

# HERITAGE IMPACT STATEMENT

270 Pacific Highway, Crows Nest



AUGUST 2021

Cover Image: 270 Pacific Highway, Crows Nest (Source: NBRSARCHITECTURE 2020)

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# HERITAGE IMPACT STATEMENT FOR 270 PACIFIC HIGHWAY, CROWS NEST

## 1.0 INTRODUCTION

### 1.1 BACKGROUND

This Heritage Impact Statement has been prepared in accordance with the standard guidelines of the NSW Heritage Division to accompany an application for a Planning Proposal for the site at 270 Pacific Highway, Crows Nest.

The Planning Proposal seeks to amend the planning controls specified for the subject site in the *St Leonards and Crows Nest 2036 Plan*, to allow the following:

- A height limit of 13 storeys (13 storeys are permissible in the *2036 Plan*); and
- An FSR of 6.02:1 (5.6:1 is permissible in the *2036 Plan*).

Details of the development proposal have been prepared by Fitzpatrick and Partners.

The subject site is not listed as an item of local heritage significance, however it is located within the vicinity of a number of heritage listed items, as identified in Schedule 5 of the *North Sydney LEP 2013*, including the neighbouring site to the north (item I0150), the Holtermann Estate C Conservation Area (CA09) and a number of other listed items.

Accordingly, this Heritage Impact Statement reviews the Planning Proposal in terms of the relevant heritage provisions of the *North Sydney LEP 2013* and the requirements of the *North Sydney Development Control Plan (DCP) 2013*, and the Impact Assessment Criteria guidelines endorsed by the NSW Heritage Council.

### 1.2 METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the guidelines set out in the *Australia ICOMOS Charter for Places of Cultural Significance*, 2013, known as The Burra Charter, and the New South Wales Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) publication, NSW Heritage Manual.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of The Burra Charter. The NSW Heritage Manual explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

### 1.3 SITE LOCATION

The site is located on the western side of the Pacific Highway, south of its intersection with Falcon Street and Shirley Road, on a block bounded by the Pacific Highway to the east, Shirley Road to the north, Sinclair Street to the west and Bruce Street to the south. It is identified as SP 49574 by the NSW Land Registry Services (LRS).





Figure 1: Aerial map with the subject site outlined in red, highlighted in yellow, indicated by the red marker. (Source: NSW LRS, SIX Maps, [maps.six.nsw.gov.au](https://maps.six.nsw.gov.au))



Figure 2: Street map with the subject site outlined in red, highlighted in yellow, indicated by the red marker. (Source: NSW LRS, SIX Maps, [maps.six.nsw.gov.au](https://maps.six.nsw.gov.au))

#### **1.4 HERITAGE MANAGEMENT FRAMEWORK**

The subject site is not listed as an item of local heritage significance, however it is located within the vicinity of a number of heritage listed items, as identified in Schedule 5 of the *North Sydney LEP 2013*. These are listed in Section 4.0 of this report.

Other heritage listed items in the vicinity of the subject site are visually and physically separated from the site by intervening development, local topography, roadways and distance, and do not warrant assessment as part of this report.

#### **1.5 AUTHORSHIP**

This report was prepared by Sophie Bock, Senior Heritage Consultant and Christiane Moodie, Heritage Consultant, using research and a history written by Nicole Cama, Historian, all of **NBRS**ARCHITECTURE.

#### **1.6 LIMITATIONS**

This report is limited to the assessment of potential impacts on the European cultural heritage values of the site and does not include Aboriginal and Archaeological assessment. This report only addresses the relevant planning provisions that relate to heritage.

#### **1.7 COPYRIGHT**

Copyright of this report remains with the author, **NBRS**ARCHITECTURE. Unless otherwise noted, all images are by the author.

## 2.0 DOCUMENTARY EVIDENCE

### 2.1 ABORIGINAL HISTORY

The Cammeraygal (Gammeraigal) people are the traditional custodians of the North Sydney local government area, including the suburb of Crows Nest. Historian, Ian Hoskins, notes their territory 'is now thought to extend from Cremorne in the east, to Woodford Bay in the west, and probably to Middle Harbour'.<sup>1</sup> The Wallumedegal clan was also found on Sydney's north shore; its territory likely extending from Lane Cove to Parramatta.<sup>2</sup>

The Cammeraygal, according to historian Grace Karskens, were noted for their 'strength, authority' and skills of their *karadji* (clever men).<sup>3</sup> One of the earliest mentions of the Cammeraygal clan appears in Governor Arthur Phillip's writings in 1790, and includes a reference to commonly held misconceptions around the structure of Sydney's Aboriginal groups as including a 'chief':<sup>4</sup>

About the north-west of this harbour there is a tribe which is mentioned as being very powerful, either from their numbers or the abilities of their chief. The district is called Cammerra; the head of the tribe is named Cammerragal....<sup>5</sup>

The deputy judge advocate, David Collins, also described them in 1798:

Of this last family or tribe we have heard Ben-nil-long [Woollarawarre Bennelong] and other natives speak (before we knew them ourselves) as of a very powerful people....We afterwards found them to be by far the most numerous tribe of any within our knowledge. It so happened, that they were also the most robust and muscular, and that among them were several of the people styled Car-rah-dy and Car-rah-di-gang [clever men]....<sup>6</sup>

The earliest radiocarbon dated material, discovered in today's Cammeray, provides evidence of Aboriginal presence in the area dating back 5,800 years. According to Hoskins the local government areas of Warringah, Willoughby, Lane Cove and North Sydney contain a combined 1,000 Aboriginal sites including middens, rock engravings, axe grinding grooves, carved trees and stone arrangements.<sup>7</sup>

### 2.2 THE BERRY ESTATE

The subject site is part of a 524-acre estate granted to the merchant, Edward Wollstonecraft, in 1821. The land comprised today's Wollstonecraft, Waverton and much of Crows Nest. On his estate he built Crows Nest Cottage in about 1821, which was among the first houses in the North Shore, and planted a garden and orchard. The cottage was demolished in about 1904-05 and the site now contains the Crows Nest Uniting Church on Shirley Road.<sup>8</sup>

<sup>1</sup> Ian Hoskins, *Aboriginal North Sydney*, Revised edition (North Sydney, NSW: North Sydney Council, 2019), 3, [https://www.northsydney.nsw.gov.au/Library\\_Databases/Heritage\\_Centre/Leaflets\\_Walks\\_Publications/Aboriginal\\_North\\_Sydney](https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Leaflets_Walks_Publications/Aboriginal_North_Sydney).

<sup>2</sup> Hoskins, 3; Arthur Phillip, 'Governor Phillip to Lord Sydney, 13 February 1790', in *Historical Records of New South Wales*, ed. Alexander Britton, vol. 1, Phillip 1783-1792 (Sydney, NSW: Charles Potter, Government Printer, 1892), 309.

<sup>3</sup> Grace Karskens, *The Colony: A History of Early Sydney* (Crows Nest, NSW: Allen & Unwin, 2010), 37; Grace Karskens, 'Manly Cove, Kai'yamay', *The Dictionary of Sydney*, 2015, [https://dictionaryofsydney.org/entry/manly\\_cove\\_kaiymay](https://dictionaryofsydney.org/entry/manly_cove_kaiymay).

<sup>4</sup> Hoskins, *Aboriginal North Sydney*, 3.

<sup>5</sup> Phillip, 'Governor Phillip to Lord Sydney, 13 February 1790', 309.

<sup>6</sup> David Collins, *An Account of the English Colony in New South Wales: With Remarks on the Dispositions, Customs, Manners, &c. of the Native Inhabitants of That Country*, vol. 1 (London, UK: Printed for T. Cadell Jun. and W. Davies, 1798), 546.

<sup>7</sup> Hoskins, *Aboriginal North Sydney*, 2 and 6.

<sup>8</sup> Ian Hoskins, 'Crows Nest Cottage', *At Home in North Sydney*, 2014, <https://www.athomeinnorthsydney.com.au/crows-nest-cottage.html>.

The Wollstonecraft Estate passed to Wollstonecraft's sister, Elizabeth Berry, in 1832 and then to her husband, Alexander Berry. Berry began selling parts of the estate from the 1830s. He then subdivided the land on the eastern part of the estate in 1853, which had become known as the Berry Estate.<sup>9</sup> After his death in 1873 the land passed to his brother, David Berry, and then after his death in 1889 to his cousin, John Hay.<sup>10</sup>



Figure 3: Crows Nest Cottage photographed prior to its demolition, 1904 (Source: State Library of NSW, SPF/387)

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<sup>9</sup> Ian Hoskins, "We Will See a Town Rising": A History of North Sydney', 10, [https://www.northsydney.nsw.gov.au/Library\\_Databases/Heritage\\_Centre/Leaflets\\_Walks\\_Publications/We\\_will\\_see\\_a\\_town\\_rising\\_A\\_history\\_of\\_North\\_Sydney](https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/Leaflets_Walks_Publications/We_will_see_a_town_rising_A_history_of_North_Sydney).

<sup>10</sup> Ian Hoskins, 'Waverton', The Dictionary of Sydney, 2010, <https://dictionaryofsydney.org/entry/waverton>; Ian Hoskins, 'Wollstonecraft/Berry Estate', 2014, <https://www.athomeinnorthsydney.com.au/berry-estate.html>; North Sydney Heritage Centre, 'From Land Grant to Subdivision: A Walking Tour of the Berry Estate, Wollstonecraft', North Sydney History Walk (North Sydney, NSW: North Sydney Council, n.d.), 2.



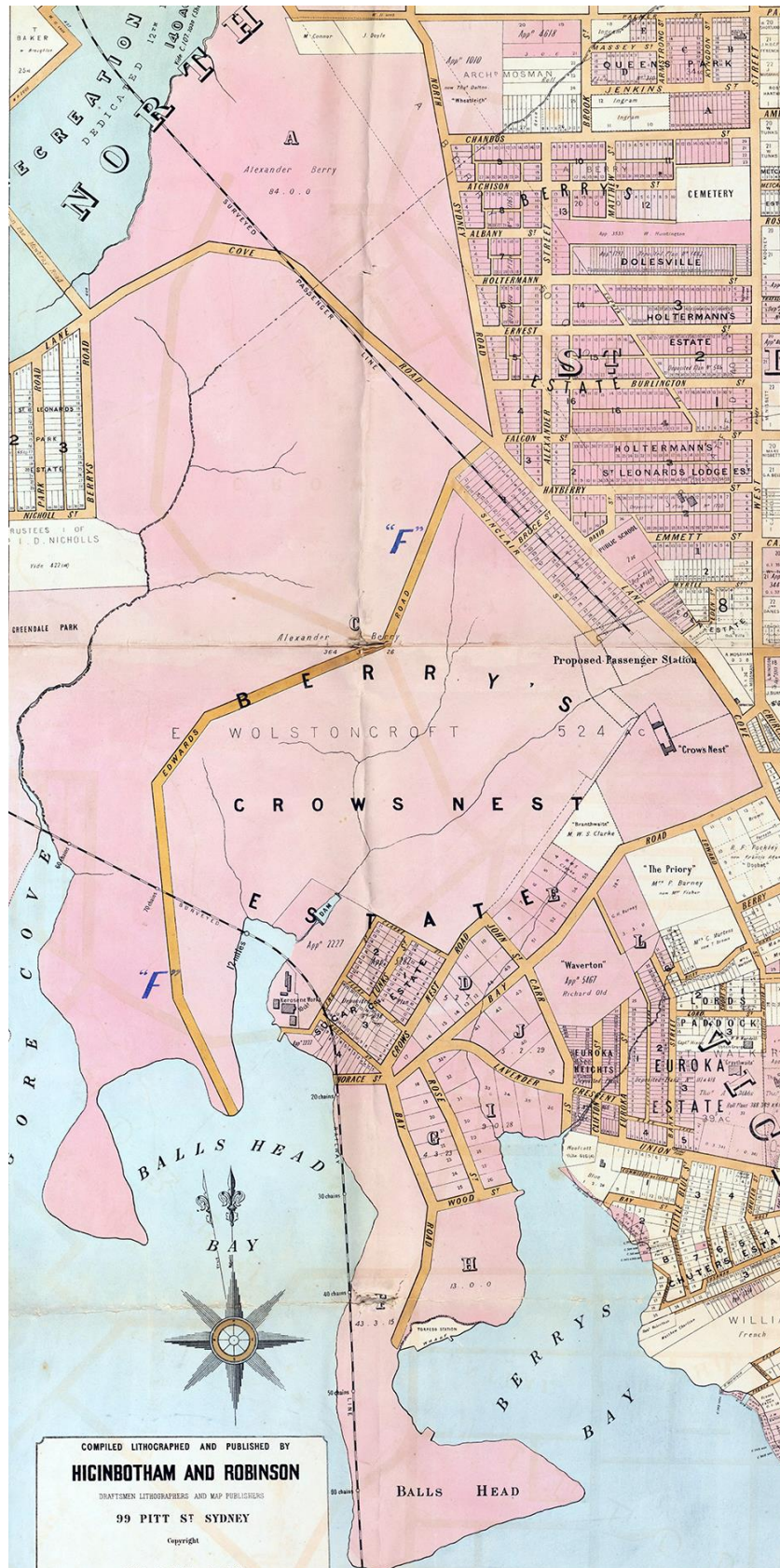


Figure 4: Detail from map of the Berry Estate, Higinbotham and Robinson, 1887 (Source: Stanton Library Historical Services via <https://www.athomeinnorthsydney.com.au/berry-estate.html>)



## 2.3 CROWS NEST SUBDIVISION

The subject site, 270 Pacific Highway, Crows Nest, formed part of the first subdivision of the Crows Nest Estate, a portion of the broader Berry Estate, first auctioned in November 1885. The subject site was contained in lots 6-11 and from 1961 the rear of lots 12-14 (DP 208275, Figure 11). According to the *Daily Telegraph* the sale realised £4,777 and 10 shillings.<sup>11</sup>



Figure 5: Berry's Estate subdivision plan showing the Crows Nest Estate subdivision first offered for sale in November 1885 (Source: State Library of NSW, SP/C34/19)

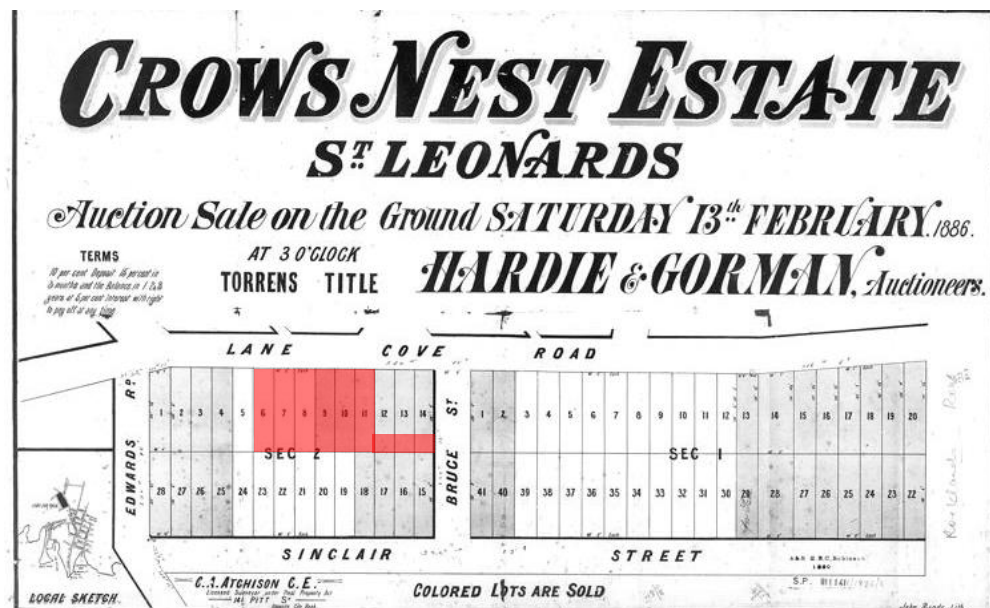


Figure 6: Crows Nest Estate subdivision plan with shaded areas marked sold - subject site was contained in lots 6-11 and the rear of lots 12-14, 1886 (Source: Stanton Library, LH REF SP /150, image no. SP0150)

<sup>11</sup> 'Property Sales', *Daily Telegraph*, 30 November 1885, 7, <http://nla.gov.au/nla.news-article237149117>.

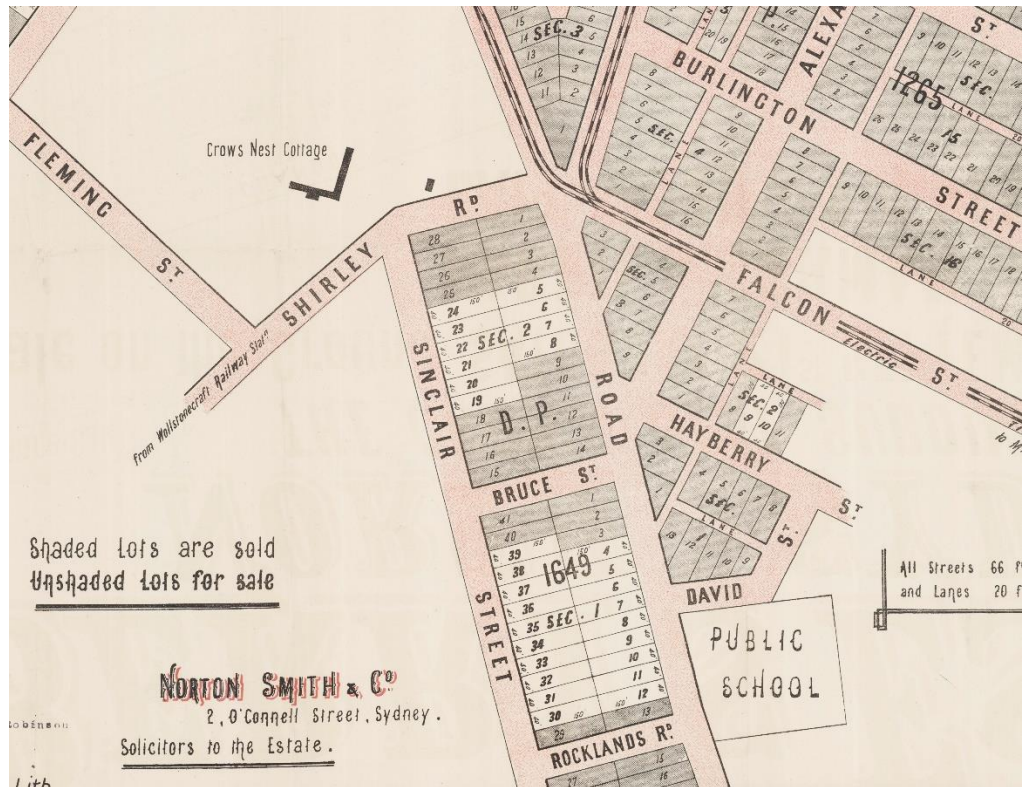


Figure 7: Detail from Berry's Estate subdivision plan featuring Crows Nest Cottage opposite Shirley Road and lots 9-14 of the subject site marked as sold, 1901 (Source: State Library of NSW, SP/C34/6)

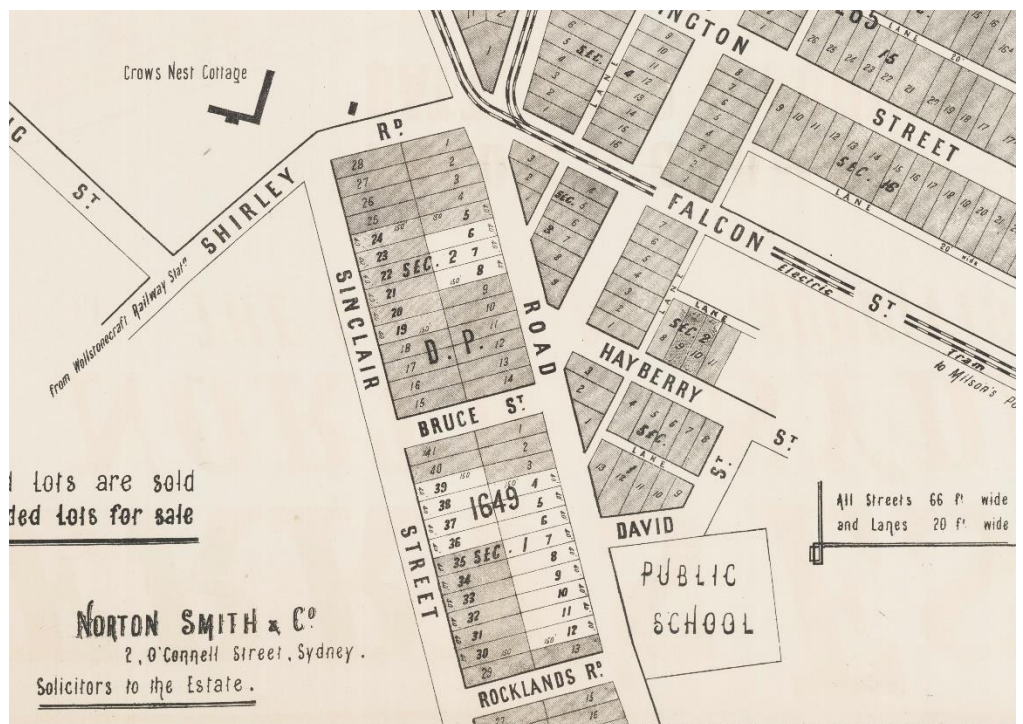


Figure 8: Detail from Berry's Estate subdivision plan featuring Crows Nest Cottage opposite Shirley Road with the majority of section 2 marked as sold, undated (Source: State Library of NSW, SP/C34/8)



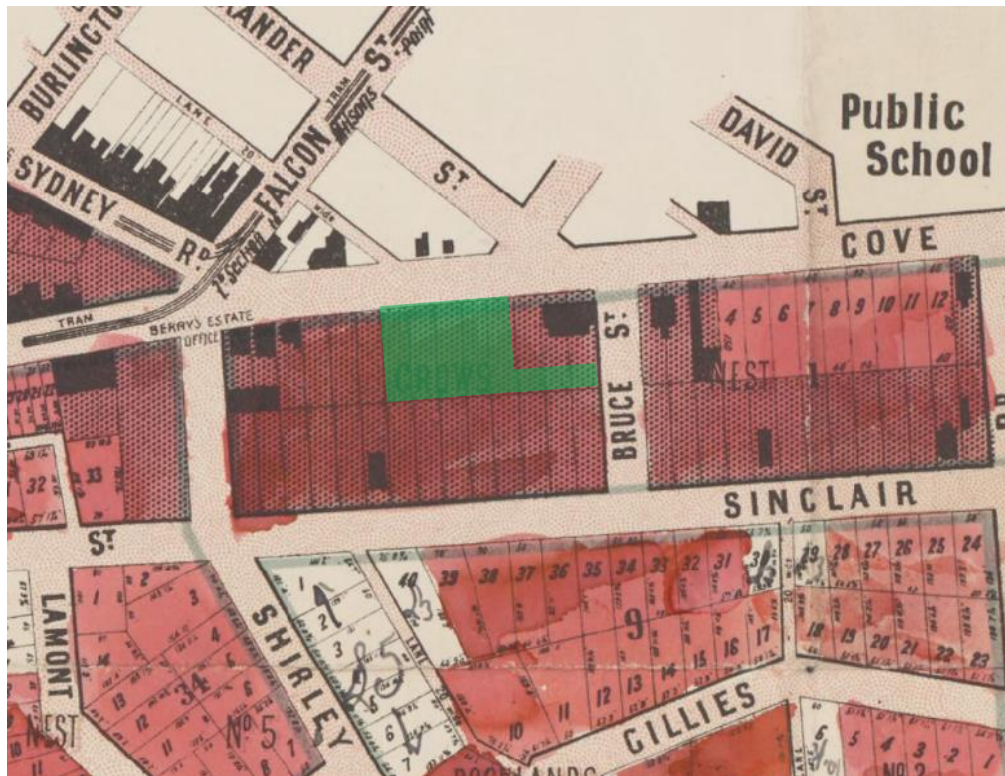


Figure 9: Berry's Estate subdivision plan showing the subject site (shaded green) as vacant with neighbouring buildings, 1900s  
(Source: National Library of Australia, MAP LFSP 1973, Folder 126)

### 2.3.1 SUMMARY OF EARLY TITLE OWNERSHIP

The following tables summarise the title transfers that took place regarding lots 6-11 of the Crows Nest subdivision, after David Berry's ownership and up to when they were transferred to Kents Ltd in 1930.

#### Lot 6, Certificates of Title Vol 1186, Fol 101 and Vol 2050, Fol 228:

Date	Transaction type	Name of party involved
25 March 1896	Transfer	John Hay and James Norton, as joint tenants
13 June 1903	Transfer	William George Kent, of North Sydney, at the time aged 9
14 October 1925	Transfer	Edward Thomas Kent, carpenter of Crows Nest
9 January 1930	Transfer	Kents Ltd

#### Lot 7, Certificates of Title Vol 1186, Fol 101 and Vol 2050, Fol 229:

Date	Transaction type	Name of party involved
25 March 1896	Transfer	John Hay and James Norton, as joint tenants
21 April 1903	Transfer	Edward Thomas Kent, at the time aged 8
8 December 1917	Lease	John Matthew Caulfield and Russell William Hawklers(?), both of Longueville
9 January 1930	Transfer	Kents Ltd

#### Lot 8, Certificates of Title Vol 1186, Fol 101 and Vol 2050, Fol 230:

Date	Transaction type	Name of party involved
25 March 1896	Transfer	John Hay and James Norton, as joint tenants
21 April 1903	Transfer	Henry John Kent, at the time aged 9

8 December 1917	Lease	John Matthew Caulfield and Russell William Hawkers(?), both of Longueville
15 January 1924	Lease	William Herbert Relton and John J Anderson, both dyers and cleaners of Mosman, as joint tenants on 'part of the premises erected on the land' (until September 1929)
14 October 1925	Transfer	Edward Thomas Kent, a carpenter of Crows Nest
1 May 1928	Lease	Mark Mayne Limited (until February 1940).
9 January 1930	Transfer	Kents Ltd

**Lots 9 and 10, Certificate of Title Vol 798, Fol 119:**

Date	Transaction type	Name of party involved
17 July 1886	Transfer	Thomas Redgrave, landowner from St Leonards
10 June 1889	Mortgage	St Leonards Land Building and Investment Company
14 April 1890	Transfer	Thomas Dalton of Sydney
25 August 1902	Transmission application	Mary Ann Josephine Dalton, widow of Thomas Dalton, and Thomas Joseph Dalton and Mark Sheldon, both merchants
5 September 1911	Transfer	Thomas Joseph Dalton and Mark Sheldon
17 March 1913	Transfer	Henry George Kent, blacksmith of Wahroonga
14 May 1920	Lease	William Herbert Relton and John J Anderson, both dyers and cleaners of Mosman, as joint tenants until September 1929
14 October 1925	Transfer	Edward Thomas Kent, a carpenter of Crows Nest
6 December 1928	Lease	English Scottish and Australian Bank Ltd, leased ground floor of what was then known as 316 Lane Cove Road, Crows Nest.
1 May 1928	Lease	Mark Mayne Limited (until January 1939).
9 January 1930	Transfer	Kents Ltd

**Lot 11, Certificates of Title Vol 984, Fol 131 and Vol 1797, Fol 10:**

Date	Transaction type	Name of party involved
4 October 1890	Transfer	Henry Chapman, grocer of Woollloomooloo
16 June 1896	Transfer	Mary Jane Chapman, wife of Henry Chapman, with power of appointment
18 June 1907	Transfer	Henry George Kent
9 January 1930	Transfer	Kents Ltd

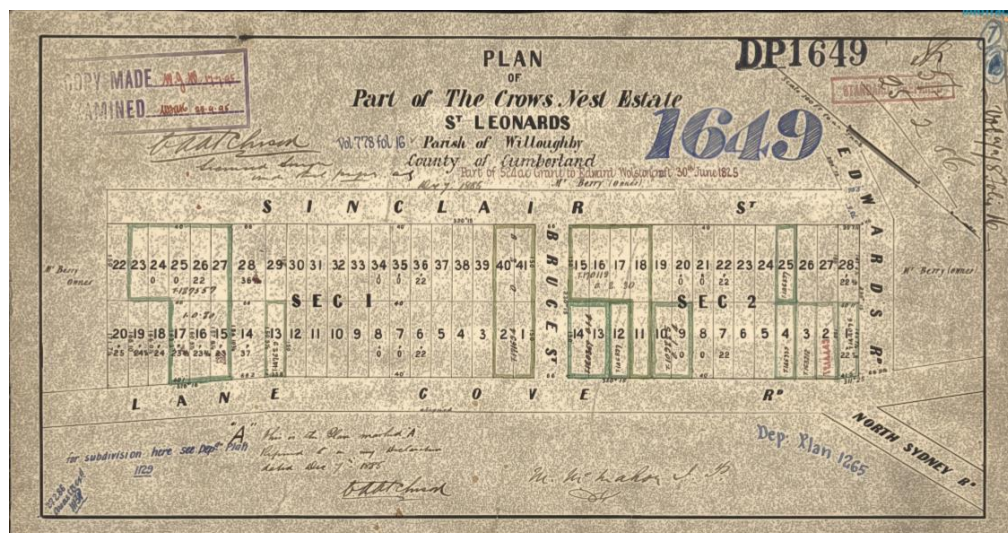


Figure 10: Deposited Plan showing the Crows Nest Estate subdivision, with the subject site located in lots 6-11 and the rear of lots 12-14 of section 2 (Source: NSW Land Registry Services, DP 1649)

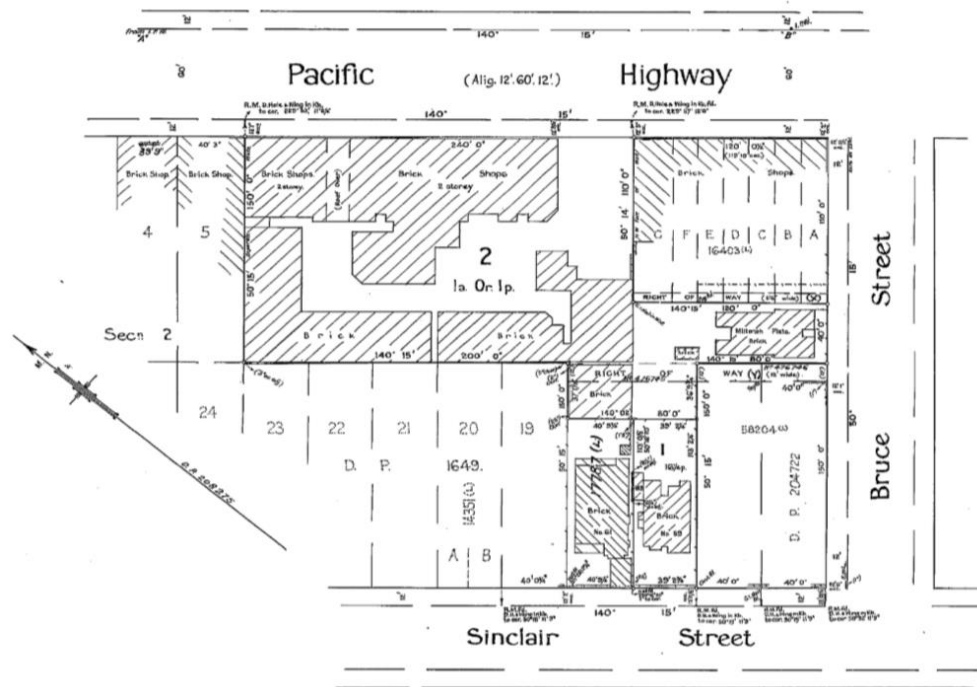


Figure 11: Deposited Plan showing the subject site (shaded) in lots 6-11 and part of 12-14 of the Crows Nest Estate, with additional properties in lots 17 and 18, 1962 (Source: NSW Land Registry Services, DP 208275)

## 2.4 HENRY GEORGE KENT AND KENTS LTD

Henry George Kent was a well-known local identity who established a coach building business on Lane Cove Road (now the Pacific Highway) in the 1880s, which expanded over the ensuing decades. Sands Directories indicate he was one of only a handful of businesses on the stretch of Lane Cove Road between Shirley Road and Bruce Street in the 1880s and 1890s. The 1895 directory, for instance, lists Kent alongside George Alderton, lime and cement store, J W Cotton, butcher and Hugh Dixon.<sup>12</sup>

In 1930, he and his sons registered the company, Kents Ltd (Kents Pty Ltd from 1940), 'to deal in, traffic by way of sale, lease, exchange, or otherwise, with land and house and property....'<sup>13</sup> In January 1930, lots 6-11 of the Crows Nest subdivision were transferred to Kents Ltd. The rear section of lots 12-14, now a driveway on the subject site, was acquired by the company in February 1961.<sup>14</sup> After H G Kent's death in 1933, newspapers reported he left an estate worth £25,200.<sup>15</sup>

<sup>12</sup> *Sands Directory* (Sydney, NSW: John Sands Ltd, 1895), 347.

<sup>13</sup> 'Sydney Registrations', *Sydney Morning Herald*, 7 January 1930, 13, <http://nla.gov.au/nla.news-article16615800>.

<sup>14</sup> NSW Land Registry Services, Certificate of Title, 1947, Vol 5750, Fol 54.

<sup>15</sup> 'Late Mr H G Kent', *Sydney Morning Herald*, 3 August 1933, 6, <http://nla.gov.au/nla.news-article16995585>; 'Mr H G Kent Dead', *Daily Telegraph*, 17 April 1933, 8, <http://nla.gov.au/nla.news-article246238685>.





Figure 12: H G Kent's coach building business on Lane Cove Road (now near the subject site at 290-294 Pacific Highway), 1880s  
(Source: Stanton Library Historical Services, LH REF PF90)



Figure 13: H G Kent's second coach building and wheelwrights shop formerly located at 419-421 Pacific Highway, Crows Nest, c1900  
(Source: Stanton Library Historical Services, LH REF PF95)

In addition to Kent's coachbuilding store and those listed as lessees on the certificate of title (in 2.3.1), it appears the strip on the Pacific Highway between Bruce Street and Shirley Road featured businesses of varying trades from the 1900s. The 1900 Sands Directory lists Christian Raith, a baker, alongside W C Fisher and Co, general store and C J Wright,

hairdresser.<sup>16</sup> By 1910, 16 businesses were listed between these streets, including a dentist, physician, hairdresser, plumber, watchmaker, saddler and modeller.<sup>17</sup>

Street numbers were changed throughout the first half of the 20<sup>th</sup> century. During the 1920s and 1930s the lessees on the certificate of title, The English Scottish and Australian Bank and Mark Mayne Limited, were listed as occupying numbers 316 and 319-320 Lane Cove Road, alongside Strangman Bros, radio dealers, at number 322.<sup>18</sup> By the late 1930s, Strangman Bros was listed at 270 Pacific Highway.<sup>19</sup> During the 1930s and 1940s, advertisements note part of the site was also leased as a milk bar and hamburger shop.<sup>20</sup>

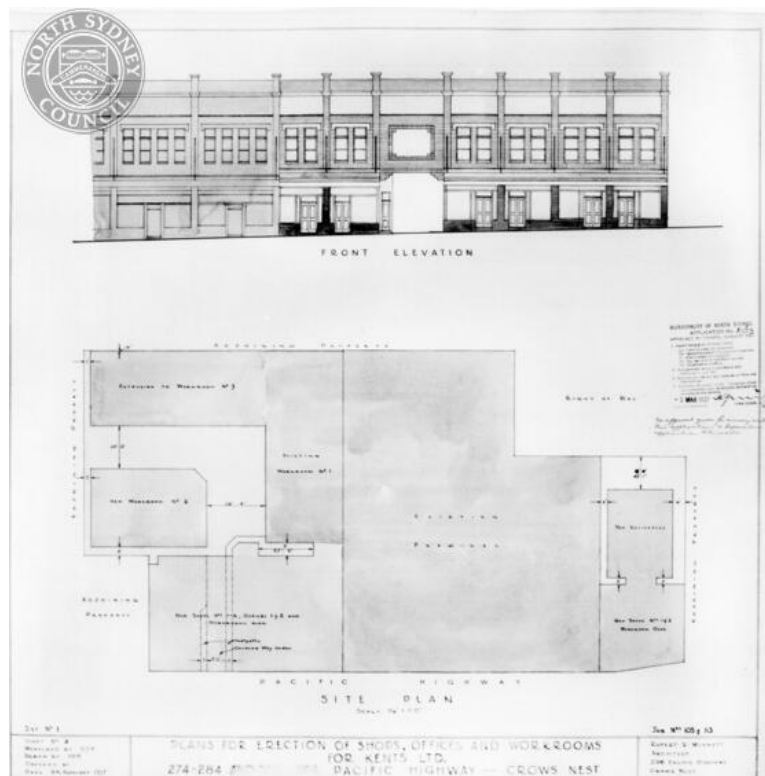


Figure 14: 'Six shops, three workrooms and two offices', elevation and site plan, Rupert V Minnett, submitted February 1937 (Source: Stanton Library Historical Services, BUP, 37/53)

It is unclear when the two-storey, brick lock-up shops, present prior to the current building, were erected, however, photographs from the 1950s and 1960s suggest it was likely constructed in the 1930s. This period also coincides with the broader commercial development that was taking place on this part of the Pacific Highway. Much of the design work was being undertaken by Rupert V Minnett, who partnered with Grandison Cullis-Hill in 1938.<sup>21</sup> It is possible that plans to construct 'six shops, three workrooms and two offices' at 274-284 Pacific Highway, prepared by Rupert V Minnett and submitted by Kents Ltd in

<sup>16</sup> *Sands Directory* (Sydney, NSW: John Sands Ltd, 1900), 445.

<sup>17</sup> *Sands Directory* (Sydney, NSW: John Sands Ltd, 1910), 522.

<sup>18</sup> *Sands Directory* (Sydney, NSW: John Sands Ltd, 1932), 661.

<sup>19</sup> 'Advertising', *Sun*, 5 December 1937, 16, <http://nla.gov.au/nla.news-article232019165>.

<sup>20</sup> 'Advertising', *Sydney Morning Herald*, 1 July 1947, 16, <http://nla.gov.au/nla.news-article18032783>; *Dun's Gazette*, 1st ed., vol. 61 (Sydney, NSW: Dun's Gazette, 1939), 5.

<sup>21</sup> 'The Development of North Sydney', *Construction*, 22 June 1938, 6, <http://nla.gov.au/nla.news-article222851999>.

February 1937, refer to the building constructed at the subject site (Figures 14-16). The works were approved on 2 March 1937 to the value of £1,500.<sup>22</sup>

In September 1939 plans by Rupert V Minnett & Cullis-Hill to alter the shops and workrooms to create 'one new shop and one new workroom' in lots 6-11 (the subject site) were submitted by Kents (Figures 17-19). The application was approved on 29 August 1939 to the value of £2,500.<sup>23</sup> In 1940 Rupert V Minnett & Cullis-Hill worked on alterations to the shop at 270 Pacific Highway. These works involved the addition of a kitchen, possibly for the milk bar and hamburger shop, and were approved on 5 June 1940 (Figure 20).<sup>24</sup>

Kents Pty Ltd leased the lock-up shops throughout the 1960s and 1970s to a range of individuals operating a butcher, coffee shop, dentist, restaurant, picture framers and furniture store.<sup>25</sup>

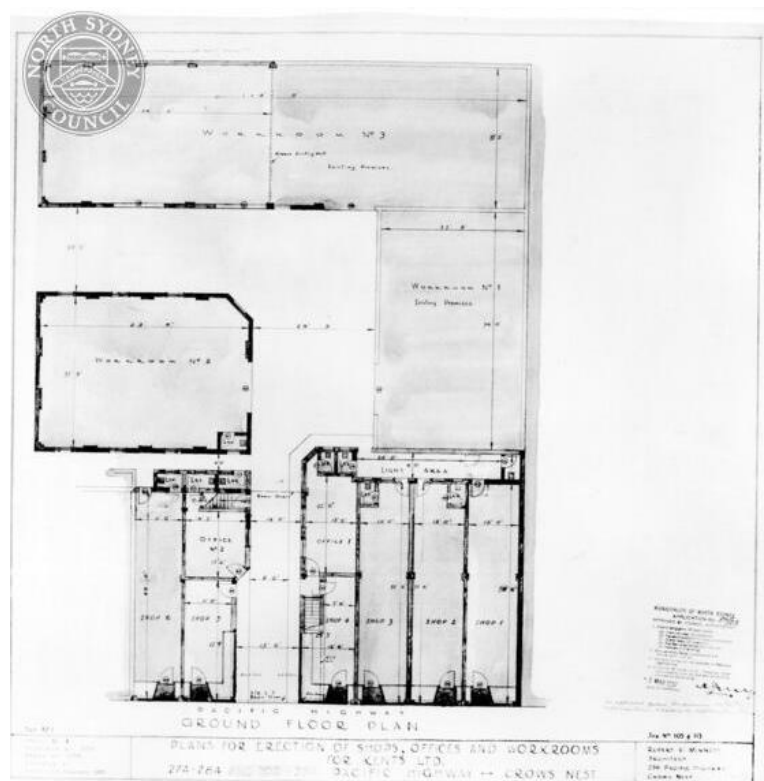


Figure 15: 'Six shops, three workrooms and two offices', ground floor plan, featuring the six shops and three workrooms, Rupert V Minnett, submitted February 1937 (Source: Stanton Library Historical Services, BUP, 37/53)

<sup>22</sup> North Sydney Heritage Centre, '37/53 Six Shops, Three Workrooms and Two Offices' (23 February 1937), Stanton Library Historical Services, North Sydney Council; 'Buildings and Works Approved', *Construction and Real Estate Journal*, 24 March 1937, 2, <http://nla.gov.au/nla.news-article222921858>.

<sup>23</sup> North Sydney Heritage Centre, '39/398 Alterations to Shops and Workrooms Creating One New Shop and One New Workroom' (4 September 1939), BUP, BA 39/301, Stanton Library Historical Services, North Sydney Council.

<sup>24</sup> North Sydney Heritage Centre, '40/216 Alterations and Additions to Shop (Addition of Kitchen)' (29 May 1940), Stanton Library Historical Services, North Sydney Council.

<sup>25</sup> NSW Land Registry Services, Certificate of Title, 26 February 1963, Vol 9382, Fol 23.

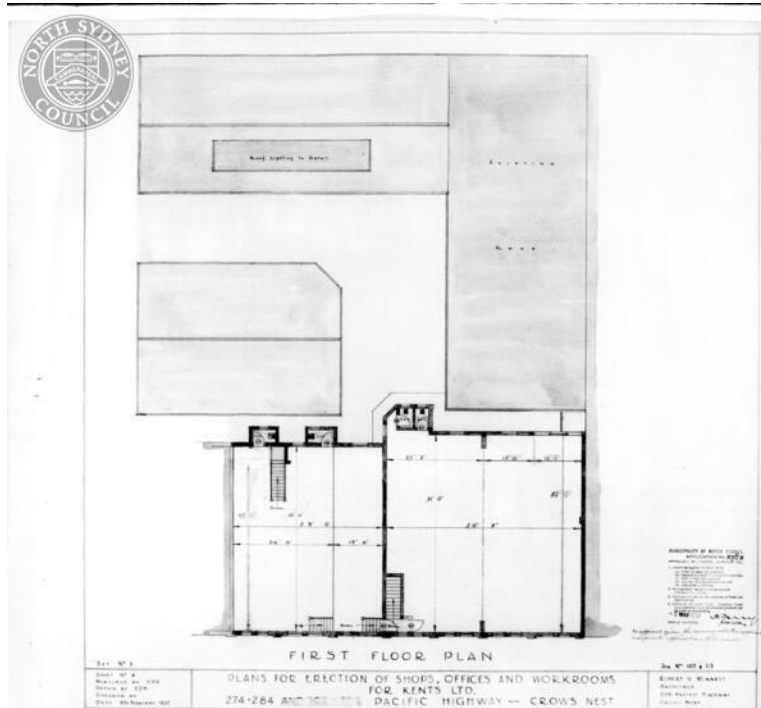


Figure 16: 'Six shops, three workrooms and two offices', first floor plan, featuring the two offices, Rupert V Minnett, submitted February 1937 (Source: Stanton Library Historical Services, BUP, 37/53)

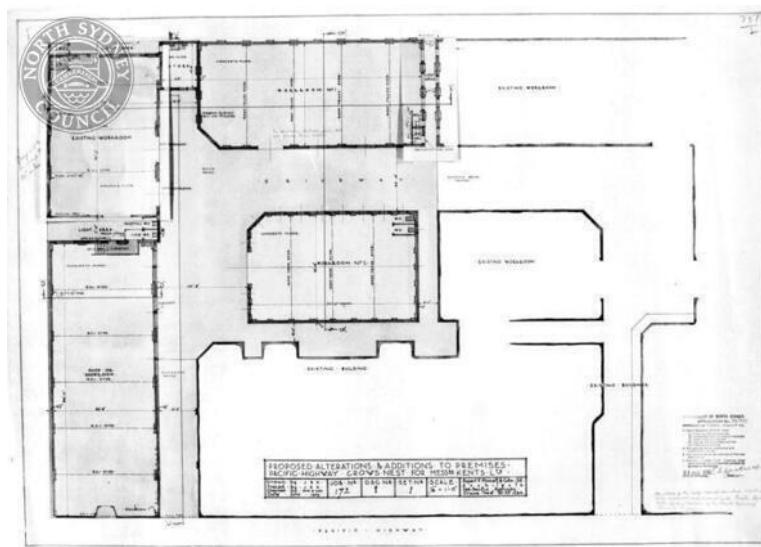


Figure 17: 'Alterations to shops and workrooms creating one new shop and one new workroom', plans drawn by Rupert V Minnett & Cullis-Hill, submitted September 1939 (Source: Stanton Library Historical Services, BUP, 39/398, BA 39/301)



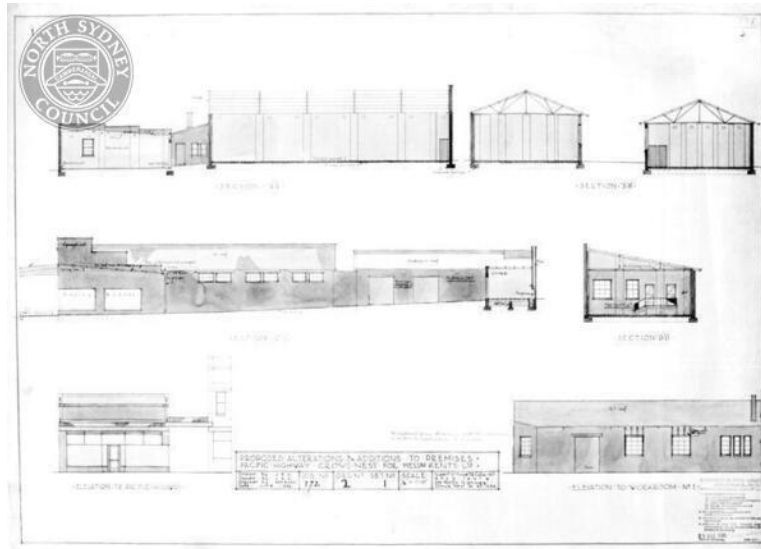


Figure 18: 'Alterations to shops and workrooms creating one new shop and one new workroom', plans drawn by Rupert V Minnett & Cullis-Hill, submitted September 1939 (Source: Stanton Library Historical Services, BUP, 39/398, BA 39/301)

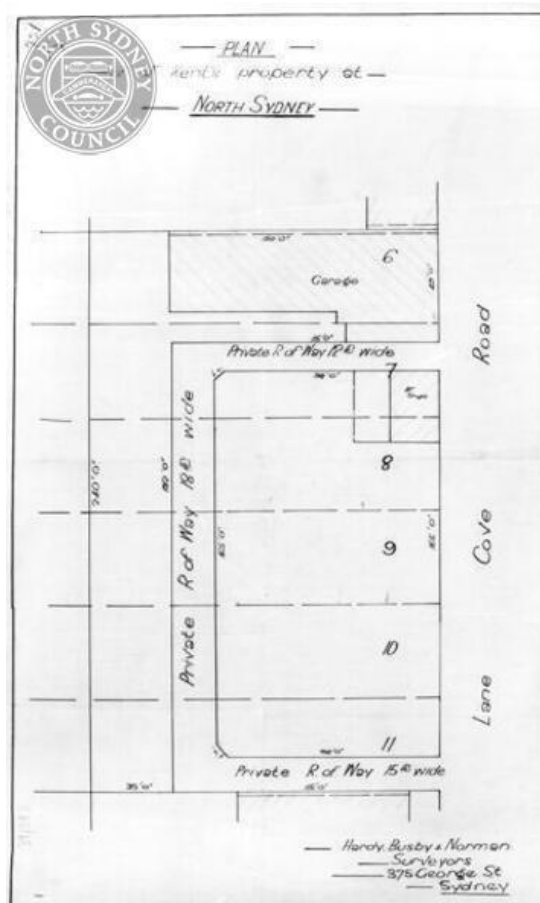


Figure 19: 'Alterations to shops and workrooms creating one new shop and one new workroom', survey plan of lots 6-11 by Hardy, Busby & Norman, September 1939 (Source: Stanton Library Historical Services, North Sydney Council, BUP, 39/398, BA 39/301)

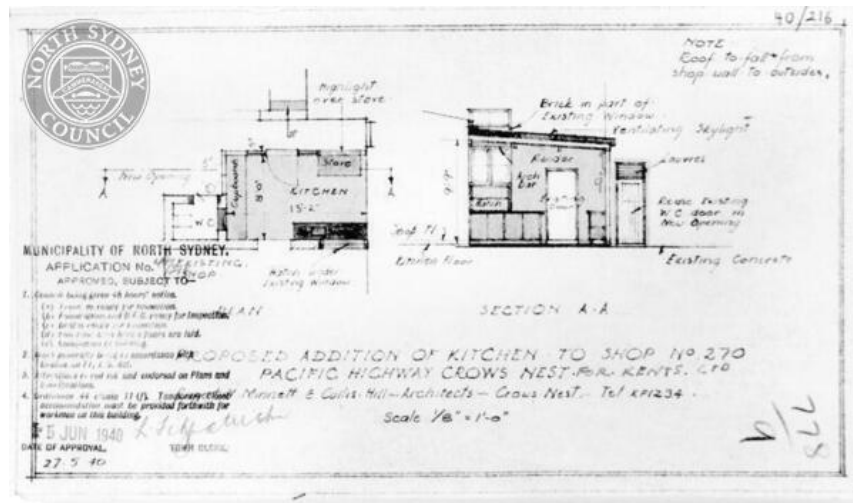


Figure 20: 'Alterations and additions to shop (addition of kitchen)', Rupert V Minnett & Cullis-Hill, May 1940 (Source: Stanton Library Historical Services, North Sydney Council, BUP, 40/216)



Figure 21: Aerial photograph featuring the subject site shows the buildings constructed on the site prior to the current buildings, 1943 (Source: NSW Spatial Services, SIXmaps)



Figure 22: Subject site (left) and neighbouring Art Deco building (North Shore Gas Company showroom designed by Minnett & Cullis-Hill Architects) at 286 Pacific Highway, photograph by Leon B Manny, 1950s (Source: Stanton Library Historical Services, North Sydney Council, LH REF TRAM 831)



Figure 23: Subject site (left) on the Pacific Highway, photograph by Leon B Manny, 1950s (Source: Stanton Library Historical Services, North Sydney Council, LH REF TRAM 830)





Figure 24: Subject site (right) on the Pacific Highway, photograph by Leon B Manny, 1950s (Source: Stanton Library Historical Services, North Sydney Council, LH REF TRAM 705)



Figure 25: View of subject site (red arrow) and neighbouring buildings along the Pacific Highway, Crows Nest, 1957, photograph by Noel Reed (Source: Trams Downunder, <https://tdu.to/62265.msg>)

## 2.5 CONSTRUCTION OF THE SUBJECT SITE

Kents Pty Ltd transferred the property to Scarel Pty Ltd in January 1983.<sup>26</sup> The mixed-use building at 270 Pacific Highway, which contained residential units and commercial premises, was constructed between 1983 and 1986. Articles in the *Sydney Morning Herald* note the

<sup>26</sup> NSW Land Registry Services, Certificate of Title, Vol 9382, Fol 23.

Australia Entré Business Centre – owned by IBM – opened in ‘extensive and modern facilities’ at 270 Pacific Highway on 1 October 1986.<sup>27</sup>

Advertisements from the late 1980s and early 1990s reveal the site contained a range of other businesses including Thip Thai restaurant, which opened in 1990 at shops 2 and 3 and could seat over 100 people, Alec Mildren Pty Ltd car dealership and computer centre, BisCom.<sup>28</sup> In 1991 the Thai restaurant was described as being in a ‘cold modern ground floor of an office building blessed with a ceiling of mean height.’<sup>29</sup>



Figure 26: Interiors from the Australia Entré Business Centre, which opened at 270 Pacific Highway, Crows Nest in 1986 (Source: ‘...It’s Entré North Shore’, Sydney Morning Herald, 30 October 1986, 65)

In 1994 the *Sydney Morning Herald* reported:

<sup>27</sup> “‘Entré’ Enters Computer Market”, *Sydney Morning Herald*, 9 October 1986, 53; .... ‘...It’s Entré North Shore’, *Sydney Morning Herald*, 9 October 1986, 65.

<sup>28</sup> ‘Advertising’, *Sydney Morning Herald*, 16 February 1989, 18; ‘Advertising’, *Sydney Morning Herald*, 16 June 1990, 88; ‘Thip Thai at Crows Nest’, *Sydney Morning Herald*, 18 July 1991, 58; ‘Cheapie of the Week’, *Sydney Morning Herald*, 25 March 1984, 113; Bill Shaw, ‘The Impressive Thip Thai Restaurant Now Open in Crows Nest’, *Sydney Morning Herald*, 20 September 1990, 108.

<sup>29</sup> Michael Dowe, ‘A Thai-Phoon and a Thai-Tanic’, *Sydney Morning Herald*, 5 March 1991, 46.



...the four-storey office block was one of the largest commercial properties to go to auction for some time and attracted an annual income of about \$1.4 million.<sup>30</sup>

In September 2019, the *Financial Review* reported the site had had been sold by China Venture for about \$60 million, 'after plans on getting high-rise office development uplift fell through'. The report noted China Venture had finalised amalgamation of 45 strata units in the block in 2017. The gross annual income of the property was reportedly \$2 million.<sup>31</sup>

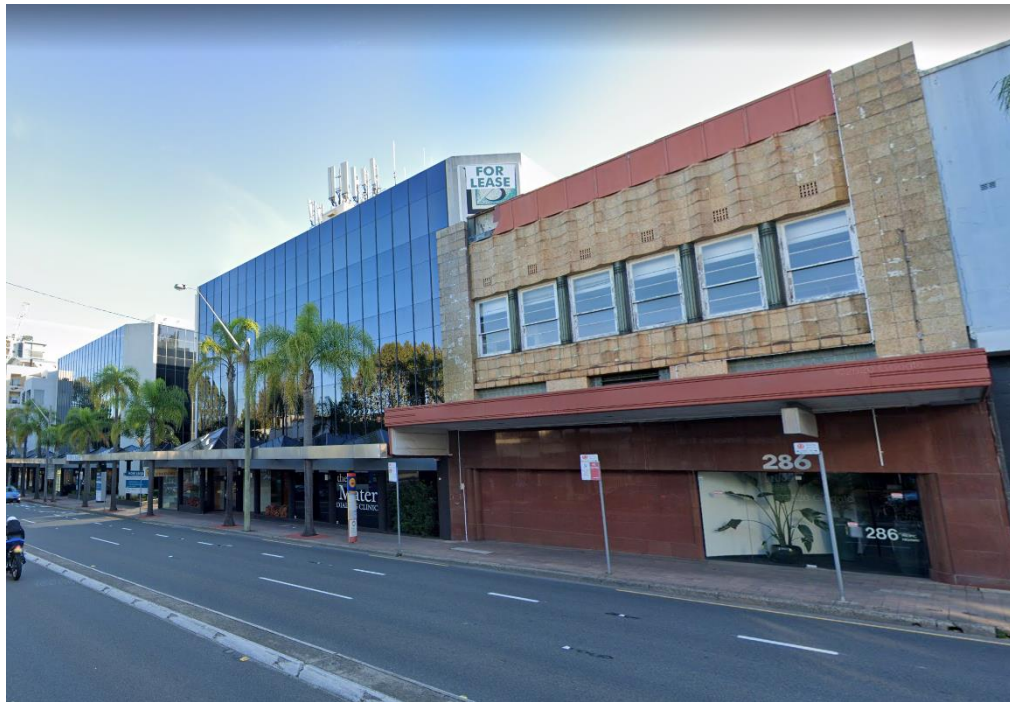


Figure 27: Subject site (left) on the Pacific Highway, 2020 (Source: Google Street View, 2020)

<sup>30</sup> 'Crows Nest a Jewel in \$40m Commercial Property Auction', *Sydney Morning Herald*, 4 October 1994, 52.

<sup>31</sup> Su-Lin Tan, 'Crows Nest Office Block Sold for about \$60m without Development Uplift', *Financial Review*, 9 September 2019, <https://www.afr.com/property/commercial/crows-nest-office-block-sold-for-about-60m-without-development-uplift-20190906-p52otq>.

### 3.0 PHYSICAL EVIDENCE

#### 3.1 SITE CONTEXT

The site is located on the western side of the Pacific Highway, south of its intersection with Falcon Street and Shirley Road, on a block bounded by the Pacific Highway to the east, Shirley Road to the north, Sinclair Street to the west and Bruce Street to the south.

The site is in close proximity to shops on the Pacific Highway and Willoughby Road and is approximately 1.5 kilometres from St Leonards Station. The immediate area is generally a mixture of residential buildings on streets located either side of the Pacific Highway and commercial buildings on the highway which, in the immediate surrounds of the subject site, are generally of two, three and four storeys.

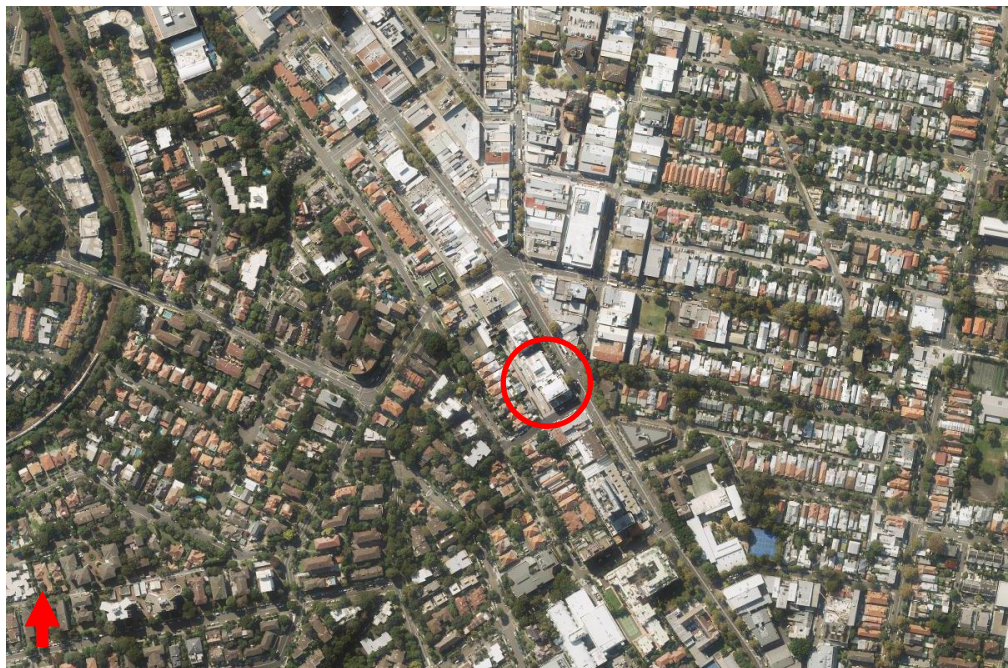


Figure 28: Aerial view of the subject site, indicated by the red circle, showing the surrounding commercial and residential area (Source: Sixmaps)

Neighbouring the site to the north is a two-three storey building at 286 Pacific Highway, which is a locally-listed heritage item. A vehicular laneway runs along the rear (western) edge of the site, separating it from a row of residential properties, (further to the west). A multi-storey apartment block adjoins the site to the south.





Figure 29: View of the Pacific Highway, facing south towards its intersection with Falcon Street (Source: NBR SARCHITECTURE 2020)



Figure 30: View of shops on the Pacific Highway to the north of the subject site, facing south. (Source: NBR SARCHITECTURE, 2018).



Figure 31: View of the Pacific Highway, Crows Nest, north of its intersection with Shirley Road and Falcon Street. (Source: NBR SARCHITECTURE, 2018).



Figure 32: View of the intersection between the Pacific Highway, Shirley Road and Falcon Street, facing east. (Source: NBR SARCHITECTURE, 2018).



Figure 33: View of Sinclair Street, which borders the block of the site to the west. (Source: NBR SARCHITECTURE, 2020).



Figure 34: View of Sinclair Street, which borders the block of the site to the west. (Source: NBR SARCHITECTURE, 2020).



Figure 35: The Fire Station on the corner of Shirley Road and Sinclair Street (Source: NBRSARCHITECTURE, 2020).



Figure 36: View of the intersection of Sinclair Street and Shirley Road, showing the Crows Nest Fire Station at right. (Source: NBRSARCHITECTURE, 2018).



Figure 37: View of the Pacific Highway from the front façade of the adjoining heritage item, facing north. (Source: NBRSARCHITECTURE, 2018).



Figure 38: View of Shirley Road from Sinclair Street, showing the Uniting Church at right. (Source: NBRSARCHITECTURE, 2018).

### 3.2 DESCRIPTION OF THE BUILDINGS

The subject site comprises two five-storey mixed use office buildings on a large lot with a 75 metre frontage to the Pacific Highway. The two buildings on the site are separated by a ground level paved courtyard which provides pedestrian access between Pacific Highway to the east, and the rear of the site to the west. The ground floor podium levels contain glazed shopfronts which open onto the shared courtyard space, as well as onto the pedestrian walkway along Pacific Highway (to the east). An awning structure runs along the eastern façade of each building, over the pedestrian walkway. A row of palm trees spans the length of the awning. Each of the upper floor façades of the buildings comprise modern, curtain wall glazing. The buildings are topped by flat roofs.



Figure 39: The subject site viewed from the intersection of the Pacific Highway with Falcon Street, facing south (Source: NBRSARCHITECTURE 2020)



Figure 40: The northernmost building on the subject site, facing north, showing its frontage to the Pacific Highway (Source: NBRSARCHITECTURE 2020)





Figure 41: The two buildings on the site, facing west (Source: NBR SARCHITECTURE 2020)



Figure 42: The southernmost building on the site, viewed from the Pacific Highway (Source: NBR SARCHITECTURE 2020)



Figure 43: Pacific Highway frontage of the northernmost building, showing its eastern elevation (Source: NBR SARCHITECTURE 2020)



Figure 44: View of the rear of the buildings, facing north from Bruce Street (Source: NBR SARCHITECTURE 2020)

### 3.3 VIEWS

Primary views of the subject site are those available from Pacific Highway, looking west towards the eastern facades of the two buildings on the site.

Views of the eastern facades become obscured in each direction along Pacific Highway, due to the predominance of multi-storey buildings constructed close to the street boundaries. The properties to the north of the subject site block most views of the northern façade of the more northern of the two buildings on the site. The properties to the south of the subject site block any views of the southern façade of the more southern of the two buildings on the site.

Views of the rear (western) facades are available from the rear vehicular laneway. Obscured views of the rear facades are available from the rear portions of the residential properties, located on the adjacent side of the vehicular laneway.



## **4.0 ESTABLISHED HERITAGE SIGNIFICANCE**

### **4.1 HERITAGE STATUS**

The subject site is not listed as an item of local heritage significance, however it is located within the vicinity of a number of heritage listed items, as identified in Schedule 5 of the *North Sydney LEP 2013*, including:

- 286-288 Pacific Highway, Crows Nest (Neighbouring site - Former North Shore Gas Co office) – Item No. I0150;
- Holtermann Estate C Conservation Area – Item No. CA09;
- 338 Pacific Highway, Crows Nest (Shop) – Item No. I0164;
- 336 Pacific Highway, Crows Nest (Shop) – Item No. I0163;
- 334 Pacific Highway, Crows Nest (Shop) – Item No. I0162;
- 332 Pacific Highway, Crows Nest (Shop) – Item No. I0161;
- 330 Pacific Highway, Crows Nest (Shop) – Item No. I0160;
- 326 Pacific Highway, Crows Nest (Shop) – Item No. I0159;
- 322 Pacific Highway, Crows Nest (Shop) – Item No. I0158;
- 320 Pacific Highway, Crows Nest (Shop) – Item No. I0157;
- 318 Pacific Highway, Crows Nest (Shop) – Item No. I0156;
- 316 Pacific Highway, Crows Nest (Shop) – Item No. I0155;
- 314 Pacific Highway, Crows Nest (Shop) – Item No. I0154;
- 312 Pacific Highway, Crows Nest (Shop) – Item No. I0153;
- 308 Pacific Highway, Crows Nest (Former National Australia Bank) – Item No. I0152;
- 306 Pacific Highway, Crows Nest (Bank) – Item No. I0151;
- Various (2) North Sydney Bus Shelters – Item No. I0407;
- 2 Nicholson Street, Wollstonecraft (House) – Item No. I1106;
- 122 Shirley Road, Wollstonecraft (Uniting Church) – Item No. I1114;
- 99 Shirley Road, Crows Nest (Crows Nest Fire Station) – Item No. I0173;
- 429 Pacific Highway, Crows Nest (Willoughby House, former OJ Williams store) – Item No. I0172;
- 1-3 Willoughby Road, Crows Nest (Crows Nest Hotel) – Item No. I0181;
- 14 Hayberry Street, Crows Nest (Former Hall) – Item No. I0144;
- 18 David Street, Crows Nest (House) – Item No. I0142; and

Details of these items are included below.

Other heritage listed items in the vicinity of the subject site are visually and physically separated from the site by intervening development, local topography, roadways and distance.



Figure 45: Excerpt from the North Sydney LEP 2013 heritage map. Heritage items are shown brown and the Holtermann Estate C Conservation Area is hatched red. The subject site is outlined in blue. (Source: North Sydney LEP 2013, Heritage Map HER\_001)

## 4.2 SIGNIFICANCE OF THE HOLTERMANN ESTATE C CONSERVATION AREA IN THE VICINITY

The following Statement of Significance for the Holtermann Estate C Conservation Area is sourced from the *North Sydney DCP 2013*:

*The Holtermann Estate C Conservation Area is significant:*

- (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.
- (b) As an area that represents the working class residential development of North Sydney at the turn of the century.

### 4.3 SIGNIFICANCE OF ITEMS IN THE VICINITY

#### 4.3.1 286-288 PACIFIC HIGHWAY, CROWS NEST (FORMER NORTH SHORE GAS CO OFFICE)

The following Statement of Significance for the Former North Shore Gas Co Office is sourced from the NSW Heritage Database, reference number 2180930:

*Excellent and unusual Interwar Art Deco shop building with striking scalloped facade clad in glazed terracotta. A fine example of the style which originally opened as the local gas company office/showroom, the modernity of the style being appropriate to the products displayed therein. Part of a traditional retail streetscape.*



Figure 46: Former North Shore Gas Co Office (NSW Heritage Inventory website)



Figure 47: The Former North Shore Gas Co Office seen in its immediate context, showing the subject site at 270 Pacific Highway to the left (Source: NBR SARCHITECTURE 2020)



Figure 48: The ground floor shopfront of the adjoining heritage item, facing south. (NBR SARCHITECTURE, 2018).





Figure 49: The rear façade of the Former North Shore Cas Co Office seen from Sinclair Street, facing north-east (Source: NBRSARCHITECTURE 2020)



Figure 50: The rear façade of the Former North Shore Cas Co Office seen from Sinclair Street, facing north-east, showing one of the existing buildings on the subject site in the background, indicated by the red arrow (Source: NBRSARCHITECTURE 2020)

#### 4.3.2 312 – 338 PACIFIC HIGHWAY, CROWS NEST (SHOPS)

There are no Statements of Significance for the heritage items located at 312-338 Pacific Highway, Crows Nest, on the NSW Heritage Database.

#### 4.3.3 NORTH SYDNEY BUS SHELTERS

There are no Statements of Significance for the North Sydney Bus Shelters on the NSW Heritage Database.

#### 4.3.4 429 PACIFIC HIGHWAY, CROWS NEST (WILLOUGHBY HOUSE/FORMER OJ WILLIAMS STORE)

There are no Statements of Significance for Willoughby House/Formal OJ Williams Store on the NSW Heritage Database.

#### 4.3.5 308 PACIFIC HIGHWAY, CROWS NEST (FORMER NATIONAL AUSTRALIA BANK)

The following Statement of Significance for the Former National Australia Bank is sourced from the NSW Heritage Database, reference number 2181003:

*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.*



Figure 51: Former National Australia Bank. (NBRSARCHITECTURE 2020)



Figure 52: Former National Australia Bank. (NBRSARCHITECTURE 2020)

#### 4.3.6 306 PACIFIC HIGHWAY, CROWS NEST (BANK)

The following Statement of Significance for the Former Bank of New South Wales Crows Nest Branch is sourced from the NSW Heritage Database, reference number 2180896:

*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, 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.*



Figure 53: Former Bank of NSW Crows Nest Branch (Source: NBRSARCHITECTURE 2020)



Figure 54: Former Bank of NSW Crows Nest Branch (Source: NBRSARCHITECTURE 2020)

#### 4.3.7 2 NICHOLSON STREET, WOLLSTONECRAFT (HOUSE)

The following Statement of Significance for the House at 2 Nicholson Street, Wollstonecraft, is sourced from the NSW Heritage Database, reference number 2180974:

*An excellent, and relatively intact, example of a large, Federation Queen Anne bungalow in its setting on a prominent corner site with good quality detailing, with complementary facades to each frontage. Strong relationship to the neighbouring No. 11 Lamont Street. It exemplifies many of the finer qualities of the style.*

*Fine, attractive federation bungalow on a corner site, with complementary facades to each frontage: strong relationship to the neighbouring No. 11 Lamont Street. It exemplifies many of the finer qualities of the style.*



Figure 55: House at 2 Nicholson Street, Wollstonecraft. (NSW Heritage Inventory website)

#### 4.3.8 122 SHIRLEY ROAD, WOLLSTONECRAFT (UNITING CHURCH)

The following Statement of Significance for the Crows Nest Uniting Church is sourced from the NSW Heritage Database, reference number 2180888:

*Significant local church in original condition. Interesting interpretation of the Gothic idiom from the Federation period. The interior is also of significance.*



Figure 56: 122 Shirley Road, Wollstonecraft (Source: NBR SARCHITECTURE 2020)

#### 4.3.9 99 SHIRLEY ROAD, CROWS NEST (CROWS NEST FIRE STATION)

The following Statement of Significance for the Crows Nest Fire Station is sourced from the NSW Heritage Database, reference number 2180895:

*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.*





Figure 57: Crows Nest Fire Station (Source: NBR SARCHITECTURE 2020)



Figure 58: Crows Nest Fire Station (Source: NBR SARCHITECTURE 2020)

#### 4.3.10 1-3 WILLOUGHBY ROAD, CROWS NEST (CROWS NEST HOTEL)

The following Statement of Significance for the Crows Nest Hotel is sourced from the NSW Heritage Database, reference number 2181004:

*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.*



Figure 59: Crows Nest Hotel. (NSW Heritage Inventory website)

#### 4.3.11 14 HAYBERRY STREET, CROWS NEST (FORMER HALL)

The following Statement of Significance for the Former Hall, Crows Nest, is sourced from the NSW Heritage Database, reference number 2181010:

*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.*



Figure 60: Former Hall, Crows Nest. (NSW Heritage Inventory website)

#### 4.3.12 18 DAVID STREET, CROWS NEST (HOUSE)

The following Statement of Significance for the House, David Street, Crows Nest, is sourced from the NSW Heritage Database, reference number 2181019:

*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.*



Figure 61: House, David Street, Crows Nest. (NSW Heritage Inventory website)



## **5.0 THE PROPOSAL**

The Planning Proposal seeks to amend the planning controls specified for the subject site in the *St Leonards and Crows Nest 2036 Plan*, to allow the following:

- A height limit of 13 storeys (13 storeys are permissible in the *2036 Plan*); and
- An FSR of 6.02:1 (5.6:1 is permissible in the *2036 Plan*).

The proposed Keylan Consulting has prepared the following description of the project:

*The planning proposal seeks to retain the B4 Mixed Use Zoning for the site and amend the maximum building height and floor space ratio controls, as set out in the NSLEP 2013. The proposed amendments will facilitate a 13 storey commercial office and allied health development with a minor retail component at ground level, providing much needed employment generating floor space.*

The Planning Proposal submission, including design concept options, has been prepared by Fitzpatrick and Partners.

## **5.1 DOCUMENTATION EVALUATED**

The following document, prepared by Fitzpatrick and Partners, were reviewed as part of the preparation of this report:

270 Pacific Highway, Crows Nest, NSW 2065 – Planning Proposal – Rev. 01 26 July 2021.

## 6.0 ASSESSMENT OF HERITAGE IMPACT

### 6.1 INTRODUCTION

This Heritage Impact Statement has been prepared in relation to the following impact assessment criteria: the *North Sydney LEP 2013*, the *North Sydney Development Control Plan (DCP) 2013* and the New South Wales Heritage Office (now NSW Heritage Division) guidelines, *Altering Heritage Assets* and *Statements of Heritage Impact*, contained within the NSW Heritage Manual.

### 6.2 PLANNING FRAMEWORK

The site is zoned B4 Mixed-use under the *North Sydney Local Environmental Plan 2013*. The site falls within the *St Leonards and Crows Nest 2036 Plan* (referred to here as *2036 Plan*), which has been recently finalised by North Sydney Council and is a reflection of the evolving built character in the area and the increasing demand for an intensification of commercial, business and residential uses.

The *2036 Plan* allows for a maximum building height of 13 storeys on the subject site and an FSR of 5.6:1. The Planning Proposal seeks to amend the FSR control on the site to allow an FSR of 6.02:1. The proposed design scheme is for a building of 13 storeys.



Figure 62: Building Height map contained in the 2036 Plan, indicating the 13 storeys permissible on the subject site, indicated by the red arrow (2036 Plan, p. 66)

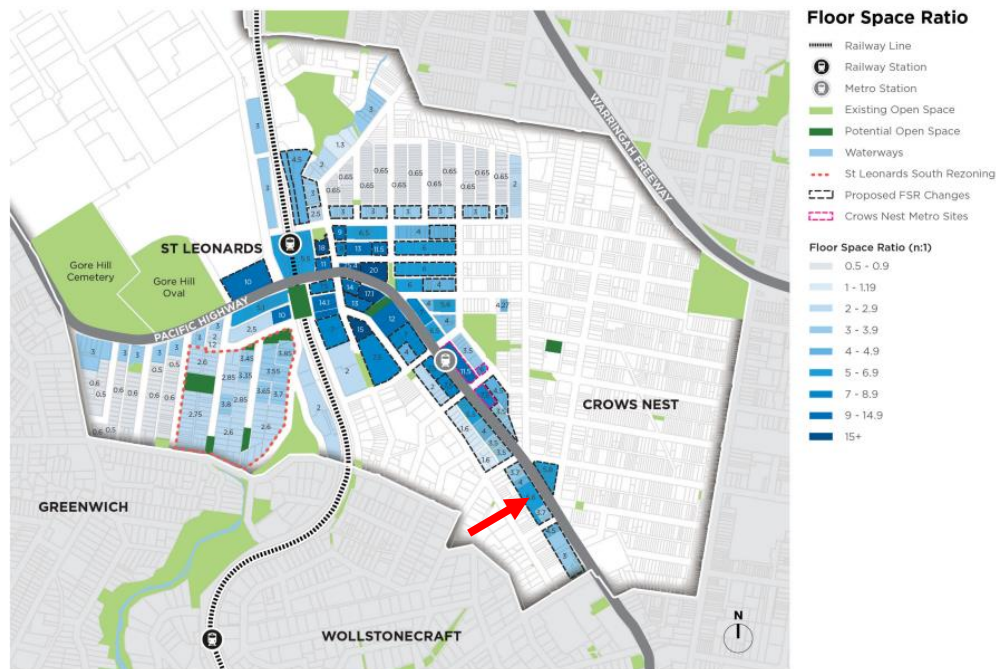


Figure 63: Floor Space Ratio map contained in the 2036 Plan, indicating the 5.6:1 FSR permissible on the subject site, indicated by the red arrow (2036 Plan, p. 67)

## 6.3 HERITAGE PRINCIPLES

The proposed amendments to the 2036 Plan will allow the commercial redevelopment of the site, which will be guided by a series of heritage principles to ensure that the resulting building is respectful of the heritage items in its vicinity. Concept plan options showing the potential results of the amended planning controls are included in the Planning Proposal submission. The heritage principles which have guided the development of the concept plan, prepared by Fitzpatrick and Partners, are discussed below.

### 6.3.1 WIDER HERITAGE CONTEXT

270 Pacific Highway, Crows Nest, is located to the south of the Five Ways intersection, the built form of which is defined by four heritage items. These buildings, as well as the heritage listed shops on the Pacific Highway to the north of the intersection, play a key role in contributing to the historic character of the area where urban form is generally fine grain, particularly at streetscape level.



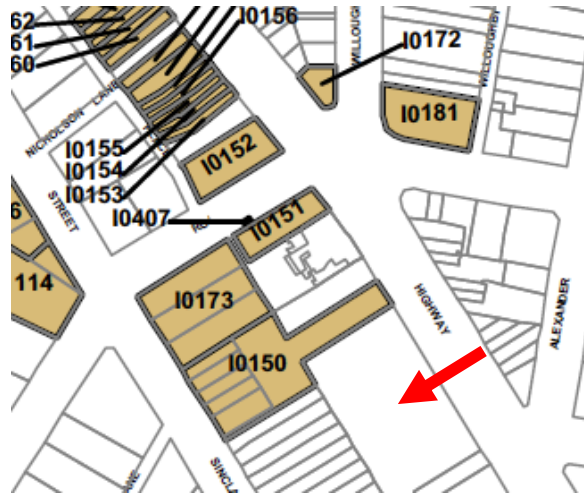


Figure 64: Excerpt from the North Sydney LEP 2013 heritage map. Heritage items are shown brown, showing items 0172, 0181, 0151 and 0152 forming the Five Ways intersection. The subject site is indicated by the red arrow. (Source: North Sydney LEP 2013, Heritage Map HER\_001)

The small lot sizes along the Pacific Highway, to the north of the intersection and their consequently small-scale Federation and Victorian-era shops, make a substantial contribution to the character and quality of the streetscape. In contrast, the large lot size of the subject site, to the south of the intersection, represents a transition away from the historic character of the immediate area.

The site therefore presents an important opportunity to create a new, finer-grain streetscape in this locality, responding to the scale and architectural qualities created by the nearby heritage items and improving the architectural character of this portion of the Pacific Highway.

Responding to this opportunity, the design concept presented in the Planning Proposal submission demonstrates the type of architectural response which would substantially improve the streetscape through the articulation of the podium as multiple, fine-grain forms, in preference to a single, solid façade.

### 6.3.2 IMMEDIATE HERITAGE CONTEXT

270 Pacific Highway, Crows Nest, is bounded to the north by the listed heritage item at 286-288 Pacific Highway, the Former North Shore Gas Co building. The front façade of this heritage item comprises two storeys, of which the ground floor has been substantially altered and includes a single glazed entry at the northern end. Above the awning, the first floor is clad in glazed terracotta tiles over concave fluted sections above and below the windows and two flat pilasters on either side. There are five round fluted pilasters between the six timber-framed double hung sash windows. The metal awning structure is clad in pressed metal and appears to be original or early.

The key architectural characteristics of this building which contribute to the qualities of the streetscape include its small-scale shopfront typology, the horizontality created by the awning and window arrangement, the terracotta tiles in the fluted arrangement and the detailing of the windows and pilasters.

The podium design of the new building on the site is an important aspect of responding to the scale of the neighbouring heritage item. The height of the podium should align with the height of the two-storey building.

The subject site presents an opportunity to respond architecturally to these characteristics, in order to achieve an overall improvement in the quality and experience of the street at pedestrian level. The design concept option in the Planning Proposal has explored this architectural response in ways which respond to the geometry and scale of the neighbouring heritage item. The façade of the neighbouring item uses both curved and rectilinear elements, presenting a geometry which has been reflected in the curved glazing which makes up sections of the podium in the concept design.

The façade design of the Former North Shore Gas Co building also uses a combination of horizontal and vertical elements whereby the awning and first floor windows are contrasted with the verticality of the concave fluting. The design concept for the subject site demonstrates a continuation of the horizontal lines created by this façade, where horizontal banding is aligned with the awning and top of the building, while emphasising vertical geometries. This use of geometry, articulated on a small scale appropriate to the streetscape, demonstrates a sympathetic response to the architecture of the heritage item.



Figure 65: Design concept,, the neighbouring heritage item (seen at right) (Source: Fitzpatrick + Partners)

## 6.4 EVALUATION OF THE GUIDELINES OF THE NSW HERITAGE DIVISION

The following assessment is based on the assessment criteria set out in the NSW Heritage Office (now Heritage Division) publication 'Statements of Heritage Impact', contained within the NSW Heritage Manual. The standard format has been adapted to suit the circumstances of this application.

### 6.4.1 NEW DEVELOPMENT ADJACENT TO A HERITAGE ITEM (INCLUDING ADDITIONAL BUILDINGS AND DUAL OCCUPANCIES)

- *How is the impact of the new development of the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*

- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

**Comment:**

The site is in close proximity to a number of locally listed heritage items, including several which have landmark status in Crows Nest and which define the Five Ways intersection and form the character of the Crows Nest shopping strip along the Pacific Highway. These heritage items are listed in Section 4.0 above and include, among others, the Crows Nest Fire Station, Crows Nest Hotel, the Uniting Church and the Former National Australia Bank. As noted above, the site is also in the vicinity of the Former North Shore Cas Co. Office, which neighbours 270 Pacific Highway to the north.



Figure 66: The Five Ways intersection viewed from Falcon Street (Source: NBR SARCHITECTURE 2020)



Figure 67: The Five Ways intersection viewed from Falcon Street facing south along the Pacific Highway. The subject site is indicated by the red arrow. (Source: NBR SARCHITECTURE 2020)

The heritage character of the Five Ways intersection will be retained and views to and from this intersection, along the Pacific Highway, will be retained. The size of building permissible as a result of the proposed amendments to the planning controls will not affect close views towards heritage items identified in this report. Their street frontages and contribution to their streetscapes will be retained.

The potential heritage impact of taller buildings in the area, as envisaged by the 2036 Plan, relates to the overall changes to the area's scale and built fabric, and thus the change in the setting of the heritage items. Over time, these items will be understood within a more developed urban context where their relatively small scale is seen in greater contrast to the new, taller buildings surrounding them. This eventual development is anticipated by the 2036 Plan and is reflected in the height limits for sites specified within the Plan. The 13-storey height limit for the subject site will contribute to this level of development and will alter the immediate context of the neighbouring heritage item and those in the vicinity.

The 13-storey building on the site which would be permissible as a result of the proposed FSR amendment will not make a substantial difference to this context, the heights of the heritage items (generally two to four storeys) having already been substantially exceeded. The small scale of the heritage items, their presentation to the street and their finer detailed architectural qualities means that the public experience of these items is predominantly obtained from street level. The perception of these buildings from street level will not be



substantially altered by the difference of three storeys atop a 13-storey building in the vicinity.

In addition to these individually listed items, the site is also in the vicinity of the Holtermann Estate C Conservation Area, the western edge of which is bordered by the Pacific Highway. In response to the proximity of the Conservation Area, the massing of the proposed tower has been designed so as to avoid overshadowing onto this area, which would reduce its amenity. This has resulted in an articulated volume that is terraced to the west and has its highest point to the north. In this way, the amenity and public experience of the Conservation Area will be retained.



Figure 68: Shadow diagrams. The Conservation Area is shown outlined and shaded in red. (Source: Fitzpatrick + Partners, approximate outline of Conservation Area added by NBRS)

The proposed amendments to the FSR of the subject site will retain the established cultural significance of the Conservation Area and the heritage items in the vicinity. The contribution each heritage item makes to the historic character of the area will be retained, albeit in the altered urban context permissible in the *2036 Plan*. These items will continue to be legible as historic buildings of high architectural quality, making an important contribution to the streetscape.

The amenity of the Conservation Area as well as its historical and aesthetic significance will be retained. The contribution the Conservation Area makes to the history of the overall locality will be retained.

## 6.5 HERITAGE OBJECTIVES OF THE *NORTH SYDNEY LEP 2013*

The proposed development is considered to be acceptable, from a heritage perspective, for the following reasons:

- The cultural significance of heritage items in the vicinity of the site will be retained; and

- The cultural significance of the Holtermann Estate Conservation Area will be retained.

The proposal is, therefore, considered to be consistent with the relevant heritage objectives of the *North Sydney LEP 2013*, which are:

**5.10 Heritage conservation**

*(1) Objectives*

*The objectives of this clause are as follows:*

- (a) to conserve the environmental heritage of North Sydney,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views*

**6.6 HERITAGE GUIDELINES OF THE NORTH SYDNEY DCP 2013**

The *North Sydney DCP 2013* supports the *North Sydney LEP 2013* by providing additional objectives and development standards for the protection of heritage within the North Sydney LGA. The Planning Proposal is generally consistent with the objectives of the *North Sydney DCP 2013* that relate to heritage and are set out in the following DCP Sections;

***Section 13: Heritage & Conservation***

## 7.0 CONCLUSION

The proposed amendments to the planning controls for the site at 270 Pacific Highway Crows Nest, are acceptable from a heritage perspective.

The development of the Planning Proposal has been guided by a series of identified heritage principles, in order to ensure that the new development which would result from the amended controls is sympathetic to the heritage context of the site.

The proposal will retain the established cultural significance of the Holtermann Estate Conservation Area and the heritage items in the vicinity. The contribution each heritage item makes to the historic character of the area will be retained, albeit in the altered urban context permissible in the *2036 Plan*. These items will continue to be legible as historic buildings of high architectural quality, making an important contribution to the streetscape.

The amenity of the Conservation Area as well as its historical and aesthetic significance will be retained. The contribution the Conservation Area makes to the history of the overall locality will be retained.

The proposed minor alterations are consistent with the heritage objectives of the *North Sydney LEP 2013* and the *North Sydney DCP 2013*. In our view, the consent authority should have no hesitation, from a heritage perspective, in approving this application.



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