

1 September 2022

Mr Stephen Dobbs
Department of Planning and Environment
Locked Bag 5022,
Parramatta NSW 2124.

Submitted online: <https://www.planningportal.nsw.gov.au/major-projects/projects/gregory-place-build-rent>

Dear Mr Dobbs,

National Trust objection relating to SSD-31179510 Gregory Place Build-to-Rent

The National Trust of Australia (NSW) expresses its strong objections to the proposal for the construction of three separate, large scale buildings with 483 dwellings within the site located at 2A Gregory Place, Harris Park.

This extremely sensitive site is the mid-point between three of the most significant historic houses in Australia, all of them listed on the NSW State Heritage Register and all of them in public ownership in recognition of their important cultural values.

Major efforts to improve the setting of these three houses over time will be severely impacted by this proposal, and possibilities for further improvement of the site and Clay Cliff Creek will be completely destroyed.

The National Trust concerns can be summarised as follows:

- The proposal will completely destroy the historic setting of Hambledon Cottage, removing its ability to be read with a blue sky background;
- The proposal does not consider the impact on the larger setting of Hambledon Cottage, Experiment Farm and Elizabeth Farm;
- The proposal increases, rather than decreases, the built footprint of the current site by extending it westwards;
- The proposal turns its back on Clay Cliff Creek and ensures this key historic watercourse can only ever remain a concrete stormwater channel, not restored as a natural creek that speaks to its indigenous and colonial importance;
- The proposal does not align with any planning controls for the site and will fundamentally change the predominant low-rise character of Harris Park;
- The proposal will impact the views and setting from the National Trust's property Experiment Farm and the Sydney Living Museum Property Elizabeth Farm.

Fundamentally, the factory on this site is a poor outcome for this place and should be removed. The way to remove it however must not be by developing the site with close to 500 apartments.

The purported reductions in height, scale and impact are not sufficient to make this an appropriate proposal for this sensitive location.

Significance of the Cottages

This proposal seeks to permanently obliterate the setting of three of the most important historic places in Australia (discussed in more detail in "Setting"). These three places and their setting are all in public ownership, the purpose of which is to protect them in perpetuity.



- **Elizabeth Farm (1793)** – the SHR listing of this place notes it is of National significance as one of Australia's oldest standing properties that is on the site of the first British land grant in Australia.
 - It was the first item listed on both the Register of the National Trust of Australia (NSW) and the NSW State Heritage Register, and is the oldest surviving European construction in Australia.
- **Experiment Farm (c.1835)** – the SHR listing of this place notes it is of exceptional cultural significance to Australia, NSW and Parramatta because:
 - It forms part of the first European land grant in Australia.
 - It is associated with the early agricultural pursuits, including Governor Phillip's "experiment" to determine the period required in which a settler could become self-supporting.
 - Of its visual prominence in the surrounding landscape. The position of Experiment Farm Cottage demonstrates important relationships with the landscape. Situated on a once prominent rise, the current house addresses the north towards Parramatta River and Clay Cliff Creek.
- **Hambledon Cottage (c.1821)** – part of the Elizabeth Farm Estate, the SHR listing of the place notes that Hambledon Cottage, its grounds and associated archaeology have State significance for:
 - Their important and direct associations with the Macarthurs, one of the most influential families in Australian history as well as other figures of state and local renown.
 - The archaeology at Hambledon Cottage and grounds has a high archaeological research potential and is likely to be highly intact and of state significance.
 - Part of a group of colonial era dwellings in Parramatta that include Elizabeth Farm and Experiment Farm. Its later history is representative of the growth of Parramatta through the subdivision of large estates in the later nineteenth century.
 - Has significance as a part of the Macarthur's Elizabeth Farm Estate and because of its setting, which contains trees planted by the Macarthur family, views and vistas to Elizabeth Farm's surviving early tree plantings, nearby Experiment Farm cottage's estate, and the Queen's Wharf precinct on Parramatta River.

Lack of Consultations

Despite purporting to consult widely on this project, we note however that the Consultation list contained in proposal's Consultation Report **only shows consultation** with one of the three owners/managers of these extraordinarily significant heritage items, namely the Parramatta Historical Society. However it appears that these other two site owners were not consulted:

- The National Trust of Australia (NSW); and
- Sydney Living Museums

This is an astonishing oversight.

Setting

This proposal seeks to permanently obliterate the setting of three of the most important historic places in Australia, all of which remain with us today in public ownership, and their cultural landscape:

- Elizabeth Farm (1793) – The first item listed on both the Register of the National Trust of Australia (NSW) and the NSW State Heritage Register, and the oldest surviving European construction in Australia;
- Experiment Farm (c.1835) – the site of the first European land grant in Australia and the birthplace of agriculture in this country; and
- Hambledon Cottage (c.1821) – part of the Elizabeth Farm Estate.

The existing factory on the site is not a heritage item and later alterations to it have been seriously detrimental to the setting of Hambledon Cottage in particular, however the proposal for this State Significant Development



increases the built footprint on this site and uniformly increases the height across the site. It will have a significant and lasting impact on not only these three heritage items but also the surrounding generally low-rise urban fabric.



Figure 1: The proposal significantly increases the built footprint of the site and is at the intersection of arguably the most important grouping of houses in Australia. (Source: SixMaps with National Trust overlay)

Views Analysis

The National Trust are extremely concerned that the true impact of this proposal, particularly on Hambledon Cottage, has not been accurately represented in this proposal. The Visual Impact Assessment for this proposal of 483 apartments in one of the most visually sensitive locations in Australia contains only seven views, and most of them are irrelevant.

The Planning Secretary's Environmental Assessment Requirements (SEARs) for this projects specifically require that the Visual Impact provide a visual analysis of the development from key viewpoints, **including** photomontages or perspectives showing the proposed and likely future development with respect to existing views from the street, nearby reserves and heritage items. Incredibly, however, the visual impact analysis on exhibition:

- Does not consider the historic view corridors identified in the 2011 DCP;
- Does not contain a single view from within the grounds of Hambledon Cottage;
- Does not include any views towards the development from the adjacent state-listed Experiment Farm or Elizabeth Farm properties;
- Does not include a single view from the Our Lady of Lebanon Co-Cathedral in Ruse Street;
- Does not include a single "public viewing point" from within any of the surrounding public reserves.

The National Trust are so concerned about the misleading way that this proposal has been promoted that we have decided to produce three of our own visual impact assessments (based on our understanding of the documentation). These illustrate some of the true impact of this proposal, however more work to further document and understand the true visual impact is required.

The National Trust's views for Hambledon Cottage are actually taken from within the publically accessible state heritage listed boundary of this property, and clearly show the visual impact of this proposal.



Figure 2: Viewpoints 1 and 2 from the Visual Impact Assessment – taken from across a road with four lanes of traffic – are supposed to illustrate the visual impact of this proposal on Hambledon Cottage. They are not sufficient for this purpose.



Figure 3: Current (left) and proposed (right) views of Hambledon Cottage show the true impact of this proposal. It in no way can be considered Low/Moderate as claimed by the Visual Impact Assessment. The Trust call for an accurate and comprehensive view impact assessment to be produced.



We totally dispute the claim in the Visual Impact Assessment (p.15) that the visual impact on Hambledon Cottage is Moderate/Low, and the argument that “Hambledon Cottage is subservient to the existing vegetation of the SHR.” Hambledon Cottage, Elizabeth Farm and Experiment Farm are not “subservient” to vegetation. They are (individually and collectively) a rare grouping of colonial landscapes, including houses, trees and gardens, that together form a distinctive landscape. The tall Hoop and Bunya Pines are there *because* of Hambledon Cottage, not the other way around.

We also dispute the findings of the Statement of Heritage Impact (page 99) assessment of material impact, which states that the proposed project will have a “positive impact” on Hambledon’s significance because it will “Retain Hambledon cottage, its setting, outbuildings, and landscape. Celebrate the early connection of three cottages ... Ensure visibility and appreciation of Hambledon cottage from the public domain.” The images on the following page do not, under any stretch of the imagination, constitute “minor impact” let alone “positive impact.”

The SOHI goes on to assess that the project’s impact on the significance of Hambledon’s setting, (including views and vistas to Elizabeth Farm’s surviving early tree plantings, nearby Experiment Farm cottage’s estate, and the Queen’s Wharf precinct on Parramatta River) will be of only “minor impact” because later subdivision and subsequent development of the area have already obstructed historic distant views and vistas from three heritage listed cottages. The proposed works amplify the impact of the existing factory, they do not negate it. The Trust notes that Heritage NSW’s Guide to Material Impact acknowledges this, stating that cumulative adverse impacts may reach the material threshold and “... can have as great an impact on the significance of a SHR listed place as a major change.”

The SOHI finishes its assessment by saying the “proposed height of buildings *might* have an adverse impact on the established significant views of Experiment Farm cottage northward to the Parramatta River, Hambledon cottage, and Clay Cliff Creek” and that this “*will be acceptable impact* on the established heritage significance of the SHR listed items and the HCAs in the vicinity of the subject site.”

Although the SOHI states that it meets the SEARs requirement that the project is compliant with the relevant Conservation Management Plan (SEARS, section 19 – Environmental Heritage), it does not in fact include an analysis against the CMP. The SOHI references the CMPs of the three cottages in its historical analysis, but it does not demonstrate that it has assessed the project’s compliance with any of the CMP Conservation Policies.

Incredibly, the Visual Impact Assessment (p.15) only assesses “selected viewpoints selected based on public viewing points around the site.” It does not assess any of the identified historic view corridors for Harris Park that are identified in the 2011 Parramatta DCP, shown in Figure 4 below.



Figure 4: The historic view corridors for Harris Park are clearly identified in the 2011 DCP (left) where View 7 is the view east from Experiment Farm to Hambledon Cottage. This is vastly different to the “site analysis” presented in the documentation for the project, which narrows the viewing angle from Experiment Farm and does not even consider Elizabeth Farm. (Sources: Map A2.1.1 Historic View Corridors, 2011 Parramatta DCP; Site Analysis by Stanisic Architects)



National Trust Recommendation:

The National Trust feel that a proper accurate and legitimate Visual Impact Assessment of this proposal must be produced and the public exhibition period recommenced with this information made available.

As it stands the proposal is not able to be accurately understood in terms of its significant detrimental impact on this important setting.

Efforts to improve the setting

The Concept Design Report (p.19) notes that “the Cottages were once surrounded by a parkland setting that has diminished over time”. While this is of course true in some respects, it ignores the significant efforts by the community and government over many years to, in fact, **increase** the parkland setting of Experiment Farm and Hambledon Cottage. Experiment Farm Cottage was acquired by the National Trust (NSW) in 1961 and was the first property to be bought by the Trust. Since that time, the National Trust and Parramatta City Council have acquired several adjoining lots to the north and south of the cottage, and demolished the later houses that had been built on those blocks to allow for open space surrounding the house, ensure an appropriate setting was established and to protect important viewlines.

As a result of these efforts, public land now extends immediately to the north of Experiment Farm which reflects the original land grant and setting of this property. This land immediately abuts the current proposal which will significantly destroy the setting of this building and its public curtilage.



Figure 5: Image showing the setting of Experiment Farm in 1943 (left) and in 2022 (right) showing the substantial increase in parkland setting to this place. (Source: NSW Government Spatial portal with National Trust overlay)

This is a core National Trust objection to the current proposal – that the proposed project amplifies the impact of intrusive developments and directly opposes the active work of government and community to protect and enhance the setting and views of these three places.



Archaeological Assessment and Recommendations

The Trust does not agree with the findings of the Historical Archaeological Impact Assessment that has been tabled in support of this project.

The documentation concludes that there is very little potential for significant archaeological resources due to the ground disturbance of the existing factory. However, the report does not provide detail of the construction and subsurface works of the factory to support this statement. Nor does it take into account the propensity of developments in Parramatta to often, in fact, reveal substantial, intact remnant archaeological features. No reference to this comparative data has been supplied.

The report relies on the detailed assessment presented in the Parramatta Historical Archaeology Landscape Management study (GML Heritage, 2000) which assesses archaeological significance of this 2 Gregory Place Harris Park to be likely be of potential “local” significance and therefore recommends no further archaeological works. However, PHALMS was written and published when the NSW Heritage Act did not distinguish between local and state archaeological heritage value – it required archaeological permits for works to both types of sites. Specifically for 2 Gregory Street, it recommended test pits and further re-assessment before work can be planned or approved.

Given the high presence of early European occupation in archaeological deposits in Parramatta in general and the high potential significance of archaeological remnants related to these three early cottages and their story, we consider that the works should trigger the need, at a bare minimum, further archaeological assessment including test pitting. No approval of the project should be undertaken until this work is done.

The proposal does not satisfy any planning controls for the place

Whilst we acknowledge that the Development Control Plan (DCP) does not require mandatory consideration under this Concept application, we argue that due to this being an Area of National Significance, and given that the later stages of development will have to consider the DCP, that this Concept application should also consider the DCP and be compliant with its provisions.

The Parramatta DCP 2011 is a forward-thinking document with very clear guidelines on the important role that the site at 2a Gregory Place can play in the future of Parramatta. It is so important to the preservation of this area that it is identified as “Key Block One” and the DCP (p.4.3-23) notes that:

This site has the potential to be a ‘linchpin’ site in terms of appreciating the colonial history of the area. In the event of any redevelopment of this site, opportunities should be taken up to improve links between the three key historic sites of Hambledon Cottage, Experiment Farm and Elizabeth Farm House, and provide improved interpretation of Clay Cliff Creek.



Figure 6: The site is located right at the centre of the area of National Significance and is identified as “Key Block One: Wyeth Street” in the 2011 DCP (Source: Harris Park Precinct Special Areas Map and Key Blocks Map, Parramatta Development Control Plan 2011)

The proposal will necessarily have impacts associated with vehicular movements, parking, flooding etc and we trust that people more qualified will assess these impacts. The DCP identifies numerous issues, objectives and controls for the site and its setting which relate particularly to heritage and the National Trust has assessed these in the table below.

Harris Park Precinct, Area of National Significance		
2011 Parramatta DCP Controls		National Trust comment
C.1	<i>Before granting consent for development within the Area of National Significance, the consent authority must be satisfied that:</i>	
	<i>a) the scale, form, siting, materials and use of new development will not adversely affect the heritage significance of the Area of National Significance,</i>	The scale of this development, its siting immediately adjacent to Clay Cliff Creek and Hambledon Cottage, and its position as the linchpin of three items on the State Heritage Register will have a dramatic and irreversible negative impact on the heritage significance of the Area of National Significance.
	<i>b) the existing allotment and development pattern, and the natural landform of the Area of National Significance will be maintained,</i>	The lot does not conform to the existing development pattern of the area, and the large bulk of the proposed buildings accentuates rather than ameliorates the impact this has on the surrounding area. The natural landform of the place (adjacent to the creek) is naturally a low point in the area, but this proposal will in fact reverse that and make this one of the areas of greatest height.



Harris Park Precinct, Area of National Significance		
2011 Parramatta DCP Controls		National Trust comment
	c) <i>the original course of Clay Cliff Creek (as shown on the Harris Park Precinct Design Control Map) will be re-established or, if that is not reasonably practicable, permanent evidence of its original course will be provided by way of signs or other interpretative aids, and</i>	This proposal will permanently destroy any meaningful opportunity to restore and interpret Clay Cliff Creek. The creek will need to remain a narrow, concrete watercourse running to the rear of a series of large apartment buildings, rather than having the opportunity to connect the historic properties within the Area of National Significance.
	d) <i>that development does not impact upon or adversely affect the existing views into and out of the sites of Elizabeth Farm House, Experiment Farm Cottage and Hambledon Cottage, the Female Orphan School (University of Western Sydney Rydalmere Campus), the Parramatta River corridor and the Pennant Hills open space ridge line.</i>	<p>This proposal will have significant major adverse impacts on views both to and from the sites of Elizabeth Farm House, Experiment Farm Cottage and Hambledon Cottage. It may also impact other noted views. None of these impacts have been addressed in the views analysis that has been presented with this proposal.</p> <p>The National Trust in particular would note that the land in our ownership immediately to the north of Experiment Farm, which is used for educational purposes associated with the agricultural significance of the place, will be permanently affected.</p>
Harris Park River Area		
2011 Parramatta DCP Controls		National Trust comment
C.2	<i>Before granting consent for development within the Harris Park River Special Area, the consent authority must consider:</i>	
	a) <i>whether all reasonable opportunities to re-establish foreshore public land are taken up,</i>	This site offers an incredible opportunity to continue the efforts over many years to re-establish the setting of Hambledon Cottage, Elizabeth Farm and Experiment Farm by re-establishing the foreshore and indeed the very nature of Clay Cliff Creek. This proposal surely must highlight the need for this site to be in public ownership once and for all.
	b) <i>whether the development retains and enhances open space links along the Parramatta River foreshore,</i>	This site provides an opportunity to connect several open spaces which link to the Parramatta River foreshore. This proposal will not retain or enhance any of these open space links, and in fact removes the potential for these to be re-established in the future.
	c) <i>whether the development retains and enhances open space links between Elizabeth Farm House, Experiment Farm Cottage, Hambledon Cottage and the Parramatta River foreshore,</i>	This is the most important control that is affected by this proposal. The site of this proposal is the linchpin of the open space links between Elizabeth Farm House, Experiment Farm Cottage, Hambledon Cottage and the Parramatta River foreshore.



Harris Park Precinct, Area of National Significance		
2011 Parramatta DCP Controls		National Trust comment
	<i>and facilitates or enhances the views and public access between the historic places in the Harris Park Precinct,</i>	This proposal, occupying the entirety of the site, does not retain or enhance any of the existing or possible future open space links, views and public access associated with these historic places. It will have a serious detrimental impact on not only Hambledon Cottage but also on Experiment Farm and Elizabeth Farm – all places of exceptional heritage significance that were saved for the public through the foresight of past generations.

The site also sits within the Harris Park Precinct and the DCP (p.4.3 - 13) makes very clear what the desired future character of this area is:

*Harris Park contains some of the most important parts of Parramatta's heritage. It has an extensive collection of nineteenth and early twentieth century houses, shops, public buildings and landscapes. Of particular note are Australia's first land grant and oldest European building, Elizabeth Farm House, as well as two other important colonial houses, Experiment Farm and Hambledon Cottage. **The preservation and enhancement of Harris Park's historic fabric is essential.** The area also has an important strategic role in providing residential development because of its location on the fringe of the Parramatta CBD. **All new development will need to be at a scale that is consistent with the existing character of the streets, not impede view corridors to major landscapes and the escarpment north of the Parramatta River, and provide opportunities to connect with the foreshore.***

This proposal is completely at odds with the stated objectives for Harris Park. There are numerous other locations and opportunities for housing to be built in Parramatta and Harris Park, but this is not one of them.

Harris Park Precinct		
2011 Parramatta DCP Objectives		National Trust comment
O.1	<i>Conserve the heritage character of the locality and preserve those areas and sites that present as important cultural/tourist attractions.</i>	The proposal is completely at odds with the heritage character of the locality. It will completely destroy the amenity of Hambledon Cottage in particular and also affect the cultural and tourism potential of Experiment Farm and Elizabeth Farm
O.2	<i>Retain the character and amenity of the area.</i>	The proposal for three extremely large apartment buildings containing 483 dwellings will completely destroy the character and amenity of the Harris Park area and the Area of National Significance in particular. This is an area of historic value with low-rise buildings. Any existing anomalies within the area and the site itself must serve as warnings, not as precedents.
O.4	<i>New development in Harris Park should be compatible with the scale of existing</i>	This development will set a new bar for the very worst in urban design. This proposal imposes itself upon a very important cultural landscape and exceeds all



Harris Park Precinct		
2011 Parramatta DCP Objectives		National Trust comment
	<i>development and represents high quality urban design.</i>	current controls designed to protect the urban and historic fabric of this area. It does not relate in any way to its historic setting, topography, traffic patterns, or existing pedestrian and open space networks.
O.5	<i>Protect and enhance the local and regional biodiversity, maximising the extent and integrity of aquatic and natural land areas, particularly the Parramatta River and Clay Cliff Creek corridors.</i>	This proposal does not engage with the numerous possibilities for restoring Clay Cliff Creek and increasing the biodiversity of the area. This proposal will decrease the area of natural (ie: not built upon) ground plane within the site in areas that are immediately adjacent to areas of public parkland.
O.10	<i>Protect and maintain the specific attributes and qualities of each of the Special Areas.</i>	The very specific attributes and qualities of the Harris Park Area are adversely affected by this proposal, as outlined throughout this objection.

The 2011 DCP (Section 4.4.3.2) also makes special mention of Experiment Farm and defines the Experiment Farm Conservation Area largely based on the 30 acres of James Ruse's Experiment Farm – the first land grant proclaimed in Australia. The DCP notes the history of the site and the more recent efforts to create an appropriate setting for the house, and describes the “sense of spaciousness” in the area which is focused around Experiment Farm Cottage.

This proposal is immediately adjacent to this Conservation Area and must be considered in this context. The existing 9m height limit clearly reflects the aims and objectives of the precinct and the proposed development would demonstrate a dramatic shift in scale that would, it must be expected, lead to further developments of the same size and bulk in the area.

The following objectives relating to the Experiment Farm Conservation Area are relevant to this proposal:

Experiment Farm Conservation Area		
2011 Parramatta DCP Objectives		National Trust comment
O.1	<i>Protect all the attributes which contribute to the heritage value and character of the Experiment Farm Conservation Area, and to maintain and improve its residential amenity.</i>	The connections, both physical and visual (including a view of open sky) between Experiment Farm, Hambledon Cottage and Elizabeth Farm, are extremely important. This proposal will not maintain or improve any of these important attributes, but in many instances will have a negative impact upon them.
O.2	<i>Ensure that Experiment Farm will always have an appropriate setting so that it can continue to tell the history of Colonial Australia to citizens and international visitors.</i>	This proposal will materially alter the setting of Experiment Farm, including its open, publically accessible space to the north which immediately abuts 2a Gregory Place. The open area in front of the house is used for educational purposes by the National Trust to conduct school excursions and agricultural experiments. This proposal will overlook and overshadow this land.



Experiment Farm Conservation Area		
2011 Parramatta DCP Objectives		National Trust comment
O.4	<i>Maintain the low scale suburban character of the area.</i>	This proposal, for 483 apartments, is not in keeping with the low-scale suburban character of this area and will affect the Experiment Farm Conservation Area which it is adjacent to.

Comment on Nature of Proposal

The subject site has been subject to a number of proposals over a number of years, and this is outlined in the submitted documentation. This latest proposal is seeking to promote its public benefit by making it an “affordable housing and build-to-rent” proposal, however the nature of the proposal is not of relevance in this extremely sensitive site. Whether it is affordable housing, a luxury development or a factory, the impact will be the same – a terrible outcome for one of Australia’s most important historic landscapes.

Conclusion

The National Trust are greatly concerned about this proposal. It undermines the setting for three of the most important heritage sites in Australia, destroys the visual setting of Hambledon Cottage, and extinguishes any possibility for the restoration of Clay Cliff Creek. Most concerning, the actual nature of the proposal has been misrepresented and the documentation placed on exhibition does not allow the impact of the proposal to be understood by the public.

The Statement of Heritage Impact argues that the proposed development “is considered sympathetic to the adjacent heritage items” (p.119) and the recommendation that “the consent Authority should have no hesitation, from a heritage perspective, in approving the application” (p.125). We are at a loss to understand how this assessment could be made with such clear disregard for the heritage values of these important places of National Significance. The purported economic, commercial and social benefits of this modification do not outweigh its considerable, negative effects. The Trust object in the strongest possible way to this proposal and call for it to be rejected.

Yours sincerely,

David Burdon

Director, Conservation