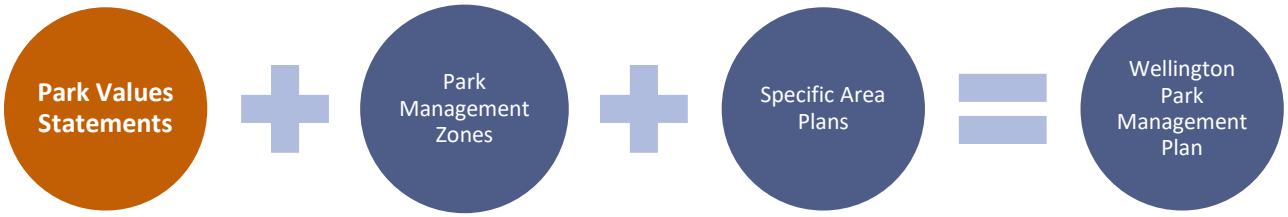
• *Management Plan Review*

Park Values consultation report



The draft Park Value Statements were released for public consultation for six weeks during August-September 2023. Feedback was invited via thematic surveys or written submission/email.

Consultation Response

Theme	Responses
Use Values (Drinking Water, Scientific)	148
Use Values (Recreation and Tourism)	324
Cultural Values (Historical Interest)	125
Cultural Values (Natural Beauty and Scenic Interest)	163
Natural Values (Geodiversity)	106
Natural Values (Biodiversity)	152
Total Survey Responses	**1,018**

The majority of survey respondents were local (postcodes 7004 and 7000) and aged over 50 years. Rather than a statistical exercise, the purpose of the surveys was to 'temperature test' community sentiment about the existing values of Wellington Park, as drawn from the Wellington Park Management Plan 2013.

"All draft Value Statements returned a clear majority survey response of 'Important' and 'True', indicating continued appreciation of the values of Wellington Park among respondents."

In addition to survey responses, 34 written submissions were received from individuals and organisations including:

- Birdlife Tasmania
- Cultural Heritage Practitioners Tasmania
- Dark Sky Tasmania
- Enshrine
- Dept of Natural Resources and Environment
- Respect the Mountain
- Residents Opposed to the Cable Car
- Tasmanian National Parks Association
- Tasmanian Conservation Trust

Input was also drawn from:

- Tourism Tasmania's 2030 Visitor Economy Strategy
- Visitor surveys undertaken as part of the Wellington Park Visitor and Recreation Strategy, released in 2023
- TASCAT MWCC v HCC & Others (2022) TASCAT 128 (reviewed in the context of cited difficulties in applying and interpreting the Wellington Park Management Plan)
- State Planning Office consultation re: the application of 'values' in planning schemes
- Dept of Natural Resources and Environment re: reserve management planning in Tasmania

Tourism feedback

The Trust completed an analysis of written reviews and visitor photographs uploaded to TripAdvisor and Google reviews throughout 2022.

Visitor feedback aligned closely with support for the values of:

- Close to and accessible to a major urban area, while retaining elements of wilderness
- An extensive network of tracks and trails that facilitate exploration and recreational activities
- Attractive to local, interstate and international visitors
- kunanyi / Mount Wellington is the signature landmark for the city of Hobart and is a visual reference point for much of south-east Tasmania

Written visitor reviews also indicated significant value being placed on the viewscape from the summit of kunanyi / Mount Wellington, and the opportunity to experience snow.

Secondary to these two dominant themes, visitor reviews also express appreciation of:

- The accessibility of the Pinnacle and its infrastructure
- Available infrastructure including boardwalks and trails
- Flora and fauna
- The café service at The Springs

Visitors repeatedly note the following that are valued but are perceived as inadequate in Wellington Park:

- Safe, high quality road infrastructure, including the hazard presented by pedestrians on Pinnacle Rd
- Activities and 'things to do'

Palawa engagement

The Palawa engagement process is ongoing, with Aboriginal Values to be added following community decision-making.

Work undertaken to date by the Trust's cultural consultant has identified limited published documentation that acknowledges the known cultural values and communal aspirations of the Palawa and Tasmanian Aboriginal community. There has not yet been a rigorous process of identifying communally agreed cultural values that can be definitively referred to. However, there is evidence that the Aboriginal community regard cultural values as going beyond the current archaeological and anthropological framework.

Through discussions to date, four key themes have emerged to focus discussions on Aboriginal Values:

- Spiritual connection
- Medicinal and nutritional
- Fire, water, earth and air
- Strengthening cultural practice and sovereignty

The Trust will support a series of on-country events in Wellington Park for Palawa and Tasmanian Aboriginal people, led by Senior Knowledge Keepers, from December 2023 to April 2024 to facilitate knowledge sharing and decision-making. Aboriginal Values will be incorporated into the revised Wellington Park Management Plan when the community is ready to share them with the Trust.

Response to common themes in feedback

1. **The role of Values in the proposed Management Plan framework**

The Value Statements do not reflect the full length and breadth of protections afforded to Wellington Park. Rather, they:

a) flag additional priorities not covered in other instruments, particularly the *Wellington Park Act 1993* and the *Wellington Park Regulations 2019,* or
b) elaborate on matters that are open to discretionary interpretation by statutory planning authorities.

The absence of an aspect of Wellington Park from the proposed Value Statements does not mean it is not afforded the blanket protection of the Act and Regulations.

The Value Statements are being developed in the context of a Local Provisions Schedule under the Tasmanian Planning Scheme, and with the end-user in

mind. That is, people making decisions as part of a statutory planning authority, or development proponents seeking to determine if their proposal is compatible with the purposes for which Wellington Park is set aside.

Grand statements that do not contribute to the thought process of these two types of end user, or that duplicate or repeat sentiments addressed by other Value Statements, do not have a place in the Local Provision Schedule-style of document that the revised Management Plan will be based on.

2. Mountain-centric

Almost without exception, feedback provided is focused on kunanyi / Mount Wellington and its eastern face. Of the 18,011 ha of Wellington Park, the mountain and foothills account for some 2,500 hectares (14%). There appears to be very little awareness of the other 15,500 ha (86%) of land within Wellington Park.

Related to this are repeated calls for a name change of Wellington Park and the Management Plan to kunanyi. However, as the Park is not called 'Mount' Wellington Park, it would not be appropriate to change the name, noting that there are several other peaks within Wellington Park other than kunanyi / Mount Wellington. The term 'Wellington Park' and 'Wellington Park Management Trust' are a product of the *Wellington Park Act 1993*.

It is also noted that in April 2023, the Trust contacted the Tasmanian Aboriginal Centre Palawa kani Language Program to 'express a genuine interest in being part of the process if the Palawa community want to assign more names to Wellington Park features, or indeed the Park itself'. There has been no response.

3. Feedback relevant to the Act

Some feedback received cannot be acted upon as it is inconsistent with the *Wellington Park Act 1993*. Amending the Act is beyond the scope of the Management Plan review and is not within the purview of the Wellington Park Management Trust.

Change such as modifying the term 'preservation or protection' to 'preservation AND protection' is a direct modification of section 5 of the Act, and therefore will not be pursued.

Similarly, the dismissal of any further tourism and recreation development in the Park contravenes the purposes for which the Park was set aside, as listed in section 5 of the Act, and will not be pursued.

4. Existing values not being realised

Upon review of suggested modification and additions to the Draft Value Statements, it is apparent that there is frustration that existing values drawn from the 2013 Management Plan are not being upheld in the Park.

Most obviously, the statement 'A range of opportunities for people of differing abilities, ages and physical capabilities' has elicited a significant amount of commentary about the lack of accessibility for elderly and disabled people. Whilst presenting as negative, these comments are in support of the Value Statement, but highlight the lack of real implementation.

Beyond the Management Plan review, this feedback flags an imperative to ensure that the supported Values are realised within Wellington Park, noting that some require proactive implementation rather than merely being used as a yardstick by statutory planning authorities for the assessment of development applications. For example, work is needed to improve disabled access within Wellington Park. Recognising this access as a Park Value alone does not address the issue.

5. Assumption of legal compliance

The Value Statements do not seek to duplicate what is already required under existing state and federal legislation. For example, the explicit coverage of threatened species under the Values Statements is redundant because the federal *Environment Protection and Biodiversity Conservation Act 1999* and the *Threatened Species Conservation Act 1995* (Tasmania) apply within the Park and provide for the protection of threatened species.

Whereas it could be symbolic to also adopt a Value Statement conferring recognition and protection of threatened species, ultimately the Value Statements

are designed to guide statutory planning authorities. Those same authorities already need to ensure legal compliance as a baseline. Repetition in a Wellington Park Value Statement is therefore redundant. Further, on this particular issue, the *Wellington Park Act 1993* requires the 'preservation or protection' of all flora or fauna, regardless of conservation status.

6. A different type of Management Plan

Some feedback assumes the same type of Management Plan is being produced as that released in 2013. However, the Trust has resolved to produce a document modelled on a Local Provision Schedule, tailored to the statutory planning authority as the end-user of the document.

The revision will comprise what is currently chapters 3, 8, 8a and 8b, plus Park Value Statements and other content relevant to statutory planning authority deliberations.

There is no provision in Local Provision Schedules for descriptive and/or illustrative text that labours individual points without contributing to the decision-making process of the end user. Rather, the introduction of elaborating text can create uncertainty, introducing ambiguity or inadvertently offering a re-interpretation of a succinct point.

The Trust has adopted this method in light of ongoing resource limitations. The Trust does not have the capacity or, in some cases the remit, to deliver many of the actions identified in the 2013 Management Plan. Instead, the Management Plan will provide the statutory planning content to ensure that any development undertaken in the Park is consistent with the purposes for which the Park is set aside.

It remains the function of the Trust to provide for the management and maintenance of Wellington Park in a manner that is consistent with the purposes for which it is set aside (s 11.1.a of the *Wellington Park Act 1993*). This function will be delivered through a hierarchy of Trust planning documents including:

- Visitor and Recreation Strategy 2023, including:
    - Recreational Trails Strategy (in development)
    - Facilities and Services Development Strategy (yet to be commenced)
    - Park Interpretation Plan (in development)
- Fire Management Strategy 2006 (under review)
- Historic Heritage Management Plan (in development)
- Annual Compliance and Enforcement Strategy to uphold the *Wellington Park Regulations 2019*
- Invasive Species Strategy (yet to be commenced)
- Threatened Species Strategy (yet to be commenced)

7. Categorisation of Value Statements

Individual Value Statements are readily interpreted as relevant to multiple categories of Values. Suggested alternatives include doing away with the categories and just having a list of Value Statements, or creating a matrix that indicates the relevance of individual Value Statements to multiple categories.

This feedback has not been incorporated in this phase, but will be revisited when the Standards for Use and Development are being revised. This is because the categorisation of values serves as a shorthand reference in the Standards. Categorisation (including under multiple categories) or otherwise will be best addressed when the implications for the end user are clear.

8. Abbreviation of Statements of Significance

The Draft Value Statements have been extracted from the Statements of Significance in the 2013 Management Plan. The Statements of Significance were found to contain a blend of values and specific features of significance, and are separate to the Standards for Use and Development.

In MWCC Pty Ltd v Hobart City Council and Others (2022) TASCAT 128, it was noted that 'insofar as it asserts that the proposal should be assessed against general statements of values in the Management Plan as if those general statements are standards, it is not accepted.' Therefore, general statements of values embedded throughout the Management Plan are not recognised in the assessment of proposals against the Standards for Use and Development (Tables 5, S1.6 and S2.6 in the Management Plan 2013).

The approach proposed by the Trust is to instead clearly articulate the key values contained within the Statements of Significance so that they offer better guidance for discretionary decision making by

statutory planning authorities. The clarity that is sought has resulted in an abbreviation of statements. However, the Trust acknowledges that the long-form Statements of Significance provide further context to Value Statements, and in doing so, reassure the community that the value is truly understood by the end user, be they a development proponent or a statutory planning authority.

Power is given to Statements by including them in the Standards for Use and Development. To use extended content from the former Statements of Significance to best effect following Park Values consultation, it is proposed to model the 'Objectives' in the Standards for Use and Development on the 2013 Statements of Significance. This will preserve and empower much of the contextual information in the revised Management Plan, without losing clarity of key values as articulated in the Park Value Statements.

9. Non-representative pool of survey respondents

The limitations of the survey respondent pool are known and were used as context in the analysis of responses. The presence of interest groups, and the dominance of both the 50+ yrs age group and local residents is noted.

The survey is not the only data collection method being used to inform revision of the Park Values Statements as outlined previously.

The surveys have not, nor were they intended to be used as a singular determinant of Park Value Statement outcomes. Rather, the surveys sought to test community sentiment. Despite the obvious polarity in the respondent pool, namely anti- and pro-cable car advocates, all proposed Draft Value Statements returned a clear majority response of TRUE and IMPORTANT.

Survey responses do not modify the purposes for which the Park was set aside, as set out in the *Wellington Park Act 1993*, so commitment to provision for recreation and tourism use, flora and fauna preservation and protection etc remains unchanged, even if not explicit in the proposed Value Statements.

Revised Park Value Statements

Sustainable Tourism and Recreation Use

- kunanyi / Mount Wellington is one of the most important tourist destinations in Tasmania.
- Close to and accessible to a major urban area, while retaining a sense of wilderness, with remote areas of minimal infrastructure, intact ecosystems and substantially undisturbed landscapes.
- Natural beauty, tranquillity and inspiration.
- Attractive to local, interstate and international visitors.
- An extensive network of tracks and trails that facilitate exploration and recreational activities.
- Opportunities to connect with the natural and cultural history and significance of the Park.
- Opportunities to engage in activities to improve physical health and spiritual, emotional and mental wellbeing.
- Opportunities to experience the Park without degrading the experience for other users.
- A spectrum of different opportunities within individual recreational activities suits the varying levels of experience and interests of different users.
- A range of opportunities for people of differing abilities, ages and physical capabilities.
- Connectivity to the surrounding landscape including neighbouring urban and regional centres, other parks, reserves and natural attractions.
- Generally unrestricted access enabling year-round enjoyment and exploration of Wellington Park.
- Recreation and tourism features listed on the WPMT Register of Features of Interest.

Associated definitions for inclusion in the revised Management Plan:

Biodiversity – The variety of all living things, the different vascular and non-vascular plants, animals, fungi and micro-organisms, the genetic information they contain and the ecosystems they form.

Wilderness – a natural area of sufficient size and remoteness to maintain biodiversity and ecological function, to preserve cultural landscapes and traditional practices, and to provide challenging

recreational experiences for suitably equipped and capable people.

Drinking Water

- Excellent water quality.

Scientific Interest

- An accessible natural area for teaching.
- Quality academic and citizen science research opportunities that are also accessible.
- A natural area with an altitudinal cline and a history of research that provides baseline data for monitoring the impacts of climate change.
- Scientific interest features listed on the WPMT Register of Features of Interest.

Biodiversity

- Outstanding and unbroken sequence of vegetation types, from dry sclerophyll through wet sclerophyll, rainforest, sub-alpine to alpine communities.
- Outstanding diversity of dry sclerophyll communities in a relatively limited area.
- One of the richest avifaunas for an area of its size in Tasmania.
- The scale, integrity and diversity of the Park's ecosystems are extremely significant.
- One of the most biologically-diverse areas of its size in Tasmania.
- One of Tasmania's richest sites in terms of number of endemic species.
- Biodiversity features listed on the WPMT Register of Features of Interest.

Geodiversity

- The bedrock geology of Wellington Park is a well-developed representative example of the lithologies and structures that are characteristic of the Permian to Jurassic rock sequence of the Tasmanian Basin of Gondwanan times.
- The geology is the foundation of the Park's ecosystems and forms the physical foundation for soil and landscape.
- Well-expressed, accessible and representative examples of landform systems and geomorphic processes that occur widely in central and eastern Tasmania.
- Geomorphology that has a major influence on the visual landscape, ecosystems and character of the Wellington Range.
- Geomorphological features listed on the WPMT Register of Features of Interest.

Natural Beauty and Scenic Interest

- kunanyi / Mount Wellington is the signature landmark for the city of Hobart and is a visual reference point for much of south-east Tasmania.
- Outstanding aesthetic characteristics owing to the geology, striking landform, cultural history, running waters, diverse vegetation and temporal changes of lighting, climate and atmospheric effects.
- The viewshed of kunanyi / Mount Wellington and other look out points in Wellington Park, including observation of the night sky.
- The visual amenity provided by Wellington Park and heightened sensitivity to noticeable change in the visible landscape.
- The absence of light pollution.
- The absence of noise pollution.
- Natural beauty and scenic interest features listed on the WPMT Register of Features of Interest.

Associated definitions for inclusion in the revised Management Plan:

Viewshed – The geographical area that is visible from a location

Visual amenity – The views and surroundings that form the backdrop to an area

Light pollution – The alteration of natural light levels in the night environment by artificial lighting.

Noise pollution – Unwanted or disturbing sound created by human activity that affects the health and well-being of humans and other organisms.

Connection

- The Park is more than a biophysical reserve. It is part of the community's extended sense of self, inextricably linked to the psyche of the people of Tasmania, including those who live in its presence now and in the past.
- The view of the Park from Greater Hobart and surrounds, and the views from higher elevations

within the Park, create an emotional and spiritual connection with the South West Wilderness.

- kunanyi / Mount Wellington imparts a sense of belonging, of connection to place and symbolises 'home' for many Tasmanians.
- Opportunities for use by the community for a variety of religious, spiritual, cultural and educational purposes

Historical Interest

- kunanyi / Mount Wellington is an example of the UNESCO World Heritage Convention's Organically Evolved Cultural Landscape (Continuing Landscape) with an active social role in contemporary society.
- Shaped by post-European settlement uses including sourcing of drinking water, food, timber, recreational pursuits and tourism.
- The historical interest of Wellington Park is associated with, but not limited to, economic, political, social, creative, emotional and intellectual activity by Aboriginal and non-Aboriginal people.
- Historical features listed on the WPMT Register of Features of Interest or WPMT Heritage Register.

Register of Features of Interest

It is proposed to establish a Register of Features of Interest alongside the Park Value Statements. The Register will sit outside of the Management Plan, much like the Trust's Heritage Database. Like the Heritage Database, the Register will need to be checked when assessing use and development in Wellington Park.

The Register proposal also generated feedback, in three main themes.

1. Uncertainty around the intended purpose of the Register

The Register of Features of Interest reflects the purposes for which the Park was set aside. The *Wellington Park Act 1993* cites the preservation or protection of multiple themed *features of interest*.

The Register is proposed to be modelled on the Trust's cultural heritage database, which lists features that are then afforded explicit consideration or protection. The Register, like the cultural heritage database is currently, is to be cited in the Standards for Use and Development in the Management Plan, requiring statutory planning authorities to ensure appropriate management of listed features is achieved if planning approval is given to a development.

The Register does not undermine the landscape-scale protection afforded by the Act and other relevant legislation, or by the interpretation and application of Park Value Statements. However, there is an inherent elevation of importance inferred by the Act in protecting or preserving *features of interest*. For many aspects, eg natural beauty and scenic interest, a determination of interest is largely subjective, and therefore a process for nomination, assessment and approval of features to the Register will need to be established, again modelled on the existing cultural heritage register.

As noted earlier, in MWCC Pty Ltd v Hobart City Council and Others (2022) TASCAT 128, 'insofar as it asserts that the proposal should be assessed against general statements of values in the Management Plan as if those general statements are standards, it is not accepted.' This means that generalised statements of values embedded throughout the Management Plan are not recognised in the assessment of proposals against the Standards for Use and Development.

It follows that the tangible features listed in the Statements of Significance of the Management Plan 2013, that are now proposed to be shifted to a Register of Features of Interest, are currently not required to be formally considered by statutory planning authorities.

The creation of a Register of Features of Interest, and citing of same in the Standards for Use and Development would in fact increase the profile and management consideration of these features.

2. Register should be included within the revised Management Plan

One of the issues with the current Management Plan is the inability to evolve the document with current recommended practice. Once proclaimed, the

Management Plan can only be amended via a full statutory review.

To ensure that the Register can be updated as new information comes to light, and to provide for an ongoing nomination, assessment and approval process, it is proposed to reference the Register in the Management Plan, but keep the Register itself outside of the Plan. This reflects the current cultural heritage database that confers protection of identified heritage sites and features within Wellington Park.

To address concerns raised during consultation, it is proposed to commit to a nomination, assessment and approval process, including consultation, within the text of the Management Plan, whilst still keeping the Register outside of the Plan.

3. Perception that 'significance' is downgraded to 'interest'

'Interest' is the term used in the *Wellington Park Act 1993*.

Conclusion

The revised values will be taken forward into the next stage of the Management Plan review.

The application of the Value Statements is in the Standards for Use and Development, which will be defined during and after the determination of Zones and Allowable Uses

There will be opportunity for further revision of the Statements if these do not fulfil the required function in the Standards, that being to guide discretionary decision making by statutory planning authorities.