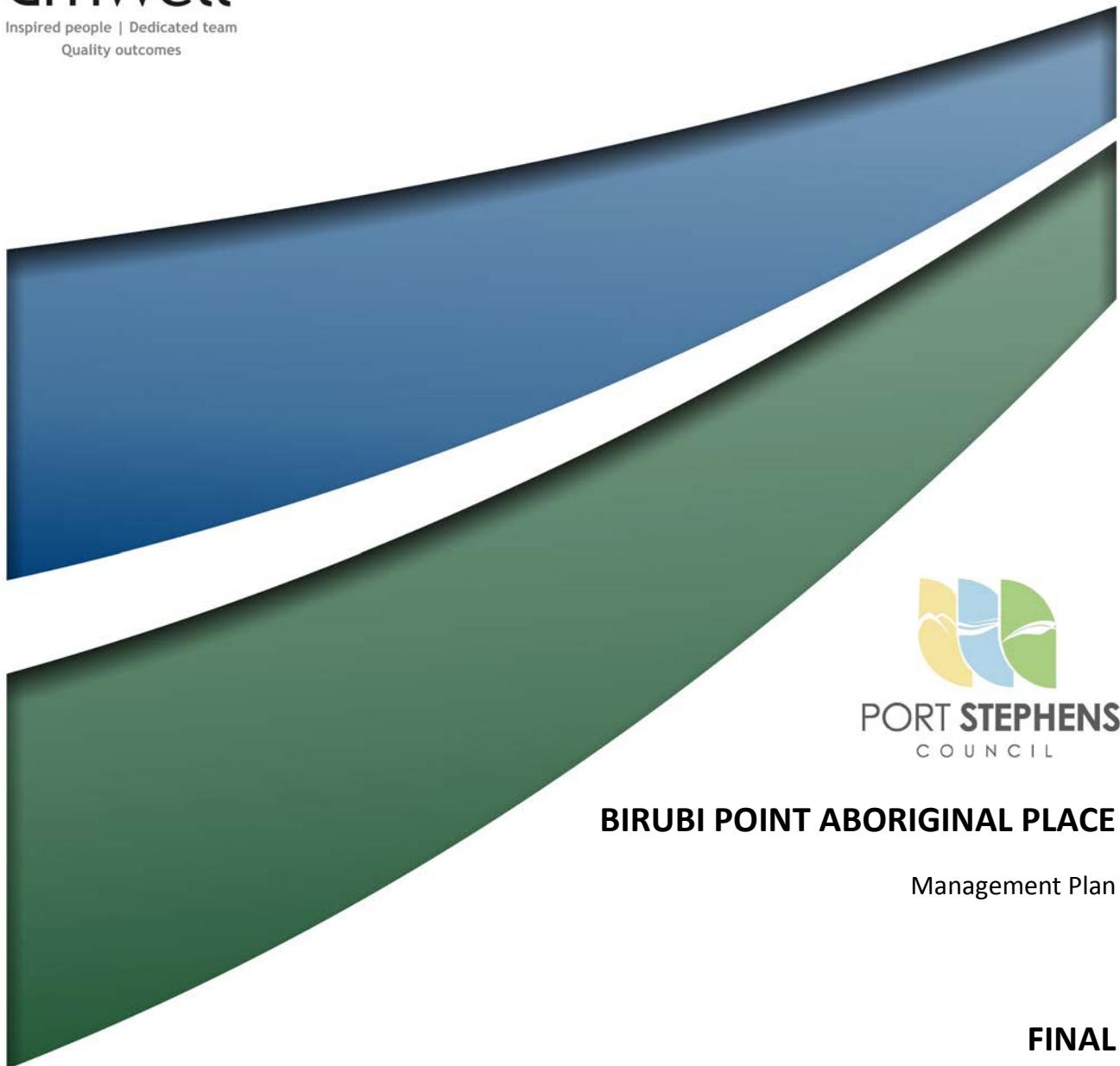




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## BIRUBI POINT ABORIGINAL PLACE

Management Plan

**FINAL**

May 2018



## BIRUBI POINT ABORIGINAL PLACE

### Management Plan

**FINAL**

Prepared by  
**Umwelt (Australia) Pty Limited**  
on behalf of  
**Port Stephens Council**

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## Acknowledgement of Country

Birubi Point is culturally significant to the Traditional Custodians of the area, known as the Worimi people of Port Stephens. ‘Birubi’ refers to the Southern Cross, which lights the night sky above Birubi Point.

The Worimi still use the area today and their history and connection to the land is demonstrated by the abundance of significant resource materials that have been collected from within and adjoining the area over thousands of years.

We all have a responsibility to safeguard this history and as a result, a large portion of this unique landscape has been sanctioned as an ‘Aboriginal Place’ by the NSW Government, to ensure that area is protected.

Today the extensive archaeological material of Birubi Point Aboriginal Place is a site for teaching current and future generations about Worimi ancestors and local Aboriginal culture.

These values have been at the forefront of decisions in the development of this Management Plan.

This Aboriginal Place Management Plan was prepared by representatives of the Worimi Traditional Owners, Worimi Conservation Lands Board of Management, Worimi Local Aboriginal Land Council (WLALC), Port Stephens Council elected representatives and professional staff, Anna Bay community, Birubi Point Surf Life Saving Club, National Parks and Wildlife Service (NPWS) and Department of Industry Lands and Water (DILW), working together as the Birubi Point Cultural Heritage Advisory Panel.

The Aboriginal Place Management Plan guides the protection, stewardship, use and development of Birubi Point Aboriginal Place, in accordance with its value to the Worimi people and the requirements of the National Parks and Wildlife Act 1979.

The Worimi traditional owners welcome people to visit the Birubi Point Aboriginal Place and to join with them in looking after Worimi country.

*Guudji-yiigu* – a Worimi Welcome

## Glossary and acronyms

Abbreviation	Full name
AHIP	Aboriginal Heritage Impact Permit
APMP	Aboriginal Place Management Plan
BP	Before Present
CLM Act	Crown Lands Management Act 2016
CM Act	Coastal Management Act 2016
CMP	Coastal Management Program
DECCW	Department of Environment Climate Change and Water
DILW	Department of Industry Lands and Water
EP&A Act	Environmental Planning and Assessment Act 1979
ha	hectares
NPW Act	National Parks and Wildlife Act
NPWS	National Parks and Wildlife Service
OEH	Office of Environment and Heritage
RAP	Registered Aboriginal Party
REF	Review of Environmental Factors
SEPP	State Environmental Planning Policy
The Panel	Birubi Point Cultural Heritage Advisory Panel
WCL	Worimi Conservation Lands
WLALC	Worimi Local Aboriginal Land Council

# 1.0 Introduction

Birubi Point Aboriginal Place is in Worimi country. This Aboriginal Place Management Plan (APMP) for the Birubi Point Aboriginal Place sets out how the Aboriginal Place will be managed over the next 10 years to protect and respect its value and significance to the Worimi people. The APMP also includes actions to share knowledge about the importance of the Aboriginal Place and connect people to the landscape in which it is located.

The *National Parks and Wildlife Act 1979* requires that the values of a declared Aboriginal Place are protected.

The APMP has been prepared in accordance with the Guidelines for Developing Management Plans for Declared Aboriginal Places (OEH 2012) (<http://www.environment.nsw.gov.au/resources/cultureheritage/120137abplacesgdlns.pdf>). No previous APMP has been prepared for Birubi Point.

The APMP has two main parts:

Context - Sections 1 and 2	Action - Section 3
<ul style="list-style-type: none"><li>• Statutory requirements</li><li>• Process of preparing the plan</li><li>• Values</li><li>• Management issues</li></ul>	<ul style="list-style-type: none"><li>• Governance and tenure arrangements</li><li>• Management actions for each precinct</li><li>• Implementation information</li></ul>

## 1.1.1 Acknowledgements

Umwelt (Australia) Pty Ltd (Umwelt) prepared the APMP on behalf of Port Stephens Council. Terras Landscape Architects prepared concept plans and a master plan for the Aboriginal Place and its context, to obtain feedback on key values of the Aboriginal Place and how they should be managed.

The preparation of the APMP was guided by the Birubi Point Cultural Heritage Advisory Panel (the Panel). Members of the Panel are listed in **Appendix 2**. They include representatives of:

- Worimi Conservation Lands Board of Management
- Worimi Local Aboriginal Land Council (WLALC)
- Other registered traditional owners of Worimi Conservation Lands (WCL)
- Port Stephens Council elected representatives and professional staff
- Birubi Point Surf Life Saving Club

- National Parks and Wildlife Service (NPWS)
- Department of Industry Lands and Water (DILW)

The Panel members provided knowledge, experience and expertise to the process of preparing the APMP. Their contribution and their willingness to work in close partnership have greatly enhanced the APMP and smoothed the path for its implementation.

## 1.2 About Birubi Point Aboriginal Place

Birubi Point Aboriginal Place, an area of approximately 56 hectares (ha) of coastal land at Anna Bay, was gazetted under Section 84 of the *National Parks and Wildlife Act* (NPW Act) by the Minister for the Environment in 2007. **Figure 1.1** shows the location and extent of the Aboriginal Place.

The gazettal notice is included in **Appendix 1**. This details the cultural and archaeological values of the Aboriginal Place and how these values are understood to be distributed across different parts of the Aboriginal Place.

### 1.2.1 Worimi Country

Birubi Point Aboriginal Place is in the heart of Worimi country and Worimi people have been part of this land for tens of thousands of years. They are the Traditional Custodians of the land. Birubi means ‘Southern Cross’ and one of the special characteristics of Birubi Point is the expansive view it offers of the sea and sky, including the Southern Cross.

The complex pattern of beach, multi-age dunes, rocky shorelines, wetland, heath and woodlands along the coast around the Birubi Point Aboriginal Place provided diverse resources for Worimi people. Worimi people travelled along the beaches and over headlands and dunes to wetlands and creeks when moving through the coastal parts of their country.

Throughout the beach and dune landscape of Stockton Bight and within the Birubi Point Aboriginal Place there is abundant material evidence of Worimi people living on their lands, including evidence of fishing, shellfish gathering (with shell middens being the most conspicuous form of evidence in the landscape), campsites, fire and hearthstones, flaked stone implements and burials.

The Worimi still use the area today and their history and connection to the land is demonstrated by both the abundance of significant resource materials that are available in the area and the archaeological evidence.

The archaeological value of the Birubi Point Aboriginal Place was first formally documented in the 1920s when burials were excavated. In the 1970s (Dyall 1977) (see **Figure 1.2**) mapped several large and complex middens in what is now the Aboriginal

Place and the area has been the subject of multiple archaeological studies over the last 40 years.

Today the extensive archaeological material of Birubi Point Aboriginal Place makes it a site for teaching current and future generations about Worimi ancestors and local Aboriginal culture.



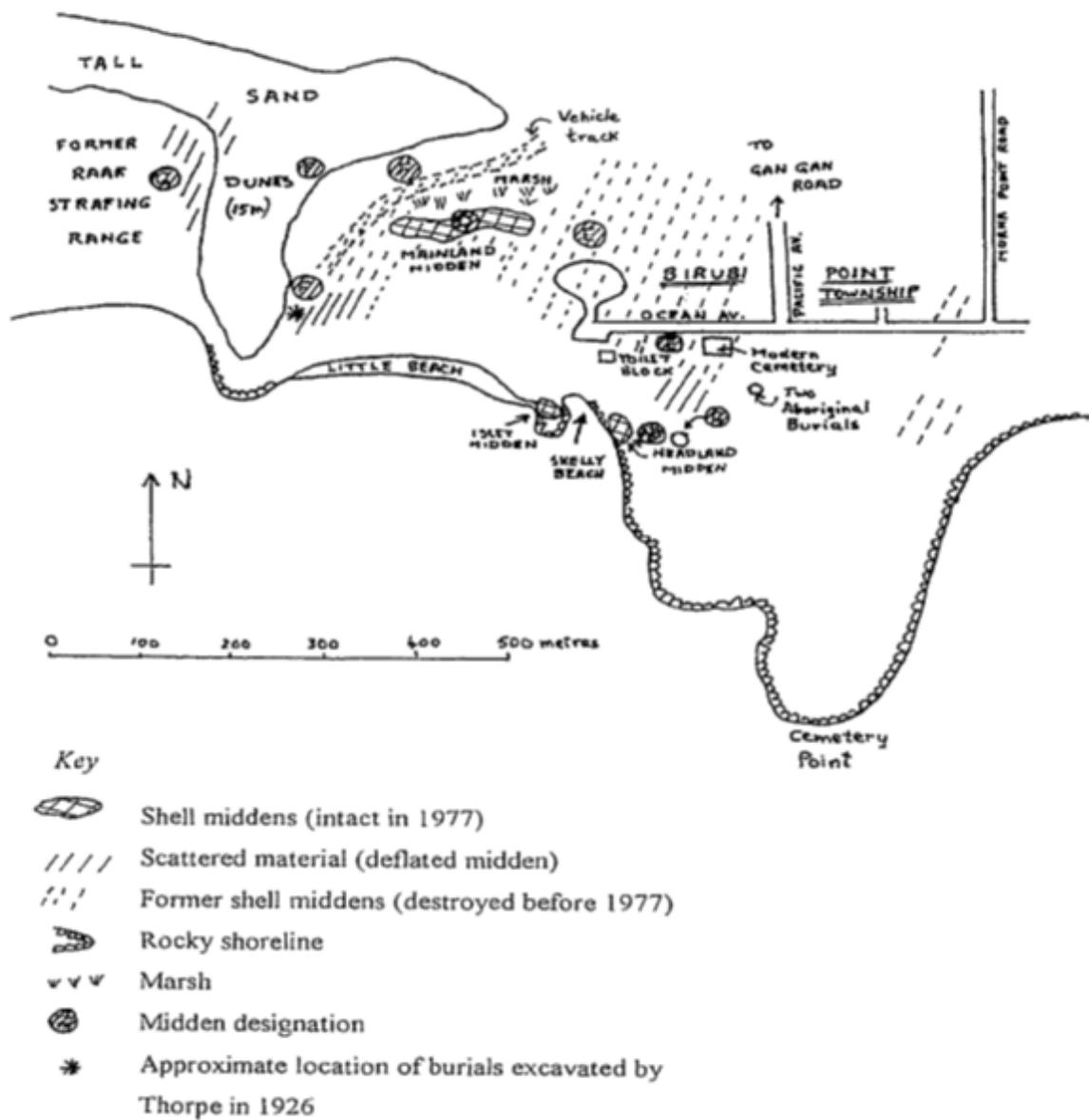
Image Source: NearMap (Nov 2016)  
Data Source: Port Stephens Council (2017)

**Legend**  
■ Birubi Point Aboriginal Place  
▨ National Park

**FIGURE 1.1**  
**Location and Extent of**  
**Birubi Point Aboriginal Place**

**MAP 3: SKETCH MAP OF THE BIRUBI SITE**

Dated April 1977. Note that Midden C was not visible at that time, and was added to this sketch in 1978.



**Figure 1.2 Midden mapping from 1977 (Dyall)**

The Aboriginal Place nomination (Umwelt 2007) provides a review of archaeological evidence, interpretation and values. Birubi Headland and other parts of the Birubi Point Reserve within the Birubi Point Aboriginal Place, is a major Aboriginal site complex that has the potential to provide insights from archaeological evidence about environmental and economic relationships of traditional Worimi people who have been the custodians of the land. The stratified midden sites can help build up the picture of life in this area, which is important for teaching young Worimi people. The information about traditional and contemporary Worimi values is also important for raising the awareness of local people and tourists about the place they are visiting and enjoying.

Worimi people interviewed during the preparation of the nomination highlighted important values of Birubi Headland and adjacent areas

- some members of the community refer to a men's ceremonial site in the area and a story involving an old warrior. They also talked about the contemporary spiritual importance because a young Aboriginal person died in the surf here;
- the archaeological material that is across the entire Aboriginal Place (which includes burials) is important because it is evidence of how Worimi ancestors lived in the area and how they interacted with the land and the sea in their traditional lifestyles;
- plant species in the area indicate the natural resources used by Worimi people and subgroups such as the Maaiaingal people;
- the sites and lifestyle at Birubi Headland and adjacent areas are connected to other significant sites and landscape features across Worimi country; and
- it is important for teaching future generations about culture.

### **1.2.2 Landscape context**

Birubi Headland lies at the interface of the mobile dune landscape of Stockton Bight and the rocky coastline of the Tomaree peninsula.

Stockton Bight is a very large coastal barrier system, incorporating depositional landforms of late Pleistocene and Holocene age and evidence of multiple periods of dune mobilisation and reworking, interspersed with periods of stable, vegetated dune landforms. The Outer or Holocene barrier, deposited within the last 7000 years, dominates the view to the west from Birubi Headland.

Contemporary landforms at Stockton Bight include the beach, discontinuous frontal dunes, a wide deflation basin that is intermittently inundated with marine and fresh water, hummocky lobes of sand extending across the deflation basin, exposed remnants of former stable soil surfaces and high transgressive dunes whose form varies seasonally. At the western end of Stockton Bight, these dunes continue to move landward, over woodland, wetland and development.

The Birubi Point Aboriginal Place includes:

- beach and foreshore;
- frontal dunes which are impacted from time to time by coastal erosion, mostly during storms;
- Birubi Headland
- exposed cliffs and rock outcrops. In Tomaree National Park, there are also areas of coastal heath and grassland;
- stabilised and vegetated former mobile dunes, noting that much of the vegetation is now compromised by invasive species. Some of these former dunes overlie areas of rocky coast. The burial of the rock coast has occurred through multiple periods of dune migration, over the last 6,000 years;
- moderately stable, but heavily disturbed sand deposits, often with Aboriginal objects exposed;
- active mobile dunes. Where wind-blown sand transport is active, small patches of remnant vegetation (including invasive species) are retained. The deflation basin created by transgressing dunes may be intermittently inundated during periods of heavy rain and by sea water from wave overtopping in storm wave conditions. The pre European dune landscape at Anna Bay would have included wetland areas in swales between stable vegetated dunes. None of these remain within the Aboriginal Place.

The most important coastal processes continuing to shape the landscape within the Birubi Point Aboriginal Place are coastal erosion, coastal recession and wind-blown transport of sand.

Geomorphic research at Stockton Bight provides estimates of the ages of periods of dune mobility and stability. Periods of dune mobility commenced prior to 4,500 years Before Present (BP), and also occurred around 2,300 years BP, 1,300 years BP and since about 500 years BP. The relationships of different periods of dune mobility along Stockton Bight and the layers of dune sand within the Birubi Point Aboriginal Place have not yet been researched in detail. Within the dunes which mantle the rises behind the surf club, the depth to a pre European ground surface is not known.

### **1.2.3 Local development**

Birubi Point Aboriginal Place, within the Birubi Point Beach Reserve, is also the interface between the natural landscape and the built environment. In addition to natural landforms and processes, the landscape context of Birubi Point Aboriginal Place includes the Anna Bay and Fishermans Bay residential areas, tourist accommodation, access roads, car parks, visitor transfer facilities and the surf club and cafe.

Within the Birubi Beach Reserve which is included in the area gazetted as Birubi Point Aboriginal Place, walking paths, picnic areas, a playground and skate park facilities support community access and use.

Although European occupation commenced in the nineteenth century, most of the development occurred in the twentieth century. The landforms and vegetation within the Birubi Point Aboriginal Place have been much disturbed by the growing use of the area.

Early land use of the area included market gardens along what is now the residential interface on the Stockton Bight side of James Paterson Street. This activity introduced a variety of noxious weeds to the area. There are currently noxious weed treatment obligations for landowners in this area under the Noxious Weeds Act 1993 and the Noxious Weeds (Weed Control) Order 2014. The Department of Industry Lands and Water (DILW) have been working with other landholders to implement effective management of the weed species, but control remains a challenge.

Residential development along James Paterson Street has a significant boundary with the Birubi Point Aboriginal Place. There are examples of encroachment of these urban uses onto Crown land within the Birubi Point Aboriginal Place.

There has been historical intermittent sand extraction in the areas where mobile dunes encroach close to development.

Land management activities in the area have included some mechanical shaping of mobile dunes by the Soil Conservation Service; efforts to revegetate the dunes restoring habitat and biodiversity as well as stabilising the sand surface; and the noxious weed management actions noted above.

Key current land use and development in and immediately adjacent to the Birubi Point Aboriginal Place are shown in Figure 1.3. The main uses of the Birubi Point Aboriginal Place include are outlined below.

Birubi Beach Surf Club operates a surf club and community facilities at Birubi Headland, surrounded by the Birubi Point Aboriginal Place.

A surf club was established at Birubi Headland in 1993. The current surf club building (built with an investment of \$4.7 million) was opened in 2013. The surf club is an important community meeting place and also an important economic asset. A café operating in the surf club building attracts large numbers of visitors for beach side meals. The surf club site is also a popular viewing platform for the dunes, the beach and seasonally for passing whales.

The surf club hosts major carnival events, which bring large numbers of visitors to the site.

The northern gateway to the Worimi Conservation Lands (WCL) for off road vehicles is from Gan Gan Road at Anna Bay (see Figure 1.3). Vehicles accessing the conservation

lands via this track must turn right at the beach. Vehicles (other than surf club rescue vehicles) are not permitted on the beach in the vicinity of the surf club.



Birubi Headland, within the Birubi Point Aboriginal Place, and the adjacent land (bottom car park) are important drivers of regional tourism activity. Every day up to 40 bus-loads of international tourists are brought to Birubi Headland as part of a sight-seeing package that may include a trip onto the dunes for sand boarding, may include camel rides and include whale watching cruises at Port Stephens. The main transfer point for tourists who are participating in tours onto the dunes is the lower carpark at Birubi Headland (see **Figure 1.3**).

Other than these organised tours locals, regional visitors to the beach and café, and national and international tourists visiting the dunes all use the roads to the Birubi Headland and car parking provided there.

Port Stephens Council prepared a Tourism Strategy in 2010, which highlighted the existing value of Birubi Headland and Birubi Beach Reserve, significant further opportunities and a number of issues to be managed to realise the tourism potential of the area. Key issues relating to the future development of tourism uses are highlighted in **Figure 1.4**.

First place international visitors to the Shire see; big day trip market	Should have 'world class' visitor facilities	No sense of arrival, poor presentation
Poor signage from main road, access via narrow suburban street	Access often congested, limited capacity for coaches	Land degradation affects attractiveness; weeds, vandalism, litter
Interpretation panels – absent or in need of upgrade	Responsibilities for land management to be rationalised	No shared vision

**Figure 1.4 Issues affecting tourism potential**

The Robinson Reserve area within the Birubi Beach Reserve provides local community recreational infrastructure, including a children's playground, skate park, picnic facilities, toilets and beach access ways. Locals use this reserve regularly, including to access the more protected beach, suitable for children.

## 1.2.4 Tenure and boundaries

The tenure of the Birubi Point Aboriginal Place and adjoining land is shown in **Figure 1.1**.

The history of use and ownership of the Birubi Point Aboriginal Place has resulted in a cumbersome mix of tenure, use and management roles and responsibilities within the Aboriginal Place and its immediate context. The Birubi Point Aboriginal Place is in several tenures, notably:

- Tomaree National Park (eastern part of the Aboriginal Place, in a narrow strip along the coast);
- Birubi Beach Crown Reserve, managed by Port Stephens Council;
- Crown land gazetted for the purposes of control of sand drift and recreational use (western part of the Aboriginal Place).

The Birubi Point Aboriginal Place is not part of the Worimi Conservation Lands (see **Section 1.2.5**), which are owned freehold by the Worimi Local Aboriginal Land Council.

The Birubi Point Aboriginal Place shares boundaries with:

- the State waters of NSW;
- Tomaree National Park;
- Crown land managed by Port Stephens Council, leased to the Birubi Point Surf Life Saving Club;
- Crown land managed by DILW, but under licence to a private land owner;
- Private land, including a small parcel of undeveloped land and parts of the Anna Bay and Fishermans Bay residential areas;
- WCL (leased back to National Parks and Wildlife Service and co-managed as State Recreation Area);
- Anna Bay caravan park (Gateway Lifestyle Park). This site is on a mix of freehold and Crown tenure;
- Local roads and local stormwater infrastructure that pass through the Birubi Point Aboriginal Place; and
- Anna Bay historic cemetery.

The complex tenure of the Birubi Point Aboriginal Place means that there are many boundaries between tenures. Where Crown land within the Birubi Point Aboriginal Place

adjoins existing private residential or commercial land, there are some instances of encroachment of private uses onto the Crown land, without any formal authorisation.

## 1.2.5 Worimi Conservation Lands

Worimi Local Aboriginal Land Council (WLALC) holds the title to WCL on behalf of the registered Worimi owners.

WCL Board of Management has 13 members, including eight registered Worimi owners and five positions for:

- A representative of WLALC;
- Port Stephens Council;
- Regional Manager of NPWS;
- A person nominated by a conservation group in the region;
- A person nominated to represent people who own or lease land adjoining the WCL.

The WCL bordering the Birubi Point Aboriginal Place are leased to NPWS and managed as a Regional Park.

The purposes of a regional park are to:

- provide opportunities for recreation and enjoyment in natural or modified landscapes;
- identify, interpret, manage and conserve the park to maintain and enhance significant landscape values;
- conserve natural and cultural values;
- promote public appreciation and understanding of the park's natural and cultural values;
- provide for sustainable visitor or tourist use and enjoyment that is compatible with conservation of natural and cultural values;
- provide for sustainable use (including adaptive re-use) of any buildings or structures or modified natural areas having regard to conservation of natural and cultural values.

Management of the WCL is guided by a statutory Plan of Management, prepared under the National Parks and Wildlife Act (NPW Act.) The Plan of Management was developed through a program of detailed studies and extensive engagement within the Worimi community, and with diverse users and stakeholders.

Implementation of the Plan of Management is supervised by the Board of the WCL.

The Plan of Management includes actions relating to Birubi Point and the partnership between the WCL Board and other stakeholders in the lands within the Aboriginal Place.

These actions include working with Port Stephens Council, the Worimi Aboriginal Traditional owners, the WLALC and community, other government agencies, the Birubi Surf Life Saving Club and the local community to:

- Improve awareness and protection of the Worimi cultural values of Birubi Point Aboriginal Place and Crown reserve
- Strengthen the role of Birubi Point Aboriginal Place as a visitor gateway and information point for the adjoining WCL.

## **1.2.6 Existing management arrangements within the Aboriginal Place**

Birubi Point Aboriginal Place was gazetted in 2007, at the same time as the Aboriginal Land Rights claim (under the NSW *Aboriginal Land Rights Act 1989*) for the WCL was settled. The Birubi Point Aboriginal Place area was originally part of the Aboriginal Land Rights claim but was retained as Crown land during the negotiation of the claim.

A Plan of Management for Tomaree National Park was prepared in 2006, predating the gazettal of the Birubi Point Aboriginal Place. That The Plan of Management highlights:

- a natural landscape of regional and State significance;
- Worimi sites showing how people lived on the coast over at least 4,500 years;
- a landscape of high cultural significance, beyond the physical evidence of use;
- the value of the coast for nature based tourism.

The Plan of Management foreshadowed a systematic Aboriginal site survey (completed as part of the Aboriginal Place nomination process, Umwelt 2005); and the preparation of a management plan to protect the Aboriginal values of Birubi Headland and adjacent land.

DILW has implemented works on the part of the Birubi Point Aboriginal Place under its direct management, to manage ongoing sand drift impacts on adjoining residential land. On these interfaces, DILW also manages vehicle access through bollards and cables, gates and fences. It manages bush fire asset protection zones, noxious and environmental weeds; and compliance related to unauthorised use and residential encroachments.

### **1.2.6.1 AHIP for ground disturbing activities (2010)**

In 2010, the now Office of Environment and Heritage (OEH) issued an Aboriginal Heritage Impact Permit (AHIP) to allow certain land management activities with potential to disturb the ground surface to occur in the Birubi Point Aboriginal Place, as summarised in **Table 1.1**. The lowest risk activities do not require an AHIP.

The AHIP requirements will be reviewed as part of the implementation of the APMP.

**Table 1.1 AHIP (2010) requirements for ground disturbing activities**

Not requiring an AHIP	Covered by 2010 AHIP	Requiring more detailed information and potentially a separate AHIP
<p>These works were not considered to represent a risk to the values of the Aboriginal Place and are clearly within the footprint of existing disturbed areas:</p> <p>Weed spraying and removal on dunes</p> <p>Maintenance of signage</p> <p>Removal or new wind blow sand to maintain the commercial operators' car park</p> <p>Other general site maintenance such as replacing irrigation pipes at the same location, sweeping, litter removal and tree replacement</p>	<p>Requiring new but limited ground disturbance:</p> <p>Dune fencing</p> <p>Dune restoration</p> <p>Maintenance of curbing and guttering</p> <p>Signage</p> <p>Park furniture</p> <p>Playground upgrade/maintenance</p> <p>Other routine maintenance such as extensions to irrigation pipes</p>	<p>Birubi Point Surf Club (a separate AHIP was issued for the construction of the surf club)</p> <p>New drainage works and maintenance of drainage works (a variation to the AHIP for the surf club was issued, to cover sewer and drainage works at the surf club)</p> <p>Maintenance of beach access ways</p> <p>Sealing of the commercial operators' car park</p>

### 1.3 Purpose, aims and outcomes of an Aboriginal Place Management Plan

The purpose of the Birubi Point APMP is to present a clear framework and process to achieve improved management outcomes for the Birubi Point Aboriginal Place, consistent with the requirements of the NPW Act, to protect the Worimi cultural values of the Aboriginal Place.

Other key functions of the Birubi Point APMP are summarised in **Figure 1.5**.



**Figure 1.5 Key functions of an Aboriginal Place Management Plan**

In providing a framework for management of the Birubi Point Aboriginal Place, the APMP:

- identifies and communicates the Aboriginal values of the place. These values must be recognised when developing and implementing plans for the use and enjoyment of the Birubi Headland and Stockton Bight areas by local people, visitors and tourists;
- recognises the social, economic and environmental context and values of the Birubi Point Aboriginal Place and the interactions between these values and cultural heritage values;
- provides a process and forum for discussion and review of issues, threats and risks affecting the Birubi Point Aboriginal Place, as well as opportunities for the Worimi people to manage the significant values of the Birubi Point Aboriginal Place, while facilitating appropriate access and use;
- builds shared understanding and fosters agreement and a collaborative approach between the Worimi people and other land holders about how the sites and objects within the Birubi Point Aboriginal Place will be protected;
- clearly defines the regulatory requirements applying to the Birubi Point Aboriginal Place;
- clarifies management roles and responsibilities;
- facilitates more streamlined day to day management activities to protect and rejuvenate the environment;
- identifies priority actions and necessary resources to facilitate more effective management and conservation outcomes; and
- assists in funding bids for grants that will supplement local funds for investment in key infrastructure. This investment will create new opportunities to share and promote the cultural values of the Aboriginal Place and at the same time reduce threats to those values. This investment enhances the presentation of the Birubi Point Aboriginal Place.

### **1.3.1 Aims and outcomes for the APMP**

Consistent with its purpose, the Birubi Point APMP aims to achieve the following outcomes:

- the broader community understands why the Birubi Point Aboriginal Place is highly significant to the Worimi people and how its Worimi values are intertwined with the values that make it important to everyone;

- describe a shared vision for the Birubi Point Aboriginal Place and its future management. The Master Plan process has helped the community to define what this vision should include;
- enabling the Worimi people to manage the cultural values of the area, including opportunities for community to be involved in protection, management, transfer of cultural knowledge and economic opportunities. Birubi Point Aboriginal Place is a key gateway to the WCL;
- aligning the management of the Birubi Point Aboriginal Place with the management of the WCL. The close connection between the Birubi Point Aboriginal Place and the WCL is highlighted in the Plan of Management (PoM) for the Conservation Lands.

To achieve this alignment, the Birubi Point APMP has some purposes that are consistent with the WCL PoM and WCL Community Development Plan (Williams and Umwelt 2011), including to:

- provide opportunities to strengthen the Worimi people's connections to country and culture, including language, time on country, access to sites and resources, and economic opportunities;
- share and explain this culture to the broader community;
- create a framework for streamlined and collaborative day to day management of impacts and upgrading of infrastructure and community assets within the Birubi Point Aboriginal Place, as well as enhancing its environmental values.

## 1.4 The process for preparing and endorsing an APMP

An APMP should be prepared for all Aboriginal Places. The land manager (in this case a collaborative arrangement between Port Stephens Council, DILW and NPWS), OEH and the Aboriginal community prepare the APMP together. They will consult with other stakeholders to ensure that the plan is practical and provides clear direction about outcomes and processes to all relevant parties.

An APMP must be endorsed by OEH, on behalf of the Minister for the Environment. OEH also provides guidance to the land manager and the Aboriginal community during the preparation of the APMP.

The members of the Birubi Point Cultural Heritage Advisory Panel have confirmed their support for the Birubi Point Aboriginal Place Management Plan. Port Stephens Council submitted the final draft of the Birubi Point Aboriginal Place Management Plan to OEH for review and endorsement. Port Stephens Council will adopt the APMP that has been endorsed by OEH.

In the case of Birubi Point Aboriginal Place, Port Stephens Council also sought endorsement of the actions in the APMP, and confirmation of intent to manage in accordance with the APMP from DILW, as land owners and managers of reserves within the Birubi Point Aboriginal Place.

This Birubi Point APMP is not a statutory plan of management (as could be prepared for reserved land under the Crown Land Management (CLM) Act, Local Government Act or NPW Act). However, some actions within the APMP may be given statutory weight by also including those actions in other related plans of management, or by including them in the Coastal Management Program (CMP) for the open coast of Port Stephens Council. Options are discussed further in **Section 3.1.7 and 3.1.8**.

OEH guidelines suggest that an APMP should be reviewed every two to three years, or at other appropriate timeframes. The proposed review schedule for the Birubi Point APMP is in **Section 3.1.9**.

#### **1.4.1 What's required in a management plan?**

**Table 1.2** shows the steps required in preparing the APMP, based on the OEH guidelines.

**Table 1.2 Steps in preparing an APMP for an Aboriginal Place**

Steps	Summary	Section where this information is provided
1	Define relevant stakeholders and affected parties	1.1.1, 1.2.1 and 2.2
2	Prepare a general statement of management	2.5
3	Prepare a statement of cultural values of the Aboriginal Place	2.3
4	Identify the Aboriginal community's management goals	1.2.6, 1.3.1 and 2.4
5	Identify the types of activities that may harm the Aboriginal Place and associated values	2.6
6	Identify what values, objects and areas must be conserved	2.3
7	Identify what works and ongoing management activities are required	3.2, 3.3, 3.4, 3.5, 3.6, 3.7 and 3.8
8	Identify other matters that may need to be negotiated between all identified groups	3.1
9	Define ways in which culturally sensitive information will be treated	3.1.4, 3.1.5, 3.1.6

Steps	Summary	Section where this information is provided
10	Explain funding opportunities and resourcing	3.9
11	List contacts	3.10

## 1.5 Relevant legislation and policy

The following legislation, guidelines, policies and plans provide the statutory management context of the Birubi Point APMP and have been considered in the preparation of the APMP. Requirements, strategic direction and guidance are referred to in each section of the Birubi Point APMP as relevant.

### 1.5.1 OEH – Aboriginal heritage and protected land management

The following legislation, policies and plans are relevant:

- NPW Act;
- Aboriginal Places Policy 2011;
- Guidelines for developing management plans for declared Aboriginal Places;
- DECCW 2010 Aboriginal cultural heritage consultation requirements for proponents;
- OEH Due Diligence Guidelines and Code of Practice for archaeological investigation of Aboriginal Objects in NSW (2011);
- Plan of Management for Tomaree National Park;
- WCL Plan of Management;

OEH is in the process of significant reforms to Aboriginal cultural heritage legislation and policy. <http://www.environment.nsw.gov.au/achreform/>. A new stand-alone draft Aboriginal Cultural Heritage Bill and related policy statements were released for public consultation in September 2017.

#### 1.5.1.1 Protections under the NPW Act

All Aboriginal cultural materials and gazetted places are currently protected by the NPW Act.

An AHIP is required for any activity that will disturb Aboriginal objects or harm an Aboriginal Place. **Table 1.1** outlines the current AHIP for the Aboriginal Place.

## 1.5.2 Crown land management

The current legislation is the *Crown Lands Act 1989*. This will be replaced by the *Crown Lands Management Act 2016* (CLM Act) when it commences in 2018.

The commencement of the CLM Act has implications for the tenure of coastal Crown land. Some coastal Crown land may be transferred to local councils to be managed as public land under the *Local Government Act 1993*. The CLM Act also introduces new objects and principles relating to Aboriginal land and the access of Aboriginal people to resources and values on Crown land.

Department of Primary Industries – *Lands Compliance and Enforcement Policy* (May 2016) – is the guiding document for compliance and enforcement of unauthorised use or activities on Crown land. See following link: [https://www.crownland.nsw.gov.au/data/assets/pdf\\_file/0008/655424/Compliance-and-Enforcement-Policy.pdf](https://www.crownland.nsw.gov.au/data/assets/pdf_file/0008/655424/Compliance-and-Enforcement-Policy.pdf).

## 1.5.3 Local government planning and land use

- *Local Government Act 1993*;
- Port Stephens Council Community Strategic Plan;
- Port Stephens Council Tourism Strategy. Port Stephens Council recognises the economic, environmental and social benefits that a vibrant and sustainable ‘visitor economy’ provides, through increased employment, investment and infrastructure. Birubi Point is a key element of the local visitor economy, attracting large numbers of regional and overseas visitors;
- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- Port Stephens Local Environmental Plan;
- Port Stephens Planning Strategy (2011), which provides overarching land use strategy and direction for a 25 year period;
- Anna Bay Strategy and Town Plan (2008), which guides the management of future population growth and neighbourhood building in and around Anna Bay, including community facilities, land use and recreation.

## 1.5.4 Coastal zone management

- The Coastal Management (CM) Act and Coastal Management State Environmental Planning Policy (SEPP), which commenced in April 2018);
- NSW coastal management manual;, which provides guidance on the preparation of coastal management programs by local councils, in partnership with public authorities where relevant

- Crown Lands Coastal Policy (to be reviewed to be consistent with the new CLM Act 2016).

Port Stephens Council has commenced the preparation of a CMP for its open coast, under the new CM Act (2016).

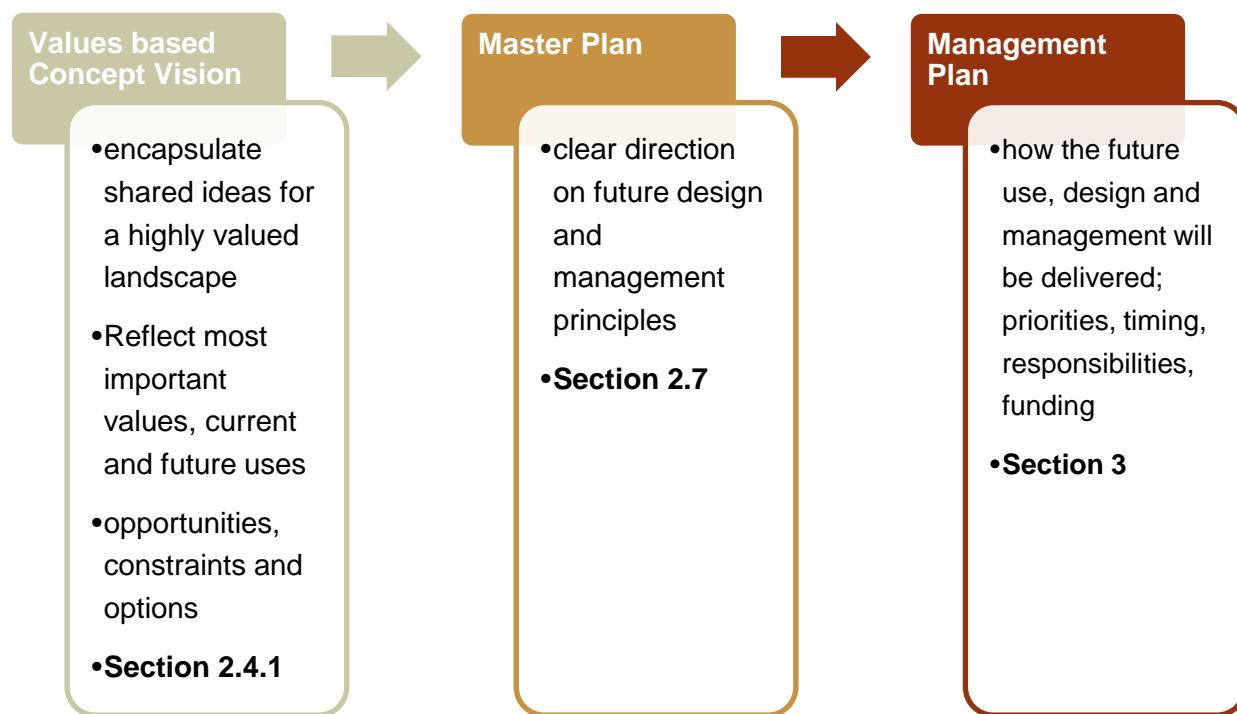
## 2.0 Preparing the Birubi Point APMP

This section outlines steps in the preparation of the Birubi Point APMP, and the information used to progress through those steps. Many of the management issues within the Birubi Point Aboriginal Place have a long history and multiple stakeholders. To allow different values and perspectives to be discussed and to work towards a shared set of goals and a shared concept of the best outcome for the Birubi Point Aboriginal Place, the planning process for the Birubi Point APMP included two preliminary steps. The three-stage process is explained in **Section 2.1**.

### 2.1 Three planning stages

To build a consensus about the values of the Aboriginal Place, the vision for its future and the broad elements of the APMP, the project commenced with a ‘concept vision’ stage and a Master plan stage (**Figure 2.1**). These stages provided opportunities to discuss and reflect on what makes the Birubi Point Aboriginal Place important to the Worimi people, but also to other people in the community. The engagement and planning activities helped to build up the vision and management concept for the Birubi Point Aboriginal Place and to establish principles for future management.

The Birubi Point APMP is the third stage of the project (**Figure 2.1**). It shows how the vision and Master Plan will be delivered.



**Figure 2.1    Three stages of the project**

## 2.2 Identify stakeholders and establish advisory panel

Birubi Point is highly valued by Worimi people, by the local community and by visitors.

Worimi stakeholders include:

- Registered Traditional Owners of WCL;
- WLALC.

Other Aboriginal people who may not be members of the WLALC are also stakeholders, but the views of traditional owners and Worimi elders are the most important.

### 2.2.1 Birubi Point Cultural Heritage Advisory Panel

Port Stephens Council established the Birubi Point Cultural Heritage Panel in 2013.

Membership of this group, which is integral to the preparation of the APMP, is discussed in **Section 1.1.1**.

The Panel provides advice to Port Stephens Council about the management of the Aboriginal Place. In addition, the long-standing operation of the Panel has:

- improved shared understanding of the roles, obligations and accountabilities of land owners, land managers and the community; in relation to Aboriginal cultural heritage
- established and strengthened relationships – within the Panel, but also with the broader community;
- helped to build trust;
- helped to clarify the real issues and priorities for the Birubi Point Aboriginal Place;
- helped to establish realistic expectations about the process of developing the Birubi Point APMP;
- provided a forum for discussion and demonstrated how diverse stakeholders can work together to solve difficult issues within the Birubi Point Aboriginal Place

The Panel meets regularly throughout the year, at Birubi Point Surf Life Saving Club, with an agenda prepared by Port Stephens Council and minutes distributed to all members.

The Panel has oversight of all strategic management decisions for Birubi Point Aboriginal Place and the Birubi Beach Reserve and provides input on day to day management as necessary.

For this project the Panel met to review draft plans and to provide feedback about:

- project inception and key cultural heritage values to be managed in the plan;

- discussion of concept plan;
- discussion of the draft master plan prior to exhibition;
- participation in the community drop in day during the exhibition of the master plan;
- review of feedback provided to the draft master plan;
- review of the draft management plan; prior to exhibition
- Review of submissions from the exhibition process and decisions about appropriate responses and changes
- project finalisation.

Further communication by email resolved issues between meetings.

## **2.2.2 Engagement outside the Panel, including Aboriginal stakeholders and local community**

During the preparation of the Birubi Point APMP, stakeholders were engaged through face to face meetings, electronic input and feedback, and a drop in day.

### **Traditional Owners**

Some Worimi Traditional Owners have chosen not to engage directly through the Panel. The Maaingal Group was consulted separately during the preparation of the Birubi Point APMP. They provided advice including:

- they would like to see a vegetation management plan for the whole site;
- they would consider minor works to improve traffic flow, but are not in favour of cut and fill construction or construction of new connecting roads within the Birubi Point Aboriginal Place;
- they liked the idea of new interpretative walks and would like to have some input to interpretation material;
- they are comfortable with Port Stephens Council as Reserve manager.

### **Worimi Conservation Lands Board**

In addition to discussing each stage of the development of the Birubi Point APMP with WCL representatives on the Panel, a separate meeting was held with the Board of the Worimi Conservation Lands. The purpose of this briefing and discussion was to confirm:

- the Board's support for applying the WCL key themes – 'Protect, Respect and Connect' to Birubi Point – making a seamless transition in management from WCL to the Birubi Point Aboriginal Place;
- the importance of direct Worimi traditional owner involvement in any cultural awareness training and the development of interpretation materials;
- the need for public authorities to meet their statutory obligations and commitments;
- support for the future inclusion of Birubi Point Aboriginal Place in the WCL, noting that this is not a short term goal, but a longer term goal of the APMP, once other steps are in place;
- Provision of an opportunity to raise other matters about how Port Stephens Council and the Board work together.

## Public authorities

Early in the project, representatives from relevant public authorities (Port Stephens Council, OEH, DILW and NPWS) met to discuss issues and options from their perspectives. Birubi Point Surf Life Saving Club also participated in these discussions. Issues raised included:

- getting better integration of cross agency management is a key outcome to be achieved by the APMP;
- acknowledging that patience is required to work through all the complex issues;
- acknowledging that it is important to be able to position Birubi Headland and Birubi Point Aboriginal Place as the gateway to the WCL;
- providing strong support for protecting and promoting the beauty of the Worimi cultural landscape.
- acknowledging the need to manage weeds/invasive species to reduce threats to ecological function and visual amenity as well as restoring natural resources that are part of the cultural value of the Birubi Point Aboriginal Place. As an example, Bitou Bush is actively growing and spreading and blocking important views as well as covering cultural attributes. Bitou is smothering remnants of local native vegetation on the headland. Other invasive weed species are also present, competing strongly with native vegetation;
- that weed management should be aligned with State and regional plans for weeds of national significance and follow up any initial work with diligent maintenance;

- that weed management would also help with the protection of some ‘softer’ landscape space on the headland close to the surf club. This could facilitate a new viewing area, a new ‘bush’ seating area;
- that there is a lack of clarity about the cultural sensitivity of some parts of the ground surface –further information is needed about where the surface is a remnant of the pre European or early European ground surface and the depth of cover of recent wind-blown or disturbed sand over the culturally important layers. All weeds must be removed using techniques that are not invasive in archaeologically sensitive locations;
- that there is a view that people will respect well managed and looked after land.
- ongoing sand drift management requirements are a significant cost. Port Stephens Council manages the lower car park area and spends around \$15,000 annually on maintenance. However, more significant sand removal and management may be required after major storm events (such as the 2015 storm) which overtop or weaken the frontal dunes and distribute sand widely across the car park and adjacent areas;
- acknowledging that the current management includes licences to adjoining land holders to reduce sand drift risks, but there has been no formal subdivision of relevant land parcels;
- that there is a need for an alternative access and departure option, particularly for peak usage periods;
- the importance and value of walking tracks to access and move around the Aboriginal Place – getting people more directly connected to the Place.

## General community

Port Stephens Council invited input from the community during the concept plan and master plan stages of the project. Opportunities for input included:

- online input about the use and value of the Birubi Point Reserve, and issues to be addressed. This included mapping and ‘bright ideas’. All suggestions and comments were collated and reviewed;
- exhibition of the draft master plan, with accompanying survey tools and invitation to make a submission;
- a drop in day to discuss the draft master plan. Members of the Panel, the consultant and Port Stephens Council project manager were available at Birubi Point Surf Club on this day. Many local people took the opportunity to come in for a chat about what should be included in the master plan;
- further post exhibition discussion with community and councillors about key feedback. Port Stephens Council provided further information about the scope of the

management plan and how it would fit with other detailed site and project planning activities, such as for the design of the skate park and children's playground;

Much of the feedback from the local community focused on operational matters such as:

- management of Robinson Reserve and the appropriate layout of facilities in the reserve, including introducing more variety in recreational facilities, safe access to the beach;
- redesign of the upper car park, including access for waste collection vehicles, location of a viewing platform, pedestrian safety, changes to traffic circulation;
- the need to manage tourist buses and get them off the headland;
- a desire for the Birubi Point Aboriginal Place to remain open and accessible to local people;
- weed and vegetation management – for shade, for koala habitat;
- potential interpretation themes to strengthen the connection between the Worimi cultural values and the management of the Birubi Point Aboriginal Place.

There was strong support for the introduction of new paths and boardwalks and for a much stronger cultural 'presence' in the reserve. People wanted to feel proud of their reserve and the way their local landscape is presented.

### **Port Stephens Council Councillors**

Port Stephens Council project manager briefed Councillors about the preparation of the management plan at the commencement of the project. The newly elected Council was briefed about the master plan and provided with an opportunity to ask questions, seek clarification and discuss the concepts with their local electorate areas. Port Stephens Council endorsed the master plan on 28 November 2017.

### **2.3 Statement of cultural values**

In the context of complex land tenure and the use and value of the Birubi Point Aboriginal Place by diverse stakeholders, the management plan aims to give priority to the Worimi cultural values of the Aboriginal Place.

The Aboriginal Place is 54 ha of coastal land comprising rocky outcrop overlain by wind-blown sand at the eastern end of the Stockton Bight mobile dune fields. Birubi Point has very high cultural and spiritual significance for the Worimi people. Worimi traditional owners say we welcome people to share our Country with understanding and respect.

Important characteristics of the land, influencing its cultural value, include:

- an actively transforming landscape – mobile dunes, changing vegetation, and waves of post European settlement;
- a complex of archaeological sites, including extensive middens and burials, extending across almost all the Aboriginal Place;
- evidence of long term and continuing use of and attachment to Country, by innovative and adaptable people;

one of the most culturally significant places in the Stockton Bight landscape; culturally connected to the WCL. The values of the Aboriginal Place highlighted at gazettal were:

- the landscape context of the Aboriginal Place, with extensive outlook over land, sea and sky;
- burials, a ceremonial site;
- an area rich in natural resources; and
- extensive archaeological material important for teaching current and future generations about Aboriginal culture.

Birubi Point is located within a resource rich environment for traditional Worimi people, with access to beach and rock platform fish and shellfish species, plant and animal species dependent on wetland habitats, woodland and heath communities.

Tuff and fine mudstones suitable for flake manufacture are available at Nobby's Headland at the mouth of the Hunter River, at the southern end of Stockton Bight; silcrete is available in the Beresfield to Tomago area; igneous rocks suitable for grinding implements are available locally.

Birubi Point is accessible to Worimi people from across their country and it is a key gateway to the WCL.

Some of the archaeology sites are also very accessible, so all Worimi people – young and old can connect with these links to continuing life on the coast.

### 2.3.1 Other important values

The Birubi Point Aboriginal Place is valued for the scenic views of a spectacular coastal landscape and for diverse recreational opportunities, social focus for local people and access to Stockton Bight. Stockton Bight sand dunes are widely regarded as 'an iconic feature'

Tourism uses of Birubi Point make a significant contribution to the economic development of Port Stephens through the tourism industry and as a meeting place for locals and visitors. **Table 2.1** provides an overview of uses, related values and examples of groups

connected to those values. It is important to note that these recreational, environmental and economic values are also important to the Worimi people. However, the primary role of the APMP is to protect and share appropriately the cultural values of the Aboriginal Place.

**Table 2.1 – Other values**

Values	Stakeholders, in addition to Worimi
<b>Recreational</b>	
Fishing, 4WD, camel riding, horse riding, walking, dog walking and exercising, swimming, surfing, snorkelling, safe sea and rock-pool swimming for young children, sand boarding, cycling, wind surfing	Oakfield Ranch Camel Rides, Anna Bay Skate Park, Rambling Sands Horse Treks, 4WD Tag-Along and Passenger Tours, Sand Dune Safaris, Port Stephens 4WD Tours, Sahara Trails Horse Riding Port Stephens, Surf Fest, Fishing Communities, Anna Bay Board Riders, Birubi Point Surf Life Saving Club; local residents and visitors.
<b>Environmental</b>	
Vegetation use (Hazard Management), Biodiversity, Vegetation Value, Protection and Management	Worimi Conservation Lands, Worimi Local Aboriginal Land Council, Anna Bay/Birubi Community Hall and Landcare Group, NPWS, Port Stephens Council, DILW
<b>Non-Indigenous Heritage</b>	
Historical cemetery	Birubi Point Historic Cemetery, Birubi Point Cultural Heritage Advisory Panel, local historical societies
<b>Commercial/Economic</b>	
Tourism Groups, Businesses, Accommodation	Port Stephens Coaches, Birubi Holiday Park, 4WD Tag-Along and Passenger Tours, Gateway Lifestyle Park, Oakfield Ranch Camel Rides , Crest Birubi Beach Café, Sand Dune Safaris, Port Stephens 4WD Tours, Sahara Trails Horse Riding Port Stephens, Port Stephens Council, DILW

Values	Stakeholders, in addition to Worimi
<b>Community Values</b>	
Meeting areas, Parks, Cleanliness, Access/Parking, Scenic	Birubi Point Community Preschool, Anna Bay Public School, Birubi Point SLSC, Port Stephens Council, Crest Café, Surf Fest, Fishing Communities, Port Stephens Council, DILW

## 2.4 Vision for the future of Birubi Point Aboriginal Place

The Worimi people believe the vision for Birubi Point Aboriginal Place should be consistent with the vision for WCL, as it is within the same cultural landscape and intimately connected to the sites and landscapes of the WCL. The vision for the Worimi Conservation Lands is shown in the box below.

### WCL Vision

Our elders have entrusted care for our land to us.

We will protect, respect and connect the lands and our Country will connect and protect us.

We want everyone to work on caring and sharing for our Worimi Country. We want to be able to teach others about our land and culture and in return developing respect for our land and culture for the future.

**Protecting Country** means looking after the traditional, cultural and environmental landscape. The plants and animals, our sites and places and beliefs and knowledge are all part of our culture and heritage that we will protect.

**Respecting Country** includes our respect of ‘Elders and Knowledge Holders’, past, present and future generations. The Lands must be respected, and those who visit and enjoy the Lands must understand its values. This is important in respecting our Country.

**Connecting Country** is about spending time on the Lands and learning the values of the Lands. It’s about understanding that we are Worimi People belonging to this Country. We have a spiritual connection to this Country and will pass this on to our present and future generations.

### 2.4.1 Concept vision for Birubi Point

The Panel discussed the values and concept vision for the Aboriginal Place and input was obtained from the broader community via an electronic survey on Port Stephens Council web site. This enabled people to highlight the specific location of a value that is important to them.

**The vision identified for Birubi Point Aboriginal Place applies the WCL vision to the specific context of the Birubi Point Aboriginal Place.**

### Protect, Respect and Connect – Birubi Point Aboriginal Place

Worimi people want to share stories about how traditional Worimi people lived at Birubi Headland and adjacent areas and looked after the land and the sea; and why this landscape is so important. Birubi Headland and Birubi Point Aboriginal Place contribute to the lives of many people in the local area now, through recreation and tourism.

The Aboriginal Place has many values.

We want people to work together to look after Birubi Point Aboriginal Place now and in the future, respecting its important values.

Birubi Point Aboriginal Place will be a place where people come to enjoy the beauty of the landscape and to connect with the land and sea, continuing connections to this Country over many generations.

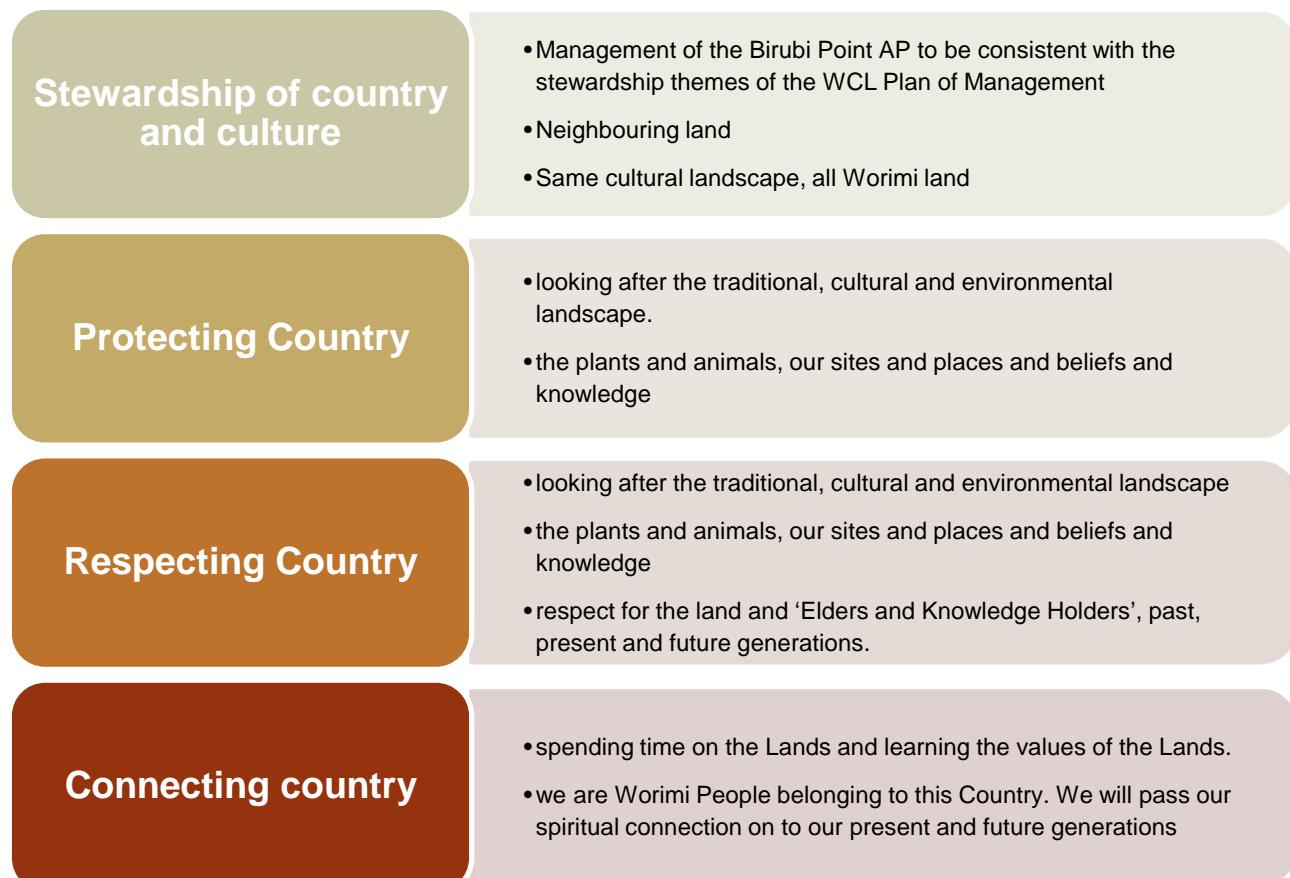
People will feel welcome and safe when they visit and know that they are on Country that is cared for. They will understand why there are controls on some activities that would harm the values of the Aboriginal Place.

Worimi people will be able to learn and benefit from the knowledge of our elders. Locals and visitors will be able to tell others about how important the Aboriginal Place is and how it is being looked after.

Birubi Point Aboriginal Place will be managed in accordance with the Aboriginal Place Management Plan, to which all land owners and managers have committed.

The Plans of Management for the adjoining WCL and Tomaree National Park highlight some key values to be brought forward in the concept for Birubi Point Aboriginal Place.

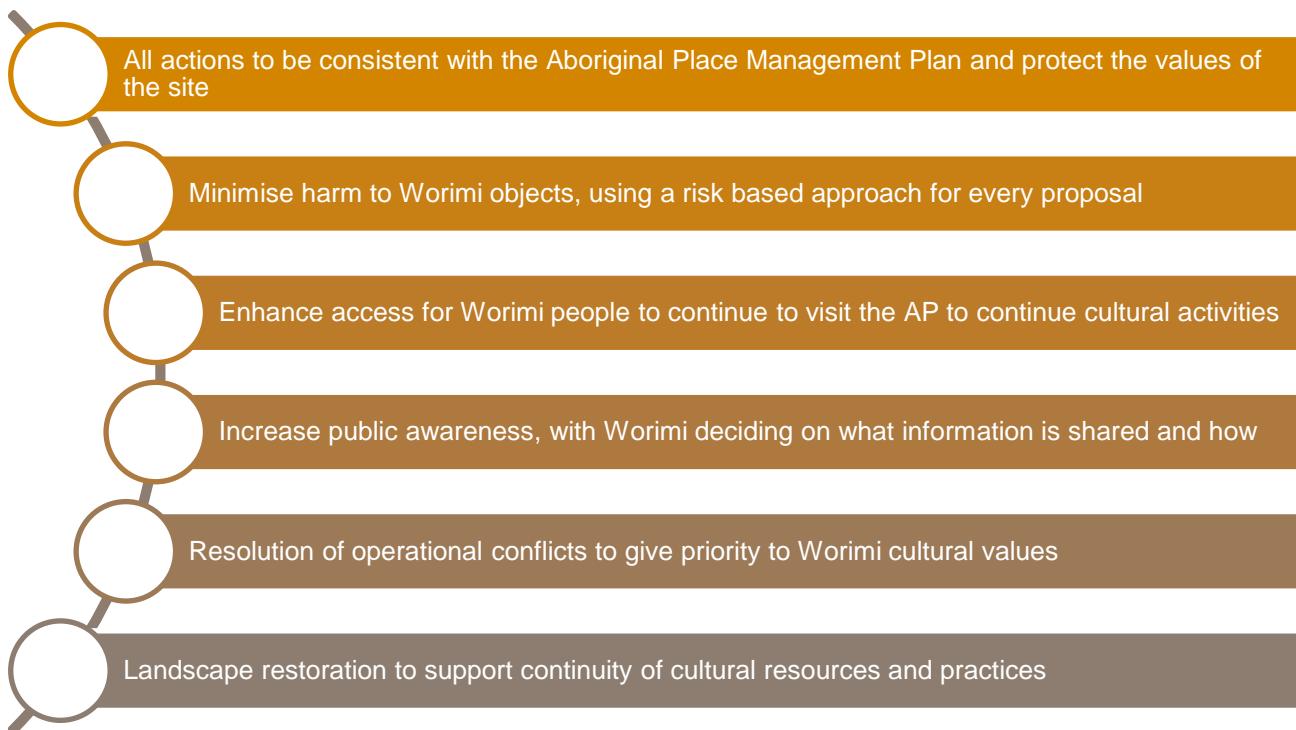
In particular the themes to be brought forward in the Concept Plan should be consistent with the vision for the WCL, which clearly places Birubi Point within the same cultural landscape. As for the WCL, ‘Protect, Respect and Connect’ with Country is the underlying set of concepts for Birubi Point Aboriginal Place (**Figure 2.2**).



**Figure 2.2 Vision and management themes for Birubi Point Aboriginal Place**

#### General statement of management

Based on the Worimi cultural values the following principles of management define the key elements of the approach to managing the Birubi Point Aboriginal Place (**Figure 2.3.**):



**Figure 2.3 Elements of general statement of management**

**Management decisions will be based on risks and give priority to protecting and respecting cultural value.** The risk of harming Aboriginal objects and places will be minimised wherever possible. Any proposed ground disturbing work will be assessed on a case by case basis, taking into consideration the sensitivity of specific parts of the Birubi Point Aboriginal Place and the scale of the proposed disturbance. No action will be undertaken if it would have an adverse impact on the significance of the Birubi Point Aboriginal Place.

In the interests of streamlining management where appropriate, the risk based approach also recognises that some parts of the place are highly modified by past disturbance and management activities may be conducted with less rigorous assessment processes. The area behind James Paterson Street, which has been modified by past land use, relatively recent mobile sand, sand excavation and previous soil conservation works, is an example.

**Worimi people will be encouraged to visit the Aboriginal Place for the purpose of teaching about Country and culture.** Landscape restoration programs will be designed to support the continuity of cultural practices. Existing culturally important plants and vegetation will be retained and culturally significant plants, such as bush foods, will be included in revegetation projects.

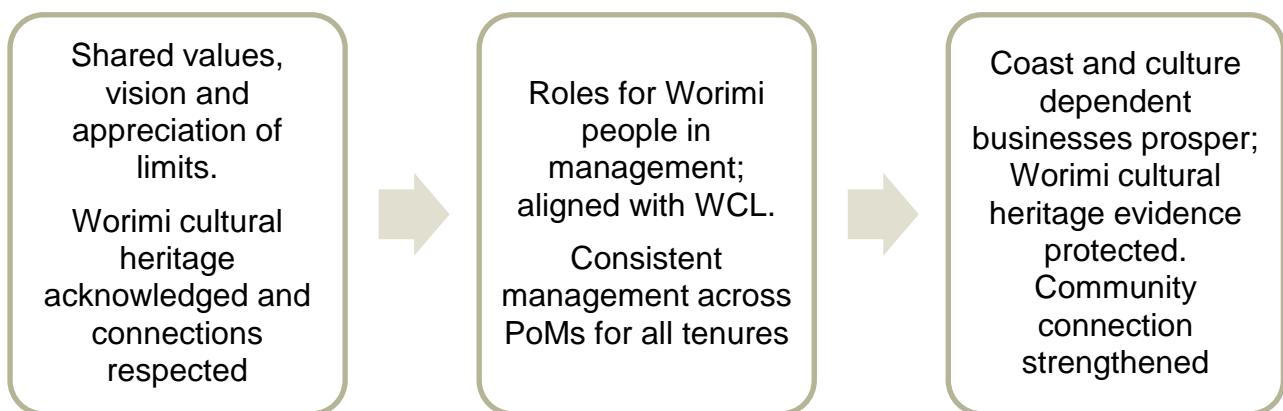
**The Worimi people have a direct role in managing the cultural values of the area.** As a minimum, this includes language, time on Country, access to sites and resources. Resolution of any conflicts regarding management and change will give priority to Aboriginal cultural values.

The APMP will support actions that increase public awareness of the Aboriginal Place and its significance. At the same time, OEH will enable the Aboriginal community to determine the level of information on the Aboriginal Place that is to be made publicly available and how. This includes stories about the site and erection of interpretative signage.

**The stakeholders will work together to promote the things that matter;** resolve inconsistencies and constraints in the land tenure and management responsibilities. All day to day and longer term management decisions will be consistent with the Birubi Point APMP. Management will be simplified and strengthened with clear aims, roles and responsibilities for stakeholders, by a collaborative approach and by a risk based approach to management activities. The review and update of the AHIP (see **Section 3.1.3**) is part of this collaborative and risk based approach.

## 2.4.2 Management goals for the Birubi Point Aboriginal Place

The Birubi Point APMP has the following goals and outcomes (**Figure 2.4**).



**Figure 2.4 Vision and management themes for Birubi Point Aboriginal Place**

## What the management plan aims to achieve at Birubi Point Aboriginal Place

- people love to come to Birubi Point Aboriginal Place and have a positive visitor experience based on its special landscape and cultural values;
- the broader community, including visitors, understands why the Birubi Point Aboriginal Place is highly significant to the Worimi people and how its Worimi values are intertwined with the values that make it important to everyone;
- the story of a dynamic landscape, featuring mobile sand as the backdrop to Worimi culture will be told;
- the facilities and care of the Birubi Point Aboriginal Place make it attractive to visitors but are also sustainable in terms of the resources and finances available;
- the physical cultural evidence across the Birubi Point Aboriginal Place is protected so that future generations can also experience it first-hand;
- practical integration of the management of the Birubi Point Aboriginal Place with the management of the WCL;
- coast and culture dependent businesses prosper, while recognising and protecting the environment and cultural values of the Birubi Point Aboriginal Place;
- the country will be healthy and look its best – deal with the land degradation (weeds and erosion) and rehabilitate natural vegetation;
- flexibility and innovation to manage waves of visitors – and how they arrive, what they experience and how they move around the place
- the place will have world class presentation – quality of facilities to present the natural landscape and its cultural value, in a way that attracts visitors from around the world;
- the management of the Birubi Point Aboriginal Place will promote the gateway value of the place – to Worimi country, to the awe-inspiring natural landscape of the Stockton Bight, to Port Stephens;
- create a more welcoming arrival space; get buses off the surf club road; separate traffic streams;
- manage access to capture the value of the dramatic visual setting;
- create a unified signage and design theme – quality materials, authenticity, storytelling;
- create new pedestrian links to connect Birubi Headland to other natural and cultural features; a pathway through the Worimi cultural landscape at Birubi Point Aboriginal Place

### 2.4.3 Management precincts

Different parts of Birubi Point Aboriginal Place have different values, uses and pressures.

Management precincts represent areas within the Aboriginal Place which have similar landscape context, usage, cultural and archaeological values and potential future management.

Port Stephens Council and the Panel have recognised four precincts within the Birubi Point Aboriginal Place and a further three precincts around the margins of the Birubi Point Aboriginal Place. These are shown in **Figure 2.5** and broadly described in **Table 2.2**. Successful management of pressures on the values of the Birubi Point Aboriginal Place depends on integrated management of areas within and on the margins of the Aboriginal Place.

Within the Aboriginal Place, targeted management actions will apply to areas of the Birubi Point Aboriginal Place that are:

- Tomaree National Park;
- Birubi Beach Reserve on Birubi Headland;
- Birubi Beach Reserve – Robinson Reserve;
- Managed by DILW.

Critically, a new tourism interchange facility is needed outside the Birubi Point Aboriginal Place, to get large tour buses off the headland. This will reduce traffic and parking congestion that reduces visitor experience and puts pressure on archaeological and cultural values. The tourism interchange can create a new integrated gateway to the WCL and Birubi; however Point Aboriginal Place, it requires careful design to retain the scenic value and sense of arrival that attracts visitors.

Other external actions relate to alternative traffic routes and parking arrangements through Anna Bay; and to controlling vehicle movements to the lower car park area.

**Table 2.2 Management precincts**

Management precinct	General area description (tenure)	Issues	Management approach for this precinct
<b>Within the Aboriginal Place</b>			
1	Tomaree National Park (NPWS)	Narrow space, popular walking (including local dog walking) and fishing access, management resources Bushfire hazards Marine safety hazards (overwash on rock platforms)	Conservation, interpretation, with walking access only
2	Birubi Headland Reserve (PORT STEPHENS COUNCIL) – main headland – focus of tourism activity	Rapidly growing tourism and local visitor/recreation demand; congestion and pressure on access, presentation and facilities	Promote tourism value of cultural landscape; quality services and facilities
3	Birubi Headland Reserve (eastern beach and foreshore reserve). This is the Robinson Reserve area – highly valued by local people for community scale recreation	Significant exposed cultural sites; important opportunities to tell the Worimi story. Local community beach access and foreshore reserve use (skate park, playground)	Improve cultural and social connectivity to main headland. Enhance opportunities for local use and enjoyment. Link to Worimi values and themes of respect and connect.
4	Crown land	Sand drift, weed and vegetation management; unauthorised residential encroachments, bushfire management, access management (unauthorised vehicle access), Native Title legislative obligations	Stabilise and restore Create access and interpretation opportunities
<b>Adjacent land</b>			
5	Access management	Alternative road access, parking and signage	Reduce congestion, enhance functional accessibility and interpretation
6	Gateway interchange and cultural centre	Control traffic pressures, showcase cultural value and tourism opportunities	Enhance visitor experience and protect local experience
7	WCL 'buffer', including lower car park	Access management, sand and frontal dune management	Enhance the landscape experience

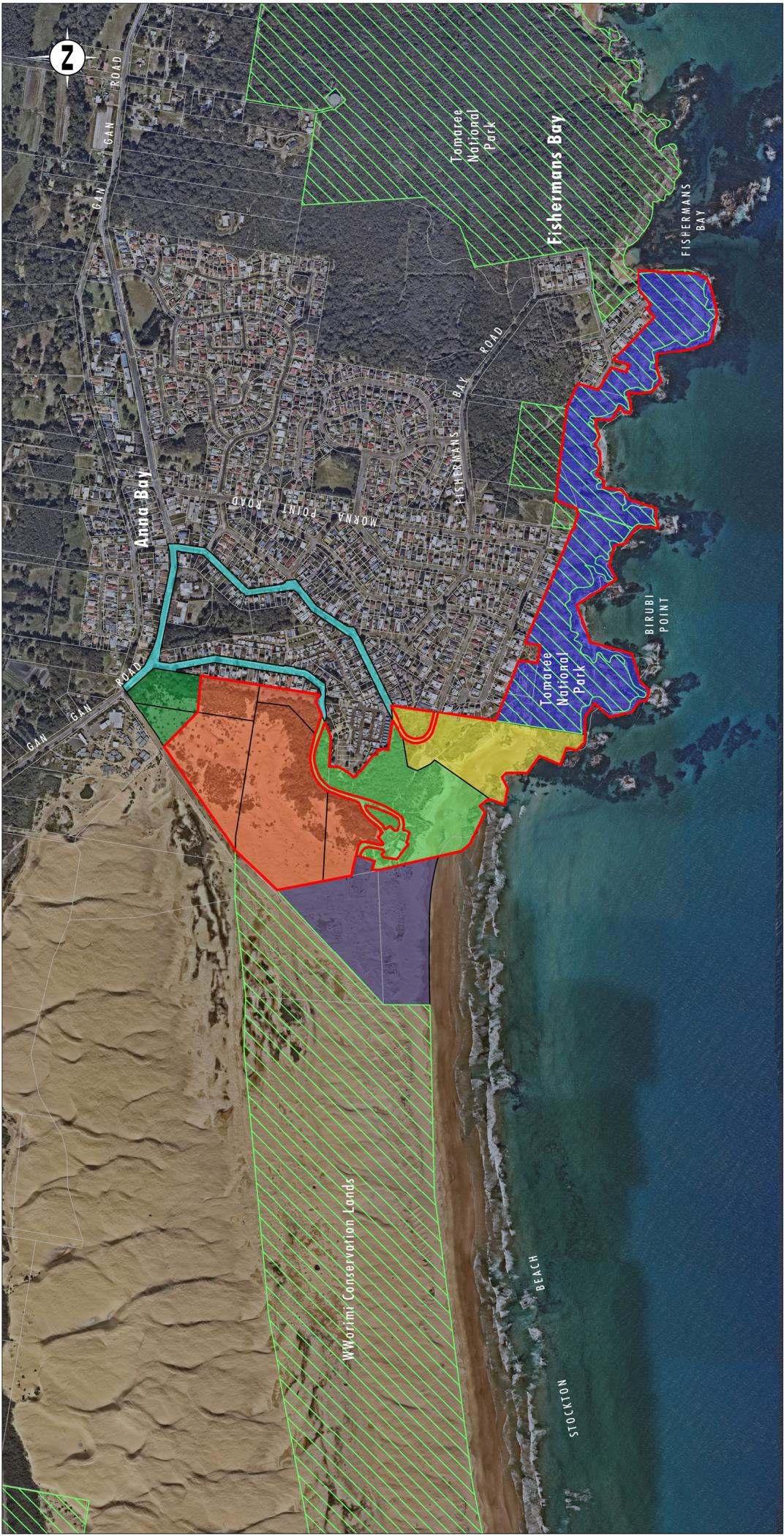


Image Source: NearMap (Nov 2016)  
Data Source: Port Stephens Council (2017)

#### Legend

- 1 - Birubi Point Aboriginal Place
- 2 - National Park
- 3 - Gateway Interchange
- 4 - Headland
- 5 - Birubi Beach Reserve (Headland)
- 6 - Birubi Beach Reserve (East - Robinson Reserve)
- 7 - Birubi Beach Reserve (West - Robinson Reserve)
- 8 - WCL "Buffer"
- 9 - Access
- 10 - Crown Land

**FIGURE 2.5**  
**Management Precincts**

## 2.5 Review management issues and risks

Key issues identified by all stakeholders include:

- continuing dynamic landscape processes which threaten assets, infrastructure and cultural value;
- low levels of awareness of the ‘why’ for the Birubi Point Aboriginal Place in the wider community, but a great opportunity to tell the story of Worimi attachment to sea Country;
- extensive ‘edge effects’ with encroachment and disturbance. Reasons for encroachment include mowing or clearing to create open space and gardens; storage of domestic or recreational equipment; alternative access to private land; or placing of rubbish (including plant materials, building waste or sand and soil). These encroachment uses may be in breach of the CL Act/CLM Act, POEO Act and the NPW Act.
- ongoing invasive species challenges, including diverse noxious weeds/weeds of national significance (such as cats claw, spiny burr, Bitou Bush, lantana, Chinese violet) in different parts of the Birubi Point Aboriginal Place, depending in part on the land use history of each part. Rabbits are also a problem invasive species. Each of these requires a targeted and persistent management approach, including bio-quarantine for some species;
- high and continuing pressure on the Birubi Point Aboriginal Place from recreational and tourism uses;
- traffic and parking congestion affecting people’s appreciation of the Birubi Point Aboriginal Place an also affecting connectivity of the place with other parts of Anna Bay and the broader Port Stephens Council area. Traffic congestion in peak periods can also affect access of emergency vehicles, impacting on safety;
- generally ‘run down’ appearance – apart from the new surf club and a need to enhance the appearance of the Birubi Point Aboriginal Place, consistent with its values;
- long term challenges from climate change and coastal processes;
- inefficiencies brought about by complex tenure arrangements, and different objectives and priorities in different tenures.

The challenge for the Birubi Point APMP is to protect and respect the significant and sensitive Worimi cultural values of the Aboriginal Place, and at the same time:

- welcome increasing numbers of visitors whose presence strengthens local employment;
- showcase the site's values through meaningful interpretation, to help visitors connect with the Country. The Birubi Point Aboriginal Place is a key gateway to the Worimi lands and one of few places on Stockton Bight that is easily accessed by people of all ages and abilities;
- develop quality facilities, manage traffic flows, parking and access to sensitive areas;
- manage coastal change and land degradation;
- maintain local community opportunities;
- streamline and rationalise the tenure and management arrangements, consistent with the significance and best use of the Aboriginal Place and Native Title legislative obligations; and
- create a platform for investment in the management of the Birubi Point Aboriginal Place and its context.

This section outlines how current and potential future use, activities and management could harm the values of the Birubi Point Aboriginal Place. **Table 2.3** provides a summary of potential harm to the archaeological and cultural values of the Birubi Point Aboriginal Place, by precinct. The consideration of potential harm takes into account the previous advice from OEH in relation to matters not requiring an AHIP; and covered or not covered by the 2010 AHIP.

The potential for harm identified in **Table 2.3** underpins management controls that relate to proposed works or activities for each precinct in **Section 3**.

**Table 2.3 Potential harm to the values of the Birubi Point Aboriginal Place**

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
<b>Precinct 1 – Tomaree National Park</b>		
Walking tracks – informal.	Uses existing tracks. Low risk of harm from current level of usage.  AHIP not required unless works proposed to harden surfaces, install steps etc.	Uses existing tracks. Low risk of harm from current level of usage.  AHIP not required unless works proposed to harden surfaces, install steps etc.

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
Walking tracks – boardwalk – some excavation required for footings, otherwise above surface.	Potential minor harm if new routes cross culturally sensitive areas. Must avoid areas of remnant natural vegetation. AHIP may be required.	Potential minor harm if new routes cross culturally sensitive areas. Must avoid areas of remnant natural vegetation and known midden sites. AHIP required.
Weed management, general landscaping and replanting.	If paint/spray with herbicide and cut, low risk of harm, no AHIP required.	If using excavation to remove, moderate risk of harm (unless demonstrably on recent sand deposits); an AHIP is required for ground surface disturbance.
Interpretation signage.	Potential harm linked to choice of stories or information used in interpretation. Traditional Owners to have the say on what information is shared. Must consult with relevant RAPs.	Low risk of harm, at specific sites of posts to support signage. AHIP required for construction; no AHIP for maintenance of existing signs
Dune management and stabilisation.	Potential harm in terms of exposure/cover of places of cultural values. Must consult with relevant RAPs.	<b>Moderate risk of harm.</b> AHIP required for any works involving ground surface disturbance in the vicinity of known Aboriginal sites or other sensitive areas (e.g. with evidence of older, in-situ soil profiles developed in dune sand).
<b>Precinct 2 - Birubi Beach Reserve (PORT STEPHENS COUNCIL) – Birubi Headland and James Paterson Street access</b>		
Widen road corridor to facilitate more parking spaces, erosion controls.	<b>Moderate potential for harm</b> – coherence of boundaries of the Birubi Point Aboriginal Place. Must consult with relevant RAPs.	Will require excavation for road surface ad drainage. <b>Moderate to high potential for harm</b> , unless the landform and soils are demonstrably recent sand deposits. AHIP required., with RAP consultation
Widen road corridor to allow turning or roundabout.	<b>Moderate potential for harm</b> – coherence of boundaries of the Aboriginal Place. Must consult with relevant RAPs.	<b>Moderate potential for harm</b> , unless the landform and soils are demonstrably recent sand deposits. AHIP required., with RAP consultation
Rearrange and extend car park on headland, barriers to prevent informal overflow parking outside marked areas.	<b>Moderate potential for harm</b> – coherence of boundaries of the Aboriginal Place. Must consult with relevant RAPs.	<b>Moderate potential for harm</b> , unless the landform and soils are demonstrably recent sand deposits. AHIP required., with RAP consultation

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
Move bin area and make allowance for emergency (special event) toilet facilities.	Low potential for harm if staying within existing footprint.	Low to moderate potential for harm depending on construction required for special event facilities.
Pedestrian traffic on informal tracks.	<p><b>Moderate potential for harm</b> if access is uncontrolled.</p> <p>Separate AHIP not required.</p>	Low to moderate potential for harm, depending on usage and nature of substrate. AHIP likely to be required for opening any pathway that concentrates foot traffic in areas of natural, in-situ dune profile.
Pedestrian traffic – boardwalks and lookouts.	<p>Low to moderate potential for harm, depending on location and how the story is presented. Must consult with relevant RAPs.</p> <p>AHIP likely to be required.</p>	<b>Moderate to high potential</b> for harm for paths and lookouts on the Birubi Headland, with known archaeological sites. AHIP required with detailed designs, including consultation with RAPs.
Weed management and general landscaping/replanting.	Low potential for harm. Should enhance the landscape context of culturally important places.	<p>Low potential for harm if weed removal uses spray and cut techniques; replant with tube-stock (minimal excavation).</p> <p>No AHIP required unless more intensive techniques are necessary.</p>
General litter and waste management.	<p>The presence of unmanaged waste/litter harms cultural value. Management actions to reduce the impacts of waste and litter have a low potential for harm; should enhance the landscape context of culturally important places.</p> <p>No AHIP required.</p>	Management to remove litter/waste has low potential for harm; no AHIP required.
General recreational use of the surf club and beach area.	Low potential for harm. No AHIP required.	Low potential for harm. No AHIP required.
Major recreational events/festivals/carnivals.	<b>Moderate potential for harm</b> , but also potential to showcase values. Must consult with relevant RAPs.	<b>Moderate potential for harm</b> , depending on numbers and how activities are distributed. AHIP not required. Consult with relevant RAPs using Council's Events Management Policy and Environmental Management System (EMS) as risk management tools.

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
Interpretation signage.	Low potential for harm; should enhance the landscape context of culturally important places.  Must consult about content, design and location with relevant RAPs.	Low potential for harm – at specific sites for footings for new signage. AHIP required if excavating for new interpretation signs, shelter, etc.
Maintenance of road to lower car park, drainage works, erosion control etc.	<b>Moderate potential for harm.</b> AHIP not required, providing works are within defined disturbance area; consult with relevant RAPs.	<b>Moderate to high potential for harm</b> , unless demonstrably on recently deposited or reworked sand materials.  AHIP required for any works outside defined disturbance area., including consultation with RAPs
<b>Precinct 3 – Robinson Reserve area</b>		
Maintenance of beach access ways across the dunes.	Low potential for harm. Consult relevant RAPs.	<b>Moderate to high potential for harm</b> , unless demonstrably in the beach fluctuation zone and affecting recently deposited sand materials.  AHIP likely to be required, except as above or if works are entirely above ground.
Upgrade or relocate playground equipment – surface disturbance required.	Low potential for harm to cultural value – these facilities and uses are already on site.  No AHIP required but consult with relevant RAPs.	<b>Moderate to high potential for harm</b> , unless any excavation is demonstrably in recently deposited sand materials (or fill).  AHIP required.
Upgrade or relocate skate-park – with or without excavation.	Low potential for harm to cultural value – these facilities and uses are already on site.  No AHIP required but consult with relevant RAPs.	<b>Moderate to high potential for harm</b> , unless any excavation is demonstrably in recently deposited sand materials (or fill).  AHIP required.
Modify stormwater drainage.	<b>Moderate potential to harm.</b>  Consult with relevant RAPs. AHIP may be required.	<b>Moderate to high potential for harm</b> , unless any excavation is demonstrably in recently deposited sand materials (or fill).  AHIP required.
Change car park area and layout.	Low potential for harm, unless extending the footprint. This is an existing use.	<b>Moderate to high potential for harm</b> , unless any excavation is demonstrably in recently deposited sand materials (or fill).  AHIP required if extending beyond existing foot print

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
		(laterally and vertically).
Relocate toilet block (construct new amenities block), picnic shelters and BBQ etc. All require some excavation.	Moderate potential for harm. Consult relevant RAPs. AHIP may be required.	Moderate to high potential for harm, unless any excavation is demonstrably in recently deposited sand materials (or fill). AHIP required., including consultation with RAPs
Weed management and general landscaping/replanting.	Low potential for harm. Should enhance the landscape context of culturally important places.	Low potential for harm if weed removal uses spray and cut techniques; replant with tube-stock (minimal excavation). No AHIP required unless more intensive techniques are necessary.
Interpretation signage.	Low potential for harm; should enhance the landscape context of culturally important places. Must consult about content, design and location with relevant RAPs.	Low potential for harm – at specific sites for footings for new signage. AHIP required (including consultation with RAPs) if excavating for new interpretation signs, shelters, etc.
General recreational use, dog walking.	Low potential for harm. No AHIP required.	Low potential for harm. No AHIP required.

#### Precinct 4 – Crown land ‘buffer’

Weed management and replanting.	Low potential for harm. Should enhance the landscape context of culturally important places. Consult with relevant RAPs.	Low potential for harm if weed removal uses spray and cut techniques; or mulching over disturbed surfaces; replant with tube-stock (minimal excavation). No AHIP required unless more intensive techniques are necessary. Regulatory signage should be installed in previously disturbed areas so that intact dune soil profiles are not disturbed.
Sand drift management.	Low to moderate potential for harm. Activities include dune fencing, mulching and replanting. AHIP not required. Consult with relevant RAPs.	Moderate to high potential for harm, depending on the locality and the depth of the interface of recent sand and remnants of old dune surfaces and soil profiles. AHIP required. Must consult with relevant RAPs.

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
Dune reshaping.	<p><b>High potential for harm</b>, but also potential for benefits by recreating a landscape more representative of the natural space; requires earth working machinery. Include in AHIP for archaeological impacts.</p>	<p><b>High potential for harm</b>, particularly in locations where reshaping may disturb remnants of old dune soil profiles.</p> <p>AHIP required, including consultation with RAPs.</p>
Sand scraping (windblown sand) from lower car park (in precinct 7) and replace on frontal dunes (subject to approval from OEH or inclusion in a certified CMP) and consideration of potential cumulative effects.	<p>Low potential for harm. Clearly recently deposited sand.</p> <p>No AHIP required.</p>	<p>Low potential for harm.</p> <p>Clearly recently deposited sand.</p> <p>No AHIP required.</p>
Hard surface for lower car park, or new 2WD access from interchange to lower car park.	<p><b>High potential for harm</b> for new access road, or for any extension to the lower car park.</p> <p>AHIP required, including RAP consultation.</p>	<p><b>High potential for harm</b> for any works involving excavation, unless works are demonstrably in recent and disturbed sand deposits.</p> <p>AHIP required, including RAP consultation.</p>
Construct footpath from tourism interchange, through dunes and revegetating area.	<p><b>Moderate potential for harm</b>.</p> <p>This area not currently accessible to the general public.</p> <p>Consult with relevant RAPs about details.</p>	<p><b>Moderate to high potential of harm</b> for any works involving excavation.</p> <p>AHIP required, including RAP consultation.</p>
Bushfire hazard reduction.	<p>Low potential for harm. Note weed management activities will contribute to hazard reduction.</p> <p>AHIP not required but consult with Advisory Panel.</p>	<p>Low potential for harm.</p> <p>Maintenance of existing asset protection zones, installation of regulatory signage.</p> <p>AHIP not required but discuss with Advisory Panel.</p>
Access management	<p>Low potential for harm. – protects cultural values by excluding vehicles.</p> <p>AHIP not required.</p>	<p>Low potential for harm. – protects cultural values by excluding vehicles. Minor excavation for fence posts/bollards (generally no more than a signpost). Manage risk by locating in existing disturbed areas.</p> <p>AHIP not required.</p>
Removal of waste and illegally dumped materials/objects (Council or DILW to be responsible for removal of this	<p>Low potential for harm – protects cultural values by removing waste and breaking illegal dumping cycle.</p>	<p>Low potential for harm. – may involve machinery, though brief use and minimal ground disturbance and most likely to</p>

Activity or use	Potential harm to cultural values	Potential harm to archaeological values
material).		be in already disturbed in accessible areas. AHIP not required.

Several other potential processes that may cause harm to the Aboriginal cultural and archaeological values of the Aboriginal Place, but are not specific to any one precinct, have also been identified. These are outlined in **Table 2.4**.

**Table 2.4 Other threats to cultural values**

Hazard/threat of harm	Potential harm to cultural values	Potential harm to archaeological values
Bushfires.	Severe impact on remnant banksia and tea tree stands, depending on the heat of the fire.  Would also impact on weed species.	Disturbance of ground surface during emergency management to protect property.  Potential to burn shell/artefacts close to the surface.
Coastal erosion – intermittent erosion of beach and frontal dunes; recession of frontal dunes; potential for rock fall; coastal inundation (dune overwash and standing water).	The seaward margin of the Birubi Point Aboriginal Place is within the beach fluctuation zone and is affected by active, day to day coastal processes. Important resource area for fish and shellfish. Frontal dunes on main beach are regularly overtapped and/or blown across the lower car park area.	Relatively low potential in the frontal dune system, but very high sensitivity on the headlands, and where there are remnant former stable surfaces across the deflation basin.  Ongoing threat from erosion and recession.
Clearing/view management by surrounding development.	Impacts on the visual character of the Aboriginal Place.	Limited archaeological impact.
Vandalism.	Impacts on the visual character of the Aboriginal Place and on vegetation.	Can cause disturbance of the ground surface.
Insufficient resources available or resources poorly targeted.	Affects capacity to respond to management issues effectively and therefore the character of the Place and how well cared for it looks to visitors.  Affects capacity to show and tell a coherent story about the value of the Aboriginal Place.	Affects capacity to prevent or manage activities with potential to impact on archaeological sites through inadequate communication and management of users of the area; poor regulation and compliance.

## 2.5.1 Identifying the most important risks

Risk incorporates both the likelihood and the consequence of a threat or hazard.

The review in **Table 2.3** indicates that harm to archaeological values is generally related to a combination of uncontrolled access to sensitive areas and ground disturbing management works in sensitive landform contexts. This is equivalent to the potential consequence of a hazard, without mitigating action being taken.

Whilst the consequence of ground disturbing works could be high, with damage to sites, the likelihood of this occurring in projects that are part of the Birubi Point APMP is low, because of the controls(mitigating actions) that are in place.

Council and all other parties to the APMP are aware of their obligations under the NPW Act. Therefore, the archaeological risk associated with planned management actions is low.

Higher risk is associated with uncontrolled access by visitors (such as parking in peak periods) or residents utilising the margins of the Birubi Point Aboriginal Place for unauthorised private uses.

The consequences that contribute to risks to the non-archaeological values of the Birubi Point Aboriginal Place are associated with the condition of the Birubi Point Aboriginal Place, inappropriate uses, loss of access for the Worimi traditional owners or loss of control over how sensitive cultural information about the Birubi Point Aboriginal Place is shared or used. All these consequences are possible where there is no management plan and where there is limited appreciation in the wider community about the value of the cultural landscape.

These risks are all considered to be medium to high at Birubi Point. Aboriginal Place They are the focus of the governance actions in **Section 3.1**.

## 2.6 Master plan

A master plan was prepared for the Birubi Point Aboriginal Place. The master plan responds to the values of the Birubi Point Aboriginal Place. It identifies the elements to be included in the management of the Birubi Point Aboriginal Place and where they are proposed to be located. The elements of the master plan are intended to address existing and anticipated future threats, risks and opportunities. They give effect to the management themes identified in the concept vision and plan.

As noted in **Section 2.2**, the master plan was exhibited for community feedback in August 2017. All submissions were reviewed and included in a consultation data base. Most changes suggested by submissions related to the detail of design or implementation of aspects of the master plan. For instance, the local community was concerned about the layout and design of the children's playground, skate park, kick around area, toilet block

and car park at Robinson Reserve, to get the best outcomes for safety, accessibility and cultural awareness-raising.

Other concerns related to traffic and parking management, with key traffic hot spots including the car park behind the surf club on the headland and along James Paterson Street. Submissions raised the safety implications of changes to the interactions of pedestrians and traffic.

There were diverse opinions about the merit and feasibility of a pedestrian track from the proposed new tourist interchange (outside the Aboriginal Place), and about alternative vehicle access routes to the lower car park (where tour operators currently meet clients).

The Panel discussed the key feedback from the exhibition process and how that information should modify the master plan. As a result, several changes were made to the master plan, to clarify the strategic intent, or to make it clear that detailed layout, design and approval processes would be included in the APMP or implementation processes.

The Panel adopted the final master plan in September 2017. Port Stephens Council endorsed the master plan in November 2017, following further briefings for new Councillors about the project plan and the submissions that had been received.

Elements associated with each of the key management themes are shown in **Table 2.5**.

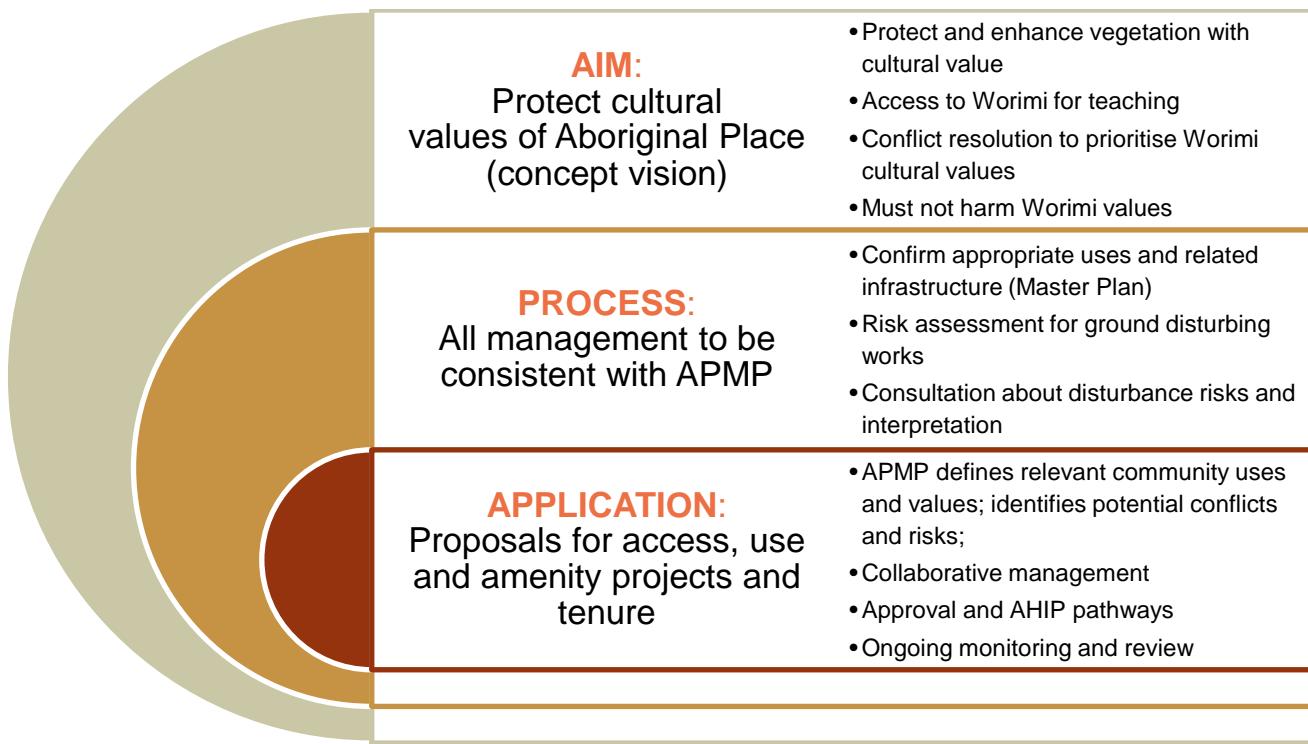
**Table 2.5 Key elements of the Master Plan**

Theme from concept plan	Subthemes and issues	Elements of the Master Plan
Protect and respect cultural and environmental values of Worimi Country.	Land degradation. Archaeological and cultural sensitivity mapping.	Sand drift management to stabilise mobile sand on Crown land – protects interchange, existing houses.  Bushland management to reduce impact of invasive species.  Revegetation – include indigenous plant species that are Worimi resources.  Includes rehabilitation and maintenance of two areas with known extensive surface sites.  Strengthen frontal dune.
Present Country well to welcome visitors, help them connect with the Country.	Traffic flows, parking, paths and picnic space.	New tourist interchange at the intersection of James Paterson Street (major project, just outside the Birubi Point Aboriginal Place boundary).  Welcome sign and roundabout at traffic loop to headland car park, with information about parking spaces.  Add more 90-degree parking along the headland access loop road.  Upgrade car park at Robinson Street and provide directions as alternative parking to the headland.  Link 4WD beach access track to the bottom car park, along boundary of Birubi Point Aboriginal Place. No direct access to the beach from this car park.

Theme from concept plan	Subthemes and issues	Elements of the Master Plan
	Quality facilities and interpretation.	<p>New toilet block(s).</p> <p>New pathways/boardwalks and viewing platforms with coastal views and interpretation of culture, including scheduled guided tours.</p> <p>Upgrade surface of the track through Tomaree National Park to be consistent with track surfaces elsewhere in the Birubi Point Aboriginal Place and provide inclusive accessibility.</p> <p>Welcome walk from Visitor Interchange to surf club/beach/headland.</p> <p>Refurbish and restructure the area with skate park, playground and picnic facilities.</p>
Gateway value for visitors to Worimi Country; economic benefits of visitors.	Cultural awareness and experiences of visitors.	WCL welcome facilities, displays and bookings at the tourism interchange.
Manage access to capture the value of a dynamic and dramatic visual setting – sky, sea, rock and dunes.		<p>Walking paths, boardwalks and viewing platforms to be located to maximise connectivity of sea and land views and related cultural elements.</p> <p>Interpretation material to highlight position, landscape history and values.</p>
A local community that loves the coast.	Work together.	<p>Use local resources – Worimi and general community for Landcare type actions.</p> <p>Continue to oversee management of the Birubi Point Aboriginal Place through the Panel.</p>

## 3.0 Management Plan

**Figure 3.1** provides an overview of how the vision and aims of the Birubi Point APMP and analysis of issues (from **Section 2**) flow through to operational decisions and actions which are the focus of **Section 3**.



**Figure 3.1    Translating aims to operational management**

This section presents the actions that form the Birubi Point APMP. The actions are presented in two primary groups:

- actions that relate to the overall governance and tenure arrangements for the Birubi Point Aboriginal Place. Text explaining these actions is in **Sections 3.1.1 to 3.1.7**. A summary table, providing information about the priority of actions, responsibility, relevant partnerships, and potential costs is included in **Section 3.1.8**.
  
- actions that relate to seven individual precincts within and adjacent to the Birubi Point Aboriginal Place, as identified in **Section 2.5.2**. These actions, principally relating to on-ground works, are outlined in **Sections 3.2 to 3.8**. Each section has a summary table providing information about priorities, roles, responsibilities and costs.

An overview of options for funding the implementation of the Birubi Point Aboriginal Place is in **Section 3.9**. This part of the Birubi Point APMP also outlines the distribution of costs and benefits from the implementation of the Birubi Point APMP and discusses how existing and new funding streams could be used to progress the actions in the Birubi Point APMP. Port Stephens Council budget priorities are set out in its Community Strategic Plan and Resourcing Strategy. However, the details of the implementation strategy and distribution of costs and benefits are also dependent on the funding priorities of public authorities and grant programs. Funding options will be further developed by Port Stephens Council, the Panel and other stakeholders over the life of the plan (e.g. see **Section 3.1.2**).

## 3.1 Governance and tenure

The actions in this section are essential to the sustainable management of the Birubi Point Aboriginal Place, in a way that respects the intentions of the OEH guidelines for the preparation of an APMP.

### 3.1.1 Aboriginal stakeholder panel

The Birubi Point Cultural Heritage Advisory Panel (a 355c committee of Port Stephens Council) is to continue to provide guidance and oversight of the implementation of the APMP. The membership must continue to include representatives of the Worimi families, the Board of Management for the WCL and the WLALC. These representatives should constitute the majority of the Panel.

In the first instance, Panel members should include:

- Birubi Point Surf Life Saving Club;
- Port Stephens tourism organisation;
- Port Stephens Council Councillor representing this ward;
- Port Stephens Council General Manager or delegate;
- Port Stephens Council Project Manager (facilitator);
- OEH (cultural heritage section and local area manager;)
- DILW;
- A local resident.

The appropriate representatives for these positions will vary over time and should be reviewed from time to time, for instance as tenure issues are resolved.

### 3.1.2 Prepare detailed costings and annual budgets

This management plan focuses on the values of Birubi Point Aboriginal Place and the actions that are required to manage its value. It does not provide detailed costings or funding information for operational management.

Port Stephens Council will work with the Panel and directly with relevant public authorities such as DILW, to prepare detailed project costings and budgets for the program of works to be carried out each year. This process will be consistent with Council's budget processes required under the Integrated Planning and Reporting framework, as well as meeting requirements of the NPW Act.

### 3.1.3 Due diligence inspections and AHIP requirements for all works

As noted in **Section 1.2.6.1**, an AHIP issued in 2010 provides an overview of the types of management actions that require detailed Aboriginal cultural heritage assessment. This AHIP will shortly expire. A new AHIP is required for ground disturbing management activities in the management plan.

An AHIP must be obtained prior to harming an Aboriginal object or a declared Aboriginal Place, unless the activities are identified as low impact, the harm is specified as negligible, or the harm relates to activities that are specifically exempted under the NPW Regulation. The application for an AHIP is made after a determination of consent or approval under Part 4 or Part 5 of the EP&A Act.

Any works for which an AHIP is granted must be consistent with the reasons for the declaration of the Aboriginal Place.

Port Stephens Council will apply to OEH for a new AHIP for works across the Aboriginal Place. Some larger projects will require more detailed investigation and may require a separate AHIP.

**Table 3.1** summarises the activities expected to be covered by the AHIP in each precinct. This table is based on the agreed types of activity not requiring an AHIP, covered by the 2010 AHIP or identified as requiring more detailed investigation in the 2010 AHIP. The table amends the activities in the 2010 AHIP as necessary to include all potentially ground disturbing activities in the master plan for Birubi Point Aboriginal Place.

**Table 3.1 Expected activities in Birubi Point Aboriginal Place requiring an AHIP**

Precinct	Works/activities not requiring an AHIP (low risk activities and locations)	Works proposed to be covered by the AHIP (based on works included in the 2010 AHIP)	Works/activities requiring more detailed assessment and a separate AHIP application
Tomaree National Park	Weed spraying (if weeds are to be excavated, this will need an AHIP).	Dune fencing. Dune restoration (frontal dune only).	Installation of formal paths or boardwalks. Installation of new signage. Dune restoration other than active frontal dune.
Birubi Beach reserve – main headland	Weed spraying (if weeds are to be excavated, this will need an AHIP).  Maintenance of signage.  Other general site maintenance such as replacing irrigation.  Temporary toilet blocks (demountable and pump out).	Dune fencing. Dune restoration (frontal dune only).  Maintenance of curbing and guttering. Signage. Park furniture.  Other routine maintenance such as extensions to irrigation pipes.  Emergency coastal protection works that are included in a certified CMP agreed to by OEH (Aboriginal heritage values to be considered in the CMP).	Any extensions to Birubi Point Surf Club.  Extensions to car park.  New drainage works and maintenance of drainage works.  Construction of new beach access ways.  Construction of new boardwalk and lookout on the headland.  Installation of new toilet blocks (plumbed in).  Other coastal protection works. These must be included in a certified CMP and have relevant development approvals.

Precinct	Works/activities not requiring an AHIP (low risk activities and locations)	Works proposed to be covered by the AHIP (based on works included in the 2010 AHIP)	Works/activities requiring more detailed assessment and a separate AHIP application
Birubi Beach reserve – Robinson Reserve	Weed spraying and removal on frontal dunes. Maintenance of signage. Other general site maintenance such as replacing irrigation on the surface.	Dune fencing (frontal dune only). Dune restoration (frontal dune only). Maintenance of curbing and guttering. Signage. Park furniture. Playground maintenance (not replacement). Other routine maintenance such as extensions to irrigation pipes. Emergency coastal protection works that are included in a certified CMP agreed to by OEH.	New drainage works and maintenance of drainage works. Installation of new beach access ways and maintenance of beach access ways that involves excavation below recent wind-blown sand. Replacement of skate park. Installation of new playground equipment. Extension of car park. Other coastal protection works. These must be included in a certified CMP and have relevant development approvals.
Crown land	Weed spraying and removal on frontal dunes, spreading mulch to suppress weeds such as burrs. Maintenance of signage. Access management structures (bollards, gates, fences). Removal of rubbish and residential encroachments. Removal or new wind-blown sand to maintain the commercial operators' car park. Other general site maintenance such as replacing irrigation.	Dune fencing (frontal dune only). Dune restoration (frontal dune only). Signage. Emergency coastal protection works that are included in a certified CMP agreed to by OEH and DILW.	Sealing of the commercial operators' car park. Construction of board walk through the dunes from new interchange to headland/surf club. Other coastal protection works. These must be included in a certified CMP and have relevant development approvals.

Aboriginal heritage impact assessments will be prepared by Council and/or relevant proponents for works proposed in areas outside the Aboriginal Place. These assessments will be part of the development application or review of environmental factors.

Where these development projects adjoin the Birubi Point Aboriginal Place, the assessment should be consistent with the values of the Birubi Point Aboriginal Place and AHIP requirements within the Birubi Point Aboriginal Place.

### **3.1.3.1 Consultation with Registered Aboriginal Parties about the AHIP**

Clause 80C of the NPW Regulation requires proponents to consult with Registered Aboriginal Parties. These are Aboriginal people who may have an interest in a proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal objects and places.

The current Aboriginal cultural heritage consultation requirements for proponents and guidelines for applicants for AHIPs (OEH 2010, OEH 2011) set out the process for identifying and consulting with appropriate Registered Aboriginal Parties for a development.

This process is separate from the engagement with Worimi people that has been part of the development of the APMP.

### **3.1.3.2 Management of compliance issues**

DILW, OEH, EPA and Port Stephens Council all have an interest in effective compliance management around existing private land uses that border the Birubi Point Aboriginal Place. Where unauthorised activities are occurring on Crown land or national park, these need to be resolved before land status can be reviewed so that the agencies or the WCL do not inherit unresolved compliance issues. Compliance and enforcement are resource intensive activities and behaviour change is difficult and will require ongoing education.

The purpose of this action in the Birubi Point APMP is to increase compliant behaviours at tenure boundaries and reduce impacts on the Birubi Point Aboriginal Place.

The proposed approach could include the following steps but should be further refined and prioritised with the Panel.

Port Stephens Council should prepare a community fact sheet to be distributed to residents and businesses whose properties share a boundary with any tenure within the Birubi Point Aboriginal Place. The newsletter would be supported by a web-based information and feedback process. It would be prepared in consultation with NPWS and DILW and the Panel.

The aim is to provide information to landholders about the actual boundary with public land and their legal obligations. Information should also be available about good neighbour management of the boundary with Crown land, Council land or national park, such as communicating with the agencies before any use or activity is undertaken on the land.

Fact sheets could also explain the impacts of garden escapees (weeds) and waste on the environment and penalties for unlawful deposition of waste. The community needs to be educated and encouraged to self-regulate towards more compliant behaviour.

Failing self-regulation, procedural fairness and natural justice principles should apply to any compliance action. A suggested process to move forward may include:

- identification surveys along interfaces between residential development and the Birubi Point Aboriginal Place to clearly define property boundaries. This will highlight any encroachments and non-compliant uses and allow for an equitable and more holistic response to rectifying this issue;
- potential follow up identification surveys and the initial resolution of encroachments with future audits of residential interfaces to ensure that encroachments are not reinstated over time or following changes in ownership where incoming residents may not be aware of their obligations and the sensitivities of the Birubi Point Aboriginal Place;
- further opportunity for land managers and the Panel to discuss any problematic locations, the level of impacts, and develop and prioritise action to resolve issues;

Port Stephens Council, DILW and NPWS could also coordinate a community clean-up day to remove unauthorised materials and uses from the boundaries of the Aboriginal Place.

### **3.1.4 Managing culturally sensitive information**

Port Stephens Council will develop a protocol for the communication of culturally sensitive information about Birubi Point Aboriginal Place. The protocol will be developed in collaboration with Worimi Aboriginal stakeholders, through the Panel. Port Stephens Council will also consult directly with the Board of the WCL to ensure that the protocol is consistent with protocols in place for the WCL.

### **3.1.5 Cultural awareness training for all commercial tour operators**

Birubi Point is Worimi Country, conceptually an extension of the WCL. Birubi Point is already a focus of nature and cultural tourism and the preparation of the APMP creates a range of new commercial tourism opportunities, both for Worimi people and for other tour operators. These will be enhanced by the implementation of access and interpretation actions in the management plan.

All commercial tour operators who work on the WCL or within the Birubi Point Aboriginal Place must complete a cultural awareness training day and site induction, to support everyone who guides visitors around the Place to be clear about:

- who may speak for country (and who not);
- what is important to Worimi people about this Aboriginal Place;

- what protection of cultural values means;
- which stories are appropriate to share, which can be told by non Worimi people and which should have restricted distribution;
- The key facts about the archaeology and geomorphology of Birubi Point Aboriginal Place.

The cultural training is to be developed and delivered by local Worimi people. The WCL Board currently delivers this sort of training and will continue to do so. For practical reasons, at least two Worimi people will have relevant skills to deliver this training.

### **3.1.5.1 Site induction for other contractors**

A cultural training package and cultural site induction will be developed for relevant contractors working on the Birubi Point Aboriginal Place. This would include contractors working on weed management programs, park maintenance, earthworks or access construction, all activities where ground disturbance is likely to occur. Port Stephens Council (the Trust manager) has an environmental management system (EMS) which requires appropriate training for contractors.

NPWS and DILW will also include a cultural induction component for their contractors working at Birubi Point Aboriginal Place and adjacent areas.

### **3.1.6 Interpretation strategy**

Several signs providing information about the landscape and cultural heritage of Birubi Headland and the Birubi Point Aboriginal Place have been installed over the last ten years. The Master Plan identifies locations for enhanced interpretation of the natural landscape and its cultural values.

Port Stephens Council will prepare a cultural landscape interpretation strategy for Birubi Point Aboriginal Place. The Strategy will be developed in collaboration with the Worimi community representatives on the Panel.

The cultural landscape interpretation strategy will address interpretation of the landscape and the cultural heritage of the Worimi people.

The strategy will focus on the Birubi Point Aboriginal Place. It will provide a unified theme for the four precincts, although each precinct may have a unique focus.

The strategy will also provide guidance on consistent interpretation themes, designs and processes for the WCL, the Birubi Point Aboriginal Place and for areas adjacent to the Aboriginal Place but directly connected to it. These include:

- the proposed tourism interchange;

- the Anna Bay off road vehicle access to WCL; and
- proposed alternative access routes to the Birubi Point Aboriginal Place through Anna Bay.

Tomaree National Park is partly within the Birubi Point Aboriginal Place. Port Stephens Council will work with NPWS to facilitate a consistent approach to interpretation within all parts of the Aboriginal Place, acknowledging that interpretation materials in the national park must also meet OEH regulations, policies, guidelines and internal approval processes.

The scope of the cultural landscape interpretation strategy will include, but not be limited to:

- management of culturally sensitive information (see **Section 3.1.3**);
- information available on Port Stephens Council, NPWS and WCL web sites;
- locations of signage within the Birubi Point Aboriginal Place (e.g. at the surf club, on the Birubi Headland, in the lower car park, in Robinson Reserve, along pathways, in the natural area adjacent to the upper car park, and in the national park);
- selection of content and design for signage. Generic signage for issues such as bushfire management, weed control, fisheries management should be designed with a specific theme to remind people that they are within an Aboriginal Place.
- development of print materials such as fact sheets, walking guides or for special events;
- training content for tour operators (see **Section 3.1.4**);
- banners;
- design themes for the skate park and playgrounds;
- design themes for car parks;
- signage outside the Birubi Point Aboriginal Place which may direct visitors to road alternative access through Anna Bay;

The interpretation strategy will review and confirm priorities for implementation. Preliminary priorities are:

- signage at the surf club, upper and lower car parks. These places have the highest usage by visitors;
- training content for tour operators – to support strong cultural heritage messages for visitors;
- development of content for Port Stephens Council, NPWS and WCL websites;

- signage in Robinson Reserve;
- signage for walking tracks past middens in the national park.

Other design and content elements will be developed as new infrastructure goes through detailed design approval and construction phases. New pathways, boardwalks and lookouts, playground equipment and skate parks are significant capital projects and will be implemented over the next 10 years.

### **3.1.7 Update plans of management for consistency**

The Birubi Point Aboriginal Place is currently in reserves under three separate public land tenures. NPWS, Port Stephens Council and DILW all have plans of management responsibilities covering parts of the site or land adjoining the site.

To streamline approval processes for works and activities proposed in the Birubi Point APMP, the tenure related plans of management should be reviewed and updated to provide a consistent management framework and priorities for the Birubi Point Aboriginal Place.

Port Stephens Council will request NPWS to review and update the Tomaree National Park Plan of Management as soon as is feasible. This Plan of Management is currently more than a decade old and is no longer aligned with the current policy framework.

### **3.1.8 Review tenure**

The Birubi Point Aboriginal Place contains a mixture of land ownership and management arrangements which includes national park estate, Crown land managed by DILW and Crown land managed by Port Stephens Council as discussed in **Section 1.2.4**. This adds to the complexity of managing the Birubi Point Aboriginal Place due to the overlay of agency roles and responsibilities and the influence of their respective legislation and policy.

The current diverse tenure of the Birubi Point Aboriginal Place raises the question of how to implement a more integrated program of management responses. Simpler tenure arrangements would help to streamline management and could strengthen the connection between the Birubi Point Aboriginal Place and the WCL.

The aim of any review of land ownership and management arrangements for Birubi Point Aboriginal Place is to better support the values and purpose of the Aboriginal Place. These include protecting the Aboriginal cultural values of the place (physical objects, landscape and attachment to country), strengthening Aboriginal roles in management and enhancing opportunities for the local Aboriginal community.

Over the life of this APMP, Port Stephens Council, DILW, NPWS and WLALC and WCL Board of Management will further investigate and negotiate arrangements to simplify the

tenure of the Aboriginal Place. It is important to note that this is not a simple process. There are statutory processes under the NPW Act, CLM Act, LG Act, Native Title Act (Commonwealth and State requirements) and ALR Act which would need to be followed for any change in tenure, purpose or classification. This would require extensive consultation and Ministerial approvals.

There will also be strong views within the local communities of Anna Bay and Fishermans Bay about tenure, gazetted reserve purpose and classification, particularly as these affect vehicle and pedestrian access (including for dogs), opportunities for commercial development, approval pathways, etc.

Existing management documents foreshadow a review of tenure, but not the processes that would need to be followed:

- WCL Plan of Management (p22) ‘the Board has a long-term interest in the addition of Birubi Point to the WCL’;
- the CLM Act 2016 foreshadows changes to tenure of some Crown land that is not of State significance, or is better situated under alternative management frameworks, and further policy and implementation detail is being developed;
- the Tomaree National Park Plan of Management foreshadows a change of tenure and/or a change of classification of the part of the park within and immediately adjacent to Birubi Point Aboriginal Place. This would need to follow review of a specified statutory purpose.

### **3.1.8.1 Options which may be investigated over the next decade**

A new land claim under the ALR Act, or another mechanism to extend the WCL could be considered so that Birubi Point Aboriginal Place is incorporated into the WCL. This would mean the transfer of Crown land to freehold title, held by WLALC, with potential lease back arrangements for parts of the site – to Council or OEH/NPWS. Rights under the *Native Title Act* must be considered. Some existing compliance issues around the interface of the Crown land with residential or commercial development need to be addressed prior to any incorporation of the land to WCL.

Consideration could include transfer of the Crown land not currently managed by Port Stephens Council to be included in the Crown Reserve for which Port Stephens Council is responsible. This may require gazettal of additional management purposes. It is possible under new policies being developed to accompany the commencement of the *Crown Lands Management Act 2016*, that the entire Crown reserve area may be transferred to Port Stephens Council, to be managed as community land under the LG Act.

Another option may include reclassification of part of Tomaree National Park to State Conservation Area. This would be better aligned with the management classification for the eastern part of the WCL which borders the Birubi Point Aboriginal Place. It would

reflect the urban, recreation and tourism context of the narrow section of Tomaree National Park that lies between residential areas and the sea, within the Birubi Point Aboriginal Place.

Consideration may include potentially separating the part of the national park that is within the Birubi Point Aboriginal Place from the rest of the national park, and transfer to Council as part of a consolidated reserve, to be managed under the CLM Act or as community land under the LG Act.

Recent and current statutory reform processes may facilitate the tenure changes, by removing barriers, streamlining processes and providing new resources.

### **3.1.9 Monitoring, reporting and review of the management plan**

Progress in implementing the Birubi Point APMP will be monitored, including:

- what has been implemented and timeliness of actions;
- what is achieved, in relation to expected outcomes;
- lessons from management processes and outcomes to inform future management.

Four broad monitoring, reporting and review schedules are relevant to the effective management of the site:

- OEH guidelines for APMPs which suggest review every two to three years, or another relevant timeframe;
- Port Stephens Council IP&R processes, including the Community Strategic Plan (updated with each new elected Port Stephens Council) with a rolling 10 year review and more regularly reviewed Implementation Strategy. Port Stephens Council also reports annually on its annual operation plan;
- NPWS Plan of Management for Tomaree National Park, which includes part of the Aboriginal Place. The Plan of Management was prepared in 2006 and is due for a full review;
- The Aboriginal Place is in Worimi country. A Plan of Management already exists for the WCL on Stockton Bight. The plan was adopted by the Minister for the Environment and Minister for Lands in 2015 and will be reviewed in 2025. Tourism and recreation activities at Birubi Point are closely entwined with the use and management of the WCL. It would be helpful if the two plans were aligned in their review schedule.

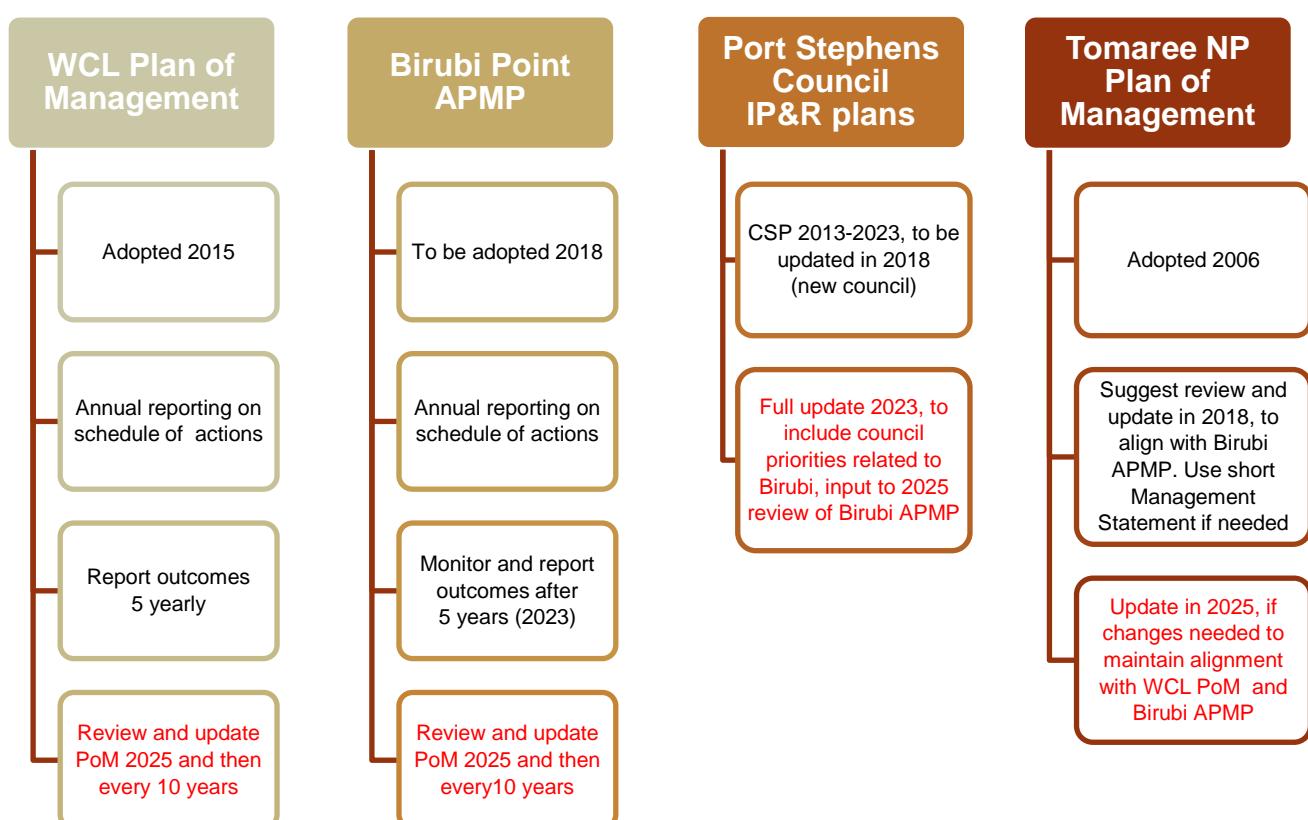
**Figure 3.1** shows the proposed monitoring, reporting and review schedule for the Birubi Point Aboriginal Place.

Annual monitoring and reporting means checking actual actions against planned actions for that year. Port Stephens Council will report on expenditure and what was done.

Five-year monitoring and reporting is intended to provide information about outcomes achieved (as established for each major theme in the Birubi Point APMP), as well as what was done. For instance, outcomes are likely to include the condition of the Aboriginal Place (ground surface and vegetation); evidence that sites and objects have been protected; completion of cultural awareness training delivered by Worimi traditional owners; and preparation of interpretative material.

The first full review and update of the Birubi Point APMP is proposed to be brought forward to align with the timeframe for a 10 year review of the WCL Plan of Management. Ten year reviews would then continue in parallel, subject to future changes in governance arrangements.

The full review should consider actions implemented, outcomes achieved (against those proposed), value for money, benefits to the Worimi people and other stakeholders and lessons learnt. It should confirm objectives and set new priorities for the following 10 years.



**Figure 3.2 Integrated management planning**

### 3.1.10 Summary action table

References to timeframes in this table are as follows:

- Short term – immediate to five years;
- Medium term – five to 10 years;
- Long term- beyond 10 years;
- Ongoing – requiring regular maintenance.

**Table 3.2 Summary of governance actions**

Task	Location or response details	Preferred Timeframe	Responsibility
Review and reappoint a Cultural Heritage Advisory Panel for the AP to participate in detailed management planning; and review progress in the implementation of the management plan and its outcomes.	Must have a majority of local Worimi people.	Short term. Priority	Port Stephens Council.
Prepare annual operational budgets.	Project costs and funding sources to be clearly identified, including capital and maintenance costs.	Ongoing	Port Stephens Council, with members of the Panel.
Obtain a new AHIP and clarify requirements for separate AHIPs.	Must follow NPWS regulation and guidelines.	Short term. Priority	Port Stephens Council, with the Panel, DILW and NPWS; consult with Registered Aboriginal Parties.
Improve compliance around boundaries.	Focus on Crown land to private residential or commercial land.	Short term and ongoing	Port Stephens Council, DILW, NPWS, involve members of the Panel.
Protocol for culturally sensitive information.	Consistent requirements across all current management stakeholders.	Short term. Priority	Port Stephens Council with Worimi Traditional Owners and the Panel
Cultural awareness training for tour operators.	For all tour operators.	Short term	Port Stephens Council with WCL and WLAC To be delivered by local Worimi people.

Task	Location or response details	Preferred Timeframe	Responsibility
Contractor cultural induction package.	For contractors involved in all ground disturbing works. Align cultural induction requirements across land managed by Port Stephens Council, NPWS and DILW.	Short term	Port Stephens Council with WCL and WLALC and NPWS, DILW. To be delivered by local Worimi people.
Interpretation strategy.	See priorities in <b>Section 3.1.5</b>	Short term	Port Stephens Council with members of the Panel and WCL and WLALC.
Update plans of management.	Tomaree National Park is the first priority	Short term	NPWS, DILW, WCL
Review tenure.	Detailed option analysis required.	Objective for 10 years and long term	Port Stephens Council, WCL, NPWS, DILW
Monitoring, reporting and review of APMP.	Throughout the 10 year life of the APMP. Must meet Port Stephens Council IP&R requirements, OEH requirements.	Ongoing	Port Stephens Council align with adjoining WCL Plan of Management and Tomaree National Park Plan of Management.

## 3.2 Precinct 1 – Tomaree National Park

### 3.2.1 Focus for this area

This area has been managed as national park for more than 15 years. **Section 3.1.7** outlines a process for reviewing the tenure and gazetted purpose of this section of Tomaree National Park. The plan of management also requires review (**Section 3.1.6**) to provide a clear and consistent framework for management within the Birubi Point Aboriginal Place, across tenures.

Regardless of any change of tenure or purpose that may be negotiated, the key natural features, visual, cultural and recreational values of the National Park should continue to be protected.

Consistent with this intent, the proposed management actions for the part of the Birubi Point Aboriginal Place that is in Tomaree National Park are:

- continue low key access and visitor experiences linked to natural features. Provide a safe and accessible coast path between Robinson Reserve and Fishermans Beach, which could then connect to a coast walk through to Fingal Beach;

- this route should be subject to a detailed safety risk analysis, because of proximity to rock platforms and wave overtopping hazards. Egress in bushfire hazards may also be an issue;
- maintain natural and informal path surfaces, except for those areas where paths cross middens or other archaeological sites. In this case, detailed design of boardwalk or other surfaces may be necessary to protect the midden;
- paths in the National Park are currently popular with local people walking dogs. Encourage people to remove all waste;
- install appropriate interpretative signage, consistent with the cultural landscape interpretation strategy. While this area remains in national park management, make the boundaries clear;
- restore dunes and vegetation in disturbed areas; remove weeds.

### **3.2.2 Summary action table**

Table 3.3 includes on-ground actions. Governance actions for the Tomaree National Park are in **Section 3.1**.

References to timeframes in this table are as follows:

- Short term – immediate to five years;
- Medium term – five to 10 years;
- Long term- beyond 10 years;
- Ongoing – requiring regular maintenance.

**Table 3.3 Implementation overview, Tomaree National Park precinct**

Task	Location or response details	Timeframe	Responsibility
Prepare a risk assessment for formal pedestrian access from Robinson Reserve to Fishermans Beach.	Consider coastal hazard risks to safety and egress during a bushfire.	Short term	NPWS and Port Stephens Council.
Design a safe and accessible coast path from Robinson Reserve to Fishermans Beach.	Design to use natural surfaces, except where safety and/or protection of Aboriginal heritage sites require other finishes.	Medium term	NPWS and Port Stephens Council.
Prepare REF and AHIP for any pathway construction works.	Multiple middens are located on the headland in the National Park.	Medium term	NPWS and Port Stephens Council.

Task	Location or response details	Timeframe	Responsibility
Construct new pathway, with appropriate interpretative signage.	Likely to be a valuable asset for visitors.	Medium term	NPWS and Port Stephens Council. Consult with local Worimi people.
Update the Plan of Management.	Requirements depend on negotiations on tenure and purpose.	Short term	NPWS (or other if tenure changes).

### 3.3 Precinct 2 – Birubi Beach Reserve – Birubi Headland

#### 3.3.1 Focus for this area

This precinct has very high public usage, by local people as a meeting place and to swim or surf; by people from the Hunter region, a beach and café destination; and by national and international visitors. The views from the headland and the proximity to Stockton Bight sand dunes and beach driving area are key attractions.

The Birubi Headland is also a critical element of the cultural heritage value of the Birubi Point Aboriginal Place.

The management focus for this precinct is to enhance visitor experience while protecting local community experience and conserving cultural values. Much of the main visitor area has been extensively disturbed over a long period. Nonetheless managing both visitor experience and cultural value is a delicate balance, which requires careful design and vigilant compliance. The Panel strongly supports work to create a ‘cared for’ landscape, consistent with its cultural and socio-economic values.

Successful management of pressures on both visitor experience and cultural value on the headland is very dependent on management projects outside the Birubi Point Aboriginal Place.

##### 3.3.1.1 Actions proposed to improve visitor experience

Development of a new visitor interchange outside the Birubi Point Aboriginal Place.

**Section 3.7** provides details. For the purpose of visitor experience at the Birubi Headland, this new facility would:

- remove most large tourist buses from the narrow road to the headland and through the top car park;
- reduce traffic congestion on the access road and in the top car park;
- allow some bus turning and parking bays to be adapted to provide additional car parking;

- improve the ‘arrival’ experience at the headland for other visitors;
- improve pedestrian safety;
- maintain access to the bottom car park for sand dune operators to drop off and pick up clients at the headland;

Another action is to improve parking and traffic circulation:

- install a roundabout turning area in James Paterson Street, linked to a parking monitor system, so approaching vehicles can exit without having to travel through the upper car park, if it is already full;
- identify off site car parking areas which can be used during major events or peak holiday usage times, in conjunction with a shuttle bus, to reduce congestion and haphazard parking on the headland. This will need to be discussed with tour and transport operators and event managers (such as major surfing events);
- modify the design of parking around the headland loop and along one side of James Paterson Street – all nose-in angle parking. Changes to parking design will encroach into the Birubi Point Aboriginal Place dune area and a separate AHIP application will be required;
- modify the design of the top car park to prevent vehicles crossing the curb and parking in the protected area;
- provide signage and directions about alternative vehicle access points for the headland. This will include a route through Anna Bay to the parking area at Robinson Reserve, with a short walk back to the headland.

Improve safety and amenity:

- provide new pedestrian crossings from pathways and the top car park to the surf club building – viewing area on the roof and in front, and to the café;
- provide new public toilet facilities to increase total the number available.

Provide new interpretation at the roof-top viewing area, and on the ocean side of the surf club

Provide landscaping and low key facilities to complement main surf club area:

- develop a new viewing platform adjacent to the top car park;
- rehabilitate vegetation on the sandy area on the crest of the headland. This means removing invasive species such as Bitou Bush and lantana, removing rubbish,

maintaining native shrub and tree species (such as coast banksia) and restoring native understory species;

- install basic facilities for passive recreation in the rehabilitated vegetation area, such as seating and a simple pathway, which could connect pedestrians walking on the boardwalk from the visitor interchange through to the pathway to Robinson Reserve. Pathway layout will need detailed design, to minimise construction impacts and to minimise safety risks at road crossings.

Create a new cultural heritage boardwalk and viewing platform on the main headland. This part of the Birubi Point Aboriginal Place is culturally sensitive, so designs are to minimise ground surface disturbance. This structure will require a separate AHIP application. The design process will also consider:

- visitor safety issues (falls) on headlands;
- appropriate materials for an exposed coastal location;
- potential impacts of coastal hazards;
- how to showcase the cultural values of the place without disturbing sensitive areas; and
- how best to link physical design with interpretation materials and guided walk opportunities for visitors.

Develop a pathway through the dunes to link the new visitor interchange with the headland area. This route will require detailed design to manage potential issues and impacts such as:

- ongoing sand drift;
- avoid known cultural heritage sites;
- link to weed removal and vegetation rehabilitation, including shade species (over time);
- allow for vehicle access for maintenance of the path, or for emergency access, but prevent all general public vehicle access;
- a pathway design suitable for diverse levels of physical ability, noting the types and origins of visitors arriving by tour bus and the potential value of a path for cultural teaching activities;
- how the pathway will connect to the upper car park area, the surf club and pathways east of the surf club;

- how other ad-hoc pathways and unauthorised structures which currently provide short cuts from James Paterson Street can then be closed;
- a unified design theme with other parts of the Birubi Point Aboriginal Place accessible to visitors;
- allow time for a separate AHIP application; and
- appropriate interpretation about landscape processes and cultural heritage values.

### **3.3.2 Summary action table**

Table 3.4 shows indicative scheduling of design and approval processes, linked to priorities for action. Note that offsite actions such as the visitor interchange are discussed in relevant sections. They are not included in this table.

References to timeframes in this table are as follows:

- Short term – immediate to five years;
- Medium term – five to 10 years;
- Long term- beyond 10 years;
- Ongoing – requiring regular maintenance.

**Table 3.4 Implementation overview for Birubi Headland**

Task	Location or response details	Timeframe	Responsibility
Prepare AHIP application for works to improve parking on the headland.	One AHIP for all changes proposed around the headland loop and along James Paterson Street. Also include the turning point at the beginning of the headland loop.	Short term	Port Stephens Council, with the Panel and relevant Registered Aboriginal Parties, to meet statutory requirements.
Install roundabout turning area at James Paterson Street loop.	At headland loop road connection. Consider also updatable signage here with information about available parking spaces, so vehicles can exit without travelling through the upper car park. This will reduce congestion during peak periods.	Short term	Port Stephens Council; will need a separate AHIP for ground disturbing works. Engage Registered Aboriginal Parties; OEH approval required. Consult with residents.

Task	Location or response details	Timeframe	Responsibility
Modify design of parking on headland loop – to nose in.	Headland loop and James Paterson Street. Will require earthworks that encroach on the Aboriginal Place.	Short term	Port Stephens Council; will need a separate AHIP for ground disturbing works. Engage Registered Aboriginal Parties; OEH approval required. Consult with residents.
Modify design of top car park, so vehicles can move through more easily and also prevent curb jumping.	Change parking layout to streamline through traffic management. May require encroachment into the Aboriginal Place. All parking changes should be implemented concurrently.	Short term	Port Stephens Council; will need a separate AHIP for ground disturbing works. Engage Registered Aboriginal Parties; OEH approval required. Consult with residents.
New pedestrian crossings.	Link new pathways, car parking and the café and viewing platform area, for safe pedestrian traffic. Implement concurrently with parking changes.	Short term	Port Stephens Council. Should not require separate AHIP.
Increase number of public toilet facilities.	Temporary (note currently being trialled) or permanent facility within car park area; or options within the footprint of the surf club building. Detailed design and approvals required.	Short term	Port Stephens Council. If ground disturbing works required for a new building, will need a separate AHIP.
Create new viewing platform adjacent to the top car park.	On same side of the road as the car park, potentially cantilevered above the road. Work on this and the adjacent landscaping should be concurrent.	Medium term	Port Stephens Council. AHIP required.
Landscape area adjacent to car park for passive recreation.	Remove weed and rehabilitate canopy vegetation. Provide simple seating.	Medium term	Port Stephens Council. Keep ground disturbance to a minimum. No AHIP currently required for weeding.
Provide new interpretation panels on roof top viewing platform, in conjunction with WCL.	Topics, design and installation to be done in conjunction with the Panel and/or WCL, so that there is a consistent approach and style.	Short term	Port Stephens Council, with WCL and the Panel and surf club.
New cultural heritage boardwalk on the main headland.	Will guide visitors past cultural heritage sites, tell Worimi stories about the headland; prevent damage to sites and vegetation; rehabilitate vegetation; provide viewing platform on cliff edge. Requires detailed design,	Medium term	Port Stephens Council with WCL and the Panel. OEH to be involved in review of materials and negotiation of AHIP controls.

Task	Location or response details	Timeframe	Responsibility
	location planning and a separate AHIP. Link to interpretation strategy.		
Pathway with interpretation through the dunes from new interchange.	A safe walking track through the margin of the mobile dunes; suitable for guided and unguided interpretation walks. Variable surface options, but likely to require a separate AHIP.	Medium term	Port Stephens Council, WCL and the Panel to be involved.

## 3.4 Precinct 3 – Birubi Beach Reserve – eastern beach and foreshore reserve (Robinson Reserve)

### 3.4.1 Focus for this area

This part of the Birubi Point Aboriginal Place has two strong and distinct values:

- it is highly valued by local residents as a community asset. The reserve includes a children's playground, a skate park and toilets. It provides walking access from Anna Bay to the protected beach east of the main Birubi Headland, which is regarded locally as safe for children and families. The reserve also provides alternative parking, currently best known and used by local residents. The park is a node on a popular local walking route which takes in highly valued coastal scenery;
- the large and highly significant midden off Fitzroy Street. This midden is a key part of the archaeological record at Birubi Point Aboriginal Place which demonstrates the long-term attachment of Worimi people, over approximately 6,000 years since sea level returned to its current position. Earlier coastal occupation sites were overwhelmed by the sea as sea level rose from about 10,000 years ago.

These two contrasting values are to be maintained and enhanced by the implementation of the Birubi Point APMP.

#### 3.4.1.1 Detailed design for community reserve and facilities

A children's playground and skate park will be installed in Robinson Reserve. These will replace the existing playground and skate park facilities. The detailed design for the reserve will be developed in consultation with local residents and the Panel.

When preparing the detailed design and implementation schedules Port Stephens Council will consider the following:

- the need to align detailed design of Robinson Reserve with access and safety management along Robinson Street and Fitzroy Street. This will include signage, marking of the vehicle access route to this car park, and layout of the playground/recreation space in the reserve to minimise safety risks for young children;

- whether a fence or other safety structure is needed along the road boundary of the reserve;
- the most practical layout for playground, skate-park and kick around area - for visibility, safety, noise etc.
- detailed design of equipment and materials to be used in the children's playground;
- locations of picnic tables, other seating and facilities such as BBQs (if required);
- locations and species to be planted to provide shelter, screening and shade;
- locations of interpretation signage and other signage (e.g. about beach safety);
- the best location(s) for public toilet(s) and shower facilities;
- designs and materials for boardwalk access across the frontal dune onto the beach and boardwalk/pathway access from the reserve to connect with the main Birubi Headland precinct and to Tomaree National Park;
- improving drainage including the design of stormwater outlets in the reserve;
- suitable ground cover treatments for different parts of the reserve – grass, mulched surface etc;.
- the potential for wave overtopping of the frontal dune in extreme storm conditions;
- consultation with OEH about detailed AHIP requirements expected to apply to the skate park, playground, toilet block and pathway upgrades. One AHIP could be prepared for all works in the reserve. The schedule of implementation must allow time for processing of the AHIP application; and
- consultation with Worimi and other Aboriginal stakeholders about design themes.

### **3.4.1.2 Protect Fitzroy Street midden**

The midden site is isolated from much of the Birubi Point Aboriginal Place. Management will aim to improve protection but also to better connect the midden site to the other parts of the Birubi Point Aboriginal Place. All management actions on this site must be designed and implemented in collaboration with the Worimi representatives on the Panel.

If any management actions require a new AHIP, Port Stephens Council will extend consultation to Registered Aboriginal Parties.

Key actions for the Fitzroy Street midden are:

- revegetate and control access to the Fitzroy Street midden. The site will be fenced. Vegetation management should focus on weed control and improved ground cover (native species only);
- develop access arrangements for the Worimi people for cultural or teaching purposes; and
- develop interpretation materials for the midden, for instance to support cultural awareness training and/or as part of a cultural interpretation trail through the Birubi Point Aboriginal Place (subject to consultation with Worimi representatives).

### **3.4.2 Summary action table**

Timeframes identified in Table 3.5 are:

- Short term – immediate to five years;
- Medium term – five to 10 years;
- Long term- beyond 10 years;
- Ongoing – requiring regular maintenance.

**Table 3.5 Implementation overview for Robinson Reserve precinct**

Task	Location or response details	Preferred Timeframe	Responsibility
Renew fencing for Fitzroy Street midden.	May require AHIP, confirm with OEH.	Short term	Port Stephens Council
Revegetate Fitzroy Street midden and maintain vegetation cover.	May require AHIP. Must involve Worimi people.	Short term	Port Stephens Council with WLALC and WCL – design and on ground works
Access arrangements to midden for Worimi culture and teaching.	For training and cultural purposes, potentially as part of an interpretation trail.	Short term	Port Stephens Council and WLALC
Interpretation materials for Fitzroy Street midden (e.g. signage, walking guide notes).	Must be developed in collaboration with Worimi people.	Short term	Port Stephens Council and WLALC and WCL
Improve drainage of Robinson Reserve.	Reduce incidence of standing water, improve safety and amenity. Allow for AHIP.	Short term	Port Stephens Council
Prepare detailed design for children's playground, skate park and kick around area.	See section 3.4.1.1	Short term	Port Stephens Council
Extend car park and revise design to include shade trees where possible.	See Section 3.4.1.1. Allow for AHIP.	Short term	Port Stephens Council

Task	Location or response details	Preferred Timeframe	Responsibility
Install new children's playground.	Based on design process above. Allow for AHIP.	Short term	Port Stephens Council
Install new skate park facility.	See Section 3.4.1.1. Allow for AHIP.	Short term	Port Stephens Council
Upgrade landscaping in Robinson Reserve, including shade and shelter species.	See Section 3.4.1.1. Consult with local community about species selection.	Short term	Port Stephens Council
Install new public toilet near playground/skate park; determine whether old toilet block is to be decommissioned and removed.	See section 3.4.1.1. Allow for AHIP.	Medium term	Port Stephens Council
Provide new boardwalk style beach access ways.	Consider coastal hazards. Allow for potential AHIP.	Medium term	Port Stephens Council
Install interpretative signage in reserve.	Consistent with key messages in interpretation strategy, and priorities.	Short term	Port Stephens Council
Maintain dune vegetation and remove weeds.	Consider coastal hazards.	Ongoing	Port Stephens Council and Landcare/Worimi

## 3.5 Precinct 4 – Crown land

### 3.5.1 Focus for this area

The area managed directly by DILW forms the western boundary of the Birubi Beach Reserve (west of the Birubi Headland) and has a boundary with the WCL on one side and residential properties to the north. It is dominated by active sand drift, with some areas of partially stabilised sand drift. Gazetted reserve purposes include sand drift management. This land is also a buffer to sand drift impacts on tourist infrastructure on James Paterson Street.

Cultural heritage values of this part of the Birubi Point Aboriginal Place include:

- midden sites and open artefact scatters in remnants of the pre European ground surface;
- some examples of culturally important plant species;
- opportunities to raise awareness and teach about important landscape processes and resources of the area and how they have changed over time;
- potential for visitors to experience the changing landscape on foot.

For this area the main on-ground activities are related to the potential for a ‘nature’ experience:

- stabilisation of mobile sand dunes to reduce the threat of sand drift to adjacent housing and infrastructure;
- remove invasive species and restore local dune species and habitat, using best practice techniques for dune management;
- awareness raising and compliance activity with adjoining residents to address unauthorised uses, remove unauthorised structures, materials and waste;
- Creation of a new pedestrian walkway, linking the headland area with the proposed new interchange and suitable for cultural education activities. Other than the walkway, public access through this area will be limited. Consultation with residents in James Paterson Street will be necessary to rationalise access and remove multiple informal tracks and structures (such as stairways, fences).

Detailed design for the walkway is required, to identify sections where the path can be on ground (sand, gravelled path or mulched) or requires a boardwalk. Part of the walkway may be designed to be suitable for independent mobility scooters or wheel chairs. Locations for interpretation information are also to be identified in the detailed design.

The walkway should not become a priority until plans for the new interchange are advanced and funding is available.

### **3.5.2 Summary action table**

A summary of proposed actions for Precinct 4 is in **Table 3.6**. References to timeframes in this table are as follows:

- Short term – immediate to five years;
- Medium term – five to 10 years;
- Long term- beyond 10 years;

Ongoing – requiring regular maintenance.

**Table 3.6 Implementation overview for Precinct 4**

Task	Location or response details	Timeframe	Responsibility
Remove invasive species and restore locally indigenous vegetation.	Appropriate species to be identified with WCL and the Panel. Need for a separate AHIP for weed removal to be confirmed with OEH.	Ongoing – to meet agreed targets before any change of tenure.	Involve Aboriginal Rangers and Landcare teams in the weeding and replanting. Note there are licensing arrangements that would need to be complied with for this to occur.
Stabilise sand drift areas, as feasible, noting the location of this part of the AP with wind exposure to the south west.	Preliminary task is to identify best practice options for dune stabilisation in this type of environment and identify priority sections of the Crown land, where techniques can be tested. Timing linked to construction of pathway from the interchange.	Ongoing - to meet agreed targets before any change of tenure	DILW and Port Stephens Council, with WCL, WLALC
Continue advice and compliance activities with adjoining landholders.	Aim to reduce unauthorised placing of garden waste, household items, boats, trailers, driving and parking etc. on the Crown reserve land within the Aboriginal Place.	Ongoing, to meet agreed targets before any change of tenure.	DILW (depending on specific requirements in the CLM Act and related policies and regulations); Port Stephens Council.
Design and construct a pedestrian walkway from the tourist interchange to Birubi Headland.	Provides an opportunity for extended interpretation. Detailed design to be determined by terrain, safety, potential for access by independent mobility scooters (over part of the route) and suitable ground surfaces	After other headland and tourism interchange actions are in place	Port Stephens Council, DILW, WLALC, WCL Board.
Continue to manage access to prevent unauthorised vehicle entry into sensitive areas.	From road and residential interfaces that lead into sandy areas or sensitive vegetation or cultural sites. To prevent spread of weeds such as spiny, cat head and noogoora burrs.	Ongoing, to meet agreed targets before any change of tenure.	DILW and Port Stephens Council.

## 3.6 Precinct 5 – Access management

This precinct is outside the Birubi Point Aboriginal Place but managing alternative access to the most popular parts of the Birubi Point Aboriginal Place, on the Birubi Headland and Birubi Beach Reserve will reduce pressures on these parts of the Birubi Point Aboriginal Place, which are also culturally important.

Key features of the precinct are suburban roads and parking areas through Anna Bay, which provide access to the Birubi Point Aboriginal Place; the beach and headlands at a variety of locations. These roads and paths are well known to local residents, but not so well known to visitors.

While alternative routes to the beaches and headlands can reduce congestion on James Paterson Street and the main headland, Port Stephens Council recognises that the accessibility, amenity and safety of local residents who use other parts of the Birubi Point Aboriginal Place, such as the skate park and children's playground are to be maintained.

### 3.6.1 Focus for this area

An alternative route for vehicles to access the Robinson Reserve area of the Aboriginal Place is available via Gan Gan Road at Anna Bay, Campbell Avenue (Robinson Street, Fitzroy Street, Ocean Avenue or Pacific Avenue) and Morna Point Road.

These are mostly small suburban streets, not designed for heavy vehicle traffic.

In relation to the Birubi Point APMP, the focus of actions in this area is to disperse some of the traffic load on the main headland, reducing the potential for congestion that impacts on the tourism value of the place and adversely impacts on the cultural values of the Aboriginal Place.

Alternative routes would be of most use during peak holiday periods and major events.

Actions proposed in Precinct 5 include:

- Conduct an investigation into the potential to redesign the intersection of Gan Gan Road and James Paterson Street to improve traffic flow and safety
- Consult with local residents about potential routes and any safety or amenity issues (e.g. through the local primary school, or the surf club or by targeted face to face consultation with individual residents, or a web-based response process). Additional measures may include changes to speed limits, traffic calming devices or fencing of the children's playground. These will be incorporated in a detailed design for approval of on ground works;

- defining preferred alternative routes and how they will be identified for visitors. This may include signage (including maps) at Gan Gan Road and at the local shopping centre;
- colour coding of routes;
- upgrading of car parking areas and public toilet facilities (e.g. see detailed design for the children's playground and skate park area of the reserve), in Precinct 3
- Monitor the use of the alternative vehicle access routes, particularly at peak holiday times.

### **3.6.2 Summary action table**

References to timeframes in Table 3.7 are as follows:

- Short term – immediate to five years;
- Medium term – five to 10 years;
- Long term- beyond 10 years;
- Ongoing – requiring regular maintenance.

**Table 3.7 Implementation overview for Precinct 5**

Task	Location or response details	Timeframe	Responsibility
Consult with local residents and road users about potential routes and any necessary controls.	Proposed routes are through Anna Bay streets. Safety and amenity to be maintained. May require further detailed advice from a traffic consultant.	Short term	Port Stephens Council – Community Planning and traffic engineers. Roads & Maritime Services.
Conduct an investigation of design options for the intersection of Gan Gan Road and James Paterson Street	Improve safety and traffic flow at the intersection, before vehicles get caught in congestion on James Paterson Street	Medium term	Port Stephens Council
Design and install signage to redirect traffic from James Paterson Street in periods of heavy usage.	Could also use an App for visitor information.	Medium term (after Robinson Reserve had been upgraded)	Port Stephens Council
Design and install alternative route markers such as colour coding roads, or better street signs.		Medium term (after Robinson Reserve has been upgraded)	Port Stephens Council
Monitor use of this access route.		Medium term	Port Stephens Council

## 3.7 Precinct 6 – Gateway interchange and cultural centre

### 3.7.1 Focus for this area

The development of a new gateway interchange is a major project for Port Stephens Council and for the WCL. Preliminary architectural designs are currently being prepared. The ‘gateway’ building could include:

- a visitor reception area;
- a welcome to the WCL and displays/information about Worimi cultural values of the WCL and Birubi Point Aboriginal Place
- potentially an outlet for Worimi art and craft;
- a booking centre for tours on WCL and Birubi Point; Aboriginal Place
- maps for people planning a self-guided visit;
- a café;
- an area for parking and loading/unloading four-wheel drive tour vehicles;
- bus parking area – to keep large buses off the Birubi Headland;
- information about off road driving on Stockton Bight.

Implementation of the interchange requires extensive investment of time and resources in the planning process. This is being managed by Port Stephens Council, separately to the current project. A high level introduction to the planning process is included below, in **Table 3.8**. No timeframes are included in this table as the work is subject to a separate detailed project plan.

### 3.7.2 Summary action table

**Table 3.8 Planning process for the tourist interchange**

Task	Location or response details	Responsibility
Resolve tenure issues for the interchange site and address any potential Native Title constraints to the proposal.	Currently private land and Crown land. Consider an appropriate mechanism to place the land under Port Stephens Council control.	Port Stephens Council, DILW
Extensive community engagement.	Consult about impacts on Anna Bay and on other businesses.	Port Stephens Council
Develop detailed architectural designs and site plans.	Suitable for a site with significant sand drift risks and potentially high usage.	Port Stephens Council

Task	Location or response details	Responsibility
Obtain grants for construction.	Council is working with relevant public authorities to secure funding relevant to the regional economic development contribution that the interchange could support.	Port Stephens Council
Integrate planning process with the management of WCL and Birubi Point Aboriginal Place.	This process will be ongoing over the next decade.	Port Stephens Council, DILW, WCL/WLALC
Prepare development application and other approvals as necessary	Approval pathway to be determined.	Port Stephens Council, Department of Planning, OEH, DILW

## 3.8 Precinct 7 – WCL ‘buffer’

### 3.8.1 Focus for this area

This area includes a parcel of Crown land (591, DP1108326), including the lower car park which is currently used for loading and unloading tourists for sand dune adventure activities such as camel rides and sand boarding. It also includes part of the Birubi Beach Crown reserve, managed by Port Stephens Council and including the beach and frontal dune seaward of the lower car park.

The management focus is to provide beach recreation space and additional parking for self-guided visitors accessing via the top car park. There will be no private vehicle access to this car park from the new interchange or from the existing off-road access to the WCL.

Port Stephens Council intends to formalise the parking area a to better manage peak holiday period traffic but acknowledges that it is affected by sand drift and wash over during storms, so ongoing maintenance will be needed. The management plan provides for routine maintenance of wind-blown sand, which will be returned to the frontal dune, wherever practical.

Port Stephens Council intends to work with OEH and WCL to rehabilitate the frontal dune system at the Birubi Headland end of Stockton Bight, through dune reshaping and replanting. If the dune can be stabilised it will reduce short to medium term maintenance costs.

The dune is vulnerable to changes in wave approach, storm intensity and sea level rise, associated with major events and climate change.

Port Stephens Council will address these issues and provide further management details in the CMP for its open coast. Preparation of the CMP has commenced.

### 3.8.2 Summary action table

**Table 3.9** provides a general indication of implementation responsibility for Precinct 7. Most of the issues in this precinct are coastal issues and detailed management planning will be included in the CMP. A detailed project plan and implementation plan is in preparation for the CMP.

**Table 3.9 Overview of management for Precinct 7**

Task	Location or response details	Timeframe	Responsibility
Prepare CMP for open coast of Port Stephens Council.	Port Stephens Council is commencing this project, for its open coast. Birubi Point APMP and adjoining areas of dune landscape to be included in the CMP.	Short term (to be completed within five years)	Port Stephens Council, with stakeholders as determined through that process.
Continue works to remove wind-blown sand from the lower car park and rehabilitate frontal dunes.	Interim measures until more detailed coastal management guidance is provided in the CMP.	Short term	Port Stephens Council, with advice from OEH and approval from DILW
Continue and strengthen collaborative relationships between Port Stephens Council, OEH, DILW, WCL and Birubi Surf Club.	This precinct is of interest to multiple stakeholders, being very close to the surf club and incorporating a lower car park.	Short term	Port Stephens Council, the Panel; consultation with other stakeholders
Include this area as a priority for any discussion about future tenure options.	This land could be included in WCL.	Medium term	Port Stephens Council, the Panel; consult with other stakeholders
Monitor the condition of the dune, the car park and the volumes of sand relocated from the car park	Necessary to understand trends in processes and impacts, costs for maintenance.	Ongoing	Port Stephens Council and the Panel. Consult other stakeholders

## 3.9 Funding for implementation

### 3.9.1 Economic evaluation and business case

The preparation of a management plan for the Birubi Point Aboriginal Place is a requirement of the NPW Act. The NPW Act does not require that actions identified in the APMP are evaluated for cost effectiveness or net benefit to the community.

The Birubi Point APMP is not a Plan of Management under the LG Act or the CLM Act. In this context, the APMP does not provide the level of detail on costing, cost benefit, funding sources or other economic evaluation and planning that is required in these statutory plans of management.

Birubi Point Aboriginal Place is located within the coastal zone. It is within the Coastal Use Area, Coastal Environment Area and some parts are within the Coastal Vulnerability Area as identified in the CM Act (2016) and mapped in the Coastal Management SEPP (2018.)

Over the life of the Birubi Point APMP (10 years) Port Stephens Council expects to prepare a CMP for its open coastline. In the future Birubi Point APMP will be aligned with this CMP. Similarly, any plans of management for land in NPWS or Crown lands tenure should also be aligned with the strategic direction of the CMP.

Economic evaluation and the preparation of a business case are required for CMPs to be certified by the Minister for the Environment.

This section presents a simple and qualitative business case for the implementation of the APMP for Birubi Point. It is clear from this preliminary business case that there are significant benefits for Council and the local community if the Birubi Point APMP is implemented in a timely manner.

The business case also helps to identify the appropriate sources of funding for different parts of the Birubi Point APMP, linked to the distribution of costs and benefits.

In **Table 3.10**, costs are described as:

High –indicatively, more than \$1 million capital works, or maintenance investment of more than \$100,000 per year;

Medium –indicatively, \$200,000 to \$1million capital works, or maintenance investment of \$20,000 to \$100,000 per year;

Low –indicatively, less than \$200,000 capital works, or maintenance investment of less than \$20,000 per year.

Investment of ‘in kind’ effort, such as work by Landcare volunteers is not included in these costs. Such investment also delivers environmental, social and economic benefits for the local community.

**Table 3.11** outlines beneficiaries of the implementation of works in and adjacent to the Birubi Point Aboriginal Place.

**Table 3.10 Preliminary business case**

Requirements of the business case	Indicative costs	Indicative benefits
Identify full capital, operational and maintenance costs of management actions.	<p><b>Cost High (capital and maintenance)</b></p> <p>Major capital works are required to manage the impacts of high usage on the Birubi Point Aboriginal Place and surrounding residential communities. These costs include changes to parking areas and the construction of a new visitor interchange outside the Aboriginal Place</p>	<p><b>Benefit High</b></p> <p>Birubi Headland and Birubi Point AP is already an important regional tourist destination for its landscape, cultural and adventure activity values. Investment in improved access and traffic management, in new facilities for visitors and in infrastructure and interpretation for cultural tourism will protect the fundamental value of the Birubi Point Aboriginal Place and support sustainable tourism offerings, including by Worimi businesses.</p>

**Table 3.11 Distribution issues**

Distribution Issues	Discussion
<p>Identify the distribution of costs and benefits to the Council, community (residents), businesses, WCL and public authorities.</p> <p>Highlight the public benefit of management.</p>	<p>Indicatively the benefits of investment in improved management will be enjoyed by the following groups:</p> <p>The <b>residents of Anna Bay and adjoining areas</b> – improved facilities for local recreation; reduced congestion on local roads; additional business and employment opportunities. <b>Public benefit</b>.</p> <p><b>Birubi Beach Surf Life Saving Club</b> – improved accessibility during peak periods and facilities available for visitors; opportunities to enhance reputation with major events; opportunities to showcase the talents of Worimi surfers; maintain community hub role. <b>Public (community) benefit</b>.</p> <p><b>Public Worimi Traditional Owners</b> – greater certainty that important cultural values and objects will be looked after; opportunities to have a stronger influence on cultural awareness training, which stories are told and how; and how cultural information about Birubi is shared.</p> <p>Opportunities for more cultural business. Long term opportunities to integrate Birubi Point Aboriginal Place with WCL management. The protection of the cultural heritage of Birubi Point Aboriginal Place is of direct importance to Worimi people, but is also of broader public benefit, as part of the shared heritage of our region.</p> <p>Current costs in terms of threats to cultural heritage value should be reduced, enabling other cultural opportunities to be realised.</p> <p>Note the WCL lands are currently leased back to NPWS, so there is an ongoing public benefit.</p> <p><b>Port Stephens Council</b> – benefits include enhanced reputation and relationships with both Worimi stakeholders and the local community at Anna Bay. A clear management plan also supports funding bids and collaboration with other public authorities. Reduced risk of inadvertent damage to the Birubi Point Aboriginal Place and subsequent legal and reputational damage. The proposed works will deliver community services that are identified in Port Stephens Council's strategic planning. <b>Public benefit</b>.</p> <p><b>NPWS</b> – potential benefits in terms of ongoing management costs;</p>

Distribution Issues	Discussion
	<p>clarity about contemporary management priorities. Other benefits in the longer term include clarity about the appropriate classification of this part of Tomaree National Park.</p> <p>This will flow through to detailed management planning and resources needed for managing the Park, as well as the potential for the culturally significant land to be returned to the Worimi people. Improved appreciation of park values and improved accessibility. More efficient management of WCL, currently leased back to NPWS. <b>Public benefit.</b></p> <p><b>DILW</b> - Short term benefit in terms of clear goals for how the Crown land is to be used and priorities for management. Potential long-term benefits from changing tenure to the Worimi traditional owners.</p> <p><b>Tourism businesses</b> – constraints to tourism opportunities (such as congested access) will be better managed and new business opportunities may arise as new pathways and interpretation material are developed. The tourism interchange, on the edge of the Birubi Point Aboriginal Place, will be a major new tourism infrastructure, benefitting multiple businesses.</p>
Identify funding and financing options for the life of the Birubi Point APMP.	<p>Management actions identified in this plan may be funded in part by any or all the following. The availability of funding cannot be definitively determined for projects that are several years away, as funding programs are subject to change. Port Stephens Council will work with all stakeholders to prepare a detailed annual budget:</p> <ul style="list-style-type: none"> <li>• revenue from charges for use of the WCL;</li> <li>• Port Stephens Council rate revenue (as identified in Port Stephens Council Resourcing Strategy and Implementation and operational plans linked to the Community Strategic Plan);</li> <li>• direct investment by DILW for various land management works;</li> <li>• funds from the Crown lands Public Reserve Management Fund (applications open February/March annually);</li> <li>• grants from other public authorities such as for regional development, or Environment Trust;</li> <li>• investment by WLALC;</li> <li>• community volunteers, works in kind.</li> </ul>
Demonstrate how management costs will be apportioned, considering benefits and capacity to pay.	This will depend on the availability of relevant funds to implement the management plan.
Demonstrate how investment priorities and scheduling of actions are linked to sustainable public benefit.	<p>The primary aim of the management plan is to provide a cultural benefit to the Worimi people, by ensuring that the cultural value is protected in any future use and activities in the Aboriginal Place, and in doing so, to also enhance the cultural awareness of the broader community.</p> <p>The management plan recognises the complex values of the Aboriginal Place and its landscape context and provides for continuing community use and enjoyment.</p> <p>Investment by Port Stephens Council, OEH or Crown lands is guided by a requirement that the public authority demonstrate public benefit, or that outcomes are in the interests of the people of the locality and NSW. These criteria will be applied to all project investment.</p>

### 3.9.2 Potential funding sources

Several potential sources of funding are available for the implementation of the Birubi Point APMP. These include:

- Port Stephens Council rates – allocation defined in Port Stephens Council’s Community Strategic Plan, Asset and Resourcing strategies;
- ongoing agreements between Crown Lands, Port Stephens Council and WCL;
- direct investment by DILW or OEH (NPWS) through land management activities in their budgets and personnel involved in planning, advice or on ground works;
- charges and levies on tourism operators and on private vehicles;
- paid and timed parking. This requires further scoping and consultation;
- relevant grant programs – OEH, DILW, Regional Development and Premiers Department; Commonwealth regional development grant programs, as relevant;
- investment from WCL funds;
- contributions in kind, such as from surf club members, Landcare or local schools.

Other than budget allocations in Port Stephens Council Resourcing strategy, none of these potential funding sources are currently confirmed. Some are new concepts for the area and would require detailed consultation before they could be implemented.

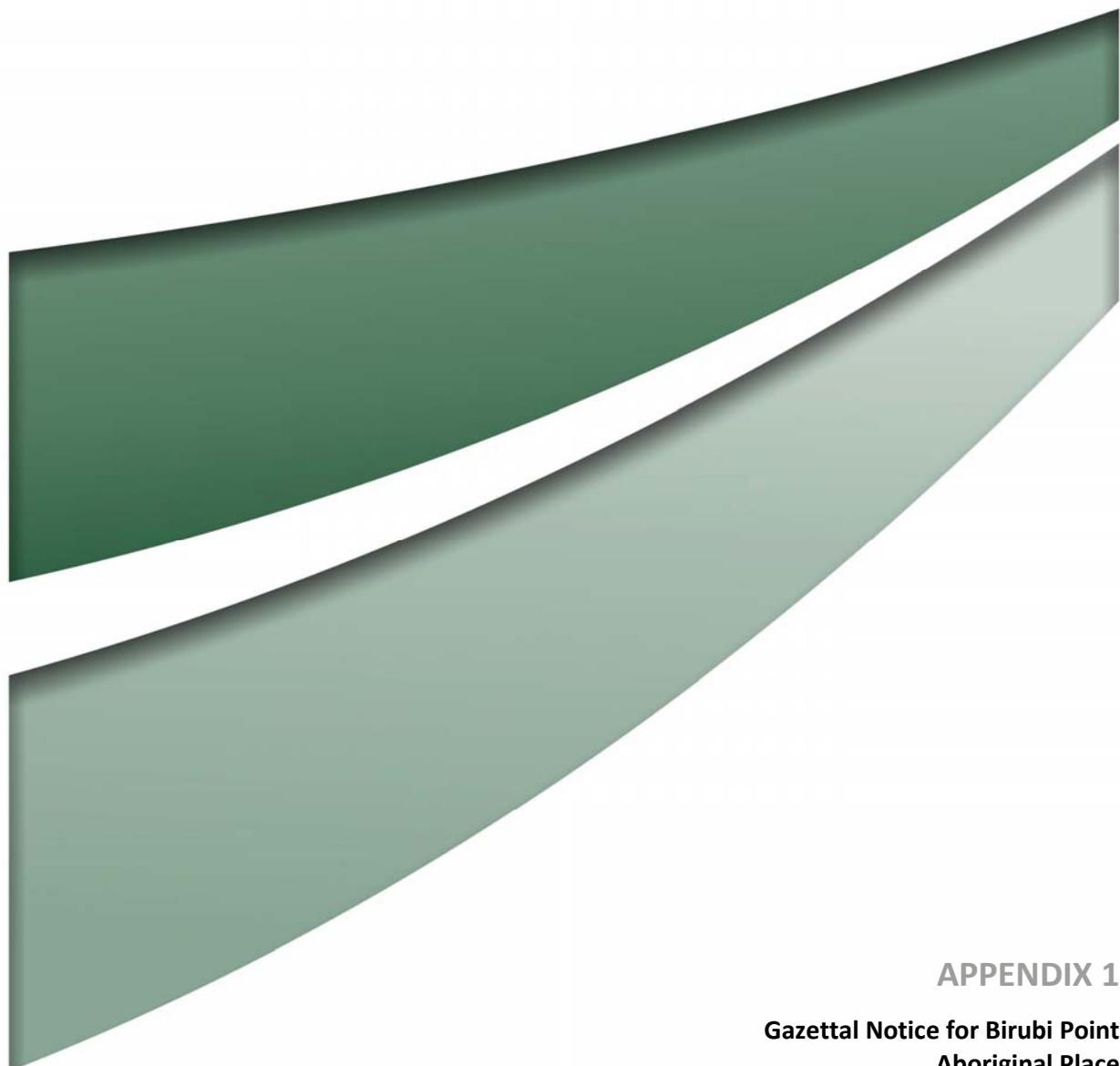
### 3.10 Contacts

For further information about the management of the Birubi Point Aboriginal Place, contact the organisations or individuals identified in **Table 3.12**.

**Table 3.12 – Contacts for Birubi Point Aboriginal Place**

Organisation	Responsibilities
Port Stephens Council – Community Services Section	Crown Reserve Manager
National Parks and Wildlife Service	Manages Tomaree National Park; manages WCL with the Board.
Worimi Local Aboriginal Land Council	Manages the interests of Aboriginal people in the Land Council area, including Worimi traditional owners and elders. Applicant for Aboriginal Land Rights Claims under the ALR Act 1989.
Worimi Conservation Lands Board of	Supervises and provides advice on the management of the WCL. Maintains focus of

Organisation	Responsibilities
Management	management on the Worimi values of the landscape.
Office of Environment and Heritage (AHIP approvals and compliance)	Advice on and processing of applications for AHIPs – for general works within the Birubi Point Aboriginal Place and for specific ground disturbing activities. Port Stephens Council must comply with the conditions of an AHIP. Any known issues or non-compliances are to be reported to OEH.
Department of Industry Land and Water	Management of Crown Land and Crown Reserves, including land owner's consent for works on or affecting Crown land; preparation of Plans of Management; regulatory and compliance activities; leasing and licensing.
Other Registered Aboriginal Parties	To be consulted about AHIPs for works in the Birubi Point Aboriginal Place and adjoining lands.



## APPENDIX 1

**Gazettal Notice for Birubi Point  
Aboriginal Place**

Proposed Name:	Keith Longhurst Reserve.	1:100,000 Map:	Sydney 9130.
Designation:	Reserve.	Reference:	GNB 5177.
L.G.A.:	Campbelltown City Council.	Proposed Name:	Greenwell Point Foreshore Reserve.
Parish:	St Peter.	Designation:	Reserve.
County:	Cumberland.	L.G.A.:	Shoalhaven City Council.
L.P.I. Map:	Campbelltown.	Parish:	Numba.
1:100,000 Map:	Wollongong 8029.	County:	St Vincent.
Reference:	GNB 5168.	L.P.I. Map:	Nowra.
Proposed Name:	Lyrebird Sports Park.	1:100,000 Map:	Kiama 9028.
Assigned Name:	Lyrebird Park.	Reference:	GNB 5167.
Designation:	Reserve.	Proposed Name:	Bill Fitch Jetty.
L.G.A.:	Shoalhaven City Council.	Designation:	Wharf.
Parish:	Nowra.	L.G.A.:	Gosford City Council.
County:	St Vincent.	Parish:	Patonga.
L.P.I. Map:	Nowra.	County:	Northumberland.
1:100,000 Map:	Kiama 9028.	L.P.I. Map:	Gosford.
Reference:	GNB 5175.	1:100,000 Map:	Gosford 9131.
Proposed Name:	Titania Park.	Reference:	GNB 5172.
Designation:	Reserve.	Proposed Name:	Burra Creek.
L.G.A.:	Shoalhaven City Council.	Designation:	Gully.
Parish:	Numba.	L.G.A.:	Blacktown City Council.
County:	St Vincent.	Parish:	St John.
L.P.I. Map:	Nowra.	County:	Cumberland.
1:100,000 Map:	Kiama 9028.	L.P.I. Map:	Penrith.
Reference:	GNB 5167.	1:100,000 Map:	Penrith 9030.
Proposed Name:	Vinegar Hill Reserve.	Reference:	GNB 5160.
Designation:	Reserve.	Proposed Name:	Herberts Hill Reserve.
L.G.A.:	Blacktown City Council.	Designation:	Reserve.
Parish:	Gidley.	L.G.A.:	Camden Council.
County:	Cumberland.	Parish:	Narellan.
L.P.I. Map:	Riverstone.	County:	Cumberland.
1:100,000 Map:	Penrith 9030.	L.P.I. Map:	Camden.
Reference:	GNB 5176.	1:100,000 Map:	Wollongong 9029.
Proposed Name:	Elizabeth Scott Reserve.	Reference:	GNB 5161.
Designation:	Reserve.	Proposed Name:	Snedden Pass.
L.G.A.:	Camden Council.	Designation:	Pass.
Parish:	Narellan.	L.G.A.:	Shoalhaven City Council.
County:	Cumberland.	Parish:	Burrill.
L.P.I. Map:	Camden.	County:	St Vincent.
1:100,000 Map:	Wollongong 9029.	L.P.I. Map:	Corang.
Reference:	GNB 5161.	1:100,000 Map:	Ulladulla 8927.
Proposed Name:	Graeme Mitchell Lookout.	Reference:	GNB 5124.
Designation:	Lookout.	The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at <a href="http://www.gnb.nsw.gov.au">www.gnb.nsw.gov.au</a> .	
L.G.A.:	Shoalhaven City Council.		
Parish:	Endrick.		
County:	St Vincent.		
L.P.I. Map:	Endrick.		
1:100,000 Map:	Ulladulla 8927.		
Reference:	GNB 3930.		
Proposed Name:	Karl Brown Reserve.		
Designation:	Reserve.		
L.G.A.:	Warringah Council.		
Parish:	Broken Bay.		
County:	Cumberland.		
L.P.I. Map:	Hornsby.		
1:100,000 Map:	Sydney 9130.		
Reference:	GNB 5141.		
Proposed Name:	Art Barton Park.		
Designation:	Reserve.		
L.G.A.:	North Sydney Council.		
Parish:	Willoughby.		
County:	Cumberland.		
L.P.I. Map:	Parramatta River.		

Geographical Names Board,  
PO Box 143, Bathurst NSW 2795

#### NATIONAL PARKS AND WILDLIFE ACT 1974

##### Birubi Point Aboriginal Place

IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for the Environment, do, by this my Order, declare such of the lands described hereunder as an Aboriginal Place.

The values of the Aboriginal place include burials, a ceremonial site, an area rich in natural resources, and

extensive archaeological material important for teaching current and future generations about Aboriginal culture.

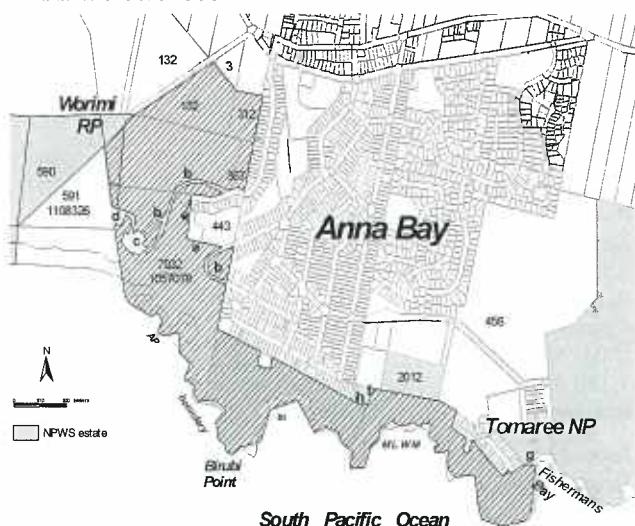
BOB DEBUS, M.P.,  
Minister for the Environment

Description

*Land District – Newcastle; L.G.A. – Port Stephens*

County Gloucester, Parish Tomaree, at Anna Bay, about 56 hectares, being the area shown by hatching in the diagram following:

NPWS 06/04608



- (b) Boundary offset 5 m. either side of road centreline
- (c) Boundary offset 10 m. from surf club building and 2m. from edge of carparks
- (d) Boundary offset 2 m. from edge of carpark
- (e) Boundary prolongation of existing cadastre
- (f) Boundary eastern side of pipeline excluded from National Park
- (g) Boundary bearing 90 degrees magnetic
- (h) Boundary prolongation of National Park boundary

Note: All unmeasured boundaries are subject to survey.

**NSW SCIENTIFIC COMMITTEE**

Notice of Final Determination

THE Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to reject a proposal to list the Cudgen population of the Long-nosed Potoroo *Potorous tridactylus* Kerr 1792 in the Tweed local government area as an ENDANGERED POPULATION in Part 2 of Schedule 1 of the Act.

A copy of the Determination, which contains the reasons for the determination, may be obtained free of charge on the Internet [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au) by contacting the Scientific Committee Unit, PO Box 1967, Hurstville NSW 1481. Tel: (02) 9585 6940 or Fax (02) 9585 6606, or in

person at the Department of Environment and Conservation Information Centre, Level 14, 59-61 Goulburn Street, Sydney. Copies of the determination may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

Associate Professor LESLEY HUGHES,  
Chairperson

**PARLIAMENTARY ELECTORATES AND ELECTIONS ACT 1912**

Cancellation of Registration of Party

IT is hereby notified that pursuant to section 61I of the Parliamentary Electorates and Elections Act 1912, that the registration of the following party is cancelled:

One Nation NSW Political Party.

COLIN BARRY,  
Electoral Commissioner

NSW Electoral Commission,  
Level 25, 201 Kent Street,  
Sydney NSW 2000  
17 April 2006

**POISONS AND THERAPEUTIC GOODS ACT 1966**

Restoration of Drug Authority

IN accordance with the provisions of Clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002, a Direction has been issued that the Order prohibiting Dr Peter KEMP of 30 Braeside Street, Wahroonga NSW 2076, from supplying or having possession of drugs of addiction as authorised by Clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by Clause 76 of the Regulation, for the purpose of his profession as a medical practitioner, shall cease to operate from 20 April 2007.

ROBYN KRUK,  
Director-General

Department of Health, New South Wales  
Sydney, 16 April 2007

**STATE RECORDS ACT 1998**

NOTICE is hereby given, pursuant to section 13 (5) of the State Records Act 1998, that I have approved the following standard for records management:

Standard on the appraisal and disposal of State records

The Standard on the appraisal and disposal of State records may be downloaded from State Records' Web site at <http://www.records.nsw.gov.au/recordkeeping>.

Copies of the standard may be consulted at the Sydney Records Centre, 2 Globe Street, The Rocks, Sydney, or at the Western Sydney Records Centre, 143 O'Connell Street, Kingswood, during business hours.

DAVID ROBERTS,  
Director

## SCHEDULE 4

*Superseded Qualifications*

1. Certificate IV in Building (3477) conducted by a Registered Training Organisation or TAFE AND:
  - (a) a Carpentry, Carpentry & Joinery, or Bricklaying Trade Course from TAFE or a Registered Training Organisation; or
  - (b) an endorsed contractor licence or supervisor certificate held under the Act for Carpentry or Bricklaying which is current at the date of the application or a qualification approved for the time being under clause 28(1) of the Regulation for such a licence or certificate.
2. Diploma in Building (3475) conducted by a Registered Training Organisation or TAFE.
3. Advanced Diploma in Building (3471) conducted by a Registered Training Organisation or TAFE.
4. Certificate IV in Building Studies (1261) from TAFE AND –
  - (a) a Carpentry, Carpentry & Joinery, or Bricklaying Trade Course from TAFE or a Registered Training Organisation; or
  - (b) an endorsed contractor licence or supervisor certificate held under the Act for Carpentry or Bricklaying which is current at the date of the application or a qualification approved for the time being under clause 28(1) of the Regulation for such a licence or certificate.
5. Diploma in Building Studies (1262) from TAFE.
6. Advanced Diploma in Building Studies (1263) from TAFE.
7. Advanced Diploma in Structural Engineering (6443) from TAFE.
8. Diploma from an Australian University or a body controlled by it which is a bridging or pathway course entitling the holder to enrol in a Degree in Building, Construction, Construction Management, Construction Economics, Applied Science (Building), Structural Engineering or Quantity Surveying from an Australian University but only if the applicant attained the Diploma before the Commencement Date or commenced the Diploma course before, but did not complete it until after, the Commencement Date.
9. Certificate of Registration as an Architect under the Architects Act 2003 which is current at the date of the application.
10. A degree in Civil Engineering or Architecture from an Australian University regardless of when it was attained AND Certificate IV in Building (3477 or TAFE Course 1261)
11. Diploma of Structural Engineering (2992) from TAFE.
12. Associate Diploma in Applied Science (Building) (5185) TAFE.
13. Certificate in Building (5102) TAFE.
14. Certificate in Building Foreman & Clerk of Works (135) from TAFE.
15. Advanced Certificate in Building Supervision (5189) from TAFE.
16. Advanced Building Studies Course – Diploma in Building Studies Level V (2183) from TAFE.
17. Advanced Building Studies Course – Certificate IV in Building Studies – Residential Level IV (2182) from TAFE AND a Carpentry, Carpentry & Joinery, or Bricklaying Trade Course from TAFE or a Registered Training Organisation.
18. Certificate IV in Contractors Management Program conducted by Back to Basics Business Training Pty Ltd ACN 077 042 490 AND a Carpentry, Carpentry & Joinery, or Bricklaying Trade Course from TAFE or a Registered Training Organisation.

## NATIONAL PARKS AND WILDLIFE ACT 1974

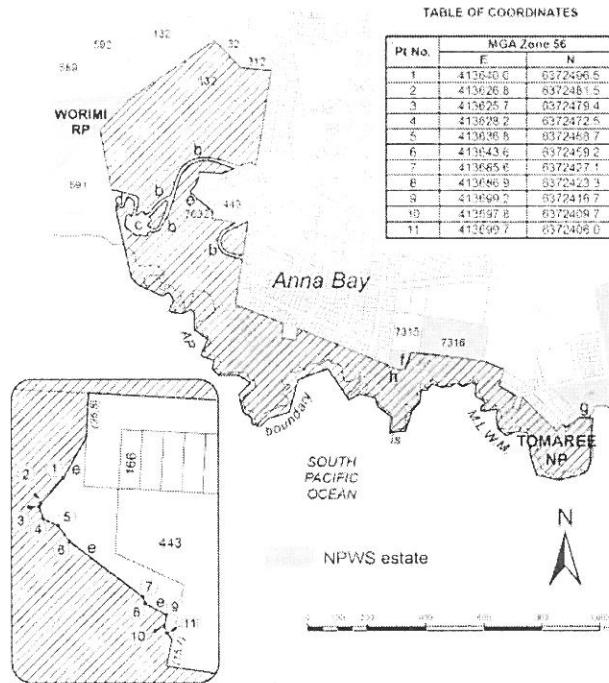
## Erratum

IN the notice declaring Birubi Aboriginal Place published in the *NSW Government Gazette* No. 54, folios 2425-2426, dated 20 April 2007, the description should be amended by replacing the diagram with the diagram hereunder.

ROBYN PARKER, M.P.,  
Minister for the Environment

TABLE OF COORDINATES

Pt No.	MGA Zone 56	
	E	N
1	413640.6	6372496.5
2	413626.8	6372481.5
3	413625.7	6372479.4
4	413628.2	6372472.5
5	413636.5	6372468.7
6	413643.6	6372459.2
7	413655.6	6372457.1
8	413646.9	6372423.3
9	413659.2	6372416.7
10	413697.8	6372409.7
11	413665.7	6372406.0



- b Boundary offset 5m either side of road centreline
  - c Boundary offset 10m from surf club building and 2m from edge of carpark
  - d Boundary offset 2m from edge of carpark
  - e Boundary existing fence
  - f Boundary eastern side of pipeline excluded from National Park
  - g Boundary bearing 90° magnetic
  - h Boundary prolongation of National Park boundary
- Note: All unmeasured boundaries subject to survey

## NATIONAL PARKS AND WILDLIFE ACT 1974

## Notice of Reservation of a National Park

I, the Honourable Thomas Frederick Bathurst, Q.C., Lieutenant Governor of the State of New South Wales, with the advice of the Executive Council, reserve the lands described in the Schedule below, as part of Lane Cove National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

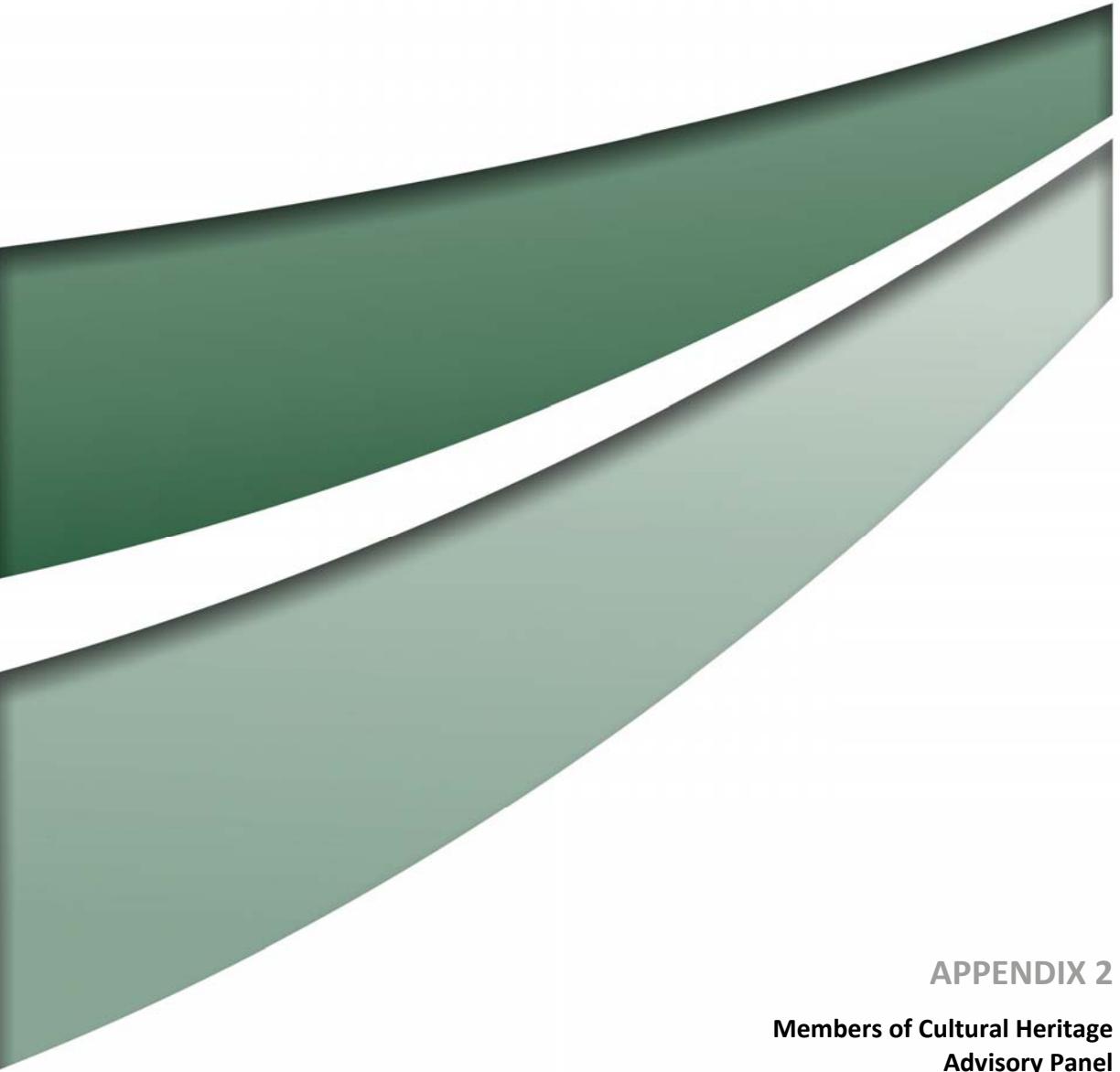
Signed and sealed at Sydney this 28th day of March, 2012.

THOMAS FREDERICK BATHURST,  
Lieutenant Governor

By Her Excellency's Command,

ROBYN PARKER,  
Minister for the Environment.

GOD SAVE THE QUEEN!



## APPENDIX 2

### **Members of Cultural Heritage Advisory Panel**

## **Appendix 2 – Members of the Birubi Point Cultural Heritage Advisory Panel**

### **Worimi Local Aboriginal Land Council, Worimi Conservation Lands Board and other Worimi Traditional Owners**

Andrew Smith

Bev Manton

Jamie Tarrant

Nadine Russell

Neville Lilley

Patrice Manton

Graeme Russell

Lennie Anderson

### **Other community**

Rob Duff

Helen Ratcliffe (Birubi Point Surf Life Saving Club)

### **Councillors**

Councillor Sarah Smith

### **State agencies**

Andrew Bond (NPWS)

Rob Micheli – Department of Industry – Lands and Water

### **Port Stephens Council**

Steve Bernasconi (Manager Community Services)

Wayne Wallis (General Manager)

**Newcastle**

75 York Street  
Terlaba NSW 2284

**Perth**

PO Box 783  
West Perth WA 6872  
First Floor  
7 Havelock Street  
West Perth WA 6005

Ph. 02 4950 5322

Ph. 1300 793 267

Ph. 02 6262 9484

**Sydney**

50 York Street  
Sydney NSW 2000

Ph. 1300 793 267

**Brisbane**

Level 11  
500 Queen Street  
Brisbane QLD 4000

Ph. 1300 793 267

[www.umwelt.com.au](http://www.umwelt.com.au)