



Our Yarra: Healthy, Protected and Loved

## Land (Regulated Watercourse Land) Regulations Submission

### The Proposal

The submission is to pass amendments to the Land Act 1958 to remove the prohibition on camping on licensed river frontages and allow for the making of regulations to manage camping and recreational activities on regulated watercourse land, which includes licensed areas.

### Who We Are

The Yarra Riverkeeper Association is the community voice for the river. The Yarra Riverkeeper speaks for the river as the river cannot speak for itself. We are a key and informed stakeholder on the Yarra River. Our policy achievements include the initial advocacy for the Yarra River Protection (Willip-gin Birrarung murrn) Act, as well as for the Yarra Planning Controls. Through our research and time spent along the Yarra, we have built an informed and evidence-based community understanding of the river as 'a single living and integrated natural entity' from source to the bay.



*The Yarra / Birrarung, Victoria's River of Mists and Shadows*



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## Summary

In principle, we do not oppose the appropriate public use of crown lands. However, waterways and waterway corridors are sensitive areas with high ecological values. Waterways are conduits of connectivity. Impacts on waterway corridors cascade upstream, downstream and across the landscape. This makes riparian land an indicator of ecosystem health. When the land is healthy, the water is clean and species are plentiful and diverse. This is what we need. If protected and cared for, riparian ecosystems can be resilient and robust and help us reduce the trend of ecosystem decline and combat climate change.

Existing policies and strategies that aim to protect the cultural and environmental values of waterways, like the Yarra Action Plan and Draft Yarra Strategic Plan, are still in the early stages of deliberation and implementation. By rushing to implement the proposed amendments by September 2021, the amendments are skipping the queue. Care and time needs to be taken to ensure that actions for the environmental and cultural protection of our waterway corridors are in effect before we consider opening up this fragile land for our enjoyment.



*A Darter on the Yarra*

## Recreation vs Nature

Access to nature is important. It boosts mental health and physical wellbeing. Time spent in nature allows people to appreciate their environment and build an awareness of the issues that it faces. However, the proposed amendments are not based on the need for more people to access nature. For most, the nature on our doorstep, at our local parks, trails, even our



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backyard, is enough to reap health and wellbeing benefits. Rather, the proposal is how we can access more land to satisfy recreational needs. Heavy land clearing for the creation of farms and residential areas has already pushed many species to the fringes of land or to pockets of land. This fragmentation of land has led many species to take refuge in riparian areas, making our waterways and its surrounding banks rich in biodiversity. A decision to encroach on the little land that is left should not be taken lightly nor be based solely on recreation.

### **Cultural Heritage**

The Yarra River Action Plan and the Yarra Strategic Plan (still in draft form) requires the recognition, protection and promotion of Traditional Owner cultural values and heritage values. In particular, Action 26 requires mapping Traditional Owner cultural values along the River. This mapping has not yet started.

95% of Aboriginal places occur within one kilometer of a waterway. Enabling access to riparian land will impact the ability to undertake cultural mapping activities. Many sites of cultural significance could be hidden in plain sight. To the untrained eye, places and objects of cultural significance could be overlooked. Activities such as cutting trees for wood, digging holes for latrines and setting up makeshift campsites will erase history that we are desperately trying to conserve.

### **Camping**

Camping near waterways will compromise water quality, increase litter, disturb wildlife and damage the landscape. Given the ecological impact of camping, the amendments should increase the buffer between campers and waterways.

### *Firewood Collection*

A surge of removing firewood for campfires in previously untouched or secluded areas has significant consequences for the health of the surrounding ecosystems. Firewood is food for the forest. When it breaks down it enriches the soil and feeds invertebrates that form the foundation of the food web. Firewood provides a home to animals, to provide shelter from the weather but also protection from predators such as feral cats and dogs.

There are alternatives to collecting firewood. Campers should be required to cook with fuel stoves, and fires should be banned.

### *Waste Disposal*

With no infrastructure readily available for waste disposal, including human waste, there is a high risk that people will dig latrines, litter and openly use the waterways as a toilet. This will severely impact water quality. While regulations specify that this should not be done within 20





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metres of a waterway, this is an insufficient distance, and will be ignored by campers as it is on unlicensed crown land and is impossible to enforce.

The regulations need to be revised to require campers to bring a portable toilet. The government should consider extending this requirement to state parks and other crown land.

#### *Erosion*

The activity of camping will reduce or remove vegetation ground cover and organic litter. In established campsites, grass acts as a resilient ground cover that can withstand a higher level of trampling. In contrast, riparian land is more fragile. Increased foot traffic removes vegetation, which will harm the natural filtration system of our rivers. Without vegetation, there will be higher water runoff that will carry litter, human waste, ash from fires and sediment into our water.



*This vegetation along the Yarra's banks could be under threat from uncontrolled camping*

#### **Dogs**

Dogs should not be included in the access to crown river land. Dogs, usually a faithful companion to many, can have negative effects on the environment. Although it is accepted that feral dogs are harmful, many domestic dog owners are unaware of the impact that 'man's best friend' can have on native wildlife and freshwater ecosystems.



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Dogs off leads are responsible for significant damage to native wildlife. Even if dogs are kept on a leash, their presence disturbs and reduces the number of native wildlife. Dogs also trample on

the edges of riverbanks leading to the erosion of soil and removal of vegetation which makes waterways susceptible to flooding and the invasion of weeds.

In water, their feces, when washed into rivers, creeks and streams leads to algal growth and the presence of harmful bacteria, including e-coli. This reduces the health of freshwater ecosystems and puts those that interact with the water at risk.

### **Enforcement**

A major concern of the Association is the enforceability of these regulations. The regulations are necessarily detailed and it is unlikely that people fishing and camping on crown land will have a copy readily available to them. There is about 30,000 km of Crown water frontage. This is a great distance for rangers and other authorities to police. Some things, like starting fires, might be easier to spot over long distances. But seclusion will allow campers and other visitors leeway to 'bend the rules'. Once a latrine has been dug, or a makeshift campsite left, the damage has already been made and the offender is unlikely to stick around for the consequences.

### **Unintended consequences**

Our crown estate, our parks and lands, are coming under more and more pressure as the populations. New methods of accessing 'wilderness' are evolving all the time, and more people want to use mountain bikes, motor bikes, cars and 4WDs in inappropriate ways to access wild places. One threat to be assessed is electronic mountain bikes and mountain bike camping. These threats may take time to manifest and the regulations will need to be constantly monitored, assessed and adjusted. The impact of regulations will need to be regularly assessed in the field and adjusted to deal with emerging threats to our waterways.

### **Conclusion**

The decision to remove the prohibition on camping on licensed river frontages and allow recreational activities on this land will lead to greater fragmentation and degradation of waterway corridors. Fragmentation of habitat is the greatest threat to wildlife and to the ability of wildlife and ecosystems to respond effectively to climate change. We cannot afford to treat our waterways as a playground. We need to put in place regulations and enforcement of these regulations to protect cultural and ecological values.



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Our strong recommendations are:

1. If and where camping is to be permitted, campers must carry and use portable toilets.
2. Campers must carry and use solid fuel stoves for cooking.
3. Campers should not be permitted to light fires or collect firewood.
4. The proposal should include actions that support the Yarra River Action Plan and Draft Strategic Plan in the mapping of cultural values and the collaboration with Traditional Owners - prior to the introduction of the regulations.
5. The proposed amendments should not take effect until cultural mapping of crown licences on waterways has been completed
6. There needs to be an increase in resources and capacity of regulating bodies to enforce proper practice when accessing and conducting activities on crown land and river frontages

Yours sincerely,  
Andrew Kelly

Yarra Riverkeeper on behalf of the Yarra Riverkeeper Association