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Crown Land (Reserves) Act 1978

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

Set Aside(s) for George Tindale Memorial Garden – Gardens of the Dandenongs

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



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Name Kylie Trott

Title Executive Director Operations of Parks Victoria

Date 07/05/2024

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Areas set aside in George Tindale Memorial Garden – Gardens of the Dandenongs

Regulation(s)		Details of set aside			
		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
18(1)(b)	Area where access is prohibited or restricted	To set aside an area to which access is restricted.	All of the park as indicated on Map 1 <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/sites/george-tindale-memorial-garden .	One hour before sunrise and one hour after sunset every day except for 25 th December.	<i>N.B. This determination is necessary for the purposes of the care, protection and management of the park.</i>
18(1)(b)	Area where access is prohibited or restricted	To set aside an area to which access is restricted.	All of the park as indicated on Map 1 <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/sites/george-tindale-memorial-garden .	25 th December.	<i>N.B. This determination is necessary for the purposes of the care, protection and management of the park.</i>
29(1)(a)	Road and parking closures to some or all vehicles	To set aside a road or parking area in a park as an area where driving or parking of vehicles or a class of vehicles is prohibited.	Management Vehicle Only paths, roads and tracks as indicated on Map 1 <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/sites/george-tindale-memorial-garden .	At all times.	Motorised vehicles including AWD vehicles, 2WD vehicles, 4WD vehicles, motorbikes, trailbikes, and non-compliant electric bicycles and scooters and non-motorised vehicles including bicycles, skateboards, roller skates, in-line roller blades or coasters

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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
					<p>and scooters are prohibited on the paths, tracks and roads set aside as indicated by on-ground signage.</p> <p><i>Non-compliant electric bicycles are power-assisted bicycles over 200 watts that don't meet the definition of a bicycle set out in the Transport (Compliance and Miscellaneous) Act (1983).</i></p> <p><i>N.B. A person must not use or operate, park or leave standing a motorised vehicle in an area set aside under regulation 29(1)(a) in contravention of a determination.</i></p>
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.	Picnic tables and lawn areas as indicated on Map 1 <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/sites/george-tindale-memorial-garden .	At all times.	<p>Fires using gaseous and liquid fuels in a barbeque are allowed.</p> <p>All fires are subject to the <i>Forest (Fire Protection) Regulations 2014</i>. The person responsible for the liquid or gaseous fuelled barbeque must keep a 1.5m air and</p>

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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
					ground perimeter clear of flammable material around their barbeque.
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 as indicated on Map 1 <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 1), outlined in the <i>Parks Victoria George Tindale Memorial Garden Visitor Guide</i> (Attachment 2) and as per information provided on the Parks Victoria Website https://www.parks.vic.gov.au/places-to-see/sites/george-tindale-memorial-garden (Attachment 3).	At all times.	Horses are not allowed in the park.

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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.
- (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.

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- (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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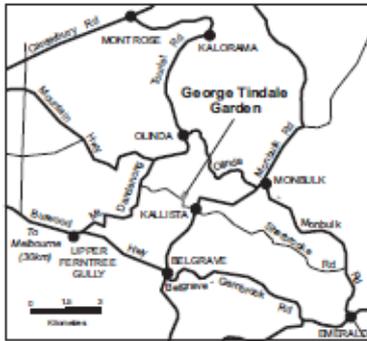
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<i>Column 1</i> <i>Specified regulation</i>	<i>Column 2</i> <i>Extent to which specified regulation applies</i>
Regulation 40(1) and (3)	The whole
Regulation 41(1)	The whole
Regulation 42(1)	The whole
Regulation 43(1)	The whole
Regulation 44(4) and (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 Parks Victoria George Tindale Memorial Gardens Visitor Guide

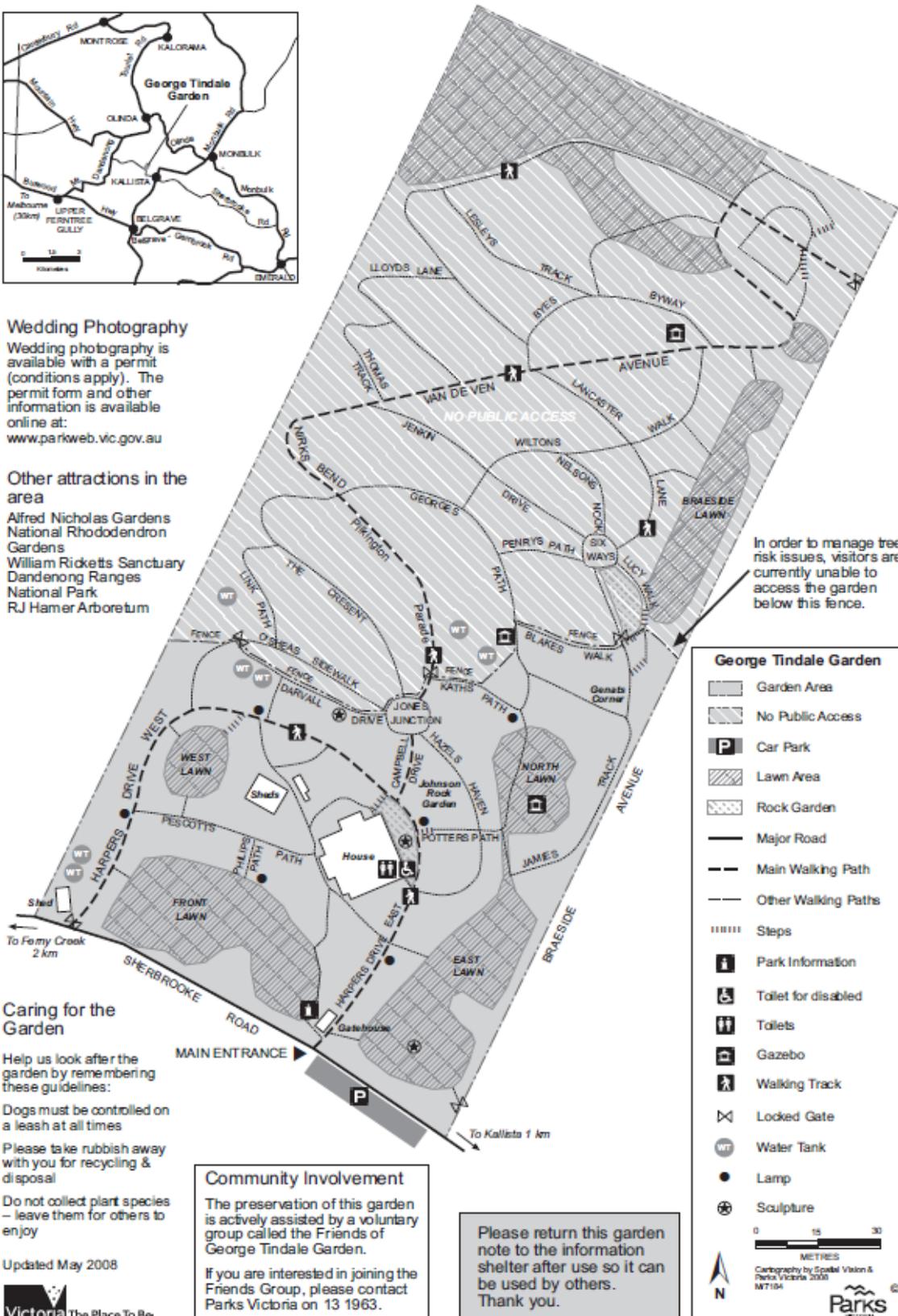


Wedding Photography

Wedding photography is available with a permit (conditions apply). The permit form and other information is available online at: www.parkweb.vic.gov.au

Other attractions in the area

Alfred Nicholas Gardens
National Rhododendron Gardens
William Ricketts Sanctuary
Dandenong Ranges National Park
RJ Hamer Arboretum



In order to manage tree risk issues, visitors are currently unable to access the garden below this fence.

Caring for the Garden

Help us look after the garden by remembering these guidelines:

Dogs must be controlled on a leash at all times

Please take rubbish away with you for recycling & disposal

Do not collect plant species – leave them for others to enjoy

Updated May 2008



Community Involvement

The preservation of this garden is actively assisted by a voluntary group called the Friends of George Tindale Garden.

If you are interested in joining the Friends Group, please contact Parks Victoria on 13 1963.

Please return this garden note to the information shelter after use so it can be used by others. Thank you.



George Tindale Garden



Visitor Guide

Today the garden is a reflection of George and Ruth Tindale's vision of having a garden displaying something of interest all year round. The garden contains a number of plants rarely found in cultivation which are thriving in the acidic soils, cool temperate climate and shaded conditions found in the Dandenong Ranges. Extensive collections of magnolias, rhododendrons, camellias, azaleas, fuchsias, bulbs and hydrangeas will be easily recognisable to the garden enthusiast.

History

1893 - Captain J Pallant purchased the 10 acre property, clearing and building a house for his family. The Property was named 'Pallant's Hill'.

1915 - Mr H R Harper purchased the property as a weekend retreat. He established an English style garden and created what is now known as Harper's Drive.

1939 - Mr and Mrs H Potter purchased the property for a weekend retreat. Improvements were made to the house and garden including a few paths and two water tanks.

1958 - George Tindale, a research scientist with the Victorian Department of Agriculture, purchased the property and began developing and extending the garden. He and his wife Ruth created the plantings which you see today. Both were members of various horticultural societies and many plants were raised from seed made available from the societies. Other rare or choice plants were sourced from local nurseries or plant collectors.

1980 - Ruth Tindale handed the garden to the Victorian Conservation Trust in memory of her husband who wished the garden to be preserved.

1995 - Parks Victoria commenced management of Tindale Garden when it assumed management of six garden properties in the Dandenong Ranges including the National Rhododendron Gardens, Alfred Nicholas Gardens, Pirianda Gardens, R J Hamer Arboretum, Mt Dandenong Arboretum and William Ricketts Sanctuary.

How to get there

The Garden is located at 33 Sherbrooke Road, Sherbrooke (Melways Ref. 75 J2).

What to see and do

In order to manage tree risk issues with the Mountain Ash forest, Parks Victoria has currently restricted access to some parts of the garden. However there are still many areas on interest including:

- The nationally registered hydrangea collection of common and unusual shrubs, climbers and tree like species.
- The sculptures on permanent display in the garden, of which two pieces are the work of Ruth Tindale.
- The Mature canopy of trees including the native Mountain Ash (*Eucalyptus regnans*) and the Monkey Puzzle (*Araucaria araucana*) on the front lawn are complimented by detailed plantings.

Seasonal highlights

Spring bursts forth with a myriad of flowers from rhododendrons, azaleas, magnolias, camellias whilst the flowering bulbs in the rock garden are not to be missed.

Summer is cooling, with the marvellous collection of hydrangeas showing off their many shades of blue. Lilliums, fuchsias and summer flowering perennials are a colourful delight beneath the shady canopy of Mountain Ash.

Autumn shocks the senses with gold, red, orange and burgundy foliage on the many mature trees. Nerines, Autumn crocus and other bulbs will remind you that spring is not the only season for bulbs.

Winter will quietly expose the flowers of the Lenten Rose or Hellebore beneath other winter flowering shrubs.

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Printed on Australian-made 100% recycled paper.

For more information call the Parks Victoria Information Centre on 13 1963 or visit our website at www.parkweb.vic.gov.au

Healthy Parks
Healthy People

