The dedicated, broader studies known to be carried out that were not limited to desktop studies are – 1. The Southwest Tasmanian Hinterland Aboriginal Site Survey (Sim & West 1993); 2. the Tana Trawna Project (Smith et al 1996) covering the Walls of Jerusalem and part of the Central Plateau; and 3. the Trounekarte Mabberle: Looking at Country All Together report (McConnell & Hamilton 2001) covering the Overland Track and Frenchman’s Cap area. All three studies were carried under the auspices of the then Tasmanian Aboriginal Land Council, with the first funded by the National Estate Grants Program, and the other two by the Parks and Wildlife Service (PWS).
Australia ICOMOS noted that there was still very limited research into Aboriginal values being undertaken through WHA funding or as independent research; with most of what was occurring being reactive and site/issue specific.

- This is still the case. The Australian Government funding provided in c.2015 to research the Aboriginal cultural values of the TWWHA has to date resulted in the completion of a plan for further research and desktop background review, neither of which have added substantive new information, and which in Australia ICOMOS’ view have yet to contribute to an improved understanding of the Aboriginal cultural values, including the Outstanding Universal Value, of the TWWHA.

- Although none of the existing, available Aboriginal heritage studies have considered Aboriginal cultural landscape values, the studies by Smith et al (1996) and McConnell & Hamilton (2001) (refer footnote 1) took a landscape archaeology approach and their work suggests that the TWWHA, or at least significant parts of it, may constitute an Aboriginal cultural landscape. Cosgrove’s (1984) Aboriginal Economy and Settlement in the Tasmanian Central Highlands can also be regarded similarly.

- In 2002 Jane Lennon carried out a review of the cultural heritage values of the TWWHA for the PWS, providing a report titled Cultural Heritage Values Update of the Tasmanian Wilderness World Heritage Area. This was a desktop study only, but it was the first comprehensive review of TWWHA cultural values. It was this study that first noted the potential for the TWWHA to have Aboriginal cultural landscape values (to be an associative cultural landscape)\(^2\), and recommended that the Aboriginal cultural landscape values be assessed.\(^3\)

- In 2008 Australia ICOMOS raised concerns regarding the limited amount of existing identification of Aboriginal heritage values with the World Heritage Centre Reactive Monitoring Mission to the TWWHA. It specifically noted that there was still a need to address Aboriginal cultural landscape values in the TWWHA and in areas adjacent to the TWWHA based on Lennon’s (2002) recommendation (which had still not been acted upon), particularly given that new assessments on the edge of the TWWHA (e.g. at Recherche Bay) indicated that there were very high level Aboriginal cultural landscape values adjacent to, and extending into, the TWWHA. At this time Australia ICOMOS also noted that in its view the potential cultural landscapes (pre-contact Aboriginal and historical) would mostly meet the test of authenticity and integrity.

- Later in 2008, based on the recommendations of the Mission, the World Heritage Committee requested the State Party to “maintain and improve the resourcing for the research, documentation, protection, monitoring and effective management for archaeological and Aboriginal cultural sites both those within the TWWHA and those in the adjacent forestry areas that reflect the wider context of Aboriginal land-use practices and are of potential Outstanding Universal Value” (Decision WHC 32 COM 7B.41). No new such work is understood to have been undertaken between 2008 and 2015-16.

- In 2015 Australia ICOMOS raised this issue again, this time in its submission on the 2014 Draft TWWHA Management Plan, stating “Australia ICOMOS notes with concern that no assessment of the Aboriginal values of the recently added areas of the TWWHA [through the 2013 extension] has yet been undertaken. Such an assessment should have been undertaken as a matter of priority and to provide the basis of the revised management plan, especially since we are aware that significant Federal Government funding was allocated for this purpose” and recommending a “formal assessment of Aboriginal cultural landscape values be undertaken as recommended by Lennon (2002) and the World Heritage Committee following the 2008 Mission”.

- In 2016 the World Heritage Committee further requested a ‘synthesis report of all available information on cultural sites of the property’ and a detailed plan for a ‘comprehensive cultural survey’, as recommended by the 2015 Reactive Monitoring Mission, by 1 December 2017 (Decision WHC 40 COM 7B.66). On the basis of recent enquires, Australia ICOMOS understands that this request was

---

\(^2\) Lennon (2002, 71) concluded that “The TWWHA contains cultural landscapes. Some of these contain outstanding universal values worthy of World Heritage listing.” and “for Aborigines the whole WHA is a cultural landscape and this belief could be sustained in a case for it as an \textit{associative cultural landscape} in accordance with World Heritage criterion 39 (iii)\(^2\)."

\(^3\) Specifically that if a renomination of the TWWHA was considered that the applicability of criterion 39 (ii) \textit{organically evolved landscape} and Criterion 39 (iii) \textit{associative cultural landscapes} be considered, noting that “For Tasmanian Aborigines the whole of the TWWHA is an Aboriginal landscape …” (Lennon 2002, 72-74).
met, however Australia ICOMOS understands that as of late 2019 the progress over the subsequent two years has been limited to preliminary consultation with Aboriginal communities to establish consultation interests and one subject-focussed ‘package’ of work (ie., that relating to the recording, conservation and management of rock art) is understood to have started.

- Therefore, despite consistent advice over some 17 years that the Aboriginal cultural landscape values of the TWWHA need assessment; provision of Australian Government funding for this purpose to the Tasmanian Government in 2015; and a TWWHA Aboriginal cultural landscape assessment being proposed, no substantive TWWHA Aboriginal cultural landscape assessment has yet commenced. There also appears to be no clear time frame for completion of the cultural landscape assessment. It is also understood from discussion with the PWS that it has no engagement with the proposed cultural landscape assessment, which is being undertaken solely within Aboriginal Heritage Tasmania.

- Although there is still no formal assessment of the Aboriginal cultural landscape values of the whole of the TWWHA, it is clear that the Aboriginal community, not only heritage professionals, regard the TWWHA as having Aboriginal cultural landscape values. This is evident in the following excerpts from introductory personal statements in the TWWHA Management Plan 2016:

  “The legacy of our Ancestors can be seen in the cultural landscapes, including the area now known as the Tasmanian Wilderness World Heritage Area” - Rocky Sainty, Chair of the Tasmanian Aboriginal Heritage Council (TWWHAMP 2016, iii).

  “The Aboriginal heritage values of the TWWHA, which are inseparable from the natural values within the landscape, remain powerful and core to who we are as Tasmanian Aboriginal people today. ... Living cultural landscapes in the form of hinterland button-grass plains and sweeping coastal scrubland provide us with evidence that Aboriginal people shaped the landscape using ancient firing practices, passed on since the first ancestors walked across the Milky Way ... My people consider the TWWHA to be a precious cultural landscape that must be cared for and protected by sound ethical management” - Aunty Patsy Cameron, Tasmanian Aboriginal Elder (TWWHAMP 2016, v).

- If it is the case that the TWWHA, or substantial parts of it, do comprise one or more Aboriginal cultural landscapes, then 1. these values will be extensive, and 2. the extensive, existing, essentially natural nature and wilderness quality of the TWWHA will be a critical component of these cultural landscapes (as part of ‘the combined works of nature and man’). To be of Outstanding Universal Value these cultural landscapes “must also meet the conditions of integrity and/or authenticity”.

- Australia ICOMOS’ core concern is therefore that without understanding these cultural landscapes, and given the importance of authenticity and integrity for natural and cultural World Heritage values, it is not possible to confidently protect these potential values where new uses and development occur within the TWWHA.

- As per the Australia ICOMOS Burra Charter (a ‘Key Guiding Document’ of the TWWHA Management Plan 2016), it is imperative that the Aboriginal cultural landscape values of the TWWHA be identified and assessed, and management policy developed, prior to any new use or developments.

The TWWHA Tourism Master Plan and Values Protection and Maintenance

Australia ICOMOS does not believe that the TWWHA Tourism Master Plan will be able to deliver a “Tourism Master Plan ... [that] refines the balance between legitimate tourism development and conservation of cultural and natural attributes, based on consultation and negotiation with relevant stakeholders, including the Tasmanian Aboriginal Community” as requested by the World Heritage Committee in 2016 (World Heritage Committee Decision 40 COM 7B.66) unless it is informed by an Aboriginal (and other) cultural landscapes assessment of the TWWHA, and given the current scope of the TWWHA Tourism Master Plan development process.

- The overarching priority for managing the TWWHA would appear to be protection of the natural and cultural values, with any actions, including presentation, or recreational or tourism use needing to be consistent with this primary objective. This is indicated by the following:

---

4 As per the Convention Concerning The Protection Of The World Cultural And Natural Heritage 1972, article 1; and the Operational Guidelines for the Implementation of the World Heritage Convention 2017, paragraph 47.

- The ‘Australian World Heritage Management Principles’, in Schedule 5 of the Environment Protection and Biodiversity Conservation Regulations 2000, which include that “The primary purpose of management of natural heritage and cultural heritage of a declared World Heritage property must be, in accordance with Australia’s obligations under the World Heritage Convention, to identify, protect, conserve, present, transmit to future generations and, if appropriate, rehabilitate the World Heritage values of the property” (reflecting Article 4 of the World Heritage Convention).

- The guiding Vision for management of the TWWHA (TWWHA Management Plan 2016, 34) “To identify, protect, conserve, present, and, if appropriate, to rehabilitate, the World Heritage, National Heritage and other natural and cultural values of the TWWHA and to transmit that heritage to future generations in as good or better condition than at present.” This, as also noted, “establishe[d] a duty of long-term care and stewardship to ensure that the natural and cultural heritage of the TWWHA is not degraded by a cumulative impact over time”.

- The ‘Purpose of Reservation’ for a National Park (which make up c.85% of the TWWHA) under the National Parks and Reserves Management Act 2002 which is “The protection and maintenance of the natural and cultural values of the area of land while providing for ecologically sustainable recreation consistent with conserving those values”.

- Further, and relevant to presentation, tourism and recreation, we note that, in relation to environmental impact assessment and approval in Australian World Heritage Areas, there is an obligation under the Australian World Heritage Management Principles contained in Schedule 5 (item 3) of the Environment Protection and Biodiversity Conservation Regulations 2000 that before an action is taken that is likely to have a significant impact on the World Heritage values of a property, “the likely impact of the action on the World Heritage values of the property should be assessed under a statutory environmental impact assessment and approval process” and “the assessment process should:
  (a) identify the World Heritage values of the property that are likely to be affected by the action; &
  (b) examine how the World Heritage values of the property might be affected; and
  (c) provide for adequate opportunity for public consultation”.

- The Australia ICOMOS Burra Charter (a ‘Key Guiding Document’ of the TWWHA Management Plan 2016) also advocates, as part of the Burra Charter Process, that the “Policy for managing a place must be based on an understanding of its cultural significance” (Article 6.2).

- It would therefore appear to be an essential requirement of the TWWHA Tourism Master Plan, currently being developed by the Tasmanian Government, that it be informed by a good understanding of the cultural values of the TWWHA. This should particularly be the case given that the Tourism Master Plan was requested by the World Heritage Committee “to refine the balance between legitimate tourism development and conservation of cultural and natural attributes, based on consultation and negotiation with relevant stakeholders, including the Tasmanian Aboriginal Community” (Decision WHC 40 COM 7B.66).

- We submit therefore that, given the complete lack of a formal assessment of the Aboriginal cultural landscape values of the TWWHA to date, and the extensive nature and potential sensitivities of any Aboriginal cultural landscape values that might occur in the TWWHA, the TWWHA Tourism Master Plan must be informed by an understanding of these values.

- Australia ICOMOS also sees the priority assessment of Aboriginal cultural landscape values of the TWWHA to inform the TWWHA Tourism Master Plan as essential given that it is not possible to protect broad scale values such as cultural landscapes on a development by development basis. The tendency for localised assessments for individual developments is not conducive to a proper assessment of cultural landscape values as part of standard environmental impact assessments or to the consideration of cumulative impacts.

- Australia ICOMOS accepts that it is not possible to know all the natural and cultural values of the TWWHA prior to developing policy. However, in this case the need to assess the Aboriginal cultural landscape values was first flagged in 2002 and nothing has occurred subsequently to suggest the assessment is not needed.

---

6 Australia ICOMOS emphasis.
• We understand that Aboriginal Heritage Tasmania is making renewed efforts to engage with Tasmania’s Aboriginal communities in relation to the management of the TWWHA more generally. However, in relation to the TWWHA Tourism Master Plan, it would appear that the process of ‘consultation and negotiation with relevant stakeholders’ has fallen far short of what might have been expected. There has been no apparent key stakeholder consultation undertaken (except as part of the general consultation which was in the form of a single community meeting per region where only very specific views were sought). Australia ICOMOS was not consulted, asked for its views, or specifically advised of the Plan’s preparation; and we understand that there is unhappiness within the Aboriginal community, including at high levels, about the way the consultation has been undertaken.

• Australia ICOMOS also has concerns that the scope for the TWWHA Tourism Master Plan developed by the PWS is too narrow to be able to deliver a “separate Tourism Master Plan ... to refine the balance between legitimate tourism development and conservation of cultural and natural attributes” asked for by the World Heritage Committee in 2016 (Decision WHC 40 COM 7B.66) as it fails to specify clear requirements for the consideration of the natural and cultural values of the TWWHA in developing the Tourism Master Plan.

• Australia ICOMOS has additional concerns about cultural values protection in relation to the assessment and approvals process more generally for new use, tourism and recreation, even with a TWWHA Tourism Master Plan in place. In our view, these add weight to the need to have a clear understanding of the Aboriginal cultural landscape values of the TWWHA as a matter of priority and before further new use, tourism and recreation opportunities are approved in the TWWHA. These concerns arise from the following:

1. Australia ICOMOS has been advised by the Tasmanian PWS that the TWWHA Tourism Master Plan will rely on the TWWHA Management Plan provisions and related instruments, such as the Reserve Activity Assessment process,7 for all assessments and approvals for new use, tourism and recreation.

2. There is no protection for cultural landscape values, including those identified by Lennon (2002) or subsequently (e.g. McConnell et al 2003), provided in the TWWHA management framework, including in the TWWHA Management Plan 2016.

3. The existing approvals process for the TWWHA is non-statutory since the statutory approvals process previously in place was removed (in spite of concerns being noted about the proposal to do so) in the 2016 TWWHA Management Plan. This would seem to be contrary to item 3, Schedule 5 of the Australian World Heritage Management Principles (Environment Protection and Biodiversity Conservation Regulations 2000) which states that the likely impact of an action on the World Heritage values of the property “should be assessed under a statutory environmental impact assessment and approval process”.8

4. The assessment and approvals process includes no, to limited, requirements for public consultation, which is also contrary to Item 3, Schedule 5 of the Australian World Heritage Management Principles.

5. No part of the assessment and approvals process includes criteria for natural and cultural values sustainability. This is in spite of the “commitment to strict assessment criteria for all tourism development proposals within the property, including additional criteria in the Management Plan, as part of regulations to ensure that commercial tourism proposals do not impact negatively on the property’s OUV” that is understood to have been made to the World Heritage Committee in 2015-16 (Decision WHC 40 COM 7B.66).

6. The Tasmanian Government’s Expressions of Interest process, which assesses the suitability of major tourism development proposals within the TWWHA, sits outside the TWWHA policy and regulatory framework and has no values sustainability criteria. In addition, there are no values experts on the assessment panel.

---

7 Australia ICOMOS understands that this process is currently under review, but in June 2019 there was no time frame for the completion of the review.

8 The Sarah Island Conservation Management Plan (Final Draft).

9 Australia ICOMOS emphasis.
Requirement for Stronger Expert Guidance for Management of the TWWHA

The above suggests that there is an urgent need for greater expert guidance for the management of the TWWHA. In Australia ICOMOS’ view, this would be best achieved by re-instating the TWWHA Consultative Committee (as a dedicated TWWHA Advisory Committee). This Committee worked extremely effectively, being able to represent a diversity of expertise and key stakeholders and to provide well informed advice to both levels of government (Australian and Tasmanian). This would also be in line with the current framework for managing Australian World Heritage properties, which includes provision for a dedicated Advisory Committee for each World Heritage property.

- The issues addressed by this submission, issues with the 2016 TWWHA Management Plan, the recent draft Retrospective Statement of Outstanding Universal Values for the TWWHA, and the recent example of advice of NPWAC being ignored (in relation to a proposed tourism development in the TWWHA at Lake Malbena) all indicate that there is an urgent need for a revised expert and stakeholder advisory mechanism for the TWWHA that can provide high level expert advice and which is regarded as having some authority at this level. The National Parks and Wildlife Advisory Council, which currently fills this role, does not, for various reasons, appear to be able to perform this function.

- The National Parks and Wildlife Advisory Council (NPWAC) is established under Tasmanian legislation to provide advice to the General Manager of the Tasmanian PWS on all conservation land in Tasmania that is managed by the PWS. It has no statutory assessment or reporting role or specific TWWHA advisory role, and its broader and more general focus is reflected in its membership. It is Australia ICOMOS’ view that for these reasons NPWAC cannot be effective in providing expert advice in relation to the TWWHA.

- The NPWAC only took on its specific TWWHA advisory role in the late 2000s. Prior to this it was the TWWHA Consultative Committee (established when the TWWHA was created) which provided expert advice. The TWWHA Consultative Committee provided advice to both the Australian Government and Tasmanian Government. Its members, selected partly by the Tasmanian Government and partly by the Australian Government, had specialist expertise in TWWHA values or represented key TWWHA community interest groups. The composition and operation of the TWWHA Consultative Committee allowed it to be extremely effective in providing high level, integrated, expert opinion and key community of interest advice to both governments at the highest level.

- Australia ICOMOS understands that currently all but a few Australian World Heritage properties have a dedicated Advisory Committee to provide high level, highly specialist expert advice.

- It is Australia ICOMOS’ view that a new expert and stakeholder advisory mechanism for the TWWHA is urgently required, and that this should be achieved by re-establishing the TWWHA Consultative Committee (i.e. establishing a TWWHA Advisory Committee with its composition and operation along the same lines as the former TWWHA Consultative Committee). This view is based on:
  - the issues with NPWAC providing advice regarding the management of the TWWHA,
  - the effectiveness of the former TWWHA Consultative Committee, and
  - that Advisory Committees are the current mechanism for obtaining expert and stakeholder advice for Australian World Heritage properties.

- Australia ICOMOS is also concerned that the project to assess the Aboriginal cultural landscape values of the TWWHA will be undertaken entirely within Aboriginal Heritage Tasmania. To ensure the study meets TWWHA management needs and is undertaken in a timely manner, Australia ICOMOS is of the view that this project and other TWWHA projects managed by Aboriginal Heritage Tasmania should be steered by a Project Management Committee that incudes representation by the Tasmanian PWS and the Australian Department of Environment and Energy, as well as other relevant representation, obviously including Aboriginal representation.