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Crown Land (Reserves) Act 1978

Crown Land (Reserves) (Metropolitan and Regional Park) Regulations 2023

Set Aside(s) for Herring Island

The *Crown Land (Reserves) (Metropolitan and Regional Park) Regulations 2023* have been made under Section 13 of the *Crown Land (Reserves) Act 1978*.

Regulation 10 provides that Parks Victoria may make a determination to set aside an area as an area in which an activity or conduct is permitted, required, restricted or prohibited.

Additional temporary determinations are put in place from time to time for purposes such as planned burning, seasonal road closures or pest animal control programs. These temporary determinations operate in conjunction with ongoing determinations for general park management and where there is a conflict or perceived conflict these temporary determinations take precedence.

Signed at Melbourne

by

A handwritten signature in black ink, appearing to read 'Jason Borg', with a stylized, cursive script.

Name Jason Borg

Title A/Executive Director Operations, Parks Victoria

Date 26/02/2024

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Areas set aside in Herring Island

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
30(2)	Vessels	To set aside an area of a park as an area where operating a vessel or a class of vessel of a certain class is permitted.	Herring Island North Landing as indicated on Map 1 <i>Herring Island Visitor Guide</i> , (Attachment 1), outlined in the <i>Herring Island Visitor Guide</i> (Attachment 2) and provided in information on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/herring-island-environmental-sculpture-park .	At all times.	Motorised and non-motorised vessels (including sailing boats, rowing sculls, rowing boats, canoes, kayaks, peddle boats, stand-up paddleboards and fishing float tubes) may be berthed. Short term berthing of unmanned vessels with a four hour time limit is allowed.
30(2)	Vessels	To set aside an area of a park as an area where operating a vessel or a class of vessel of a certain class is permitted.	Herring Island South Landing as indicated on Map 1 <i>Herring Island Visitor Guide</i> , (Attachment 1), outlined in the <i>Herring Island Visitor Guide</i> (Attachment 2) and provided in information on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/herring-island-environmental-sculpture-park .	At all times.	Motorised and non-motorised vessels (including sailing boats, rowing sculls, rowing boats, canoes, kayaks, peddle boats, stand-up paddleboards and fishing float tubes) may be berthed. Short term berthing of manned vessels is limited to the pick up and drop off of passengers and cargo only.

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Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
33(1)	Lighting, kindling or maintaining campfires or barbeques	To set aside an area of a park as an area where lighting, kindling or maintaining a campfire or barbeque is permitted.	All picnic areas as indicated on Map 1 <i>Herring Island Visitor Guide</i> , (Attachment 1), outlined in the <i>Herring Island Visitor Guide</i> (Attachment 2) and provided in information on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/herring-island-environmental-sculpture-park .	At all times.	Fires using liquid and gaseous fuels in a barbecue are allowed. All fires are subject to the <i>Forest (Fire Protection) Regulations 2014</i> . The person responsible for the liquid or gaseous fuelled barbecue must keep a 15m air and ground perimeter clear of flammable material around their barbecue.
39(3)(a)	Dogs	To set aside an area of a park as an area where dogs are prohibited.	All of the park as indicated on Map 1 <i>Herring Island Visitor Guide</i> , (Attachment 1), outlined in the <i>Herring Island Visitor Guide</i> (Attachment 2) and provided in information on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/herring-island-environmental-sculpture-park .	At all times.	Dogs are not allowed.
40(5)	Horses	To set aside a road, track or parking area as an area of a park where horses are prohibited.	All roads, tracks and/ or parking areas park as indicated on Map 1 <i>Herring Island Visitor Guide</i> , (Attachment 1), outlined in the <i>Herring Island Visitor Guide</i> (Attachment 2) and provided in information on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/herring-island-environmental-sculpture-park .	At all times.	Horses are not allowed in the park.
45(1)(a)	Engaging in sport or recreational activity	To set aside an area of a park as an area where	All of the park as indicated on Map 1 <i>Herring Island Visitor Guide</i> , (Attachment 1), outlined in the <i>Herring Island Visitor Guide</i> (Attachment 2) and provided in	At all times.	Diving, swimming and wading (into the Yarra River) are not allowed.

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Regulation(s)	Details of set aside			
	Purpose of set aside determination	Area set aside	Specified conditions	
			Times or period	Other conditions
	sport or recreational activity is prohibited.	information on the Parks Victoria website https://www.parks.vic.gov.au/places-to-see/parks/herring-island-environmental-sculpture-park .		

Regulation 10 Determinations setting areas aside

- (3) If the land manager makes a set aside determination under the Regulations, the land manager must cause signs or notice of the determination and the conditions they must comply with, to be displayed.

Regulation 11 Publication of set aside determinations

- (1) The land manager must cause, as soon as practicable after making a set aside determination under these Regulations, the determination to be published on its internet site.
- (2) If the land manager revokes or amends a set aside determination made under these Regulations, the land manager must cause, as soon as practicable after doing so, publish the revocation or amendment of the determination on its internet site.

Regulation 13 Signs and notices

- (1) The land manager must cause a sign or notice required under these Regulations to—
- (a) be displayed in a place and manner that is likely to be seen by any person affected by a determination under these Regulations; and

Example

A sign placed at each entry to an area set aside.

- (b) indicate the area of the park that is temporarily closed or set aside by the determination under these Regulations; and
- (c) if applicable, state the activities that are prohibited, restricted, or permitted by the determination under these Regulations; and
- (d) if applicable, state any conditions specified in the determination.

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- (2) If the land manager revokes or amends a determination made under these Regulations, the land manager must as soon as practicable cause any sign or notice that has been displayed under these Regulations to be removed or amended to reflect the revocation or amendment of that determination.

Regulation 9 Disapplication of Regulations to traditional owner group entities

- (1) If a traditional owner group entity has entered into a traditional owner group agreement, any provision of these Regulations (other than a provision of these Regulations specified in the Table in subregulation (2)) that provides for an offence for carrying out an activity or doing anything that is an agreed activity does not apply to a member of the traditional owner group—
- (a) who is bound by the traditional owner group agreement; and
 - (b) who carries out the agreed activity to which the offence relates in accordance with the traditional owner group agreement and on land to which that agreement applies.
- (2) For the purpose of subregulation (1) the following Table sets out the specified provision and the extent to which that provision applies to a member of the traditional owner group.

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Table

<i>Column 1 Specified regulation</i>	<i>Column 2 Extent to which specified regulation applies</i>
Regulation 12	The whole
Regulation 16(3)	To the extent that it relates to a fee imposed under regulation 16(1)(b) or (1)(c)
Regulation 17(6)	The whole
Regulation 19(3), (4) and (5)	The whole
Regulation 21	The whole, except for the undertaking of cultural activities
Regulation 24(2)	The whole, except ochre or similar material used at a cultural event
Regulation 25(3)	The whole, except if the animal has been bought into the park for a cultural event
Regulation 27	The whole
Regulation 28(1)	The whole
Regulation 29(3), (4), (5), (6), (9) and (11)	The whole
Regulation 31(1)	The whole
Regulation 32(5) and 32(6)	The whole
Regulation 33(3) and (4)	The whole
Regulation 35(1), (2) and (3)	The whole
Regulation 36	The whole
Regulation 37(20 and (3)	The whole
Regulation 38(2) and (3)	The whole
Regulation 39(1), (2), (5), (6), (7) and (9)	The whole

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<i>Column 1</i> <i>Specified regulation</i>	<i>Column 2</i> <i>Extent to which specified regulation applies</i>
Regulation 40(1) and (3)	The whole
Regulation 41(1)	The whole
Regulation 42(1)	The whole
Regulation 43(1)	The whole
Regulation 44(4) and (5)	The whole
Regulation 45(2) and (3)	The whole
Regulation 46(1)	The whole
Regulation 47(1) and (4)	The whole
Regulation 50(1) and (2)	The whole
Regulation 51(1), (2) and (3)	The whole

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Attachment 1 - Map 1 Herring Island Visitor Guide

Herring Island



- Toilets
- Gallery
- Drinking fountain
- Sheltered area
- Picnic table
- BBQ (Electric)
- Café
- 1 Environmental sculpture
- Sealed road
- Walking track

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Disclaimer: Parks Victoria does not guarantee that this data is without flaw of any kind and therefore disavow all liability which may arise from you relying on this information. Cartography by Parks Victoria March 2022.
For mobile App search for **Avenza PDF Maps**



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Attachment 2 - Herring Island Visitor Guide

Herring Island Environmental Sculpture Park Visitor Guide



Herring Island Environmental Sculpture Park is the only island on the Birrarung "Yarra River," located just four kilometres from the central business district of Melbourne. The island is home to a series of environmental sculptures, created by internationally renowned artists, which are interwoven into the parks landscape.



Herring Island Environmental Sculpture Park is part of an Aboriginal cultural landscape in the traditional Country of the Wurundjeri People. Parks Victoria respects the deep and continuing connection that Traditional Custodians have to these lands and waters, and we recognise their ongoing role in caring for Country.

Getting there and opening hours

Herring Island is open every day, including weekends and public holidays, however it is only accessible by watercraft - boat, canoe, kayak, rowboat, and paddleboard. Licensed Tour Operators also provide transport options to the island.

On weekends and public holidays in the summertime from the first weekend of January until the Easter long weekend (Easter Monday included), visitors can catch the punt across from Como Landing to the island.

Things to see and do

The serene natural surroundings of Herring Island provide a retreat from the urban environment of the city and make it the perfect destination for walking, canoeing, kayaking, boating, bird watching and picnicking. The island is home to a series of environmental sculptures interwoven into the landscape created by internationally renowned artists and are a highlight to be discovered within the park.

Walking

Walking is the best way to explore the park, there are several paths that meander through and loop around the island.

The paths on the island are of easy to moderate difficulty however all are gravel that can be slippery, with some sections having steep inclines.

Sculptures

Park visitors can explore the island and view the environmental sculptures interwoven into the landscape by traversing a series of paths as indicated on the park map.

Audience by Julie Collins

Created exclusively from bluestone taken from the tunnel under the Yarra River, Melbourne sculptor Julie Collins' work is intended to welcome visitors upon arrival to the island. Ambiguous carvings of strange creatures, at times reminiscent of native animals and birds, present a silent audience for visitors, whom the artist believes become performers when they enter the arena.

A Hill, a River, Two Rocks and a Presence by John Davis

Designed and constructed by Melbourne sculptor John Davis, this sculpture represents elements of the past and the spirit of the land. The artist has combined the elements of water, timber, vegetation and limestone, which are found in the natural landscape and provide a sense of place and recognition of the island's source.

Cairn by Andy Goldsworthy

Located in the only natural valley on the island, *Cairn* was designed and constructed by Andy Goldsworthy using Castlemaine slate. The sculpture was created as a monument to growth.

Stone House by Andy Goldsworthy

Made from Dunkeld sandstone, Andy Goldsworthy's sculpture *Stone House* was created akin to the artist's renowned ephemeral works, from his response to the site and objects found there. The artist envisioned this work to be observed from a distance, highlighting the sense of discovery and concealment of the island.

Steerage by Jill Peck

Canberra sculptor Jill Peck has created a large-scale Harcourt granite boat form at the westernmost point of the island as a metaphor for journeys, water and knowledge. A path leads up a bank between two mounds to reveal this unexpected resting place for contemplation. The prow of the sculpture and the island point downstream towards the city's horizon.

Tanderrum 'Coming Together' by Ellen José

Aboriginal culture emphasises the land, water, and sky as central to the spirit of the Australian landscape and part of the living spiritual domain. Together Aboriginal and Torres Strait islander artist Ellen José and Joy Murphy, Wurundjeri Tribal Elder, have imagined a vision for the creation of flight. *Tanderrum (coming together)* brings together concepts of pride, culture, and spirit and symbolises the coming together of the Kulin nation as one people.

Constructed of Mt. William greenstone, Castlemaine slate, and Redbox (timber). The greenstone was used for axe-heads by Aboriginal people prior to the arrival of Europeans in Australia. The

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axe-heads were traded between Aboriginal groups in Southeast Australia. The sculpture was renovated in January 2008.

Ramp by Robert Jacks

Designed and constructed by Victorian Sculptor Robert Jacks from the remains of a 250-year-old Red Gum tree, *Ramp* responds and relates to the tranquil environment of the island and the demanding urban dimension of the freeway across the river.

Scaled Stem by Robert Bridgewater

Designed and created by Melbourne sculptor Robert Bridgewater, *Scaled Stem* is a sinuous form detailed with intricate patterning carved in Monterey Cypress, it can be linked with a budding plant, a club, a fishing float, kitchen utensil or scientific apparatus. Bridgewater states that the work "is part of a continuing line of enquiry concerned largely with relationships between form, pattern, craft and material and the poetic associations that can be evoked via these relationships". The organic worked textures of *Scaled Stem* highlight "an inseparability and interdependence between notions of nature and culture".

Falling Fence by John Gollings and Samantha Slicer

Extending the traditions formed in the 1970s of earthworks and environmental art, *Falling Fence* is the first major sculptural work by internationally acclaimed Melbourne based photographer John Gollings and his assistant Samantha Slicer. The work has been designed specifically for its site on the Northern bank of the island with the artist's intention for the sculpture to mellow with time, to merge and eventually to be absorbed into the landscape.

More information about the sculptures including statements from the artists can be found at parks.vic.gov.au/places-to-see/parks/herring-island/herring-island-environmental-sculpture-park

Watercrafts

Herring Island is accessible by boat, canoe, kayak, rowboat, and paddleboard. Experience the Birrarung "Yarra River" from a unique perspective by navigating its waters to the island. On crisp mornings witness the mist rising from the water which gave the river its namesake in traditional language Woiwurung; Birrarung 'River of mist and shadows'.

The island's southern landing is suited for unpowered watercraft like canoes and paddleboards as this section of the river has shallow waters as a result of sediment build-up, vessel operators are advised to navigate this area with caution due to reduced water depth. Unpowered watercraft storage facilities are available near the southern landing on the island.

The northern landing is more suited to powered vessels, a short-term berth 4-hour time limit applies to moored vessels which can be left uncrewed for this duration.

Berthing restrictions apply to vessels using both the southern and northern landing, please refer to in-situ signage for details.

Please follow the regulations and guidelines in the *Victorian Recreational Boating Safety Handbook* which can be found at transportsafety.vic.gov.au

No diving, jumping, or swimming is permitted from either landing or in this section of the Yarra River due to safety risks posed by high levels of vessel activity and unpredictable conditions such as water depths, submerged debris, tidal movements, and other unexpected hazards.

Picnicking

Herring Island is the perfect location to spend a day out in nature. At the southern end of the island visitors will find an expansive grassy space with picnic shelters, tables, drinking fountains, free electric barbecues, and nearby toilet facilities. Bring along a picnic and make a day out of your visit with family and friends.

No bins are provided on the island, please take all your rubbish home with you for recycling and disposal.

Flora and fauna

Herring Island forms an environmental corridor of regional vegetation consisting of indigenous forest and grassland communities. The dominant vegetation includes River Red Gum, Silver Wattle, Manna Gum, Drooping Sheoak, Southern Mahogany, Wallaby and Spear Grass, Chocolate and Bulbine Lilies, and native Everlasting Daisies. This native vegetation creates beautiful scenery, shade for park users and essential habitat for wildlife including the many diverse bird species that call the island home.

At the southern entrance to the park, a path leads to a viewing platform that overlooks the River Red Gum dominated riverbanks; this is a great place for waterbird watching with many species including the Great Egret, the Nankeen Night Heron, Black Swans, Darters and Cormorants feeding on the aquatic vegetation surrounding the island. Other waterbird species can be seen foraging and sheltering within the reeds on the banks of island.

Continuing along this path, park visitors will be guided to a grassy picnic area, a favoured habitat of the Red-rumped Parrot due to the abundance of grass and other plant seeds for food. Frequenting the trees bordering this grassy area and around the island are Kookaburras, Magpies, Wattlebirds, Honeyeaters and Willie Wagtails. If you're lucky you may be able to catch a glimpse of a sleeping possum nesting in a tree hollow.

On paths traversing the island you will frequently see a variety of reptiles basking in the sun including a number of snakes, visitors are advised to keep to the paths to ensure the safety of themselves and wildlife.

Get Involved

The Friends of Herring Island meet once a month to help protect, maintain, and restore the island's unique environment through activities such as invasive plant management and supporting indigenous flora and fauna through planting. You can join the friends' group and help enhance the parks ecological values by becoming a volunteer; register with ParkConnect to create your volunteer profile and explore many diverse and exciting activities.

parkconnect.vic.gov.au/Volunteer/

Gallery

Previously used by the Australian Scouts Association in the 1950's for several decades, the scout hall on the island was renovated in 1997 and repurposed into a gallery. The space is now available to hire for exhibitions and events and offers a contemporary setting in a truly unique location, the only island on the Birrarung, just 4km from Melbourne's CBD.

Events

Herring Island plays host to a variety of exhibitions and events. The gallery and some areas of the island are available to hire. For further information about hosting an event on Herring Island, please contact Parks Victoria's State-wide Events Branch events@parks.vic.gov.au or phone 13 19 63.