

**Exford Homestead (VHR H0316)**

**355 Exford Road, Melton South**

**Heritage Council Registrations Committee**

**Hearing – 30 August 2013**

**Members – Mr Robert Sands (Chair), Ms Helen Martin and Ms Patricia Vejby**

# Decision of the Heritage Council

Pursuant to Sections 42(1)(a) and 54 of the *Heritage Act 1995* the Heritage Council has determined:

* that Exford Homestead is of cultural heritage significance; and
* to amend the item in the Heritage Register.

  

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| **Robert Sands (Chair)** |  | **Helen Martin**  |  | **Patricia Vejby** |

**Decision Date – 3 December 2013**

**APPEARANCES**

## Acting Executive Director, Heritage Victoria

1. Mr John Hawker, Heritage Officer (Horticulture) appeared on behalf of the Acting Executive Director, Mr Steven Avery. Dr Marina Larsson, Manager Assessments was available to answer questions of clarification from the Committee.

## Owner

1. The owner of the place, Wegg Pty Ltd, was represented at the hearing by Mr Phil Bissett of Minter Ellison. Mr Bissett called Mr Peter Lovell of Lovell Chen Architects & Heritage Consultants to give expert heritage evidence.

**Introduction/background**

## The Place

1. Exford Homestead (‘Exford’) was included in the Victorian Heritage Register (‘the Heritage Register’) as H0316 in 1974.
2. It was one of a group of places added to the Historic Buildings Register (the predecessor of the Heritage Register) from a list compiled by the National Trust of Australia (Victoria) (‘the Trust’). The Trust’s statement of significance was adopted but the extent of registration was undefined and no permit policy or exemptions were put in place.
3. The place has an individual citation (HO2) in the schedule to the heritage overlay in the Melton Planning Scheme. The Grey Box woodland in the north of the place is covered by an environmental significance overlay to the Melton Planning Scheme (ESO1). Exford is also part of the site addressed by the Toolern Precinct Structure Plan (‘the Toolern PSP’) which was considered as part of Amendment C84 to the Melton Planning Scheme.

## Recommendation of the Executive Director

1. On 14 September 2012, Land Source Australia applied to amend the registration by excluding the land to the north of the boundary of the parcel where the homestead is located.
2. On 18 January 2013, the Executive Director, Dr Tracey Avery, recommended that the Heritage Council amend the existing registration for VHR H316 by:
	* amending the existing Statement of Significance; and
	* defining the Extent of Registration.
3. The Executive Director also recommended a permit policy and suite of permit exemptions for the place.

## Site Inspection

1. The Committee made a site inspection accompanied by the Hearings Officer; Dr Marina Larsson, Manager Assessments, Heritage Victoria and Mr Scott Torrington of Watson’s Pty Ltd on 29 August 2013. No submissions were received by the Committee during the inspection.

## Preliminary Matters

*New material*

1. The Acting Executive Director’s representative introduced new material at the hearing. This included previously circulated maps overlaid over one another and verbal arguments about the place’s archaeological significance.
2. Given the procedure of circulating submissions, expert evidence and submissions in reply prior to a hearing, the Heritage Council discourages the introduction of new material at the hearing itself. The Heritage Council’s policy is that it is at the Committee’s discretion whether the material is considered or not.
3. As this material was presented during the hearing, Wegg Pty Ltd and Lovell Chen were not able to prepare a detailed response. Therefore, the Committee has given it minimal weight in reaching its decision.

*Sections 23 and 27 of the Heritage Act*

1. Mr Bissett submitted that the Acting Executive Director had conflated s.23 and s.27 of the *Heritage Act 1995* (‘the Heritage Act’). S.23 relates to nomination of a place or object and s.27 to the registration of additional land.
2. In the Committee’s view, the relevant section in this case is s.54 which relates to the amendment of items in the Heritage Register.

**Issues**

1. This section is not intended to be a complete record of submissions that were made to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position the Committee takes on each issue.
2. Any reference to Criteria refers to the ‘Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance’ (see Attachment 1 to this report).

## Summary of issues

1. The main issue of contention was the appropriate extent of registration for the place. Wegg Pty Ltd and Lovell Chen supported a reduced extent of registration.
2. The parties agreed that at least part of the place was of cultural heritage significance. The Acting Executive Director held that criteria A, B, D and G were satisfied.
3. Heritage expert Peter Lovell of Lovell Chen put to the Committee that only criteria A, B, and D were satisfied by the reduced extent of registration he proposed.
4. The Committee also considered an alternative Statement of Significance, Permit Policy and Permit Exemptions for the place supplied by Lovell Chen.

## Extent of Registration

1. As outlined above, the parties disagreed about the appropriate extent of registration for the place.
2. The existing written extent of registration for the place is ‘*Shire of Melton*. No. 316. Exford Homestead, Exford Road, Melton South.’ There is no existing plan showing the extent of registration.

*Submissions and evidence*

1. Mr Lovell submitted that the main issue of contention was whether the registered land should extend to the current title boundaries, or should be reduced on the basis that the complete land holding does not contribute to the significance of the place and is not required for its protection.
2. The Acting Executive Director argued that in a case such as this [where the place was registered with no defined extent], the extent of registration is usually assumed to correspond to the cadastral block. The boundary of the corresponding heritage overlay is also often assumed to be the same as the registered place. However, in this case the northern boundary of HO2 does not correspond exactly to the cadastral boundary.
3. The Acting Executive Director held that the place is best protected by the extent of registration recommended - a lot created by a subdivision approved in 2009. The recommended extent is the final parcel of land associated with Exford Homestead and according to the Acting Executive Director it includes all of the significant farm facilities and infrastructure, access ways, water, shelter and accommodation necessary for a successful agricultural operation, including a productive and ornamental garden.
4. Wegg Pty Ltd submitted that the significance of the place is confined to discrete locations and not to the entire title. Mr Bissett submitted that the extent recommended by the Executive Director is unnecessary and cumbersome. It was argued that if the recommended extent is included, a significant number of permits may be required under the Heritage Act, creating an administrative burden for the owner and the Executive Director.
5. Independent heritage expert Mr Lovell argued that the current lot boundary does not represent a ‘significant historic subdivision’ but is an arbitrary line resulting from the subdivision in 2009. Although Mr Lovell’s statement of evidence noted that ‘it is assumed that the nominal extent was to the title boundaries which existed in 1974 when the place was included on the Historic Building Register’, he submitted that the majority of the land in the recommended extent is farm land and as such has no special interest or significance in relation to the homestead.
6. In Mr Lovell’s view the significance of Exford Homestead relates primarily to its ability to demonstrate the principal characteristics of a homestead established in the 1840s and that therefore the extent could be reduced without affecting the setting and significance of the complex of buildings.
7. Lovell Chen submitted the following about the relative significance of parts of the place:
	* The built precincts are of primary significance, relating to their ability to demonstrate the Staughton’s domestic and pastoral activities at the site from the mid-nineteenth century.
	* Portions of the Grey Box stand and the land to the south of the homestead provide an understanding of the property’s original setting and are of contributory significance.
	* The largely denuded area to the east of the grey box stand and west of Exford Road contributes to the setting (visual catchment) of the property, but is of little significance.
8. Mr Lovell put to the Committee that there have been a number of approaches to curtilage when pastoral properties have been included in the Heritage Register. These range from registering entire land holdings from the time of settlement or pre-emptive right, to tightly defined areas around groupings of buildings. In this instance, Lovell Chen advocated removing land to the north and north-west from the recommended extent.
9. The Acting Executive Director did not support the reduced extent put forward by Lovell Chen. He held that the boundaries they propose are arbitrary, unsurveyed and do not consider all of the values of the place.

Setting and views

1. It was noted that the Burra Charter advocates the retention of settings and views when considering an appropriate extent of registration. The Acting Executive Director argued that the recommended extent ensures an appropriate setting and context for Exford and provides adequate curtilage to protect views, access and vegetation and is a protective buffer for the complex of buildings.
2. The Acting Executive Director submitted that while the siting of the homestead complex may have ultimately been determined by access to transport and water, another critical factor was the topography. He argued that the site makes use of views to the picturesque rocky escarpment and treed landscape of the Werribee River to the south. According to the Acting Executive Director, the use of the landscape in this way is rare in Victoria and therefore of state significance.
3. Mr Lovell agreed that the setting of the place contributes to its significance, in particular:
	* presentation in views from the south;
	* relationship with the Werribee River and Toolern Creek;
	* panoramic views along the Werribee River valley; and
	* presence of the stand of Grey Box.
4. In Mr Lovell’s view, the open farmland to the north and north-west does not contribute to an understanding of the property’s cultural heritage values and is not required as a buffer to protect the place.

Grey Box stand

1. The Acting Executive Director submitted that the entire stand of Grey Box to the north of the homestead is of state significance as the species is listed as a threatened ecological community under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) and the stand is included in an ESO. The Acting Executive Director argued that Exford is one of the most important rural homestead complexes in Victoria and that the remnant landscape provides an essential context for the place, as well as being significant in its own right.
2. Lovell Chen argued that the Grey Box stand is an element that contributes to the significance of Exford. Mr Lovell held that is important as part of the setting as it appears the trees have been retained despite pastoral activities at the place. The extent proposed by Lovell Chen incorporates part of the Grey Box woodland.

Toolern PSP

1. Lovell Chen submitted that the Toolern PSP is relevant to consideration of the appropriate extent of registration for the place and argued that in light of the PSP, it would be beneficial if refinements to the registration can occur to reflect intended changes to the place.

*Discussion and conclusion*

1. As Mr Lovell’s statement of evidence noted ‘it is assumed that the nominal extent was to the title boundaries which existed in 1974 when the place was included on the Historic Buildings Register’. The Committee agrees and is further persuaded that in applying for permit P13413 for subdivision in 2008, the owners implicitly acknowledged that the registration included the entire Exford property as it was in 1974.
2. In the Committee’s view, the significant part of the place is that associated with Staughton’s occupation and his use of the place as a pastoral property. This is the last remaining part of a much larger pastoral property known as Exford. A convincing case has not been made for the reduction of the registration to less than the current cadastral boundary.
3. According to the Burra Charter, adopted by the Heritage Council in July 2010, ‘conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place’. The Committee finds that Lovell Chen’s proposed reduction of the extent does not provide a sufficient buffer for the significant parts of the place, particularly the bluestone barn. The Committee is not supportive of the exclusion of wedges of land to the north and north-west as this does not provide enough protection to the stand of Grey Box.
4. In relation to the Grey Box stand, the Committee notes that the purpose of heritage registration is not to protect places that have solely natural values - there are other mechanisms in the planning scheme to protect these types of places. Nevertheless, the Committee finds that the stand contributes to the significance of the place as a rare example of native vegetation that was not cleared from a pastoral property.
5. The Committee was not presented with any comparative analysis to substantiate the Acting Executive Director’s claim that the way the place makes use of the landscape is rare and of state significance.
6. The Committee has not taken into account any administrative burden this registration may create. The matter at hand is the cultural heritage significance of the place.
7. In the Committee’s view, it is also not appropriate to take the Toolern PSP into account when determining the extent of registration for the place. The only relevant consideration is the cultural heritage significance of the place. The Committee has addressed the PSP in the Permit Policy section of this report.

## Criterion A - Importance to the course, or pattern of Victoria’s cultural history

1. Both parties agreed that criterion A is satisfied, but for different reasons.

*Submissions and evidence*

1. Lovell Chen submitted that criterion A is satisfied for the following reasons:

The Exford Homestead is of historical significance to Victoria for its direct association with the earliest phase of European occupation of the Port Phillip District (Victoria). The site was first occupied from 1840 by Dr John Walton, a member of the Port Phillip Association (PPA), a syndicate of Van Diemonian colonists formed in 1835 with the aim of establishing pastoral activities on the north shore of the Bass Strait. The location of Dr Walton’s timber residence on the Werribee River flats is recorded, but no above-ground evidence survives. Dr Walton was engaged in sheep farming, an activity that intensified considerably under the ownership of Simon Staughton, who acquired the run in 1842, and still continues today.

The use of the land for sheep farming relates directly to the primary reason for the settlement of the Port Phillip District by the PPA from 1835.

Staughton built a substantial homestead and outbuildings on elevated ground to the north of the site, with views looking south over the Werribee River and Toolern Creek. The residence and some of the outbuildings survive, and are among the earliest buildings in Victoria.

The Exford Homestead is a remnant of a once extensive landholding. The political and social forces that influenced the expansion and contraction of the Staughton estate between the 1840s and the early twentieth century are demonstrative of the Port Phillip District’s transition from a sparsely populated settlement dominated by a small number of wealthy pastoralists to an increasingly populous and self-governed state. The sequence of land tenure at the Exford Homestead is likewise demonstrative of the Port Phillip District’s transition from an illegally occupied territory to formal settlement.

Dr Walton and Staughton (initially) occupied the Exford Station under licence from the Crown Lands Commissioner. Staughton was subsequently granted freehold ownership of the site. He also acquired a 260ha (640 acre) pre-emptive right to the south-east of the Exford Homestead site. His attempts to acquire the site of his homestead as his pre-emptive right were frustrated by the earlier designation of the land as a ‘village reserve’. He secured the freehold ownership of the homestead in 1855.

Following his death, Staughton’s 22,253ha (55,000 acres) landholding in the Melton area was divided between his sons. Of the four estates, Exford was 5,538ha (13,690 acres). Staughton Vale was 6,520ha (16,155 acres); Eynesbury was c.6,115ha (15,115 acres); and Nerowie was 3,870ha (9,537 acres). The Exford Homestead was itself subdivided in 1907, with the sale of approximately two thirds of the land to the Victorian Closer Settlement Board.

The Exford property was a safe haven for Aboriginal people during the early contact period, a reflection of Simon Staughton’s commitment to the well-being of the indigenous population. Local tribes-people were employed on the estate to erect fencing. A community elder (‘John Bull’) was among a number of Aboriginals buried at the property.

1. The Acting Executive Director submitted that Exford satisfies this criterion for the following reasons:

Exford has historical significance for its association with the early history of European settlement in Victoria. It has operated as a working pastoral and farming concern since the early squatting era in Victoria and has associations with the Staughton family, one of the most prominent of the colony’s early landowners. The homestead’s simple form and materials are typical of building in Port Phillip in the 1840s, and reflect the low wool prices and economic hardship of the time. The difference between the early 1840s timber buildings and the more sophisticated bluestone structures of the 1850s reflects the increasing prosperity of the colony following the gold rushes of the 1850s, and also the influx of skilled immigrants at the time. The 1850s buildings also reflect the changes to land tenure which occurred after the late 1840s, when the pastoralists were able to obtain secure title of their land and were now willing to construct more permanent buildings with greater architectural pretension. The mid-twentieth century shearing shed reflects the wool boom of the post World War II period.

*Discussion and conclusion*

1. The Committee finds that criterion A is satisfied.
2. Exford Homestead is of historical significance for its direct association with the earliest phase of European occupation of the Port Phillip District (Victoria). The site was first occupied from 1840 by Dr John Walton, a member of the Port Phillip Association, a syndicate of Van Diemonian colonists formed in 1835 with the aim of establishing pastoral activities on the north shore of the Bass Strait.
3. Exford Homestead is of historical significance as the last remnant of ‘Exford’ a once extensive run which has from its initial occupation, through acquisition by Simon Staughton in 1842 and later occupation by his descendants, and other owners up to the present, been in continuous operation as a sheep farm. Sheep farming was the primary reason for the settlement of the Port Phillip District and became a significant part of the Victorian economy. The mid-twentieth century shearing shed is a contributory element and reflects the continued use of the place for sheep farming.
4. Exford Homestead demonstrates the political and social changes which affected the Port Phillip District and Victoria in the early years of European settlement. The difference between the early 1840s timber buildings and the more sophisticated bluestone structures reflects increasing prosperity following the gold rushes of the 1850s, and the associated influx of skilled immigrants. The construction technologies and refined materials used in the 1850s bluestone buildings demonstrate that pastoralists were by then willing to construct more permanent buildings with greater architectural pretension due to an ability to obtain secure land tenure. The distinctive bluestone fence to the west and south of the homestead is also believed to date from this phase of development.

## Criterion B - Possession of uncommon, rare or endangered aspects of Victoria’s cultural history

1. Both parties agreed that criterion B is satisfied, but for different reasons.

*Submissions and evidence*

1. Lovell Chen made the following comments in relation to criterion B:

The construction of a generously-proportioned homestead in the pretenure period of the early-1840s is rare – no equivalent has been identified during research undertaken for this report. It also belies the economic hardships of the 1840s.

The survival of the homestead, and the early homestead outbuildings, is also rare, as is the use of a variety of vernacular construction technologies. It was typical for early homestead buildings to be replaced or significantly improved as land tenure was secured and wealth increased.

The group of Picturesque Gothic structures constructed at Exford during the 1850s is also uncommon, with the small structures presenting as follies in the landscape. The detailing to the two pavilions and the gardener’s cottage has a level of refinement seldom seen in such outbuildings.

The survival of the Grey Box (*Eucalyptus microcarpa*) stand to the north of the homestead is unusual. A more typical response by early settlers to native vegetation was for the trees to be felled, and for the land to be given over to pasture. The trees within the stand generally date to the 1870s/80s.

1. The Acting Executive Director submitted that Exford satisfies this criterion for the following reasons:

The house and outbuildings at Exford provide now rare examples of building forms, materials and vernacular building techniques typical of the early days of the colony. The homestead is one of the earliest surviving residences in Victoria. It is a rare example of a substantial country house built in the early 1840s, a time when pastoralists had no secure tenure of their land and when few substantial houses were built in country areas. The picturesque bluestone outbuildings are unusually ornate examples of their kind, particularly the Gothic style gardener’s cottage and the two pavilions with bluestone pinnacles with orbs. The former gardener’s cottage is a rare example of the use of the Gothic Revival style for a utilitarian farm building.

*Discussion and conclusion*

1. The Committee finds that criterion B is satisfied.
2. The 1840s Exford Homestead is one of the earliest residences in Victoria. The homestead and outbuildings are rare surviving examples from this period and demonstrate an unusual variety of vernacular construction technologies. Exford homestead is a rare example of a generously-proportioned homestead constructed in the pretenure period of the early-1840s. It was typical for early homestead buildings to be replaced or significantly improved as land tenure was secured and wealth increased.
3. The group of 1850s Picturesque Gothic structures which present as follies in the landscape are an uncommon feature. The detailing to the two pavilions and the gardener’s cottage has a level of refinement seldom seen in such outbuildings.
4. The survival of the indigenous Grey Box (*Eucalyptus microcarpa*) stand to the north of the homestead is unusual. A more typical response to native vegetation by early settlers in Victoria was for the trees to be felled, and the land given over to pasture.

## Criterion C - Potential to yield information that will contribute to an understanding of Victoria’s cultural history

1. The parties made submissions about potential archaeological values at the place.

*Submissions and evidence*

1. Lovell Chen submitted that it is possible that there is archaeological evidence of Dr Walton’s residence and of the demolished outbuildings to the north of the homestead. In Mr Lovell’s view, built fabric and artefacts relating to these structures have the potential to enhance an understanding of the place during its earliest period of European occupation.
2. In Mr Hawker’s verbal submissions, he argued that the whole of the recommended extent of the place satisfies this criterion. The Acting Executive Director had not claimed that this criterion was satisfied in written submissions but was of the view that potential archaeological values relating to the Walton site should be recognised in the statement of significance.
3. Mr Lovell agreed that the site of Dr Walton’s residence should be referred to in the statement of significance; however, he rejected the proposition that the entire place is of archaeological significance.

*Discussion and conclusion*

1. The Committee finds that the place satisfies criterion C. In the Committee’s view, the site of Dr Walton’s residence is of high level potential archaeological significance as it is likely to contain features, relics and deposits related to the earliest phase of European settlement of Victoria. The location of Dr Walton’s timber residence on the Werribee River flats is recorded, but no above-ground evidence survives.
2. The Committee finds that the area to the north of the homestead where early outbuildings are likely to have been located is also of potential archaeological significance.
3. In the Committee’s view, satisfaction of this criterion does not imply that that the entire place is of archaeological significance. There are two known sites at the place that have the potential to contain features, relics and deposits that will contribute to an understanding of Victoria’s cultural history.

## Criterion D - Importance in demonstrating the principal characteristics of a class of cultural places and objects

1. Both parties agreed that the place satisfies criterion D.

*Submissions and evidence*

1. Lovell Chen submitted the following in relation to this criterion:

The Exford Homestead demonstrates a number of the key characteristics of early pastoral homesteads in the Port Phillip District, as reflected in: the variety of construction technologies and materials; the provision of a sense of enclosure; the program and layout of the complex; and the siting of the complex.

The isolation of early homesteads demanded self-sufficiency, resulting in the use of vernacular technologies and locally available materials and/or pre-fabricated buildings. The early outbuildings at Exford were constructed of roughly-hewn timber framing and timber slabs, and in the case of the detached kitchen, of local stone and brick. The homestead itself is constructed of eight large timber posts hewn from tree trunks. These are located at each corner of the house and flanking the front door to the south and rear door to the north. The timber framed walls are clad with horizontal timber slabs applied with mud under a later render finish. The range of materials and technologies used at Exford explains the diversity in the external presentation of the early homestead buildings.

It was typical for subsequent phases of development to demonstrate more sophisticated construction technologies and refined materials, reflecting security of tenure, the increased wealth of the landowner and the influx of skilled artisans to Victoria following the gold rushes of the early 1850s. This pattern is demonstrated at Exford in the suite of bluestone buildings believed to date to the 1850s. These include the pair of small pavilions to the west of the homestead, a double-height store, a large shearing shed (the Warrawong shed, VHR H2276), excised from the property in 1907, a gardener’s cottage, and a blacksmith’s forge and accommodation. A suite of timber buildings and additions introduced in the 1930s demonstrate a later phase of development at the property.

Many early homesteads were distinguished by a sense of enclosure, with walls, hedges and tree plantings variously providing formal settings, protection from prevailing winds, a sense of security in little known and sometimes uncharted landscapes and distinction between domestic and agricultural areas. This distinction was typically reinforced by plantings, with the enclosed areas planted with European-style or exotic plantings, and natives beyond. At Exford there is very limited evidence of early plantings but a bluestone wall with an integrated timber post and rail fence was established to the north-west of the homestead returning to the south. The wall survives at the property, and forms the west boundary of the front paddock. The front paddock was extended to the east (its present extent) between 1853 and 1907.

A distinctive feature of the Exford walling is the use of the Staughton ‘orb’, a feature that is carved into the timber posts surmounting the bluestone fence and the gateposts. It was also continued in the bluestone cottages of the 1850s. Staughton also marked the extent of his holding with timber posts featuring a carved timber orb at quarter mile intervals.

Another distinctive feature of the property is its proximity to native plantings, specifically the Grey Box (*Eucalyptus microcarpa*) stand to the north of the homestead. The Grey Box provide an understanding of the setting and presentation of the place as it would have been experienced in the 1840s.

The typical program of pastoral estates is demonstrated at Exford, whereby the main residence was the centrepiece, often sited to optimise an aspect, with domestic amenities to the rear and/or sides. Outbuildings often included a freestanding kitchen, laundry, meat store, servants’ accommodation and stabling. At Exford there is a clear distinction between the domestic precinct and the agricultural grouping a short distance to the north-east.

Common denominators between early homesteads included access to water and established roadways. This is assumed to explain the siting of Dr Walton’s residence at the southern part of the site, on low-lying land presumably within the Werribee River flood plain. Proximity to a river crossing is also likely to have been a factor in the desirability of the Exford Homestead site. The road directly to the south of the property was on one of the main routes from Melbourne to the west.

1. The Acting Executive Director submitted that the place demonstrates many of the characteristics of the residential and farm buildings constructed on the early pastoral runs during the mid- to late nineteenth century.

*Discussion and conclusion*

1. The Committee finds that criterion D is satisfied.
2. The Exford Homestead is a notable example of an early pastoral homestead and demonstrates a number of the key characteristics of homesteads in the Port Phillip District. As outlined by Lovell Chen above, this is reflected in the variety of construction technologies and materials used; the sense of enclosure; and the siting and layout of the complex.

## Criterion E - Importance in exhibiting particular aesthetic characteristics

1. Lovell Chen submitted that the place has local significance for the architectural values of the picturesque gothic bluestone pavilions, gardener’s cottage, blacksmith’s premises (the latter two both in a ruinous condition) and bluestone store.
2. The Acting Executive Director did not make any submissions relating to this criterion.

*Discussion and conclusion*

1. The Committee finds that criterion E is not satisfied at a state level.
2. The Committee was persuaded by Mr Lovell and agreed that the place has local significance for the architectural values of the picturesque gothic bluestone pavilions, gardener’s cottage, blacksmith’s premises and bluestone store

## Criterion F - Importance in demonstrating a high degree of creative or technical achievement at a particular period

1. Lovell Chen submitted that the vernacular construction technologies used in the 1840s buildings at Exford demonstrate the requirement for self-sufficiency in isolated areas characteristic of homesteads established between the 1830s-50s. Mr Lovell argued that there is no evidence that the construction technologies applied at Exford demonstrate a degree of creative or technical achievement which distinguishes them from like buildings of the period.
2. The Acting Executive Director did not make any submissions relating to this criterion.

*Discussion and conclusion*

1. The Committee finds that criterion F is not satisfied at a state level.

## Criterion H - Special association with the life or works of a person, or group of persons, of importance in Victoria’s history

1. The parties disputed the level of significance of the place for its association with pastoralist Simon Staughton.

*Submissions and evidence*

1. Lovell Chen submitted that the place has local significance for its association with Staughton and his descendants. Mr Lovell submitted that relatively little is known of Staughton’s life in the Port Phillip District - he is not recorded as having played a role in colonial politics, nor was he prominent socially.
2. The Acting Executive Director submitted that Exford is significant for its association with Staughton, among the most prominent of the early colonial pastoralists. He and his sons were the owners of one of Victoria’s largest pastoral empires, comparable with those of the Chirnside and Clarke families.

*Discussion and conclusion*

1. The Committee finds that criterion G is satisfied. Exford is significant for its long association with the Staughton family, one of the largest owners of freehold land in colonial Victoria, only rivalled in this region by the Clarke and Chirnside families.

## Statement of Significance

1. An alternative statement of significance was submitted by Lovell Chen.
2. The existing statement, the statement recommended by the Executive Director and the alternative statement are appended to this report at Attachment 3.

*Submissions and evidence*

1. A reference in the recommended statement of significance to the mid-twentieth century shearing shed being demonstrative of the wool boom post World War II was questioned by Lovell Chen. It was submitted that it replaced an earlier shed in the same location.
2. The Acting Executive Director pointed out that that Exford is one of the oldest sheep runs in Victoria and sheep farming has been a continuous activity there since the 1840s. The Committee heard that when the run was subdivided in 1907, a new shearing shed was required at Exford. A shearing shed is shown in the 1946 aerial photograph and it appears to have been altered in the 1950s. The Acting Executive Director argued that due to changes in technology, shearing sheds are often upgraded and renewed. Ultimately, the Acting Executive Director’s view was that the extant shed and yards are considered to be significant buildings at Exford.
3. It was pointed out to the Committee that the archaeological value of the site previously occupied by Dr Walton from 1840 was not acknowledged in the statement of significance. Otherwise, the Acting Executive Director was largely in support of the statement proposed by Lovell Chen.

*Discussion and conclusion*

1. The Committee agrees with the Acting Executive Director’s submission that the shed demonstrates the continuous use of the place for sheep farming since settlement in 1840. Nonetheless, the Committee is of the view that the shearing shed and yards are of no more than contributory significance to the place and should be labelled as such in the statement.
2. In the Committee’s view, the site of Dr Walton’s residence is significant and should be mentioned in the Statement.
3. The statement of significance adopted by the Committee is at Attachment 4.

## Permit Policy

1. Lovell Chen submitted an alternative permit policy.

*Submissions and evidence*

1. In Mr Lovell’s view, the permit policy and exemptions recommended by the Executive Director offer general guidance but do not relate to the specific issues and management of the place. He submitted a permit policy which has more specific guidance in relation to the future management of the property (Attachment 5).
2. The Acting Executive Director submitted that he did not object to the adoption of the policy proposed by Lovell Chen provided that recognition is given to the site’s archaeological potential, original driveway and access tracks, the extensive water collection and storage systems, all of the remnant trees including *Eucalyptus macrocarpa, Eucalyptus melliodora, Eucalyptus polyanthemos subsp. vestita* and *Eucalyptus camaldulensis* and development of the place from the 1840s to 1950s.
3. Mr Lovell did not ascribe any particular significance to the original driveway and did not believe that it deserved mentioning in the permit policy. He held that only the water infrastructure dating from the nineteenth century could be considered to be significant. Mr Lovell submitted that ‘all of the remnant trees’ is too broad a statement for inclusion in the permit policy.

*Discussion and conclusion*

1. The Committee was largely in agreement with Mr Lovell’s proposed permit policy. In the Committee’s view, the original driveway is a significant aspect of the place and a reference has been included in the permit policy.
2. The adopted permit policy and exemptions for the place are at Attachment 6 to this report.

## Permit Exemptions

1. Lovell Chen proposed an alternative suite of permit exemptions (Attachment 5).

*Submissions and evidence*

1. Lovell Chen suggested permit exemptions that related to the existing buildings, not just the landscape.
2. The Acting Executive Director provided the following comments on the permit exemptions proposed by Lovell Chen:

| **Proposed exemption** | **Supported** | **Comment** |
| --- | --- | --- |
| Removal of the minor works provision  | Yes | Include in permit policy to ensure that future owners are aware that further permit exemption opportunities are available post registration under s.66(3) of the Heritage Act. |
| Any works to the interiors of the 1840s buildings  | No | Any works to these buildings must be managed carefully and with the input of appropriately qualified heritage professionals or conservators. |
| Site security | No | The purpose of these exemptions is unclear. The Acting Executive Director would prefer to see details of the works proposed. It may be possible to issue a s.66(3) permit exemption post registration. |
| Demolition | No | As the relative significance of the elements within the place are in dispute, as-of-right demolition exemptions are not supported |
| Subdivision, new works and development | No | It is inappropriate to exempt subdivision and new development from permit. The PSP can be noted in permit policy. Pipeline replacement and road widening may be appropriate but in the absence of detailed proposals the impact on significance is unclear. |

1. Mr Lovell was in agreement with the Acting Executive Director about works to the interiors of the 1840s buildings and clarified that the dot points at ‘Building Interiors’ do not apply to those buildings.
2. In support of the site security exemptions, Lovell Chen pointed out that the site is likely to be vacant for a period of time in the near future.

*Discussion and conclusion*

1. In the Committee’s view, it is not appropriate to include permit exemptions for specific planned works. Road widening, site security or replacement of a gas pipeline may be appropriate but should be addressed via application for a permit or a s.66(3) permit exemption.
2. The permit exemptions adopted by the Committee are at Attachment 6.

**Conclusion**

1. Pursuant to Sections 42(1)(a) and 54 of the *Heritage Act 1995* the Heritage Council has determined:
	* that Exford Homestead is of cultural heritage significance; and
	* to amend the item in the Heritage Register.
2. A revised Statement of Significance, Extent of Registration, Permit Policy and Permit Exemptions have been adopted and are at Attachments 2-6 to this report.
3. In the Committee’s view, a revised Conservation Management Plan (taking into account the gazetted Extent of Registration and adopted Statement of Significance, Permit Policy and Exemptions) could be an appropriate guide to management of the place.



**ATTACHMENT 1**

**HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGIFICANCE**

|  |  |
| --- | --- |
|  |  |
| CRITERION A | Importance to the course, or pattern, of Victoria’s cultural history. |
| CRITERION B | Possession of uncommon, rare or endangered aspects of Victoria’s cultural history. |
| CRITERION C | Potential to yield information that will contribute to an understanding of Victoria’s cultural history. |
| CRITERION D | Importance in demonstrating the principal characteristics of a class of cultural places or objects. |
| CRITERION E | Importance in exhibiting particular aesthetic characteristics. |
| CRITERION F | Importance in demonstrating a high degree of creative or technical achievement at a particular period. |
| CRITERION G | Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions. |
| CRITERION H | Special association with the life or works of a person, or group of persons, of importance in Victoria’s history. |

**These were adopted by the Heritage Council at its meeting on 7 August 2008, and replace the previous criteria adopted by the Heritage Council on 6 March 1997.**



**ATTACHMENT 2**

### EXTENT OF REGISTRATION

1. All of the land marked L1 on Diagram 316 held by the Executive Director

2. All of the buildings marked B1-B13 on Diagram 316 held by the Executive Director

B1 House

B2 Kitchen
B3 Servants’ quarters

B4 Stable/garage

B5 Stable

B6 Underground tank

B7 & B8 Bluestone pavilions

B9 Gardener’s cottage

B10 Barn/coach house

B11 Underground tank

B12 Blacksmith’s forge & residence

3. All of the features marked F1-F3 on Diagram 316 held by the Executive Director

F1 Site of Dr Walton’s residence

F2 Entry Gateposts

F3 Bluestone wall









**ATTACHMENT 3**

### EXISTING, RECOMMENDED AND PROPOSED STATEMENTS OF SIGNIFICANCE

**Existing**

Exford Homestead, Exford Road, Melton South, is located on the run acquired by pastoralist Simon Staughton in 1842. The oldest, central position of the homestead dated from circa 1843 and is constructed of pise with eight posts at the various corners. There is an attic within the hipped roof (originally shingle clad) with dormer windows. Extensive additions have been made. There are also a number of distinctively designed outbuildings in bluestone.

Exford homestead, Exford Road, Melton South, is one of the earliest surviving residences in Victoria. It is of immense architectural importance due to its age and its vernacular construction in pise, surviving examples of which are very rare. The later bluestone buildings are notable examples of associated structures. The picturesque gothic buildings are distinctive and important examples of this rare style. The homestead also has historical associations with the early settlement of the region.

Exford homestead, Exford Road, Melton South, is in good condition, and reasonably intact with respect to the homestead itself. The other buildings are in various states of deterioration and intactness.

**Recommended by the Executive Director**

***What is significant?***

Exford is a 255 ha farming property south of Melton and 40 km west of Melbourne. It is a remnant of a once-vast pastoral property developed by Simon Staughton and his family from 1842. It retains a house built c1842 and a number of outbuildings of various dates. These include a detached kitchen, servants’ quarters and stables, all adjacent to the house, and some distance to the north-east a large barn, blacksmith’s forge and residence and a shearing shed.

*History Summary*

The licence for the Exford run was acquired in 1842 by the British-born Simon Staughton (1797-1863), who had immigrated in 1841 with his wife, four children and considerable capital. Soon after taking up the run Staughton built a single storey house on a bluff overlooking the Werribee River. Staughton survived the economic depression of the 1840s and in the prosperous 1850s was able to obtain freehold title over much of his land, including the adjacent Eynesbury station (VHR H362). He began a new building program at Exford, constructing a timber addition to the west of the house, as well as several bluestone outbuildings: the barn and the blacksmith’s forge and residence to the north, a gardeners’ cottage in the garden on the slopes towards the Werribee River to the south, two pavilions to the west of the house, and a bluestone woolshed across the river to the south (now on the adjacent Warrawong property and included in the VHR as H2276). On Simon’s death in 1863 his vast land holdings, comprising Exford, Eynesbury, Nerowie and Staughton Vale stations, were divided among his four sons. Exford, comprising 5265 ha of the original run, went to his youngest son, Harry Werribee. It remained in his ownership until the mid-1920s, when it was transferred to his son of the same name. By this time it was only about 400 ha, with 3200 ha having been sold to the Closer Settlement Board in 1906. John Sutherland purchased Exford in 1927, and during his ownership added to the house the weatherboard billiards wing to the east.

*Description Summary*

The central part of the Exford homestead was based on a framework of eight large tree trunk posts, with smaller intermediate timber posts and with a lightweight infill of courses of earth separated by horizontal timber battens. The roof is clad with corrugated iron over the original shingles. The attic storey with dormer windows is a later addition, probably 1860s. Across the front and rear are verandahs supported on timber posts. At the west end of the house is a timber addition, probably built in the 1860s, and to the east is a c1930 weatherboard billiard wing. A cellar with bluestone rubble walls extends beneath the original homestead’s central hall. The detached kitchen was probably built at about the same time as the house. The walls, partly of hand-made bricks and partly of volcanic stone rubble and clay, have been rendered. The timber floor is laid directly on the ground. The servants’ quarters is a rectangular plan weatherboard building connected to the kitchen by a verandah.The stable/garage is to the north of the kitchen and separated from it by a skillion containing a meat house. The southern part, framed with trimmed tree trunk posts and with rough-hewn timber slab walls now covered with weatherboards, was probably built as a stable at about the same time as the house. The northern section is a later (c1930s) addition with a conventional timber frame clad with weatherboards.To the west of the stable/garage is a smaller timber stable building.To the west of the homestead are two small decorative bluestone pavilions, probably built in the 1850s. They have slate roofs, arched window and doors with fanlights, and tall bluestone pinnacles topped with orbs at the front corners.To the south of the homestead are the remains of a bluestone gardener’s cottage, probably also built in the 1850s, which once had a twin pyramidal slate-clad roof and Gothic arched windows.To the north-east of the house is a complex of farm buildings. A large bluestone barn-like structure with a slate roof has a keystone with the date 1856 above the wide arched entrance. A collapsed skillion on the north side is thought to have been used as a dairy. Nearby are the ruins of a bluestone blacksmith’s forge and residence, an underground water tank with a gable roof, and a c1950s timber and corrugated iron shearing shed. Most of the land has been cleared for grazing but some remnant native bushland survives.

***How is it significant?***

Exford Homestead satisfies the following criteria for inclusion in the Victorian Heritage Register:

Criterion A Importance to the course, or pattern, of Victoria’s cultural history

Criterion B Possession of uncommon, rare or endangered aspects of Victoria’s cultural history

Criterion D Importance in demonstrating the principal characteristics of a class of cultural places and objects

Criterion H Special association with the life or works of a person, or group of persons, of importance in Victoria’s history.

***Why is it significant?***

Exford Homestead is significant at the State level for the following reasons:

Exford has historical significance for its association with the early history of European settlement in Victoria. It has operated as a working pastoral and farming concern since the early squatting era in Victoria and has associations with the Staughton family, one of the most prominent of the colony’s early landowners. The homestead’s simple form and materials are typical of building in Port Phillip in the 1840s, and reflect the low wool prices and economic hardship of the time. The difference between the early 1840s timber buildings and the more sophisticated bluestone structures of the 1850s reflects the increasing prosperity of the colony following the gold rushes of the 1850s, and also the influx of skilled immigrants at the time. The 1850s buildings also reflect the changes to land tenure which occurred after the late 1840s, when the pastoralists were able to obtain secure title of their land and were now willing to construct more permanent buildings with greater architectural pretension. The mid-twentieth century shearing shed reflects the wool boom of the post World War II period. (Criterion A)

The house and outbuildings at Exford provide now rare examples of building forms, materials and vernacular building techniques typical of the early days of the colony. The homestead is one of the earliest surviving residences in Victoria. It is a rare example of a substantial country house built in the early 1840s, a time when pastoralists had no secure tenure of their land and when few substantial houses were built in country areas. The picturesque bluestone outbuildings are unusually ornate examples of their kind, particularly the Gothic style gardener’s cottage and the two pavilions with bluestone pinnacles with orbs. The former gardener’s cottage is a rare example of the use of the Gothic Revival style for a utilitarian farm building. (Criterion B)

The Exford homestead complex demonstrates many of the characteristics of the residential and farm buildings constructed on the early pastoral runs during the mid- to late- nineteenth century. (Criterion D)

The Exford Homestead complex is significant for its association with Simon Staughton, who was among the most prominent of the early colonial pastoralists. He and his sons were the owners of one of Victoria’s largest pastoral empires, comparable with those of the Chirnside and Clarke families. (Criterion H)

Exford Homestead is also significant for the following reasons, but not at the State level:

Exford is of local significance for its association with the early history of the Melton district (Criterion A), and for its association with the Staughton family, members of which have played important roles in the local community since the mid-nineteenth century (Criterion H).

**Proposed by Lovell Chen**

***What is significant?***

Exford is a farming property of approximately 30.5 hectares located 3.5km south of South Melton. It was part of a large run taken up in 1842 by emigrant landowner Simon Staughton. Originally extending for many hundreds of hectares, and subsequently divided into four smaller properties after Staughton’s death in 1863, the property retains an early 1840s homestead building and outbuildings constructed of locally hewn timber, mud and lath rendering, and of local stone. Subsequent additions in locally-quarried bluestone in the mid 1850, after security of tenure had been gained, added a double-height store, a smithy with attached accommodation, two bluestone pavilions and bluestone fence enclosing an orchard. A suite of timber additions introduced in the 1930s demonstrate a later phase of development at the place. The property occupies a picturesque setting with views over the Werribee River valley to the south, and a stand of Grey Box (*Eucalyptus microcarpa*) to the north. The original property operated as a pastoral land holding, supporting livestock (initially sheep, then cattle and sheep again) from the early 1840s through to the early 1900s, and sheep farming continues on the remaining homestead landholding.

***How is it significant?***

Exford Homestead satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion A Importance to the course, or pattern, of Victoria’s cultural history.

Criterion B Possession of uncommon, rare or endangered aspects of Victoria’s cultural history.

Criterion D Importance in demonstrating the principal characteristics of a class of cultural places and objects.

***Why is it significant?***

The Exford Homestead is of historical significance to Victoria for its direct association with the earliest phase of European occupation of the Port Phillip District (Victoria). The site was first occupied from 1840 by Dr John Walton, a member of the Port Phillip Association (PPA). Dr Walton was engaged in sheep farming, an activity that intensified considerably under the ownership of Simon Staughton, who acquired the run in 1842. The use of the land for sheep farming since 1840 relates directly to the primary reason for the settlement of the Port Phillip District by the PPA. (Criterion A)

Staughton built a substantial homestead and outbuildings on elevated ground to the north of the site, with views looking south over the Werribee River and Toolern Creek. The residence and some of the outbuildings survive, and are some of the earliest buildings in Victoria. The construction of a generously-proportioned homestead in the pretenure period of the early-1840s is rare. It also belies the economic hardships of the 1840s. The survival the homestead, and the early homestead outbuildings, is also unusual, as is the use of a variety of vernacular construction technologies. It was typical for early homestead buildings to be replaced or significantly improved as land tenure was secured and wealth increased. (Criteria B and D)

The Exford Homestead is a remnant of a once extensive landholding. The political and social forces that influenced the expansion and contraction of the Staughton estate between the 1840s and the early twentieth century are demonstrative of the Port Phillip District’s transition from a sparsely populated settlement dominated by a small number of wealthy pastoralists to an increasingly populous and self-governed state. The sequence of land tenure at the Exford Homestead, from licensed squatting, granting of freehold, attempt to secure the site as a preemptive right and later disposal of land to the Victorian Closer Settlement Board, is likewise demonstrative of the Port Phillip District’s transition from an illegally-occupied territory to a formal settlement. (Criterion A)

The Exford Homestead is significant for its ability to demonstrate a number of the key characteristics of early pastoral homesteads in the Port Phillip District. The property is sited close to a reliable water source and on an established transport route. Reflecting the requirement for self-sufficiency in isolated areas during the early settlement period, the property also demonstrates a variety of vernacular construction technologies built of locally-available materials. The early outbuildings at Exford were constructed of roughly-hewn timber framing, timber slabs and local stone. The homestead is constructed of eight large timber posts hewn from tree trunks. The timber framed walls are clad with horizontal timber slabs applied with mud, under a later render finish. The suite of bluestone buildings dating to the 1850s demonstrate more sophisticated construction technologies and refined materials, reflecting security of tenure and Staughton’s increased wealth. The distinctive bluestone fence to the west and south of the homestead is also believed to date to this phase of development. The timber buildings and additions dating to the 1930s demonstrate a later phase of development at the property. (Criteria B and D)

A distinctive feature at Exford is the use of the Staughton ‘orb’, a feature that is carved into the timber posts surmounting the bluestone fence and the gateposts. It was also continued in the bluestone pavilions of the 1850s. Staughton also marked the extent of his holding with timber posts featuring a carved timber orb at quarter mile intervals. Another distinctive feature of the place is the Grey Box stand to the north of the property. It was more common for early settlers to clear native vegetation and give the land over to pasture. The Grey Box – the majority of which date to the 1870s/80s – provide an understanding of the setting and presentation of the place as it would have been experienced in the 1840s. The typical program of pastoral estates is demonstrated at Exford, whereby the main residence was the centrepiece, often sited to optimise an aspect, with domestic amenities to the rear and/or sides. Outbuildings typically included a freestanding kitchen, laundry, meat store servants’ accommodation and stabling. At Exford there is a clear distinction between the domestic precinct and the agricultural grouping a short distance to the north-east. (Criterion D)

Individual elements of aesthetic significance include the two Picturesque Gothic pavilions to the west of the homestead, the gardener’s cottage and the blacksmith’s premises (both in a ruinous condition) and the bluestone store. The pavilions to the west of the homestead and the gardener’s cottage have a high level of aesthetic refinement, as compared to the comparatively utilitarian barn and blacksmith’s quarters and forge. (Criterion B)

Exford Homestead is also significant for the following reasons, but not at the State level:

The Exford Homestead is of local significance for its association with the early history of the Melton district (Criterion A) and the association with Simon Staughton (1797-1863) and his family (Criterion H). Simon Staughton was a pioneer pastoralist who became one of the wealthiest landowners in Victoria by the early 1860s. Staughton was born at St Neots, near Cambridge, England. By the time of his arrival in the Port Phillip District in 1841 he had reportedly amassed savings of ‘40,000 sovereigns’, apparently an outcome of a successful book-binding enterprise. This sum was sufficient for him to enter into life as a pastoralist in the Port Phillip District. Staughton is not recorded as having played a role in colonial politics, neither was he a prominent force socially. He and his family were however prominent in the local community and contributed to its growth and development (Criterion H). He was also known as a protector to the Aboriginal people. A community elder (‘John Bull’) was among a number of Aboriginals buried at the property. The Exford Homestead remained in the ownership of the Staughton family from 1842 to 1927.



**ATTACHMENT 4**

### ADOPTED STATEMENT OF SIGNIFICANCE

***What is significant?***

Exford Homestead is one of the oldest residences in Victoria and part of a rare surviving 1840s homestead complex. It is a farming property now comprising approximately 30.5 hectares located 3.5km south of South Melton where sheep have been raised since the earliest phase of European occupation of the Port Phillip District (Victoria). The site was occupied from 1840 by Dr John Walton, a member of the Port Phillip Association, a syndicate of Van Diemans Land colonists formed in 1835 with the aim of establishing pastoral activities on the north shore of the Bass Strait. The place was then part of a large run taken up in 1842 by emigrant landowner Simon Staughton.

Eventually extending for many thousands of hectares, the run was divided into four smaller properties after Staughton’s death in 1863. The place retains an early 1840s homestead building and outbuildings constructed of locally hewn timber, mud and lath rendering, brick and local stone. Subsequent additions in locally-quarried bluestone date from the mid 1850s, after security of tenure had been gained, and include a double-height store, a smithy with attached accommodation, two bluestone pavilions and bluestone fence enclosing an orchard. The Staughton ‘orb’ is carved into the timber posts surmounting the bluestone fence and gateposts. It is also found in the bluestone pavilions of the 1850s. The extent of Staughton’s holding was marked at quarter mile intervals with posts featuring a similar carved timber orb. A suite of timber additions introduced in the 1930s demonstrate a later phase of development at the place.

Exford Homestead was a safe haven for Aboriginal people during the early contact period, a reflection of Simon Staughton’s commitment to the well-being of the indigenous population. Local tribes-people were employed on the estate to erect fencing.

The property occupies a picturesque setting with views over the Werribee River valley to the south, and a stand of Grey Box (*Eucalyptus microcarpa*) to the north.

***How is it significant?***

Exford Homestead satisfies the following criteria for inclusion in the Victorian Heritage Register:

Criterion A Importance to the course, or pattern, of Victoria’s cultural history.

Criterion B Possession of uncommon, rare or endangered aspects of Victoria’s cultural history.

Criterion C Potential to yield information that will contribute to an understanding of Victoria’s cultural history.

Criterion D Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Criterion H Special association with the life or works of a person, or group of persons, of importance in Victoria’s history.

***Why is it significant?***

Exford Homestead is of historical significance for its direct association with the earliest phase of European occupation of the Port Phillip District (Victoria). The site was first occupied from 1840 by Dr John Walton, a member of the Port Phillip Association, a syndicate of Van Diemonian colonists formed in 1835 with the aim of establishing pastoral activities on the north shore of the Bass Strait.

Exford Homestead is of historical significance as the last remnant of ‘Exford’ a once extensive run which has from its initial occupation, through acquisition by Simon Staughton in 1842 and later occupation by his descendants to the present, been in continuous operation as a sheep farm. Sheep farming was the primary reason for the settlement of the Port Phillip District and became a significant part of the Victorian economy. The mid-twentieth century shearing shed reflects the continued use of the place for sheep farming and is of contributory significance.

Exford Homestead demonstrates the political and social changes which affected the Port Phillip District and Victoria in the early years of European settlement. The difference between the early 1840s timber buildings and the more sophisticated bluestone structures reflects increasing prosperity following the gold rushes of the 1850s, and the associated influx of skilled immigrants. The construction technologies and refined materials used in the 1850s bluestone buildings demonstrate that pastoralists were by then willing to construct more permanent buildings with greater architectural pretension due to an ability to obtain secure land tenure. The distinctive bluestone fence to the west and south of the homestead is also believed to date from this phase of development. (Criterion A)

The 1840s Exford Homestead is one of the earliest residences in Victoria. The homestead and outbuildings are rare surviving examples from this period and demonstrate an unusual variety of vernacular construction technologies. Exford homestead is a rare example of a generously-proportioned homestead constructed in the pretenure period of the early-1840s. It was typical for early homestead buildings to be replaced or significantly improved as land tenure was secured and wealth increased.

The group of 1850s Picturesque Gothic structures which present as follies in the landscape are an uncommon feature. The detailing to the two pavilions and the gardener’s cottage has a level of refinement seldom seen in such outbuildings.

The survival of the indigenous Grey Box (*Eucalyptus microcarpa*) stand to the north of the homestead is unusual. A more typical response to native vegetation by early settlers in Victoria was for the trees to be felled, and the land given over to pasture. (Criterion B)

The site of Dr Walton’s residence is of high level potential archaeological significance as it is likely to contain features, relics and deposits related to the earliest phase of European settlement of Victoria. The area to the north of the homestead where early outbuildings are likely to have been located is also of potential archaeological significance. (Criterion C)

The isolation of early homesteads demanded self-sufficiency, resulting in the use of vernacular technologies and locally available materials and/or pre-fabricated buildings. The early outbuildings at Exford were constructed of roughly-hewn timber framing and timber slabs, and in the case of the detached kitchen, of local stone and brick. The homestead itself is constructed of eight large timber posts hewn from tree trunks. These are located at each corner of the house and flanking the front door to the south and rear door to the north. The timber framed walls are clad with horizontal timber slabs applied with mud under a later render finish. The range of materials and technologies used at Exford explains the diversity in the external presentation of the early homestead buildings.

Many early homesteads were distinguished by a sense of enclosure, with walls, hedges and tree plantings variously providing formal settings, protection from prevailing winds, a sense of security in little known and sometimes uncharted landscapes and distinction between domestic and agricultural areas. This distinction was typically reinforced by plantings, with the enclosed areas planted with European-style or exotic plantings, and natives beyond. At Exford there is very limited evidence of early plantings but a bluestone wall with an integrated timber post and rail fence was established to the north-west of the homestead returning to the south.

The typical layout of pastoral estates is demonstrated at Exford, whereby the main residence is the centrepiece, sited to optimise an aspect, with domestic amenities to the rear and/or sides. Outbuildings often included a freestanding kitchen, laundry, meat store, servants’ accommodation and stabling. At Exford there is a clear distinction between the domestic precinct and the agricultural grouping a short distance to the north-east.

Common denominators between early homesteads included access to water and established roadways. This is assumed to explain the siting of Dr Walton’s residence at the southern part of the place, on low-lying land presumably within the Werribee River flood plain. In contrast, Staughton built a substantial homestead and outbuildings on elevated ground to the north of the place, with views looking south over the Werribee River and Toolern Creek. Proximity to a river crossing is also likely to have been a factor in the desirability of the Exford Homestead site. The road directly to the south of the property was on one of the main routes from Melbourne to the west. (Criterion D)

Exford is significant for its long association with the Staughton family, one of the largest owners of freehold land in colonial Victoria, only rivalled in this region by the Clarke and Chirnside families. (Criterion H)



**ATTACHMENT 5**

### RECOMMENDED AND PROPOSED PERMIT POLICY AND EXEMPTIONS

### There are no existing permit policy or exemptions.

### Recommended by the Executive Director

***Permit Policy***

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to the place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing any proposed works will assist in answering any questions the owner may have and aid any decisions regarding works to the place. It is recommended that a Conservation Management Plan is undertaken to assist with the future management of the cultural significance of the place.

The extent of registration protects the whole site. The addition of new buildings to the site may impact upon the cultural heritage significance of the place and requires a permit. The purpose of this requirement is not to prevent any further development on this site, but to enable control of possible adverse impacts on heritage significance during that process. All of the registered building is integral to the significance of the place and any external or internal alterations are subject to permit application.

***Permit Exemptions***

***General Conditions: 1.*** All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

***General Conditions: 2.*** Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

***General Conditions: 3.*** If there is a conservation policy and plan all works shall be in accordance with it. Note: A Conservation Management Plan or a Heritage Action Plan provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan.

***General Conditions: 4.*** Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions

***General Conditions: 5.*** Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable.

***Minor Works : Note:*** Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works may submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.

*Landscape*

* The process of gardening, including mowing, hedge clipping, bedding displays, removal of dead shrubs and replanting the same species or cultivar, disease and weed control, and maintenance to care for existing plants.
* Removal of dead or dangerous trees and vegetation, works to maintain fire safety and to conserve significant buildings and structures and emergency works, provided a report is submitted to the Executive Director no less than 21 days prior to commencement of works.
* Replanting the same plant species which conserves the significant landscape character and values including specimen trees, avenues, rows, shrubberies, flower beds, and lawns, provided a list and plan is approved by the Executive Director in writing.
* Management of trees in accordance with Australian Standard; Pruning of Amenity Trees AS 4373-1996.
* Management of trees in accordance with Australian Standard; Protection of Trees on Development Sites AS 4970-2009
* Subsurface works involving the installation, removal or replacement of watering and drainage systems or services, outside the canopy edge of significant trees in accordance with AS4970 and on the condition that works do not impact on archaeological features or deposits.
* Removal of plants listed as noxious weeds in the *Catchment and Land Protection Act* 1994
* Vegetation protection and management of possums and vermin.

### Proposed by Lovell Chen

***Permit Policy***

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to Exford Homestead. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing any proposed works will assist in answering any questions the owner may have and aid any decisions regarding works to the place. When assessing applications for works, consideration should be given to the assessment and policies contained in the Exford Homestead Conservation Management Plan prepared by Lovell Chen Architects & Heritage Consultants (2013).

The significance of the Exford Homestead complex derives from the relationship between the early (1840s/50s) buildings and the landscape setting, the whole providing evidence of the occupation and operation of the land from the earliest phase of European settlement of the Port Phillip District (Victoria). The 1840s buildings are valued both aesthetically, and for their rarity as buildings of vernacular construction. The bluestone buildings of the 1850s are architecturally distinctive, and have a degree of refinement uncommon in outbuildings. The enclosure of the homestead precinct by a bluestone wall and plantings provides an understanding of the response to the landscape by early settlers. The natural landscape, including the Grey Box (*Eucalyptus microcarpa*) stand, is valued for its ability to provide a context for the homestead complex, and as a remnant of species that was once widespread in the area.

Despite alterations and additions over time both the homestead and farm building precincts have the ability to demonstrate their early configuration and uses. Areas and elements that do not contribute in a fundamental way to the significance of the place include later additions of little or no aesthetic or architectural value (including the mid-twentieth century driveway, and the 1950s car port to the south-west of the homestead building).

The extent of registration protects the whole site. The addition of new buildings to the site may impact upon the cultural heritage significance of the place and requires a permit. The purpose of this requirement is not to prevent any further development on this site, but to enable control of possible adverse impacts on heritage significance during that process. In addressing future development the conservation of the following elements and attributes are important considerations in maintaining the heritage significance of the Exford Homestead:

* The homestead precinct, comprising the homestead and its associated outbuildings and landscape areas, as a self-sufficient domestic setting dating to the 1840s. The farm buildings to the north-east of the homestead precinct as a group of buildings and elements with the collective ability to demonstrate aspects of the operation of the Staughton pastoral property from the mid-nineteenth century.
* The Grey Box (*Eucalyptus microcarpa*) stand as a remnant of a species that was once widespread in the area and provides a setting for the homestead and farm building precincts.
* A visual connection between the homestead and farm building precincts.
* An understanding of the relationship between the homestead complex and the watercourses to the south.

### *Permit Exemptions*

*General conditions 1*

* All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

*General conditions 2*

* Should it become apparent during further inspection or the carrying out of alterations that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such alteration shall cease and the Executive Director shall be notified as soon as possible.

*General conditions 3*

* If there is a conservation policy and plan all works shall be in accordance with it. Note: A Conservation Management Plan for the property was prepared by Lovell Chen Architects & Heritage Consultants in 2013.

*General conditions 4*

* Nothing in this declaration prevents the Executive Director from amending or rescinding all or any of the permit exemptions.

*General conditions 5*

* Nothing in this declaration exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authority where applicable.

*Regular site and building maintenance*

The following site maintenance works are permit exempt under Section 66 of the *Heritage Act 1995*:

*Building exteriors*

* Removal of extraneous items such as pipe work, ducting, wiring, antennae and aerials, and making good.
* Repainting all previously painted surfaces in the same colour and paint type.
* Cleaning including the removal of organic growths, vegetation and surface deposits to built fabric.

*Building interiors*

* The maintenance of an item to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of new materials.
* This excludes works to the buildings of the 1840s (the homestead, kitchen and stable). Maintenance to these buildings should be carried out under the direction of conservation practitioner with relevant experience and qualifications.
* Interior painting/wall papering to walls and ceilings, provided the preparation work for painting/papering does not remove evidence of the building’s original or earlier paint or decorative scheme(s).
* Repair and servicing of existing equipment and services including wiring and plumbing.
* Installation, removal and replacement of bulk insulation in roof spaces.
* Installation, removal and replacement of smoke detectors.
* Installation, removal and replacement of curtain tracks, rods, blinds and other window dressings
* Installation, removal or replacement of carpets and/or flexible floor coverings.
* Installation, removal and replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall mounted artworks.
* Refurbishment of bathrooms/toilets including removal of sanitary fixtures and associated piping, and installation of new fixtures.
* Removal of fittings and finishes to the bathroom and kitchen (rooms G6 and G7) in the homestead, provided there is no damage to or alteration of original structure or fabric.

*Grounds and land holding*

* Regular site maintenance provided the works do not involve the removal or destruction of any significant above-ground features or sub-surface archaeological artefacts or deposits.
* Cleaning out gutters, drainage systems, ponds, dams and other water storage and drainage areas.
* Maintenance and replacement of existing power cables or service pipelines or other public services located on the property where this involves no alteration to the built fabric (including archaeological values) of the place.
* Laying of gravel/toppings to the driveways.
* Erection or construction of roads and tracks and of fencing, gates, stockyards or any other forms of access and enclosure necessary for the continuation of agricultural activities on the property provided that the works do not adversely affect the registered buildings and land.

*Regular landscape maintenance and management*

* Horticultural maintenance works that do not affect the shape, scale and layout of the front paddock, the homestead garden or the working yard, or diminish an understanding of their distinct functions.
* The removal of trees identified by an arborist as dead, dangerous or diseased, including instances where the trees pose a threat to the conservation of significant buildings and structures.
* Management of trees in accordance with Australian Standards, Pruning of Amenity Trees AS 4373-1996 and Protection of Trees on Development Sites AS 4970-2009.
* Subsurface works involving the installation, removal or replacement of watering and drainage systems or services, outside the canopy edge of significant trees in accordance with AS4970 and on the condition that works do not impact on archaeological features or deposits.
* Removal of plants listed as noxious weeds in the *Catchment and Land Protection Act 1994*.
* Vegetation protection and management of possums and vermin.

*Site security*

* Site security activities provided the works do not involve the removal or destruction of any significant above-ground structures or sub-surface archaeological artefacts or deposits.
* The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the place including archaeological features.

*Demolition*

* Buildings and elements identified in the CMP as being of little or no significance can be demolished, subject to full recording to the satisfaction of the Executive Director. These are: the entry driveways to the homestead and farm buildings precincts from Exford Road; the 1950s carport (identified as Building 2 in the CMP); the recent timber fence to the work yard (identified as elements L3 in the CMP); the shearing shed (identified as Building 12 in the CMP); the modern sheds (Buildings 15 and 16 in the CMP); the sheep yards (identified as element L5 in the CMP); the truck loading dock (identified as element L6 in the CMP); the header tanks (identified as elements L7 and L9 in the CMP); the entry gate to the farm buildings precinct (identified as element L8 in the CMP); and the grain silo store (identified as element L10 in the CMP).
* Subject to full recording to the satisfaction of the Executive Director the following elements can be demolished: the c. 1930s timber WC addition to the west of the homestead (part of Building 1 as identified in the CMP); the c. 1930s garage that abuts the west of the 1840s section of the stables garages (Building 7 in the CMP).

*Subdivision, new works and development*

As contemplated in the Toolern Precinct Structure Plan there is the potential for subdivision and new development on the registered place. Accordingly it is proposed that such works should accord with Design Guidelines approved by the Executive Director as a means of assisting in future approvals. The action of subdivision would not be permit exempt. In addition there are currently works proposed to install a replacement gas pipeline and in the future, to widen Exford Road. Accordingly the following exemptions are proposed:

* New development that complies with Design Guidelines endorsed by the Executive Director. The Design Guidelines should address the siting, architectural design, height, materials and roof forms of new development in these areas.
* Installation of a replacement gas pipeline on the western boundary of the property consistent with Waterford Pipeline Relocation drawings prepared by OSD Pipelines, Drawing No’s 102102-DWG-001-05 and 102102-DWG-001-02, issued March 2012.
* Road widening to the west side of Exford Road, providing that the encroachment on the Exford property is no greater than 13 metres.



**ATTACHMENT 6**

### ADOPTED PERMIT POLICY AND EXEMPTIONS

### *Permit Policy*

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to Exford Homestead. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing any proposed works will assist in answering any questions the owner may have and aid any decisions regarding works to the place. When assessing applications for works, consideration should be given to the assessment and policies contained in the Exford Homestead Conservation Management Plan prepared by Lovell Chen Architects & Heritage Consultants (2013). Consideration may also be given, where appropriate, to the Toolern Precinct Structure Plan considered as part of Amendment C84 to the Melton Planning Scheme in 2012.

The significance of the Exford Homestead complex derives from the relationship between the early (1840s/50s) buildings and their landscape setting, the whole providing evidence of the occupation and operation of the land from the earliest phase of European settlement of the Port Phillip District (Victoria). The 1840s buildings are valued for their rarity as buildings of great age and vernacular construction.

The bluestone buildings of the 1850s are architecturally distinctive, and have a degree of refinement uncommon in outbuildings. The enclosure of the homestead precinct by a bluestone wall and plantings provides an understanding of the response to the landscape by early settlers.

The natural landscape, including the Grey Box (*Eucalyptus microcarpa*) stand, is valued for its ability to provide a context for the homestead complex, and as a remnant of a species that was once widespread in the area.

Despite alterations and additions over time, both the homestead and farm building precincts have the ability to demonstrate their early configuration and uses. Areas and elements that do not contribute in a fundamental way to the significance of the place include later additions of little or no aesthetic or architectural value (including the shearing shed, the mid-twentieth century driveway, and the 1950s car port to the south-west of the homestead building).

Any maintenance works to significant buildings should be carried out under the direction of a conservation practitioner with relevant experience and qualifications.

The site of Dr Walton’s residence is of high level potential archaeological significance as it is likely to contain features, relics and deposits related to the earliest phase of European settlement of Victoria. The area around the homestead where early outbuildings are likely to have been located is also of potential archaeological significance.

The extent of registration covers the whole site. The addition of new buildings to the site may impact upon the cultural heritage significance of the place and requires a permit. The purpose of this requirement is not to prevent any further development on this site, but to enable control of possible adverse impacts on heritage significance during that process. In addressing future development the conservation of the following elements and attributes are important considerations in maintaining the heritage significance of the Exford Homestead:

* The homestead precinct, comprising the homestead and its associated outbuildings and landscape areas, including the original driveway, as a self-sufficient domestic setting dating to the 1840s. The farm buildings to the north-east of the homestead precinct as a group of buildings and elements with the collective ability to demonstrate aspects of the operation of the Staughton pastoral property from the mid-nineteenth century.
* The Grey Box (*Eucalyptus microcarpa*) stand as a remnant of a species that was once widespread in the area and provides a setting for the homestead and farm building precincts.
* A visual connection between the homestead and farm building precincts.
* An understanding of the relationship between the homestead complex and the watercourses to the south.

The Toolern Precinct Structure Plan contemplates subdivision and new development on the registered place. Any proposal should accord with Design Guidelines approved by the Executive Director which address the siting, architectural design, height, materials and roof forms of proposed new development in these areas.

### *Permit Exemptions*

*General conditions 1*

* All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

*General conditions 2*

* Should it become apparent during further inspection or the carrying out of alterations that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such alteration shall cease and the Executive Director shall be notified as soon as possible.

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Building exteriors

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* Repainting all previously painted surfaces in the same colour and paint type.
* Cleaning including the removal of organic growths, vegetation and surface deposits to built fabric.

Building interiors (excluding buildings dating from the 1840s: homestead, kitchen and stable)

* The maintenance of an item to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of new materials.
* Repair and servicing of existing equipment and services including wiring and plumbing.
* Installation, removal and replacement of bulk insulation in roof spaces.
* Installation, removal and replacement of smoke detectors.
* Installation, removal and replacement of curtain tracks, rods, blinds and other window dressings
* Installation, removal or replacement of carpets and/or flexible floor coverings.
* Installation, removal and replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall mounted artworks.
* Refurbishment of bathrooms/toilets including removal of sanitary fixtures and associated piping, and installation of new fixtures.

Homestead interior

* Removal of fittings and finishes to the bathroom and kitchen (rooms G6 and G7) in the homestead, provided there is no damage to or alteration of original structure or fabric.

Grounds and land holding

* Regular site maintenance provided the works do not involve the removal or destruction of any significant above-ground features or sub-surface archaeological artefacts or deposits.
* Cleaning out gutters, drainage systems, ponds, dams and other water storage and drainage areas.
* Maintenance and replacement of existing power cables or service pipelines or other public services located on the property where this involves no alteration to the built fabric (including archaeological values) of the place.
* Laying of gravel/toppings to the driveways.
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Regular landscape maintenance and management

* Horticultural maintenance works that do not affect the shape, scale and layout of the front paddock, the homestead garden or the working yard, or diminish an understanding of their distinct functions.
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* Subsurface works involving the installation, removal or replacement of watering and drainage systems or services, outside the canopy edge of significant trees in accordance with AS4970 and on the condition that works do not impact on archaeological features or deposits.
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