

Living & working on a riverbank

IF YOU LIVE OR WORK ON A RIVERBANK,
YOU PLAY AN IMPORTANT ROLE IN THE
HEALTH OF OUR RIVERS AND ESTUARIES!



If you own or manage livestock, or are planning on undertaking works along the riverbank, here is some information to help you comply with the law.

Why are rivers and their banks so important?

Rivers are vital habitat for a range of species including fish, shellfish, frogs, platypus and water birds. They are also an important part of our way of life, providing water for livestock and domestic use, and supporting industries such as tourism, recreational and commercial fishing and oyster production. Rivers are under pressure from further development, increasing demand for water use, and inappropriate land management practices resulting in loss of habitat, sedimentation, erosion and other water pollution issues.

Everyone has a role to play in ensuring our rivers and estuaries continue to be healthy and productive for future generations. Here are some useful tips to help you to look after your river and to comply with current laws aimed at protecting our waterways.

Managing your riverbank – the right way

Riverbank vegetation

Native riverbank or riparian vegetation provides many benefits to fish and other species as it helps to stabilise the riverbank, reducing bank erosion and siltation; provides food for aquatic insects and fish; and helps to shade the waterway which in turn regulates water temperature. Riverbank vegetation also acts as a filter by removing pollutants such as soil, pesticides and fertilisers from overland runoff, helping to maintain good water quality.

Some useful things you can do to protect riverbank vegetation include:

- Reducing livestock access to riverbank vegetation by providing alternative paddock shade trees and watering points away from the river and introducing rotational grazing regimes.
- Protecting existing riverbank vegetation by managing livestock and vehicular access into these sensitive areas.
- Planting native trees and shrubs along the riverbank where they have been removed or damaged.
- Implementing weed control measures in consultation with your local council or Landcare group.

Your Local Land Services can also assist with advice on riverbank vegetation management and availability of funding to undertake works on your property that help to protect and restore native vegetation.

Snags

A “snag” refers to large woody debris from trees or shrubs, including whole fallen trees, large broken branches and exposed root balls that have fallen or washed into the river. Snags are very important as they provide habitat and breeding areas for fish and other species as well as helping to create different habitats within the river, such as refuge holes, and assisting in the stabilisation of the bed and banks.

Some useful things you can do to protect snags include:

- Retaining snags within the waterway.
- Seeking approval from NSW DPI Fisheries before considering any works to remove or relocate snags.
- Advising NSW DPI Fisheries if you observe other people removing snags from the waterway.



Photo captions:

1. Riverbank vegetation on left bank has re-established after stock exclusion.
2. No stock (left) v stock access (right) in marine vegetation.
3. Large woody debris (snags).
4. Vehicle damage to saltmarsh.
5. A degraded riverbank with no vegetation.
6. Excavator on riverbank doing bank stabilisation works.
7. Unauthorised bank stabilisation.

Marine vegetation

Marine vegetation includes saltmarsh, mangroves and seagrass. Saltmarsh includes a wide variety of small herb like plants that can tolerate high levels of soil salinity and occasional tidal flooding. Mangroves are trees that grow in tidal waters and are the nursery areas for many commercially and recreationally important fish species. Seagrasses are flowering plants that live and reproduce entirely within seawater. They grow primarily in estuaries and sheltered embayments. All play an important role in providing habitat for a range of estuarine fish species and help stabilise the bed and riverbanks from flood and storm damage. They also act as a filter or trap for pollutants from overland flows or stormwater runoff.

Some useful things you can do to protect marine vegetation include:

- **Protecting saltmarsh and mangroves by removing livestock, vehicle and human access through these sensitive areas.**
- **Seeking approval from your local Council or NSW DPI Fisheries before undertaking any works or activities that could harm marine vegetation.**
- **Notifying NSW DPI Fisheries if you believe someone is trying to harm marine vegetation.**
- **Avoid building jetties or other structures over seagrass.**

Livestock management

Livestock grazing on the foreshore can contribute to bank erosion and loss of valuable paddock soils to the river. Livestock manure can also impact on downstream water quality and the health of others using the waterway for recreational (swimming) and commercial use (e.g. oyster production).

Recent amendments to the *Fisheries Management (General) Regulation 2019* now make it illegal for livestock of any type to graze and trample marine vegetation (including saltmarsh and mangroves). A maximum penalty of \$110,000 for an individual or \$220,000 for a Corporation applies.

Some useful things you can do to manage your livestock

- **Install fencing to control livestock and reduce damage from grazing or trampling riverbanks and saltmarsh and mangrove areas.**
- **Provide paddock shade trees and livestock watering points away from the river to reduce the need for livestock to access the riverbank.**
- **Talk to your Local Land Services as they may be able to provide advice on funding opportunities to help you undertake fencing or native vegetation replanting to protect your riverbank.**

Undertaking works on or near the riverbank

Works on or near riverbanks can have unforeseen consequences such as destabilising the bank, blocking the movement of fish, or damaging aquatic habitats. As waterways are fragile environments, both State and local governments have an interest in ensuring that any works undertaken in or around waterways are done appropriately.

EXAMPLES OF SUCH WORKS INCLUDE:

- **Bank stabilisation works.**
- **Constructing jetties, pontoons, boat ramps and other waterfront infrastructure.**
- **Constructing, repairing or modifying waterway crossings (e.g. fords, causeways, culverts, bridges).**
- **Modifying or repairing existing, or building new weirs, floodgates or levee banks.**
- **Removing or relocating large woody debris (snags), gravel beds, rocks or aquatic vegetation.**
- **Harming or shading marine vegetation (including saltmarsh, mangroves, seagrass or seaweeds).**
- **Dredging activities for navigation or for extraction of sand, gravel or other materials for private or commercial use.**
- **Undertaking reclamation works by placing any sort of fill material on the bed or banks of a waterway or areas which are inundated by the highest tides.**

By obtaining the required approvals, these sorts of works can be adequately assessed before they are undertaken to ensure that the river's values are protected and the works are undertaken in an environmentally sensitive manner.

The need to obtain approvals generally applies regardless of the ownership of the land. Privately owned land is not exempt.



HOW CAN I DO THE RIGHT THING?

It is your responsibility to determine what approvals are required and obtain permission from the relevant authorities for any proposed works before any riverbank work commences. The best way to do this is to talk to your local Council first before you undertake any works or contact the other State agencies listed below. These works are often assessed as 'integrated development' by your local Council and require approval from other State agencies before Council can approve the works. These agencies include:

- **Department of Primary Industries**

Fisheries – for those works listed above

☎ 1300 550 474 🌐 www.dpi.nsw.gov.au

- **Transport for NSW**

if the works are associated with boating activities or may affect navigation

☎ 13 12 56

- **Local Land Services**

For contact details for your nearest LLS region

☎ 1300 795 299 🌐 www.lls.nsw.gov.au

- **The Natural Resource Access Regulator (NRAR)**

For approval of controlled activities on waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary and/or to report suspicious activity.

☎ 02 9338 6600 🌐 www.industry.nsw.gov.au/nrar

- **Crown Lands**

For approval of works including Land Owners Consent and Crown Lands License

☎ 1300 886 235 🌐 www.industry.nsw.gov.au/lands

WHAT CAN HAPPEN IF I DON'T DO THE RIGHT THING?

Penalties of up to \$110,000 for individuals or \$220,000 for corporations can apply if works are undertaken without the necessary approvals. To report unauthorised works or activities call Fishers Watch on 1800 043 536 (or visit www.dpi.nsw.gov.au/fisheries-report). The above State agencies can also issue remediation orders to individuals or corporations to remediate a site where damage has occurred at their cost.