Planning Practice Note 101

Planning for Birrarung (the Yarra River)

October 2026

This practice note guides planning for Birrarung (the Yarra River).

It covers:

- **Birrarung as a living and integrated natural entity**
- **Statutory requirements affecting the river and catchment**
- **The Yarra Protection Principles.**

Birrarung as a living entity

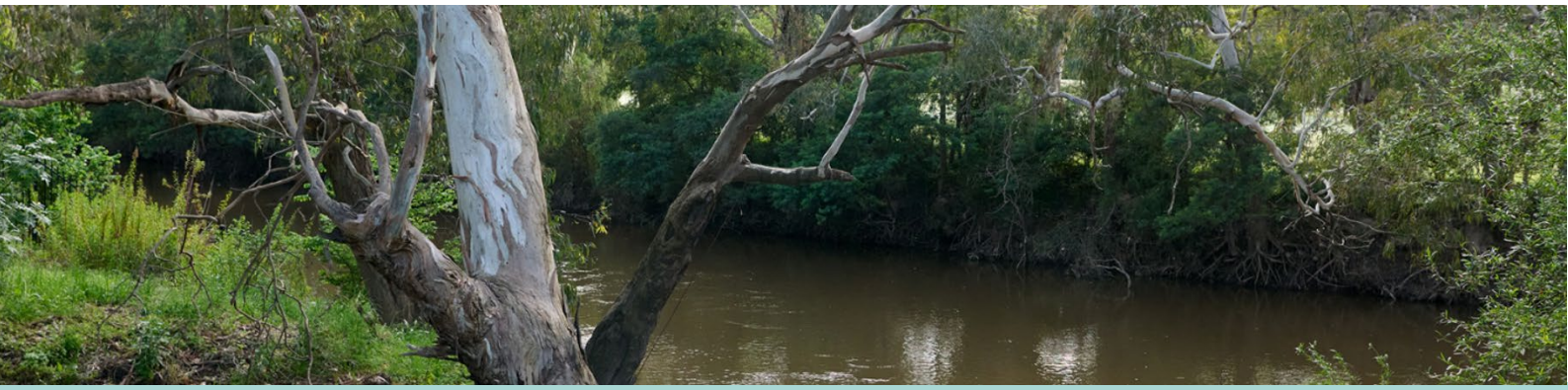
Birrarung flows from the mountains to the sea, passing through forests, farmland, suburbs and the city. Birrarung is the traditional name for the river commonly referred to as the Yarra River since European colonisation.

The *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* recognises that Birrarung and her surrounding parklands form a single, living and integrated natural entity. The Act establishes a framework for protecting and enhancing the environmental, cultural, social and recreational values of this living entity through planning and decision-making.

Recognising Birrarung as a living entity acknowledges that:

- Birrarung has an inherent right to exist, be respected and be cared for.
- Her values extend beyond individual sites, projects or places.
- Decisions affecting Birrarung can have long term and cumulative impacts.

As a living entity, Birrarung connects past, present and future. Decisions affecting her and her lands should recognise these connections and support her long-term health, wellbeing and resilience.



Birrarung relationship statement

The story of Birrarung comes from our ancestral knowings that Birrarung was created by Bunjil. Birrarung is the lifeblood of our mother, our teacher, our provider. Birrarung speaks to us in many ways. She speaks to us through her waters, through the winds as they move through the river red gums, and in the songs of the animals that are nourished by the waters.

Birrarung lives within, and as, Country - continually shaping, and being shaped by, the landscape. As a living, breathing entity Birrarung has always provided a diversity of shelter for plants and animals. From her banks and flood plains to her many billabongs, Birrarung cares for all who spend time in her company. For thousands of generations Wurundjeri have upheld our custodial responsibilities under Bunjil's lore: To care for Birrarung in reciprocity and respect, as a living relation, with her own agency, will, and a future.

Birrarung has experienced violent interference in colonisation. Her flows controlled, waters stolen, and direction altered. Many saw Birrarung as a resource and a refuse - a problem that we, together, need to solve. Birrarung has been managed in a way that disconnects her from Country and community. She has been disregarded as our mother, and her voice ignored by those who wish to exploit her.

We have always been, and will always be the custodians of Birrarung. This duty of care cannot be severed. We hold Birrarung as central to our identity, and we return to her for healing and for guidance. We listen to her as the keeper of many stories. Our elders and ancestors have long fished from Birrarung sharing in her abundance, a reality that our children have not experienced.

We listen to Birrarung, as she tells us:

"I will always flow, I will always provide the water that you need, but please respect me."

The responsibilities to care for Birrarung as a living entity extend to all. Birrarung invites the whole community to walk with her, to reorient back to her waters and lands. Sit with her, listen deeply, speak to her and take careful notice of her rhythms. Birrarung provides for us all.

We see that change is happening as more people connect with Birrarung, understanding her as a complex, dynamic, and living entity. As is often the case, it is children that are leading this change. We walk together, learning from the past in healing for future generations.

There are many futures before us, some that further harms, and others that bring with them healing. We are guided by the voice of Birrarung, and to the knowledge she provides. What is good for Birrarung is good for all. Burndap Birrarung, Burndap Umarkoo.

This statement was authored by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and remains its intellectual property.

Terminology

In this practice note:

- **Birrarung Act** means the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017.*
- **Protection Principles** means the principles set out in Part 2 of the *Birrarung Act*.
- ***Burndap Birrarung burndap umarkoo*** means the *Burndap Birrarung burndap umarkoo (Yarra Strategic Plan) 2022–32* (Melbourne Water Corporation (MWC), February 2022).
- **Yarra Strategic Plan area** means the area defined under the *Birrarung Act* to which the *Burndap Birrarung burndap umarkoo* applies. It includes Yarra River land and land within 1 km of a bank of the river.
- **Yarra River land** has the same meaning as in the *Birrarung Act*. It includes the river, its bed, soil and banks and land declared by the Governor in Council to be Yarra River land.
- **Registered Aboriginal Party (RAP)** means the representative Traditional Owner body corporate under the *Aboriginal Heritage Act 2006.*
- **Responsible Public Entity** has the same meaning as in section 3(1) of the *Birrarung Act.*

Respectful language

Language shapes how we think about and relate to Birrarung.

Language is an important way to show respect for Birrarung (pronounced Bih-RAH-rung) as a living entity.

Use	Avoid
• Birrarung / Birrarung's • the river / the river's	• the Birrarung / the Birrarung's • the Yarra River / the Yarra River's (without the traditional name being used first)

Where necessary, place "Yarra River" in brackets following the traditional name to support clarity.

Birrarung, Traditional Owners and Country

Birrarung is a part of Country, where land, sky, water, culture and living beings are connected and depend on one another. She cannot be understood or cared for separately from Country.

Decisions affecting the river and her lands also affect broader environmental, cultural and social systems and vice versa.

The knowledge, authority and cultural practices of Birrarung's Traditional Owners are fundamental to caring for the river and her lands.

Most of Birrarung and her catchment are within the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation Registered Aboriginal Party (RAP) boundary. Near the river mouth, Birrarung flows through the Bunurong Land Council Aboriginal Corporation RAP boundary before her waters merge with Port Phillip Bay.

Embedding Traditional Owner knowledge, expertise and perspectives in planning and decision-making, delivers stronger outcomes and supports a better understanding of Country.

Key considerations:

- **Engage the appropriate Traditional Owner group:** Only the recognised Traditional Owner group has the authority to speak for and make decisions about their Country. Planners must engage the relevant RAP for the area affected by a proposal:
  - Contact *Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation*
  - Contact *Bunurong Land Council Aboriginal Corporation*
- **Engage early:** Begin engagement before key decisions are made so that Traditional Owner expertise can meaningfully shape the project scope, options, design and decision-making.
- **Allow sufficient time and resources:** Meaningful engagement requires adequate time, resourcing and commitment to build trusted, respectful relationships between planning authorities, proponents and Traditional Owners.
- **Respect governance and decision-making processes:** Traditional Owner groups have distinct governance structures, cultural protocols and ways of making decisions. These should be understood and accommodated in project planning, timelines, assessment and decision-making.

Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation request to be engaged directly and early and in all decision-making that may affect Birrarung and her lands. Wurundjeri Woi-wurrung will self-determine involvement on a case-by-case basis.

Caring for Birrarung as a reciprocal relationship

Birrarung sustains people, places and ecosystems. She provides around 70% of Melbourne's drinking water and supports:

- biodiversity
- recreation and active living
- flood mitigation
- urban greening and cooling
- cultural practices
- connection to nature
- community health and wellbeing.

For thousands of years, Traditional Owners have cared for Birrarung through relationships of respect, responsibility and reciprocity. Recognising Birrarung as a living entity encourages everyone who lives, works and makes decisions within the catchment to share in this care.

Birrarung cares for us and we have a responsibility to care for her in turn.

Through our actions and decisions, we can help protect and improve the health, wellbeing and resilience of Birrarung and her lands for both her own sake and for the benefit of current and future generations.



Implications for planning and decision-making

Land use and development decisions shape how Birrarung functions and is experienced. Decisions about the location, scale and design of development can affect the river and her lands in many ways, including through changes to access, vegetation, views, water flows and management and how people use and experience the catchment. These impacts can be direct, indirect or build up over time.

Planning decisions affecting Birrarung should:

- Consider environmental, cultural, social and recreational outcomes together, rather than separately
- Look beyond individual sites, projects and boundaries
- Consider long-term, off-site and cumulative impacts
- Recognise and respect Traditional Owner knowledge and perspectives
- Support the long-term health and resilience of Birrarung and her lands.

What this means in practice

Practical steps that planners can take to care for Birrarung include:

- ☑ **Build** and **deepen** their understanding of Birrarung through direct experience, including by visiting the river, tributaries and parklands
- ☑ **Listen** to and **learn** from Traditional Owners and their knowledge of Country about what is valued and what requires protection
- ☑ **Involve** the Wurundjeri Woi-wurrung and Bunurong Peoples in planning and decision-making within their RAP boundaries
- ☑ **Explore** connections upstream, downstream and across the catchment
- ☑ **Collaborate** across organisations, disciplines and jurisdictions
- ☑ **Engage** communities and stakeholders in developing options and solutions
- ☑ **Identify**, **avoid** and **mitigate** long-term, cumulative, catchment-wide and off-site impacts
- ☑ **Look** for opportunities to **protect**, **enhance** and **improve** the health and resilience of Birrarung, rather than simply minimising harm

Birrarung's Planning Protection Framework

The protection of Birrarung is supported by an integrated framework of legislation, strategic plans, planning policy and land-use controls.

Figure 1: Overview of Birrarung's Planning Protection Framework



Table 1: Key components of Birrarung's Planning Protection Framework

Component	Role
Yarra River Protection (Wilip-gin Birrarung murron) Act 2017	Establishes the legislative framework for protecting Birrarung as a living entity. The Act sets out Protection Principles, identifies protected land and provides for an integrated whole-of river strategic plan.
Protection Principles (Part 2 of the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017*)	Guide planning and decision-making to protect and enhance the environmental, cultural, social and recreational values of Birrarung.
Burndap Birrarung burndap umarkoo (Yarra Strategic Plan) 2022-32	Provides a coordinated vision and strategic actions for the river corridor, including whole-of-river, reach-based and place-based directions to guide planning and decision-making.
Planning and Environment Act 1987	Establishes Victoria's statutory planning framework, including specific requirements for planning decisions affecting Birrarung.
Planning schemes	Implement the framework through state, regional and local planning policy and controls that apply to land within and around the river corridor.

Protection Principles and decision-making

Protection Principles established under Part 2 of the Birrarung Act support integrated decision-making that cares for Birrarung as a living entity.

The Act groups the nineteen Protection Principles into six themes.

Table 2: Overview of Protection Principles themes and focus areas

Theme	Focus areas
General principles	Integrated and shared decision-making, public health and wellbeing and intergenerational responsibility.
Environmental principles	Climate change, biodiversity, ecological integrity and net environmental gain.
Social principles	Protecting amenity and supporting community participation.
Recreational principles	Public access, enjoyment and recreational opportunities.
Cultural principles	Protecting cultural heritage and landscapes and recognising Traditional Owner custodianship.
Management principles	Policy coordination, effective implementation and continuous improvement.

The Protection Principles are intended to operate collectively. Decision-makers should consider the principles holistically, rather than applying them individually, to ensure their collective intent and interrelationships are fully reflected.

The *Burndap Birrarung burndap umarkoo (Yarra Strategic Plan) 2022-32* (MWC, February 2022) provides a framework supporting implementation of the Protection Principles. Aligning with the plan puts the principles into practice.

When do the Protection Principles apply?

The principles may be relevant to a wide range of decisions and activities, including:

- strategic planning
- planning scheme amendments
- planning permit applications
- infrastructure and transport projects
- policy and program development
- land and asset management
- operational activities undertaken by Responsible Public Entities.

The circumstances in which the Protection Principles must be considered depend on the decision-maker, the function being exercised and the land affected. Obligations commonly overlap and may arise under the Birrarung Act, planning schemes, Ministerial Directions and other legislation.

While statutory obligations rest with decision-makers, proponents should also consider the Protection Principles when developing proposals. Early consideration can strengthen project design, identify opportunities to improve outcomes for Birrarung and support more efficient assessment and decision-making processes.

Table 3 identifies when different decision makers need to consider the Protection Principles and the land to which those obligations apply.

Table 3: When the Protection Principles apply to decision-making

	Categories of land for which the decision-maker must consider the Protection Principles		
			
	Yarra River land - Birrarung's bed, soil and banks and surrounding parklands declared under the Act.	**Yarra Strategic Plan area** – the area covered by *Burndap Birrarung burndap umarkoo* (Yarra Strategic *Plan) 2022-32*, including most land within 1km of Birrarung's banks.	**Other land** – land outside Yarra River land where use or development may affect Yarra River land.
Decision makers and when they must consider the Protection Principles:			
Planning Authority Preparing planning scheme amendments	✓		✓
Responsible Public Entity Performing functions, duties or exercising powers	✓		✓
Responsible Authority Deciding permit applications or approving plans where clause 51.06 of the Victoria Planning Provisions applies	✓		✓
Secretary to the Department administering the Planning and Environment Act 1987 Performing a function, duty or exercising a power under the Planning and Environment Act 1987		✓	

Exemptions may apply to decisions relating to declared projects under the *Major Transport Projects Facilitation Act 2009* and projects under the *Suburban Rail Loop Act 2021*.

Land that may affect Yarra River land

Use and development outside Yarra River land may still affect the river and her lands. Across Birrarung's catchment, decision-makers should consider potential direct, indirect, cumulative and catchment-wide impacts.

The Protection Principles must be considered for any proposal that may affect the river and her lands, regardless of whether the potential affects are positive or negative.

Identifying relevant land

Use the *Yarra River Land Webmap* to identify whether land is:

- Yarra River land
- within the Yarra Strategic Plan area, or
- within the Birrarung catchment where use or development may affect Yarra River land.

Users can search by address or location to identify the relevant land category.

Figure 2: Birrarung's Catchment as shown in the Yarra River land WebMap



Applying the Protection Principles

The Protection Principles should be considered early in project development and revisited throughout planning, design, assessment and decision-making. This helps identify opportunities to improve outcomes for Birrarung and supports a coordinated approach throughout the life of a project.

Where the Protection Principles apply, the level of assessment should be proportionate to the nature of the proposal, its location and its potential impacts on Birrarung.

Assessment effort should focus on proposals that:

- ✓ present the greatest risk to Birrarung's environmental, cultural, social and recreational values
- ✓ present the greatest opportunity to improve outcomes for Birrarung
- ✓ may generate cumulative impacts over time.

When undertaking an assessment, consider:

- The location of the proposal, including in relation to:
  - Yarra River land
  - the Yarra Strategic Plan area
  - waterways across the catchment.
- The scope, size and intensity of the proposal.
- The sensitivity of the affected environment.
- The likely impacts, including their severity, cumulative impact, catchment-scale implications and off-site impacts.
- The values, risks and opportunities identified by Traditional Owners.
- The interests, knowledge and perspectives of stakeholders.
- Relevant provisions of the Victoria Planning Provisions, including clause 12.03-1R.
- The *Burndap Birrarung burndap umarkoo* and its relevant objectives, actions and land use directions.
- Opportunities to improve environmental, cultural, social and recreational outcomes.

Documenting decisions

Decision-makers should document how the Protection Principles informed the proposal or decision. This may include how potential impacts and opportunities were identified and considered and how the principles influenced the project's development, assessment or final decision.

Documenting these considerations supports transparent decision-making and where relevant, reporting requirements under the *Birrarung Act*.

Giving back to Birrarung

Birrarung's Planning Protection Framework encourages decision-makers to look beyond avoiding harm and consider how proposals can make a positive contribution to the long-term health, wellbeing and resilience of Birrarung.

The Protection Principles specifically encourage decisions that both:

- improve public health and wellbeing
- deliver environmental net gain.

This means decision-makers should seek to avoid trade-offs where improvements in one area are achieved at the expense of another and instead pursue integrated outcomes wherever possible.

> Every decision is an opportunity to leave the river and her lands in a better state than before.

Achieving this requires proponents and decision-makers to think beyond impact avoidance and mitigation and identify opportunities to enhance environmental, cultural, social and recreational outcomes.

This may include opportunities to:

- protect, restore and enhance habitat and biodiversity
- improve water quality and waterway health
- strengthen connections to Country
- improve public access and opportunities for recreation
- support cultural values and practices
- deliver broader environmental and community benefits.



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