

A CULTURAL FUTURE – LESSONS FROM BIRUBI POINT ABORIGINAL PLACE

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Introduction

Stand on Birubi headland and be inspired by its outlook to the sea, the sky and the awesome and dramatic mobile dunes of Stockton Bight; a dynamic landscape that challenges any fixed development.

Share with the people of Anna Bay the lifestyle and social connections of a small coastal community, including a proud surf club culture and, these days, a popular cafe.

Remember earlier days of farming and military exercises. Recall family holidays, camping and fishing in the dunes.

Welcome hundreds of international visitors brought to Birubi Point every week, as one of the big showcase sights of Port Stephens. Join them to gaze at the sea or take a camel ride, sand boarding or off road tour.

Respect the Aboriginal cultural heritage that is beneath your feet and all around you.

These are the interacting values of Birubi Point Aboriginal Place (AP). The AP management challenges on this site are rare because of the diversity of values, intensity of use and complexity of governance that are superimposed on its Aboriginal cultural identity.

Birubi Point AP is in Worimi country. The 54 hectare AP was declared under the National Parks and Wildlife Act (NPW Act) in 2007. The values of the AP include burials, a ceremonial site, cultural stories about place, an area rich in natural resources, and extensive archaeological material important for teaching current and future generations about Aboriginal culture. Archaeological reports from 4-5 decades ago show that Birubi Point was almost entirely covered by middens that demonstrated the long and continuing attachment of Worimi people to this land.

The AP gazettal occurred in parallel with the resolution of land claims (made under the Aboriginal Land Rights Act 1989) over extensive areas of Worimi country on Stockton Bight, to form the Worimi Conservation Lands (WCL). The WCL, leased back to NPWS and managed as State Recreation Area, share a boundary with the AP.

The history of use and ownership of the AP has resulted in a cumbersome mix of tenure, use and management roles and responsibilities within the AP and its immediate context. This includes Crown land, National Park, Crown reserve under management by Port Stephens Council, a surf club and café, private land and Aboriginal land (Worimi Conservation Lands). Historically there are also military and farming uses for the area.

The preparation of the Aboriginal Place Management Plan (APMP) is a requirement of the NPW Act 1979. A plan is usually prepared at or close to gazettal, but in this case has been delayed by 10 years, allowing challenging and potentially conflicting land use and land management practices to continue without clear strategic direction or a strong collaborative approach.

However, the extended low key approach and delay in preparing a formal management plan has also provided a lower pressure environment which has allowed stakeholder relationships to settle and strengthen. The benefits include:

- improved opportunities for a collaborative and trustful approach
- a more respectful appreciation of different ways of thinking about the value of Birubi and what needs to be protected, communicated, improved or stopped
- willingness and capacity to work together, and
- agreement about real priorities.

From the Worimi perspective, the values of Birubi Point AP and the WCL are interwoven and interdependent. Birubi Point is a key gateway to the WCL.

'This is one of the most culturally significant places in the Stockton Bight landscape and is culturally connected to the Worimi Conservation lands. From the Worimi perspective the Birubi Point area forms part of the Worimi cultural landscape at Stockton Bight and the management of the Crown Reserve and the WCL must be complementary' (WCL Plan of Management 2015)

The WCL and Birubi Point also share recreational and commercial values and challenges such as transgressive sands, frontal dune degradation, invasive species, competition for access, and the impacts of intensive recreational and tourism uses. After 10 years, the Worimi people are experienced strategic planners, land managers and also experienced tourism operators on their land.

The Birubi Point APMP will provide a framework for management of the AP for the coming decade. The Birubi Point APMP is a joint project of the land manager (Port Stephens Council), the Worimi people and land owners (DI-Lands and NPWS). Key stakeholders such as the Birubi Point Surf Life Saving Club, local residents and tourism operators are also involved.

The current APMP process creates opportunities to:

- build on lessons learnt from the low key arrangements at Birubi over the last decade and from the preparation of an APMP for Soldiers Point - another tourism infrastructure site in Port Stephens, with high Worimi cultural values.
- build on lessons learnt during the preparation of the plan of management for the WCL
- continue to strengthen important relationships, including those that have been fostered through the establishment of the Birubi Point Cultural Heritage Advisory Panel. The Panel includes members of the WCL Board, Council and other land managers and local community representatives
- raise the profile of the Aboriginal values of the Place which have statutory protection and must be recognised when planning for use by local people, visitors and tourists. These values have been relatively invisible to the general public over the last decade
- reinforce the critical management objectives and outcomes for the Place
- set a clear pathway and priorities for the future
- enhance the alignment of management approaches across tenure boundaries, as a step towards rationalising and simplifying tenure
- link future management to strategic social, environmental and economic initiatives for the local council area, and
- update funding arrangements to reflect the strategic significance of the Place.

Together, these opportunities have helped overcome complex management challenges, including the different priorities of multiple land owners or managers and the complex interactions between potentially conflicting uses and values.

Although following different statutory pathways, the Management Plan for Birubi Point AP and the Plan of Management for the Worimi Conservation Lands demonstrate that positive, respectful and coherent outcomes can be achieved for Aboriginal heritage places, protecting their Aboriginal heritage values, supporting ongoing cultural connection to country and also allowing other important connecting and dependent values and community needs to be achieved.

The cultural, governance, strategic and operational connections between the management of the WCL and the management of the AP underpin successful management of Birubi.

The vision for Birubi Point AP applies the WCL vision to the specific context of the AP, reflecting the continuity of cultural values and interests.

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.

Connect, Respect and Protect – Worimi country at Birubi Point

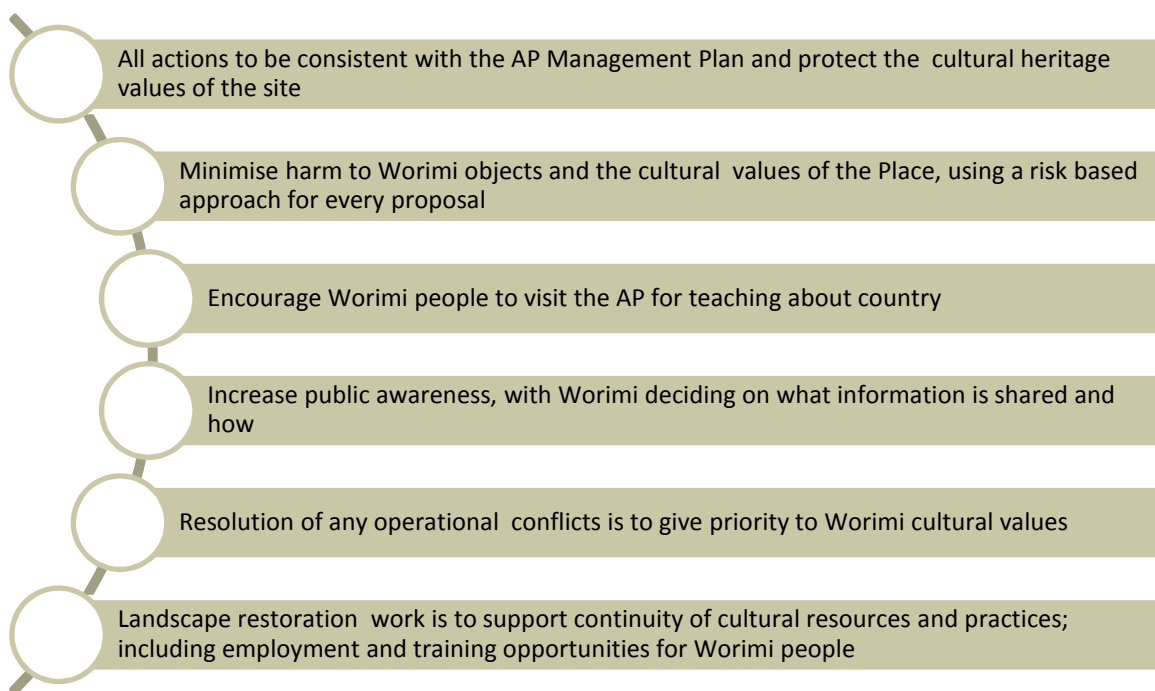
Birubi Point will be a place where people come to enjoy the beauty of the landscape and to connect with the land and sea, continuing connections to this country over many generations. These are the values of the Place that underpin all other values.

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 Place.

Worimi people, others in the local community and visitors will be able to meet, share, learn and benefit from the knowledge of our elders.

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

The APMP must include a 'general statement of management' which sets out the key elements of council's approach (as the statutory land manager) to managing the Birubi Point Aboriginal Place. All land owners and managers within the AP will commit to implementing the management plan. Proposed principles are below.



Managing an inclusive and respectful planning process for Birubi Point Aboriginal Place

Port Stephens Council and the Birubi Point Cultural Heritage Advisory Panel identified a staged plan making process as an important mechanism to continue to build the trust and collaboration needed for the future management of Birubi. The APMP has developed from three stages of planning – a concept vision, a masterplan and then the management plan to guide implementation of the master plan.

Table 1 shows the steps required in OEH guidelines for preparing an APMP. The table also shows how the staged planning process for the Birubi Point APMP aligns with these steps.

An important part of this staged process is to check in at each step with the Worimi people, public land managers and the community to confirm agreement. This includes separate consultation with the WCL Board, on-line consultation about values, management concepts and Master Planning options; a well-attended community open day and consultation with tourism businesses.

Table 1 – Steps in preparing an APMP (OEH Guideline)

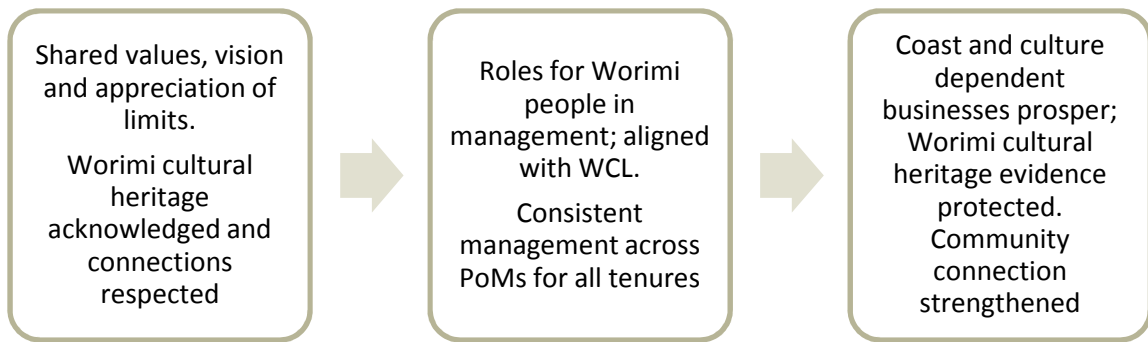
| Steps | Summary | Birubi Point APHP steps |
|-------|---|---|
| 1 | Define relevant stakeholders and affected parties | Values based vision and concept plan – shared values and ideas for the future Panel and broader Worimi consultation |
| 2 | Prepare a general statement of management | |
| 3 | Prepare a statement of cultural values of the Aboriginal Place | |
| 4 | Identify the Aboriginal community's management goals | |
| 5 | Identify the types of activities that may harm the Aboriginal Place and | |
| | | Master plan – clear direction on future design and management |

| | | |
|----|---|---|
| 6 | associated values | principles. |
| | Identify what values, objects and areas must be conserved | Activities and facilities on the site and where they will be located for cultural heritage protection and community benefit. Panel, broader Worimi community, stakeholder, councillor and local community consultation. Web based consultation and open information day |
| 7 | Identify what works and ongoing management activities are required | Management Plan – how the Master plan will be delivered. Priorities, funding, approvals, working together for implementation, how issues will be resolved. Consultation with Panel, broader Worimi community, public authorities with responsibilities for implementation, council, local community and OEH as regulator. Exhibition and web based engagement Final report is a statutory document, to be reviewed within 10 years |
| 8 | Identify other matters that may need to be negotiated between all identified groups | |
| 9 | Define ways in which culturally sensitive information will be treated | |
| 10 | Explain funding opportunities and resourcing | |
| 11 | List contacts | |

Key features of the Plan

Consistent with its vision and general statement of management, the APMP aims to achieve the following outcomes:

- people love to come to Birubi Point AP and have a positive visitor experience based on its special landscape and cultural values.
- the broader community, including visitors, understands why the 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 facilities and care of the Place make it attractive to visitors but are also sustainable in terms of the resources and finances available
- the physical cultural evidence across the Place is protected so that future generations can also experience it first-hand
- 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.
- practical integration of the management of the Aboriginal Place with the management of the Worimi Conservation Lands
- coast and culture dependent businesses prosper, while recognising and protecting the environment and cultural values of the Place



Successful management of Birubi Point AP depends on actions not only within the AP, but on adjoining land.

Critically, a new tourism interchange facility is needed outside the AP, 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. It can create a new integrated gateway to the WCL and Birubi, but 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 carpark area.

Council and the Panel have recognised that different parts of the AP are valued in different ways and subject to different pressures.

Targeted management actions will apply to areas of the AP that are:

- Tomaree National Park
- Birubi Beach Reserve on the main headland
- Birubi Beach Reserve – Robinson Reserve
- Crown Land

The AP will include clear allocation of roles and responsibilities to the various land managers, including how they will contribute to measuring progress.

Within the four management areas, actions will focus on:

- maintaining protection of large and culturally significant sites – cover and access controls
- providing appropriate information and interpretation about the Worimi heritage values that are the basis of the AP. Interpretation of the intertwined local historical heritage is also required
- access management, including traffic management, alternative options for vehicle access and parking; walking paths connecting to residential areas, moving people around the site and linking through the national park along the coast; viewing platforms; stable beach access ways; safe access to and around the surf club
- removing invasive plant species and rehabilitating native vegetation that is part of the cultural value of the Place
- stabilising sand drift, where feasible
- refurbishing, modernising and enhancing facilities to enhance the experience of visitors – including interpretation, on site guided tours, landscaping, amenities, shade, etc., and
- maintaining and upgrading facilities for locals – picnic areas, playground and skate park – linked to other open and recreation space in Anna Bay.

Our preferred long term tenure outcome is to bring the entire AP into the WCL. This is a big step, requiring engagement and negotiation beyond the scope of the current APMP. These are complex processes, requiring Ministerial approval.

A shared and supportive approach to rationalising tenure and the classification of public and/or protected lands is essential. This will also help the local community to see that Worimi ownership of Birubi Point – where their local recreation facilities are, not just the wild open space of Stockton Bight, is not a threat.

Continuing the strong and constructive relationships that have been gradually established over the last decade is the key to future tenure change

There are state government reform processes going on in the background that may make some actions easier in the future. Council and the Panel will aim for a meaningful change to tenure by the time the WCL Plan of Management is reviewed (by 2025).

In the mean-time, the complex tenure arrangements across the AP can be made to work with shared commitment and collaboration as Plans of Management come up for review.

What will be required to implement the Plan?

Council and the Birubi Point Cultural Heritage Advisory Panel have identified governance actions and approaches that will support sustainable management of the AP as a whole. These include:

- ongoing engagement within the Cultural Heritage Advisory Panel and between the Cultural Heritage Advisory Panel and the local community, including enhancing cross representation with the WCL Board
- commitment to working together to solve problems that may arise, including detailed design
- cultural heritage training for council officers, tour operators and local community organisations
- everyone clear about the on-ground works that are approved and those requiring detailed approval processes (AHIP processes with additional engagement) to protect Aboriginal heritage. This will minimise the risk of ignorance leading to non-compliance and impacts on cultural values
- accountability – regular review of progress and a review of the APMP at least every ten years.
- ongoing collaboration – to make plans of management consistent – e.g. Tomaree NP, Crown reserve This includes consistent objectives for Birubi Headland, priorities, funding, review periods, and
- patience – not everything can be delivered at once, and some actions will take a while for the benefits to become clear. Some good ideas can only be implemented after complex approvals are in place.

What have we learnt during this process?

- Birubi Point has a significant management history, which has not always been a constructive relationship. Shadows of the management history are still there, but there is also shared pride in what has been achieved at the place.
- trust built up over a long period of respectful interaction is critical. Birubi benefitted from the work done to repair and build relationships between council and Worimi people at Soldiers Point Aboriginal Place 1-2 years earlier.

- there are still some tensions in this community about whose place it is. Avoiding public meeting style consultation gave no-one an opportunity and audience for grandstanding.
- on-line forums can work at this local scale. People were happy to highlight important places, values and issues on line. Follow up with well-resourced face to face options. Many locals came to have a chat about 'their place' at the drop in day. We had a mix of council staff, councillors, Worimi elders and rangers, NPWS and technical specialists on hand for the day.
- be clear throughout about the primary objectives of any APMP and how they affect what is a sustainable use of the Place – to reduce impossible expectations
- Respect different types of connection to the AP and people's need to have their say about what's important to them. There are many layers of stories to be told here. There are also many perceptions of issues and risks, depending on where you live, how long you've been here, your business and how you use the headland.
- Talking at the concept and principles level is relatively easy. The big challenges come when sorting out the details of design, approvals and funding in the Management Plan and seeking commitment for implementation.

It's taken 10 years to get to this point – to actually have a management plan for the Birubi Point AP and to start the public conversations about long term tenure and management. The community needs to see how the management plan will unfold – that it does bring funding and progress on shared goals, before commencing negotiation about bigger picture issues.

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References

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