



The Rational Environmentalists

Analysis of the proposal to amend the
Tasmanian Wilderness World Heritage Area
Nomination by the Australian Government

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About the Australian Environment Foundation

The Australian Environment Foundation is a not-for-profit, membership-based environmental organisation having no political affiliations, dedicated to informing and educating Australians about environmental issues and solutions to environmental challenges.

The Australian Environment Foundation takes an evidence-based, solution focused approach to environmental issues.

AEF members value:

- **Evidence** - policies are set and decisions are made on the basis of facts, evidence and scientific analysis.
- **Choice** - issues are prioritised on the basis of accurate risk assessment and cost-benefit analysis.
- **Technology** - appropriate and innovative technological solutions are implemented.
- **Management** - active management is used when necessary, acknowledging that landscapes and ecosystems are dynamic.
- **Diversity** - biological diversity is maintained.
- **People** - people are an integral part of the environment.

Accordingly, the AEF embraces the International Union for Conservation of Nature (IUCN) sustainable use principles stated below, as providing an ethical balanced framework for many environmental challenges.

1. Conservation of biological diversity is central to the mission of IUCN, and accordingly IUCN recommends that decisions of whether to use, or not to use, wild living resources should be consistent with this aim.

2. Both consumptive and non-consumptive use of biological diversity are fundamental to the economies, cultures, and well-being of all nations and peoples.

3. Use, if sustainable, can serve human needs on an ongoing basis while contributing to the conservation of biological diversity.

Many of the Australian Environment Foundation's members are practical environmentalists – people who actively use and also care for the environment – appreciating that environmental protection and sustainable resource use are generally compatible in providing balanced outcomes.

Key issues of this report

- The present low conservation status of substantial parts of the area contained in the current nomination abuse the integrity of World Heritage Area “outstanding universal value” thereby compromising continuing community support for the World Heritage Convention.
- The present nomination is contrary to the globally accepted ‘wise-use’ principles of the International Union for Conservation of Nature that call for a balance between the fundamental needs of people and the conservation of nature.
- The current nomination, as it stands, would increase to 22.5 per cent of the area of Tasmania’s land mass contained within the World Heritage Area, a proportion higher than any other jurisdiction globally, a definitive example of the unprincipled and never ending overreach by unrepresentative minority groups subverting broader community needs to meet their own ends.
- The areas represented by the proposed 74,000 hectare excision from the nominated area were rejected by the 2008 World Heritage Committee assessment as needing further protection and also rejected by then federal environment minister Peter Garrett.
- The area nominated by the previous federal government as a ‘minor boundary’ extension violates the World Heritage Committee guidelines for such an extension to the existing World Heritage Area.
- As a ‘minor boundary’ extension of the existing World Heritage Area the previous government’s nomination avoids further independent scientific assessment by the World Heritage Committee, an assessment which these areas failed in the 2008 investigation by the committee.
- Areas promised to thriving and innovative specialty craft timber users to maintain timber supply under the Tasmanian Forest Agreement would be denied to them due to World Heritage Area status resulting from the current unamended nomination.

Executive Summary

The federal government's rationale to excise 74,000 hectares from the 172,000 hectare 'minor boundary' extension to the Tasmanian Wilderness World Heritage Area accords with both the World Heritage Convention guidelines and the principles of the International Union for Conservation of Nature (IUCN), a key participant in the formation and operation of the World Heritage Convention.

These IUCN principles state in part *"Both consumptive and non-consumptive use of biological diversity are fundamental to the economies, cultures, and well-being of all nations and peoples"* and *"Use, if sustainable, can serve human needs on an ongoing basis while contributing to the conservation of biological diversity"*.

Article 2 of the World Heritage Convention states in part *"For the purposes of this Convention, the following shall be considered as "natural heritage": natural sites or precisely delineated natural areas of **outstanding universal value** from the point of view of science, conservation or natural beauty"*.

These two IUCN principles and Article 2 are central to the debate on the extent of the nomination.

Firstly, consumptive use of natural resources is a fundamental right for communities in serving human needs and secondly, such use must be balanced between community needs and the conservation, not preservation, of natural resources. Thirdly, either the area nominated is of outstanding universal value or it is not.

The unspoken heresy in this debate is that much of the conservation movement has long ago lost sight of its original mandate to advocate the 'wise-use' principle of natural resource use, balancing the needs of man and the environment, to instead advocating the preservation principle more bluntly articulated as the 'lock it up' mentality, where human needs are not equal to the needs of the environment, but a distant second.

This convenient erosion of principle incrementally over several decades which favours the needs of the professional hierarchy of the environment movement ultimately discredits environmentalism to the extent it has less than five per cent support from the community.

For most participants the dispute is not over whether there should be a nomination of additional World Heritage Area (WHA), but the **extent** and the **integrity** of all the areas nominated.

Clearly, substantial areas included in the nomination that consist of areas recently harvested for timber, regrowth areas from previous harvesting and existing native and non-native plantations are not areas of outstanding universal value as claimed by some.

These same areas that were the subject of confected outrage by environmental groups who decried their utilisation saying, untruthfully, they were despoiled for all time are now promoted by the same groups as worthy of inclusion in a WHA site.

While the Australian Environment Foundation has no doubt the harvested areas will regenerate in time to be barely distinguishable from undisturbed forest areas, as has occurred for a century and half in Tasmanian forests, these areas do not qualify as of outstanding universal value.

Many of these same areas were rejected by the World Heritage Committee as necessary for nomination in their 2008 investigation of claims by environment groups that adjacent timber harvesting was affecting the values of the existing WHA.

The area nominated by the Gillard government in 2013 as a ‘minor boundary’ extension (172,000 hectares) was more than seven times larger than that agreed to by the Rudd government in 2010 (23,783 hectares) when they said “*Australia restates that it does not propose to extend the boundary of the TWWHA further.*” The extent of the area nominated by the Gillard government violates the World Heritage Committee guidelines for such a ‘minor boundary’ extension to the existing World Heritage Area.

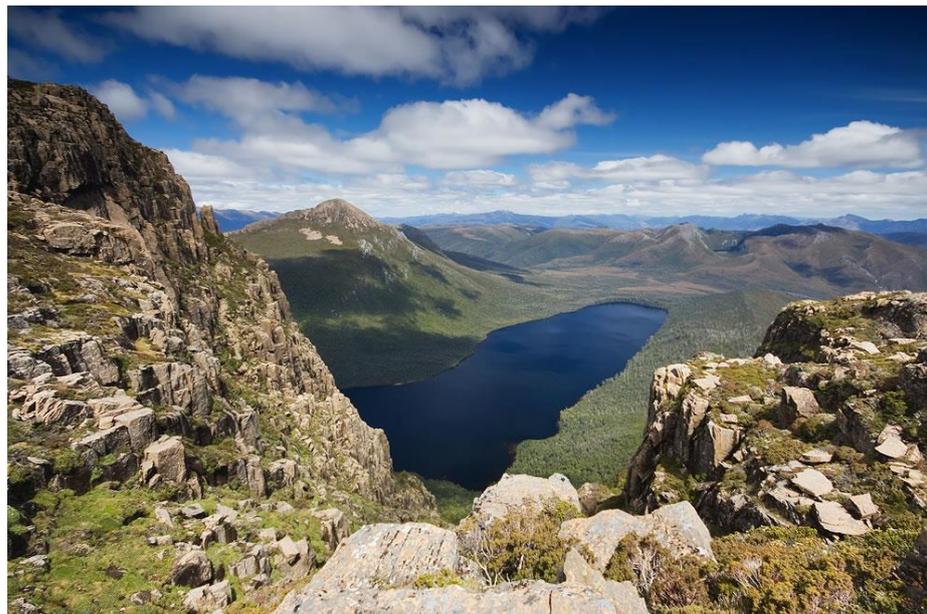
Classifying the nomination as a ‘minor boundary’ extension however brings the dubious benefit of not requiring an independent scientific assessment of the nominated area, thereby avoiding scrutiny of the highly contentious conservation values of many areas subjected to timber harvesting for decades.

Perhaps the most pernicious aspect of the ‘minor boundary’ nomination and its automatic acceptance as a WHA, if unchallenged, is that the previous promise under the Tasmanian Forest Agreement for access to valuable specialty timbers located within the new nominated area is negated without consultation. This effectively creates a timeline for the demise of the specialty timbers craftsmen through ever diminishing supply of the specialist species they require.

If it is accepted that this process is about maintaining environmental values and upholding globally accepted International Union for Conservation of Nature (IUCN) principles, rather than condoning politically expedient advocacy, the current federal government’s amended nomination based on observed evidence should be supported.

Max Rheese

Executive Director, Australian Environment Foundation



Outstanding Universal Value – Lake Judd Southwest National Park

1. Compromising the integrity of World Heritage Area status

1.1 Should the criteria of Outstanding Universal Value be upheld?

The World Heritage Convention defines Outstanding Universal Value (OUV) as:

Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole. The Committee defines the criteria for the inscription of properties on the World Heritage List.¹

Article 2 of the World Heritage Convention states in part *“For the purposes of this Convention, the following shall be considered as “natural heritage”: natural sites or precisely delineated natural areas of **outstanding universal value** from the point of view of science, conservation or natural beauty”.*

These indeed are values on which to build the integrity of World Heritage Area sites and nominations.

One can imagine tracts of pristine wilderness of exceptional national significance being nominated where their preservation, rather than conservation, is seen as “of the highest importance to the international community as a whole.”

¹ <http://whc.unesco.org/archive/opguide13-en.pdf> page 14



Logging coupe at Butlers Gorge, one of many disturbed areas included in the WHA minor boundary extension

Clearly, substantial areas included in the nomination that consist of areas recently harvested for timber, regrowth areas from previous harvesting and existing native and non-native plantations are not areas of outstanding universal value as claimed by some.

These same areas that were the subject of confected outrage by environmental groups who decried their utilisation saying, untruthfully, they were despoiled for all time are now promoted by the same groups as worthy of inclusion in a WHA site.

While the Australian Environment Foundation has no doubt the harvested areas will regenerate in time to be barely distinguishable from undisturbed forest areas, as has occurred for a century and half in Tasmanian forests, these areas do not qualify as of outstanding universal value and therefore fail the most basic criterion of the World Heritage Committee (WHC).

2. 'Wise-use' principles are accepted globally in natural resource use

2.1 Has due regard been given to 'wise-use' principles in considering the nomination?

The International Union for Conservation of Nature (IUCN), a key participant in the formation and operation of the World Heritage Convention, developed a globally accepted set of 'wise-use' principles in the 1960's to bridge the gap between the conflicts over natural resource use and the needs of people and communities.

These principles state in part *"Both consumptive and non-consumptive use of biological diversity are fundamental to the economies, cultures, and well-being of all nations and peoples"* and *"Use, if sustainable, can serve human needs on an ongoing basis while contributing to the conservation of biological diversity"*.

It is generally considered that WHA status for a site will preclude any consumptive use, although the WHC permits sustainable use "that are ecologically and culturally sustainable and which may contribute to the quality of life of communities concerned."

The question though is what consideration the former federal government gave to the balanced application of 'wise-use' principles in preparing the nomination knowing that a successful nomination would in essence preclude such wise use.

What is the threshold of balance between further preservation and wise use in Tasmania?

Over 46 per cent of public forested areas in Tasmania are already in reserves. Currently 20 per cent of the land mass of Tasmania is a WHA, which is proportionately higher than any other jurisdiction globally. Of the prized Tasmanian old growth forests, 79 per cent are protected in formal reserves².

The Australian Environment Foundation argues that failing to strike a balance between wise use of resources and protection of the environment is ultimately not politically viable, undermines community support for further protection while maligning the very concept of conservation.

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<http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=19&ved=0CFgQFjAIOAo&url=http%3A%2F%2Fwhc.unesco.org%2Fdocument%2F100706&ei=YfobU5XgDISRkgX4iYBQ&usg=AFQjCNHILMFOnJYybcd5FcyfRmJqCqQjAw> page 4

3. Community and conservation needs require balance

3.1 Has an assessment of conservation requirements for the nominated area been conducted?

No independent scientific assessment to determine whether all of the area nominated meets the outstanding universal value criteria of the WHC has been undertaken. The need for all of the nominated areas to be included in the WHA is highly contestable given the 2008 WHC Reactive Monitoring Mission report concluding they did not warrant WHA listing saying *"The area managed under the TWWHA management plan provides a good representation of well-managed tall Eucalyptus forest and there is similar forest outside the property which is also well-managed, but for both conservation and development objectives. The threats to these forests from production forestry activities are well managed and there no need for the boundary of the property to be changed to deal with such threats."*

3.2 Has a social and economic impact assessment of the nomination been conducted?

There has been no study of the social and economic impacts on Tasmanian rural communities from the current nomination.

As in past restructuring of the native forestry industry in Tasmania only cursory consideration has been given to the wider socio economic impacts of further restrictions on timber supply to the industry. While funding decisions following the 'forests peace deal' supporting direct employees of the timber industry are essential, consideration and mitigation of the impacts on the wider community is almost non-existent.

Dr Jacki Schirmer from the Australian National University has been very critical of the limited nature of past socio economic studies and their failure to consider issues other than examining employment changes³.

According to the Local Government Association of Tasmania *"A sustainable forestry industry has been an integral and compelling part of rural Tasmania for well over a century. Its contribution to the livelihoods and broader social fabric of these communities cannot be understated."*

It appears yet again that the need for the balance recognised in the IUCN principles carries little weight when applied to marginalised rural communities.

³ <http://www.parliament.tas.gov.au/ctee/Council/Submissions/Sub%20107%20-%20Jacki%20Schirmer.pdf>

The fact that environmental groups do not insist that socio economic impact studies are undertaken as a matter of equity for other stakeholders reflects poorly on the ethics of their campaigns for further environmental protection.

4. The nomination process must comply with established rules

4.1 What are the rules for nomination under the minor boundary provisions?

The World Heritage Convention rules state *“A minor modification is one which has not a significant impact on the extent of the property nor affects its Outstanding Universal Value.”*

As previously stated, the OUV of the site is clearly comprised by the nomination of 172,000 additional hectares which contain many currently disturbed sites.



The World Heritage Convention rules state *“A minor modification is one which has not a significant impact on the extent of the property nor affects its Outstanding Universal Value.”*

Catamaran logging coupes which are included in the WHA minor boundary extension

4.2 Does the nomination comply with World Heritage Convention guidelines?

The IUCN told the WHC last year “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, considering the Operational Guidelines clearly define such modification as having a minor impact on the extent of the property.”

The Gillard government nomination exceeds 12 per cent, a difference of tens of thousands of hectares over the “absolute upper limit.”

The then Rudd government response⁴ to the WHC in 2010 on the original nomination process made clear that a limited proposal of a 23,873 hectare extension was all that was acceptable. “In response to the Committee’s request, Australia is pleased to provide a proposal for modifying the boundaries of the TWWHA which adds a total of 23,873 hectares to this property which already extends to 1.38 million hectares, or 20% of the State of Tasmania.

“Australia has considered the Committee’s request. Apart from the addition of the 21 adjacent formal reserves (covered by the TWWHA management plan) and the Southwest Conservation Area south of Melaleuca to Cox Bight, Australia restates that it does not propose to extend the boundary of the TWWHA further.”

The Rudd government agreement to the WHC request was in keeping with the 2007 election commitment and bipartisan approach of no further forest reserves in Tasmania.

Rudd government environment minister Peter Garrett rejected calls from environment groups for further annexation as did the Tasmanian environment minister Michelle O’Byrne. “The Australian Government has no plans to extend the current (WHA) boundary into production forests,” Mr Garrett said in a statement⁵.

However the election commitment and subsequent clearly articulated position of the Rudd government was ignored by the hasty much enlarged nomination advanced by the Gillard government environment minister Tony Burke to secure support from the environmental lobby ahead of the 2013 election.

The outcome of the nomination process gives currency to the view that political expediency has once again triumphed over properly assessed environmental objectives.

⁴ <http://www.environment.gov.au/system/files/resources/0580d898-a991-4b97-86a8-5e9a9218c447/files/tas-state-party-report-feb10.pdf> pages 4, 24

⁵ <http://www.theaustralian.com.au/archive/news/garrett-rejects-gum-tree-heritage-call/story-e6frg6ox-1111116851077>

4.3 What is the significance of minor boundary nominations?

Minor boundary extensions to an existing WHA do not require independent scientific assessment. In essence if the State Party (the federal government) requests an addition to a WHA that is deemed to be a minor boundary extension the request is rubber-stamped.

OUV of a minor extension is not considered, as it is assumed the values of the extension comply with the remainder of the WHA, which would have already been through a rigorous assessment process.

A request for an addition to a WHA that is not deemed minor is regarded as a new nomination and requires a full 18 month assessment.

There was significant political advantage to the previous government in having the nomination accepted as a minor boundary extension with an election required by late 2013.

Perhaps the most pernicious aspect of the minor boundary nomination and its automatic acceptance as a WHA, if unchallenged, is that the previous promise under the Tasmanian Forest Agreement for access to valuable specialty timbers located within the new nominated area is negated without consultation. There would be no access to any timber resources in a WHA.

This leaves the thriving specialty timbers craftsmen reliant on a rapidly diminishing smaller supply area. The end result of this situation is likely to be increasing harvesting pressure on a relatively scarce resource located in even fewer reserves that will drive environmentalists to demand further protection for those species!

A man-made environmental dilemma that serves nothing more than the long-term objective of closing the native timber industry.