

Recommendations from “The Aboriginal Cultural Heritage of the Merri Merri Creek: Including the Archaeological Survey for Aboriginal Sites from Craigieburn Road to Hernes Swamp” by Isabel Ellender for Merri Creek Management Committee June 1997.

Adopted by MCMC’s Committee of Management as policy on 16/4/98 (Item 5.1.3) on the recommendation of the Policy and Issues Subcommittee meeting of 19/3/98 (Item 7.2)

Recommendation 1.

High priority

MCMC, Councils of Whittlesea, Hume, Mitchell, Moreland, Darebin, Yarra

This report should be accepted in its entirety as a Policy Document by each of the Councils listed, and MCMC should be responsible for co-ordinating and monitoring the implementation of the recommendations in the report, requiring adequately resourcing to ensure that this can occur.

Recommendation 2.

High priority

Councils of Whittle sea, Hume, Mitchell, Moreland, Darebin and Yarra

The identified Aboriginal sites and areas of archaeological sensitivity should be protected through planning mechanisms under the Local Planning Policies and Local Planning Schemes of each relevant Council. Each Council should

- explicitly include the word *Aboriginal* when referring to *the protection of Aboriginal and historic resources*.
- record that AA VHSB and the Wurundjeri Tribe Land Compensation and Cultural Heritage Council PIL are the Referral Authorities.
- provide for appropriate protection of all the known sites within the Municipality (AA VHSB can supply information), and areas of sensitivity,
- be able to incorporate new sites and areas of sensitivity,
- be able to apply controls on
 - the subject of an application for a permit to disturb the ground such as by urban development, removal of indigenous vegetation, road-, rail-, and path construction, works and services, extractive industries, streamside-, channel-, and floodplain modifications *and any other source*. This will apply equally to ground disturbance created by Council's grounds staff, private contractors, landowners, developers, government and semi-government instrumentalities.

The controls must require

- the applicant to undertake and fund a survey for Aboriginal places, sites and objects on all land likely to be affected by the development, including land which may be disturbed by associated works such as new access roads, buildings and services, where no archaeological investigation has occurred before, or where an area has been defined as having archaeological sensitivity.
- the applicant to undertake and fund any archaeological testing, sampling or salvage excavation which may be recommended as a result of the above mentioned survey, subject to the endorsement of such recommendations by AA V.

- the applicant to seek and obtain written consent to disturb any identified Aboriginal places, sites or objects from the Wurundjeri Tribe Land Compensation and Cultural Heritage Council PIL, nominated for this region for the purposes of Part 2A of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

In its Local Planning Policies and Local Planning Schemes each Council should also

- record that a scarred indigenous tree must retain a buffer zone around it of twice the canopy diameter within which no works and services should take place (other than maintenance of the vegetation such as tube planting, weed spraying), and that it may not be lopped or cut down.
- record that the exact site location should not be made public except
 - where a site has been declared a Heritage Place,
 - its location within an allotment,
 - where it may be divulged to the landowner for a specific reason such as to better protect a site, and permission to divulge the information has been granted by the Wurundjeri Tribe Land Compensation and Cultural Heritage Council P/L. Advice on how to proceed may be obtained from the AA VHSB.

Recommendation 3.

High priority

MCMC

This report should be disseminated to all the relevant Councils along the Merri Merri Creek and the public land managers such as Melbourne Water Corporation. However, the exact location of sites (the Site Gazetteer in the rear of this report), should be removed from any documents made available to the public.

Recommendation 4.

High priority

MCMC

On going action

Sites 7822/656, 708, 709, 711-17, 719, 724, 725, 736, 737.

MCMC should circulate a notice to each private landowner on whose property a scarred tree(s) has been found. The landowner should be asked not to cut down or lop any tree suspected to be more than 200 years old, which has a trunk or bough scar, until the tree has been inspected. The tree may be dead or dying, and likely to be a large old Red Gum. The landowner should consult with MCMC, local Councilor AA VHSB so that the tree may be examined. The MCMC notice should point out that

- the scarred tree is important,
- it is protected by statutory legislation,
- it is still important even if it is dead,
- it may not be lopped or cut down without a permit,
- techniques can be used to stabilise and make safe ones that are dangerous, and that free
- advice and some materials can be obtained through AA YHSB,
- there is a procedure to follow if there is a perceived need to lop or remove the tree.

Recommendation 5.**Medium priority****Landowners, MCMC, Councils of Whittlesea, Hume, Mitchell, Moreland, Darebin, Yarra****Bald Hill2 (7822/710)****Briggs 1 (7822/718)****Summerhill 2-5 (7822/727-30)****Bullock crossing (7822/741)****Jackhammer (7822/722)****Cooper Street 1-3 (7822/738-40)**

These sites are all on private property. To treat them as individual 'problem areas' would be futile given that uncontrolled access to the water by cattle is the overwhelming cause of pugging, erosion, and subsequent loss of bank sediments and artefacts. A concerted effort by MCMC, Councils Melbourne Water Corporation is required to raise landowner awareness of the problems of bank erosion and stock damage, and gain their co-operation to improve matters. This could be done through a combination of the following -

- educational sessions,
- free advice,
- arranging meetings with speakers from say Landcare groups, creek degradation specialist,
- rate rebates for participation or results,
- subsidies,
- some materials for site protection may be sought through AA VHSB.

It is recommended that the relevant Councils offer a small percentage rate rebate to those landowners who become directly involved in a programme of bank erosion control.

Recommendation 6.**Medium priority****Melbourne Water Corporation, landowner.****Briggs 4 (7822/721)**

This site is eroded out from the deep and steep face of the bank. This part of the bank is on the high energy outside curve in the Creek. It is recommended that Melbourne Water Corporation place a rock weir upstream of the curve to slow flood waters and eliminate one reason for the erosion of the bank.

Burgess 1 (7822/723)

The landowner of the property should keep cattle away from this bank of the Creek or the area should be fenced off. An archaeologist familiar with Aboriginal sites can give advice about the precise area that would need to be fenced off.

Neither the landowner nor any other land manager should remove the boulder weir in place just upstream from the site, since this acts to slow the stream and reduce erosion downstream.

Recommendation 7.

Medium priority

On-going

MCMC

Patullos sites (7822/73 1, 732, 734, 735), Craigieburn Road Grasslands.

These sites are being eroded by sheep because they are on stony, sloping ground, sheep tracks, and banks of a creek. Although the best interests of the grasslands should be sought, it is to be hoped that this will involve minimal grazing or none at all. Such a regime would reduce the pressure on the sites and revegetation will naturally stabilise them.

High priority

City of Whittlesea Council, MCMC, Melbourne Water Corporation.

Patullos site (7822/733).

No further disturbance should occur to this site without the written consent of the Wurundjeri Tribe Land Compensation and Cultural Heritage Council P/L.

Recommendation 8.

As needed

Craigieburn Road 6 (7822/726)

This site is partly exposed in rabbit burrows. No action is required to preserve the site except that if the rabbits are to be controlled, methods other than ripping the burrows should be employed.

Recommendation 9.

MCMC, Melbourne Water Corporation, all landowners.

High priority, on going, as needed.

No areas of high archaeological sensitivity as mapped on the MCMC GIS should be threatened by any activity that disturbs the ground surface. If this is inevitable, AA VHSB should be consulted or an archaeologist familiar with Aboriginal sites should be commissioned to provide advice on how to proceed.

Recommendation 10.

High Priority

**MCMC, Councils of Whittlesea, Hume, Mitchell, Moreland, Darebin, Yarra
Melbourne Water Corporation.**

Councils and Melbourne Water Corporation should acquire from MCMC the location of areas of archaeological sensitivity within their areas of management so that their field staff can become aware of and monitor the environmental conditions and potential threats to them. Advice about how to best mitigate impacts may be sought from AA VHSB.

Recommendation 11.

High priority

**MCMC, Councils of Whittle sea, Hume, Mitchell, Moreland, Darebin, Yarra,
Melbourne Water Corporation,**

All land managers along the Creek should make every effort possible to exclude all off-road vehicles (such as 4WD and trail bikes) from all parts of the Merri Merri Creek banks and native grasslands.

Recommendation 12.

Medium priority

**MCMC, Councils of Whittle sea, Hume, Mitchell, Moreland, Darebin, Yarra,
Melbourne Water Corporation,**

All land managers should investigate the appropriate and timely use of fire to keep down fire fuel in native grasslands such those of Barry Road Gorge, Cooper Street, Craigieburn and Bald Hill Native Grasslands, instead of mowing and grazing.

Recommendation 13.

High priority

**Melbourne Water Corporation, VicRoads, Councils of Whittlesea, Hume,
Mitchell, Moreland, Darebin, Yarra, MCMC.**

Strenuous actions to eliminate illicit rubbish dumping are required of all managers of land in the Merri Merri Creek valley. Well-meaning efforts to reclaim and repair creek environs should be directed by information literature and educational programmes.

Recommendation 14.

On-going

**MCMC, Councils of Whittlesea, Hume, Mitchell, Moreland, Darebin, Yarra,
Melbourne Water Corporation.**

Existing management tracks in archaeologically sensitive areas should not be surfaced other than with gravel so as confine vehicular use and inhibit illegal use. These tracks should not be used when in a wet state unless absolutely necessary. Management tracks should be securely closed off to general use.

Recommendation 15.**Medium priority****MCMC**

MCMC should, with co-operation from Councils, Melbourne Water Corporation, and CFA establish training programmes for field staff whose works impact on the Aboriginal sites along the Creek. These land managers will then be cognisant of and can influence the impacts of other public utilities (VicRoads, Telstra, Powernet, Optus etc) whose works threaten heritage sites. Although danger to people and property is of uppermost importance in an emergency, it is important that CF A and MFB personnel are aware of the possible impacts of their actions when they have to obtain creek access or cut down old trees. Disturbance of the creek banks should at least be avoidable in non-emergency situations.

Recommendation 16.**On-going****MCMC**

MCMC should continue to raise general community awareness and appreciation of Wurundjeri heritage through printed information, 'walks and talks', information boards on linear trails, and seminars. The historical and archaeological information from this and other reports can be used for this purpose and several appropriate languages should be employed. Funding should be sought to continue this.

Recommendation 17.**Medium priority****MCMC, Councils of Whittlesea, Burne, Mitchell, Moreland, Darebin, Yarra**

Efforts to extend the bike path should be pursued at least to Barry Road Gorge. The track should be for push bikes and pedestrians only. There should be input from an archaeologist and vegetation specialist during the planning of the route. Pedestrians should be steered away from wandering over known sites and fragile areas of sensitivity. Interesting information boards could be erected to inform users about features along the way.

Recommendation 18.

MCMC, Melbourne Water Corporation, Councils of Whittlesea, Burne, Mitchell, Moreland, Darebin, Yarra, private landowners.

On-going

Both public and private landowners should endeavour as much as possible to retain undisturbed areas adjacent to the Creek and in the native Grasslands.

Recommendation 19.

MCMC

High priority, on-going.

MCMC should establish a heritage advisory committee which would include a Wurundjeri representative. MCMC policy should be to employ Wurundjeri people as much as possible in works and plans that encompass the Aboriginal heritage of the Valley. Wurundjeri people should be asked to speak at seminars and 'walk and talk' sessions.

Recommendation 20.

MCMC

On-going

Following are the methods and principles of a replanting policy that best addresses the fragility of Aboriginal sites and areas of sensitivity, and Wurundjeri aspirations

- use suitable indigenous plants,
- avoid ripping the ground,
- avoid known sites,
- auger by hand after marking locations,
- avoid constant revisiting of sites, compacting soil, especially with machinery,
- involve AA V for any advice needed,
- employ Wurundjeri people where possible.

Recommendation 21.

MCMC

Medium priority

MCMC might like to consider seeking funds to support the following projects:

- an oral history programme of long-term residents of the Valley,
- a booklet to explain about and 'what to do with an Aboriginal site on your property' ,
- engage an archaeologist to look for the Donnybrook mound and the Pentridge shell midden, probably by sub-surface testing and archival research,
- investigate by sub-surface testing, some of the old river terraces along the undisturbed sectors of the Merri Merri Creek,
- commission a survey of the remaining sectors of the Creek including Hernes Swamp and the Bald Hill Grasslands.
- commission archival and archaeological explorations (sub-surface testing) of pre- and contact period structures at the Merri Merri/Yarra confluence.