

Amendment C241  
Whittlesea Planning Scheme  
Statement of evidence

Prepared for City of Whittlesea

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Final – November 2020

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## 1 Introduction

1. This statement of evidence has been prepared by David Helms for the City of Whittlesea in relation to Amendment C241 to the Whittlesea Planning Scheme, specifically in relation to 1030 Donnybrook Road, Donnybrook (the subject site)
2. It has been prepared in accordance with written instructions to prepare an expert evidence report in accordance with the *Planning Panel Victoria Guidelines for Expert Witnesses* that expresses my opinion on the Amendment insofar as it relates to my area of expertise, specifically in regard to the following:
  - i. The proposed inclusion of part of the subject site in the heritage overlay (HO) as an individual place, HO187.
  - ii. The proposed changes to Clause 52.33 Post Boxes and Dry Stone Walls.
  - iii. The proposed change to Clause 72.04 to incorporate the *1030 Donnybrook Road Statement of Significance, September 2019* into the Scheme.

### Preparation of this report

3. This statement has been prepared by David Helms, Heritage Consultant, of David Helms Heritage Planning (11 Elm Place, Windsor, 3181).
4. I have prepared this statement of evidence with no assistance from others. The views expressed in this statement are my own.
5. I was not involved in the preparation of Amendment C241, or in the preparation of the submissions made by the City of Whittlesea.
6. I inspected the subject site in November 2020. The subject site was viewed from the roadside.

### Qualifications and experience

7. My qualifications and experience are set out in section 3. My specific area of expertise is in the assessment of the post-contact heritage significance of places and in the application of heritage planning controls and policy in planning schemes.
8. Recently, I was engaged by the City of Whittlesea to undertake a peer review of the documentation prepared in support of Amendment C245wsea, which proposes to apply and amend heritage controls at 90 and 100 Bindts Road Wollert. This has given me a good understanding of the historic theme of dairying in the City of Whittlesea and the importance of dry stone walls.
9. I have been retained by various Councils to provide expert witness evidence on heritage matters at Independent Panel Hearings (please refer to section 5 for a full list).

### Reports consulted

10. In preparing this statement of evidence, I have consulted the following reports and other information:
  - i. All exhibited Amendment C241 documentation, which includes the *Shenstone park Precinct Structure Plan (PSP 1069.1) Donnybrook, Victoria: Post-contact Heritage Assessment. May 2017*, Ecology & Heritage Partners (the PSP heritage study).

- ii. The *Historic Cultural Heritage Assessment 4817. 960-1030 Donnybrook Road, Donnybrook*, 2017 prepared by Archaeology at Tardis for VillaWorld (Donnybrook JV) (the Tardis report).
- iii. Submission #22 in relation to the subject site including the *Memorandum of heritage advice. 1030 Donnybrook Road, Donnybrook, December 2019*, prepared by Bryce Raworth Conservation Heritage (the Submission #22 heritage advice).
- iv. Submission #12, which raises an issue in relation to the dry stone wall along Donnybrook Road.
- v. Research material, as described in Section 3.
- vi. Images of the subject site taken on 13 July 2020, provided by the City of Whittlesea.
- vii. Previous heritage studies prepared for the City of Whittlesea including:
  - Context Pty Ltd, *City of Whittlesea Heritage Study*, 2015 (this includes the thematic environmental history and heritage place citations.)
  - David Moloney, *City of Whittlesea Stage Two dry stone wall study: Thematic history and precincts*, July 2020 (the 2020 dry stone wall study).
  - Meredith Gould Architect Pty Ltd, *City of Whittlesea Heritage Study*, 1990.
- viii. Planning Practice Note 1 (PPN1).

### Declaration

11. I have made all the inquiries that I believe are desirable and appropriate and no matters of significance, which I regard as relevant, have to my knowledge been withheld from the Panel.



David Helms  
November 2020

## 2 Summary of my opinions

12. In relation to the subject site, there are two key heritage issues:

- i. Does the subject site achieve the threshold of local significance and justify the application of heritage controls?
- ii. Are the heritage controls proposed for the subject site appropriate?

### Significance

13. The subject site is of local heritage significance to the City of Whittlesea and satisfies Hercon Criteria A, B and E at the local level for the following reasons:

- i. For its associations with dairying industry, which was an important theme in the historic development of the City of Whittlesea, and as an illustration of the role of this area in supplying fresh milk to Melbourne from the nineteenth to the early twentieth century. (Criterion A)
- ii. As a rare example of the large commercial dairies that were among the main suppliers of fresh milk to Melbourne. At its peak, Baker's Dairy Farm (or Woodstock Farm) had a herd of 500 cows, of which 300 were regularly milked, and supplied 500 gallons of fresh milk per day to Melbourne. The herd was milked twice daily in the large milking sheds, and the milk was dispatched via the nearby railway station at Donnybrook. It was described in 1911 as 'probably the largest of its kind in Victoria'. (Criterion B)
- iii. As a distinctive farm building complex within a related setting that includes early dry stone walls, a cobbled yard and a bluestone ramp. (Criterion E)

14. The buildings and features that contribute to the significance of the place are:

- i. The milking shed. This comprises the twin-gabled corrugated iron clad buildings, and the two gabled structures attached on the east side. Internal features of significance include the bluestone paved floor, cement lined tank, and brick cistern.
- ii. A stone cobbled yard to the north of the milking sheds.
- iii. Associated dry stone walls to the north and south of the milking sheds, and along part of the west boundary and the Donnybrook Road frontage.
- iv. A stone cattle loading ramp, forming part of one of the dry stone walls.

15. The corrugated iron clad shed to the south of the milking shed does not contribute to the significance of the place, due to its lower integrity.

### Proposed heritage controls

16. I support the proposed extent of HO187 as exhibited for the following reasons:

- i. The local heritage significance of the place justifies inclusion in the HO in accordance with PPN1.
- ii. It will include the heritage buildings and features that contribute to the significance of the place, as well as a suitable curtilage in accordance with PPN1.
- iii. It will exclude, as far as is possible, buildings, features and land that are not of heritage significance.

17. Having regard my findings in relation to the significance of the subject site the HO schedule should be amended to apply the following specific controls:
- i. Internal controls to the milking shed specifically to protect features including the bluestone floor and the brick and cement tanks.
  - ii. Identifying the dry stone walls as fences that are not exempt under Clause 43.01-4.
18. The application of the internal controls is necessary to ensure that the significance of the specified features is appropriately considered when the site is redeveloped. It will encourage conservation and will ensure that, if it is proposed to remove or alter any of the features, then the impacts will be carefully assessed, and an appropriate mitigation strategy can be developed. This could, for example, include re-use of the bluestone blocks, interpretive signage and the like.
19. It is appropriate to maintain the existing Clause 52.33 permit requirement for the section of the dry stone wall along Donnybrook Road that is outside of the proposed HO187 extent, as this will ensure that the heritage values of this feature can be appropriately managed in the future.

### **Recommended changes to Amendment C241**

20. On the basis of the above findings, I recommend the following changes to Amendment C241:
- i. Changes to the exhibited *1030 Donnybrook Road Statement of Significance, September 2019* incorporated document (for specific changes to the text, see below), as follows:
    - Deletion of the aerial map, which is confusing, as it also shows 1190 Donnybrook Road. This should be replaced by a representative image (for example, of the milking shed), together with a location map.
    - Under 'What is significant', inclusion of a brief history, as well as more specific identification of the internal features of the milking shed that contribute to the significance of the place.
    - Under 'How is it significant' specify the place is of local historic, aesthetic and archaeological significance.
    - Under 'Why is it significant', inclusion of statements in relation to Criteria A, B and E.
    - Inclusion of a plan showing the contributory features. This could be based on the plan from the PSP heritage study with the inclusion of the additional dry stone wall, as shown in Figure 3.1 (following paragraph 47).
  - ii. Amend the HO schedule listing for HO187 to specify that interior controls apply to the milking shed specifically to the bluestone pavers, cement tank and brick cistern, and identify the dry stone walls as being not exempt under Clause 43.01-4.

### ***Proposed change to the exhibited statement of significance***

21. Deleted text is shown as strikethrough, new or amended text is **highlighted and underlined**:

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

~~1030 Donnybrook Road, Donnybrook is significant, namely: the bluestone-paved milking shed, the rooms and sheds attached to the milking shed, the brick-lined~~

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~~eistern, the hayshed, the complex of dry stone walls and bluestone and basalt cattle ramp attached to them.~~

Baker's Dairy Farm (also known as Woodstock Farm) at 1030 Donnybrook Road, Donnybrook was established in 1891 by Wyndham Baker. Baker constructed the milking sheds and a complex of associated buildings and features including a residence and workers accommodation, stables and other outbuildings, windmills, tanks, and paddocks and yards fenced or enclosed with dry stone walls to support the operation. The use as a dairy farm ceased in 1918, when Baker sold the farm.

As shown on Figure 1 the features that contribute to the significance of the place are:

- The twin-gabled milking sheds and attached gabled sheds. The milking sheds are timber framed and clad in corrugated iron and feature integrated ventilators along the ridgeline, and incorporate a brick walled section. Attached on the east side are gabled sheds with corrugated iron roofs and part iron and weatherboard clad walls.
- Internally, the bluestone paved floor to the milking sheds and the cement lined tank and brick-lined cistern within or partly within the attached sheds.
- The stone cobbled yard on the north side of the milking sheds.
- The dry stone walls to the north and south of the sheds, along part of the west boundary and the Donnybrook Road frontage, and the bluestone cattle ramp.

The shed to the rear of the milking sheds and the fence enclosing the yard to the north of the sheds are not significant.

#### How is it significant?

The site ~~former Baker's Dairy Farm at 1030 Donnybrook Road, Donnybrook~~ is of local historic, aesthetic and archaeological significance to the City of Whittlesea.

#### Why is significant?

The site is significant to the City of Whittlesea for the following reasons:

For its associations with dairying industry, which has been an important theme in the historic development of the City of Whittlesea, and as an illustration of the role of this area in supplying fresh milk to Melbourne from the nineteenth to the early twentieth century. (Criterion A)

As a rare example of the large commercial dairy farms that were among the main suppliers of fresh milk to Melbourne. At its peak, Baker's Dairy Farm (or Woodstock Farm) had a herd of 500 cows, of which 300 were regularly milked, and supplied 500 gallons of fresh milk per day to Melbourne. The herd was milked twice daily in the large milking sheds, and the milk was dispatched via the nearby railway station at Donnybrook. It was described in 1911 as 'probably the largest of its kind in Victoria'. (Criterion B)

As a distinctive farm building complex within a related setting that includes early dry stone walls, a cobbled yard and a bluestone ramp. (Criterion E)

~~1030 Donnybrook Road~~ It is of archaeological significance because it is located in the context of a late 19th or early 20th century farmstead and has the potential to provide information about the domestic and agricultural setting in which it is found. The site is a representative example of a farmstead dating to the late 19th or early 20th century.



### 3 Significance

#### Methodology

22. The methodology for this review of significance included:

- i. Review of the historic information in the PSP heritage study and the Tardis heritage study, and the City of Whittlesea heritage studies.
- ii. 'Desktop' research using available on-line sources such as title records, and newspaper articles. (Covid 19 restrictions have prevented access to many historic records such as rate books held in libraries or the Public Records Office of Victoria).
- iii. 'Desktop' comparative analysis using known examples of similar places included in the HO in the City of Whittlesea.
- iv. Site inspection and review of photographic and other documentation in the relevant studies.
- v. Consideration of PPN1.

#### Submission 22

23. Submission 22 objects to the proposed inclusion of the subject site in the heritage overlay:

*The condition of items identified in the heritage study undertaken for the PSP are poor and as such question whether the heritage study adopted a practical position in its assessment having regard to the future urban use of the subject land.*

24. Submission 22 commissioned a Memorandum of Heritage Advice, prepared by Bryce Raworth Conservation & Heritage, which identified the following issues:

- i. The PSP heritage study identified the subject site as being of local significance because of its archaeological value and the HO is not the appropriate control for places that are only of archaeological value.
- ii. There 'may have been a stronger case' to include the subject site in the HO had the outbuildings formed part of a more intact farm complex with the original farmhouse. Changes to the milking sheds such as the loss of the bails makes its original use difficult to interpret.
- iii. The dry stone walls are mostly 'semi-ruinous' and are not 'particularly fine or well-crafted examples'.
- iv. The subject site was not identified in previous municipal heritage studies.
- v. The built form of the milking and machinery sheds 'further limits the potential for adaptive re-use' and the buildings would need to 'undergo major change' to enable a viable new use 'potentially involving the replacement of substantial amounts of original fabric'.

#### Existing heritage listings

25. The subject site is not included in the HO, the Victorian Heritage Register, or the National Heritage List. It is not classified by the National Trust of Australia (Victoria).

26. As a consequence of the Tardis heritage study the subject site is included on the Victorian Heritage Inventory, H7822-2539. This listing also applies to 960 Donnybrook Road.

### **Previous heritage assessments**

27. The subject site has not been identified in any of the municipal heritage studies prepared for the City of Whittlesea. In my opinion, this does not conclusively point toward the place being of insufficient significance to be included in those studies and, in any event, it does not (and should not) prevent the place being assessed now.
28. This issue was discussed by the Panel appointed to consider submissions to Amendment C157 and Amendment C163 to the Yarra Planning Scheme, which made the following comments (p.29):

*The Panel also accepts the legitimacy of heritage 'gaps' studies to address areas, themes of individual properties that have not been fully assessed previously – either for reasons of limited resources, the broadening of the concept of heritage, the area focus of the original studies or for any other reason. The issue for this Panel is not whether a place should have been identified earlier but whether, have been identified, the heritage significance attributed to it is supported by the research and documentation available now.*

29. The PSP heritage study and the Tardis heritage study have each assessed the subject site and found it to be of local heritage significance.

30. The PSP heritage study statement of significance (as exhibited) is:

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

*1030 Donnybrook Road, Donnybrook is significant, namely: the bluestone-paved milking shed, the rooms and sheds attached to the milking shed, the brick-lined cistern, the hayshed, the complex of dry stone walls and bluestone and basalt cattle ramp attached to them*

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

*The site is of local significance to the City of Whittlesea.*

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

*The site is significant to the City of Whittlesea for the following reasons:*

*1030 Donnybrook Road is of archaeological significance because it is located in the context of a late 19th or early 20th century farmstead. and has the potential to provide information about the domestic and agricultural setting in which it is found. The site is a representative example of a farmstead dating to the late 19th or early 20th century.*

31. The Tardis heritage study statement of significance is:

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

*The Baker's Dairy complex at 960 and 1030 Donnybrook Road, Donnybrook contains the remnants of a dairy that illustrates rural life in the Donnybrook locality from the early 1890s to the 1910s (Maps 6a-6b, Photos 1-6). This complex covers two locations across 960 and 1030 Donnybrook Road, Donnybrook (Maps 6a-6b). The remnant components, which are considered to be features of significance, comprising this site include three galvanised iron structures; a stable, a milking shed, and an implement shed, remains of a house footprint, dry stone walls, and dressed bluestone cobbled yards and paths surrounding the sheds.*

*Other structures documented to have been present on the property during its operation include the original weatherboard homestead, men's kitchen and dining rooms, men's bedrooms, engine-house, separator-room, feed-rooms, blacksmith's shop, and pig styes have since been removed. A second house identified on 1979 aerial imagery was also not located during the survey, having been removed between 1979 and 1987 and replaced with a modern brick dwelling and exotic tree plantings.*

*All these components were likely built between 1891 and 1918 when Baker's Dairy was operational. These structures illustrate the success of Wyndham Baker in the late 19th and early 20th centuries, which led to the dairy being labelled as perhaps the largest dairy operation in Victoria at the time.*

***How is it significant?***

*The dairy complex at 960-1030 Donnybrook Road, Donnybrook is of local historic and social significance, and low-moderate scientific significance.*

***Why is it significant?***

*This historic complex is of local historic and social significance for its association with the well-known dairy farm owned by Wyndham Baker from 1891 to 1918.*

*The place has low-moderate scientific significance for its archaeological potential which may elucidate the use of the site, in particular, from the 1890s to the 1910s.*

32. Another statement of significance that is relevant is contained in the 2020 dry stone wall study. The dry stone walls within the subject site were not specifically assessed by the study, but it includes statements of significance for dry stone walls at a municipal level, and for four precincts within the City of Whittlesea.

33. The statement of significance for dry stone walls at the municipal level (pp.6-8) includes the following (amongst other things):

*Dry stone walls are a powerful expression of human interaction with the volcanic landscape. They express the natural history of the area, and the cultural history of its human modification.*

*Partition of the land with dry stone walls represents and highlights one of the Europeans' most profound marks on the continent; today the walls are amongst the very oldest European structures in Whittlesea.*

*Dry stone walls bind together parts of the Merri-Darebin Plains landscape.*

*That this is a major precinct of dry stone walls is the consequence of the dominance of a single industry, dairying, on the Merri - Darebin Plains.*

...

*The nexus of small dairying with a remarkable landscape produced some exceptional and historically significant walls, primarily those which followed the contours of stony rises, forming cultivation paddocks.*

*Intensively built complexes of dry stone walls close to a farmsteads were also an intrinsic part of the small farming landscape. As well as milking yards, they included horse (or stallion) yards, and bull pens.*

*This distinctive structural aesthetic is enhanced by the unusual (relative to walls on Melbourne fringes) number of walls with substantially intact segments as a result of having been built across solid stony rises.*

*The informal aesthetic quality of the dry stone walls is vernacular, reflecting the texture, patina, colour and form of the underlying geology and landscape, and the inherited traditions and craftsmanship used to assemble them.*

*In some areas the formal and informal aesthetics of the walls both complement and are enhanced by adjacent landscapes of stony rises and open red gum woodland of exceptional visual quality. Other remnant or significant native flora and fauna also survive on the stony rises in places.*

*Although many of the cultivation paddocks have now been lost, the substantial number that remain constitute a rare, probably unique, precinct in Victoria, which is significant in demonstrating the distinct topography and singular usage of the area, and sufficient in type, intensity and extent to be of heritage significance at the state level.*

*The walls' special aesthetic qualities as a result of their associations with stony rises, and also the consequent irregular layout of many...*

## Analysis

### **History and historic context**

34. The Tardis heritage study provides a comprehensive history of the subject site. In summary:

- i. The subject site forms part of Crown Portion (CP) 15 acquired by John Hunter Patterson in 1836.
- ii. The owner from 1870 to 1890 was John McCormack and, following his death, his son James. At the time of the McCormack ownership it is described as 'grazing land fenced – no buildings thereon'.
- iii. In 1891 the subject site was sold to Wyndham Baker and became part of a 2300 acre commercial dairy farm that he established. It was Mr. Baker who constructed a complex of buildings and structures including milking sheds, dairy, residence and workers accommodation, stables and other outbuildings, windmills, tanks, and paddocks and yards fenced or enclosed with dry stone walls to support the operation.
- iv. At its peak, Baker's Dairy Farm (or Woodstock Farm) had a herd of 500 cows, of which 300 were regularly milked, and supplied 500 gallons of fresh milk per day to Melbourne. The herd was milked twice daily in the large milking sheds, and the milk was dispatched via the nearby railway station at Donnybrook. It was described in 1911 as 'probably the largest of its kind in Victoria'.
- v. In 1918 Baker sold the property to Robert Lyall, a grain and chaff merchant from Brunswick who created the Woodlands Park Estate. The use as a dairy farm ceased and the land was used for sheep grazing and the cultivation of oats, barley and rye.
- vi. In 1925 Lyall subdivided CP 15 into two. The subject site forms part of the eastern half, which in 1930 was sold to Roland Mason, a farmer (title deeds record Mr Mason's address as 'Yan Yean' – i.e. Donnybrook – Road, Donnybrook').
- vii. Mr Mason gave the name 'Shenstone Park' to the subject site. In 1935 he excised the southeastern portion, reducing the allotment to its present size. In 1938 the subject site was transferred to Norman Mason.

35. My own research, which has included examination of title records and newspaper articles confirms the details set out in the Tardis heritage study. In addition, I have sourced a 1908 newspaper article from the *Australasian* (see Attachment 2) that provides further information, as follows:

i. Specific evidence that the milking shed was constructed in 1891:

*Seventeen years ago, when the milking shed on Woodstock Farm was constructed, it was Mr. Baker's boast that there was none better in Victoria.*

ii. Additional details about the milk room or dairy where the milk was strained, cooled and placed in 25 gallon cans:

*The dairy is fitted with all the latest improvements in milk-vats, coolers and other utensils, and a plentiful supply of clean cold water is provided by large cement tanks, which receive and store up all the rainwater.*

iii. Additional details about the construction of the milking shed:

*The shed, which contains 104 bails, is naturally a spacious affair and covers a space of 120ft long, by 80ft wide, the sides being framed with wood, and the roof made of iron.*

36. The 1908 article also describes Mr Baker as 'one of the largest [milk] retailers in Melbourne'.

37. The subject site provides tangible evidence of the importance of dairying in the history of the City of Whittlesea and, in particular, as one of the areas that played an important role in the supply of fresh milk to Melbourne from the late nineteenth to the early twentieth centuries.

38. As noted by Moloney (2020:182) the type of dairy farming carried on depended on 'distance and transport', as until improvements in refrigeration, fresh milk could only be transported for relatively short distances. Because of this, farms that supplied fresh milk to Melbourne were (until the early twentieth century) within an approximate 10 to 15 mile radius of the central city.

39. In the City of Whittlesea this meant the majority of fresh milk was produced on small farms at Wollert, Epping and Westgarthtown (this is the historic name given to the cluster of farms established by German immigrants within what is now the suburbs of Lalor and Thomastown) with the northernmost boundary imposed by the 15 mile limit being around Lehmanns Road. Dairy farms further to the north were producing butter or supplied cream to butter manufacturers.

40. The exceptions to this rule were larger commercial farms such as Baker's that were proximate to a railway station. Another example was the Burnside Dairy, established in 1922 on the corner of Donnybrook Road and Plenty Road, near the Whittlesea railway line.

41. The establishment of Baker's Dairy Farm was also associated with major advancements in the dairying industry in the late nineteenth and early twentieth century. Moloney (2020:33) provides the following summary:

*Most of the milking on nineteenth century family farms had been carried out in the 'primitive shelters with earthen floors which became a dung-strewn quagmire in wet weather.' It was difficult to milk more than four cows an hour in these conditions. But in barely a decade from 1888 dairying was transformed into a modern industry. Revolutionary technical innovations included refrigeration (which made international*

*export possible), the centrifugal cream separator, and the Babcock tester to monitor and ensure quality and pricing. The impact of fertilisers and new pastures including fodder crops such as lucerne was immense, permitting more intensive use of farms, and smaller holdings. The Victorian government began major educational, financial assistance, international marketing, and infrastructure programs for the industry. Exports became the major market for dairy products. Dairying boomed, and co-operative creameries and butter factories sprang up across the state.*

42. In the early twentieth century the breaking up of large farm holdings in the City of Whittlesea continued, and by the late twentieth century the farms in the Wollert and Kalkallo areas were less efficient compared with those within the major dairying districts such as South Gippsland, and the south west around Warrnambool. The introduction of refrigerated bulk milk collection in Gippsland by the late 1950s (and other parts of Victoria soon afterwards) meant that remote country districts became the main suppliers of fresh milk in Victoria and by the late 1970s virtually all dairy farms in the City of Whittlesea had ceased operating.
43. Another distinctive feature associated with the historic development of farming in the City of Whittlesea are dry stone walls. The importance of dry stone walls as a distinctive component of the historic cultural landscape in the City of Whittlesea was first identified in the 1990 heritage study and has been confirmed by the 2020 dry stone wall study.
44. The exact date of the dry stone walls at the subject site is not known, however, they are likely to date to the nineteenth century, as according to Moloney (2020:66) the construction of walls ceased around 1900, as they were too costly to construct and maintain. Those along the Donnybrook Road frontage and the western boundary may be associated with the early ownership of the subject site, prior to the Baker ownership, while the drystone walls closer to the milking sheds are possibly associated with the improvements made during the Baker era.

### **Description**

45. As shown on Figures 3.1 and 3.2, the subject site contains the following buildings and features associated with Baker's Dairy Farm (please refer to Attachment 1, which contains images of these buildings and features):
  - i. The milking shed. This is a twin-gabled milking timber framed building clad in corrugated iron, which incorporates a small brick section in one corner. The roof ridges feature integrated ventilators with curved running the full length, which give the buildings a distinctive appearance. Internally, the bails and other features described in the early newspaper articles have mostly been removed, but the bluestone paving survives. Attached on the east side are two gabled structures, one of which contains a cement lined tank, while located under the wall of one building is a brick cistern or well.
  - ii. A corrugated iron shed to the south of the milking sheds, described as the machinery or implement shed (though it appears also to have been used for hay storage). This building has been altered, mostly notably by the installation of metal posts (which may have resulted in raising the height of the building).
  - iii. A stone cobbled yard to the north of the milking sheds.
  - iv. Associated dry stone walls within the subject to the north and south of the sheds, and along the Donnybrook Road frontage.
  - v. A stone cattle loading ramp, forming part of one of the dry stone walls.

46. Another feature not identified by the PSP heritage study or the Tardis heritage study that in my opinion contributes to the significance of the place is the section of dry stone wall along the west property boundary. This is indicated on Figure 3.1.
47. The complex of buildings is situated on a gentle rise on the south side of Donnybrook, which at the moment retains its rural setting. It can be glimpsed through the surrounding trees in longer range views looking east along Donnybrook Road. When standing at the front of the site the milking sheds, and the associated dry stone walls are visible set within mature trees, which include two old eucalypts at the frontage. Further to the east there are rocky outcrops, which demonstrate the source of materials for the dry stone walls.

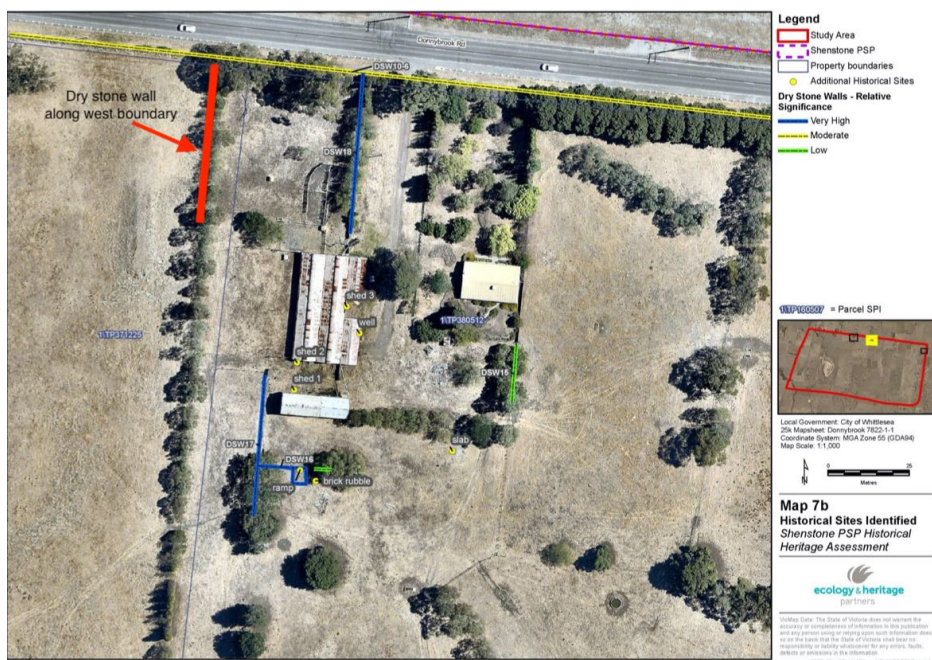


Figure 3.1: Contributory heritage buildings and features (source: PSP heritage study) My annotation in red to indicate location of the additional dry stone wall.



Figure 3.2: Contributory heritage buildings and features (source: Tardis heritage study)

### Comparisons

48. The theme of dairying in the City of Whittlesea is represented by approximately 22 heritage places, which are included in the HO. Table 3.1 provides a list of the places and a brief description of associated buildings and features, which has been obtained from the place record in the Hermes database (transferred from the original heritage studies) or the Victorian Heritage Register (VHR) citation.

**Table 3.1 HO places associated with dairying**

HO	VHR	Heritage place	Associated features
HO17	No	Carome Homestead, Mernda	Early (c.1850s) timber homestead and milking shed
HO11	H2312	Fashoda Homestead, Mernda	Early (c.1850s) timber homestead and 'cow shed'
HO15	No	Hazelmere, Mernda	Late C19th homestead and outbuildings
HO19	No	Mayfield Farm, Mernda	Early (c.1860s) brick homestead and timber milking sheds
HO120	No	Rockbank	Late C19th homestead and outbuildings
HO124	No	Hunters Road Dairy	Small stone dairy
HO26	No	Residence	Stone homestead and small stone dairy
HO10	H950	Wuchatsch's Farm, Thomastown	Stone homestead and stone and CGI dairy buildings
HO135	No	Glenvale Park, Whittlesea	Late C19th brick homestead, CGI dairy and barn outbuildings
HO164	No	Craigieburn Homestead, Wollert	Ruinous homestead and CGI milking shed with original bails
HO161	No	Farmhouse (Bindts Farm), Wollert	Bluestone homestead and stone and CGI dairy and milking shed
HO40	No	Hehrs Pine Park Farm, Wollert	Bluestone homestead and stone and CGI dairy and milking shed, dry stone walls
HO39	No	Schultz Farm (Ivy Bank), Wollert	Early (c.1850s/60s) stone homestead, rare mud and lathe barn, and bluestone milking shed (paved with ashlar blocks, but bails removed)
HO41	No	Schultz Farm (Pine Grove), Wollert	Timber homestead and part stone, part CGI milking shed, dairy and other outbuildings, dry stone walls
HO163	No	Springvale-Bodycoats, Wollert	Timber homestead and bluestone barn and milking shed
HO4	H958	Summerhill, Wollert	Large complex comprising bluestone homestead and several bluestone outbuildings including a cow (milking shed) now incorporated into a CGI woolshed
HO162	No	Timm's Farm, Wollert	Homestead, bluestone and CGI interwar dairy, dry stone walls



HO	VHR	Heritage place	Associated features
HO81	No	Unmack's Farm, Wollert	Outbuildings
HO204*	No	Ewert's Farm, Wollert	Homestead, bluestone and CGI dairy, cobbled yard, dry stone walls
HO172	No	Bung Bong, Woodstock	Early (c.1860s) bluestone homestead and dairy coolroom (bluestone milking shed has been demolished.)
HO45	No	Burnside Dairies, Yan Yean	Interwar brick manager's house, CGI clad outbuildings
HO44	No	Fenwick Stud	Large C19th bluestone homestead and dairy of unusual construction with rendered brick inside and weatherboards outside

\*Interim HO

49. The types of heritage places associated with this theme broadly fit within two categories:

- i. Small family-run dairy farms. The majority of places are this type.
- ii. Large commercial or 'model' dairy farms. There are fewer examples of this type.

50. The association with dairying at these places is represented by buildings including milking sheds, dairies (where the milk was stored and transferred to cans for transport or separated to produce cream for butter or cheese production) and associated structures including workers accommodation, hay barns, piggeries, dry stone walls and stone paved yards.

51. The milking sheds and associated dairy buildings are constructed of either bluestone (originally with timber shingle roofs, now usually replaced with corrugated iron) or are timber framed and clad in corrugated iron (usually roof and walls, although some have weatherboard walls). The corrugated iron (CGI) examples such as HO135 Glenvale Park, HO164 Craigieburn Farm and HO162 Timm's Farm are single or double gable roof buildings. Most are of very simple construction. The exception is the (possibly architect-designed) milking shed and dairy buildings at Summerhill, which is included on the VHR.

52. At some places all of these features survive, while at others only parts of the original complex are extant. For example, at HO124 only the stone dairy survives, while at HO81 the homestead has been demolished and only some of the outbuildings survive. The intactness of the milking sheds themselves also varies. For example:

- i. In most cases the original bails have been removed. Known examples of milking sheds with original or early bails include HO161 Bindts Farm, HO164 Craigieburn Homestead and HO204 Ewert's Farm.
- ii. Very few retain original paved floors – some were not paved originally, and others have been replaced with concrete floors in the twentieth century. Known examples of milking sheds with original paved floors include HO4 Summerhill and HO39 Schultz Farm.

53. In my opinion, when compared to similar places already included in the heritage overlay, the buildings and associated features on the subject site provide sufficient evidence to demonstrate the historic use, as follows:

- i. The CGI clad milking sheds, which are representative of this type of building and also retain distinctive features including the integrated ventilators along the ridges, and the bluestone paving. Of the known examples within the City of Whittlesea no other milking sheds have a ridge ventilator and only a few have original bluestone paving.
  - ii. The cement tank and brick cistern within the gabled buildings beside the milking shed, which are probably associated with the cooling system for the milk.
  - iii. The cobbled yard to the north of the milking shed.
  - iv. The associated dry stone walls and ramp.
54. The subject site is also a rare example of a large commercial dairy farm. Of the examples listed in Table 3.1 only Summerhill, Burnside Dairies and possibly Wuchatsch's Farm compare in terms of scale.
55. Moloney (2020:113) has also identified an area of large dairy farms known as the Campbellfield Estate (this was located in what is now the suburbs of Thomastown and Epping on the east side of the Merri Creek), which in the mid to late nineteenth century comprised several farms with herds of up to 600 cows similar to Baker's Dairy Farm, but all built structures associated with these farms have been removed and only some remnants of dry stone walls remain.

## Conclusions

56. The subject site is of local heritage significance to the City of Whittlesea and satisfies Hercon Criteria A, B and E at the local level for the following reasons:
- i. For its associations with dairying industry, which was an important theme in the historic development of the City of Whittlesea, and as an illustration of the role of this area in supplying fresh milk to Melbourne from the nineteenth to the early twentieth century. (Criterion A)
  - ii. As a rare example of the large commercial dairies that were among the main suppliers of fresh milk to Melbourne. At its peak, Baker's Dairy Farm (or Woodstock Farm) had a herd of 500 cows, of which 300 were regularly milked, and supplied 500 gallons of fresh milk per day to Melbourne. The herd was milked twice daily in the large milking sheds, and the milk was dispatched via the nearby railway station at Donnybrook. It was described in 1911 as 'probably the largest of its kind in Victoria'. (Criterion B)
  - iii. As a distinctive farm building complex within a related setting that includes early dry stone walls, a cobbled yard and a bluestone ramp. (Criterion E)
57. The building and features that contribute to the significance of the place are:
- i. The milking shed. This comprises the twin-gabled building, and the two gabled structures on the east side. Internal features of significance include the bluestone paved floor, cement lined tank, and brick cistern.
  - ii. A stone cobbled yard to the north of the milking sheds.
  - iii. Associated dry stone walls to the north and south of the milking sheds, and along the Donnybrook Road frontage and part of the west boundary.
  - iv. A stone cattle loading ramp, forming part of one of the dry stone walls.
58. The corrugated iron clad shed to the south of the milking shed does not contribute to the significance of the place, due to its lower integrity.

## 4 Amendment C241

### Submissions

59. Submission #22 raised issues in relation to the application of the HO, as previously noted.
60. Submission #12, made on behalf of the owner of 1150 Donnybrook Road, raises the following concern in relation to the proposed change to Clause 52.33:

*Plan 5 also identifies the dry stone wall abutting Donnybrook Road to be of high-to-moderate significance. The proposed schedule to Clause 52.33 Post Boxes and Dry Stone Walls would require a permit to remove the dry stone wall fronting Donnybrook Road. Respectfully, the dry stone wall would need to be removed as part of the proposed arterial works and should simply be identified for removal with an amendment to the schedule to Clause 52.33 to include "Medium" retention value as being able to be removed without a planning permit.*

### Application of HO

61. Amendment C241 proposes to apply the HO to part of the subject site, as shown in Figure 4.1.

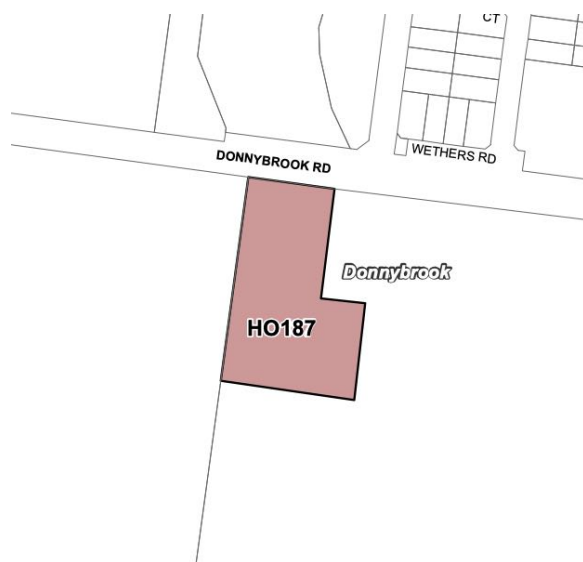


Figure 4.1 – HO187 extent

62. No specific controls (external painting, internal alterations, etc.) are proposed.
63. In my opinion the proposed HO187 extent is appropriate and consistent with PPN1 as:
- It includes all of the contributory buildings and features including a reasonable curtilage to manage future development including the sections of dry stone wall along the frontage and part of the side boundaries that are physically and visually connected to the dry stone walls associated with the milking shed complex, as well as a reasonable curtilage to manage development.
  - It excludes, as far as is possible, non-contributory features in proximity to the heritage features such as the modern house on the site, and the balance of the land comprising 1030 Donnybrook Road that contains no significant heritage fabric.

64. However, in my opinion having regard to my findings in relation to significance the following specific controls in the HO schedule should be applied:
- i. Internal controls to the milking shed specifically to protect contributory features including the bluestone floor and the cement tank and brick cistern.
  - ii. Identifying the dry stone walls as fences that are not exempt under Clause 43.01-4.
65. The application of the internal controls is necessary to ensure that the significance of the specified features is appropriately considered when the site is redeveloped. It will encourage conservation and will ensure that, if it is proposed to remove or alter any of the features, then the impacts will be carefully assessed, and an appropriate mitigation strategy can be developed. This could, for example, include re-use of the bluestone blocks, interpretive signage and the like.

### **Clause 52.33 Post Boxes and Dry Stone Walls**

66. The Amendment proposes to include the following 'Permit requirement' in Clause 52.33:

*All land except land shown as dry stone wall with a 'low' retention value in the Incorporated Shenstone Park Precinct Structure Plan.*

67. The effect of this change insofar as it applies to the balance of the dry stone wall along the frontage of the subject site that is not within the proposed HO187 is to maintain the 'status quo'. That is, a permit will be required to demolish, remove or alter the wall.
68. In my opinion it is appropriate to maintain the existing Clause 52.33 permit requirement for the section of the dry stone wall outside of the proposed HO187 along Donnybrook Road, as this will ensure that the heritage values of this feature can be appropriately managed in the future.

### **1030 Donnybrook Road exhibited SoS incorporated document**

69. On the basis of my findings in relation to significance, I recommend the following changes to the exhibited *1030 Donnybrook Road Statement of Significance, September 2019* incorporated document (for specific changes to the text, see paragraph 18 in Section 2), as follows:
- i. Deletion of the aerial map, which is confusing, as it also shows 1190 Donnybrook Road. This should be replaced by a representative image (for example, of the milking shed), together with a location map.
  - ii. Under 'What is significant', inclusion of a brief history, as well as more specific identification of the internal features of the milking shed that contribute to the significance of the place.
  - iii. Under 'How is it significant' specify the place is of local historic, aesthetic and archaeological significance.
  - iv. Under 'Why is it significant', inclusion of statements in relation to Criteria A, B and E.
  - v. Inclusion of a plan showing the contributory features. This could be based on the plan from the PSP heritage study with the inclusion of the additional dry stone wall, as shown in Figure 3.1 (following paragraph 47).

## 5 David Helms – qualifications & experience

*B App Sci (Urban & Regional Planning), Grad Dip (Heritage Planning & Management)*

I am a strategic planner with over twenty-five years experience, and now specialise in cultural heritage planning and management. I have worked in a variety of local and state government and private organisations in Melbourne, Sydney and regional Victoria. As a strategic and statutory planner who has also undertaken numerous cultural heritage studies, I combine my knowledge of cultural significance with a clear understanding of how heritage studies may be most effectively translated into practical planning controls, policies and guidelines that are easy to understand and use.

### **Heritage studies**

I have prepared numerous municipal heritage studies and reviews in my own practice or in collaboration with Context Pty Ltd including:

- ▶ Baw Baw Shire: *Baw Baw Shire Heritage Study* (2011).
- ▶ Cardinia Shire: *Cardinia Shire Heritage Review* (2010), *St James Estate Comparative Heritage Study* (2014), *Pakenham Structure Plan Heritage Review* (2018).
- ▶ Casey City: *Casey Heritage Study* (2004).
- ▶ Darebin City: *Darebin Heritage Study* (2010).
- ▶ Latrobe City: *Latrobe City Heritage Study* (2010).
- ▶ Manningham City: *Manningham Heritage Study Review* (2005).
- ▶ Mitchell Shire: *Mitchell Shire Heritage Amendment: Review of heritage precincts* (2012), *Mitchell Shire Stage 2 Heritage Study Review* (2013), *Wandong & Heathcote Junction Heritage Review* (2016), *Mitchell Shire Heritage Anomalies Review* (2018).
- ▶ Moonee Valley City: *Moonee Valley Gap Heritage Study Review* (2009), *Review of HO precincts* (2011), *Moonee Ponds Activity Centre Heritage Assessment* (2011), *Moonee Valley Racecourse Heritage Assessment* (2012), *Moonee Valley Racecourse Conservation Management Plan* (2014), *Heritage Overlay Review* (2014), *Post-war Thematic Precincts heritage Study* (2014), *Moonee Valley Heritage Study* (2015) and the *Moonee Valley Heritage Study* (2018- currently underway).
- ▶ Moreland City: *Moreland Local Heritage Places Review* (2009), *Moreland North of Bell Street Heritage Study* (2010), *Moreland Heritage Study Review* (2017).
- ▶ Mornington Peninsula Shire: *Ranelagh Estate Conservation Management Plan* (2009), *Mornington Peninsula Heritage Review: Area 1 – Mt Eliza, Mornington & Mt Martha* (2011).
- ▶ Murrindindi Shire: *Murrindindi Shire Heritage Study* (2010).
- ▶ Port Phillip City: *Heritage assessment of four places in the City of Port Phillip* (2005), *City of Port Phillip HO6 Precinct Heritage Review* (2016).
- ▶ South Gippsland Shire: *South Gippsland Shire Heritage Study* (2002), *South Gippsland Amendment C92 Heritage Citations* (2014).
- ▶ Yarra City: *Review of 17 Precincts* (2014), *Heritage Gap Study, Review of Central Richmond* (2014), *Heritage Gap Study: Review of Johnson Street East* (2016).
- ▶ Yarriambiack Shire: *Yarriambiack Shire Heritage Study* (2014).

My other projects for Context Pty Ltd included heritage assessments and heritage impact analysis for the Regional Fast Rail project (Latrobe and Bendigo lines), the *Royal*

*Exhibition Buildings & Carlton Gardens Conservation Management Plan* (in association with Lovell Chen), and the *Yan Yean Water Supply System Conservation Management Plan* and the *Regional Water Supply Heritage Study*, both for Melbourne Water and Heritage Victoria and *Homeward: the Thematic History of Public Housing in Victoria* for the Department of Human Services.

**Summary list of Planning Panel expert witness appearances**

I have appeared as expert witness or Council advocate at many planning panel hearings in relation to heritage amendments, mostly recently for Yarra City Council (expert witness) in relation to Amendment C231, Port Phillip City Council (expert witness) for Amendment C142, Moreland City Council (expert witness) in relation to Amendment C174, Cardinia Shire Council (advocate) for Amendment C242, and Melbourne City Council (expert witness) for Amendment C258.

My other appearances before planning panels (expert witness except as noted) include Amendment C5 to the Port Phillip Planning Scheme (advocate), Amendments C17 and C34 (Part 2) to the Hobsons Bay Planning Scheme (advocate), Amendment C80 (Part 2) to the Casey Planning Scheme, Amendment C50 to the Greater Shepparton Planning Scheme, Amendment C26 Part 1 to the Wellington Planning Scheme, Amendments C68 and C108 Part A to the Darebin Planning Scheme, Amendment C14 to the Latrobe Planning Scheme, Amendments C117 and C163 to the Stonnington Planning Scheme, Amendments C86 and C90 to the Baw Baw Planning Scheme, Amendments C129 and C134 to the Moreland Planning Scheme, Amendment C77 to the Banyule Planning Scheme, Amendment C56 to the Mitchell Planning Scheme, Amendments C173 and C183 to the Yarra Planning Scheme, and Amendment C109, the Advisory Committee Hearing for Amendments C120 & C124, Amendment C143, Amendment C144 and Amendment C164 to the Moonee Valley Planning Scheme.



## Attachment 1 – Subject site images

### Milking sheds



*North elevation of milking sheds. Source: City of Whittlesea*



*South elevation of milking sheds. Source: City of Whittlesea*



*View of milking sheds and dry stone walls from roadside. Source: David Helms*





*Interior of gabled shed showing cement tank. Source: City of Whittlesea*



*Interior of milking shed showing bluestone pavers. Source: City of Whittlesea*

### Implement shed or hay barn





## Dry stone walls



*Dry stone wall to south of implement shed with (incorporates stone ramp at left). Source: City of Whittlesea*



*Dry stone wall to west of implement shed. Source: City of Whittlesea*



*Part dry stone wall along Donnybrook Road frontage with section of wall along west boundary in background. Source: David Helms*



*View of property from opposite side showing mature eucalypts along the front boundary adjacent to the dry stone wall. Source: David Helms*

## Attachment 2 – 1908 newspaper article



**AN UP-TO-DATE DAIRY.****No. I****By E.N.R.****THE RETAIL TRADE.**

If all dairymen were under the same obligation to maintain their milk supply as the retailers are there would be fewer complaints about the seasons. It would simply be a matter then of being compelled to conserve feed for dry months, so that there should be no serious shortage of milk, and no loss of customers. Dairymen engaged in the retail trade have their certain rounds of customers; the number does not vary much, and there is very little fluctuation in the quantity of milk daily supplied. The owner of the herd knows beforehand how many quarts will be required, and he sees to it that his cows provide him with that number. If every time there was a short spell of dry weather and the grass went off he had to buy from the big country suppliers to make good the deficiency, there would be no profits in the business. By systematic feeding the effect of a bad season can be mitigated, and though it is never a pleasant prospect to contemplate, the situation can be more calmly faced when the silos and hay-sheds are full. The retailer is not overjoyed when he sees the grass going off, but he does not rail against Providence. Being a business man he has safeguarded himself, as far as possible, against business risks, for as such droughts must be regarded, and he knows that he has minimised his loss.

**GREEN FEED PREFERRED.**

One of the largest retailers in Melbourne is Mr. W. Baker, whose connection is so large that he has to keep a herd of 300 cows in milk to keep his supply up to the necessary level. If, through a mere change in the seasons, the supply dropped to one-half of what it would have otherwise been, Mr. Baker would find it rather difficult to carry on. Therefore, he sees to it first of all that there is a plentiful supply of feed all the year round. When possible he relies mainly on green feed, although he seldom restricts his herd either to maize or to barley, or to whatever crop may at the time be ready. Chaff, brewers' grain, and bran are generally added, consideration being given at all times to the prices that

ing given at all times to the prices that have to be paid when fodder is being bought. Bran, for instance, is regarded by Mr. Baker, as almost indispensable for milk production, especially during the winter months, when there is no green feed of any kind, but nevertheless, he finds it necessary to dispense with bran when the price climbs too high. Peas, rye, oats, and maize are each largely grown for spring and summer use, and big reserves of oaten and wheaten hay are kept for the winter. Mr. Baker's dairy farm is about a mile and a half from Donnybrook railway station, and about 20 miles from Melbourne, and he is able, therefore, to get his milk to the city within a couple of hours. Morning and evening deliveries are made. Woodstock, as the farm is called, consists of nearly 2,700 acres of leasehold land, the soil for the most part being a fairly stiff black soil, with outcrops of stone. It is

good grazing land, and under proper treatment heavy crops can be raised.

**CONSTRUCTION OF THE SHED.**

Seventeen years ago, when the milking shed on Woodstock Farm was constructed, it was Mr. Baker's boast that there was none better in Victoria. During the time it has been in use, it has apparently suffered very little deterioration. If a new building were to be erected in its place tomorrow, there would be no alteration in design. The shed, which contains 104 bails, is naturally a spacious affair, and covers a space of 120ft. long, by 80ft. wide, the sides being framed with wood, and the roof made of iron. The bails are arranged in four rows, in such a way as to expedite both feeding and bailing up. Each row contains 26 bails, but a transverse passage-way, leading into the room where the milk is received and cooled, really divides them into eight sections of thirteen bails. This crossway saves the milkers a great deal of walking when emptying their buckets, for as it cuts across the middle of the building it is accessible from either end. The cattle stand head to head in their stalls. That means, that taking a length section of the shed, passing from side to side, there is first of all a wide passage-way along which a dray can pass to collect the manure night and morning; a row of bails facing east; a passage-way for the feed box; a row of bails facing west; another passage-way for a dray; a row

other passage-way for a dray; a row of bails facing east; passage-way for the feed-box; a row of bails facing west; and a passage-way for a dray. With this plan of construction in one's mind's eye, it will be seen that the arrangement must mean the saving of a great deal of time in feeding the cattle and cleaning up the shed. The cattle standing head to head, it means that on either side of the passage-way are rows of troughs, and in between them a trolley on wheels, which runs on tram rails, passes along the whole length of the building, and connects with the feed-house, which is in an adjoining shed. The feed-boxes are built high at the back and low in front, so that the cattle, while feeding, are not disturbed or excited by the sight of any disturbance that might occur. The trolley is a huge concern, and after being loaded up in the feed-room, where the grain and chaff is steamed and mixed, is run along between the bails, and the feed shovelled out into the mangers. The second parallel pair of bails is served in the same way, and the trolley which supplies them runs into another portion of the feed-room to be loaded. The cows, after being milked, are not liberated by the pulling of a cord, a contrivance seen in very many sheds, but instead, a boy passes along the feed-boxes and releases each cow one by one. When a second draft comes in from the yards they are, however, bailed up by the pulling of a cord.

#### MILKING AND FEEDING.

The bailing-up and milking of the cows provide work for about twenty hands, although all of them are not actually milkers. For instance one man does the bailing up, another follows him up and washes all the udders and teats thoroughly, whilst a third is kept busy cleaning out the stalls. The milking hands have nothing to do during milking time but to milk, and there

by a boiler, is also always ready for use. The chaff and steaming shed is another very large building—almost a continuation of the milking-sheds. It is fitted with a 10-h.p. engine, which cuts the chaff and provides steam for cooking the feed and cleansing the milking utensils. On an average about 300 cows are kept in the sheds, but none of them are kept there when they cease to show a profit. They must milk well or out they go. The butter test is not the important factor in a retail dairy; it is where milk is sold to the factory. Provided it is up to the required standard there is no great advantage in the milk testing 3.5, or even 4. It is the quantity that is wanted. It is for this reason that no calves are reared. The milk is worth more money to sell than to feed calves with, and so all the calves are knocked on the head. When more cows are wanted they are bought at auction, and then it may not come up to expectations they are sold again.

is no excuse, therefore, if they allow the utensils or the milk to become dirty. As the milk is drawn from the cows it is taken to the milk-shed, where it is at once passed over a cooler. The dairy is fitted with all the latest improvements in milk-vats, coolers, and other utensils, and a plentiful supply of clean, cold water is provided by large cement tanks, which receive and store up all the rain-water. A good hot-water service, the water being heated by a boiler, is also always ready for use.