

The URBIS logo consists of the word "URBIS" in a bold, white, sans-serif font. To the right of the text is a white square frame that is partially open on the right side, with the top and bottom horizontal bars extending slightly beyond the text.

URBIS

HERITAGE IMPACT STATEMENT

Five Ways

391-423 Pacific Highway,
3-15 Falcon St & 8 Alexander St
Crows Nest NSW

Prepared for
DEICORP
March 2024

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Kate Paterson, B Arch, B Arts (Architecture), M.ICOMOS		
Consultant	Blanche Kennedy B Arts (Soc. Phil), B Museum and Heritage Studies		
Project Code	P0048871		
Report Number	01	19/09/23	Draft Issue A
	02	10/01/24	Draft Issue B (Historical Archaeological input included)
	03	18/03/24	Final Issue for SSDA

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.

We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

© Urbis Pty Ltd
50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

urbis.com.au

CONTENTS

Executive Summary.....	1
1. Introduction	3
1.1. Background & Purpose	3
1.2. Relevant SEARS.....	3
1.3. Methodology & Limitations.....	4
1.4. Author Identification	4
1.5. Heritage Listing	4
2. Site Description	6
2.1. Site Location	6
2.2. Setting	7
2.3. Subject Site Description.....	11
2.3.1. Pacific Highway Properties.....	11
2.3.2. Falcon Street Properties.....	13
2.3.3. Alexander Street Properties	15
3. Historical Overview	18
3.1. Area History (Post European Settlement).....	18
3.2. Site History.....	22
3.3. 391-393 Pacific Highway	29
4. Preliminary Archaeological Assessment	34
4.1. Introduction	34
4.2. Previous Publications.....	34
4.2.1. Reports Addressing the Subject Site.....	34
4.2.2. Comparative Archaeological Reports.....	34
Godden Mackay, 1994. Archaeological Excavation: 64-66 Cremorne Road.	34
Urbis Ltd, 2022. Historical Archaeological Impact Assessment: Holtermann Street	
Park & Carpark, 2 Ernest Place, Crows Nest, Gaimaragal Country.....	35
4.3. Archaeological Potential	36
4.3.1. Framework for Assessment.....	36
4.3.2. Assessment of Archaeological Potential	37
4.4. Summary.....	3
5. Heritage Significance.....	4
5.1. What is Heritage Significance?.....	4
5.2. Heritage Listings	4
5.2.1. The Subject Site	4
5.2.2. Vicinity Heritage Items.....	4
5.3. Significance Assessment.....	14
6. The Proposal.....	15
7. Impact Assessment.....	18
7.1. North Sydney Local Environmental Plan 2013	18
7.2. North Sydney Development Control Plan 2013.....	19
7.3. Heritage NSW Guidelines	22
8. Conclusion and Recommendations	24
9. Bibliography & References	25
Disclaimer.....	26

FIGURES

Figure 1 - Heritage Map showing the location of the subject site (outlined dashed in blue). Heritage items are identified in ochre with their heritage number. Heritage conservation areas are shown hatched in red.	5
Figure 2 - Location map showing the subject site outlined in red.	6
Figure 3 - Location map showing the subject site outlined shaded in red.	7
Figure 4 - Willoughby House (former OJ Williams Store) located at 429 Pacific Highway – northwest of the subject site with two storey shops along Pacific Hwy.	8
Figure 5 - Crows Nest Hotel located at 1-3 Willoughby Road, north of the subject site.	8
Figure 6 - Former National Australia Bank located at 308 Pacific Highway – located northwest of the subject site.	9
Figure 7 - Group of Federation period top shops located at 312-322 Pacific Highway are located northwest from the subject site and within the peripheral visual catchment. Views of the proposed development will be visible from the first-floor front rooms and verandahs.	9
Figure 8 - Former North Shore Gas Co Office located at 286-288 Pacific Hwy – located west of the subject site.	9
Figure 9 - View from Sinclair Street to the rear of the Former North Shore Gas Co Office. The proposed development is likely to be visible above the roof tops. Views to the proposed development will be screened by street plantings.	9
Figure 10 - View showing late-20th century development on western side of Pacific Highway, opposite the subject site.	10
Figure 11 - View showing late-20th century development on western side of Pacific Highway, near the subject site.	10
Figure 12 - Federation period shops located on the corner of the Alexander and Falcon Streets, opposite and east of the subject site.	10
Figure 13 - Woolworths store located on the corner of Alexander and Falcon Streets, opposite and north of the subject site.	10
Figure 14 - Crows Nest Fire Station, located at 99 Shirley Road, is a heritage item located west of the subject site, but not within the visual catchment.	10
Figure 15 - Crows Nest Fire Station, located at 99 Shirley Road, is a heritage item located west of the subject site. Views looking east to the heritage item are likely to have the proposed development in the background.	10
Figure 16 - Survey showing allotments that form the subject site.	11
Figure 17 - Subject site showing view to two storey, late 20th century commercial building located at 391-393 Pacific Highway, on the corner of Alexander Street and Pacific Highway.	12
Figure 18 - Subject site with view to two storey, late 20th century commercial building located at 391-393 Pacific Highway on the corner of Alexander Street and Pacific Highway (right). Adjoining commercial development at 395-397 Pacific Highway (left).	12
Figure 19 - Subject site with view of two storey, commercial buildings located on the eastern side of the Pacific Highway – from right to left, Nos 395-397, 399, 401-5 and 407 Pacific Highway.	13
Figure 20 - Subject site with view of two storey, commercial buildings located on the eastern side of the Pacific Highway – Nos 407, 409-419 and 423.	13
Figure 21 - Subject site (Pacific Highway) with view of two storey, commercial buildings located on the eastern side of the Pacific Highway – Nos 409-419 and 423.	13
Figure 22 - Subject site (Pacific Highway) with view of two storey, commercial building (No 423) on the eastern side of the Pacific Highway at the corner of Falcon Street. A tall advertising sign is located on top of the building.	13
Figure 23 - Subject site (Falcon Street) with view of two-storey and four storey, commercial buildings located on the southern side of the Falcon Street. No 9-11 Falcon Street (right) and 15 Falcon Street (left).	14
Figure 24 - Subject site with view of two storey, commercial building located at 423 Pacific Hwy, on the southern side of the Falcon Street and corner of Pacific Highway (at right). Nos 3–7A Falcon Street (at left).	14
Figure 25 - Subject site (Falcon Street) showing four-storey, late-20th century commercial building located 15 Falcon Street, on the corner of Alexander and Falcon Streets.	14

Figure 26 - Late 20th century commercial development located on the eastern side of Alexander Street	14
Figure 27 - View to No 6 Alexander Street (centre), a two storey, late-20th century commercial building. Rear vehicular access to buildings addressing Pacific Highway provided off this street.....	15
Figure 28 - No 6 Alexander Street (left) is a two storey, late-20th century commercial building. No 8 Alexander Street (right) is single storey motor mechanic shop, possibly dating to mid-20th century	15
Figure 29- St Leonards / Crows Nest Planning Area with location of subject site shown circled in red.	16
Figure 30 - Crows Nest Town Centre with the subject site outlined in red broken line.....	17
Figure 31 - Crows Nest Cottage, pre-1905.....	18
Figure 32 - Detail from Higinbotham & Robinson & Gibbs, Shallard & Co. 1887, Map of St Leonards on the North Shore, Parish of Willoughby.	20
Figure 33 - Berry's Estate, North Sydney: clearance sale of the Crows Nest subdivisions, 21 September 1901.	21
Figure 34 - Berry's Estate, St Leonards, 1884. Subject site outlined in blue.	22
Figure 35 - HG Kent blacksmith shop, Crows Nest, c. 1886.....	23
Figure 36 - EJ Hopkins saddlery shop, Crows Nest, c. 1890.	23
Figure 37 - HG Kent coachbuilding & wheelwright shop, Crows Nest, c1900-1910.	23
Figure 38 - HG Kent coachbuilding & wheelwright shop, Crows Nest, c. 1908.	23
Figure 39 - Extract from Detail Survey North Sydney Sheet No. 71, 2 March 1891. Subject site outlined in blue.....	24
Figure 40 - Laying tram tracks at Crows Nest, c1920. This view is looking south along Lane Cove Road at Falcon Street and Willoughby Road intersection. Part of the subject site is visible in this photograph (outlined in blue).....	25
Figure 41 - Junction of Lane Cove Road and Falcon Street, North Sydney, January 1929.	25
Figure 42 - Lane Cove Road near Falcon Street prior to wearing course being laid, 18 January 1929. View looking north along Lane Cove Road with subject site in the foreground.	26
Figure 43 - Billboards on Pacific Highway near Crows Nest Junction, c1930.....	27
Figure 44 - New business premises at Crows Nest.	28
Figure 45 - 1943 Aerial showing the subject site with the subject site shown outlined in red with a broken line.	28
Figure 46 - Block plan of corner lot purchased by the Rural Bank of New South Wales in September 1948.	29
Figure 47 - Extract from plans for Rural Bank Crows Nest Branch showing elevation to Pacific Highway.	30
Figure 48 - Plans for the Rural Bank Crows Nest Branch, approved 1950.....	31
Figure 49 - Extract from plans for Rural Bank Crows Nest Branch showing Elevation to Alexander Street.	32
Figure 50 - Tender advertising for paintwork at the newly constructed Rural Bank Crows Nest Branch in the Sydney Morning Herald, 1951.	32
Figure 51 - Principal façade of 391-393 Pacific Highway Crows Nest during the early 1990s. Coat of arms above door and trachyte stonework at base of building remain.	33
Figure 52 – Archaeological potential within the subject site.....	1
Figure 53 – Historical (structural) development of the subject site.	2
Figure 54 - <i>Former North Shore Gas Co Office</i> , 286-288 Pacific Highway, Crows Nest, item: #I0150.	8
Figure 55 - <i>Bank</i> , 306 Pacific Highway, Crows Nest, item: #I0151.....	8
Figure 56 - <i>Former National Australia Bank</i> , 308 Pacific Highway, Crows Nest, item: #I0152.....	8
Figure 57 - <i>Willoughby House, former OJ Williams store</i> , 429 Pacific Highway, Crows Nest, item: #I0172.....	8
Figure 58 - <i>Crows Nest Hotel</i> , 1-3 Willoughby Road, Crows Nest, item: #I0181.....	9
Figure 59 - <i>Shop Group</i> , 312-322 Pacific Highway, items: #I0153, #I0154, #I0155, #I0156, #I0157, #I0158.	9
Figure 60 - <i>Crows Nest Fire Station</i> , 99 Shirley Road, Crows Nest, item: #I0173.....	9

Figure 61 - <i>Uniting Church</i> , 122 Shirley Road, Wollstonecraft, item: #11114.	9
Figure 62 - <i>Former Hall</i> , 14 Hayberry Street, Crows Nest, item: #I0144.	9
Figure 63 - <i>House</i> , 18 David Street, Crows Nest, item: #I0142.	9
Figure 64 - <i>North Sydney Bus Shelters</i> , Various throughout the North Sydney LGA, item: #I0407.	10
Figure 65 - <i>Former Church of Christ</i> , 69 Falcon Street, Crows Nest, item: #I0143.	10
Figure 66 - <i>North Sydney Girls' High School</i> , 365 Pacific Highway (between David and Myrtle Streets), Crows Nest, item: #I0165.	10
Figure 67 - View southwest to 21 Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance. Similar distant views are possible to the proposed development.	10
Figure 68 - <i>Former Hall</i> , located at 14 Hayberry Street, Crows Nest, is a heritage item located east of the subject site within the Holtermann Estate C HCA.	11
Figure 69 - <i>Former Hall</i> , located at 14 Hayberry Street, Crows Nest, is a heritage item located east of the subject site within the Holtermann Estate C HCA. The proposed development may be visible in the background when viewing the heritage item from the east on the lower gradient of Hayberry Street within the HCA.	11
Figure 70 - View south along Alexander Lane from Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance.	11
Figure 71 - View southwest to 21 Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance. Similar distant views are possible to the proposed development.	11
Figure 72 - View south to flat building at 21A Hayberry Street within the HCA showing the high-rise development on Pacific Hwy in the distance. This property may have similar distant views to the proposed development.	12
Figure 73 - Views looking northwest from in front of 22 Hayberry Street looking towards the side elevation of the former hall, a heritage item There are likely to be distant views to the proposed development visible above the roof tops.	12
Figure 74 - View northwest from within Hayberry Street, within the HCA, looking in the general direction of the proposed development. There is considerable screening from mature street plantings.	12
Figure 75 - Nos. 30 and 32 Hayberry Street, is a semi-detached contributory item within the HCA, located opposite a heritage item, and looks at an existing high rise development in the distance on the Pacific Highway.	12
Figure 76 - <i>House</i> at 18 David Street, is a heritage item within the Holtermann Estate C HCA showing an existing high-rise development located in the background. It is possible the proposed development will be visible in the distance to the northwest of the principal entry.	13
Figure 77 - <i>House</i> at 18 David Street, is a heritage item within the Holtermann Estate C HCA.	13
Figure 78 - Single-storey dwellings in Burlington Street, within the Holtermann Estate B HCA.	13
Figure 79 - Single-storey dwellings in Burlington Street, within the Holtermann Estate B HCA.	13
Figure 80 - View from Burlington Street in the direction of the proposed development. The proposed development is likely to be visible in the distance.	13
Figure 81 - View looking south down Alexander Lane, on the perimeter of the Holtermann Estate B HCA showing recent high-rise development in the distance.	13
Figure 82 – Proposed Basement 05.	15
Figure 83 – Proposed Ground Floor.	16
Figure 84 – Proposed Level 03.	16
Figure 85 – Proposed Level 04.	17
Figure 86 – Proposed Level 16.	17

TABLES

Table 1 – Secretary's Environmental Assessment Requirements relevant to this report	3
Table 2 - Subject Site - Pacific Highway Properties	11

Table 3 - Subject Site - Falcon Street Properties	14
Table 4 - Subject Site - Alexander Street Properties.....	15
Table 5 – Assessment of Archaeological Potential	38
Table 6: Established Statements of Significance	4
Table 7 - Impact assessment against the relevant clauses of the North Sydney LEP 2013.....	18
Table 8 - Impact assessment against the relevant controls of the North Sydney DCP 2013	19
Table 9 - Assessment against the North Sydney DCP 2013.....	20
Table 10 - Impact assessment against the relevant Heritage NSW Guideline Considerations	22

EXECUTIVE SUMMARY

This Heritage Impact Statement (HIS) has been prepared to support a State Significant Development Application (SSDA) (SSD-66826207) for a new mixed use development including in-fill affordable housing on the land bounded by the Pacific Highway, Falcon Street and Alexander Street, Crows Nest, referred to as Five Ways (hereafter referred to as the 'subject site').

The subject site is not a heritage item and is not located within a Heritage Conservation Area. However, it is in the vicinity of several local heritage items and Heritage Conservation Areas under Schedule 5 of the *North Sydney Local Environmental Plan (LEP) 2013*.

A planning proposal was approved for the site in December 2023 to allow for demolition of the existing buildings on the site and new development with increased height and scale. The planning proposal approval included increase in building height from 16m to 60.5m, increase of the non-residential floor space ratio from 0.5 to 2.5:1 and introducing a maximum floor space ratio of 5.8:1.

This development application seeks approval for a new mixed-use development in accordance with the approved planning approval comprising dwelling apartments, seven storey basement and approximately 8000m² of non-residential Ground Floor Area (GFA). Inclusive of the following:

- Seven storey development and basement comprising vehicle and bike amenities, along with associated site infrastructure and lift shafts.
- Podium providing commercial tenancies with communal terrace with soft landscaping at level 3.
- Tower comprising apartment dwellings surrounding open gallery access.

Further details of the proposed works are included in Section 6.

This HIS has been prepared to determine the potential heritage impact of the proposed works on the heritage items in the vicinity of the subject and to assist the consent authority in their determination in accordance with the SEARS request. Key aspects of the proposal assessment are listed below:

- All works are proposed within the established curtilage of the triangular corner block. There is no potential for the development to have any physical impact on the listed heritage curtilage of any proximate heritage items due to the established street separation.
- The scale of the new building is in accordance with the approved planning proposal and the amended planning controls that facilitated. Additionally, the proposal articulates a stepped height rhythm establishing a transition between the proposed works and the neighbouring heritage items.
- The proposed development has a 3-storey podium which accommodates individual tenancies with street frontages. This approach helps to provide fine-grain detailing within the podium street frontage and creates a smaller scale detailing to minimise bulk associated with a single form building design.
- The tower over the podium has a setback and provides roof top community garden that overlooks the intersection.
- Additionally, the design of the development has been broken down by designing the proposed podium by introducing "laneways" within the block that connect with existing lanes along the local subdivision patterns. This approach mitigates issues associated with bulk and scale.
- The ground floor commercial tenancies adopt a human scale presentation to the streetscape whilst the tower over the podium has a generous setback to allow for a roof top community garden that overlooks the intersection. This is a sympathetic approach for the proposed development close to a number of heritage items around the perimeter of the intersection.

For the reasons stated above, the proposed works are recommended for approval from a heritage perspective.

1. INTRODUCTION

1.1. BACKGROUND & PURPOSE

Urbis has been engaged by Deicorp Projects Crows Nest Pty Ltd to prepare the following Heritage Impact Statement (HIS). This report has been prepared to satisfy the relevant Secretary's Environmental Assessment Requirements (SEARs) for a State Significant Development (SSD-66826207) proposal for the redevelopment of the site bounded by the Pacific Highway, Falcon Street and Alexander Street, Crows Nest, referred to as Five Ways (hereafter referred to as the 'subject site').

The subject site is not listed as a heritage item, nor is it located within a Heritage Conservation Area. However it is in the vicinity of several local heritage items, under Schedule 5 of the *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013), as follows:

- *Former North Shore Gas Co Office*, 286-288 Pacific Highway, Crows Nest, item: #I0150
- *Bank*, 306 Pacific Highway, Crows Nest, item: #I0151
- *Former National Australia Bank*, 308 Pacific Highway, Crows Nest, item: #I0152
- *Willoughby House, former OJ Williams store*, 429 Pacific Highway, Crows Nest, item: #I0172
- *Crows Nest Hotel*, 1-3 Willoughby Road, Crows Nest, item: #I0181
- *Shop Group*, 312-322 Pacific Highway, items: #I0153, #I0154, #I0155, #I0156, #I0157, #I0158
- *Crows Nest Fire Station*, 99 Shirley Road, Crows Nest, item: #I0173
- *Uniting Church*, 122 Shirley Road, Wollstonecraft, item: #I1114
- *Former Hall*, 14 Hayberry Street, Crows Nest, item: #I0144
- *House*, 18 David Street, Crows Nest, item: #I0142
- *North Sydney Bus Shelters*, Various throughout the North Sydney LGA, item: #I0407
- *Former Church of Christ*, 69 Falcon Street, Crows Nest, item: #I0143
- *North Sydney Girls' High School*, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest, item: #I0165

Additionally, the subject site is located in close proximity to the following heritage conservation areas identified under Schedule 5 of the North Sydney LEP 2013, as follows:

- Holtermann Estate "C" Heritage Conservation Area (CA09)
- Holtermann Estate "B" Heritage Conservation Area (CA08)

The proposal is for the construction of a new mixed use development including in-fill affordable housing, comprising the following:

- Seven storey basement comprising vehicle and bike amenities, along with associated site infrastructure and lift shafts
- Podium providing commercial tenancies with communal terrace with soft landscaping at level 3
- Tower comprising apartment dwellings surrounding open gallery access

Further details of the proposed works are included in Section 6.

1.2. RELEVANT SEARS

This HIS addresses the following relevant Secretary's Environmental Assessment Requirements (SEARS) set out in the Table 1 below.

Table 1 – Secretary's Environmental Assessment Requirements relevant to this report

SEARS	Location in report
19. Environment Heritage Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment	This HIS assesses the potential heritage impact on the heritage items in vicinity of the subject site in accordance with the SEARS requirement. This HIS includes the overall heritage context of the site (Section 5) and assesses the potential heritage

SEARS	Location in report
(if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.	impact of the proposal on the vicinity heritage items at Section 7 of this report. A preliminary historical archaeological assessment for the site is included at Section 4.

1.3. METHODOLOGY & LIMITATIONS

This Heritage Impact Statement has been prepared in accordance with the Heritage NSW guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 1999 (revised 2013). Site constraints and opportunities have been considered with reference to relevant controls and provisions contained within the *North Sydney LEP 2013* and *North Sydney Development Control Plan (DCP) 2013*.

1.4. AUTHOR IDENTIFICATION

The following report has been prepared by Blanche Kennedy (Consultant) and updated by Rebecca Zulaikha (Consultant). Kate Paterson (Director) has reviewed and endorsed its content. Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

1.5. HERITAGE LISTING

The subject site is not listed as a heritage item, nor is it located within a Heritage Conservation Area. However it is in the vicinity of several local heritage items, under Schedule 5 of the *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013), as follows:

- *Former North Shore Gas Co Office*, 286-288 Pacific Highway, Crows Nest, item: #I0150
- *Bank*, 306 Pacific Highway, Crows Nest, item: #I0151
- *Former National Australia Bank*, 308 Pacific Highway, Crows Nest, item: #I0152
- *Willoughby House, former OJ Williams store*, 429 Pacific Highway, Crows Nest, item: #I0172
- *Crows Nest Hotel*, 1-3 Willoughby Road, Crows Nest, item: #I0181
- *Shop Group*, 312-322 Pacific Highway, items: #I0153, #I0154, #I0155, #I0156, #I0157, #I0158
- *Crows Nest Fire Station*, 99 Shirley Road, Crows Nest, item: #I0173
- *Uniting Church*, 122 Shirley Road, Wollstonecraft, item: #I1114
- *Former Hall*, 14 Hayberry Street, Crows Nest, item: #I0144
- *House*, 18 David Street, Crows Nest, item: #I0142
- *North Sydney Bus Shelters*, Various throughout the North Sydney LGA, item: #I0407
- *Former Church of Christ*, 69 Falcon Street, Crows Nest, item: #I0143
- *North Sydney Girls' High School*, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest, item: #I0165

Additionally, the subject site is located in close proximity to the following heritage conservation areas identified under Schedule 5 of the North Sydney LEP 2013, as follows:

- Holtermann Estate "C" Heritage Conservation Area (CA09)
- Holtermann Estate "B" Heritage Conservation Area (CA08)



Figure 1 - Heritage Map showing the location of the subject site (outlined dashed in blue). Heritage items are identified in ochre with their heritage number. Heritage conservation areas are shown hatched in red.

Source: North Sydney LEP 2013, Heritage Map - HER_001

2. SITE DESCRIPTION

2.1. SITE LOCATION

The subject site is located at 391-423 Pacific Hwy (Fiveways), Crows Nest within the Local Government Area (LGA) of North Sydney. The site is situated on Cammeraygal land. The site comprises legally described lots as follows:

- Lots 5 and 4, DP 16402
- Lot 3, DP 16402
- Lots 2 and 1, DP 16402
- Lot 10, DP 29672
- Lot 8, DP 29672
- Lot 7, DP 29672
- Lot 6, DP 29672
- Lot 5, DP 29672
- Lot 4, DP 29672
- Lot 1, DP 29672
- Lot 9, DP 29672
- Lot 10, DP 29672
- Lot 2, DP 29672
- Lot 2, DP 29672
- Lot 1, DP 127595
- Lot 1, DP 562966

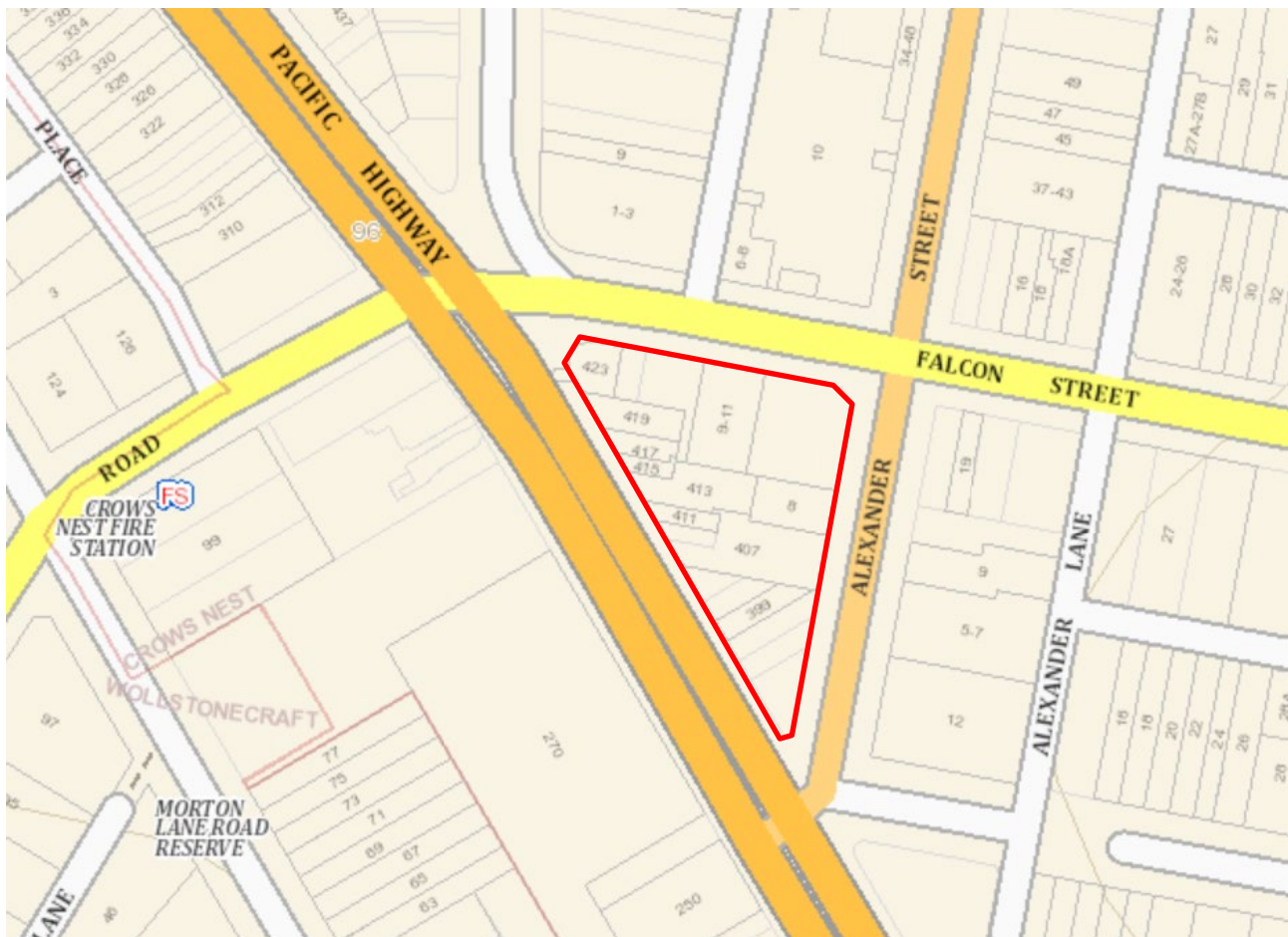


Figure 2 - Location map showing the subject site outlined in red.

Source: SIX Maps 2023

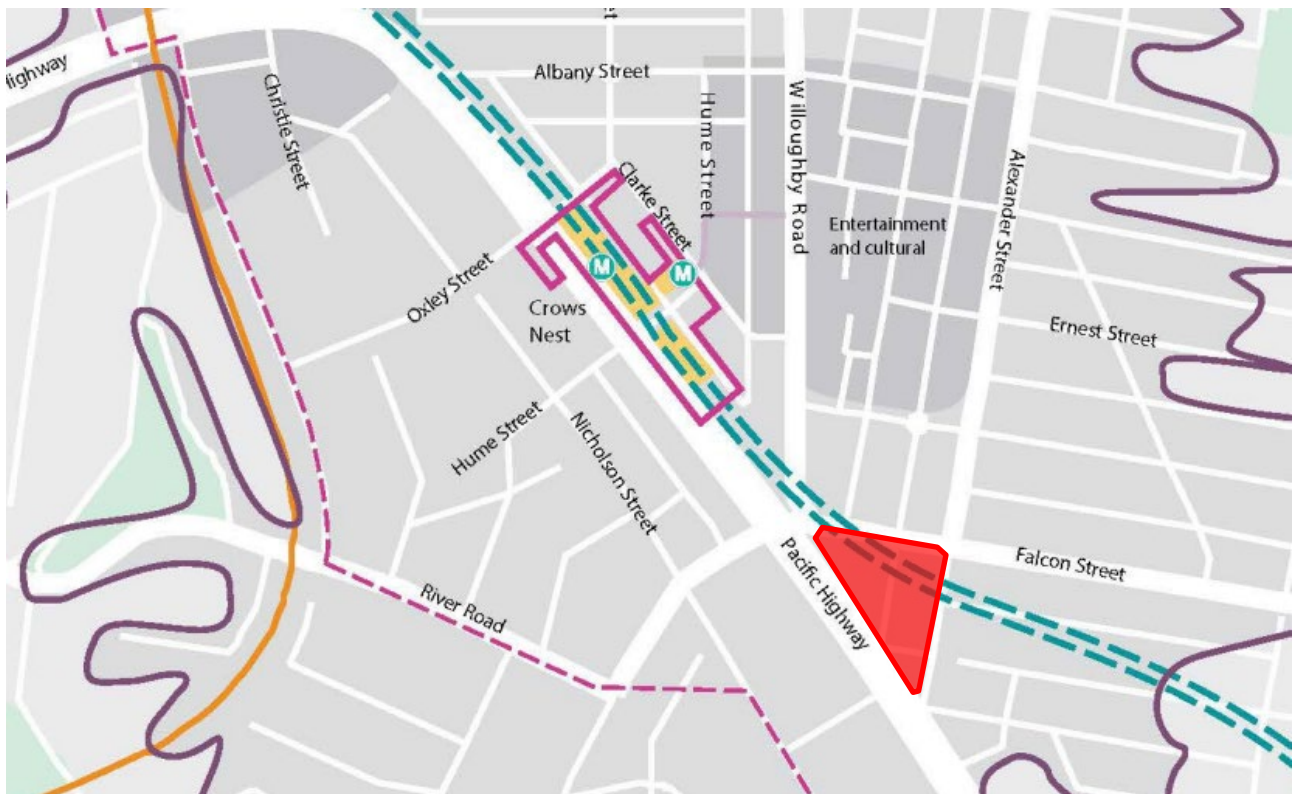


Figure 3 - Location map showing the subject site outlined shaded in red.

Source: Sydney metro.info -https://www.sydneymetro.info/sites/default/files/2022-02/Crows_Nest_Station_Design_Precinct_Plan.pdf

2.2. SETTING

The subject site is located in Crows Nest, a suburb on the lower North Shore of Sydney. It is located approximately 5 kilometres north of the Sydney central business district in the North Sydney local government area. The subject site, located within the St Leonards / Crows Nest Planning Area, is situated on major traffic routes. The Pacific Highway and Falcon Street are major sub-arterial thoroughfares and form boundaries to the subject site. The alignment of Pacific Highway along the topographical ridge line is one of the natural features of the area. The Five Ways Crows Nest intersection is an icon within the Crows Nest Town Centre.

The Crows Nest Five Ways Triangle site is located within the Crows Nest Town Centre as defined in the North Sydney DCP 2013, Part C Character Statements Section C Character Area. The remainder of the Crows Nest Town Centre comprises low-density residential neighbourhoods, characterised by historic subdivision pattern. This busy urban centre has the following characteristics:

- Creative industries, small to medium sized businesses, startups, galleries, entertainment and speciality retail supporting the economic function of North Sydney.
- A diverse range of living, employment, recreation and social opportunities serving local and regional populations and contribute to the vibrancy of the centre.
- Residents, workers and visitors enjoy a high level of amenity and quality of the natural and built environment
- Residents, workers and visitors can easily access the area through excellent public transport links to the Sydney CBD, other suburban centres and Sydney Region by rail and bus.
- Residents and visitors have a lively dining district.
- Buildings in the Crows Nest Town Centre area include 19th century, two storey shopfront parapets along the Pacific Highway.

The residential neighbourhoods are quiet and characterised by wide roads with street tree plantings. Laneways facilitate movement and provide rear lane access to properties. Local shops, dispersed

throughout the area, serve both local and regional needs. A number of heritage items are located within the context of the subject site.

To the south-west of the subject site, on the opposite side of the Pacific Highway, are a mixture of 2 to 5 storey commercial buildings and 5 to 6 storey mixed use buildings. Further to the south-west are predominantly residential flat buildings ranging from 3 to 8 storeys in height, with a number of single storey attached dwellings fronting the northern side Sinclair Street.

The following figures and captions describe the context of the subject site and the Crowns Nest Town Centre.



Figure 4 - Willoughby House (former OJ Williams Store) located at 429 Pacific Highway – northwest of the subject site with two storey shops along Pacific Hwy

Source: Urbis, January 2020



Figure 5 - Crows Nest Hotel located at 1-3 Willoughby Road, north of the subject site.

Source: Urbis, January 2020



Figure 6 - Former National Australia Bank located at 308 Pacific Highway – located northwest of the subject site.

Source: Urbis, January 2020



Figure 7 - Group of Federation period top shops located at 312-322 Pacific Highway are located northwest from the subject site and within the peripheral visual catchment. Views of the proposed development will be visible from the first-floor front rooms and verandahs.

Source: Urbis, January 2020



Figure 8 - Former North Shore Gas Co Office located at 286-288 Pacific Hwy – located west of the subject site.

Source: Heritage NSW, inventory sheet



Figure 9 - View from Sinclair Street to the rear of the Former North Shore Gas Co Office. The proposed development is likely to be visible above the roof tops. Views to the proposed development will be screened by street plantings.

Source: Urbis, January 2020



Figure 10 - View showing late-20th century development on western side of Pacific Highway, opposite the subject site.

Source: Urbis, January 2020



Figure 11 - View showing late-20th century development on western side of Pacific Highway, near the subject site.

Source: Urbis, January 2020



Figure 12 - Federation period shops located on the corner of the Alexander and Falcon Streets, opposite and east of the subject site.

Source: Urbis, January 2020



Figure 13 - Woolworths store located on the corner of Alexander and Falcon Streets, opposite and north of the subject site.

Source: Urbis, January 2020

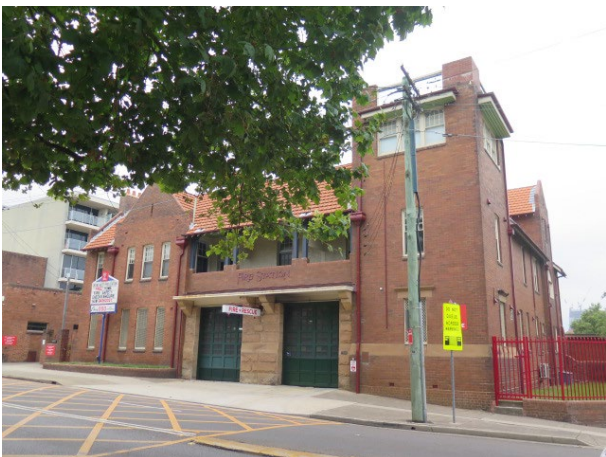


Figure 14 - Crows Nest Fire Station, located at 99 Shirley Road, is a heritage item located west of the subject site, but not within the visual catchment.

Source: Urbis, January 2020



Figure 15 - Crows Nest Fire Station, located at 99 Shirley Road, is a heritage item located west of the subject site. Views looking east to the heritage item are likely to have the proposed development in the background.

Source: Urbis, January 2020

2.3. SUBJECT SITE DESCRIPTION

The subject site is a triangular site bounded by Pacific Highway to the southwest, Falcon Street to the north and Alexander Street to the east. The street addresses comprise 391-423 Pacific Highway, 3-15 Falcon Street and 6-8 Alexander Street. See Figure 16 for the allotments that form the subject site.

The site contains a number of buildings ranging from 1 to 4 storeys in height in a variety of building styles and sizes. All buildings are constructed to their respective frontages, with the exception to Alexander Street, where vehicular access points and odd angled allotment boundaries prevail. All buildings appear to have been originally constructed prior to the 1980s and are in good to fair condition.

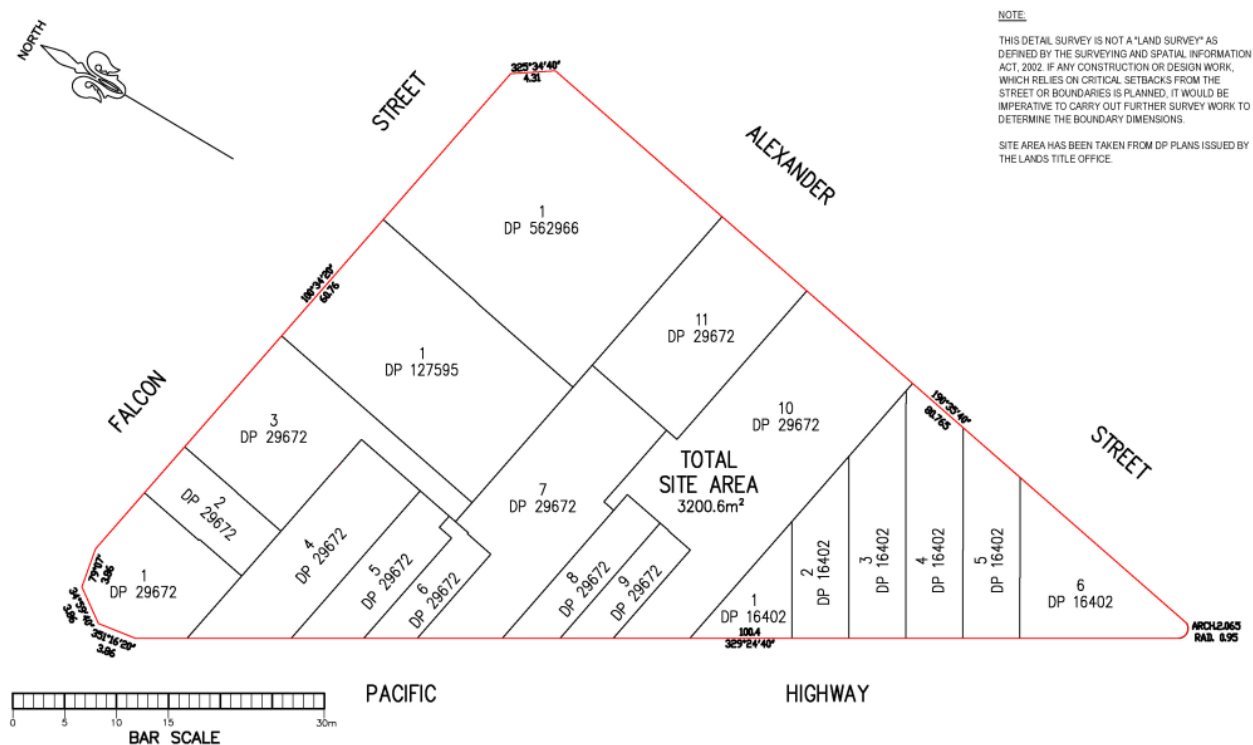


Figure 16 - Survey showing allotments that form the subject site

Source: Total Surveying Solutions, 29.01.2018

2.3.1. Pacific Highway Properties

The buildings along Pacific Highway date from the 1930s through to the late 20th century. The buildings are generally two storey in height, constructed in masonry with parapets concealing the roofs. The buildings are heavily modified with later additions and in fair to poor condition and comprise a mix of architectural styles, none of which are distinctive. The buildings are used for various commercial uses including educational, bars, restaurants, fast-food outlets, tattoo, beauty care and offices.

All buildings have nil setback from the street boundary. Vehicular access to the buildings is from the rear of the property site, off Alexander Street. Due to the triangular form of the suburban block, the allotments vary in shape. The buildings contain no tree plantings.

Table 2 provides a summary of the date of construction of the existing buildings within the subject site with a Pacific Highway address. Figure 17 through to Figure 22 and captions describe the associated buildings.

Table 2 - Subject Site - Pacific Highway Properties

Address	Legal Site Description	Construction Date	Recent Occupant
391-393 Pacific Hwy (cnr)	Lot 6, DP 16402	Late 20 th century (1950s / 1990s modifications)	Retail (Frontier)

Address	Legal Site Description	Construction Date	Recent Occupant
395-397 Pacific Hwy	Lots 5 and 4, DP 16402	Mid 20 th century	Commercial / retail
399 Pacific Hwy	Lot 3, DP 16402	Late 20 th century (1970s)	Sydney College of Hair & Beauty
401-405 Pacific Hwy	Lots 2 and 1, DP 16402	Post-War (1940s)	Commercial (Thai Massage)
407 Pacific Hwy	Lot 10, DP 29672	Post-War (1940s) and Late 20 th century	Sydney College of Hair & Beauty
411 Pacific Hwy	Lot 8, DP 29672	Post-War (1940s)	Retail
413 Pacific Hwy	Lot 7, DP 29672	Post-War (1940s)	Retail
415 Pacific Hwy	Lot 6, DP 29672	Post-War (1940s)	Retail
417 Pacific Hwy	Lot 5, DP 29672	Post-War (1940s)	Retail
419 Pacific Hwy	Lot 4, DP 29672	Post-War (1940s)	Retail
423 Pacific Hwy (cnr)	Lot 1, DP 29672	Inter-War (1930s)	Retail



Figure 17 - Subject site showing view to two storey, late 20th century commercial building located at 391-393 Pacific Highway, on the corner of Alexander Street and Pacific Highway.

Source: Urbis, January 2020



Figure 18 - Subject site with view to two storey, late 20th century commercial building located at 391-393 Pacific Highway on the corner of Alexander Street and Pacific Highway (right). Adjoining commercial development at 395-397 Pacific Highway (left)

Source: Urbis, January 2020



Figure 19 - Subject site with view of two storey, commercial buildings located on the eastern side of the Pacific Highway – from right to left, Nos 395-397, 399, 401-5 and 407 Pacific Highway.

Source: Urbis, January 2020



Figure 20 - Subject site with view of two storey, commercial buildings located on the eastern side of the Pacific Highway – Nos 407, 409-419 and 423.

Source: Urbis, January 2020



Figure 21 - Subject site (Pacific Highway) with view of two storey, commercial buildings located on the eastern side of the Pacific Highway – Nos 409-419 and 423.

Source: Urbis, January 2020



Figure 22 - Subject site (Pacific Highway) with view of two storey, commercial building (No 423) on the eastern side of the Pacific Highway at the corner of Falcon Street. A tall advertising sign is located on top of the building.

Source: Urbis, January 2020

2.3.2. Falcon Street Properties

The Falcon Street streetscape comprises two buildings located either side of a vehicular entry. Buildings at the western end of the block between Pacific Highway a vehicular right-of-way is a two storey masonry building at 3-5 Falcon Street, that dates to the Post-war period. The allotments of the properties on Falcon Street are rectangular in shape. The late 20th century commercial building at the eastern end of the block, on the corner of Flacon and Alexander Streets, is four storeys in height. All buildings have a nil setback form the street boundary.

On the eastern side of the block between the vehicular lane and Alexander Street are two commercial buildings that date to the latter half of the 20th century and appear to have been amalgamated for the development of larger sized commercial buildings constructed in off-form concrete. Table 3 provides a summary of the date of construction of the existing buildings within the subject site with a Falcon Street address. Figure 23 through to Figure 26 and captions describe the associated buildings.

Table 3 - Subject Site - Falcon Street Properties

Address	Legal Site Description	Construction Date	Occupant
3 Falcon Street	Lot 2, DP 29672	Post-War (1940s)	Commercial / retail
7-7A Falcon Street	Lot 2, DP 29672		
9-11 Falcon Street	Lot 1, DP 127595	Late 20 th century (1980s)	Commercial / retail
15 Falcon Street (cnr of Alexander St)	Lot 1, DP 562966	Late 20 th century (1980s)	Commercial



Figure 23 - Subject site (Falcon Street) with view of two-storey and four storey, commercial buildings located on the southern side of the Falcon Street. No 9-11 Falcon Street (right) and 15 Falcon Street (left)

Source: Urbis, January 2020

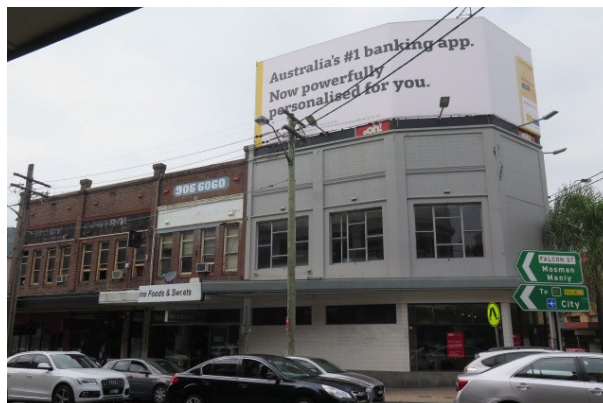


Figure 24 - Subject site with view of two storey, commercial building located at 423 Pacific Hwy, on the southern side of the Falcon Street and corner of Pacific Highway (at right). Nos 3-7A Falcon Street (at left).

Source: Urbis, January 2020



Figure 25 - Subject site (Falcon Street) showing four-storey, late-20th century commercial building located 15 Falcon Street, on the corner of Alexander and Falcon Streets

Source: Urbis, January 2020



Figure 26 - Late 20th century commercial development located on the eastern side of Alexander Street

Source: Urbis, January 2020

2.3.3. Alexander Street Properties

Alexander Street presents as a secondary address within the subject site. The properties form the rear of the properties addressing Pacific Highway. Alexander Street provides vehicular access to those sites and views to the secondary elevation of the properties. There are two freestanding buildings that address Alexander Street. One is a two storey, late 20th century concrete framed commercial building at No 6 Alexander Street. At No 8 Alexander Street is a single storey motor mechanics workshop in later addition painted face brickwork.

Table 4 provides a summary of the date of construction of the existing buildings within the subject site with an Alexander Street address. Figure 27 and Figure 28 and captions describe the associated buildings.

Table 4 - Subject Site - Alexander Street Properties

Address	Legal Site Description	Construction Date	Occupant
6 Alexandra Street	Lot 9, DP 29672	Late 20 th century (1980s)	Commercial
8 Alexandra Street (rear of 407 Pacific Hwy)	Lot 10, DP 29672	Post-War (1940s)	Motor mechanic



Figure 27 - View to No 6 Alexander Street (centre), a two storey, late-20th century commercial building. Rear vehicular access to buildings addressing Pacific Highway provided off this street.

Source: Urbis, January 2020



Figure 28 - No 6 Alexander Street (left) is a two storey, late-20th century commercial building. No 8 Alexander Street (right) is single storey motor mechanic shop, possibly dating to mid-20th century.

Source: Urbis, January 2020

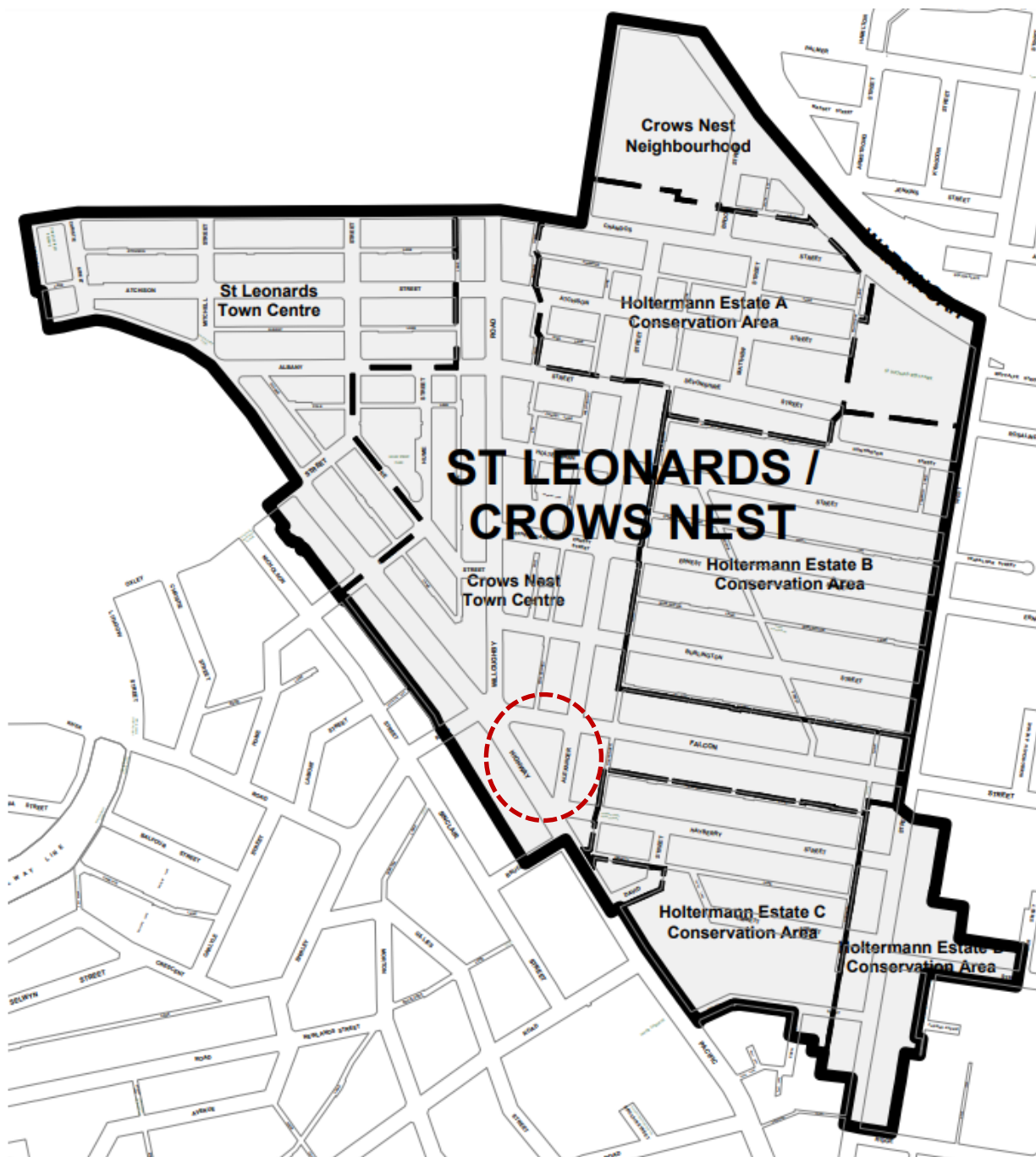


Figure 29- St Leonards / Crows Nest Planning Area with location of subject site shown circled in red.

Source: North Sydney DCP 2013, Part C – Character Statements

3. HISTORICAL OVERVIEW

3.1. AREA HISTORY (POST EUROPEAN SETTLEMENT)

Crows Nest is named after the farm and cottage established by Edward Wollstonecraft on his 1821 land grant. Also called the Wollstonecraft / Berry Estate, it was enlarged by Alexander Berry with later purchases. Like other large holdings the Wollstonecraft / Berry Estate was subdivided from the late 1800s.



Figure 31 - Crows Nest Cottage, pre-1905.

Source: SLNSW, a089387h

Following the death of Edward Wollstonecraft in 1836, Alexander Berry, his partner and brother-in-law, became owner of the 524-acre grant on the lower North Shore and eventually amalgamated the land with his own 20-acre and 60-acre grants immediately north. David Berry became the owner of the property after Alexander's death in 1873. Part of the Berry Estate sold in two sections, the first in 1883. The following year, the eastern portion of Berry's estate, comprising 63 acres was subdivided into 274 allotments progressively sold through the 1880s and 1890s.

William Lithgow acquired Hatfield's grant and built St. Leonards Lodge in the 1850s and sold portions of the land to Lawrence J. Hartnett and Joseph Dole. After Lithgow's death in 1864, Sydney merchant Henry Herron Beauchamp purchased the property and subsequently sold it to Bernard Otto Holtermann in 1874, who lived here until he built the "Towers" on the heights of McMahon's Point. In the meantime, Holtermann subdivided the northern portion of the estate, comprising "thirty acres of good building land, now subdivided...into choice villa sites" in Falcon, Burlington, West, Ernest and Holtermann Streets.

After Holtermann's death the remaining unsold property in the 1880 Holtermann Estate was auctioned in conjunction with the newly subdivided St. Leonards Lodge Estate comprising 140 building sites in West, Ernest, Emmett, David, Hayberry and Falcon Streets in 1886. Neighbouring Joseph Dole's land was subdivided after his death in 1885 and William Huntington (Huntingdon) subdivided his land in 1892.

The majority of dwellings in the neighbourhood were consequently built between 1880 and 1915 as speculative housing developed for the working class. This has resulted in a mixture of housing styles, including modest versions of Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne

and Federation Bungalow. Another by-product of a “working class” building culture was the virtual absence of two storey buildings with the exception of several corner shops with residences above erected on each of the intersections along West Street.

From 1909, the street frontages on Lane Cove Road (now Pacific Highway) were earmarked for commercial development. A thriving shopping centre sprung up around Five Ways (Crows Nest Junction) and along Willoughby Road and Lane Cove Road towards St Leonards. Crows Nest’s development as a retail hub was facilitated by having three transport vectors into the community. The *Sydney Morning Herald* described Crows Nest as “the main shopping centre for the North Sydney Districts”.

This development continued into the mid-20th century. *Building Magazine* wrote in August 1938 that “at the present time there is considerable building and developmental activity in the vicinity of North Sydney and more particularly in Crows Nest...[and] the Pacific Highway from North Sydney up to St Leonards is becoming increasingly popular for small industrial organisations...” On 20 September 1957, the *Sydney Morning Herald* reported that Crows Nest was a “retail centre serving more than a dozen northside suburbs and is attracting the interest of big city organisations”.

Transport, specifically the tramways, was critical to the growth and development of Crows Nest. The extension of the trams in 1892, from the terminus at Ridge Street along Falcon Street to Lane Cove Road (Pacific Highway) and in 1909 with the extension to Chatswood, Lane Cove and Willoughby, reinforced Crows Nest’s primacy as a shopping centre and tramway interchange (known to locals as ‘Five Ways’). The commercial centre of Crows Nest formed around the tramway intersection of Crows Nest Junction (being the Intersection of Falcon Street, the Pacific Highway and Willoughby Road). Early commercial buildings included grocers, banks, plumbing and gas fitting, rent collectors, hardware stores, hotels, auto mechanics, theatres and picture theatres.

Rail and road networks also increased access and facilitated development. The North Shore trainline was completed in the 1890s. Lane Cove Road was upgraded and renamed the Pacific Highway in the late 1920s in anticipation of increasing motor traffic flows from the opening of the Sydney Harbour Bridge in 1932. In the 1930s and 1940s, the Department of Main Roads resumed and widened the northern side of the Highway to service an ever-increasing amount of motor traffic in conjunction with the two tram lines and two footpaths either side of the road.

In the latter part of the 20th century, transport also contributed to the decline of Crows Nest. In 1958, a closure of the tramways took place across Sydney, as it was generally accepted that privately owned cars were to become the major mode of transport for people. Cars allowed for increased suburbanisation but also increased congestion, eventually leading to the opening of the Warringah Expressway in 1968. Travel to and through Crows Nest lessened and the focus of the retailers shifted to more immediate markets.

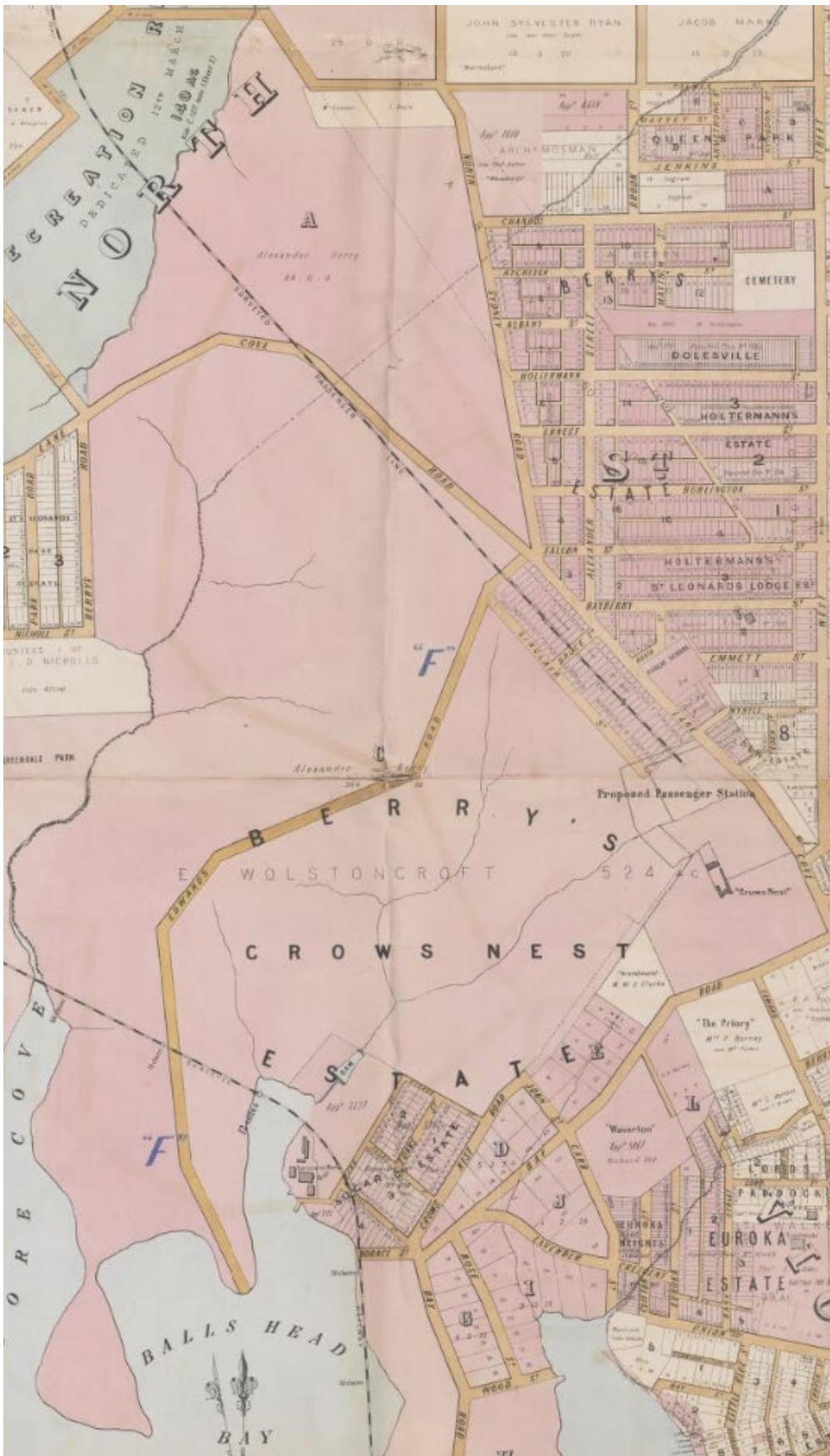


Figure 32 - Detail from Higinbotham & Robinson & Gibbs, Shallard & Co. 1887, Map of St Leonards on the North Shore, Parish of Willoughby.

Source: NLA



Figure 33 - Berry's Estate, North Sydney: clearance sale of the Crows Nest subdivisions, 21 September 1901.

Source: NLA, nla.obj-230389465-1

3.2. SITE HISTORY

The subject site, bounded by Pacific Highway, Falcon Street, Alexander Street and Hayberry Street, is located on Lots 1 to 9 Section 3 of Berry's Estate (DP1265), being originally located on part of 524 acres granted to Edward Wollstonecraft on 30 June 1825.

In May 1884, David Berry instructed Hardie & Gorman to sell the eastern portion of Berry's Estate comprising 63 acres subdivided into 274 allotments as shown in Figure 34. The first sales in the estate were recorded on Certificate of Title Vol 700 Fol 21 from June 1884.

By 1889, most of the allotments in Section 3 (pertaining to the subject site) had been sold. The residue of unsold allotments was progressively sold until the end of the 1890s. One of the earliest occupants within the subject site was Samuel Richards, cordial maker.

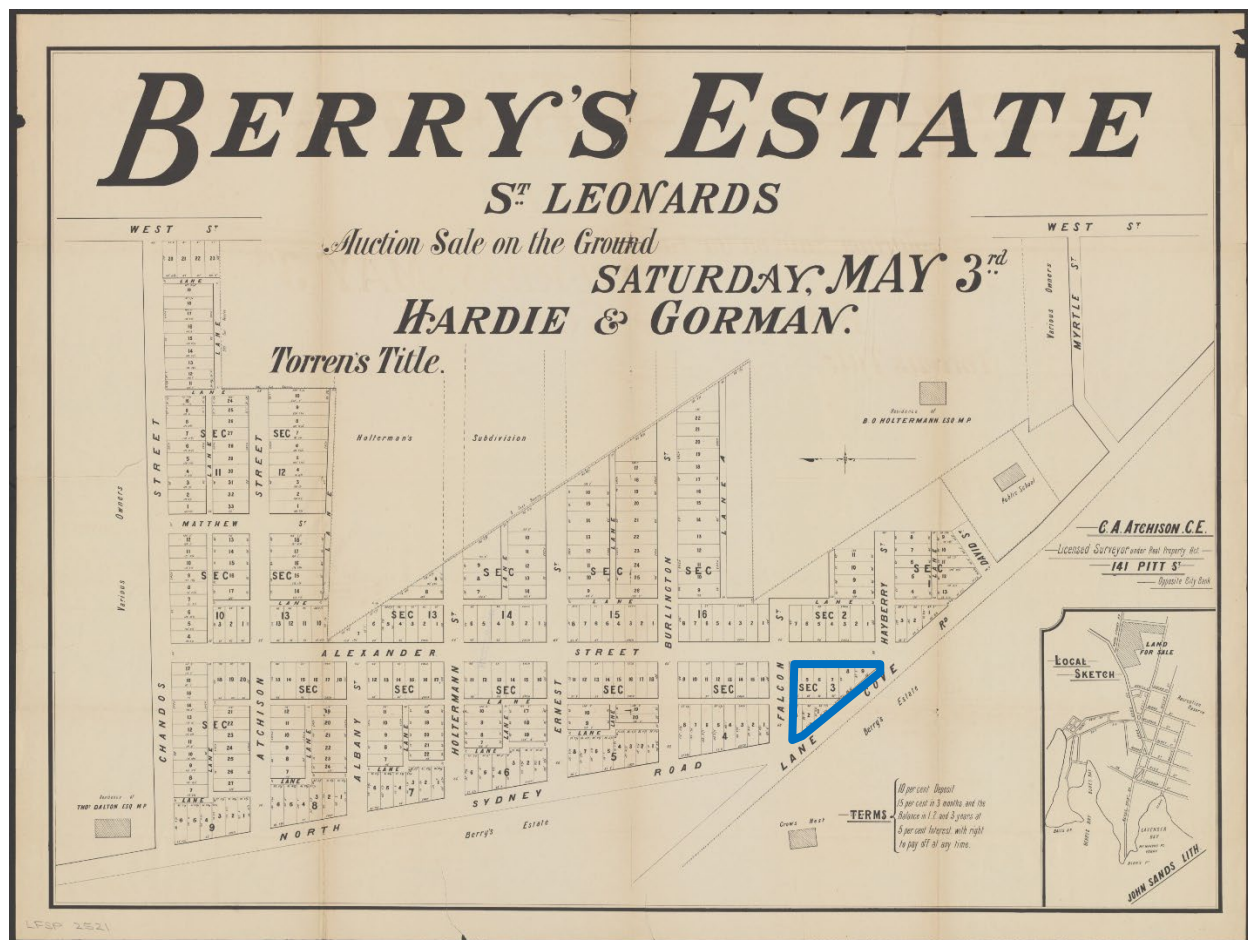


Figure 34 - Berry's Estate, St Leonards, 1884. Subject site outlined in blue.

Source: NLA, <https://nla.gov.au:443/tarkine/nla.obj-230484084>



Figure 35 - HG Kent blacksmith shop, Crows Nest, c. 1886.

Source: North Sydney Heritage Centre Collections Station Library, LH REF PF 97



Figure 36 - EJ Hopkins saddlery shop, Crows Nest, c. 1890.

Source: North Sydney Heritage Centre Collections Station Library, LH REF PF 94



Figure 37 - HG Kent coachbuilding & wheelwright shop, Crows Nest, c1900-1910.

Source: North Sydney Heritage Centre Collections Station Library, LH REF PF 95



Figure 38 - HG Kent coachbuilding & wheelwright shop, Crows Nest, c. 1908.

Source: North Sydney Heritage Centre Collections Station Library, LH REF PF832

From 1887, the principal occupant of Section 3 was Henry George Kent, blacksmith. He established a blacksmith's shop at Crows Nest Junction in the mid-1880s on the then named Lane Cove Road (now Pacific Highway) near the intersection of Falcon Street (Figure 35). He was joined in the late 1890s by another blacksmith, Edward Jordan Hopkins (Figure 36).

Figure 39 comprises an extract from the detail survey sheet dated in 1891 and shows development on the subject site outlined in blue. Development at this time was principally located on the Lane Cove Road (Pacific Highway) frontage.



Figure 39 - Extract from Detail Survey North Sydney Sheet No. 71, 2 March 1891. Subject site outlined in blue.

Source: North Sydney Heritage Centre, 1890s Block Plan Maps,
<http://www.photosau.com.au/StantonMapsLib/jhigh/000071.jpg>

By the 1920s, the subject site was occupied by a mix of single storey and two storey retail and commercial buildings. The 1920 edition of the *Sands Directory* names the following occupants within the subject block: Mrs Elizabeth Teague (263 Lane Cove Road), Wong Ty (269 Lane Cove Road), William J Orr (271 Lane Cove Road), HG Kent (279-281 Lane Cove Road), Bank of NSW (283 Lane Cove Road), Samuel Richards (4-6 Alexander Street), George Hill (10 Alexander Street), Michael Singleton (12 Alexander Street), Daniel McInnes (1 Falcon Street), Thomas R Hughes (3 Falcon Street), William Griffiths (5 Falcon Street), Sydney and North Sydney Lime & Cement Co Ltd (7 Falcon Street), Government Savings Bank (9 Falcon Street), John Forster (9a Falcon Street), Edward J Ball (11a Falcon Street), Willis Brothers (11 Falcon Street), Emma Ward (13 Falcon Street), Edward J Hopkins (13a Falcon Street), William Syme (15 Falcon Street), R Bannantyne (15a Falcon Street), J Gumley (17 Falcon Street) and ES Costello (17a Falcon Street).

In conjunction with construction of the Sydney Harbour Bridge, property along the northern alignment of Lane Cove Road between the North Sydney Post Office and Crows Nest Junction (and beyond to Hornsby) was resumed around 1927 for widening of the roadway. Simultaneously, the tramway authorities re-laid the tramlines in Lane Cove Road between Mount Street and Crows Nest so that the tram tracks would be located in what would become the centre of the road following the necessary resumptions for the widening of the road. The Main Roads Board completed this work from North Sydney to Crows Nest Junction by 1931 when the new widened thoroughfare was renamed Pacific Highway.

Figure 41 and Figure 42 comprise two views of road and tramway construction at the corner of Lane Cove Road and Falcon Street in 1929. HG Kent's coachbuilding/wheelwright shop and Kent's Corner building are visible in this view. Within a short time, even those buildings had been demolished and advertising hoarding lined the roadway (Figure 43).

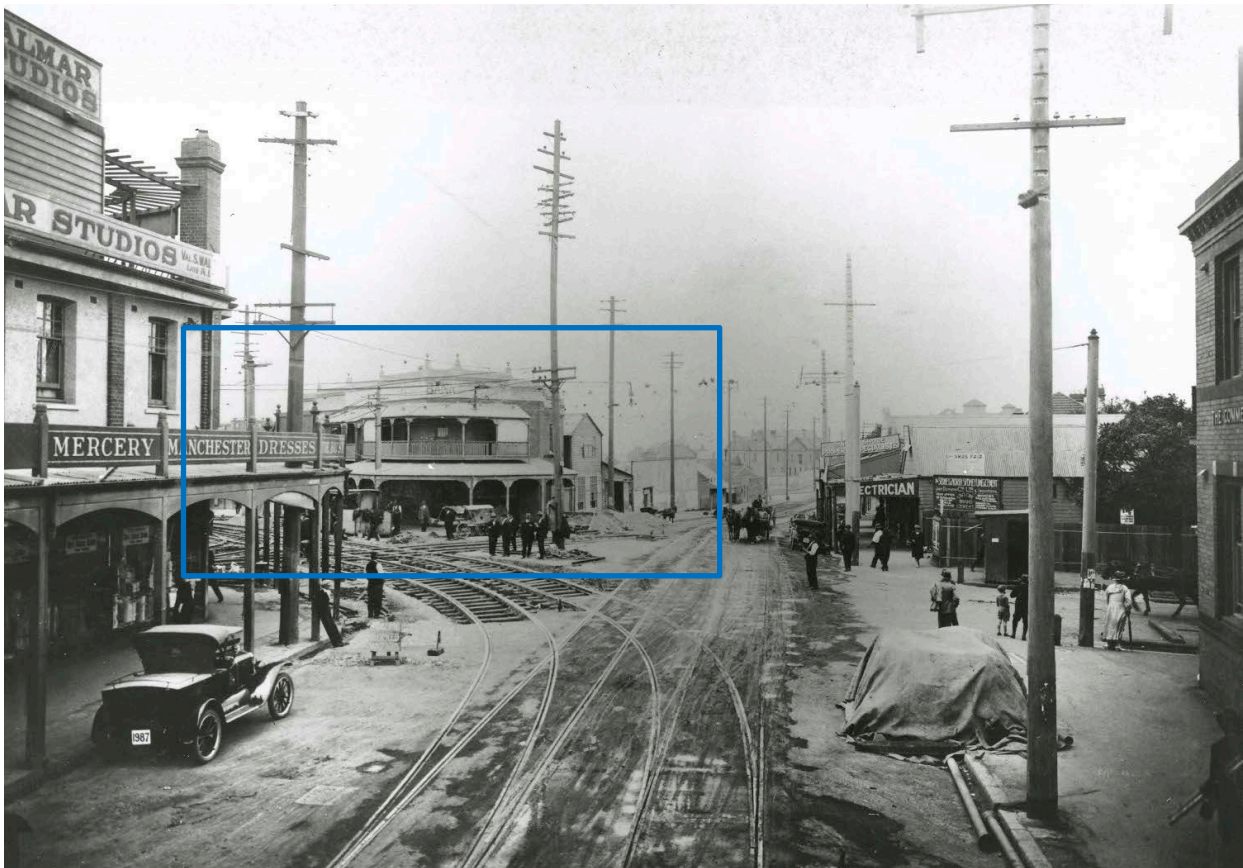


Figure 40 - Laying tram tracks at Crows Nest, c1920. This view is looking south along Lane Cove Road at Falcon Street and Willoughby Road intersection. Part of the subject site is visible in this photograph (outlined in blue).

Source: NSW State Archives & Records



Figure 41 - Junction of Lane Cove Road and Falcon Street, North Sydney, January 1929.

Source: NSW State Archives & Records, NRS-20224-1-[18/3063]-E60_E198-29



Lane Cove Road near Falcon Street prior to wearing course being laid

Figure 42 - Lane Cove Road near Falcon Street prior to wearing course being laid, 18 January 1929. View looking north along Lane Cove Road with subject site in the foreground.

Source: NSW State Archives & Records, NRS-20224-1-[18/3063]-E60_E198-30

In the 1930s, the various owners of allotments within the subject block lodged applications to North Sydney Council for new retail and commercial buildings on their sites. In 1933, the *Sydney Morning Herald* reported on the “considerable expansion of business” at Crows Nest arising from the opening of the Sydney Harbour Bridge. Kent’s Limited commissioned Herbert J Gates to design a new two storey commercial premises at the corner of Falcon Street and Pacific Highway to cost more than £3,000. The artist perspective is reproduced at Figure 44. The following year, Gates submitted another BA to North Sydney Council for “business premises” (three lock up shops) on the Pacific Highway further north with an estimated cost of £2,500.¹ Two years later, the Mercantile Mutual Insurance Company Ltd lodged a successful building application for new business premises (shops and two offices) on Lots 4 and 5 of Section 3. This was a two storey building designed by Robertson & Marks Architects.² Also in 1936, Charles Balabous commissioned Adrian AL Jones to design alterations to his shop on the Pacific Highway (417), which property he rented from Kents Ltd.³

It was not only the buildings on the Pacific Highway that underwent transformation in this period. In 1949, the Rural Bank of NSW lodged a successful BA to erect a bank premises at the corner of Alexander Street and Pacific Highway on Lot 6 of Section 3 (now 389 Pacific Highway). This prominent corner building was

¹ BA 34/290, North Sydney Municipal Council Archives

² BA 36/172, North Sydney Municipal Council Archives

³ BA 36/299

erected by Max Cooper & Sons in 1950.⁴ Existing structures in Falcon and Alexander Streets also took the opportunity to improve their premises in conjunction with the rising land values and primacy of Crows Nest as a retail centre on the lower North Shore.



Figure 43 - Billboards on Pacific Highway near Crows Nest Junction, c1930.

Source: North Sydney Heritage Centre Collections Stanton Library, LH REF PF819

⁴ BA49/338

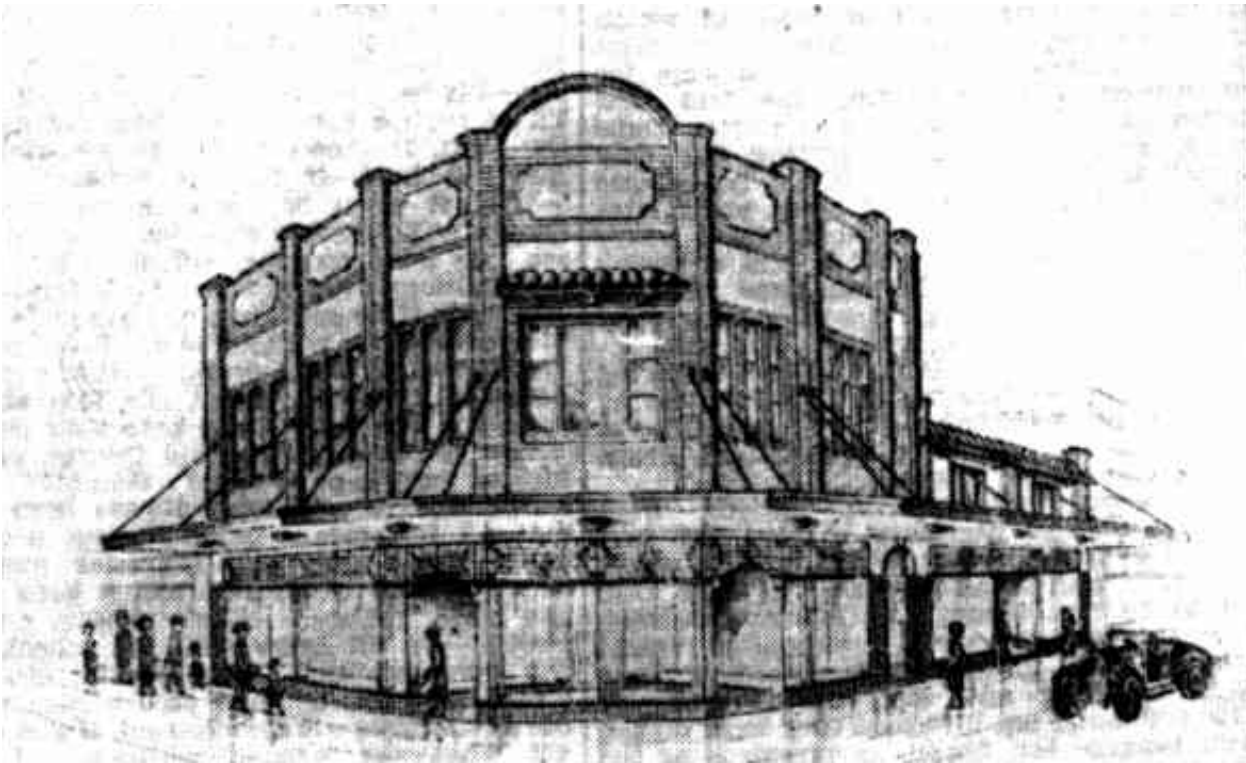


Figure 44 - New business premises at Crows Nest.

Source: 1933 'BUILDING AND CONSTRUCTION CROWS NEST IMPROVEMENTS', *The Sydney Morning Herald* (NSW: 1842 - 1954), 26 September, p6 viewed 07 Feb 2020, <http://nla.gov.au/nla.news-article17010008>



Figure 45 - 1943 Aerial showing the subject site with the subject site shown outlined in red with a broken line.

Source: SIX Maps - 1943 Aerial

3.3. 391-393 PACIFIC HIGHWAY

391-393 Pacific Highway, located on the corner of Pacific Highway and Alexander Street, is a building designed c1950 in a Modernist style. Council has advised this building has the potential for heritage listing. The following historic information has been sourced about this property, a former bank building.

The land at 391-393 Pacific Highway Crows Nest was originally part of Berry's Estate dating to c1888. In 1921, the land was purchased by architect, Thomas McCarthy. On 12th September 1929, the land was sold to James Crockett of Sydney. In January 1947, the corner lot was purchased by Arthur Abrahams Pty Ltd. In September 1948, the site was purchased by the Rural Bank of New South Wales.

The building at the corner of Alexander Street and the Pacific Highway was approved for construction in January 1950. The name of the architect / designer is unknown. The bank was built by the builder, Max Cooper & Sons, as the Crows Nest Branch of the Rural Bank of New South Wales. The bank had some 134 branches across New South Wales. The building was nearing completion in 1951 and in March of that year, Max Cooper & Sons, listed a tender for painting of the new building in the *Sydney Morning Herald*.⁵

From 1933 until 1982, the bank was known as the Rural Bank of New South Wales because it was owned by the Government of New South Wales. The bank was founded as the Rural Bank of New South Wales as it primarily provided loans to farmers. The bank closed in 1994 and was taken over by the Colonial State Bank and then in 2000 by the Commonwealth Bank. The building at 391-393 Pacific Highway was sold in 1992.

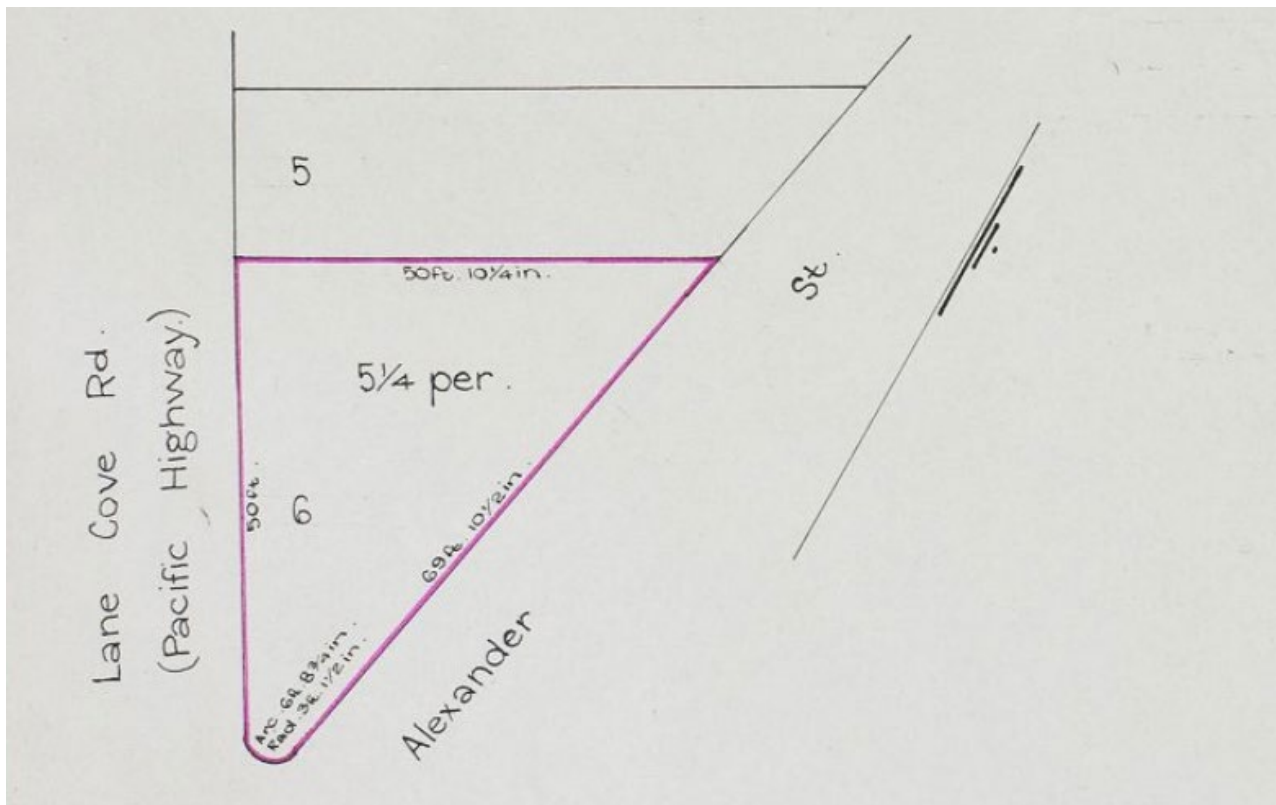


Figure 46 - Block plan of corner lot purchased by the Rural Bank of New South Wales in September 1948.

Source: NSW HLRV, Vol: 5636 Fol: 89

⁵ Sydney Morning Herald, Saturday 3rd March, 1951, Advertising, p. 19

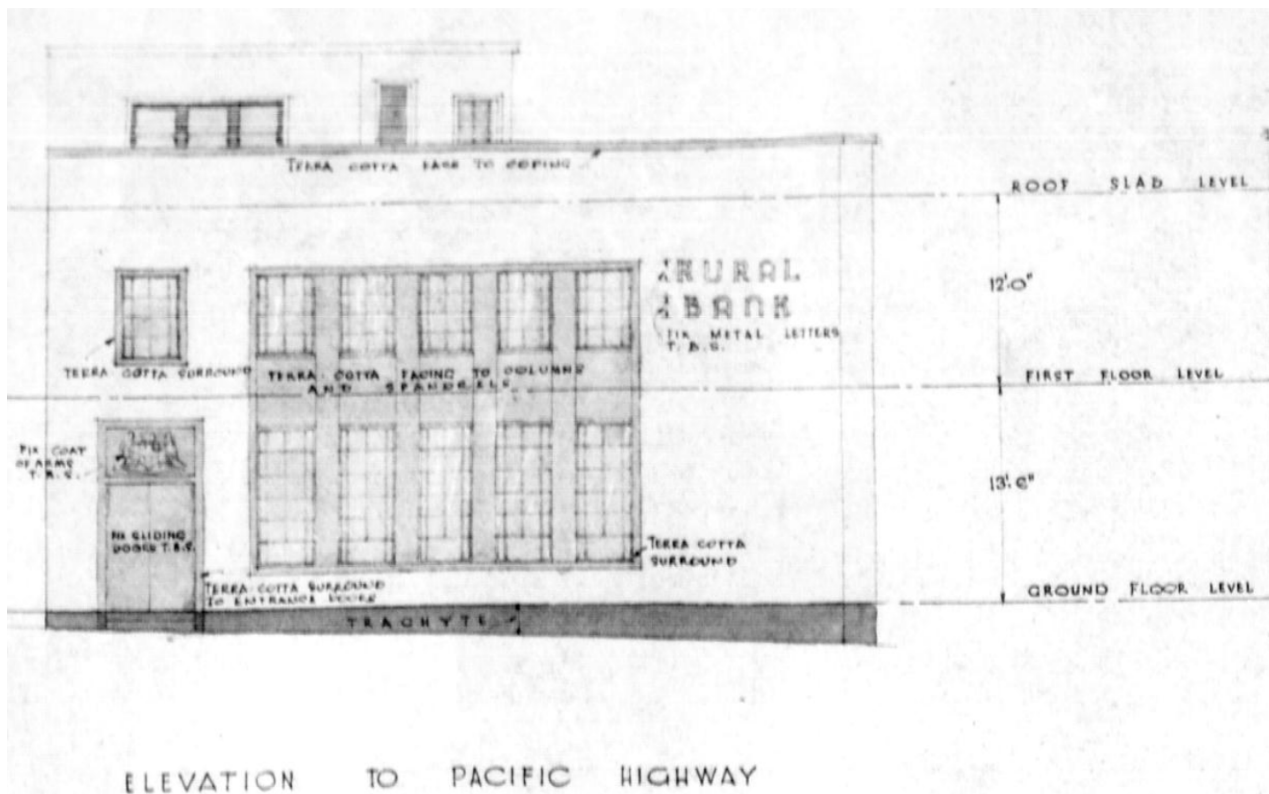


Figure 47 - Extract from plans for Rural Bank Crows Nest Branch showing elevation to Pacific Highway.

Source: North Sydney Council Buildings Application Archive.

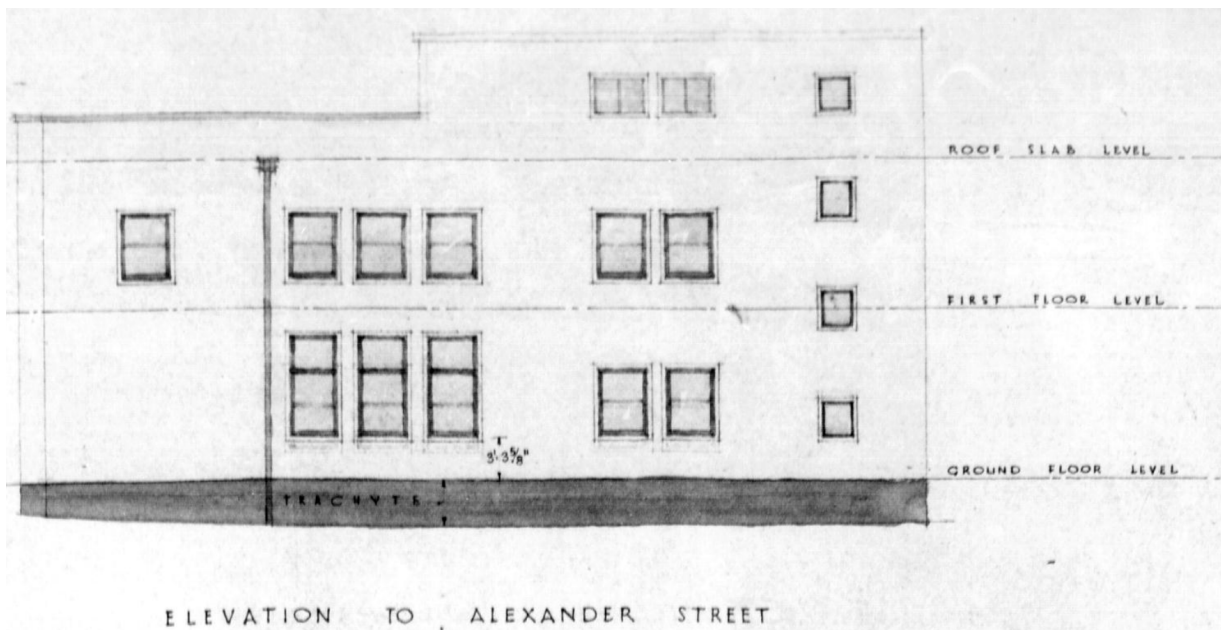


Figure 49 - Extract from plans for Rural Bank Crows Nest Branch showing Elevation to Alexander Street.

Source: North Sydney Council Buildings Application Archive.

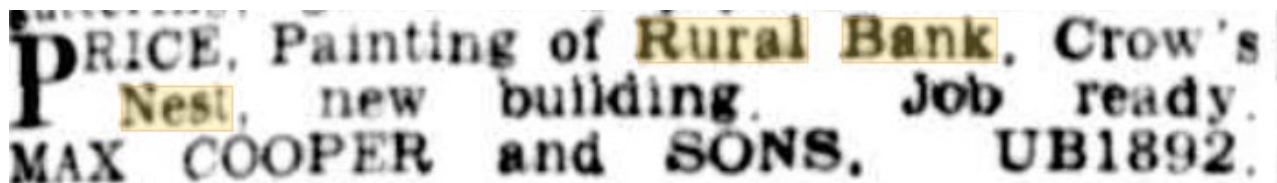


Figure 50 - Tender advertising for paintwork at the newly constructed Rural Bank Crows Nest Branch in the Sydney Morning Herald, 1951.

Source: Sydney Morning Herald, Saturday 3rd March, 1951, Advertising, p19



Figure 51 - Principal façade of 391-393 Pacific Highway Crows Nest during the early 1990s. Coat of arms above door and trachyte stonework at base of building remain.

Source: Available at: <https://www.onthefhouse.com.au/property/nsw/crows-nest-2065/391--393-pacific-hwy-crows-nest-nsw-2065-13830395>

4. PRELIMINARY ARCHAEOLOGICAL ASSESSMENT

4.1. INTRODUCTION

Historical relics in NSW are primarily protected under the *Heritage Act 1977* (NSW) ('the Heritage Act'), as implemented by the *Heritage Regulation 2012* (NSW). Section 4 of the Heritage Act defines a 'relic' as:

Any deposit, object or material evidence

(a) which relates to the settlement of the area that comprises New South Wales, not being an Aboriginal settlement, and;

(b) is of State or local heritage significance.

It is an offence under Section 139(1) of the Heritage Act to disturb or excavate land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless:

- The disturbance or excavation is for minor works or activities that would have minimal impact on archaeological relics of local heritage significance, for archaeological testing of relics of local heritage significance or for monitoring of relics of local heritage significance (s.139(4) Heritage Act).
- The disturbance or excavation is carried out in accordance with an excavation permit under section 140 of the Heritage Act. Application for an excavation permit requires the preparation of a Historical Archaeological Assessment (HAA) and an Archaeological Research Design and Excavation Methodology (ARD&EM).⁶
- The disturbance or excavation was authorised under an approved SSD (s.4.41(1)(d) EP&A Act). The SEARs for any SSDA will almost certainly require preparation of a HAA. Where the HAA determines that relics are likely to be impacted by the proposed works, the preparation of an ARD&EM is likely to be a condition of consent of the SSDA.

The following preliminary assessment was undertaken to assess historical archaeological potential within the subject site.

Please note that the following preliminary assessment does not constitute a formal Historical Archaeological Assessment (HAA) in accordance with the *Archaeological Assessments Guidelines* (Heritage Office, Department of Urban Affairs and Planning 1996).

4.2. PREVIOUS PUBLICATIONS

Previous archaeological investigations may provide information on the potential nature and distribution of archaeological resources in a given area. A summary of relevant assessments is provided below.

4.2.1. Reports Addressing the Subject Site

No previous archaeological reports addressing the subject area have been identified.

4.2.2. Comparative Archaeological Reports

Previous archaeological investigations of similar contexts to the subject site may provide information on the potential nature and distribution of archaeological resources. A summary of relevant assessments is provided below.

Godden Mackay, 1994. Archaeological Excavation: 64-66 Cremorne Road.

In May 1994, Godden Mackay were engaged by Spurdig Pty Ltd to report on archaeological works at 64-66 Cremorne Road, Cremorne, which is located approximately 2.7km south-east of the subject site. The report responds to a previous historical archaeological assessment of the site undertaken by Godden Mackay,

⁶ Section 140 Excavation Permit, Heritage NSW. Accessed at <<https://www.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/historical-archaeology/section-140-excavation-permit>>.

detailing the findings of a programme of archaeological testing, monitoring and excavation works undertaken at the site. The report has been identified as relevant to the subject site, due to its proximity to the subject site and the nature of the archaeological deposits identified.

Previous assessment of the study area identified European occupation in the broader Cremorne area from at least 1833. From 1856, the study area was occupied as a 'leisure ground', undergoing several phases of subdivision from 1889. Following the formalisation of the streetscape, the study area rapidly urbanised and was occupied by a mixture of commercial premises throughout the 20th Century. On these grounds, a program of archaeological monitoring, sampling and excavation was recommended for the study area.

The archaeological excavation of the study area identified a range of archaeological resources corresponding to several phases of occupation. These included:

- A cut and two possible post holes to the west of the site, which were interpreted as being the remains of a garden shed, tent or fence.
- Structural remains of a strip of large sandstone "floaters" to the north-east of the site, which were interpreted as being the remains of an c.1863-1880s road.
- Diverse occupational debris ranging in date between the c.1840s and c1980s: Earlier (19th Century) assemblages comprised glass, brick, terracotta and porcelain artefacts; although, notably, one stoneware drainpipe fragment was also recovered.
- Later (20th Century) deposits comprised a mixture of demolition fill with small artefactual assemblages – such as, bone fragments, pencils, bottle and lamp fragments, and tableware.

Identified relics were considered to be partially truncated or completely removed due to the site's successive development. As such, these resources, although often recovered in a fair state of preservation, were assessed as representing only a small portion of the site's history. Nonetheless, archaeological resources identified within the study area were considered to be of Local significance, due to their historical value (Criterion A).

Urbis. 2021. Historical Archaeological Impact Assessment & Archaeological Research Design: 371-375 Pitt Street, Sydney, and; Urbis (in prep). Post Excavation Report: 371-375 Pitt Street, Sydney.

In October 2021, Urbis were engaged by Tactical Group on behalf of Sydney Redevelopments 1 Pty Ltd to prepare an Historical Archaeological Impact Assessment and Research Design (HAIARD) for 371-375 Pitt Street, Sydney. The report was prepared to support a development application (D/2020/334) seeking approval for the demolition, excavation and remediation, and commercial redevelopment of a site located approximately 1.2km south of the present subject site. The report has been identified as relevant to the present site due to similar subsurface site context.

Commenting on the archaeological potential of the site, the HAIARD concluded that there is variably low potential for historical archaeological resources to occur across all phases of occupation at the subject site. The greatest level of disturbance was expected to occur along Pitt Street, due to subsequent excavation, construction and servicing works associated with the extant buildings at 371-373 Pitt Street. The rear laneway, however, was assessed as likely to have 'capped' archaeological deposits relating to a row of c1850s commercial premises. This desktop assessment of archaeological potential was confirmed by recent archaeological investigations of the study area, which yielded extensive and significant deposits relating to the earliest phases of use at the site.

Similar conclusions regarding the archaeological potential of the laneway observed at 371-375 Pitt Street may be applied to the two laneways present within the subject area, accessible from Falcon Street and Alexander Street. As demonstrated below, the subject site has undergone several phases of disturbance, due to the construction and redevelopment of the structures formerly present within the site. Although these historical activities are likely to have significantly disturbed, truncated or removed archaeological deposits within the footprint of the extant buildings, archaeological deposits may occur with a moderate degree of integrity within the laneways.

Urbis Ltd, 2022. Historical Archaeological Impact Assessment: Holtermann Street Park & Carpark, 2 Ernest Place, Crows Nest, Gaimaragal Country

In December 2022, Urbis Ltd was engaged by Cox Architecture to assess the historical archaeological potential of the Holtermann Street Park & Carpark, which is located approximately 298m north of the subject site. The report was prepared in support of a development application to North Sydney Council, endorsing

the redevelopment of the carpark subject to archaeological controls. The report is relevant to this assessment due to its proximity to the subject site and the similarity of the archaeological resources anticipated to occur at the site.

The report concluded that the archaeological resources most likely to occur at the site included structural remains of 20th century dwellings. These remains were, however, assessed as unlikely to meet the threshold for significance at a State or Local level. Structural remains of one c.1885 dwelling which fronted Holtermann Street were assessed as meeting the threshold for significance at a **Local level** in accordance with criteria A and E (historical significance and research potential). However, given the degree of subsequent disturbance, these deposits were expected to have been disturbed or entirely removed during subsequent phases of development.

On these grounds, the report recommended that the development proceed subject to an archaeological induction and unexpected finds procedure.

4.3. ARCHAEOLOGICAL POTENTIAL

4.3.1. Framework for Assessment

The NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1996) defines historical archaeological potential as:

The degree of physical evidence present on an archaeological site, usually assessed on the basis of physical evaluation and historical research.

The potential for archaeological relics to survive in a particular place is significantly affected by later activities that may have caused ground disturbance. These processes include the physical development of the site (for example, phases of building construction) and the activities that occurred there.

The archaeological potential of the subject area is assessed based on the background information presented in Section 3 and graded according to the following scheme:

- **Nil Potential:** the land use history demonstrates that high levels of ground disturbance have occurred that would have destroyed any archaeological remains; or archaeological excavation has already occurred and removed any potential resource.
- **Low Potential:** the land use history suggests limited development or use, or there is likely to be quite high impacts in these areas; however, deeper sub-surface features such as wells, cesspits and their artefact bearing deposits may survive.
- **Moderate Potential:** the land use history suggests limited phases of low to moderate development intensity, or there have been some impacts in the area. Some archaeological remains are likely to survive, including building footings and shallower remains, in addition to deeper sub-surface features.
- **High Potential:** substantially intact archaeological deposits could survive in these areas.

The potential for archaeological remains to survive in a particular place is significantly affected by land use activities that may have caused ground disturbance. These processes include the physical development of the site (e.g. phases of building construction) and the activities that occurred there. The following definitions are used to consider the levels of disturbance:

- **Low Disturbance:** the area or feature has been subject to activities that are likely to have had a minor effect on the integrity and survival of archaeological remains.
- **Moderate Disturbance:** the area or feature has been subject to activities that may have affected the integrity and survival of archaeological remains. While archaeological evidence may be present, they are likely to have been disturbed.
- **High Disturbance:** the area or feature has been subject to activities that would have had a major effect on the integrity and survival of archaeological remains. Archaeological evidence are likely to be significantly disturbed or destroyed.

The following assessment of archaeological potential of the present subject site has been undertaken based on the above framework.

4.3.2. Assessment of Archaeological Potential

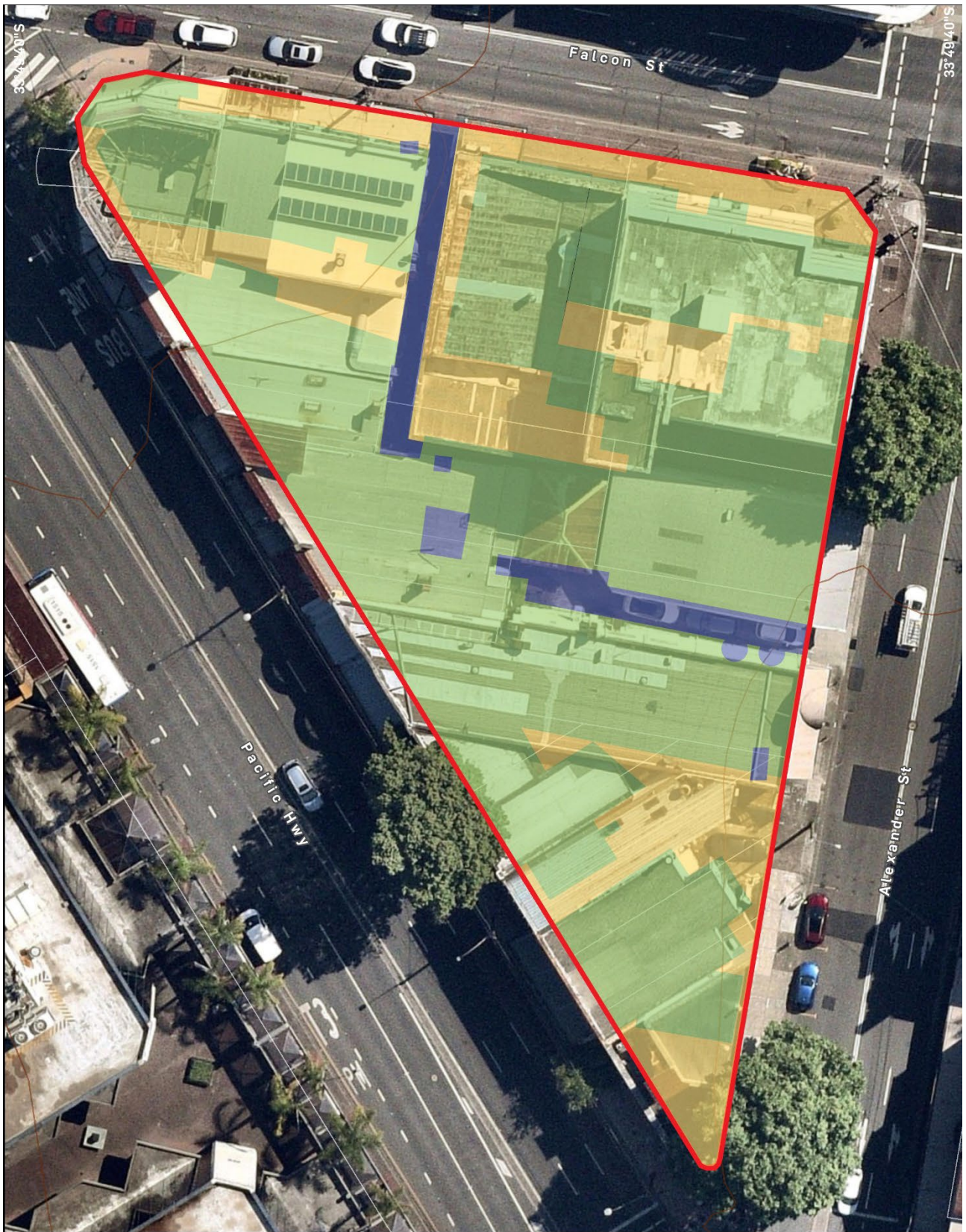
An assessment of archaeological potential associated with each phase of development of the subject site is provide in Table 5 overleaf. On this basis, Figure 52 overleaf zones archaeological potential within the subject site.

Table 5 – Assessment of Archaeological Potential

Phase	Potential Resource	Integrity	Potential
Phase 1: The Wollstonecraft/Berry Estate (1821-1886)	Archaeobotanical evidence of vegetation clearance, post holes, boundary markers.	During Phase 1, the subject site comprised part of a 524-acre land grant dedicated to Edward Wollstonecraft (formally dedicated on 30 June 1825). The subject site was occupied by coastal woodland and heath, sandstone closed forest and Blue Gum high forest at this time. Although, the native vegetation in the vicinity of the subject site was cleared by c.1821, when Wollstonecraft constructed the Crows Nest Cottage (165m west of the subject area). The subject site may, therefore, retain ephemeral archaeological evidence of land clearance. However, given their cursory nature, these remains would have been significantly disturbed or entirely removed during subsequent construction works. The subject area was acquired by Elizabeth and Alexander Berry in 1836, comprising Lots 1 to 9 in Section 3 (DP1265) of the Berry Estate. The estate was progressively subdivided and sold throughout the remainder of Phase 1. There is no historical evidence that the subject site was developed during this time. Evidence of its subdivision may occur (such as post holes or boundary markers), however, these remains are likely to have been significantly disturbed or truncated during subsequent construction works.	Low-Nil
Phase 2: Early Developments (1887-1919)	Structural remains, deep features, general discard items, industrial waste	Most of the allotments within Section 3 (pertaining to the subject site) were sold by 1889. The main occupant of the area was Henry George Kent, who had established a blacksmiths at the intersection of Falcon Street and the Pacific Highway. A second blacksmiths was constructed	Low-moderate

Phase	Potential Resource	Integrity	Potential
		shortly thereafter by Edward Jordan Hopkins, also with primary frontage to the Pacific Highway. Archaeological evidence of Phase 2 is therefore anticipated to include structural remains of the former blacksmiths, which are likely to have been impacted or removed by subsequent construction works. Unmapped deposits of industrial waste and general discard items, including tools, may also occur throughout the site. However, given the degree of subsequent disturbance, it is unlikely for such remains to occur <i>in situ</i>. Historical mapping of the subject site from 1891 indicates that what appear to be two wells and several outbuildings were also present at this time. Therefore, there is also potential for deep features to occur associated with Phase 2. However, due to subsequent development, these remains are likely to occur in a truncated condition.	
Phase 3: Early Commercial Developments (1920-1950)	Structural remains, general discard items, demolition material, early road surfaces	During Phase 3, the subject site was occupied by a mix of single-storey and two-storey retail and commercial buildings. The majority of these buildings were intensively redeveloped throughout the 1930s, particularly those fronting the Princess Highway. Subject to minor renovations (such as façade works and servicing upgrades), the buildings each remain at the site. As a result, structural remains of the early-20th Century commercial buildings may be present within the subject site; although, these are likely to have been truncated or removed by subsequent redevelopment works. Unmapped deposits of general discard items may also occur	Moderate

Phase	Potential Resource	Integrity	Potential
		throughout the site. However, given the degree of subsequent disturbance, it is unlikely for such remains to occur in situ. By 1927, the Princess Highway was resumed for the widening of the road between the North Sydney Post Office and Crows Nest Junction. As a result, there is potential for the subject site to retain demolition material and early road surfaces.	
Phase 4: Construction of the Rural Bank of NSW (1951-Present)	None identified	By 1951, the Rural Bank of NSW was constructed at the corner of Alexander Street and Pacific Highway on Lot 6 of Section 3 (now 389 Pacific Highway). The building remained a bank until 2000, when it was occupied by the Commonwealth Bank, and now remains extant at the site. It is not anticipated that archaeological resources would occur from Phase 4, due to the contemporaneity of the building.	N/A



GDA 1994 MGA Zone 56

© 2023. Data: ABS, OpenStreetMap, Nearmap. Helping shape our cities, one map at a time. Nov 2023



Project No: P0050182

Project Manager: Alexandra Ribeny

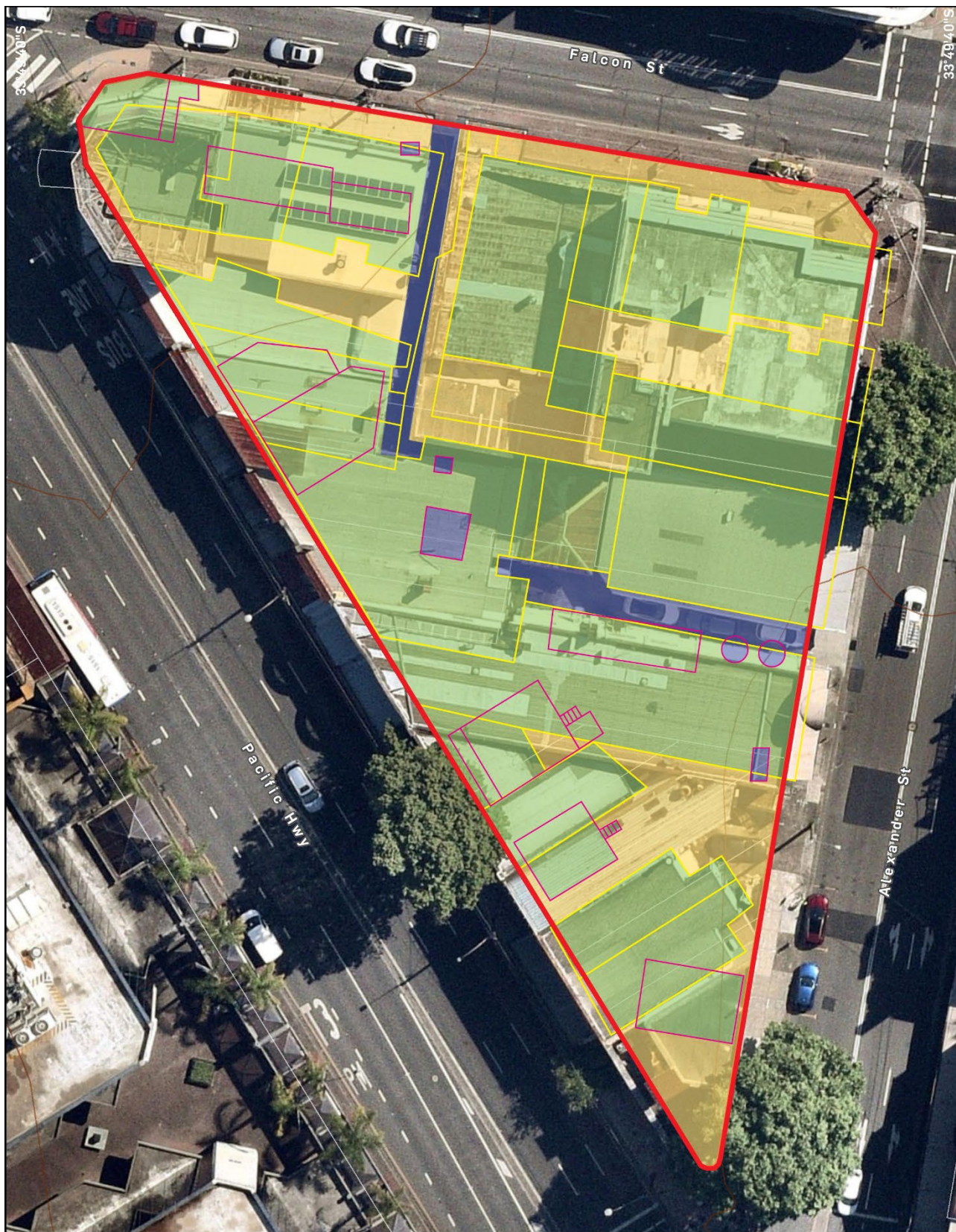
ARCHAEOLOGICAL POTENTIAL OF THE SUBJECT SITE

391-423 Pacific Hwy, 3-15 Falcon St & 8 Alexander St, Crows Nest

Deicorp Pty Ltd

■ Subject Area
 — Contours
 Low Potential
 Moderate Potential
 High Potential

Figure 52 – Archaeological potential within the subject site.



GDA 1994 MGA Zone 56

© 2023. Data: ABS, OpenStreetMap, Nearmap. Helping shape our cities, one map at a time. Nov 2023



Project No: P0050182

Project Manager: Alexandra Ribeny

HISTORICAL DEVELOPMENT OF THE SUBJECT SITE

391-423 Pacific Hwy, 3-15 Falcon St & 8 Alexander St, Crows Nest
Deicorp Pty Ltd

 Subject Area
 Contours
 Low Potential
 Moderate Potential
 High Potential
 1891 structures
 1943 structures

Figure 53 – Historical (structural) development of the subject site.

4.4. SUMMARY

- There is **low-nil potential** for archaeological resources to occur dating to Phase 1. Evidence of land clearance would have been removed by the construction and redevelopment of buildings during subsequent phases.
- There is **low-moderate potential** for archaeological resources to occur dating to Phase 2. Structural remains, and deep features may occur in a disturbed or truncated condition, as well as discard items and industrial waste.
- There is **moderate potential** for archaeological resources to occur dating to Phase 3. Structural remains, general discard items, demolition material and early road surfaces may occur, but are likely to be disturbed, truncated or removed by the construction of the extant buildings.
- Previous archaeological investigations undertaken at sites with a similar subsurface context have yielded extensive and significant deposits within similar laneways to those contained within the subject site. Due to their ongoing historic use and minimal disturbance over time, these laneways may retain multiple phases of archaeological deposits with a moderate degree of integrity.

5. HERITAGE SIGNIFICANCE

5.1. WHAT IS HERITAGE SIGNIFICANCE?

Before undertaking change a listed heritage item, a property within a heritage conservation area, or a property located in proximity to a listed heritage item, it is important to understand the heritage values of the place and its broader heritage context. This understanding will underpin the approach to any proposed changes and identify what is important and why, and how these values can be protected. Statements of heritage significance summarise the heritage values of a listed heritage item – why it is important and why a statutory listing was made to protect these values.

5.2. HERITAGE LISTINGS

5.2.1. The Subject Site

The subject site is not a listed heritage item. The lot does not contain any structures or elements of potential built heritage significance.

5.2.2. Vicinity Heritage Items

The established statements of significance for the vicinity heritage items are outlined in the table below, and have been sourced directly from the NSW State Heritage Inventory listing for the items.

Table 6: Established Statements of Significance

Vicinity Heritage Item	Established Statement of Significance
<i>Former Hall, 14 Hayberry Street, Crows Nest, item: #I0144,</i>	<i>Good example of a Federation Free Classical styled hall, well proportioned and neatly detailed, on an important fringe of the Crows Nest commercial centre. The interior is also of significance</i>
<i>House, 18 David Street, Crows Nest, item: #I0142.</i>	<i>A fine example of Late Italianate villa style. Interpreted on a narrow-fronted, high-density subdivision. Despite the context, the building is well proportioned and attractive, though presently run-down, and it usefully illustrates the range of stylistic solutions applied to the residences of the working class of the period. Grouping: part of a former semi-detached pair.</i> <i>A fine example of Late Italianate villa style. Interpreted on a narrow-fronted, high-density subdivision. Despite the context, the building is well proportioned and attractive, though presently run-down, and it usefully illustrates the range of stylistic solutions applied to the residences of the working class of the period.</i>
<i>Former North Shore Gas Co Office, 286-288 Pacific Highway, Crows Nest, item: #I0150.</i>	<i>The former North Shore Gas Co Showroom and office has historical significance for its ability to give evidence to the supply and promotion of utility services (gas), and reflects the varied mix of</i>

Vicinity Heritage Item	Established Statement of Significance
	<i>commercial uses in the 1940s along the Pacific Highway in Crows Nest. The building has associative significance for its associations with the North Shore Gas Company, the architects Rupert Villiers Minnett and Charles Cullis-Hill, builders Howie Moffat & Co, and Wunderlich Ltd. A fine example of the Inter-war Art Deco style in a commercial shop/showroom setting with a use of high quality materials including red granite, bronze facade elements and architectural terracotta. Set within the wider Crows Nest precinct, the type and level of materials are almost unique. The building is representative of the marketing and commercial activities of mid-Twentieth Century utility companies such as the North Shore Gas Company. The building exhibits high quality use and details of materials which are now increasingly rare. Such elements and details include: bronze facade elements, architectural terracotta, coloured terrazzo amongst others. This item is assessed as a rare example of an Inter-war Art Deco commercial building within North Sydney, particularly with its association as the showroom for the utility company North Shore Gas Co, the modernity of the style being appropriate to the products displayed therein.</i>
<i>Bank, 306 Pacific Highway, Crows Nest, item: #I0151.</i>	<i>The former Crows Nest Branch of the Bank of New South Wales is an excellent example of Inter-war Georgian revival architecture in a commercial building, with its significance enhanced by the prominent streetscape location as part of a five-way intersection dominated by buildings of a similar form, scale, materials and period. Opened in 1924 as a local branch of the Bank of New South Wales, the oldest bank in Australia established in 1817 which became Westpac from 1982, it is representative of the commercial development of Crows Nest along Lane Cove Road which is now the Pacific Highway. The original 1924 design by prominent architect Eric Apperly of architects Wright & Apperly, was later expanded sympathetically to the west in 1957 as well as a 1965 modernist addition in the Post-War International style, both by architect Robert Saunderson Hamilton, forming a complete picture of the site's long tenure as a bank branch.</i>

Vicinity Heritage Item	Established Statement of Significance
<i>Former National Australia Bank, 308 Pacific Highway, Crows Nest, item: #I0152.</i>	<i>An example of a two storey rendered masonry commercial building on a prominent corner site with plainly detailed elevations. An important streetscape item as a part of a major intersection with a cohesive group of interwar commercial buildings on each corner. Of the five corner buildings, this is the earliest, though it has had its characteristic detailing modified. Continuous use as a bank since construction.</i>
<i>Willoughby House, former OJ Williams store, 429 Pacific Highway, Crows Nest, item: #I0172.</i>	<i>Dramatic and imposing commercial building on an important corner of a major intersection which is characterised by buildings of similar period and materials. A fine example of the Interwar Functionalist style and an early example of a large regional department store. It is the work of prominent local architect Rupert Villiers Minnett, whose firm had its office nearby.</i>
<i>Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest, item: #I0181.</i>	<i>Interesting large urban Inter-War hotel on an important intersection which has buildings similar in materials, form, style and period on each corner. A good example of the Inter-War Mediterranean style from the early twentieth century, it has powerfully detailed elevations with Egyptian revival details set on a prominent corner site. It is an important local hotel.</i>
<i>Shop Group, 312-322 Pacific Highway, items: #I0153, #I0154, #I0155, #I0156, #I0157, #I0158.</i>	<i>A good and well detailed example of a two storey, rendered masonry commercial building with residences to the first floor that was built as a row of seven and that forms a streetscape of high quality.</i>
<i>Crows Nest Fire Station, 99 Shirley Road, Crows Nest, item: #I0173.</i>	<i>Important district fire station. One of the last fire stations to be built to the design of the Government Architect and one of a group of fire stations of similar architectural style and arrangement. A fine example of the Arts and Crafts style in a public utility context.</i>
<i>Uniting Church, 122 Shirley Road, Wollstonecraft, item: #I1114.</i>	<i>Significant local church in original condition. Interesting interpretation of the Gothic idiom from the Federation period. The interior is also of significance.</i>
<i>North Sydney Bus Shelters, Various throughout the North Sydney LGA, item: #I0407.</i>	<i>Small and effective functional buildings of handsome design and good workmanship. They are traditional and conservative in form and detail and designed to their varied locations. Historic</i>

Vicinity Heritage Item	Established Statement of Significance
	<i>interest as elements of a particular and controversial attempt at Municipal civic design.</i>
<i>Former Church of Christ, 69 Falcon Street, Crows Nest, item: #I0143.</i>	<i>Interesting example of an inter-war small church for a minority christian group. Contrasts the buildings and churches of the mainstream christian groups and important reminder of the diversity of beliefs present throughout the area's development. Provides evidence of the size, philosophy and activity of the church and its adherents. An interesting example of a two storey brick church in the Inter War Gothic style that has been built on a residential subdivision for a minority church. The interior is also of significance as the main volume of the church is still evident although having been adapted for residential use.</i>
<i>North Sydney Girls' High School, 365 Pacific Highway, Crows Nest, item: #I0165.</i>	<i>Important local school with significant place in the historical development of public education on the North Shore. Substantial and relatively intact building in the Federation Free style constructed in three periods from 1912-1922. Local and regional significance for former and current pupils and staff. Buildings are representative of period school architecture and philosophy.</i>
<i>Holtermann Estate C Heritage Conservation Area (CA09)</i>	<i>The Holtermann Estate C Conservation Area is significant:</i> <i>(a) For its late 19th and early 20th century residential character that is characterised by single storey, detached and semi-detached dwelling houses of modest scale in a mixture of late Victorian and early Federation styles.</i> <i>(b) As an area that represents the working-class residential development of North Sydney at the turn of the century.</i>
<i>Holtermann Estate B Heritage Conservation Area (CA08)</i>	<i>The Holtermann Estate B Conservation Area is significant:</i> <i>(a) As a late 19th century subdivision for speculative housing.</i> <i>(b) For its regular grid of streets, rear lanes and cross lanes.</i> <i>(c) For its consistent late 19th and early 20th century residential character and the unity of its low scale built form that derives from its regular grid subdivision pattern and its single storey, detached</i>

Vicinity Heritage Item	Established Statement of Significance
	<i>and attached dwelling houses in a mixture of late Victorian and early Federation styles.</i>

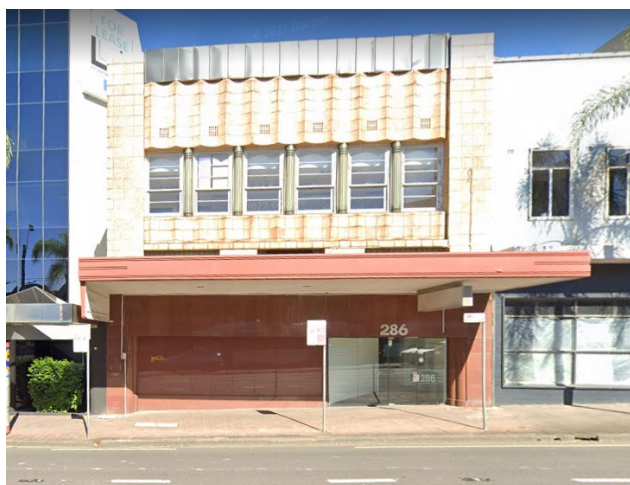


Figure 54 - Former North Shore Gas Co Office, 286-288 Pacific Highway, Crows Nest, item: #I0150.

Source: Google Maps, 2023



Figure 55 - Bank, 306 Pacific Highway, Crows Nest, item: #I0151.

Source: Google Maps, 2023



Figure 56 - Former National Australia Bank, 308 Pacific Highway, Crows Nest, item: #I0152.

Source: Google Maps, 2023



Figure 57 - Willoughby House, former OJ Williams store, 429 Pacific Highway, Crows Nest, item: #I0172.

Source: State Heritage Inventory



Figure 58 - *Crows Nest Hotel*, 1-3 Willoughby Road, Crows Nest, item: #I0181.

Source: Google Maps, 2023



Figure 59 - *Shop Group*, 312-322 Pacific Highway, items: #I0153, #I0154, #I0155, #I0156, #I0157, #I0158.

Source: Google Maps, 2023



Figure 60 - *Crows Nest Fire Station*, 99 Shirley Road, Crows Nest, item: #I0173.

Source: Google Maps, 2023



Figure 61 - *Uniting Church*, 122 Shirley Road, Wollstonecraft, item: #I1114.

Source: Google Maps, 2023



Figure 62 - *Former Hall*, 14 Hayberry Street, Crows Nest, item: #I0144.

Source: Google Maps, 2023



Figure 63 - *House*, 18 David Street, Crows Nest, item: #I0142.

Source: Google Maps, 2023



Figure 64 - *North Sydney Bus Shelters*, Various throughout the North Sydney LGA, item: #I0407.

Source: Google Maps, 2023



Figure 65 - *Former Church of Christ*, 69 Falcon Street, Crows Nest, item: #I0143.

Source: Google Maps, 2023



Figure 66 - *North Sydney Girls' High School*, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest, item: #I0165.

Source: Google Maps, 2023



Figure 67 - View southwest to 21 Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance. Similar distant views are possible to the proposed development.

Source: Urbis, January 2020



Figure 68 - Former Hall, located at 14 Hayberry Street, Crows Nest, is a heritage item located east of the subject site within the Holtermann Estate C HCA.

Source: Urbis, January 2020



Figure 69 - Former Hall, located at 14 Hayberry Street, Crows Nest, is a heritage item located east of the subject site within the Holtermann Estate C HCA. The proposed development may be visible in the background when viewing the heritage item from the east on the lower gradient of Hayberry Street within the HCA.

Source: Urbis, January 2020



Figure 70 - View south along Alexander Lane from Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance.

Source: Urbis, January 2020



Figure 71 - View southwest to 21 Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance. Similar distant views are possible to the proposed development.

Source: Urbis, January 2020



Figure 72 - View south to flat building at 21A Hayberry Street within the HCA showing the high-rise development on Pacific Hwy in the distance. This property may have similar distant views to the proposed development.

Source: Urbis, January 2020



Figure 73 - Views looking northwest from in front of 22 Hayberry Street looking towards the side elevation of the former hall, a heritage item. There are likely to be distant views to the proposed development visible above the roof tops.

Source: Urbis, January 2020



Figure 74 - View northwest from within Hayberry Street, within the HCA, looking in the general direction of the proposed development. There is considerable screening from mature street plantings.

Source: Urbis, January 2020



Figure 75 - Nos. 30 and 32 Hayberry Street, is a semi-detached contributory item within the HCA, located opposite a heritage item, and looks at an existing high rise development in the distance on the Pacific Highway.

Source: Urbis, January 2020



Figure 76 - House at 18 David Street, is a heritage item within the Holtermann Estate C HCA showing an existing high-rise development located in the background. It is possible the proposed development will be visible in the distance to the northwest of the principal entry.

Source: Urbis, January 2020



Figure 77 - House at 18 David Street, is a heritage item within the Holtermann Estate C HCA.

Source: Urbis, January 2020



Figure 78 - Single-storey dwellings in Burlington Street, within the Holtermann Estate B HCA.

Source: Urbis, January 2020



Figure 79 - Single-storey dwellings in Burlington Street, within the Holtermann Estate B HCA.

Source: Urbis, January 2020



Figure 80 - View from Burlington Street in the direction of the proposed development. The proposed development is likely to be visible in the distance.

Source: Urbis, January 2020



Figure 81 - View looking south down Alexander Lane, on the perimeter of the Holtermann Estate B HCA showing recent high-rise development in the distance.

Source: Urbis, January 2020

5.3. SIGNIFICANCE ASSESSMENT

There are generally four levels of heritage significance used in Australia: local significance, state significance, national significance and world significance. The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. To be considered for heritage listing for local significance, an item must meet at least one of the seven assessment criteria. To be considered for heritage listing for state significance, an item must meet at least two of the seven assessment criteria, or be considered by the Heritage Council of NSW to be of such particular significance under one criterion to warrant listing.

Urbis previously assessed the significance of the site as part of the previous HIS Planning Proposal (dated June 2020) and concluded that the site does not meet the requisite threshold for heritage listing.

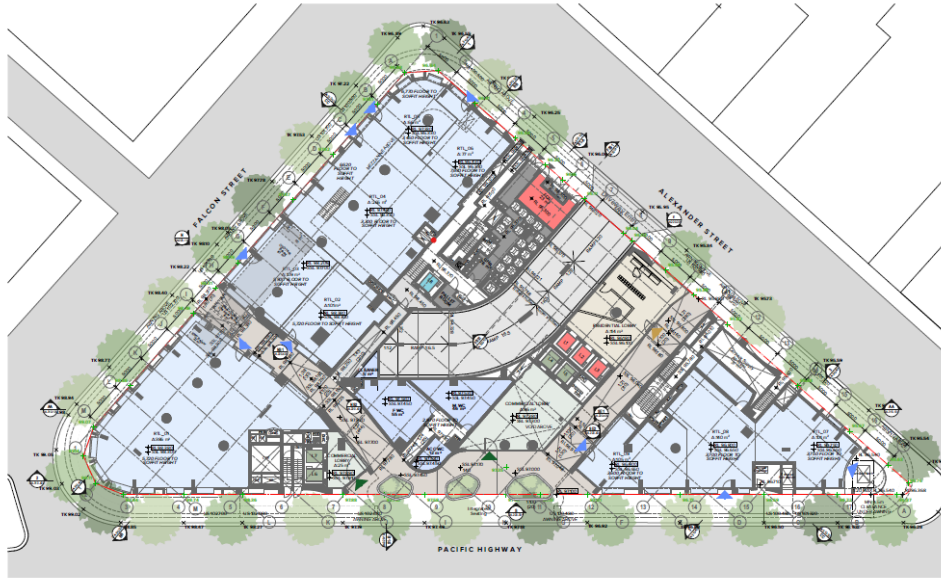


Figure 83 – Proposed Ground Floor.

Source: Turner, 2024.

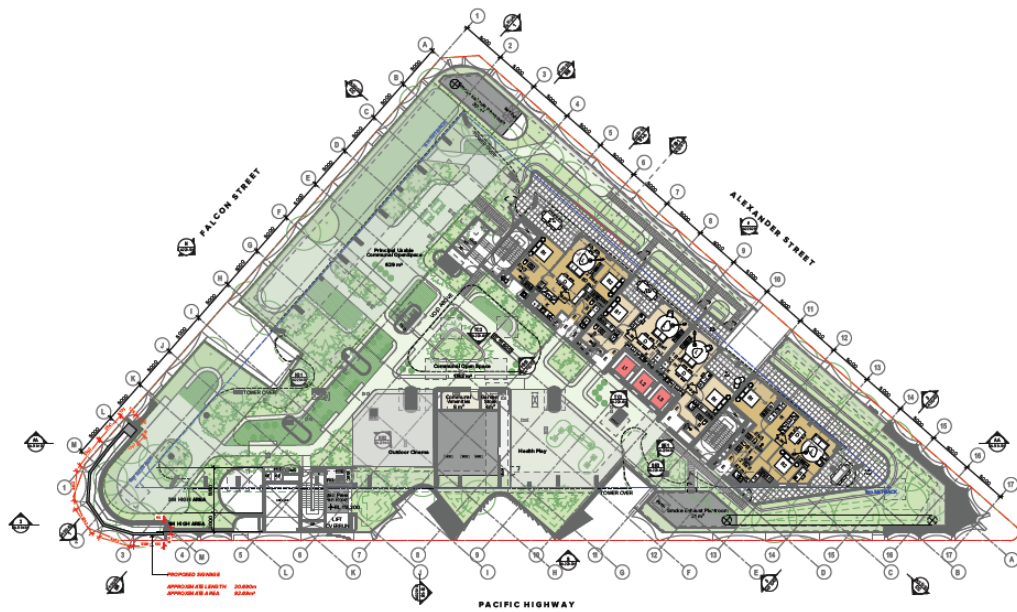


Figure 84 – Proposed Level 03.

Source: Turner, 2024.

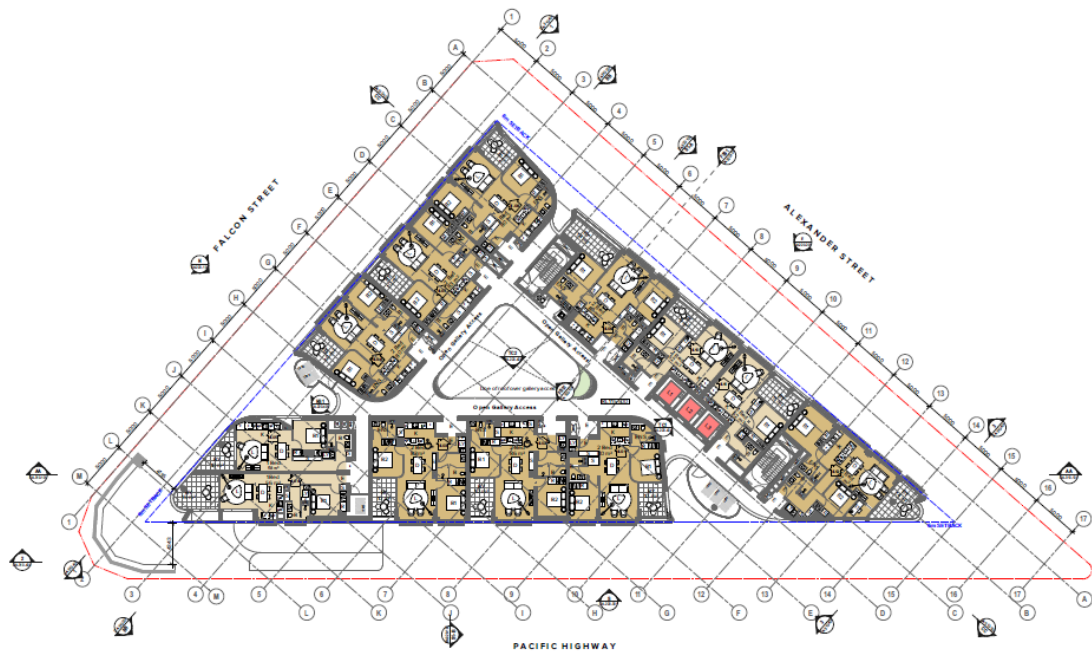


Figure 85 – Proposed Level 04.

Source: Turner, 2024.



Figure 86 – Proposed Level 16.

Source: Turner, 2024.

7. IMPACT ASSESSMENT

The following impact assessment has assessed the proposed works against the relevant provisions and controls of the Council's statutory and non-statutory planning controls as well as the Heritage NSW 'Statement of Heritage Impact' assessment guideline questions.

7.1. NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2013

The table below provides an impact assessment of the proposal against the relevant clause for heritage conservation in the North Sydney LEP 2013.

Table 7 - Impact assessment against the relevant clauses of the North Sydney LEP 2013

Clause	Response
(1) Objectives <i>The objectives of this clause are as follows:</i> <i>(a) to conserve the environmental heritage of the North Sydney,</i> <i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i> <i>(c) to conserve archaeological sites,</i> <i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance</i>	The proposed works are in line with the objectives set out in the North Sydney LEP 2013, as discussed below.
(4) Effect of proposed development on heritage significance <i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i>	A detailed heritage impact assessment has been undertaken in the following sections of this report. The proposed development has been assessed to have no negligible impact on the vicinity heritage items and vicinity heritage conservation areas.
(5) Heritage assessment <i>The consent authority may, before granting consent to any development:</i> <i>(a) on land on which a heritage item is located, or</i> <i>(b) on land that is within a heritage conservation area, or</i> <i>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</i>	This heritage impact statement has been prepared to assist the consent authority in their determination and to assess the potential heritage impacts of the proposed development on the vicinity heritage items and vicinity heritage conservation areas. This heritage impact statement satisfies the requirement under this clause.

Clause	Response
<i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i>	

7.2. NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

The table below provides an impact assessment of the proposal against the relevant controls for heritage conservation in the North Sydney DCP 2013.

Table 8 - Impact assessment against the relevant controls of the North Sydney DCP 2013

Provision	Response
Section 13.4 P1. Respect and respond to the curtilage, setbacks, form, scale and style of the heritage item in the design and siting of new work.	All works are proposed within the established curtilage of the triangular corner block. There is no potential for the development to have any physical impact on the listed heritage curtilage of any proximate heritage item due to the established street separation. The works are proportionally articulated by the installation of a podium to break up the bulk and sale of the building. The ground floor commercial tenancies adopt a human scale presentation to the streetscape. This serves to mitigate the apparent bulk of the development and the increased scale of the high-rise apartments. The scale of the new building is in accordance with the approved planning proposal and the amended planning controls that facilitated.
P2. Maintain significant public domain views to and from the heritage item.	Changes to significant views to and from the proximate items is in accordance with the approved planning proposal and the amended planning controls that facilitated.
P3. Ensure compatibility with the orientation and alignment of the heritage item.	The proximate heritage items are well distanced from the site with street separation. As the proposed building envelope is an irregular shape, orientation is negligible as the proposed development will comprise the entirety of the triangular corner block and will retain the orientation of the existing lot curtilage.
P4. Provide an adequate area around the heritage item to allow for its interpretation.	As above. The proposed development is distanced to the proximate heritage items by street separation

Provision	Response
	as such, they will retain their existing listed and legal curtilage.
P5. Retain original or significant landscape features that are associated with the heritage item or that contribute to its setting.	There are no landscape features on the subject site which have been identified to contribute to the significance of the proximate heritage items.
P6. Protect and allow interpretation of archaeological features (as appropriate and relevant).	A preliminary archaeological assessment has been undertaken as part of this report (refer to Section 4).

Table 9 - Assessment against the North Sydney DCP 2013

Control	Response
Part 3 - Area Character Statements, 3.2 Crows Nest Town Centre 3.2.2 Desired Future Character Diversity of activities, facilities, opportunities and services P2. Remainder of the Centre medium rise, mixed use development, boundary to boundary, with setbacks at laneway, public spaces and above podium - shops at ground level, non-residential/residential on first floor, residential above. P3. Medium density residential development along Falcon Street.	Given the overall size of the Five Ways Crows Nest site, the subject site has been identified as having attributes appropriate to accommodate a tall building. The proposed development is set well back from the Five Ways corner, and adapts a sensitive heritage approach which allows for the podium to act as a transition between the lower scale of the heritage listed building (ranging from 2 to four storeys) at the intersection.
Area Character Statements, 3.2 Crows Nest Town Centre 3.2.3 Desired Built Form Subdivision P1. Maintain a 10m - 15m frontage (consistent with two storey parapet shopfront scale), especially along Willoughby Road and Alexander Street. P2. Frontages of sites larger than this have their apparent width broken down with detailing and design features	The proposed street frontages on the subject site will take up the extent of the corner block. The proposed development on the Five Ways Crows Nest site has a 3 storey podium which has houses individual tenancies with street frontages. This approach helps to provide fine-grain detailing within the podium street frontage and creates a smaller scale detailing to minimise bulk associated with a single form building design. Additionally, the design of the development has been broken down by designing the proposed podium by introducing "laneways" within the block that connect with existing lanes along the local subdivision patterns of Alexander Street. This approach mitigates issues associated with bulk and scale.

Control	Response
Part 3 - Area Character Statements, 3.2 Crows Nest Town Centre Setbacks P3. Zero setback to all street frontages P4. A 1.5m setback to all laneways	The proposed development has a zero setback on the three street frontages of Pacific Highway, Falcon Street and Alexander Street and is consistent with the North Sydney LEP 2013.
Part 3 - Area Character Statements, 3.2 Crows Nest Town Centre Podiums P5. A podium of 13m (4 storey) to all streets with a setback of 3m above the podium level, with the following exceptions: (a) A podium of 13m (4 storey) with a weighted average setback of 4m above the podium level to: (ii) the triangular street block bounded by Falcon Street, Alexander Street and the Pacific Highway.	The proposed podium provides a wall height that compliments the adjacent sites, including heritage items in close proximity. In addition, the tower over the podium has a generous setback to allow for a roof top community space that overlooks the intersection. This is a sympathetic approach for the proposed development close to a number of heritage items around the perimeter of the iconic intersection. The proposed podium height and setback provide a suitable transition in height to the village scale character of the immediate locality, including Willoughby Road.
Part 3 - Area Character Statements, 3.2 Crows Nest Town Centre Building design P6. Consistent parapet facade heights are provided along Willoughby Road and the Pacific Highway. P7. Off street car parking must be provided underground except when owned and operated by Council as a public car park	The proposed podium provides a wall height that compliments the adjacent heritage sites, including heritage items in close proximity. The proposed development will have a 6 storey basement to accommodate vehicle and bike parking underground, fully consolidated within the proposed boundary curtilage
Part 3 - Area Character Statements, 3.2 Crows Nest Town Centre Noise P8. Elevations of buildings fronting Falcon Street and Pacific Highway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).	The fine-grained details of the proposed elevations are compliant with this control.

7.3. HERITAGE NSW GUIDELINES

The table below provides an impact assessment of the proposal against the relevant questions posed in Heritage NSW's (former Heritage Office/Heritage Division) 'Statement of Heritage Impact' guidelines.

Table 10 - Impact assessment against the relevant Heritage NSW Guideline Considerations

Provision	Response
<i>Will the proposed works be the best conservation solution for the heritage item?</i>	N/A the subject site comprised no items of identified heritage significance.
<i>Will the works promote the ongoing use and upkeep of the item?</i>	As above.
<i>Do the proposed works include removal of unsympathetic alterations and additions? How does this benefit or impact the heritage item and its significance?</i>	As above.
<i>Do the proposed works affect the setting of the heritage item, including views and vistas to and from the heritage item and/or a cultural landscape in which it is sited? Can the impacts be avoided and/or mitigated?</i>	As above.
Demolition of a building or structure <i>Have all options for retention and adaptive re-use been explored?</i> <i>Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?</i> <i>Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?</i> <i>Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?</i>	The buildings on the subject site, identified as Five Ways Crows Nest, are not listed as heritage items. The subject site is not located with a heritage conservation area. The commercial buildings located on the subject site are in good to fair condition but contain fabric of insignificance. The works are in accordance with the approved planning proposal and the amended planning controls that facilitated.
Works adjacent to a heritage item or within the heritage conservation area (listed on an LEP) <i>Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?</i> <i>Will the proposed works affect views to, and from, the Interpretation heritage item? If yes, how will the impact be mitigated?</i> <i>Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?</i>	The proposed development is located at a sensitive intersection that has a high degree of heritage significance. The subject site is located in close proximity to several heritage items of local significance identified under Schedule 5 of the Noth Sydney LEP 2013. The proposed works step in height creating a transition between the proposed works and the neighbouring heritage items. The podium has been broken down into a variety of building elements that integrate with the "village"

Provision	Response
	character and produces a number of building structure(s) into the existing context. One proposed building will relate to the Five Ways intersection and other buildings that relate to the Alexander Street and Falcon Street interface. The proposed tower envelope has been designed set back from the corners of the podium to ensure there is a transition between the heritage items in close proximity and the proposed residential tower structure. The proposal will have no physical impact on the heritage items in the vicinity and proximate heritage conservation areas

8. CONCLUSION AND RECOMMENDATIONS

A detailed impact assessment of the proposed works has been undertaken in Section 7 of this report. The proposed development has been assessed to have no adverse impact on the heritage items and Heritage Conservation Areas in the vicinity. Key aspects of the proposal assessment are listed below:

- All works are proposed within the established curtilage of the triangular corner block. There is no potential for the development to have any physical impact on the listed heritage curtilage of any proximate heritage items due to the established street separation.
- The scale of the new building is in accordance with the approved planning proposal and the amended planning controls that facilitated. Additionally, the proposal articulates a stepped height rhythm establishing a transition between the proposed works and the neighbouring heritage items.
- The proposed development has a 3-storey podium which accommodates individual tenancies with street frontages. This approach helps to provide fine-grain detailing within the podium street frontage and creates a smaller scale detailing to minimise bulk associated with a single form building design.
- The tower over the podium has a setback and provides roof top community garden that overlooks the intersection.
- Additionally, the design of the development has been broken down by designing the proposed podium by introducing “laneways” within the block that connect with existing lanes along the local subdivision patterns. This approach mitigates issues associated with bulk and scale.
- The ground floor commercial tenancies adopt a human scale presentation to the streetscape whilst the tower over the podium has a generous setback to allow for a roof top community garden that overlooks the intersection. This is a sympathetic approach for the proposed development close to a number of heritage items around the perimeter of the intersection.

For the reasons stated above, the proposed works are recommended for approval from a heritage perspective.

9. BIBLIOGRAPHY & REFERENCES

Apperly, R., Irving, R. and Reynolds, P. (eds) 2002, A Pictorial Guide to Identifying Australian Architecture: Styles and Terms from 1788 to the Present, Angus and Robertson, Pymble.

Australia ICOMOS 1999, The Burra Charter: 2013 The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS, Burwood.

Environment and Heritage, and NSW Department of Planning and Environment 2023, Assessing heritage significance Guidelines for assessing places and objects against the Heritage Council of NSW criteria, Parramatta.

Environment and Heritage, and NSW Department of Planning and Environment 2023, Guidelines for preparing a statement of heritage impact, Parramatta.

Heritage Office and Department of Urban Affairs & Planning 1996, NSW Heritage Manual, Heritage Office and Department of Urban Affairs & Planning (NSW), Sydney.

Heritage Office 2001, Assessing Heritage Significance, Heritage Office, Parramatta.

NSW Government (2021) Investigating Heritage Significance: A guide to identifying and examining heritage items in NSW, NSW Government through the Heritage Council of NSW.

NSW Government SIX Maps (Spatial Information Exchange), available at <https://maps.six.nsw.gov.au/>.

NSW Planning Portal ePlanning Spatial Viewer, available at <https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address>.

[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

DISCLAIMER

This report is dated 18 March 2024 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Deicorp (**Instructing Party**) for the purpose of Heritage Consultancy Services (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

