



# Architectural Projects

2014 – 360 Pacific Highway, Crows Nest  
Heritage Assessment  
October 2021

# Architectural Projects \*

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## 2014 – 360 PACIFIC HIGHWAY, CROWS NEST – HERITAGE ASSESSMENT

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## 1. INTRODUCTION

### 1.1. BACKGROUND

The site of 360 Pacific Highway, Crows Nest is currently the subject of a Preliminary Heritage Assessment and a Heritage Impact Statement to accompany a Planning Proposal.

### 1.2. OUTLINE OF TASKS REQUIRED TO BE UNDERTAKEN IN THE BRIEF

Architectural Projects were commissioned by Galifrey Property to prepare this Heritage Assessment in October 2021 to accompany a Development Application

The Heritage Impact Statement (HIS) is prepared in accordance with the Heritage NSW, Department of Premier and Cabinet publication "Statement of Heritage Impact".

### 1.3. SITE LOCATION AND DESCRIPTION

The subject site comprises one land parcel of 1,409m<sup>2</sup> with a primary frontage to Pacific Highway, and a secondary frontage to Nicholson Place, both approximately 42 metres in length.

The site currently contains a three-storey retail/commercial building built c1984.

Six heritage-listed terrace buildings- Higgins Buildings (nos. 366, 368, 370, 372, 374, 376 Pacific Highway) adjoin the site to the north. Similar terraces also located along the street block - Shops nos. 330, 332, 334, 336, 338 Pacific Highway; and Shops nos. 312, 314, 316, 318, 320, 322-324 Pacific Highway. To the south-west of Nicholson Place are existing residential dwellings including a three-storey residential apartment complex.

Refer Fig 1.1, Aerial Photograph, Fig 1.2, Location Map and Fig 1.3 Heritage Map

### 1.4. METHODOLOGY

The Assessment has been prepared in accordance with the methodology outlined in *The Conservation Management Plan* by Dr James Semple Kerr (7<sup>th</sup> Edition 2013). The report complies with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (*The Burra Charter*) and its Guidelines. The methodology used in the evaluation of the place is that recommended by the Heritage NSW, Department of Premier and Cabinet.

It seeks to identify from documentary and physical evidence any historic, aesthetic, social and technological values of the building and to determine its level of representatives or rarity by comparison with other identified examples. The analysis also looks at the overall character of the adjoining area to determine if the building and the site development pattern contribute to a characteristic grouping or cohesive streetscape that is unique or of sufficient importance to require protection.

### 1.5. LIMITATIONS

A time frame of four weeks was established for the preparation of the Report. Access was given to the site and records held by the applicant and Council. No physical intervention was undertaken to prepare this report. No historical archaeological work was commissioned for the report.

### 1.6. IDENTIFICATION OF AUTHORS

The report has been prepared by a team consisting of the following key members:

Jennifer Hill – Architectural Projects Pty Ltd – Heritage Architect  
Elizabeth Gibson – Architectural Projects Pty Ltd – Heritage Architect  
Sakia Ahmed – Architectural Projects Pty Ltd – Architect

#### 1.7. TERMINOLOGY

The terms fabric, place, preservation, reconstruction, restoration, adaptation and conservation used throughout this report have the meaning given them in Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter).

The terminology used to describe building styles follows the nomenclature set out in Apperly, R., Irving, R. and Reynolds, P. A Pictorial Guide to Identifying Australian Architecture, 1989.

#### 1.8. DEFINITION

To achieve a consistency in approach and understanding of the meaning of conservation by all those involved, a standardised terminology for conservation processes and related actions should be adopted. The terminology in the Burra Charter is a suitable basis for this. Article 1 of the Burra Charter gives the following definitions:

Place means site, area, building or other work, group of buildings or other works together with associated contents and surround.

Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations.

Fabric means all the physical material of the place.

Conservation means all the processes of looking after a place to retain its cultural significance. It includes maintenance and may, according to circumstance include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Maintenance means the continuous protective care of the fabric, contents and setting of a place, and it is to be distinguished from repair. Repair involves restoration and reconstruction, and it should be treated accordingly.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the fabric. This is not to be confused with either recreation or conjectural reconstruction, which are outside the scope of the Burra Charter.

Adaptation means modifying a place to suit propped compatible uses.

Compatible use means a use, which involves no change to the culturally significant fabric, changes, which are substantially reversible, or changes which require a minimal impact.

1.9. ACKNOWLEDGMENTS

North Sydney Council  
North Sydney Local Studies Library

1.10. EXTENT OF SEARCHES

Information searches have occurred with the following organisations:

The Mitchell Library  
State Library of NSW  
NSW Land Registry Services  
National Library of Australia - TROVE  
Local Studies Library  
Sydney Water Archives  
North Sydney Council Archives  
National Trust of Australia (NSW)  
Heritage Council of NSW  
NSW State Heritage Inventory  
Australian Institute of Architects (AIA) Twentieth Century Heritage Inventory  
Art Deco Society of NSW Heritage Inventory  
Sands Directories  
Docomomo Register

1.11. COPYRIGHT

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## 2. HISTORICAL DOCUMENTARY EVIDENCE

### 2.1. TIMELINE OF THE SUBJECT SITE

YEAR	MONTH	DESCRIPTION
1825	30 June	Part of 524 acres (Portion 323 of Parish) granted to Edward Wollstonecraft
1905	August	Certificate of Title was issued to Hay and Norton
1911	June	Subject site (lots 5-10) was bought by Thomas Harrison, a gentleman of Wahroonga
1912	November	Property sold to Joseph Knight Smith, a licensed victualler of Willoughby
1914		Property was transferred to Queens Theatre Limited
1921		Property sold to Richard Peters Blundell of Lane Cove, the builder of the Theatre
1924		New Title was issued to Blundell
1929		Property was transferred from the mortgagee exercising the power of sale to James Fitzpatrick
1929	September	Herbert James Fitzpatrick sold to Hotelkeeper Lionel Levy
1931		Property was sold by the Mortgagee this time to Alfred Emil Schoeffel, a merchant of Sydney
1931		Site was leased to Ben and John Fuller Theatres PL
1938		Property was sold by the Mortgagee passing to McCallum Investments PL
1938	June	A lease to New Queens theatre PL was signed 1938
1938		The Theatre was remodelled and reopened as 'Sesqui'
1953		The Theatre became part of the MGM chain. Renamed to 'Metro Crows Nest'
1958		A lease to New Queens theatre PL was signed
1971		New Certificate of Title was issued
1971		Metro sold the chain to Greater Union however the Crows Nest site was initially not part of the takeover
1974		Re-named to Village Theatre operated under this name only until 1975
1977	December	Reopening after refurbishment
1983	28 May	Theatre was demolished
1984		Pinyali office building, designed by Philip Cox was constructed on the site

### 2.2. HISTORY OF THE SUBJECT SITE

Part of 524 acres (Portion 323 of Parish) granted to Edward Wollstonecraft on 30th June 1825. The land was subdivided under DP 4320 by John Hay and Hon. James Norton. The subject site was Lots 5-10 in Section 33 DP 4320. A Certificate of Title was issued to Hay and Norton in August 1905 and passed to Hay and Roxburgh on the death of Norton. (Fig 2.1, 1905) The subject site (lots 5-10) was bought by Thomas Harrison, a gentleman of Wahroonga, in June 1911, subject to covenants.<sup>1</sup> (Fig 2.2,

<sup>1</sup> Certificate of Title 1626-104

1911) A new Certificate of Title was issued.<sup>2</sup> The property sold to Joseph Knight Smith, a licensed victualler of Willoughby in November 1912.

A Certificate of Title was issued to Hay and Roxburgh in 1913 for the residue of DP 4320, including the lots later developed with the Higgins Buildings. (Fig 2.3, 1913)

In 1914, the subject property was transferred to Queens Theatre Limited, and a new theatre, was commissioned for the subject site. The architect of the new 'Queens Theatre' was Rupert Minnett, and the builder was Richard Blundell.

Newspapers reported a modern picture theatre, accommodating over 1000 patrons. The dress circle was to be completed later. It was noted that: *The main entrance, with tiled floors and stone archway, and the balcony, and suspended awning to the whole of the frontage, will be features of the elevation. Provision will be made for two shop residential premises adjoining, designed in harmony with the theatre.*<sup>3</sup>

The building was featured in Building magazine 1915, which included a sketch of the original Theatre and a description as follows:

*The Queen's Kinema Theatre, at North Sydney, was designed by Architect Rupert V. Minnett, and built by R. P. Blundell. Externally the design is one of the pleasantest that has been erected in Sydney or suburbs. The absence of the usual garish ornamentation is unusual and pleasing. Although a large Avail surface is presented to the street, it has been given an artistic and substantial appearance by the introduction of thrust towers harmoniously balancing a simple effective roof gable. A suspended awning makes a nice break between the shop fronts and openings and the superimposed walling. Perhaps the principle of the suspended awning has never been used to better effect. The centre relief consists of a balcony projected from the plain walling with hipped roof over giving all that is required in the way of variety. The towers are relieved by diamond-paned windows and a feature is made of the sill; although the use of this is not obvious, it certainly gives to the window a substantial appearance in keeping with the general design. Internally a raised gallery is arranged immediately at the back of and adjoining the sloping floor of the theatre, and provision has been made for future addition of dress circle accommodation. Steel roof principals span the whole with a width of 70 feet 6 inches, whilst the arrangement of a large open space in the roof provides for free movement of air.*<sup>4</sup> (Fig 2.5, 2.6, 2.7 c1915)

The property sold to Richard Peters Blundell of Lane Cove, the builder of the Theatre in 1921. A new Title was issued to Blundell in 1924. In 1929, the property was transferred from the mortgagee exercising the power of sale to James Fitzpatrick, an agent of Sydney.<sup>5</sup>

Herbert James Fitzpatrick sold to Hotelkeeper Lionel Levy in September 1929. Again, the property was sold by the mortgagee this time to Alfred Emil Schoeffel, a merchant of Sydney in 1931. In 1931, the

<sup>2</sup> Certificate of Title 2174-232

<sup>3</sup> The Daily Telegraph (Sydney, NSW: 1883 - 1930) Tue 31 Mar 1914, Page 11 QUEEN'S THEATRE, CROW'S NEST

<sup>4</sup> BUILDING July 12, 1915. pp 86-87

<sup>5</sup> Certificate of Title 3630-124

site was leased to Ben and John Fuller Theatres PL. In 1938, the property was sold once more by the mortgagee passing to McCallum Investments PL. A lease to New Queens Theatre PL was signed in June 1938, and in 1958.<sup>6</sup>

The Theatre was remodelled and renamed 'Sesqui' in 1938. Panels commissioned by Sydney County Council and mounted on George Street facade of the Queen Victoria Building for Australian Sesqui-centenary celebrations in 1938, were purchased for the newly refurbished Queens Picture Theatre. The panels were designed by artist Edmund Harvey and the sculptors Neville Bunning and Morris Helsen.<sup>7</sup> (Fig 2.8, 2.9 1938)

The theatre became part of the MGM chain in 1953 when it was renamed the 'Metro Crows Nest'.<sup>8</sup> (Fig 2.10, 1950s) (Fig 2.11, 1960s)

A new Certificate of Title was issued in 1971.<sup>9</sup> In early-1971, Metro sold the chain to Greater Union however the Crows Nest site was initially not part of the takeover. It was re-named Village Theatre in 1974, but operated under this name only until 1975. After a short closure, it ran second release product for some months, then closed for refurbishment, reopening in December 1977 as part of the Dendy group with the Australian premiere of "The 12 Chairs". (Fig 2.12, 1978c) For several years it featured first release product, including a run of "Harold and Maude" before closing when the Dendy group ran into financial trouble.<sup>10</sup> (Fig 2.13, 1983c)

The theatre was demolished on 28th May 1983<sup>11</sup> and the land redeveloped with the current building. The Sesqui-centenary panels were relocated to the Holroyd Centre.

The Pinyali office building, a three-storey commercial and retail development was designed by architect Philip Cox for an overseas developer whose interests were managed by Shroder Darling and Co. This same client commissioned Parangool Offices at No 1 Pacific Highway North Sydney.<sup>12</sup> (Refer Appendix A) (Fig 2.14, 1984)

### 2.3. HISTORY OF THE HIGGINS BUILDINGS (ADJOINING)

Sydney George Parkes, of Sydney, Hotel Proprietor purchased Lots 1-4 in Section 33 from Alexander Hay and David William Roxburgh in July 1915, with a covenant that any building erected must be brick or stone or brick and stone.<sup>13</sup> (Fig 2.4, 1915) The land was transmitted to James Joynton Smith MLC in 1916.<sup>14</sup> The site was transferred to Meta Victoria Wyben Smith in 1918. In March 1923, Meta Victoria Wyben Smith sold the land to BJ Higgins, landowner, and his wife Amanda.

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<sup>6</sup> Certificate of Title 4334-242

<sup>7</sup> North Sydney Council archives

<sup>8</sup> Ron Jackson, Cinema Treasures

<sup>9</sup> Certificate of Title 11596-180

<sup>10</sup> Ron Jackson, Cinema Treasures

<sup>11</sup> Cinema and Theatre Historical Society, saths.org.au

<sup>12</sup> The work of Philip Cox and Partners 1983-1985

<sup>13</sup> Certificate of Title 2586-49

<sup>14</sup> Certificate of Title 2357-228

The Higgins Buildings were built on Lots 1-4 in Section 33 DP 4320, by Bartholomew James (Bartie) Higgins in 1923.

BJ Higgins was an ironmonger who by 1910 was in partnership with William Pennington Prentice trading as Prentice and Higgins at 189-191 Miller St. North Sydney. The partnership was dissolved in 1921, and Prentice continued in the business renamed WP Prentice.<sup>15</sup>

Higgins and his wife Amanda left Australia for America in 1921 and returned in 1924. Higgins was reported to have wealthy relatives in America. In May 1925, Higgins, Cramer Brothers (agents), and Norman Rutter (Bank Manager) formed a partnership to deal in real estate. In 1929, Higgins (who by then was said to be "practically an inebriate") was placed in a home for treatment and Higgins (Buildings) Ltd was formed to take over the partnership. Cramer Brothers collected rent from tenants for Higgins. Bartie Higgins, died in November 1932, leaving his estate to his widow, Amanda Marie Frances Higgins of Streatfield Rd, Bellevue Hill and two children.<sup>16</sup>

Amanda Higgins transmitted Lots 1-4 in Section 33 DP 4320 to Margaret Foley Higgins, spinster in May 1963.<sup>17</sup>

The Higgins Buildings were re-subdivided as Lots 1-6 DP 222601 in July 1964 for WR Hardy.<sup>18</sup> In 1984, Higgins (Buildings) Ltd was wound up with Archibald Mitchell of 278 Pacific Highway appointed liquidator. Sir John Cramer was Chairman.<sup>19</sup>

#### 2.4. RELEVANT HISTORICAL THEMES

National	State	Local
Building, Settlements, Towns and Cities	Towns, Suburbs and Villages: Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages.	Towns, Suburbs and Villages: Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages.
Building, Settlements, Towns and Cities	Land Tenure: Activities and processes for identifying forms of ownership and occupancy of land	Land Tenure: Activities and processes for identifying forms of ownership and occupancy of land

<sup>15</sup> Government Gazette of the State of New South Wales (Sydney, NSW: 1901 - 2001) Fri 4 Feb 1921 [Issue No.18] Page 906

<sup>16</sup> The Sydney Morning Herald (NSW: 1842 - 1954) Wed 30 Aug 1933 Page 8 NO. 1 JURY CAUSES.

<sup>17</sup> Certificate of Title 8432-36

<sup>18</sup> Certificate of Title 9773-5-10

<sup>19</sup> Government Gazette of the State of New South Wales (Sydney, NSW: 1901 - 2001) Fri 11 May 1984 [Issue No.73] Page 2461

### 3. PHYSICAL EVIDENCE

#### 3.1. PHYSICAL DESCRIPTION – 360 PACIFIC HIGHWAY, CROWS NEST

The subject site is located in a commercial strip on the Pacific Highway at Crows Nest. The site is distinguished by mature plane trees to the Highway frontage and gum trees to rear. The plane trees break the linear quality of the streetscape formed by the stepping early 20<sup>th</sup> Century two storey parapeted shop fronts built to the street alignment and the stepped awnings.

The Pinyali building features a recessed entry court formed by splayed facades which also breaks the street wall and focuses attention on the building. The tubular steel framed awnings reference the stepped awnings of the streetscape and are characteristic of Cox architecture in the period.

Cox described the project as follows:

The Pinyali project is a three-storey commercial and retail development situated at 360 Pacific Highway, Crows Nest. The project has the same overseas client as the Parangool offices at North Sydney.

The Pinyali development is situated amongst low scale shops and offices, predominantly two storeys in height, and of mixed design. To enhance the commercial viability of the development, the design creates a focus in the street façade of the Pacific Highway to focus attention on the building. To achieve a focus and still maintain the low scale of the adjoining buildings, the façade is splayed at 30o from the Highway. This splay allows the building to rise three storeys without excessively altering the surrounding two-storey scale, the three storeys allow greater opportunity for multiple tenancy with terrace spaces. The gentle slope of the site was utilized by providing access to two levels of carparking off Nicholson Place at the rear of the building. The design of the tubular steel sunscreen frames reduces the load on air-conditioning services and aids in refining the simple structural framework of the building.<sup>20</sup>

#### Higgins Buildings

The adjacent heritage listed Higgins Buildings 1923, was originally face brick with render banding, timber sash windows with multi pane upper sash. The upper level façade is relatively intact other than the painting of face brickwork. Most of face brick has been painted. The façade is altered below the awning. Leadlight highlight shop window survives at corner of Hume St. Pressed metal to the underside of the awning. Shopfronts replaced.

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<sup>20</sup> The work of Philip Cox and Partners 1983-1985



#### 4. ASSESSMENT OF CULTURAL SIGNIFICANCE

##### 4.1. COMPARATIVE ANALYSIS

###### The work of Philip Cox within the context of the late 20th century

A preliminary analysis of the late 20thC work of Philip Cox has been undertaken to inform the assessment of significance of the site.

Philip Cox AO was an important architect of the late 20th Century. His contribution to the architecture of the period relates primarily to his work in stadiums and specialist public buildings, and also to his interest in the vernacular.

Cox was heavily involved in the bicentenary major public works projects which included the Sydney Football Stadium (demolished), and the redevelopment of Darling Harbour with the Sydney Exhibition Centre (demolished), the National Maritime Museum, and the Sydney Aquarium. The Sydney Casino (which Cox described as “by far his worst building”), the television studio extension to the ABC Centre, Harris Street, the neighbouring UTS Design, Architecture and Building faculty building.

Pickett states that Philip Cox more or less invented modern sports architecture in Australia. “Before Cox designed the National Athletics Stadium (Canberra Stadium) during the 1970s, Australia boasted perhaps one state of the art sports venue – the aquatic centre designed for the 1956 Melbourne Olympics by John and Phyllis Murphy, Peter McIntyre and Kevin Borland. Cox’s design for Canberra Stadium created a modest but important venue; its suspended, column-free roof was part of the future of stadiums world-wide. Cox advanced the stadium genre with his next major project, the Sydney Football Stadium completed in 1988. Since 1988 Cox has been involved with at least one more ground-breaking sports venue: the National Tennis Centre, Melbourne.”

Apperley et al list Cox as a key practitioner of the Late 20thC Post Modern style as well as Late 20thC Structuralist style. This text identifies the Sydney Exhibition Centre, National Maritime Museum, Sydney Aquarium and Sydney Football Stadium as exemplars of the Structuralist style. Other major works were completed in the post-modern style, notably the UTS Library and Haymarket campus building in Chinatown.

Graham Jahn notes the Sydney Football Stadium, the Sydney Exhibition Centre (both demolished), the Sydney Aquarium and the National Maritime Museum as major public works<sup>21</sup> Jahn also identifies Yulara, the National Tennis Centre, The Sydney Casino, the International Aquatic and Athletic Centre, the Brisbane Convention Centre and Cairns Convention Centre.<sup>22</sup> No commercial work of Cox in Sydney is cited.

Jennifer Taylor makes no mention of Cox’s commercial work in her review of architecture of the period, however there are many references to Cox and his key projects. Cox’s award-winning early work with Ian McKay – namely the CB Alexander Presbyterian Agricultural College at Tocal and Leppington is noted. In Canberra, three special use buildings are described: The National Athletics Stadium Bruce,

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<sup>21</sup> Jahn, Graham, 1997, Sydney Architecture, Watermark Press, Sydney p149

<sup>22</sup> Jahn, Graham, 1997, Sydney Architecture, Watermark Press, Sydney p229

1977, The ACT Family and Juvenile Law Court 1981, and the Irish Embassy 1981. The former provides a precursor to the Sydney Football Stadium, while the latter two evidence Cox's ability to apply his domestic language to public buildings. The court featured warm brown bricks and a familiar scale with small courtyards. The embassy is restrained and reflects Cox's interest in the vernacular, recasting an Irish farmhouse in a contemporary idiom.<sup>23</sup> In the arena of domestic architecture, Taylor notes the David Moore House 1976-80, a restrained and orderly contained solution<sup>24</sup> and the House at Kellyville 1971 which applied lessons learnt from the study of the vernacular.<sup>25</sup> Taylor describes Yulara as the culminating design of Cox's career to date, a work "both servile to the setting yet confident in its man-made character bringing together sympathetic blending of architecture and setting to the use of appropriate advanced technologies".<sup>26</sup>

Of his urban work, Taylor identifies the former Institute of Technology campus (now UTS), showing a change in direction in the work of Cox, moving away from conservationist to an unhesitant juxtaposition between old and the new. The Forbes Street housing project Woolloomooloo 1979, located in a 19thC streetscape, is noted with the profiles and proportions of existing buildings providing the basis of simplified forms of the new. Taylor describes Cox's work at Darling Harbour as "light weight, light coloured, light-hearted buildings, of which Cox managed to break down the bulk and relate to a pedestrian scale, creating a lively building through the staggering of the plan, the exposure of the structure, and the introduction of scale elements."<sup>27</sup> The Sydney Football Stadium provided heavy earthbound seating with a free flying roof overhead. The tennis centre in Melbourne she describes as accomplished but less adventurous.<sup>28</sup>

The Cox website does not currently identify the subject building among the firm's commercial work in Sydney, although it does include No 1 Pacific Highway (1987) which was built for the same client three years later. The Cox book includes the subject building (Pinyali Office Development) among the list of work produced by Philip Cox and Partners in the period 1983-1985. This list includes a number of commercial projects – Parangool Office Development, (former) National Heart Foundation Headquarters at Deakin, (former) Canberra Building Society Headquarters, the Victoria Cross Office Development at North Sydney and the Pinyali Office Development. (Refer to table below)

Cox has received the Sir Zelman Cowen Award, the RAA Gold Medal in 1984, Life Fellowship to the RAA in 1987 and Honorary Fellowship of the American Institute of Architects in the same year. In 1988 he was appointed an Officer of the Order of Australia in recognition of service to architecture. In 1993 he received the inaugural award for Sport and Architecture from the International Olympic Committee. Cox received architecture awards for his stadiums, his educational work, residential work, court buildings, and his restoration work. His commercial work was not awarded.<sup>29</sup> (See Appendix A - Comparative Analysis of the work of Philip Cox 1983-1985)

<sup>23</sup> Taylor, Jennifer; *Australian Architecture Since 1960*, Second Edition, National Education Division 1990. p113-5

<sup>24</sup> Taylor, Jennifer; *Australian Architecture Since 1960*, Second Edition, National Education Division 1990 p151-2

<sup>25</sup> Taylor, Jennifer; *Australian Architecture Since 1960*, Second Edition, National Education Division 1990p165

<sup>26</sup> Taylor, Jennifer; *Australian Architecture Since 1960*, Second Edition, National Education Division 1990 p157

<sup>27</sup> Taylor, Jennifer; *Australian Architecture Since 1960*, Second Edition, National Education Division 1990 p236

<sup>28</sup> Taylor, Jennifer; *Australian Architecture Since 1960*, Second Edition, National Education Division 1990 p237

<sup>29</sup> Philip Cox: A Half Century, Owen Lynch, 2013. Indesignlive <https://www.indesignlive.com/people/philip-cox-a-half-century#ixzz2eiSqodl>

4.2. SUMMARY STATEMENT OF SIGNIFICANCE – 360 PACIFIC HIGHWAY, CROWS NEST

The existing office building at 360 Pacific Highway is a representative example of the commercial work of Phillip Cox of the period 1983-1985.

It does not meet the threshold for individual heritage listing.

4.3. SUMMARY STATEMENT OF SIGNIFICANCE – HIGGINS BUILDINGS

The Inventory Sheet notes:

*A good example of an Interwar Free Classical brick and rendered commercial/retail building housing a group of shops which occupies an important corner location and which complements and reflects the type of development characteristic of this streetscape.*

*A good example of an Interwar commercial/retail building housing a group of shops which occupies an important corner location and which complements and reflects the type of development characteristic of this streetscape.*

*Heritage Inventory sheets are often not comprehensive and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include information on landscape significance, interiors or the social history of sites and buildings. Inventory sheets are updated by Council as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items and is necessary in preparation of Heritage Impact Assessments and Conversation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.*

## 5. CONSTRAINTS & OPPORTUNITIES

- 5.1. CONSTRAINTS & OPPORTUNITIES ARISING FROM THE CULTURAL SIGNIFICANCE OF THE PLACE  
The significance of the existing building does not warrant its listing as a heritage item or its retention.

- 5.2. CONSTRAINTS & OPPORTUNITIES ARISING FROM HERITAGE ITEMS IN THE VICINITY  
Any proposed changes must consider potential impacts on the following heritage items, which are located in the vicinity of the site.

I0166	Higgins Buildings	366 Pacific Highway
I0167	Higgins Buildings	368 Pacific Highway
I0168	Higgins Buildings	370 Pacific Highway
I0169	Higgins Buildings	372 Pacific Highway
I0170	Higgins Buildings	374 Pacific Highway
I0171	Higgins Buildings	376 Pacific Highway

Any new building must respond to heritage items in the vicinity. It must respond to the scale, form and detail of surrounding significant development. New development should respect the form and finish of the heritage items in the vicinity. New work should respect prominence of the heritage items in the streetscape.

The controls anticipate a podium façade treatment which relates to the street façade of the adjacent Higgins Buildings.

- 5.3. CONSTRAINTS & OPPORTUNITIES ARISING FROM HERITAGE PLANNING REQUIREMENTS

5.3.1. Australian Heritage Council

The building and site is not included on the Register of the National Estate nor on the list of items nominated for evaluation. Listing in this register imposes no legal restrictions.

5.3.2. Heritage Council of NSW/NSW Heritage Act

The building and site is not covered by statutory protection provided pursuant to the NSW Heritage Act. 1977. No constraints apply.

5.3.3. National Trust (NSW)

The building and site is not listed by the National Trust (NSW) Listings in this register imposes no legal restrictions. No constraints apply.

5.3.4. AIA Register of Significant Buildings

The building is not listed as a heritage item by the AIA. Listings in this register imposes no legal restrictions. No constraints apply.

5.3.5. Australian Institute of Engineers

The building is not listed as a heritage item by the Royal Australian Institute of Engineers. Listings in this register impose no legal restrictions. No constraints apply.

5.3.6. Art Deco Register of NSW

The building is not listed as a heritage item by the Art Deco Society of NSW. Listings in this register imposes no legal restrictions. No constraints apply.

5.3.7. Docomomo Register of Australia

The building is not listed by the Docomomo Register of Australia. Listings in this register impose no legal restrictions. No constraints apply.

5.3.8. Section 170 Register

The site and building is not listed as a heritage item on any 170 Register of any Government Body. Listings in this register imposes no legal restrictions. No constraints apply.

5.3.9. North Sydney Council

The building and site is not listed as a heritage item in the LEP. Heritage items are located in the immediate vicinity, Higgins Buildings I0166 – I0171.

5.4. CONSTRAINTS & OPPORTUNITIES ARISING FROM THE CONDITION OF THE PLACE

The building is presently in reasonable condition.

5.5. CONSTRAINTS & OPPORTUNITIES ARISING FROM PROPERTY OWNERSHIP

The owners wish to demolish the building and develop the site.

5.6. OTHER STATUTORY REQUIREMENTS

Under the **North Sydney Local Environmental Plan 2013 (NSLEP 2013)**, the subject site is zoned B4 – Mixed Use with a maximum building height of 10 metres, a minimum non-residential Floor Space Ratio (FSR) of 0.5:1 and no applicable maximum residential FSR.

The subject site is located within the area covered by the **St Leonards and Crows Nest 2036 Plan (2036 Plan)**, prepared by the Department of Planning, Industry and Environment, which sets out site-specific built form controls, including 18 storey maximum height and FSR 5.5:1 with minimum no residential of 2:1.

Any changes in the use of the building may result in a need to upgrade certain facilities to meet such obligations as may be imposed by North Sydney Council.

## 6. STATEMENT OF HERITAGE IMPACT

### 6.1. THE PROPOSAL

The proposal is described in Drawings prepared by Nettletontribe dated June 2021. (Appendix B)

The proposal involves the following scope of works:

- 18 Storey mixed use building
- Small boutique tower with apartments
- Three storey high podium with prominent two storey portion which relates to the scale of the Higgins Buildings.

### 6.2. ASSESSMENT OF HERITAGE IMPACT USING THE HERITAGE NSW GUIDELINES

The NSW Heritage Office provides the following guidelines as a prompt to assess the impact of a proposed development located in the vicinity of a Heritage Item.

6.2.1. *How is the impact of the new development on the heritage significance of the item or area to be minimised?*

Response

The impact of the new development on the Heritage Items in the vicinity is minimised by creation of a podium with a prominent two storey façade which relates to the scale of the Higgins Buildings.

6.2.2. *Can the additional area be located within an existing structure? If not, why not?*

Response

The St Leonards and Crows Nest 2036 Plan (2036 Plan) sets out site-specific built form controls for the subject site including 18 storey maximum height and a maximum FSR of 5.5:1. This exceeds the existing building envelope. No additional area is proposed to the Heritage Items in the vicinity.

6.2.3. *Will the additions visually dominate the heritage item?*

Response

The additions do not dominate the Heritage Items in the vicinity because of the proposed podium with the prominent two storey portion which relates to the scale of the Higgins Buildings.

6.2.4. *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*

Response

The development is not sited on any known, or potentially significant archaeological deposits.

6.2.5. *Are the additions sympathetic to the heritage item?*

Response

The new development provides a sympathetic response to the Higgins Buildings and other heritage items in the streetscape by the inclusion of a podium with a prominent two storey façade which relates to the scale of the Higgins Buildings.

6.2.6. *Why is the new development required to be adjacent to a heritage item?*

Response

The St Leonards and Crows Nest 2036 Plan (2036 Plan) sets out site-specific built form controls, including 18 storey maximum height and FSR 5.5:1 for the subject site which is located adjacent to a heritage item.

6.2.7. *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*

Response

The curtilage around the heritage item can be defined by the lot boundary of the Higgins Buildings. No new development is proposed on the Higgins Buildings.

6.2.8. *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*

Response

New development does not affect views to, and from, the Heritage Item in the Vicinity. No new development is proposed on the Higgins Buildings.

6.2.9. *Will the public and users still be able to view and appreciate its significance?*

Response

The public and users will still be able to view and appreciate the significance of the Higgins Buildings and recognise the contemporary infill that responds to that character. No new development is proposed on the Higgins Buildings.

6.3. MITIGATION MEASURES

The impact of the new development on the heritage significance of the adjacent heritage item is minimised by the creation of a podium with a prominent two storey façade which relates to the scale of the Higgins Buildings.

6.4. CONCLUSION

The significance of the existing building on the site does not warrant its listing as a heritage item or its retention.

The St Leonards and Crows Nest 2036 Plan (2036 Plan) sets out site-specific built form controls, including 18 storey maximum height and FSR 5.5:1.

Given the heritage significance of the adjoining Heritage item (Higgins Buildings), options for a podium with a prominent two storey portion which relates to the scale of the Higgins Buildings that relates to the Higgins Buildings is most appropriate.



## 7. BIBLIOGRAPHY

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Government Gazette of the State of New South Wales (Sydney, NSW: 1901 - 2001) Fri 11 May 1984 [Issue No.73] Page 2461

The Daily Telegraph (Sydney, NSW: 1883 - 1930) Tue 31 Mar 1914, Page 11 Queen's Theatre, Crow's Nest

The Sydney Morning Herald (NSW: 1842 - 1954) Wed 30 Aug 1933 Page 8 NO. 1 JURY CAUSES.

**8. LIST OF APPENDICES**

APPENDIX A

Comparative Analysis of the work of Philip Cox  
1983-1985

APPENDIX B

Design Presentation – Nettletontribe

## APPENDIX A

## Comparative Analysis of the work of Philip Cox 1983-1985

The following Comparative Analysis of the work of Philip Cox 1983-1985 focuses on his commercial work and also includes his key projects of the period.

### **Parangool Office**

Address: 1 Pacific Highway,

Date: 1987

Listing: NA

Notes: Same client as 360 Pacific Highway

The Parangool Office Development is a fourteen-storey development in a prominent location on the corner of Pacific Highways and Arthur Street in North Sydney.

Together with the semi-circular Travelodge Hotel on the other side of the highway, the site forms a 'gateway' from the Sydney Central Business District into North Sydney. The configuration of the site is a double wedge shape. The building plan is moulded to take up the wedge shape with the tower kept to the south obtaining a Pacific Highway address. The remaining portion of land is developed as an outdoor eating terrace raised to take advantage of easterly views over Sydney Harbour Bridge.

The curved façade is designed to accentuate the street corner as well as to maximise views to the harbour. Curtain glass is used to enhance the outlook. The façade is complemented by polished stone walls on adjacent elevations so that the overall building form appears as a strong crystalline form defining the 'gateway'.

The symmetrical plan is developed to maximise potential for multiple tenancies. The symmetry is continued into the lower lobby and foyer levels producing a radial geometry of ceilings and floors expressed unpolished stone surfaces. Sheer water surfaces are also introduced on these levels giving relationship between the building and the harbour. (*The work of Philip Cox and Partners 1983-1985*)



### **Victoria Cross Office Development**

Address: cnr Mount and Miller Sts North Sydney

Date: 1984

Listing: NA

Notes: The Victoria Cross Office is a fourteen-storey development on the corner of Miller and Mount Streets, North Sydney. Both the client and developer are White Industries Ltd. Facilities comprise 14200m2 offices, retail and tavern areas with plazas on street levels and underground car parking. The entrance lobby is a two-storey space accessed from the prominent north-east corner of the site.

The design criteria were based on a building envelope predetermined by the North Sydney Council. With minimal changes to the overall building shape predominant north-east axis was established parallel with Pacific Highway. Curved glass towers rise above the roof levels denoting the nodes of this axis. The splayed north-east corner maintains an open civic space to the corner of Miller and Mount Street and reinforces the axis.

The development achieves a prestigious image, one with a clear and distinctive expression of architecture. The façade consists of an all-glass curtain wall in contrasting dark grey and white glasses. Sunscreens provide additional comfort conditions in executive areas and reinforce the major axis. (*The work of Philip Cox and Partners 1983-1985*)



### **Former NSW Institute of Technology**

Address: UTS Haymarket Campus Building,  
Quay St Ultimo NSW

Date: 1983

Listing: AIA

Notes: Listed in Jahn (p265) as exemplar Late  
20thC Post Modern style.

A design focussing on the old Italianate  
campanile of banded brick and render.



### **Yulara Tourist Resort**

Address: Sails in the Desert, Ayers Rock Resort  
NT

Date: 1984

Listing: NA

Notes: A vision to create a cohesive township  
and sustainable visitor precinct near Uluru.  
The building won the Zelman Cowan Award  
in 1985 and was awarded the NT Enduring  
Architecture Award in 2019. The citation  
noted – “many aspects of the architecture,  
from colour to materials and urban form,  
speak of Cox’s ambition to develop a tangible  
form of contemporary Australian architectural  
expression. As a whole, the township was  
designed to respond to the climate, with  
careful consideration given to orientation,  
shade and prevailing breezes. In a location  
where large shade trees struggle to survive,  
elegant and innovative shade structures were  
developed.”



### **Sydney Exhibition Centre**

Address: Darling Harbour, NSW

Date: 1985-8 (demolished 2014)

Listing: AIA

Description: Listed in Jahn (p257) as exemplar  
of Late 20thC Structuralist style  
Mast and Cable structure, extensive partially  
glazed wall. A series of immense spaces  
enclosed in suspended lightweight



construction. One of the first buildings designed as a tensile form.

Cox identified the Sydney Exhibition Centre at Darling Harbour as one of his best works. The building won the Sulman Medal 1989 and was subsequently listed by ICOMOS (International Council on Monuments and Sites). and was demolished.

### **Sydney Football Stadium**

Address: Moore Park, Sydney NSW

Date: 1986 (demolished 2019)

Listing: AIA

Description: Listed in Jahn (p258) as exemplar of Late 20thC Structuralist style

The sweeping canopy is supported from above by triangular tension frames.



### **Former National Heart Foundation**

**Headquarters** Address: 15 Denison St

Deakin, ACT

Date: 1984

Listing: NA

Description: The National Heart Foundation Headquarters is sited within the West Deakin National Institution Area of Canberra, an area designated for special civic design consistency.

The Foundation required 1400 square metres of usable space in two equal areas so that 50% of the space could be initially let without loss of identity or address. This requirement stimulated an approach to develop two medium sized buildings created a low scale façade rhythm. The buildings are linked by a recessed glazed bridge containing the primary Board Room for the Foundation with flexibility of use for both lettable offices and Foundation administration.

The building has two contrasting types of elevational treatment. The major massing is revealed on the north and south elevations





and interplay of solid, void and tower created as a means of varying the visual scale of the building. The east and west elevations are viewing façades and are treated as continuous horizontal and lightweight verandahs, heavily screened with steel mesh from acute sun angles. (*The work of Philip Cox and Partners 1983-1985*)

### **Former Canberra Building Society**

**Headquarters** Address: Constitution Ave, Civic, ACT  
(in association with Geoff Butterworth and Partners)

Date: 1984

Listing: NA

Description: The architecture is a response to alleviating massive building scale through composition and proportion of faced elements, and interplay of forward and recessed screens. The expression is accentuated at the building centre to form a stepped glazed atrium separating the two types of office space and producing a sense of grandeur at the entranceway to the development. The symmetry developed complements the plaza on the site of the Canberra National Convention Centre on Constitution Avenue.

The floors within the atrium are progressively steeped back and are designed with a landscaped terraced edge. This produces a dramatic external expression and an entrance appropriate to the image of the building's client. (*The work of Philip Cox and Partners 1983-1985*)



## PP INITIAL MEETING RESPONSES

Issue	Addressed	Comment
Scheme needs to demonstrate compliance with ADG tower separation requirements. The setback provided to the northern boundary ranges from as little as 3m to 6m. The Apartment Design Guide (ADG) identifies tower separation of a minimum of 24m between residential buildings of 9 storeys or higher. Compliance with ADG separation requirements to the south east, should also be documented.	✓	ADG setback compliance generally achieved. 12m setback provided to Northern boundary. 9m setback provided to Southern boundary.
If neighbouring sites to the north (366-376) are not part of the development site then need to demonstrate how these sites may potentially be developed in accordance with planning controls in the St Leonards Crows Nest 2036 Plan including full compliance with ADG.	✓	Future building envelope shown in accordance with 2036 Plan and ADG separation for neighbouring site to the north. Solar access provided to north and east faces to allow for compliance.
Solar access – a review of the indicative floor plate seems to indicate it would be difficult to meet minimum ADG solar access requirements throughout the different levels of the building.	✓	Revised floor plate and unit layouts comply with ADG solar access. Refer solar eye diagrams.
The apartment layout does not appear to make optimal or efficient use of eastern and northern aspects (to provide good solar access within apartments). Also need to demonstrate (at PP stage) compliance with privacy and cross ventilation provisions of the ADG.	✓	Revised floor plate and unit layouts comply with ADG building separation, solar access and cross ventilation.
Apartment mix – whilst this does not need to be resolved in absolute terms at PP stage – the indicative layout provided contains 3 large apartments per level (85, 125 and 132sqm). Both Council's DCP and the ADG call for a greater apartment mix than indicated.	✓	Unit Mix is responding to market demand in the location.
Fan' design/layout – Council is not opposed to creative or unique building design approaches, however, at PP stage need to be satisfied (through preparation of a concept design reflecting the controls sought) that the site can reasonably accommodate a building that can achieve minimum ADG requirements and respond to site specific attributes.	✓	Revised floor plate and unit layouts comply with ADG building separation, solar access and cross ventilation.
Overshadowing – Shadow diagrams supplied indicate tower shadow and that cast by Crows Nest Metro site building envelopes. In seeking to demonstrate shadow impacts of development site, also need to indicate shadows cast by indicative future built forms envisaged under the St Leonards Crows Nest 2036 plan.	✓	Shadow diagrams provided indicating shadow cast by the proposed development together with shadow cast by future 2036 Plan built form of site to the north.
Heritage – Whilst noting the significant change envisaged under the St L/CN 2036 Plan careful consideration needs to be given to how the podium and tower will relate to and respond to existing context (which includes identified heritage items)	✓	Podium design will be sympathetic to adjacent heritage items in both scale, texture and vertical rhythm.
Whilst we acknowledge that the 2036 Plan envisages an 18 storey building on the site, the relationship of the proposed built form to existing development to the south across the laneway, should be fully documented and impacts ameliorated.	✓	The main impacts of the proposed built form on the existing development across the laneway is overshadowing. For the dwellings at the northern end, main living area appear to be located to the western side facing Nicholson Street, therefore the overshadowing impacts of the proposed built form will have minimal impact to these dwellings. For the 3-storey apartment building to the South across the laneway, 2 hours of solar access mid-winter will be provided to the eastern face. Refer Neighbouring Solar Access Diagram.



## 9. LIST OF ILLUSTRATIONS

Figure No	Date	Description	Source
Figure No 1.1	2021	Aerial Photograph	SIX Maps
Figure No 1.2	2021	Location Map	SIX Maps
Figure No 1.3	2021	Heritage Map	North Sydney LEP
Figure No 2.1	1905	Land subdivided by Hay and Norton under DP 4320	Certificate of Title 1626-104, HLRV
Figure No 2.2	1911	Thomas Harrison's purchase of Lots 5-10, Section 33	Certificate of Title 2174-232, HLRV
Figure No 2.3	1913	Hay and Roxburgh, the residue of DP 4320	Certificate of Title 2357-228, HLRV
Figure No 2.4	1915	Sydney George Parkes land- site of Higgins Buildings 1923	Certificate of Title 2586-49
Figure No 2.5	1915	Queens Picture Theatre Crows Nest	Building Magazine, 12 July 1915
Figure No 2.6	1915c	Queens Theatre - Interior	Gleeson, Cinema Treasures
Figure No 2.7	1915c	Queens Theatre - Interior	Gleeson, Cinema Treasures
Figure No 2.8	1938	Sesqui Theatre	Gleeson, Cinema Treasures
Figure No 2.9	1938	Sesqui Theatre	Gleeson, Cinema Treasures
Figure No 2.10	1950s	Metro Theatre	Gleeson, Cinema Treasures
Figure No 2.11	1960s	Metro Theatre	Gleeson, Cinema Treasures
Figure No 2.12	1978c	Dendy Cinema	Gleeson, Cinema Treasures
Figure No 2.13	1983c	Theatre prior to demolition	Gleeson, Cinema Treasures
Figure No 2.14	1984	Pinyali Office Development, Crows Nest	Philip Cox 1983-1985
Figure No 3.1	2021	Higgins Buildings - 360 Pacific Highway Crows Nest	Google Images
Figure No 3.2	2021	Streetscape - 360 Pacific Highway Crows Nest	Google Images
Figure No 3.3	2021	360 Pacific Highway Crows Nest	Google Images
Figure No 3.4	2021	360 Pacific Highway Crows Nest	realestate.com
Figure No 3.5	2021	360 Pacific Highway Crows Nest	Google Images
Figure No 3.6	2021	Detail Steel Canopy - 360 Pacific Highway Crows Nest	realestate.com
Figure No 3.7	2021	Interior, 360 Pacific Highway Crows Nest	realestate.com
Figure No 3.8	2021	Interior, 360 Pacific Highway Crows Nest	realestate.com

## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 1.1 | 2021 | Aerial Photograph

SIX Maps



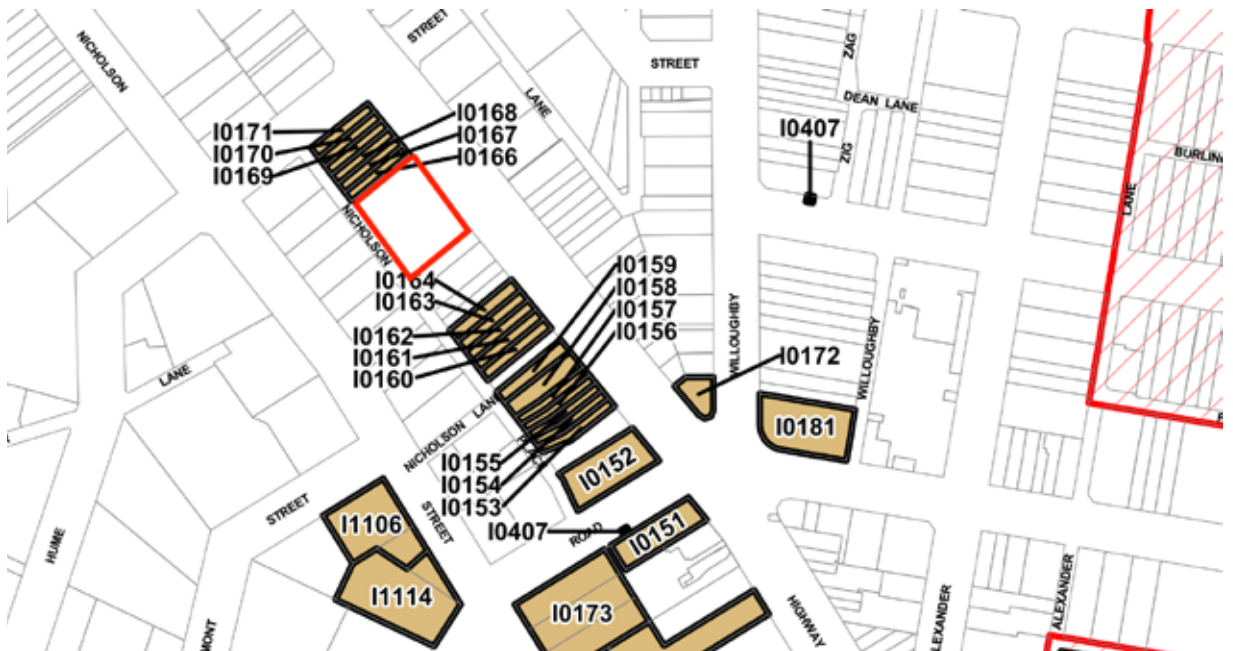
Figure no. 1.2 | 2021 | Location Map

SIX Maps



## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 1.3 | 2021 | Heritage Map | North Sydney LEP

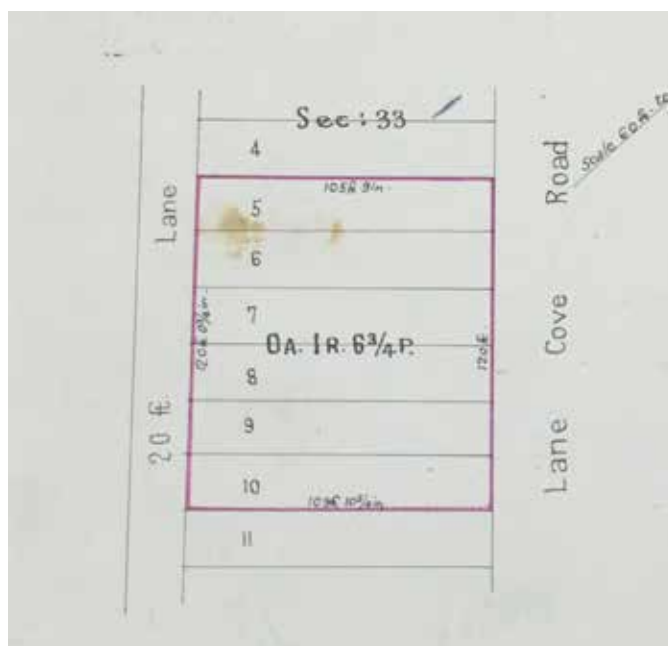


## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 2.1	1905	Land subdivided by Hay and Norton under DP 4320	Certificate of Title 1626-104
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Figure no. 2.2	1911	Thomas Harrison's purchase of Lots 5-10 Section 33	Certificate of Title 2174-232
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2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 2.3	1913	Hay and Roxburgh, the residue of DP 4320	Certificate of Title 2357-228
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Figure no. 2.4	1915	Sydney George Parkes land - site of Higgins Building 1923	Certificate of Title 2586-49
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2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 2.5	1915	Queens Picture Theatre, Crows Nest
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Building Magazine,  
12 July 1915



Figure no. 2.6	1915c	Queens Theatre - Interior
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Gleeson, Cinema Treasures



## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 2.7 | 1915c | Queens Theatre - Interior

Gleeson, Cinema  
Treasures

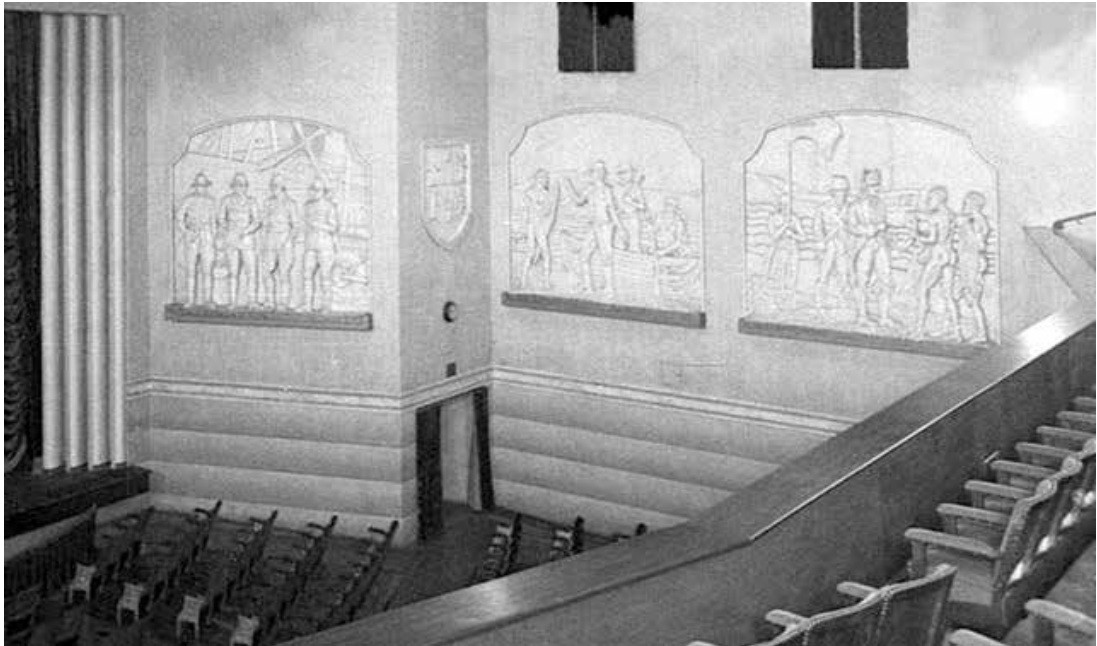


Figure no. 2.8 | 1938 | Sesqui Theatre

Gleeson, Cinema  
Treasures



## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 2.9

1938

Sesqui Theatre

Gleeson, Cinema  
Treasures



Figure no. 2.10

1950s

Metro theatre

Gleeson, Cinema  
Treasures





## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 2.11 | 1960s | Metro theatre

Gleeson, Cinema Treasures



Figure no. 2.12 | 1978c | Dendy Cinema

Gleeson, Cinema Treasures



## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

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Figure no. 2.13 | 1983c | Theatre prior to demolition

Gleeson, Cinema  
Treasures

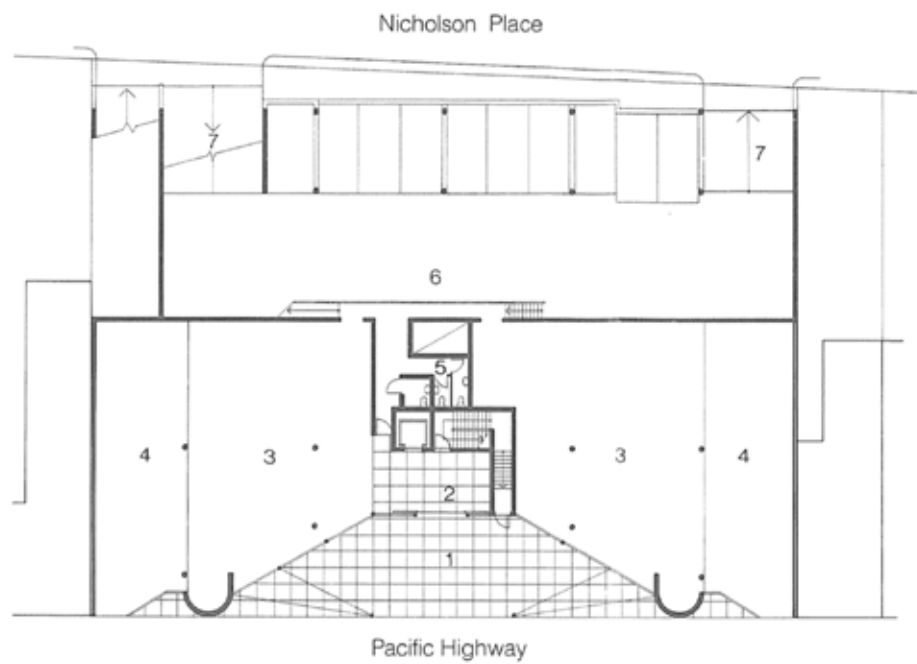


## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

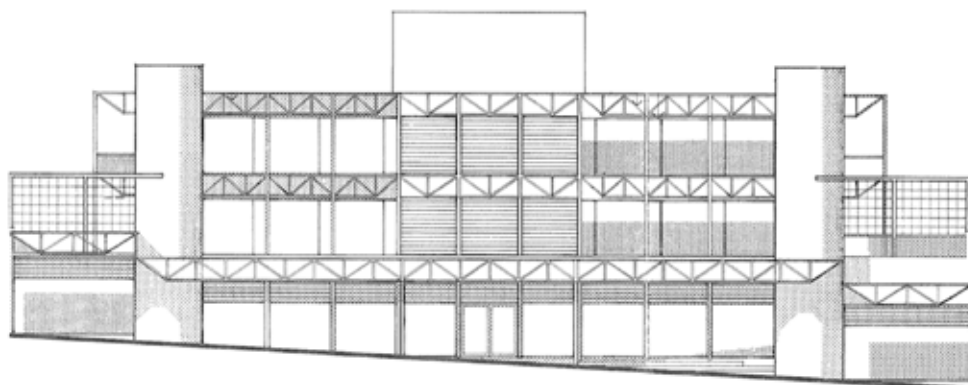
Figure no. 2.14 | 1984

Pinyali Office Development, Crows Nest

Philip Cox 1983-1985



Ground Floor Plan



Pacific Highway Elevation

## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

Figure no. 3.1 | 2021 | Higgins Buildings - 360 Pacific Highway Crows Nest | Google Images



Figure no. 3.2 | 2021 | Streetscape - 360 Pacific Highway Crows Nest | Google Images





## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

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Figure no. 3.3 | 2021 | 360 Pacific Highway Crows Nest | Google Images



Figure no. 3.4 | 2021 | 360 Pacific Highway Crows Nest | realestate.com



## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

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Figure no. 3.5 | 2021 | 360 Pacific Highway Crows Nest | Google Images



Figure no. 3.6 | 2021 | Detail Steel Canopy - 360 Pacific Highway Crows Nest | realestate.com





## 2014 | 360 PACIFIC HIGHWAY, CROWS NEST

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Figure no. 3.7 | 2021 | Interior, 360 Pacific Highway Crows Nest | realestate.com



Figure no. 3.8 | 2021 | Interior, 360 Pacific Highway Crows Nest | realestate.com

