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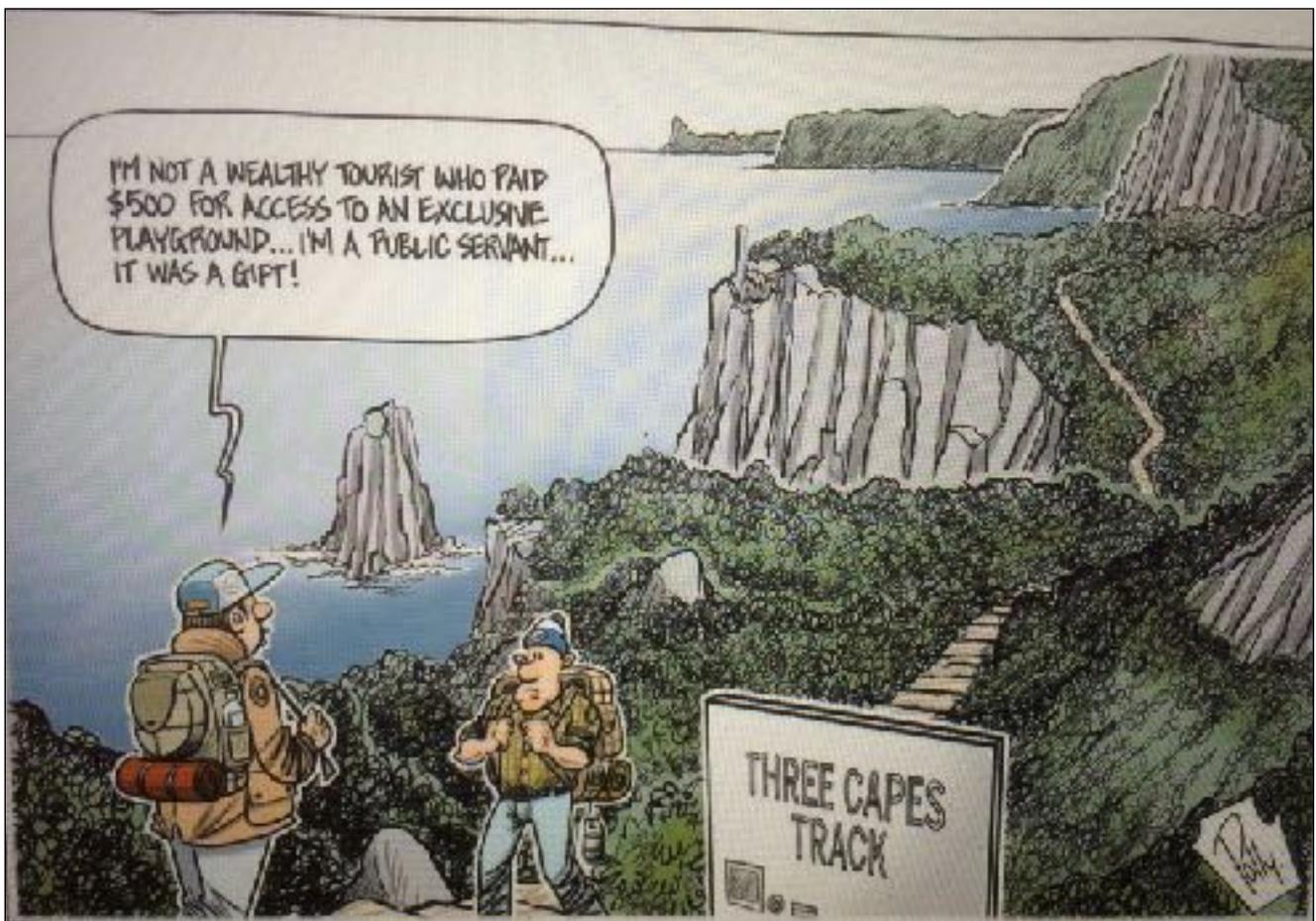
Submission to Draft Tourism Master Plan for the Tasmanian Wilderness  
World Heritage Area 25 June 2020

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Tasmania's wilderness is a most rare and beautiful 'asset' (I question the word 'asset') that must be cherished at all costs.

It is time for **Rights of Nature** laws prohibiting human activities that would interfere with the ability and **rights** of ecosystems and **natural** communities to exist and flourish. These laws will transform the status of **nature** from being regarded as property to being **rights**-bearing. In fact, these laws change the status of property law. The Rights of Nature are embedded in Aboriginal ethos and we must listen to this.



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## Introduction

Thank you for the opportunity to submit to this *Draft Tourism Master Plan for the Tasmanian Wilderness World Heritage Area (TWWHA)*. My name is Maria Riedl and I have an abiding love for our last vestiges of high conservation value natural environment. I am committed to ensuring that the 'Tasmanian Wilderness World Heritage Area, as one of the Southern Hemisphere's largest temperate wilderness areas, encompassing more than 1.58 million hectares' does not suffer 'death by a thousands cuts' due to inappropriate and unwelcome private commercial development incursions, and that Wilderness World Heritage stays as exactly that.

My very real immediate concern rests upon statements by Tourism Industry Council Tasmania in their *Submission to the Tasmanian Government consultation process into the Tourism Master Plan for the TWWHA July 2019*: "As a peak body representing the Tasmanian tourism industry and a key stakeholder in the TWWHA...", "the economic value of the Tasmanian Wilderness World Heritage Area, from the impact of visitor spending alone, was last measured in 2007 and estimated at \$721.8 million-supporting approximately 5,300 jobs in the state. Tourism Australia research has also shown 'wilderness' is integral to Tasmania's brand and appeal as a total tourism destination: 'wilderness' is the greatest trigger to influence intention to visit Tasmania, and respondents across market segments consistently rank 'wilderness' as having the highest appeal and being a uniquely Tasmanian experience."

This is all about private commercial investment, government leasing out our TWWHA and National Parks areas to private commercial entities, instead of encouraging development outside these protected areas.

These areas are small highly sensitive vestiges of nature that humans have not ruined and they have intrinsic values in themselves, and this actually brings in the real concept of '**Rights of Nature**'; not dependent on human values, but nature holding its own intrinsic value; '**They are recognised in law as having their own presence, their own needs and their own well being**' and '**the laws completely flip the presumption of human sovereignty over the environment**'.

Dr Michelle Maloney, of the Australian Earth Laws Alliance, rightly stated, "*Around the world, we are seeing an increasing number of Indigenous peoples, communities, and countries introducing Rights of Nature laws. These laws improve upon the current legal system, where nature is merely human property that can be used up until there's nothing left. Rights of Nature laws redefine what environmental protection means: putting the health of the living world at the*

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center of society, so that present and future generations of people and all other living beings can have a liveable, healthy and biodiverse planet to live on.” <https://celdf.org/2019/11/media-release-first-rights-of-nature-legislation-introduced-in-australia/>

**Rights of Nature** laws prohibit human activities that would interfere with the ability and **rights** of ecosystems and **natural** communities to exist and flourish. These laws transform the status of **nature** from being regarded as property to being **rights**-bearing. In fact, these laws change the status of property law:

- <https://greenagenda.org.au/2019/04/rights-of-nature/>
- <https://www.greeninstitute.org.au/publications/rebalancing-rights/>
- <https://www.earthlaws.org.au/what-is-earth-jurisprudence/rights-of-nature/>
- <https://rightsofnature.org.au>
- <https://www.abc.net.au/news/science/2019-03-16/rights-of-nature-science/10899778>
- <https://www.theguardian.com/australia-news/2018/apr/01/its-only-natural-the-push-to-give-rivers-mountains-and-forests-legal-rights>
- <https://www.abc.net.au/news/2017-03-16/nz-whanganui-river-gets-legal-status-as-person-after-170-years/8358434>
- <https://www.abc.net.au/radionational/programs/sundayextra/new-zealand-granting-rivers-and-forests-same-rights-as-citizens/7816456>

In the document labeled: *Reimagining the Visitor Experience of Tasmania's Wilderness Work Heritage Area: Ecotourism Investment Profile June 2014*: There is a predictable, focused, narrow view of the TWWHA by the tourism industry, government and commercial operators: **niche market**; customer needs, wants and desires; up-close and hands-on; tourist changes; security of tenure; **private commercial** tourism; increased air access; wilderness accommodation; **mountain-biking**; new tourism experiences; market needs; key potential benefits; world class experiences; 'reimagined' visitor experiences; visitor growth; **contemporary market expectations**; **attract increasing visitor** numbers, cycling opportunities; cafe facilities; road works; car parks; private sector investment; private shuttle bus operators; commercial hut/wilderness lodge; stimulus for private investment; **commercial opportunities**; new Government's Expression of Interest (EOI) for tourism activity without public input; **private investment**, resulting in additional visitor infrastructure reducing immediate and ongoing costs to government; seaplanes; small private charter boats; **on-water wilderness accommodation**; **overnight accommodation** cruises; crystal pod/cruise experiences; additional seaplane landings, **new helicopter**

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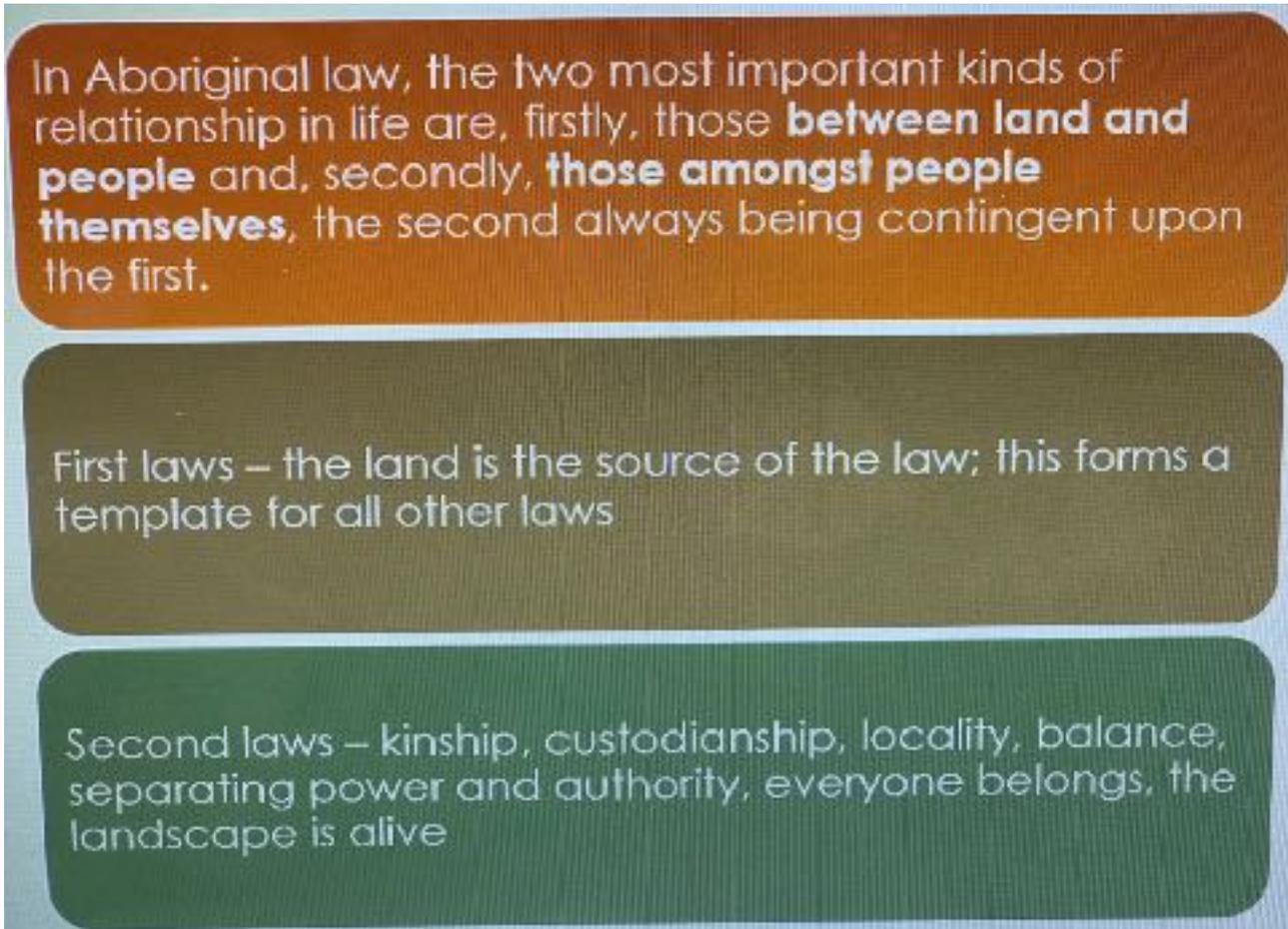
landings; river-base guided **overnight tours**; food experiences; overcome the limitation of speed and time for **on-water experiences**; regular passenger **seaplane transport** access; **overnight accommodation on luxury vessels** with up to 24 berths; permits for small vessels to **access further reaches** of the Gordon River; permits for small and charter vessels to use alternative location to **watch Tasmanian devils** and accommodation; **marketing** the world's oldest tree as an 'icon'; pilgrimage trail; investment in **new products**; **iconic brand** (the World's Oldest Living Tree); eco-opportunities managed by **private enterprise**; 'luxury' tent accommodation; **greater accommodation capacity**; **visitors seeking reward, pampering; comfort luxury seekers, 'premium' options; 'affluent luxury' seekers; 'High Net Worth' individuals; accommodation associated with food and wine; higher-yield markets; greater access** into the 1.4ha of TWWHA; more options for **Helicopter tours and float plane access within the TWWHA**; day trips and dispersal; **marketing and product development**; expanding or sealing length of airstrip allowing **larger aircraft access**; extension of existing airstrips; **night take-off and landing**; **investment in product development and market support required**; fixed wing floatplanes and helicopters to be **encouraged**; again, private investment in the TWWHA; **and the most questionable and undesirable, is the Tasmanian Government's Expression of Interest Process in the EIO process through a confidential process without community input.**

The western idea of place is based on Ego, where man is at the top of the pyramid and everything is out there for human beings (anthropogenic ideology), it is a top-down standard that does not recognise ecological limits, builds on a colonial mindset and legal system. Even the bible supports the idea, that all things on earth are for the benefit of humans. Whereas the Indigenous idea of place is Eco (Ecocentric) with no hierarchy because it is a relationist ethos: balance, autonomy, ethics and place; and it relies on the environment to exist and thrive, and we fit into the circle of life.



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To Aboriginal people, 'wilderness' does not exist as a separate entity, they see themselves as part of the landscape, not apart from it. Despite the presence of people for more than 50 thousand years, the landscape remained dominated by natural processes. The one tool Aboriginal people used to modify wilderness was fire, and this was used sensitively, maximising diversity and protecting certain natural systems through the careful and selective use of fire. 'Inputs from traditional knowledge, contemporary management technology, modern research and sympathetic public are all needed to protect our common wilderness heritage. Wilderness provides for the integrity of the evolutionary process of plant and animal associations, and provides a refuge for species, and provides habitats for species threatened with extinction by development or environmental change.' 'Protecting wilderness, preserving these final vestiges of nature, because we recognise that we too are things of nature is not a new concept for Aboriginal people because they have sustained their civilisation continuously for so long, living as members of the natural systems.'



In Aboriginal law, the two most important kinds of relationship in life are, firstly, those **between land and people** and, secondly, **those amongst people themselves**, the second always being contingent upon the first.

First laws – the land is the source of the law; this forms a template for all other laws

Second laws – kinship, custodianship, locality, balance, separating power and authority, everyone belongs, the landscape is alive

'Declared wilderness areas are a modern invention. Wilderness conservation is needed to maintain the natural integrity of the landscape because ecosystems found within wilderness areas are either successional mature, as in temperate rainforests, or

they are areas sensitive to disturbance.’ ‘One of the main messages for nature conservation authority to be communicating is a **conservation ethics-a code of behaviour towards the environment** that will ensure the maintenance of its highest quality.’

I fully support the ‘Rights of Nature’ concept, that nature is not human property; it is ecosystem specific and recognises all the living world has a right to exist. We are nature, and we have a legal obligation to care and protect our rivers, mountains, trees, grasslands, habitats, animals etc. **So we start with what mother nature is about, NOT what we can get out of it.** Human societies destroy nature via fires, irrigation, roads and other infrastructure and everything else that that encompasses. There must be a different way forward, and this is emphasised by how we behave with each other, and this includes how we behave within the Tasmanian Wilderness World Heritage Area and how we respect and protect what is sacred . We are just part of nature and are obligated to look after it. “I am located therefore I am”; place, balance, autonomy and ethics.

The earth needs our assistance due to the effect of our many inconsiderate past actions and our past actions have caught up with us. There is an urgency to protect our last vestiges of Wilderness.

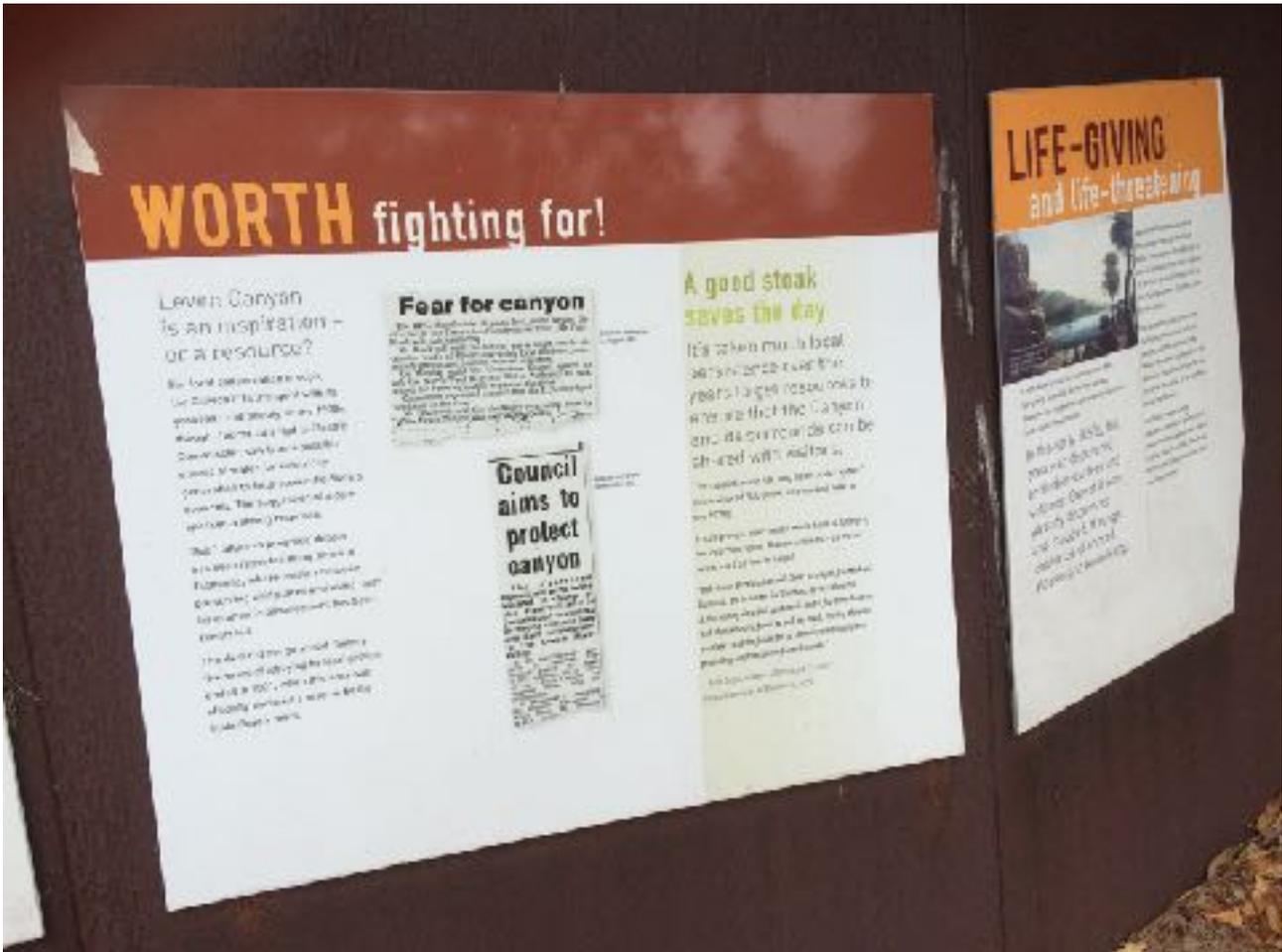


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*The breezes rustled the leaves  
The birds sang many songs  
The forest moved in undulating patters  
The sun cast many shadows  
The tall warrior who walked the path trod by many deer  
Listened intently to the forest sounds  
For this was his language  
This was not the language of sound  
And only the soul understood  
It was not heard but rather felt  
Felt by the spirit that moved the man  
Who had not learned the language but was born with it  
A gift  
Passed onto him by others who had borne it through these same forests  
This man knew that the sound was from within and around  
His camp-fire at night  
He tried to imitate in his crude fashion  
The story he heard each day  
From his Mother the Earth  
But his sound was the the Great Soul  
So he prayed and changed for the day when he would  
Journey to the stars  
And he would leave for him who came next  
A gift*

The Australian Aboriginal Wilderness-A Natural Asset by J D Ovington and A Fox  
book edited by Vance Martin 1982





## Observations

- the *Tasmanian Wilderness Heritage Area Management Plan* came into effect in December 2016
- the vision underlying the Tourism Master Plan is: *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.*
- Australia's has key obligations as a signatory to the World Heritage Convention and is to maintain OUV properties such as the TWWHA, which has exceptional cultural and natural significance, transcends national boundaries and are of vitally importance for present and future generations
- tourism proposals and activities must not infringe upon the protection of the OUV/ TWWHA

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- to be taken into consideration is the undesirable consequences to regional communities; scale of tourism activities incompatible with local social values; if tourism adversely affects affordability and accessibility for residents
  - the cumulative impact of tourism activity across the whole property must at all times be factored into any proposal
  - the State Party Report on the State of Conservation of the Tasmanian Wilderness World Heritage Area (Australia) in response to the World Heritage Committee Decision 42 COM 7B.61 provided an update on the implementation of the 2016 World Heritage Committee Decision 40 COM 7B.66 and **implementation of the recommendations of the 2015 Report of the joint ICOMOS/IUCN Reactive Monitoring Mission** to the property
  - significant progress has been made responding to the 2015 RMM and subsequent 2016 and 2018 decisions are being addressed at a slow pace
  - 2016 Management Plan and accompanying Strategic Management Statement **rule out mining and commercial logging, including harvesting of special species timbers**, in the whole of the property. Huon pine salvaging from the shoreline of Macquarie Harbour is permitted
  - mineral exploration and extraction are **prohibited** in the whole of the property
  - **next is the development of a Tourism Master Plan** within the framework of the 2016 Management Plan; the Management Plan has to establish strict criteria for new tourism development within the property, which would be in line with the primary goal of protecting the property's Outstanding Universal Value (OUV), including its wilderness character and cultural attributes
  - additional criteria for the assessment of activities and proposals in the property assessment done under the Reserve Activity Assessment process to ensure World Heritage values area to be considered
  - additional strict assessment criteria to ensure commercial tourism proposals do no impact negatively on the property's Outstanding Universal Value
  - Consideration of impacts on wilderness values in the assessment of **any activity** in the property
  - the comprehensive Tourism Master Plan details must refine the balance between legitimate tourism development and the management of conservation of the cultural and natural values of the TWWHA based on further consultation and negotiation of competing interests
  - The term "wilderness" must be retained in the property name, while future dual naming is strongly encouraged to reflect both the Aboriginal Heritage and the relationship of Tasmanian Aboriginal Community with the property
  - the property's name will remain the "Tasmanian Wilderness World Heritage Area"
  - the Wilderness Zone, as currently used and interpreted, must be retained in the TWWHA, while explicitly providing for cultural practices as an integral part of the management of the zone
  - all land in the property must be managed in a way that is consistent with World Heritage status, and the recommended means to ensure such a consistent approach is to grab reserve status wherever possible. As long as there will be areas within the

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TWWHA not subject to Management Plans, adequate management of the property in its entirety must be ensured by an overarching Strategic Management Statement in line with obligations under the EPBC Act

- since at present the EPBC Act is being threatened with cutting of red/green tape by the present Environment Minister and this government using COVID-19 as the excuse, it is vital that any decisions be in accordance with Australia's international obligations
- Future Potential Production Forest Land (FPPFL) within the property must not be convertible to Permanent Timber Production Zone Land (PTPZL) and must be granted national park status
- a systematic stocktaking exercise must serve to compile all available information about cultural sites within the TWWHA in a syntheses report according to conditions and terms agreed by the diverse Tasmanian Aboriginal community and included in the submission to the World Heritage Centre which has been finalised and provided to the World Heritage Centre on 15 June 2017. There is still more work to be done in this arena
- State Party and Tasmanian Government has established a Cultural Management Group within Aboriginal Heritage Tasmania to oversee implementation of the Aboriginal cultural management outcomes of the management plan and to provide ongoing support of Aboriginal cultural 'values' management in the property
- a 'values' assessment was done in 2013 and this needs to be revisited now in 2020
- funding to be proved long-term and allocation of resources and human resources to allow for proper consideration fo cultural heritage
- A revised draft Statement of Outstanding Universal Value has been provided as requested to the World Heritage Centre for review
- State Party to ensure adequate resources for fire research and management, so as to better understand the role of fire and to optimise its management and I question whether this was done because of the disastrous fires in the TWWHA
- <https://www.abc.net.au/news/2019-02-13/photos-reveal-bushfire-devastation-in-tasmanias-wild-south-west/10789102>
- <https://firecentre.org.au/indigenous-fire-rangers-could-save-tasmanias-wilderness/>
- <https://www.preventionweb.net/publications/view/51381>
- the 1972 *Convention Concerning the Protection of the World Cultural and Natural Heritage* established the duty of ensuring the presentation and transmission to the future generations of the cultural and natural heritage of the TWWHA
- 'nodes' are a framework for prioritising infrastructure investment across the TWWHA and they are primarily (rightly so) on the edge of the TWWHA and this limits further impacts on the values of the area
- **important action it to ensure that the opportunities offered are on the edges of the TWWHA, not within the TWWHA and National Parks and Reserves, especially private commercial ventures; these are public lands, not private lands, and should NEVER EVER be leased to private entities**
- **there must be no private commercial partnership in the TWWHA, in National Parks or in Reserves**
- in a lot of areas, as highlighted in this Draft there are 'fragile and very significant cultural, historic heritage and natural values which are yet to be understood and

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- protected' and until these are ground truth (not just desktop computer stuff!) nothing must be allowed to encroach
- increasing aircraft access is of concern because it is not just the plane, the helicopter; but also involves; access landings; maintenance. fuel storage; commercial needs, noise, light, increased flights; landings on water and its impacts as well
  - there must be no new minor nodes to be created
  - **there is simply not enough knowledge about Tasmanian Aboriginal Culture; cave sites, middens, stone tools and the rest!**
  - [https://www.theage.com.au/national/bhp-gets-approval-to-destroy-40-aboriginal-heritage-sites-just-days-after-rio-tinto-controversy-20200611-p551nl.html?promote\\_channel=edmail&mbnr=NTcwNTc3Ng&eid=email:nnn-13omn653-ret\\_news\\_membereng:nnn-04%2F11%2F2013-news\\_pm-dom-news-13omn653-ret\\_news\\_membereng&campaign\\_code=13INO007&et\\_bid=29244777&list\\_name=44\\_age\\_newsalert&instance=2020-06-11--07-20--UTC](https://www.theage.com.au/national/bhp-gets-approval-to-destroy-40-aboriginal-heritage-sites-just-days-after-rio-tinto-controversy-20200611-p551nl.html?promote_channel=edmail&mbnr=NTcwNTc3Ng&eid=email:nnn-13omn653-ret_news_membereng:nnn-04%2F11%2F2013-news_pm-dom-news-13omn653-ret_news_membereng&campaign_code=13INO007&et_bid=29244777&list_name=44_age_newsalert&instance=2020-06-11--07-20--UTC)
  - <https://www.abc.net.au/news/2020-06-11/bhp-halts-aboriginal-site-destruction-after-rio-tinto-protests/12345566>
  - <https://www.business-humanrights.org/en/australia-rio-tinto-mining-blast-destroys-ancient-aboriginal-sacred-site>
  - <https://www.abc.net.au/news/2020-06-13/letter-traditional-owners-40-sites-that-bhp-planned-to-destroy/12348396>
  - <https://www.theguardian.com/australia-news/2020/may/26/rio-tinto-blasts-46000-year-old-aboriginal-site-to-expand-iron-ore-mine>
  - <https://www.abc.net.au/news/2020-06-13/andrew-forrest-dam-plan-on-sacred-river-at-minderoo-scrutinised/12350836>
  - <https://www.abc.net.au/news/2020-06-11/juukan-gorge-aboriginal-heritage-site-just-one-of-many-destroyed/12337562>
  - <https://www.abc.net.au/news/2020-06-11/bhp-halts-aboriginal-site-destruction-after-rio-tinto-protests/12345566>
  - <https://www.theguardian.com/australia-news/2017/sep/12/indigenous-groups-decry-tasmania-off-road-vehicle-plan-this-is-destruction>
  - <https://www.abc.net.au/news/rural/2015-03-19/calls-policing-4wd-tracks-aboriginal-site-protection-tasmania/6332670>
  - <https://www.tandfonline.com/doi/abs/10.1080/00049180601175881?src=recsys&journalCode=cage20>
  - <https://www.theaustralian.com.au/nation/nation/tracks-divide-locals-outrage-experts/news-story/a90da9bba5e59e5e20baabe16b5cf281>
  - <https://www.criminaldefencelawyers.com.au/blog/the-law-and-penalties-for-damaging-or-desecrating-aboriginal-places-objects-in-nsw/>
  - <https://www.environment.gov.au/system/files/pages/d3456005-87a2-4c69-beb9-3223499797bf/files/final-assessment.pdf>
  - <https://www.theguardian.com/australia-news/2016/jun/03/aboriginal-sacred-site-up-to-8000-years-old-destroyed-by-cultural-vandals>

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- [https://dpiptwe.tas.gov.au/Documents/Tasmanian\\_Coastal\\_Works\\_Manual\\_Chapter\\_5\\_Aboriginal\\_Heritage\\_Management.pdf](https://dpiptwe.tas.gov.au/Documents/Tasmanian_Coastal_Works_Manual_Chapter_5_Aboriginal_Heritage_Management.pdf)
  - <http://tacinc.com.au/wp-content/uploads/2016/05/Destruction.pdf>
  - [https://www.fpa.tas.gov.au/\\_data/assets/pdf\\_file/0007/164437/19\\_Matt\\_Schlitz\\_AHT.pdf](https://www.fpa.tas.gov.au/_data/assets/pdf_file/0007/164437/19_Matt_Schlitz_AHT.pdf)
  - [http://www.premier.tas.gov.au/releases/review\\_into\\_the\\_aboriginal\\_heritage\\_act](http://www.premier.tas.gov.au/releases/review_into_the_aboriginal_heritage_act)
- Focus on establishing infrastructure on the edge and outside of TWWHA at all times thereby avoiding the impacts on OUV
  - adventure-adrenaline focus is not aligned with TWWHA values and must not be included in any proposed development and in fact must be banned
  - towns on the edges of TWWHA would benefit if supporting services such as accommodation, restaurants and equipment hire (all on the edges of the TWWHA)
  - Aboriginal communities must be engaged and consulted in a meaningful manner that facilitates and informs them, rather than presents them with a finished product to comment upon
  - the potential to detrimentally undermine current experiences must also be considered in relation to specific remote experiences because they are a valuable, and this must include an overall cumulative impact assessment not just the many many recreation zone plans individually!
  - remembering that it is a requirement to have the word 'Wilderness' included in all naming of zones and places in the TWWHA
  - this is not just about "presenting" 'wilderness' as an experience, it is so much more!
  - **capacity must be built within the Aboriginal community** to be involved with or own tourism enterprises and operations not just enabling the 'white' tourism operators!!!!
  - currently (it is acknowledged) there is a shortage of "high-quality interpretive materials for the TWWHA on its Aboriginal cultural values which potentially undermines the interpretation and presentation of Aboriginal cultural values being culturally appropriate (DPIPWE, 2016)." Until the document to guide interpretation and presentations of an area's "Aboriginal Cultural Values in the TWWHA is developed with Tasmanian Aboriginal people with a detailed framework and procedures on how to engage with and interpret Aboriginal cultural values for presentation in the TWWHA" all EOI developments must be halted
  - dual naming in the TWWHA whilst it may take time, as the Draft states, "presents a unique opportunity to both acknowledge the importance of TWWHA's Aboriginal cultural values, communicating them to all visitors and so-called "stakeholders" must be done first before any EOI projects are approved
  - Why? because as the Draft states: the "Tasmanian Aboriginal people are the custodians of the TWWHA's cultural and intrinsic values and their involvement in decision-making associated with tourism in the TWWHA is CRITICAL to facilitate appropriate presentation of these" as well as ensuring the protection of these!! " It is critical to ensure they direct how their cultural heritage should be interpreted and protected and by whom
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- “genuine involvement of Aboriginal people in decision-making at all levels, associated with the presentation of cultural values and tourism is critical to ensure they direct how their cultural heritage should be interpreted, presented and protected” as per the Draft document. This is a high priority, and must precede the approval of any and all EIO given secretly to the government!
  - it is important to factor in the carrying capacity of people in areas and how this can ensure that there is no degradation of the natural environment eg erosion, pollution or vegetation loss etc etc etc
  - as the Draft states ‘aircraft traffic is a significant issue for parks managers at many iconic and internationally significant sites across the world and, if left unmanaged, can pose significant risk to a site’s values, (and less importantly in my opinion!) and the visitor experience.’ The prevalence and potential damage from aircraft operating in the TWWHA could undermine the (so-called) ‘brand’ and ‘value’ and the ‘visitor experience’. (Again here I would like to point to the forgotten impacts on wildlife!) The prevalence and potential damage from aircraft operating in the TWWHA will undermine the ‘brand’ and ‘value’ proposition of the TWWHA and its OUV.
  - as the Draft states: the Fly Neighbourly Agreement (FNA) is an agreement between aircraft operators and PWS to reduce disturbance caused by aircraft in areas and the FNA for the TWWHA has not been reviewed in recent years. I ask why not; as the risk is the increasing significant number of helicopter movements and use of aircraft across the entire TWWHA.
  - It is obvious there is serious community concern over air access:
  - <https://www.abc.net.au/news/2018-05-19/unesco-concerns-over-tasmanian-wilderness/9777682>
  - <https://tnpa.org.au/wp-content/uploads/2020/05/Tourism-Master-Plan-TNPA-critique-May-2020.pdf>
  - <https://tnpa.org.au/wp-content/uploads/2017/08/Directors-Report-draft-TWWAMP-2014.pdf>
  - [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Environment\\_and\\_Communications/TasmanianBushfires45/Report/c04](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/TasmanianBushfires45/Report/c04)
  - <https://www.environment.gov.au/system/files/resources/63307db8-6b28-44d8-807b-6979eeab9a41/files/tas-wilderness.pdf>
  - <https://www.abc.net.au/news/2016-12-10/hut-plan-in-tasmanian-world-heritage-area-criticised/8109430>
  - <https://www.abc.net.au/news/2019-10-13/plan-to-open-up-world-heritage-areas-to-tourism-for-audit/11597028>
  - <https://www.abc.net.au/news/2019-08-15/freycinet-resort-latest-tasmania-east-coast-development-draw-ire/11414980>
  - <https://www.abc.net.au/news/2018-05-04/federal-funding-for-private-huts-in-tasmania-wilderness-area/9724798>
  - The September 1989 nomination of the TWWHA to the WHC included a statement indicating that the issues of protection of areas outside the nominated boundary had been considered by the Australian and Tasmanian Governments and **no additional**

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**areas were considered essential to protect the values of the nominated area: p1, 1(d)**  
“If an area surrounding nominated property is considered essential for the protection of the property, eg a buffer zone, indications should also be provided on the boundaries of this area. The boundaries of the nominated area have been selected to ensure adequate protection of the integrity of the area.”

- the EIO process does not comply with the World Heritage designation
- <https://www.wilderness.org.au/news-events/private-commercial-tourist-structures-in-tasmanias-wilderness-world-heritage-area>
- <https://www.wilderness.org.au/news-events/this-time-tourism-industry-council-tasmania-is-right-tourism-eoi-process-needs-overhaul>
- <https://tnpa.org.au/eois-the-world-heritage-area/>

*The 1999 Management Plan for the Tasmanian Wilderness World Heritage Area (TWWHA) left no doubt about the importance of wilderness: “The area comprises a large percentage of the remaining extensive, high quality, temperate wilderness in Australia, and is one of only a few such regions in the world. It is this wilderness quality which underpins the TWWHA’s success in meeting the [World Heritage] criteria as a natural property and which is the foundation for the maintenance of the integrity of both the natural and cultural values of the area”. The 1999 plan also contained requirements for the protection of wilderness that proved adequate to prevent major developments during the lifetime of the plan.*

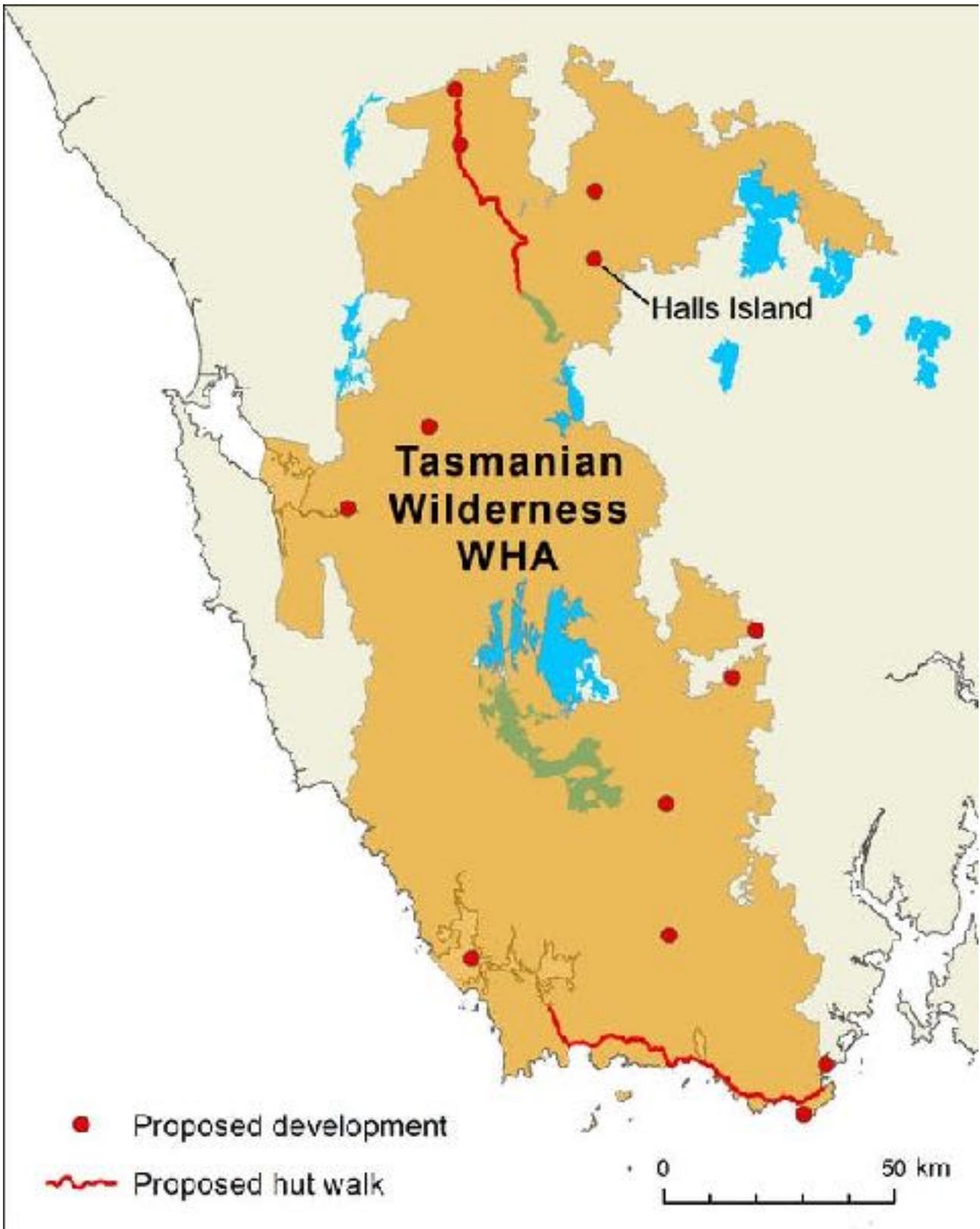
*The 2014 draft management plan omitted any mention of wilderness. This was greeted with public outrage which resulted in the 2016 [final] management plan containing some encouraging statements about wilderness values. However (and more importantly), the plan contains no requirement to consider the impact of new developments on wilderness quality, although it does continue the 1999 plan’s ban on new visitor accommodation in the wilderness zone.*

*But, compared to the 1999 plan, the “Recreation” or “Self-reliant Recreation” zone has been extended into the former “Wilderness” zone to facilitate three specific EoI proposals.*

- <https://www.abc.net.au/news/2018-05-20/world-heritage-document-leak/9780912>
- <https://theconversation.com/green-light-for-tasmanian-wilderness-tourism-development-defied-expert-advice-104854>



The World Heritage Committee warned in 2015 that without “strict criteria for new tourism development”, there would be significant risks to the area’s “wilderness character and cultural attributes”. Australia accepted the recommendation but has still not meaningfully implemented strict criteria to assess and protect wilderness values, even as it accepts proposals for tourism developments.



Proposed commercial infrastructure projects involving built structures, transport, and modification of the natural environment in the Tasmanian Wilderness World Heritage Area, which have received preliminary or final approvals at October 2018. 30 proposals

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have been made and additional projects are likely to be announced as the EOI process continues. (c) Nick Fitzgerald 2018.

Since both levels of government agreed to open up the TWHHA, a range of commercial interests have proposed tourism developments there. Expressions of interest for commercial developments are done behind closed doors, but it is clear that at least 30 commercial development proposals have been made for sites in the TWWHA, including projects involving permanent huts, lodges and camps, and some that would necessitate helicopter access.

## Halls Island

The first of these proposals to be released for public comment and assessed under the 2016 management plan is a plan to build a “luxury standing camp and guided ecotourism experience” at Halls Island in Walls of Jerusalem National Park – a remote highland region of the TWWHA.

The plan includes reclassifying the lake surrounding Halls Island from “wilderness” to “self-reliant recreation”. On March 22, 2018, the proponent (Wild Drake Pty Ltd) referred the proposal to the Commonwealth Environment Minister to determine whether it should be formally assessed under the EPBC Act.

Upon referral the proposal met with widespread opposition from scientists, conservation specialists, civil society, and recreational users of the park, especially the fishing community. What became clear today is that it was also strongly opposed by the expert advisory council for the TWWHA.



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A range of objections were cited, including the fact that the development would effectively grant “exclusive private commercial use” of an area in the TWWHA, and that the opening up of airspace to helicopters would set an unwelcome precedent. It also described the development’s planned “standing camp” as a “pretence” because it would involve the construction of permanent buildings for year-round use. And it pointed to the proposal’s failure to address adequately the risk to threatened species and the fire-sensitive nature of the property.

<https://www.abc.net.au/news/2019-12-15/private-development-in-national-parks-opposed/11800134>

<https://www.abc.net.au/news/2020-01-29/documents-show-cost-of-rent-for-lake-malbena-camp/11907962>

Documents released by the proponents of the contentious Lake Malbena eco-tourism proposal show they will pay about \$6,000 a year in rent to the State Government to run an experience for which they plan to charge about \$4,500 per person per trip.

Key points:

- The proponents of a luxury camp in a Tasmanian national park said they posted details of the lease arrangements with the government on their website to address questions regarding alleged secrecy around the approval process
- Opponents of the project seized upon the amount the camp's proponents will pay in rent, saying it is "scandalous" and "ridiculously low"
- The government defended the amount, saying it was "assessed by an independent valuer" and would be reviewed against the market rate to "ensure it is always relevant and appropriate"

Daniel and Simone Hackett, operating as Wild Drake, plan to helicopter guests into the Walls of Jerusalem National Park for a four-day kayaking, bushwalking and fly-fishing experience at Halls Island, a proposal that has caused a [furore of opposition](#) from a number of groups, including wilderness advocates, the fishing community and Aboriginal groups.

Their proposal was successful in the Tasmanian Liberal Government's expressions of interest (EOI) process for private tourism opportunities in the state's national parks and reserves, which has been criticised by green groups, anglers and bushwalkers for a lack of transparency.

"The idea that you get a World Heritage island for a few thousand dollars a year is, frankly, scandalous and shows how cheaply the State Government values World Heritage wilderness."

Nicole Sommer from the Environmental Defenders Office (EDO) said while Mr Hackett claimed he had released the lease agreements in the interests of transparency, the

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documents were set to be released after a lengthy right to information (RTI) process anyway.

- another concern of mine ensuring there is a balance between “maintaining the natural, cultural and aesthetic values of the TWWHA and protecting life and infrastructure.” “Given the reason for the construction of the development, be it visitor accommodation or a visitor centre, is to experience the TWWHA, to disturb, clear or convert a hazard management area is incongruous with the experience and values of the TWWHA”.
- I agree with the following: natural darkness as the Draft states, ‘has a conservation value in the same way that clear water, air and soil have intrinsic value.’ ‘Dark Sky Tasmania identified that the TWWHA remains free of light pollution and is one of the darkest places in the world and should be certified as a dark-sky sanctuary which is public and private land possessing an exceptional or distinguished quality of starry nights and nocturnal environment that is protected for its scientific, natural or educational values, its cultural heritage and/or public enjoyment.’
- concerning is the impact of noise, not only on a person’s or group’s experience can be significant, but also to species: eg private infrastructure or the flight paths of aircraft over walking trails
- the Draft states: that one of the seven criteria the TWWHA meets for it to be considered of OUV, refers to its natural beauty and the key objective of the Management Plan is to: ‘Protect and conserve of the TWWHA, particularly in areas of exceptional beauty, and aesthetic and cultural importance.’ There is ‘visual impacts’, ‘visual sensitivity’, and ‘visual effect’ to be considered: how visually consistent the proposal is with existing environmental contrast; the degree to which the surrounding view provide a visual framework and the scale of development in the context of a view
- In terms of natural values surveys, on-ground assessment must be undertaken rather than reliance on desktop assessments only
- an issue is for TWWHA is that adherence to guidelines for natural values surveys (relied on for terrestrial and marine proposals in the TWWHA) may not provide sufficient information to ensure that the biological and geodiversity values are protected, given (as the Draft states) that the TWWHA fulfils all four criteria described for inclusion of properties on the world Heritage List as a natural property. ‘Additional studies and targeted studies prepared by suitably qualified technical specialists, [must be required] to adequately fulfil the Management Plan requirements.’
- as the Draft states: ‘Desktop review are not enough to identify potential threats to a cultural landscape or to tangible and intangible values of the area in question’ and these must be done using ‘onsite Aboriginal Heritage Assessment’
- the Draft also states that the ‘Management Plan recognises the significance of cumulative impacts in the consideration of presentation opportunities, as well as the risk to the natural and cultural values of the TWWHA being degraded over time.’
- As the Draft states: ‘one of the key challenges is with increased tourism to the TWWHA is the increase of biosecurity threats’
- climate change must also be taken into account with any EOI proposal

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- impacts over time are important says the Draft and ‘consideration of cumulative impacts and the importance of the Wilderness Zone’ includes limiting built infrastructure, including new tracks or landing sites
  - “cumulative impacts result from successive, incremental, and/or combined impacts of multiple developments or activities, responsibility for their prevention and management is shared among the various contributing developments.” PWS has the responsibility for this states the Draft
  - **the integrity of the TWWHA must be maintained and incremental and cumulative impacts must be prevented**

### **My finally comments:**

**This submission can be published, it is not confidential thank you.**

The **Tasmanian Government’s EOI process is totally unacceptable.** It is a done through a “**confidential, two-staged process, and successful proponents will be granted exclusive license arrangements while they are establishing their proposal**”. The government is biased towards private operators and investors and they have facilitated the refusal to be



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transparent and open about these EOIs so that the community can judge whether they are acceptable and in keeping with Australia's international obligations under international conventions it has signed.

The TWWHA is not simply about tourism for goodness sake. These areas as I have stated have natural values that are separate from values that humans put on them. The constant pressure to push tourism and private commercial tourism, no matter the impact, both individual and cumulative, will destroy the 'wilderness' that we are meant to protect. Nature has rights too!!!!!!

The tourism industry is ignoring the Draft: Aboriginal people: *'We are more than simply 'custodians' or 'caretakers'. 'We are the land, country, and she is us'.*

*Thank you for the opportunity.  
Maria IE Riedl*

