

5 June 2026

Department of Planning, Housing and Infrastructure  
Locked Bag 5022  
Parramatta NSW 2124

To whom it may concern,

## Historical Archaeological Advice Letter – 815 Pacific Highway, Chatswood

We refer to the proposed redevelopment of 815 Pacific Highway, Chatswood, for which approval is sought under State Significant Development Application SSD-87033962.

### 1 Introduction

815 Pacific Highway Pty Ltd ('the Proponent') is proposing the redevelopment of 815 Pacific Highway, Chatswood, NSW, legally described as Lot 1/DP547585 ('the subject area'), (Figure 1), for the construction of a new multi-storey mixed-use development, comprising of shop-top housing above commercial and retail premises, with basement carparking.

The subject area is located approximately 8.5 km northwest of the Sydney CBD, within the Willoughby Local Government Area.

Approval for the proposed development is being sought via State Significant Development Application SSD-87033962 under Division 4.7 of the *Environmental Planning and Assessment Act 1979* (NSW). Please note that per Section 4.41 (formerly s 89J) of the *EP&A Act 1979*, the approval pathways provided by the *Heritage Act 1977* are silenced, however the remainder of the Act applies as with the guidelines for its implementation.

The Planning Secretary's Environmental Assessment Requirements (SEARs) for Housing were issued for SSD-87033962 on 30 July 2025. Item 23 of the SEARs specifies the following requirement in relation to historical heritage:

*Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.*

This Historical Archaeological Advice Letter has been prepared to provide a preliminary overview of the subject site's statutory context, collate visual evidence of the site's historic development sequence, and identify the likelihood of historical archaeological resources being present on the subject site that may be impacted by the proposed development.

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## **Authorship**

This advice letter has been prepared by Meghan Yensch (Assistant) with review and quality control undertaken by Ali Byrne (Associate Director).



Figure 1 Site location

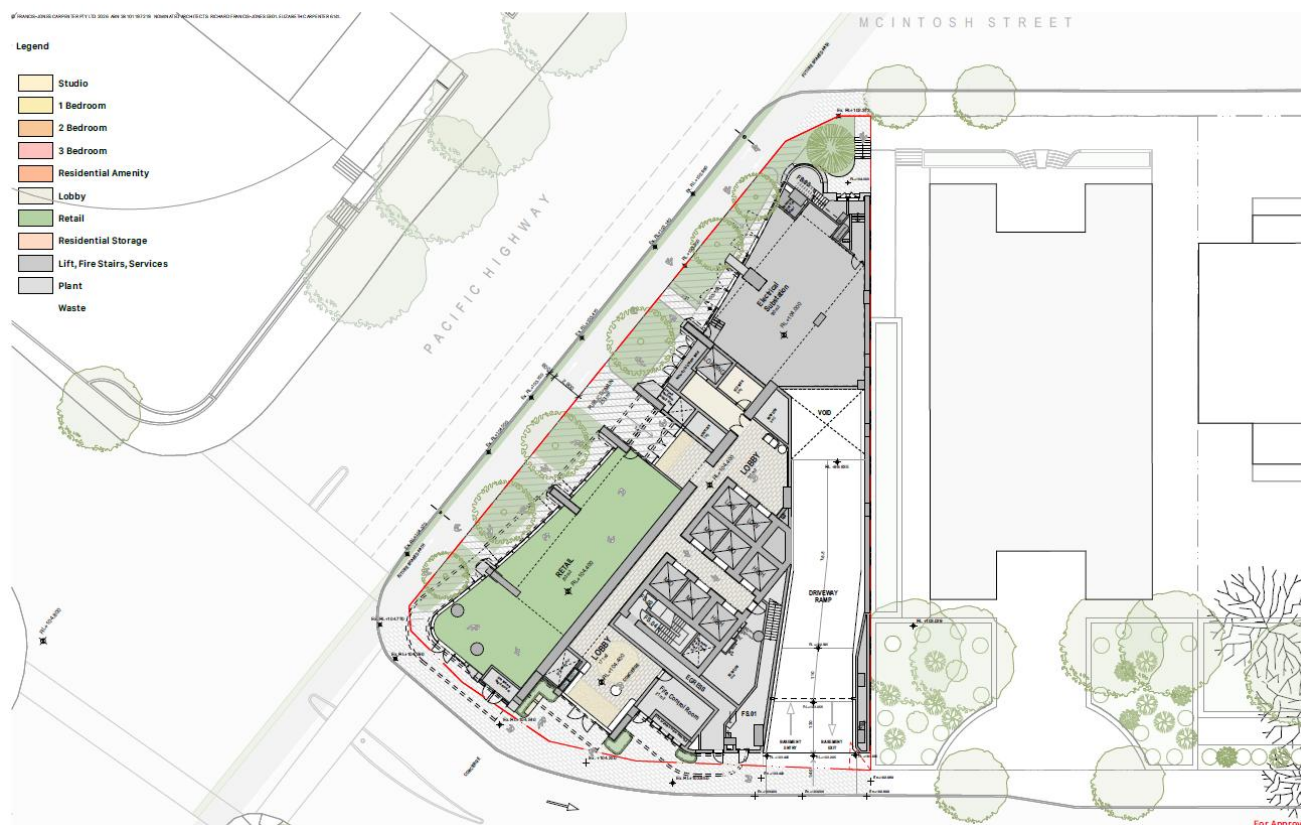


Figure 2 Proposed development plan – ground floor  
Source: fjcstudio, Rev 02, 12/5/2026

## 2 Summary of Statutory Context

### National Legislation

In 2004, a new Commonwealth heritage management system was introduced under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The National Heritage List (NHL) was established to protect places that have outstanding value to the nation. The Commonwealth Heritage List (CHL) was established to protect items and places owned or managed by Commonwealth agencies. The Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the NHL or CHL.

| National Legislation       | Item Description | Item Number/Reference |
|----------------------------|------------------|-----------------------|
| Commonwealth Heritage List | N/A              | N/A                   |
| National Heritage List     | N/A              | N/A                   |

### State Legislation

The *NSW Heritage Act 1977* (the *Heritage Act*) provides protection to items of environmental heritage in NSW. Heritage items protected under the *Heritage Act* include places, buildings, works, relics, moveable objects and precincts identified as significant based on historical, social, aesthetic, scientific, archaeological, architectural, cultural or natural values.

State significant items are listed on the NSW State Heritage Register (SHR) and are given automatic protection under the *Heritage Act* against any activities that may damage an item or affect its heritage significance.

Section 4(1) 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.*

Therefore, any physical evidence of past human activity can be considered an archaeological resource, even very recent structures and objects. However, not all archaeological resources reach the threshold for local or State significance under the *Heritage Act 1977* and are thus considered a 'relic.'

The NSW State Heritage Register is an official list of places and objects with heritage significance to NSW. Managed under the *Heritage Act 1977*, it protects historic buildings, archaeological sites, landscapes and relics to ensure they are legally protected and appropriately managed for future generations. Items of significance to the State of NSW are listed on the NSW State Heritage Register (SHR) under Section 60 of the *Heritage Act 1977*.

Unlisted or unexpected historical 'relics' are protected under Part 6, Division 9 of the *Heritage Act 1977*.

The *Heritage Act 1977* requires government agencies to identify and manage heritage assets in their ownership and control. Under Section 170 of the *Heritage Act*, Government agencies must keep a register which includes all local and State listed items or items which may be subject to an interim heritage order that are owned, occupied or managed by that Government body.

Local Environmental Plans (LEPs)/ State Environmental Planning Policies (SEPPs) are developed under the *Environmental Planning and Assessment Act 1979* (EP&A Act) and can contain individual heritage items, heritage conservation areas and known archaeological items.

| State Legislation                      | Item Description | Item Number/Reference |
|----------------------------------------|------------------|-----------------------|
| State Heritage Register                | N/A              | N/A                   |
| State Heritage Inventory               | N/A              | N/A                   |
| S170 Register                          | N/A              | N/A                   |
| Willoughby Local Environment Plan 2012 | N/A              | N/A                   |

### 3 Summary of Historic Development

The historical context of an area provides the basis for assessing what may be retained in the ground as archaeological material. The following is an overview of the subject area provided in the Aboriginal Cultural Heritage Assessment undertaken for the project:<sup>1</sup>

*The land on which the present subject area is situated was granted to Isaac Nichols (b. 1770 – d. 1819) as two separate parcels of land in 1805 and 1810 (Figure 3). During this period this land was likely subject to farming activities including grazing and suffered unauthorised timber getting by locals (The Sydney Gazette and New South Wales Advertiser, 1806). The paucity of historical documentation may reflect the insubstantial usage of the land at this time.*

*The mid-19th century was characterised by agricultural activities and the clearance of vegetation following the purchase of Isaac Nichols' estate by real estate speculator and Willoughby's first mayor, Richard Hayes Harnett (b.1819 – d.1902) in 1881. The blue gum forest which covered the estate, was subsequently cleared for farming and grazing by the early 20th century. Whilst difficult to ascertain the original usage of the present study area without sufficient historical documentation or maps, it is likely the land was subject to agricultural practices and/or the clearance of bushland that involved partially invasive ground disturbing activities of shallow topsoils (A1 and A2 Horizons).*

*As early as 1891, historical maps document the subdivision of the surrounding allotments east and south of the present subject area bounded by Gordon Rd (present Pacific Highway), Help St, McIntosh St, and Railway St. Whilst early maps document rapid residential growth within the region, the subject area itself remained a historical obscurity until its subsequent subdivision into 5 separate lots in 1912 (Figure 4). The northern portion of the subject area appears to be excluded from this subdivision, including that of an existing shop front in the north-western section of the site. Aerial imagery from as early as 1943 demonstrates the changing nature of the subject area including its residential character with the addition of dwellings upon lot 1, 2, and 4 as well as the replacement of the extant shop with a dwelling into lot 6 (Figure 5). The final addition to the subject area preceding the demolition of the entirety of the site in 1970 (Figure 7) was a new dwelling on lot 3 in 1965 (Figure 6). Aerial photography from 1978 reveals the extant residential and commercial high rise within the subject area (Figure 8 & Figure 9).*

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<sup>1</sup> Urbis 2024, Aboriginal Cultural Heritage Assessment, 815 Pacific Highway Chatswood



Figure 3 - Extract of undated Parish map of Willoughby (Approximate location of subject area identified with arrow).  
Source: Land and Property Information, A.O. Map 6205.

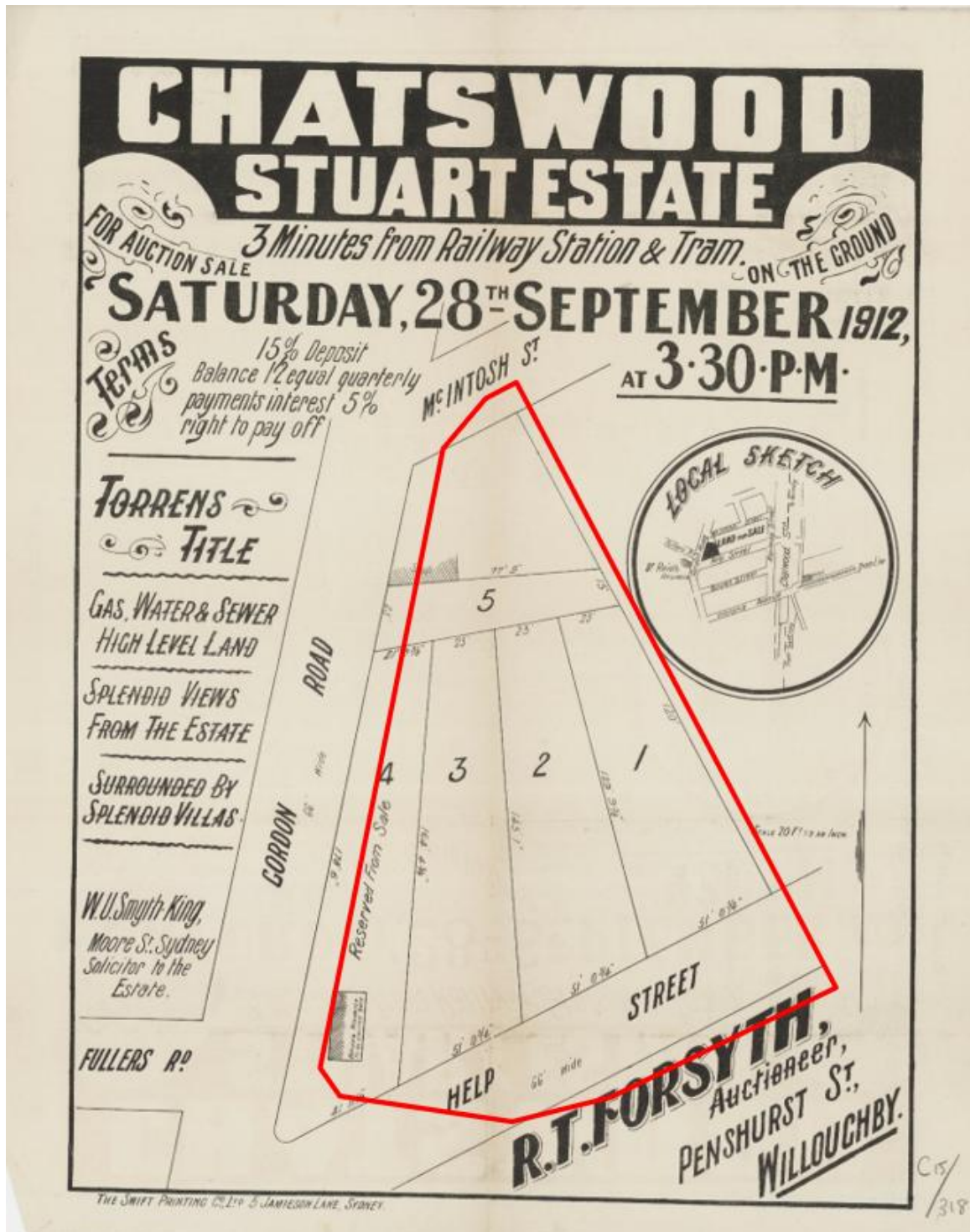


Figure 4 – Subdivision plans of the subject area (red outline), 1912.

Source: NSW State Library, Z/SP/C15/318.



Figure 5 – Aerial image of subject area (red outline), 1943.  
Source: NSW Government, Historical Imagery Viewer.



Figure 6 – Aerial image of subject area (red outline), 1965.  
Source: NSW Government, Historical Imagery Viewer.



Figure 7 - Aerial image of subject area (red outline), 1971, with all houses demolished.  
Source: NSW Government, Historical Imagery Viewer.



Figure 8 - Aerial image of subject area (red outline), 1978, with extant building.  
Source: NSW Government, Historical Imagery Viewer.



Figure 9 – Aerial image of subject area (red outline), 2024.

Source: Six Maps.

## 4 Potential for Archaeological Resources

From the historical overview presented in above, it is clear that development of the subject area in the 1970s to provide the extant multi-storey building would have likely removed archaeological features.

It is further apparent that little development of the subject area occurred prior to the early 20<sup>th</sup> century. Any archaeological material retained within the subject area is likely to date to after that time, which is at least a century after settlement of the Chatswood area in the first decade of the 1800s. Furthermore, it is unlikely that any information could be gained from such material that could not otherwise be gleaned from historical records. Any archaeological material within the subject area is therefore unlikely to meet threshold requirements for heritage significance.

## 5 Conclusions

The above findings are summarised as follows:

- There are no listed archaeological items have been identified within the subject that are protected under the *EPBC Act 1974* or *Heritage Act 1977*.
- Historic plans indicate that the subject area was first developed in the early 20<sup>th</sup> century, with the construction of the extant multi-storey building during the 1970s likely removing any earlier archaeological resources.
- Potential historical archaeological resources are unlikely to survive in the subject area.
- Consequently, the works proposed works under SSD-87033962 are unlikely to impact any relevant historical archaeological resources.
- A Historical Archaeological Assessment is therefore considered unnecessary for SSD-87033962, subject to the unexpected finds and human remains procedures outlined below being implemented during the proposed works.

## 6 Mitigation Measures

In view of the foregoing, it is recommended the following procedures be implemented to mitigate impacts to archaeological resources in the unlikely event that any such resources are encountered during the works proposed under SSD-87033962.

### Unexpected Archaeological Find Procedure

In the unlikely event that any potential archaeological resources are uncovered during any site works, the following must be undertaken:

1. All works within the vicinity of the find must immediately stop. The find location and minimum 2m buffer should be cordoned off with signage identifying the area as a 'no-go zone' to prevent accidental impact. The find must not be moved 'out of the way' without assessment.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Heritage NSW should be notified of the find through a Section 146 notification. Such management may require further consultation with the approval authority, preparation of a research design and archaeological investigation/salvage methodology.
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject site may be required and further archaeological investigation undertaken.
5. Reporting may need to be prepared regarding the find and approved management strategies.
6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

### Human Remains Procedure

In the unlikely event that human remains are uncovered during any site works, the following must be undertaken:

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds.
2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
4. Management recommendations are to be formulated by the NSW Police and Heritage NSW.
5. Works are not to recommence until the find has been appropriately managed.

## 7 References

1806 'Classified Advertising', The Sydney Gazette and New South Wales Advertiser (NSW: 1803 – 1842), 14 September, p. 3., viewed 01 Aug 2024, <http://nla.gov.au/nla.news-article627288>

Egan. V., (1988), "The Heritage of East Chatswood", Management Development Publishers PTY LTD, Sydney, pp. 14–27.

McMartin. A., (2006) "Nichols, Isaac (1770–1819)," Australian Dictionary of Biography, National Centre of Biography, Australian National University, accessed 11th September 2024, <http://adb.anu.edu.au/biography/nichols-isaac-2507>