

**Stockyard Hill Wind Farm**  
**Heritage Issues Related to Mawallok**

**Expert Witness Statement to Panel**

**30 January 2017**



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## 1. STATEMENT OF QUALIFICATIONS AND EXPERIENCE AND DECLARATION

### 1.1 Authorship

This report has been prepared by Peter Watts AM, D. Arch. (Hon. Causa), B. Arch., Dip L. Des.

### 1.2 Qualifications and Experience

I hold a Bachelor of Architecture from Melbourne University, a Diploma in Landscape Design from RMIT and an Honorary Doctorate of Architecture from Melbourne University.

Over a professional career spanning 42 years I have worked in the fields of landscape, garden and building conservation. My work has been recognised in the following ways:

- Doctorate of Architecture (honoris causa) (2016)
- Member of the Order of Australia (2006) - *For leadership in the conservation and preservation of cultural heritage in Australia, particularly through the Historic Houses Trust of New South Wales and the Australian Garden History Society, and to the arts.*
- Baudin Medallion from Republic of France (2003).
- Royal Australian Institute of Architects President's Prize – for Outstanding Contribution to Architecture – as a client (2008).
- Emeritus Director, Historic Houses Trust (awarded October 2008 on retirement after 28 years as Inaugural Director).
- During my Directorship of the Historic Houses Trust of NSW (1981 – 2008) the organisation won 121 awards for architecture, conservation, design, tourism, venue management, sustainability, philanthropy, interpretation, publication, urban design, exhibitions etc.
- The Government House (New Zealand) Medal (2011).

I have been involved in the conservation and management of some of the country's most important historic buildings, gardens and cultural landscapes during my time working with the National Trust (Victoria) (1976 – 1981) and the Historic Houses Trust of NSW (1981 – 2008), and subsequently. I have held numerous positions which reflect my professional expertise. A selection of these is listed below:

|                |  |
|----------------|--|
| 2013 – present | Member of Design and Development Advisory Panel, Sydney Harbour Foreshore Authority.   |
| 2012 – present | Member, Walsh Bay Arts Precinct Steering Committee - overseeing the development of proposals for Wharf 2/3 and 3/4 as a major new arts precinct  |
| 2008 - present | Chairman, The W R Johnston Trust (The Johnston Collection), Melbourne  |
| 2008 - present | Emeritus Director, Historic Houses Trust of NSW  |
| 2013 – 2016    | Member, Expert Advisory Panel to the (Commonwealth) Department of Parliamentary Services on development of Parliament House, Canberra.   |
| 2009 – 2015    | Trustee, The Bundanon Trust (Arthur Boyd's gift of property and collections to the Commonwealth Government)  |
| 2013 – 2014    | Member, Planning and Estate Management Committee, Royal Botanic Gardens, Sydney.   |
| 2002 - 2015    | Member, Official Establishments Trust (responsible for advising on the conservation, development and operations of the four residences of the Governor General and the Prime Minister) |
| 2005 - 2014    | Member, Civil and Administrative Tribunal of NSW.  |
| 2012           | Deputy Member, NSW Architects Registration Board.  |
| 2009 – 2010    | Member, Design Review Panel, Sydney Harbour Wharf Upgrade Program.   |
| 2008 - 2012    | Chairman, National Art School Ltd, Sydney (oldest and most distinguished art school in Australia) <a href="http://www.nas.edu.au">www.nas.edu.au</a>                                   |
| 1981 - 2008    | Member, Council of Australasian Museum Directors.  |
| 1980 - 2003    | Founding Secretary (1980-84) and Member of the National Management Committee (1987-93), Chairman, (1998-2003) Australian Garden History Society Inc.                                   |

Publications include:

- *Landscape Planning and Conservation in North-East Victoria*, National Trust of Australia (Vic), 1977.
- *The Gardens of Edna Walling*, National Trust of Australia (Vic), 1981. Second Edition *Edna Walling and Her Gardens*, Florilegium, 1991.
- *Historic Gardens of Victoria*, Oxford University Press, 1982.
- *An Exquisite Eye, The Australian Fauna and Flora Drawings, 1802-1820, of Ferdinand Bauer*, Historic Houses Trust of NSW, 1997.
- Various papers in professional journals and conference proceedings and contributions to a variety of books and catalogues.
- Forewords, Introductions, Chapters and other contributions to many books and catalogues.

### 1.3 Recent Work

- Review of Museums & Galleries NSW - for NSW government.
- Gateway Reviews for cultural infrastructure including:
  - Queens Hall, State Library of Victoria;
  - State Library of NSW Redevelopment;
  - ANZAC Memorial, Sydney, Redevelopment;
  - Government House, Wellington - and subsequent advice on conservation and presentation of Government House, Wellington;
  - NSW Cultural Venues Renewal Program;
  - Military Heritage Delivery, New Zealand;
  - National Parks NSW Infrastructure Renewal Program;
  - State Library of Victoria Redevelopment;
  - Arts Centre Melbourne redevelopment.
- Interpretation Strategy for Convict Era on Cockatoo Island – for Sydney Harbour Federation Trust.
- Meeting facilitator for Sydney Harbour Foreshore Authority; Professional Historians Association, Bundanon Trust, Leichhardt City Council, State Library of NSW.
- Resource Planning at Maitland Art Gallery for Maitland City Council.
- Governance, museum development, interpretation and conservation advice to the Government of Penang, Malaysia, and a number of Penang based NGO's working within the George Town World Heritage Area.
- Individual mentoring, especially relating to emerging leaders in the performing and visual arts and museums.
- Provision of high level opinion in relation to many conservation and development proposals.
- Landscape and heritage advice in relation to redevelopment of Art Gallery of NSW.
- Strategic Planning for Camden Park, Camden including comparative analysis of major historic houses in Australia.
- Conservation Management and Museum Plan for Golden Vale, National Trust (NSW) property proposed to be open to public.
- Rapporteur at biennial Australian Landscape Conference, Melbourne 2013 and 2015.

### 1.4 Instructions

I have been asked by Mawallok Pastoral Company Pty Ltd to prepare an assessment of the impact on the Mawallok garden of the *Stockyard Hill Windfarm – Submission to Support Application to Amend Planning Permit No. PL-SP/05/0548, May 2016 (Updated August 2016)*.

### 1.5 Methodology

This assessment has taken account of the Panel Report mentioned in 1.4 above. It does not attempt to set out in detail the history and significance of the house and garden at Mawallok since this was well documented in various reports to the previous Panel and was accepted in the Panel Report.

I had provided expert evidence in relation to Mawallok to the previous Panel Hearing into the Stockyard Hill Wind Farm in 2010.

I have visited Mawallok on a number of occasions in the past 35 years. I have not visited since 2010 but will do so several days before the hearing on 17 February 2017 and will notify the panel, when I appear before it, if I have any changes to what is outlined in this report.

## 1.6 Sources of Information

The following documentation has been viewed in the preparation of this report:

- Stockyard Hill Wind Farm, Pyrenees and Corangamite Planning Schemes Permit applications PL-SP/05/0548, P2009/105 and P/2009/104 Planning Report, August 2010.
- Submissions to the previous Panel by Lovell Chen, Dennis Williamson, Bryce Raworth Pty Ltd, John Patrick, Dr Harriet Edquist, Allan Willingham and myself.
- Policy Planning GUIDELINES for Development of Wind Energy Facilities in Victoria, January 2016
- Stockyard Hill Windfarm – Submission to Support Application to Amend Planning Permit No. PL-SP/05/0548, May 2016 (Updated August 2016), Final, by Jacobs, and particularly Appendix U, Landscape and Visual Assessment Impact by ERM, April 2016.
- Wind Energy: Visual Assessment Bulletin: For State significant wind energy development, NSW Department of Planning and Environment, December 2016.
- Photomontages prepared by Dennis Williamson of Geoscene.

## 1.7 Declaration

In preparing this report I declare that I have made all enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Planning Panel.

## 2. MAWALLOK – SUMMARY HISTORY AND SIGNIFICANCE

Mawallok is listed on:

- the State Heritage Register, No. H0563.
- the Australian Heritage Database, No. 17275 on 20/6/1992.
- the National Trust (Victoria) database, No. B1460

It is also covered by the Heritage Overlay (HO32 in the Schedule to the Heritage Overlay) within the Pyrenees Shire Planning Scheme.

The Statement of Significance on the Victorian Heritage Register gives a sufficient history of the property, and an explanation for its significance, for the purpose of this report. Much more information about the history and significance of the property was included in various submissions to the previous Panel Hearing and could be referred to.

The significance of Mawallok is well understood and accepted as demonstrated in the listing on the State Heritage Register last updated on 31 January 1997 and acknowledged in the *Stockyard Hill Wind Farm, Pyrenees and Corangamite Planning Schemes Permit applications PL-SP/05/0548, P2009/105 and P/2009/104 Planning Report, August 2010*.

For ease the Victorian Heritage Register entry H0563 is quoted in full below:

### ***What is significant?***

*Mawallok (also spelt Mawallock, Mahkwallok and Mawhallock) station of about 28,000 acres (now 5,851 acres) was acquired by Alexander Russell and Co. in 1847 and remained in the Russell family until 1980 when it was purchased by the present owners. Alexander's brother George Russell established Golf Hill in 1842 and other family members settled at Stoneleigh, Elderslie, Carngham, Barunah Plains, Native Creek No. 2 and Langi Kal Kal.*

*The pre-emptive right for Mawallok was granted in 1858. By this time the first wing of the homestead was built, as were the woolshed, stables, overseer's hut, dip and two dams. The dams were fed by a spring, reputedly the third largest spring in Victoria.*

*The original homestead was extended in the 1860s with a bluestone wing and cellar. A number of early structures remain on the property including the original homestead and outbuildings, the bluestone gable-roofed and dormer windowed stables, bluestone coach house, the stone and iron woolshed and iron meat house.*

*Alexander Russell died in 1869 and his son Philip Russell inherited Mawallok. Phillip Russell, and then from 1932 his son Alex Russell (1892-1961), were responsible for major changes at Mawallok. In 1907-08 the Arts and Crafts homestead was built to a design prepared by architects Klingender and Alsop, and the garden laid out to a plan prepared by William Guilfoyle, Director of the Melbourne Botanic Gardens in 1909.*

*The large house was constructed in reinforced concrete, an early use of this material for a domestic residence. It has an asymmetrical composition with a dominant steep roof form featuring gables, gabled dormers and tall chimneys. The interior includes notable elements such as the handsome Arts and Crafts inspired timber staircase leading to a timber-balustraded upstairs gallery which overlooks the large living space below. Around 1927 the Melbourne engineer and World War I General Sir John Monash was commissioned to extend a small dam into a 22 acre lake. The pump house and a small shed were built in similar materials and style to the 1908 house. The raised terrace of the house looks across the sweep of lawn and lake to the distant vista of the Pyrenees Ranges and Mt Cole.*

*Alex Russell studied engineering at Cambridge and later served in both World Wars. In 1932 Alex and his wife Jess moved to Mawallok. Alex, pastoralist, soldier, golfer and golf course designer, developed Mawallok's merino stud. In the 1930s the view to the lake and beyond to Mt Cole was enhanced with the removal from the main lawn of several Canary Island Date Palms included on Guilfoyle's plan and the construction of a ha-ha wall between the garden and a six-hole golf course.*

*The Guilfoyle garden is protected by windbreaks of Monterey Pines, Aleppo Pines, Monterey Cypress, Sugar Gums, and Osage Orange, Cypress and Privet hedges and stone walls. The designed landscape reflects 18th century English picturesque design principles and later gardenesque elements, and includes both formal and informal design features. The design included a lawn and en-tout-cas tennis courts, curved and straight paths, rockery and pond, terrace flagstones and bluestone steps, pergola, sundial, urns and informally shaped shrubberies around the edge of a broad sweeping lawn. Later garden changes include a ha-ha wall, stone and timber pergola, and redesign of the terrace steps. A pleached lime walk designed by John Patrick was established in 1992. The former rose parterre on the east lawn has been removed and replaced with a Copper Beech. In March 1996 James Guilfoyle, grandson of William Guilfoyle, planted a Chinese Windmill Palm.*

*The garden is planted with a vast array of trees and shrubs, and herbaceous plants and bulbs. The plantings include conifers, palms, deciduous and evergreen species, with variegated and coloured foliage, strap and contrasting leaves, and colourful flowering plants. An outstanding Horse Chestnut dominates the main lawn, and the lawn is framed with Algerian Oaks and Pin Oaks and densely planted shrubberies with Pittosporum, Waterhousea, Laurus, Prunus, Arbutus, Corynocarpus, Alectryon, Cupressus, Erythrina, Fraxinus, Magnolia, Ulmus, and Cedrus. There are fine specimen trees of Liriodendron, Liquidambar, Betula, Metasequoia, Tilia, Cedrus, Platanus, Populus, Quercus, Ulmus and 3 old Morus nigra trees.*

#### **How is it significant?**

*Mawallok is of historical, aesthetic, architectural and social significance to the State of Victoria.*

### **Why is it significant?**

*Mawallok is of aesthetic and historical significance as an outstanding example of a designed landscape. Mawallok, with its extensive windbreak plantings, hedges, stone walls, gateways, drives, gravel courtyard, its Guilfoyle garden, lake and views to Mt Cole, is amongst the finest and largest gardens in Victoria. William Guilfoyle, arguably Australia's greatest garden designer, laid out the Royal Botanic Gardens from 1873-1909. Mawallok is his last known, and perhaps his grandest, homestead garden design, completed towards the end of his remarkable career.*

*Mawallok is of historical significance for its associations with the early pastoral settlement of Victoria and with the Russell family, important pastoralists in the early settlement of rural Victoria. The different phases of construction of the original homestead and the 1908 Arts and Crafts house and 1909 garden demonstrate the development of a successful pastoral station. The significance of the place is enhanced by the retention of the original homestead, woolshed, stables, coach house and other outbuildings and the intactness of the house and garden.*

*The 1908 house at Mawallok is of architectural significance as an important example of the Arts and Crafts style and for its early use of concrete in Victoria.*

*Mawallok is of social significance as an exceptional example of the Guilfoyle style, important in the study of garden history and landscape design in Victoria. It is highly valued by students, visitors and the community.*

*See more at: <http://vhd.heritagecouncil.vic.gov.au/places/1888#sthash.uxbuzJLt.dpuf>*

This statement was further amplified by various submissions to the previous Panel Hearing by Alan Willingham, Dr Harriet Edquist, Bryce Raworth, Peter Lovell, John Patrick and myself. My own evidence to that Panel, based on the only comprehensive study of historic gardens undertaken in Victoria, was that Mawallok is one of nine gardens in Victoria assessed as being of National significance.

### **3. MATTERS FOR CONSIDERATION**

#### **3.1 Significance and Evidence at Previous Panel Hearing in 2010**

I append below an edited version of part of the written evidence I presented to the last Panel Hearing in 2010 by way of summarising my own view of the nature and significance of the Mawallok garden.

##### **a. Vistas**

*I will deal, in particular, with the importance of the vistas to the significance of the garden since this is the matter most critical to the Panel Hearing.*

*I would contend that the vistas at Mawallok are not only significant but absolutely critical to the importance of the place. They are:*

- *the primary organising feature around which the garden has been designed and the house sited*
- *fundamental to the design of the place as evidenced by Guilfoyle's plan for the garden*
- *most unusual in an Australian context*
- *a considerable contribution to the exceptional and unusual nobility of the place.*

*It is hard to think of an outlook from an Australian garden that has been better contrived and managed. It contains all the essential elements that build to the drama of a great vista as they are revealed to a visitor. This occurs in a deliberately contrived sequence by:*

- *hiding the garden and the vista from the approach to the house and to the entrance front – all of which builds suspense*
- *balancing, in the traditional late 18<sup>th</sup> and 19<sup>th</sup> century manner, the tension between the entry front and the garden front*

- *revealing the spectacular view to visitors, who see it first from the north-facing principal rooms which open from the ground floor onto a verandah and then a broad grassed north facing terrace – a terrace that has most surely been contrived to take advantage of the view, and dramatise the vista.*
- *channeling the northern views through the design of the garden.*

*Having revealed the view to the Pyrenees, the vista itself has been deliberately enhanced through a series of highly organised devices that work to heighten the drama, including;*

- *a formal terrace focused on a large flight of steps aligned with the principal view (this flight of steps was added around the 1930s to replace two flights that went to either side of what was, effectively, a viewing platform)*
- *sweeping lawns enclosed by trees and shrubbery which move and direct the eye onwards towards the distant view*
- *low planting – marked as ‘SHRUBS SMALL’ and ‘DWARF PLANTS’ on the garden plan at each place where a dotted line indicates a vista*
- *the ha-ha wall at the bottom of the garden (introduced to replace a fence in the 1930s) designed to allow the eye to move from the garden into the landscape without the disruption of any fence line or wall*
- *the cleared paddock beyond the ha-ha which runs down to the lake and is deliberately devoid of trees so as not to obstruct the view*
- *Lake Monash, which draws the eye into the landscape and reflects it.*
- *distant views of the Pyrenees and Mt Cole.*



Fig. 1 William Guilfoyle's c1910 plan for the garden at Mawallok





Fig. 2. Detail of above plan showing vista lines

*The impact should not just be measured from the terrace. Visitors are naturally drawn to the end of the great lawn by walking down and across it to the ha-ha wall, or around the circular walkway through the shrubberies to either side of the lawn – which terminates at the ha-ha. This bottom part of the garden gives a magnificent and much wider view into the landscape across park-like grounds.*

*This is landscape design at its grandest. I would go as far to say that it is sublime – not a word I would use to describe many gardens in Australia. A large part of this quality is derived from the 'borrowed' views of the distant landscape. This impact is not a result of happenstance. It has been deliberately conceived and executed. Although detailed aspects of the garden have changed over time, as they do in almost all gardens, the principles and their impact are clear and have never been compromised.*

*This is not theory. It is supported by a plan, almost certainly drawn by William Guilfoyle, which highlights the views from the terrace and indicates how the design has been contrived around them. Indeed the plan clearly shows five vistas, labelled 'CENTRE LINE VISTA'. The central one is focused directly on Mt Cole. Indeed the axis and geometry of the house would seem to have been deliberately generated by the view.*

#### **b. William Guilfoyle**

*William Guilfoyle's garden designs were of extraordinary quality. His skill, in my view, is best seen at the Royal Botanic Gardens in Melbourne and at Mawallok. Guilfoyle developed a unique style, informed by European picturesque and gardenesque principles and then influenced by his wanderings in, and knowledge of, the tropical and sub-tropical areas of the Pacific, Queensland and northern New South Wales.*

*Where and how Guilfoyle developed such an exceptional sense of design is unclear. But acquire it he did. His surviving gardens are testament to his exceptional skill as both a designer and plantsman. Four of his private gardens survive in reasonable-to-excellent condition – Mawallok, Dalvui at Noorat, Mooleric and the neighbouring Turkeith at Birregurra. He also designed the Botanic Gardens in Camperdown, Warrnambool, Horsham, Koroit and Albury.*

*William Guilfoyle is Australia's stand-out garden designer of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. His work was widely admired in its own time and had great influence on other designers and on the public at large. Like the work of a great designer of the mid-20<sup>th</sup> century, Edna Walling, much of it has been lost or degraded over time. This makes those places that remain exceptionally important.*

### **c. Comparative evaluation**

*Where else has such a grand gesture been attempted and succeeded as at Mawallok? I have struggled to think of anything comparable.*

*Perhaps the closest is Meningoort, near Camperdown, where the house is placed on the axis of Mt Meningoort, immediately behind the house, and Mt Leura 16 km to its south. However there is a formality about the composition that is unusual in an Australian context and that does not make it a good comparison with Mawallok. It derives more from 17<sup>th</sup> century models where a grand entry axis is directed at the front door rather than the picturesque model that was developed in the 18th and 19th centuries. Nevertheless it would also seem to be a deliberate and successful contrivance, though to my mind not nearly as successful nor accomplished as that at Mawallok.*

*Other gardens have embraced views into a broader man-made landscape, more akin to parkland in the 18<sup>th</sup> century English manner than embracing the broader landscape. The best examples are probably Murndal near Hamilton and Mount Noorat at Noorat where an 'English' landscape of oaks, elms and other European specimen trees has been planted within view of the homestead.*

*Much more common with the gardens of large pastoral homesteads was to create a 'paradise garden' where the landscape was largely excluded (albeit with some views where these might be available) and the garden became a haven from the natural world. In most of these gardens an 'English' sensibility informed the design, and the often harsh Australian landscape was deliberately excluded in favour of creating a contrasting soft, flowery and green haven.*

*Mawallok has done the opposite. Consciously and spectacularly, it looks outward and embraces the landscape as its main organising principle, whilst still creating a green oasis. In doing so it has achieved a grandeur almost unknown in Australian garden design.*

*Mawallok is not just any garden. In my view it is undoubtedly one of the finest and most important gardens in Australia.*

It is noted that the previous Panel accepted the undoubted significance of Mawallok, including the house, garden and the northern vista to the Pyrennes some 25km away. As a consequence it recommended the removal of the 20 turbines that were visible in the vista from the terrace of the house, no matter how distant from Mawallok. This recommendation was accepted when Planning Permit No. PL-SP/05/0548 was issued by the Minister for Planning in October 2010.

### **3.2 Policy Development**

In recent years, in response to the growth of the wind energy sector, there has been a policy response from governments in an endeavour to provide a framework for assessment and decision making.

The Victorian Government released its *Policy and Planning Guidelines for the Development of WIND ENERGY Facilities in Victoria* in January 2016. This documents states at 2.2 that:

*Wind energy facilities should not lead to unacceptable impacts on critical environmental, cultural or landscape values. Critical values are those protected under Commonwealth or Victorian legislation and assets of state or regional significance, mapped and recognised through planning schemes, including the State Planning Policy Framework (SPPF). In order to identify suitable locations for new wind energy development, the following matters need to be taken into consideration.*

The policy includes significant landscape values as one of the matters to be taken into consideration. It also requires, at 4.3.2 and as part of a *Site and context analysis*, inter alia, identification of *sites of cultural heritage significance*.

The Victorian State Planning Policy Framework also makes specific reference to the conservation of places of heritage significance. See further information at 3.6 below.

The NSW Department of Planning and Environment also issued a *Wind Energy: Visual Assessment Bulletin* for State significant wind energy development in December 2016 which provides a useful guide to visual assessment of wind farms. This document, which sets out a process for undertaking visual assessments, requires particular attention to be paid to *Sensitive land use designations* (p.27) which include *those sites listed at the National and State level such as heritage sites and impacts on these sites should be minimised*. It attributes the highest level of Viewer Sensitivity to:

- Residential areas and rural villages (defined as land zoned R1, R2, R3, R4, R5 and RU5 in the Standard LEP)
- Recreation, cultural or scenic sites and viewpoints of National or State significance.
- Any buildings, historic rural homesteads/residences on the State or local Government Heritage List

In summary, governments have emphasised the need to protect items of recognised historic and cultural significance in their planning processes and decision making.

### 3.3 Principle Changes Since Previous Panel Hearing

It is understood the main changes to the WEF since the last approval was given in 2010, insofar that there is any impact on Mawallock, are:

- to increase the height of the proposed turbines from 132m (from base to top of blade) to 180m;
- to increase the diameter of the blades from 104m to 142m;
- addition of a meteorological tower;
- addition of a quarry.

The application claims (p.3)

*that the amended WEF will not result in a change in impact on cultural heritage places listed on the Victorian Heritage Register (VHR) or Victorian Heritage Inventory (VHI), under the Heritage Act 1995, or local heritage places recognised under a Heritage Overlay in the Pyrenees Planning Scheme (including HO32 / VHR HO563 'Mawallock Homestead, 3802 Geelong Road, Stockyard Hill').*  
and that *the proposed amendment will not result in a material change in potential impact on heritage.*

### 3.4 Reconciliation of Photomontages

To substantiate the above claim it is necessary to review the photomontages prepared by two consultants. However I am unable to reconcile the single photomontage prepared by Environmental Resources Management Pty Ltd (ERM) and those prepared by Dennis Williamson of Geoscene.

The former appears, as a single montage of the current proposal, at Fig 7-9 (p.20) of Appendix U - Landscape and Visual Assessment Impact, April 2016 - of the Stockyard Hill Windfarm – Submission to Support Application to Amend Planning Permit No. PL-SP/05/0548, May 2016 (Updated August 2016), Final, by Jacobs. This document states on p.12 *"The "Mawallock" photomontage was based on photography taken in 2008"*. The photograph has been taken from a single viewing point which appears to be the east side of the terrace. The photomontages show no visible turbines in its photomontage leading ERM to state that *the change in visual impact from "Mawallock" is assessed as Nil*.

Contrary to the conclusion reached by ERM the photomontages prepared by Geoscene, and taken from the terrace and also from the ha-ha wall, show significant impact from a number of turbines as outlined later.

I have given preference to the photomontages prepared by Geoscene over those in the ERM report on the basis that the base photographs in the former:

- are more current, having been taken in 17 January 2017;
- are taken from several different points on the terrace rather than a single point. They have also been taken from several places along the ha-ha;
- are better referenced and hence give me more confidence in their veracity;
- are supported by detailed cross sections;
- are prepared by an identified person with considerable experience and reputation in this field.

The Geoscene photographs were taken in summer. The ERM photograph appears to have been taken in Autumn. It should be noted that many of the deciduous trees will lose their leaves during the late Autumn and Winter months. Some of the turbines would therefore be more visible from the terrace, for approximately a third of the year, than they appear in the photomontages. Turbines that become visible in this way will be viewed through a lacework of the branches of deciduous trees.

### 3.5 Visual Impact on Mawallok

The extent of the visual impact on the garden is demonstrated in the photomontages and analysis prepared by Geoscene. These indicate that all or part of four turbines (A1, A2, A3, A4) would be visible from the terrace and that all or part of 9 turbines (A1, A3, A4, A5, A7, A8, A9, A12, and A15) would be visible from the ha-ha wall making a total of thirteen that have some impact on Mawallok.

In addition, depending on its height, the meteorological tower is very likely to be visible from both the terrace and the ha-ha wall.

It also needs to be noted that many of the pine trees that afford visual protection at present are nearing the end of their lives. As they thin and/or die and need to be removed, other turbines will become visible especially from the ha-ha wall.

These impacts are summarised below:

| <b>Turbine</b> | <b>Viewing Point</b>   | <b>Viewing Point</b> | <b>Visibility as assessed from Geoscene Photomontages</b>   |
|----------------|--|----------------------|---|
| A1             | Centre of terrace  | VP2A                 | Partially screened by senescent pine trees  |
| A1             | Terrace - East Side at Top of Steps                                    | VP2B                 | Fully visible, just to left of deciduous trees  |
| A1             | Terrace - Just West of Top of Terrace Steps                            | VP2C                 | Fully visible, just to left of deciduous trees  |
| A2             |  | VP2C                 | Fully visible except for small portion of lower towers  |
| A4             |  | VP2C                 | Fully visible except for small portion of lower towers  |
| A3             |  | VP2C                 | Most of single blade visible just to west of large deciduous tree on east side of garden - rest of turbine screened by deciduous tree |
| A1             | Centre of ha-ha wall – (East Frame in direction of pump house on lake) | VP3A East            | Part of turbine blades visible behind senescent pine trees beyond Monash Lake   |
| A4             |  | VP3A East            | Approx. 1/3 of turbine blades visible behind trees beyond Monash Lake   |
| A3             |  | VP3A East            | Approx. 3/4 of turbine blades visible behind trees beyond Monash Lake   |
| A14            |  | VP3A East            | Approx. 3/4 of turbine blades visible trees beyond Monash Lake  |
| A5             |  | VP3A East            | Approx. 3/4 of turbine blades visible behind trees beyond Monash Lake   |
| A9             | Centre of ha-ha wall – (Centre Frame)                                  | VP3A Centre          | Top of tower and almost full extent of blades visible above trees   |
| A10            |  | VP3A Centre          | Most of tower and half of blades visible  |
| A12            | West end of ha-ha wall   | VP3B                 | Approx. 3/4 of blades visible in gaps between trees   |

|               |   |                             |   |
|---------------|---|-----------------------------|---|
|               |   | West –<br>DigiCam           |   |
| A9            |   | VP3B<br>West –<br>DigiCam   | Approx. 1/4 of blades visible above trees                     |
| A7            |   | VP3B<br>East                | Approx. 1/3 of blades visible between trees                   |
| A15           |   | VP3B<br>East                | Approx. 1/3 of blades visible between trees                   |
| A15           |   | VP3B<br>East -<br>DigiCam   | Approx. 1/2 of blades visible between trees                   |
| A7            |   | VP3B<br>East -<br>DigiCam   | Approx. 1/2 of blades visible between trees                   |
| A1            |   | VP3B<br>Centre –<br>DigiCam | Most of tower and blades visible through senescent pine trees |
| A3            |   | VP3B<br>Centre –<br>DigiCam | Approx. 1/3 of blades visible above trees                     |
| Met.<br>Tower | Centre of terrace                           | VP2A                        | Almost totally visible  |
|               | Terrace - East<br>Side at Top of<br>Steps   | VP2B                        | Large portion visible   |
|               | Centre of ha-ha<br>wall – (Centre<br>Frame) | VP3A<br>Centre              | Almost fully visible  |
|               |   | VP3B                        | Large portion visible   |

### 3.6 Balance in Consideration

It is apparent the proposed wind farm will have a visual impact on the values that contribute to Mawalok’s significance. It is further recognised that there needs to be a balance between these impacts and the broader community benefits to be gained through the development of sustainable energy production.

The State Planning Policy Framework (SPPF) provides Government planning policy on Heritage (Clause 15.03), which identifies the key objective is *To ensure the conservation of places of heritage significance.*

Strategies under the heritage clauses of the SPPF include:

- *“Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*
- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Retain those elements that contribute to the importance of the heritage place. Encourage the conservation and restoration of contributory elements.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.”*

Equally, Clause 19 of the SPPF addresses Infrastructure and sets out the following objective in relation to the provision of renewable energy:

- *“To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.”*

In the case of Mawallok and the Stockyard Hill Wind Farm these considerations are in apparent conflict. A balanced view is needed to ensure these conflicting objectives are reconciled in the best interest of the community.

### 3.7 Scale

The previous Panel Report noted on p325:

*We agree with Mr Watts that:*

*The massive height and scale of the towers and their blades will 'throw out' the scale of the landscape and quite dramatically impact on the vista from Mawallok....it will effectively destroy the principle feature of this very significant garden.*

In trying to understand the scale of the turbines, as now proposed, they can perhaps best be imagined as the height (180m) of an approximately 50-story building and the circle inscribed by the turning blades (at a diameter of 140m) as approximately the size of the grassed area of the Melbourne Cricket Ground. I draw attention to this since it is relevant in trying to understand the visual impact, even when viewed from many kilometres away.

### 3.8 Tree Senescence

Early views of the garden would indicate that many of the trees, including those around the lake and beyond the enclosure of the main garden, were planted between approximately 1900 and 1930. Many of the large species, that afford some visual protection from some of the proposed turbines from the lower part of the garden including along the ha-ha wall, are *Pinus radiata*. Depending on local conditions *Pinus radiata* are likely to have a life span of 120 – 150 years. By way of comparison *Radiata* pines were removed from Walhalla Cemetery in 2014 as they were beginning to shed limbs and it is known that they were planted in 1888 ie they had reached an age of 126 years when they were removed. Many of the pines at Mawallok are showing signs of senescence and a number have had to have been removed in recent years. With the relatively harsh conditions at Mawallok it could be reasonably expected that all the existing *Radiata* pines will have disappeared within the next 20 – 30 years. This will open views to a number of proposed turbines in the short to medium term until new newly planted trees mature to replace those that are lost.

It is estimated that it would take approximately 20 - 30 years for newly planted trees to reach 20 metres in height and probably 40 plus years to reach 30 metres in height. Most *radiata* pine would reach a maximum height of 25-27 metres except in high rainfall areas and ideal growing conditions such as at Mount Macedon, Daylesford or Walhalla.



Fig. 3 View from ha-ha wall circa 1978. Nearly 40 years later pine trees in the background are now in decline. See photomontages prepared by Geoscene. Source, National Trust (Victoria) file.

### 3.9 Water Supply

I understand that a hydrological consultant will provide expert evidence in relation to any potential impact on the water supply to the lake that might result from the proposed quarry. At the time of writing this report I have not seen any information from the consultant.

I am therefore only able to emphasise that without a large and reliable source of water the garden at Mawallok could not be managed in the manner it is at present and from which it derives so much of its significance. In addition the lake, designed by Sir John Monash, is a primary feature of the garden drawing the eye and the viewer out into the garden and the landscape beyond. It is an outstanding piece of Australian landscape design, equivalent to any of the famous landscapes in the UK created by Lancelot (Capability) Brown and Humphrey Repton.

## 4. ASSESSMENT

This assessment adopts the view that Mawallok is one of the most significant historic gardens in Australia. It follows that anything that impacts on that significance is detrimental to the values of the place to the Australian community. It also adopts the view, as recognised at the last Panel Hearing in 2010, that “the effects on views and vistas [from Mawallok], as well as cultural heritage” even though outside of the area covered by the State Heritage Register, “...is a fundamental element of planning decision-making...”. (p.326)



Fig. 4 View from the terrace sometime prior to 1937. Source, National Trust (Victoria) file

This assessment has also had to deal with a hierarchy of significances, and in particular the attribution of the level of significance one would ascribe to the views from the terrace as compared with the views from the lower garden and particularly the ha-ha wall.

It is clear from the siting and orientation of the house and the vista lines on Guilfoyle’s plan that the terrace was the focal point of the entire composition. The terrace gives the most sublime view into the landscape, backed by the Pyrenees Ranges to the north.

The second organising principle in the garden design is the ‘circular path’ that goes from either side of the terrace broadly following the perimeter of the garden. It crosses the top of the ha-ha wall which is placed across a perpendicular axis from the terrace and gives wonderful views to and across the lake and into the landscape. Because it lacks the elevation of the terrace these views, whilst wonderful and very clearly a deliberate design intent, are less noble than those from the house and terrace and it could be argued they have slightly less significant from those from the terrace.

#### **4.1 Impact from Mawallok Terrace**

The terrace is the pivotal point for the garden design as demonstrated by the convergence of the sight lines shown on Guilfoyle's plan. Whilst the whole garden is highly significant the terrace has a particular importance. The view it gives into the garden and across the lake to the landscape beyond is a sublime and highly contrived piece of design almost unparalleled in Australian garden design.

From the photomontages prepared by Williamson it is apparent that there are four turbines (A1, A2, A3 and A4) that are very visible from the terrace. Despite being some 7.2 – 8.2km distant, the immense scale of the turbines will nevertheless have a significant impact on the outlook from the terrace. These four turbines will be fully, or near fully, visible including the tower and blades. A further six turbines (A5, A6, A7, A8, A9 and A14) are likely to be visible through a lacework of the branches of deciduous trees for about a third of the year.

#### **4.2 Impact from other parts of Mawallok Garden**

As stated in 3.1 the garden is designed for perambulation with outer 'circular' perimeter paths emerging through the shrubbery at either side of the ha-ha wall and passing across the central axis. From here there are extensive views across the lake into the landscape. This 'circular' path is the second 'big idea' in the planning of the garden. From the shrubbery on either side it passes across the top of the ha-ha wall a distance of some 200m through an area of low planting and transecting the central vista. Guilfoyle described the planting on his plan in this area as 'shrubs small' and 'dwarf plants'. It is evident that the views to the north, north-east and north-west into the landscape were an important part of the underlying design principles.

The ha-ha wall, constructed in the 1930's is a very rare feature in an Australian garden, designed to give an unimpeded view into the landscape and entirely consistent with Guilfoyle's design principles.

From the photomontages and diagrams prepared by Geoscene it is apparent that there are three turbines (A1, A9 and A10) that will be very visible from the ha-ha wall. Despite being some 6.5 -8.1 km distant the immense scale of the turbines will nevertheless have a significant impact on the outlook from the ha-ha wall. A further eight (A3, A4, A5, A7, A9, A12, A14 and A15) will have part of the blades (between approximately 20% - 75%) visible.

#### **4.3 Summary of Impacts**

This summary of impacts attempts to take balanced account of:

- the nature of deciduous trees;
- the reduced visual impact of views through a lacework of deciduous trees during times when trees have defoliated;
- senescence and likelihood of trees thinning and/or dying before replacements can grow to a similar size as existing trees;
- growth of existing trees;
- movement of blades and blade flicker;
- Quantum of turbines in close proximity and their massive scale in a relatively low relief plain.
- Viewing position. The terrace is regarded as being more significant than that from the ha-ha wall, though both are important to the integrity of the garden;
- Nature of the view, a higher value being given to more sublime distant views.

The assessment of impacts in the table below excludes the potential to mitigate impact through screen planting for the reason stated in 4.4 below.

With so many different factors, some of which are difficult to define, an assessment of visual impacts can never be scientific, nor definitive, but can make some attempt at identifying the relativity of impacts.



| <b>Turbine</b> | <b>Viewing Point</b>   | <b>Viewing Point</b> | <b>Visibility as assessed from Geoscene Photomontages</b>   | <b>Impact</b>   |
|----------------|--|----------------------|---|---|
|                |  |                      |   | <ul style="list-style-type: none"> <li>• Visually dominant</li> <li>• High modification</li> <li>• Medium modification</li> <li>• Low modification</li> </ul> |
| A1             | Centre of terrace  | VP2A                 | Partially screened by senescent pine trees  | Visually dominant   |
| A1             | Terrace - East Side at Top of Steps                                    | VP2B                 | Fully visible, just to left of deciduous trees  | Visually dominant   |
| A1             | Terrace - Just West of Top of Terrace Steps                            | VP2C                 | Fully visible, just to left of deciduous trees  | High modification   |
| A2             |  | VP2C                 | Fully visible except for small portion of lower towers  | Visually dominant   |
| A4             |  | VP2C                 | Fully visible except for small portion of lower towers  | Visually dominant   |
| A3             |  | VP2C                 | Most of single blade visible just to west of large deciduous tree on east side of garden - rest of turbine screened by deciduous tree | Visually dominant   |
| A1             | Centre of ha-ha wall – (East Frame in direction of pump house on lake) | VP3A East            | Part of turbine blades visible behind senescent pine trees beyond Monash Lake   | Medium modification   |
| A4             |  | VP3A East            | Approx. 1/3 of turbine blades visible behind trees beyond Monash Lake   | Medium modification   |
| A3             |  | VP3A East            | Approx. 3/4 of turbine blades visible behind trees beyond Monash Lake   | Medium modification   |
| A14            |  | VP3A East            | Approx. 3/4 of turbine blades visible trees beyond Monash Lake  | Medium modification   |
| A5             |  | VP3A East            | Approx. 3/4 of turbine blades visible behind trees beyond Monash Lake   | Medium modification   |
| A9             | Centre of ha-ha wall – (Centre Frame)                                  | VP3A Centre          | Top of tower and almost full extent of blades visible above trees   | High modification   |
| A10            |  | VP3A Centre          | Most of tower visible and half of blades  | High modification   |
| A12            | West end of ha-ha wall   | VP3B West – DigiCam  | Approx. 3/4 of blades visible in gaps between trees   | Low modification  |
| A9             |  | VP3B West – DigiCam  | Approx. 1/4 of blades visible above trees   | Low modification  |
| A7             |  | VP3B East            | Approx. 1/3 of blades visible between trees   | Low modification  |
| A15            |  | VP3B East            | Approx. 1/3 of blades visible between trees   | Low modification  |
| A15            |  | VP3B East - DigiCam  | Approx. 1/2 of blades visible between trees   | Low modification  |

|            |                                       |                             |   |                   |
|------------|---------------------------------------|-----------------------------|---|-------------------|
| A7         |                                       | VP3B<br>East -<br>DigiCam   | Approx. 1/2 of blades visible between trees                   | Low modification  |
| A1         |                                       | VP3B<br>Centre –<br>DigiCam | Most of tower and blades visible through senescent pine trees | High modification |
| A3         |                                       | VP3B<br>Centre –<br>DigiCam | Approx. 1/3 of blades visible above trees                     | Low modification  |
| Met. Tower | Centre of terrace                     | VP2A                        | Almost totally visible  | Visually dominant |
|            | Terrace - East Side at Top of Steps   | VP2B                        | Large portion visible   | Visually dominant |
|            | Centre of ha-ha wall – (Centre Frame) | VP3A<br>Centre              | Almost fully visible  | Visually dominant |
|            |                                       | VP3B                        | Large portion visible   |                   |

This assessment indicates there are 13 turbines, plus the meteorological tower, that have an impact on the significance of Mawallok.

The following table summarises the greatest level of impact of each of the 13 turbines which has a visual impact on Mawallok.

|                     |                               |
|---------------------|-------------------------------|
| Visually dominant   | A1, A2, A3, A4 and Met. Tower |
| High modification   | A9 and A10                    |
| Medium modification | A5 and A14                    |
| Low modification    | A7, A8, A9, A12 and A15       |

#### 4.4 Potential for Mitigation

There are a number of options available to mitigate the impact of the turbines that intrude into the views from Mawallok. These include:

- Removal;
- Relocation to a position where they are not visible;
- Reduce turbine height;
- Plant screening vegetation on Mawallok.

In order to achieve the necessary screening a very detailed analysis would need to be undertaken but trees would need to grow to 25-30m high to achieve full and effective screening. This may well take some 50 years to achieve. In these circumstances I do not believe that the ability to screen through new planting should be used as an effective mitigation strategy in this assessment.

## 5. CONCLUSIONS

- Mawallok is a place of the highest order of cultural significance. Its garden is widely recognised as one of the most significant historic gardens in the country having been designed by William Guilfoyle in 1910 with the 22 acre lake designed by Sir John Monash added in c.1927. The house is the work of distinguished architects Alsop and Klingender. Both house and garden have been exceptionally well managed and maintained and the garden is regularly used for public functions.
- The Mawallok garden has deliberately embraced the landscape as evidenced by Guilfoyle's plan which includes five vista lines emphasising views into the distant landscape. It is the scale of the garden, and

the way it embraces the landscape, that give the place a grandeur that is uncommon in Australian gardens and lend it a sublime quality that is exceptionally rare in this country. These are values that should be protected.

- c) The removal of 20 turbines, which comprised all those in the primary vista from the Mawallok terrace following the last Panel Hearing in 2010, was very welcome. Consistency would suggest that this principle should continue with the current proposal.
- d) The scale of the turbines in the current proposal, together with the proposed meteorological tower, have an impact on Mawallok. The critical test is the degree to which this impact has on the significance of the property.
- e) In my view the ensemble of the house and garden at Mawallok is of such significance, and of such unusual sublimity in an Australian context, that any intrusion on the view from all parts of the terrace will cause harm to its integrity and therefore its significance.
- f) Similarly any view of more than half the blade diameter from the ha-ha wall would cause harm to the special quality of the place.
- g) Despite the distance of the turbines that are visible from Mawallok, being approximately 6.3 – 8.2km from the garden, their scale and their movement will still have an impact on the special qualities of Mawallok, and especially from the terrace.
- h) My assessment is that those turbines that are visible from the terrace (A1, A2, A3 and A4) should not be allowed or they should be reduced in height or relocated so that no part of them is visible from any part of the terrace. Further, those turbines that result in a high or medium modification to the views from Mawallok (A5, A9, A10, A12, and A14) should not be allowed or they should be reduced in height or relocated so that no more than approximately half the circumference of the blades is visible from the ha-ha wall.
- i) Without further information about the meteorological tower it is not possible to comment other than to say that it should be removed and/or repositioned if any part of it is visible from the terrace or if more than a very small part of it is visible from the ha-ha wall.
- j) Without any further information on hydrological conditions I am not able to make any assessment of its impact other than to say that there should be no activity that forms part of the WEF, including the proposed quarry, which in any way jeopardises the water supply to Mawallok.
- k) An Anticipatory Planting Scheme should be designed and implemented by the proponent, in consultation with Mawallok Pastoral Company Pty Ltd, to mitigate against the visual impact of the future loss of senescent trees and reduce the possibility of new views to turbines (other than those mentioned in h) above being opened up through the loss of existing vegetation.



Peter Watts AM  
30 January 2017