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HERITAGE IMPACT STATEMENT

Five Ways, Crows Nest
Planning Proposal

Prepared for
DEICORP
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EXECUTIVE SUMMARY

Urbis has been engaged by Deicorp to prepare the following Heritage Impact Statement to accompany a Planning Proposal to be lodged with North Sydney Council. The subject Planning Proposal seeks to amend building height limits and FSR as they relate to the land bound by Pacific Highway, Falcon Street and Alexander Street. The proposal seeks uplift from 16 meters to 63.5 meters with a proposed envelope totalling 16 storeys.

Heritage Listings

The subject site does not include any heritage items listed under the North Sydney LEP 2013. The subject site is located in proximity to several listed heritage items of local significance, detailed hereunder:

- Former North Shore Gas Co Office, 286-288 Pacific Highway, Crows Nest (Item No: I0150);
- Bank, 306 Pacific Highway, Crows Nest (Item No: I0151);
- Former National Australia Bank, 308 Pacific Highway, Crows Nest (Item No: I0152);
- Willoughby House, former OJ Williams store, 429 Pacific Highway, Crows Nest (Item No: I0172);
- Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest (Item No: I0181);
- Shop Group, 312-322 Pacific Highway (Item Nos: I0153 / I0154 / I0155 / I0156 / I0157 / I0158);
- Crows Nest Fire Station, 99 Shirley Road, Crows Nest (Item No: I0173);
- Uniting Church, 122 Shirley Road, Wollstonecraft (Item No: I1114);
- Former Hall, 14 Hayberry Street, Crows Nest (Item No: I0144);
- House, 18 David Street, Crows Nest (Item No: I0142);
- Former Church of Christ, 69 Falcon Street, Crows Nest (Item No: I0143); and
- North Sydney Girls' High School, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest (Item No: I0165).

In addition, the subject site is located in proximity to the following heritage conservation areas (HCAs), as identified in the North Sydney LEP 2013, Schedule 5 Environmental heritage, Part 2 Heritage Conservation Areas:

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

The HCAs are located southeast and northeast of the subject site, respectively. They contain several heritage items, detailed in succeeding sections of this report.

The following points, summarised from the Assessment of Impact, (Section 5.0 of this report), substantiate the proposal's limited impact on the heritage significance of the Five Ways intersection at Crows Nest. The findings in this report have been formulated with reference to Visual Impact Assessment Images, Fiveways Triangle Site, prepared by Urbaine Architecture and Urban Design Strategy 2021, and *Five Ways Crows Nest*, prepared by Turner Architects, 2021.

- The subject site, being the land bound by Pacific Highway, Falcon Street and Alexander Street does not contain any heritage listed items. 391-393 Pacific Highway, located on the corner of Pacific Highway and Alexander Street, is a building designed c1950 in a Modernist style. Council has advised this building has the potential for heritage listing. It is found that the above property has unsubstantiated significance as a potential heritage item. As such, all buildings located on the subject site are identified as having no contribution to the streetscape character of Five Ways Crows Nest. The subject site is therefore appropriate for redevelopment from a heritage perspective.
- The subject site is located within the Crows Nest town centre in an area of rapid urban change. The subject site's proposal for increased density is consistent with the increased density demonstrated in other sites in the immediate vicinity and is therefore consistent with the evolving character of the precinct.

- The Five Ways intersection provides a substantial physical separation from the heritage items so that even with increased density at the subject site, the remaining heritage items on other intersection points will retain their existing settings. The heritage context of Five Ways Crows Nest will remain unaffected by the proposed uplift.
- Principal views to and from heritage items are predominantly at street level given their traditional low scale. As the proposal will not directly impact density on any of the heritage listed properties in the vicinity, and is not located in principal view lines towards any of the vicinity heritage items, the proposed height amendment and future development which may adhere to this height will not impact on significant views to vicinity heritage items.
- Interpretation of the existing streetscape character of the Holterman B and Holterman C Heritage Conservation Areas does not rely on the subject site. The proposed uplift does not impede on the reading of dominant typologies of the aforementioned HCAs. Detailed design of future development on the site will provide adequate opportunity to mitigate any identified impact.
- Detailed design as part of future Development Applications for built proposals, will provide the opportunity to design the new development to respond appropriately to the character of the area and the immediate streetscapes. Treatment of built form, including scale, façade articulation and materiality will enable delivery of appropriate height transitions to respond appropriately to the identified vicinity items and neighbouring HCAs. Additionally, detailed design will facilitate opportunity to respond to the existing heritage context by incorporating podium design and scale that complements the existing historic shopfronts

The Planning Proposal is supported from a heritage perspective and is recommended for approval.

INTRODUCTION

1.1. BACKGROUND

Urbis has been engaged by Deicorp Pty Ltd to prepare the following Heritage Impact Statement (HIS) for submission as part of a Planning Proposal for the subject sites. The subject Planning Proposal seeks to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land bound by the Pacific Highway, Falcon Street and Alexander Street, Crows Nest. This Planning Proposal seeks to amend existing, maximum building heights to facilitate uplift from 16 meters to 63.5 meters, to accommodate a proposed 16 storey mixed use development, comprising approximately 129 dwellings and 8000m² of non-residential GFA. The subject site is currently zoned for mixed-use.

1.2. SITE LOCATION

The subject site is a triangular-shaped block bounded by Falcon Street, Alexander Street and the Pacific Highway, Crows Nest (see Figure 1).

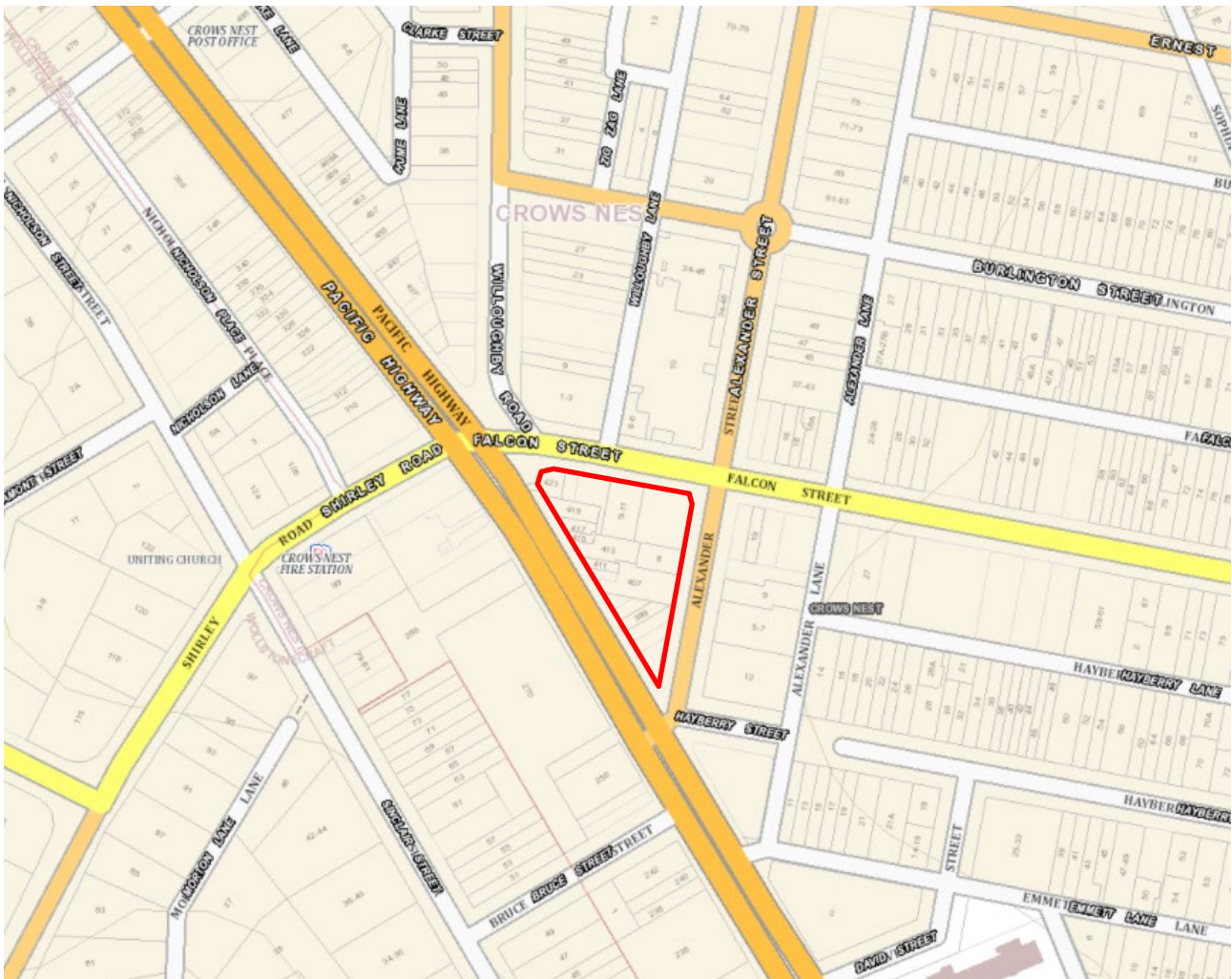


Figure 1 – Location of subject site, approximate boundaries indicated in red.

Source: SIX Maps with Urbis overlay.

1.3. HERITAGE LISTINGS

The subject site does not contain any listed heritage items under Schedule 5, Environmental Heritage, of the North Sydney LEP 2013. It is, however, located in proximity to a number of heritage items and heritage conservation areas, detailed hereunder:

- Former North Shore Gas Co Office, 286-288 Pacific Highway, Crows Nest (Item No: 0150);

- Bank, 306 Pacific Highway, Crows Nest (Item No: 0151);
- Former National Australia Bank, 308 Pacific Highway, Crows Nest (Item No: 0152);
- Willoughby House, former OJ Williams store, 429 Pacific Highway, Crows Nest (Item No: 0172);
- Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest (Item No: 0181);
- Shop Group, 312-322 Pacific Highway (Item Nos: 0153 / 0154 / 0155 / 0156 / 0157 / 0158);
- Crows Nest Fire Station, 99 Shirley Road, Crows Nest (Item No: 0173);
- Uniting Church, 122 Shirley Road, Wollstonecraft (Item No: 1114);
- Former Hall, 14 Hayberry Street, Crows Nest (Item No: 0144);
- House, 18 David Street, Crows Nest (Item No: 0142);
- Former Church of Christ, 69 Falcon Street, Crows Nest (Item No: 0143); and
- North Sydney Girls' High School, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest (Item No: 0165).

In addition, the subject site is located in proximity to the following heritage conservation areas:

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

In the light of the above, a Heritage Impact Statement is required to accompany the Planning Proposal application to assess the potential impact of proposed works on all vicinity items and relevant heritage conservation areas.

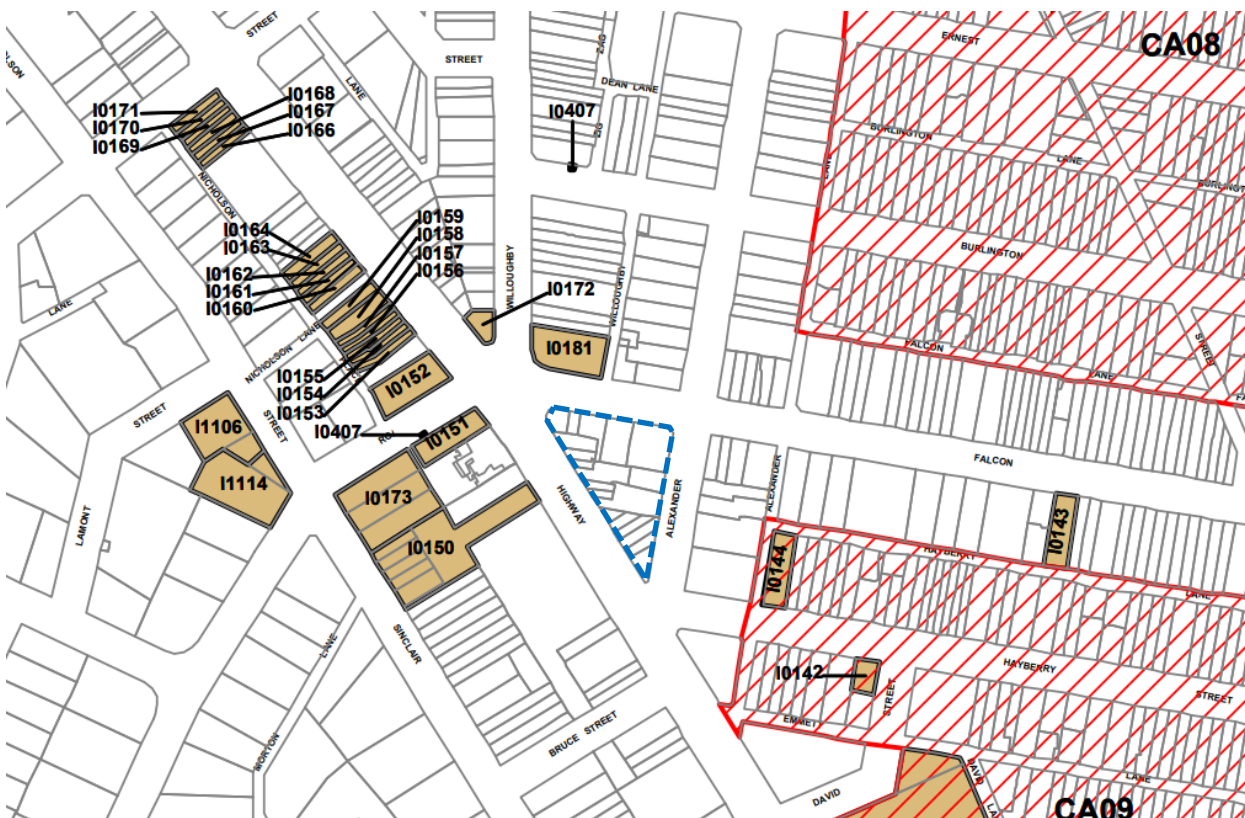


Figure 2 – Heritage Map showing the location of the subject site (outlined in blue).

Source: North Sydney LEP 2013, Heritage Map - HER_001

1.4. METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter 1999* (revised 2013).

Site constraints and opportunities have been considered with reference to relevant controls and provisions contained within the North Sydney Local Environmental Plan 2013 and the North Sydney Development Control Plan 2013.

1.5. AUTHOR IDENTIFICATION

The following report has been prepared by Annabelle Cooper (Heritage Assistant) and Lynette Gurr (Associate Director, Heritage). Leonie Masson (Senior Consultant, Historian) prepared the historic overview.

Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

1.6. THE PROPOSAL

This Planning Proposal seeks to amend the height of buildings controls applicable to the subject sites under the North Sydney Local Environmental Plan 2013. This Planning Proposal seeks uplift from 16 meters to 63.5 meters, to accommodate a proposed 16 storey mixed use development, comprising approximately 129 dwellings and 8000m² of non-residential GFA. This HIS has been prepared with reference to the following documentation:

- Urban Design Strategy, *Five Ways Crows Nest*, December 2021 (Turner Architects)
- Visual Impact Assessment Images, Fiveways Triangle Site, prepared by Urbaine Architecture December 2021

2. SITE DESCRIPTION

2.1. CROWS NEST TOWN CENTRE

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

The subject site is located within the Crows Nest Town Centre, as defined in the North Sydney DCP, Part C Character Statements, Section C - Character Area. The remainder of the Crows Nest Town Centre comprises low-density residential neighbourhoods, characterised by historic subdivision patterns. The town centre is characterised by the following:

Creative industries, small to medium sized businesses, start-ups, galleries, entertainment, and speciality retail supporting the economic function of North Sydney.

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

The residential neighbourhoods are quiet, characterised by wide roads and mature tree plantings. Laneways facilitate permeability, and provide rear lane access to properties throughout the area. The neighbourhood is serviced by local shops. A number of heritage items are located within the context of the subject site.

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

The area is currently undergoing a significant transformation from typically 1-4 storey commercial buildings constructed between the 1930s and 1980s to contemporary mixed-use buildings, up to 16-storeys in height. The future Crows Nest Metro Station is proposed to be located approximately 250m north-west of the site. The images included overleaf depict the context of the subject site and the Crows Nest Town Centre.



Figure 3 – Willoughby House (former OJ Williams Store) located at 429 Pacific Highway – northwest of the subject site with two-storey shops along Pacific Hwy.



Figure 4 – Crows Nest Hotel located at 1-3 Willoughby Road – north of the subject site.



Figure 5 – Former National Australia Bank located at 308 Pacific Highway – located northwest of the subject site.



Figure 6 – Group of Federation period top shops located at 312-322 Pacific Highway are located northwest from the subject site and within the peripheral visual catchment. Views of the proposed development will be visible from the first-floor front rooms and verandahs.



Figure 7 – Former North Shore Gas Co Office located at 286-288 Pacific Hwy – located west of the subject site

Source: Heritage NSW



Figure 8 – View from Sinclair Street to the rear of the Former North Shore Gas Co Office. The proposed development is likely to be visible above the roof tops. Views to the proposed development will be screened by street plantings.



Figure 9 – View showing late-20th century development on western side of Pacific Highway, opposite the subject site.



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



Figure 11 – Federation period shops located on the corner of the Alexander and Falcon Streets, opposite and east of the subject site.



Figure 12 – Woolworths store located on the corner of Alexander and Falcon Streets, opposite and north of the subject site.



Figure 13 – Crows Nest Fire Station, located at 99 Shirley Road, is a heritage item located west of the subject site, but not within the visual catchment



Figure 14 – Crows Nest Fire Station, located at 99 Shirley Road, is a heritage item located west of the subject site. Views looking east to the heritage item are likely to have the proposed development in the background.

2.2. THE SUBJECT SITE – FIVE WAYS CROWS NEST

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

The site contains a number of buildings ranging from 1-4 storeys in height in a variety of building styles and sizes. All buildings appear to have been constructed prior to the 1980s and are in good to fair condition. The Sydney Metro corridor runs directly beneath the subject site.

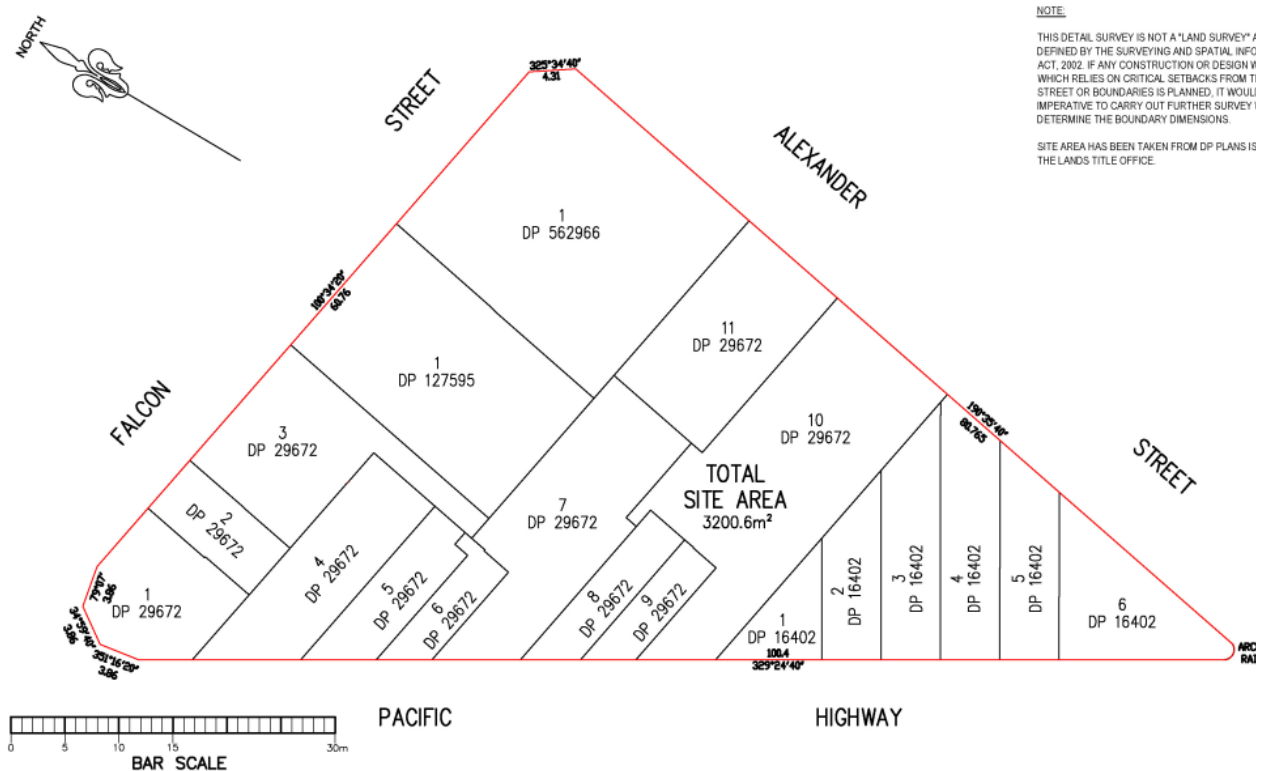


Figure 15 – Survey showing allotments that form the subject site

Source: Total Surveying Solutions, 29.01.2018

2.2.1. Pacific Highway Properties

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

There are no setbacks along the street frontage. Vehicular access to the buildings is from the rear of the site, via Alexander Street. Due to the triangular form of the block, the allotments vary in shape. The sites contains no tree plantings. Table 1 summarises dates of construction.

Table 1 – Subject Site – Pacific Highway Properties

Address	Legal Site Description	Construction Date	Recent Occupant
391-393 Pacific Hwy (cnr)	Lot 6, DP 16402	Late 20 th century (1950s / 1990s modifications)	Retail (Frontier)
395-397 Pacific Hwy	Lots 5 and 4, DP 16402	Mid-20 th century	Commercial / retail

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



Figure 16 – Subject site showing view to two-storey, late 20th century commercial building located at 391-393 Pacific Highway, on the corner of Alexander Street and Pacific Highway.



Figure 17 – Subject site with view to two-storey, late 20th century commercial building located at 391-393 Pacific Highway on the corner of Alexander Street and Pacific Highway (right). Adjoining commercial development at 395-397 Pacific Highway (left).



Figure 18 – Subject site with view of two-storey, commercial buildings located on the eastern side of the Pacific Highway – from right to left, Nos 395-397, 399, 401-5 and 407 Pacific Highway.



Figure 19 – Subject site with view of two-storey, commercial buildings located on the eastern side of the Pacific Highway – Nos 407, 409-419 and 423.



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



Figure 21 – Subject site (Pacific Highway) with view of two-storey, commercial building (No 423) on the eastern side of the Pacific Highway at the corner of Falcon Street. A tall advertising sign is located on top of the building

2.2.2. Falcon Street Properties

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

On the eastern side of the block between the vehicular lane and Alexander Street are two commercial buildings that date to the later half of the 20th century and appear to have been amalgamated for the development of larger sized commercial buildings constructed in off-form concrete. Table 2 provides a summary of the date of construction of the existing buildings within the subject site with a Falcon Street address. Figure 22 through to Figure 24 and captions describe the associated buildings.

Table 2 – Subject Site – Falcon Street Properties

Address	Legal Site Description	Construction Date	Occupant
3 Falcon Street	Lot 2, DP 29672	Post-War (1940s)	Commercial / retail

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



Figure 22 – Subject site (Falcon Street) with view of two-storey and four-storey, commercial buildings located on the southern side of the Falcon Street. No 9-11 Falcon Street (right) and 15 Falcon Street (left).



Figure 23 – Subject site with view of two-storey, commercial building located at 423 Pacific Hwy, on the southern side of the Falcon Street and corner of Pacific Highway (at right). Nos 3–7A Falcon Street (at left).



Figure 24 – Subject site (Falcon Street) showing four-storey, late-20th century commercial building located 15 Falcon Street, on the corner of Alexander and Falcon Streets



Figure 25 – Late 20th century commercial development located on the eastern side of Alexander Street

2.2.3. Alexander Street Properties

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

Table 3 provides a summary of the date of construction of the existing buildings within the subject site with an Alexander Street address. Figure 26 and Figure 27 and captions describe the associated buildings.

Table 3 – Subject Site – Alexander Street Properties

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



Figure 26 – View to No 6 Alexander Street (centre), a two-storey, late-20th century commercial building. Rear vehicular access to buildings addressing Pacific Highway provided off this street.



Figure 27 – No 6 Alexander Street (left) is a two-storey, late-20th century commercial building. No 8 Alexander Street (right) is single-storey motor mechanic shop, possibly dating to mid-20th century.

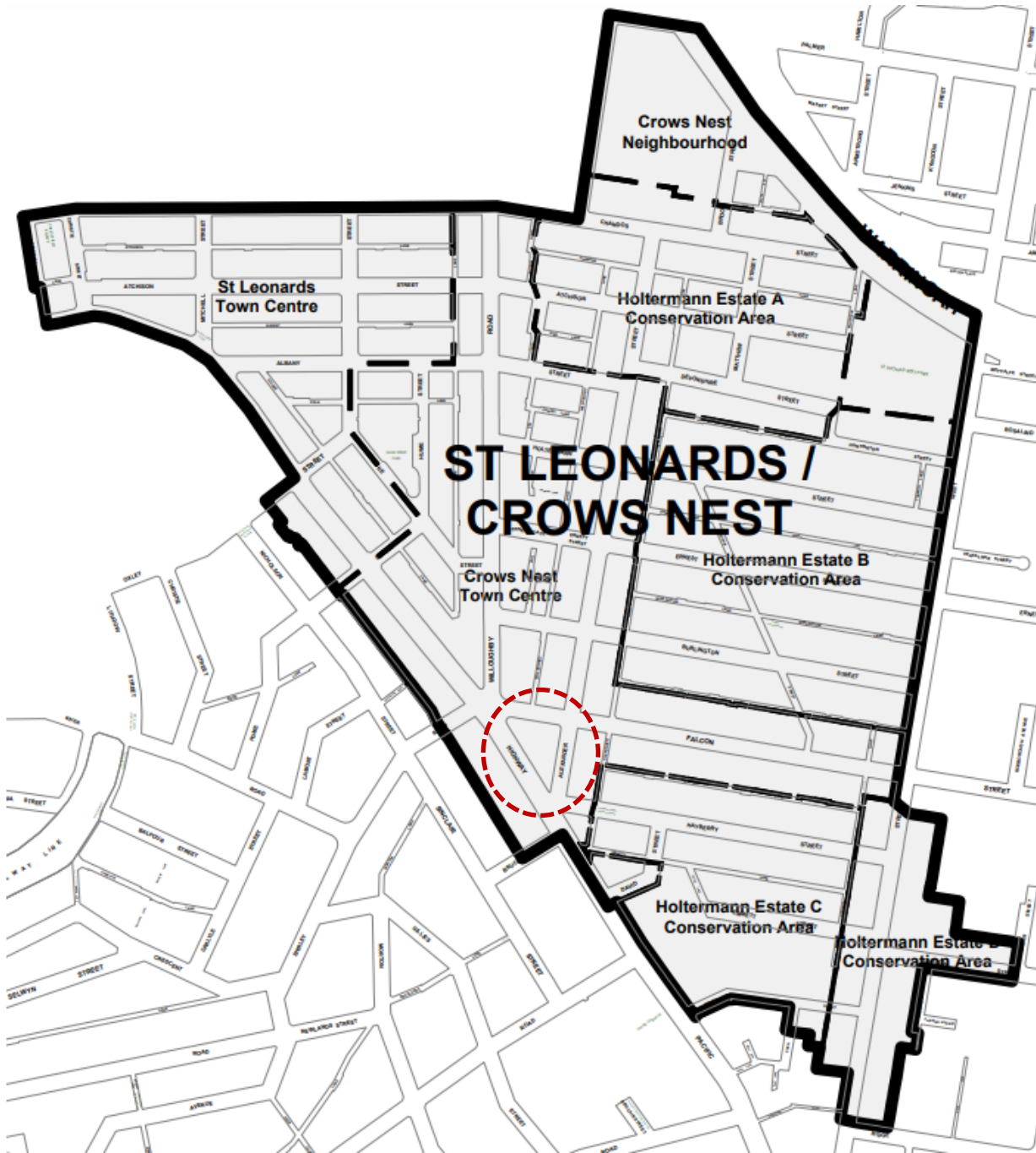


Figure 28 – St Leonards / Crows Nest Planning Area with location of subject site shown circled in red

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



Figure 29 – Crows Nest Town Centre with the subject site outlined in red broken line

Source: North Sydney DCP 2013, Part C – Character Statements, Section 3.2

2.3. HOLTERMANN ESTATE C CONSERVATION AREA

The Holtermann Estate C Conservation Area includes part of the southern end of the larger Holtermann Estate and is bounded by Falcon Street, West Street and the Pacific Highway. For location of the Holtermann Estate C Conservation Area see Figure 2.

The landform is generally level with some stepping across the streets. Lot sizes are irregular, and the urban form is determined by a strongly defined grid pattern of wide streets and narrow rear lanes.

The area is characterised by modest, speculative cottages in the Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne and Federation Bungalow styles. There are also some Inter-War Californian Bungalow and Art Deco styles and later infill development including the large campus of the Sydney Girls High School.

Street verges are typically 3.5m wide and include grass with concrete or bitumen footpaths. Deep set sandstone kerbs remain in some locations. Front cottage gardens contribute to the landscaping of the streets. Gardens are sometimes raised with centrally located steps to the street.

Rear lanes are important to the townscape and allow car access that helps the streets to maintain a pedestrian character. There are intrusive off-street parking structures where rear lane access is not available. Other uncharacteristic elements include two storey additions constructed to the street, lot amalgamations and loss of original subdivision pattern, contemporary buildings with laneway frontages.

Characteristic buildings in the Holtermann Estate C Conservation Area include detached, late Victorian, Federation and Edwardian semi-detached dwelling houses and gardens.

The following figures provide examples of dwellings within the heritage conservation area, including two heritage items located in close proximity to the subject development site.



Figure 30 – Former Hall, located at 14 Hayberry Street, Crows Nest, is a heritage item located east of the subject site within the Holtermann Estate C HCA.



Figure 31 – Former Hall, located at 14 Hayberry Street, Crows Nest, is a heritage item located east of the subject site within the Holtermann Estate C HCA. The proposed development may be visible in the background when viewing the heritage item from the east on the lower gradient of Hayberry Street within the HCA.



Figure 32 – View south along Alexander Lane from Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance



Figure 33 – View southwest to 21 Hayberry Street within the Holtermann Estate HCA showing an existing high-rise development located on Pacific Highway in the distance. Similar distant views are possible to the proposed development



Figure 34 – View south to flat building at 21A Hayberry Street within the HCA showing the high-rise development on Pacific Hwy in the distance. This property may have similar distant views to the proposed development.



Figure 35 – Views looking northwest from in front of 22 Hayberry Street looking towards the side elevation of the former hall, a heritage item. There are likely to be distant views to the proposed development visible above the roof tops.



Figure 36 – View northwest from within Hayberry Street, within the HCA, looking in the general direction of the proposed development. There is considerable screening from mature street plantings.



Figure 37 – Nos 30 and 32 Hayberry Street, is a semi-detached contributory item within the HCA, located opposite a heritage item, and looks at an existing high rise development in the distance on the Pacific Highway.



Figure 38 – House at 18 David Street, is a heritage item within the Holtermann Estate C HCA showing an existing high-rise development located in the background. It is possible the proposed development will be visible in the distance to the northwest of the principal entry.



Figure 39 – House at 18 David Street, is a heritage item within the Holtermann Estate C HCA .

2.4. HOLTERMANN ESTATE HERITAGE B CONSERVATION AREA

The Holtermann Estate B Conservation Area includes the central portion of the larger Holtermann Estate. The landform is generally level, with slight falls to the south. For location of the Holtermann Estate B Conservation Area see Figure 2.

The area is characterised by its low scale of single storey, hipped roof, detached and attached dwelling houses that include a mix of late 19th and early 20th century building styles, and restrained examples of Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne and Federation Bungalow. There are also some Inter-War Californian Bungalow and Art Deco styles with some post war residential flat buildings and modern infill housing. Front gardens contribute to the landscaping of the streets. Gardens follow the natural fall of the land with steps to the street on the high side. There are high and low scale street trees and shrubs.

The following figures and captions describe the development in Burlington Street, located at the southern extent of the conservation area. A view analysis has been undertaken to determine whether there will be views of the proposed development from within this conservation area.



Figure 40 – Single-storey dwellings in Burlington Street, within the Holtermann Estate B HCA

Source: Urbis, January 2020



Figure 41 – Single-storey dwellings in Burlington Street, within the Holtermann Estate B HCA

Source: Urbis, January 2020



Figure 42 – View from Burlington Street in the direction of the proposed development. The proposed development is likely to be visible in the distance

Source: Urbis, January 2020



Figure 43 – View looking south down Alexander Lane, on the perimeter of the Holtermann Estate B HCA showing recent high-rise development in the distance

Source: Urbis, January 2020

The subject site is located above the alignment and tunnels of the Metro line. This relationship is shown in Figure 44. All future development on the Five Ways Crows Nest site needs to take this into consideration.

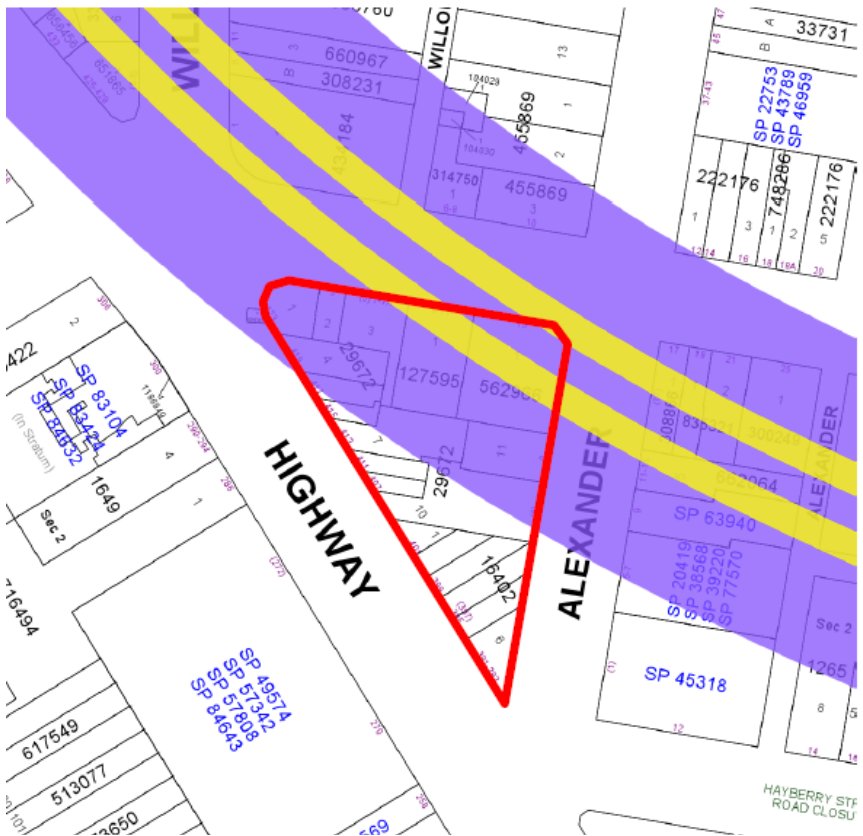


FIGURE 12: Metro influence
Land subject to ISEPP.

- Metro Buffer
- Metro alignment
(the tunnels)
- Subject Site

Figure 44 – Metro influences of the subject site – Five Ways Crows Nest showing Metro Alignment and Buffer
Source: North Sydney Council, Report, Planning Proposal 2/18 – Five Ways Triangle Site Crows Nest, 29.10.2018

3. HISTORICAL OVERVIEW

3.1. AREA HISTORY

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



Figure 45 – Crows Nest Cottage, pre-1905

Source: SLNSW, a089387h

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

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

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

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

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

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

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

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

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

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

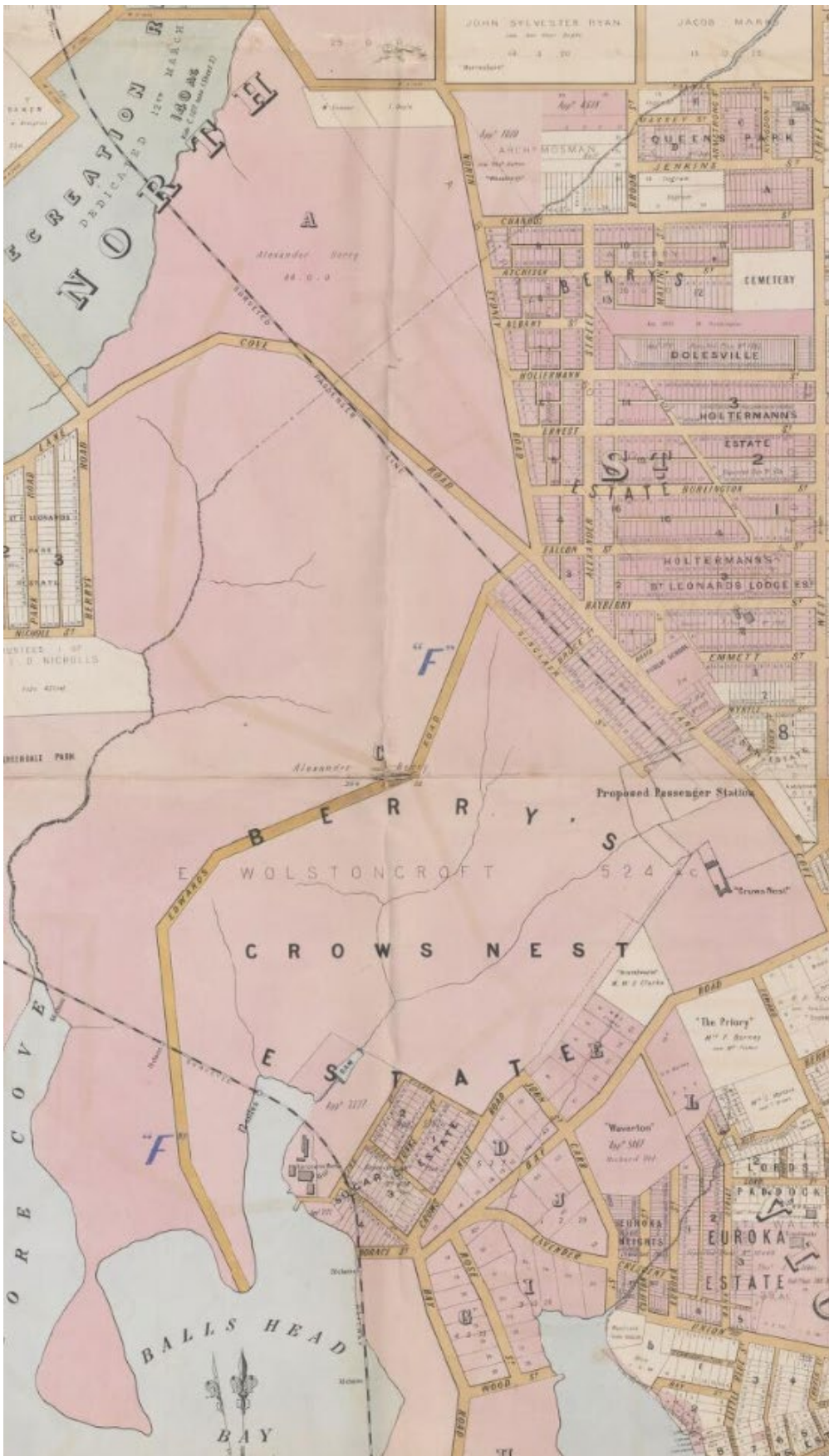


Figure 46 – Detail from Higinbotham & Robinson & Gibbs, Shallard & Co. 1887, Map of St Leonards on the North Shore, Parish of Willoughby

Source: NLA

BERRY'S ESTATE NORTH SYDNEY

Clearance Sale of

THE CROWS NEST SUBDIVISIONS

Sale on the Ground SATURDAY 21st SEPTEMBER 1901 at 3.0 O'clock

**HARDIE & GORMAN
BATT, RODD & PURVES LTD**

Joint Auctioneers

"Torrens Title"

TERMS

10% Deposit
10% Yearly with 5% Int. with
right to pay off at any time.



Figure 47 – Berry's Estate, North Sydney: clearance sale of the Crows Nest subdivisions, 21 September 1901

Source: NLA, nla.obj-230389465-1

3.2. SITE HISTORY

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

In May 1884, David Berry instructed Hardie & Gorman to sell the eastern portion of Berry's Estate comprising 63 acres subdivided into 274 allotments as shown in Figure 48. The first sales in the estate were recorded on Certificate of Title Vol 700 Fol 21 from June 1884.

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

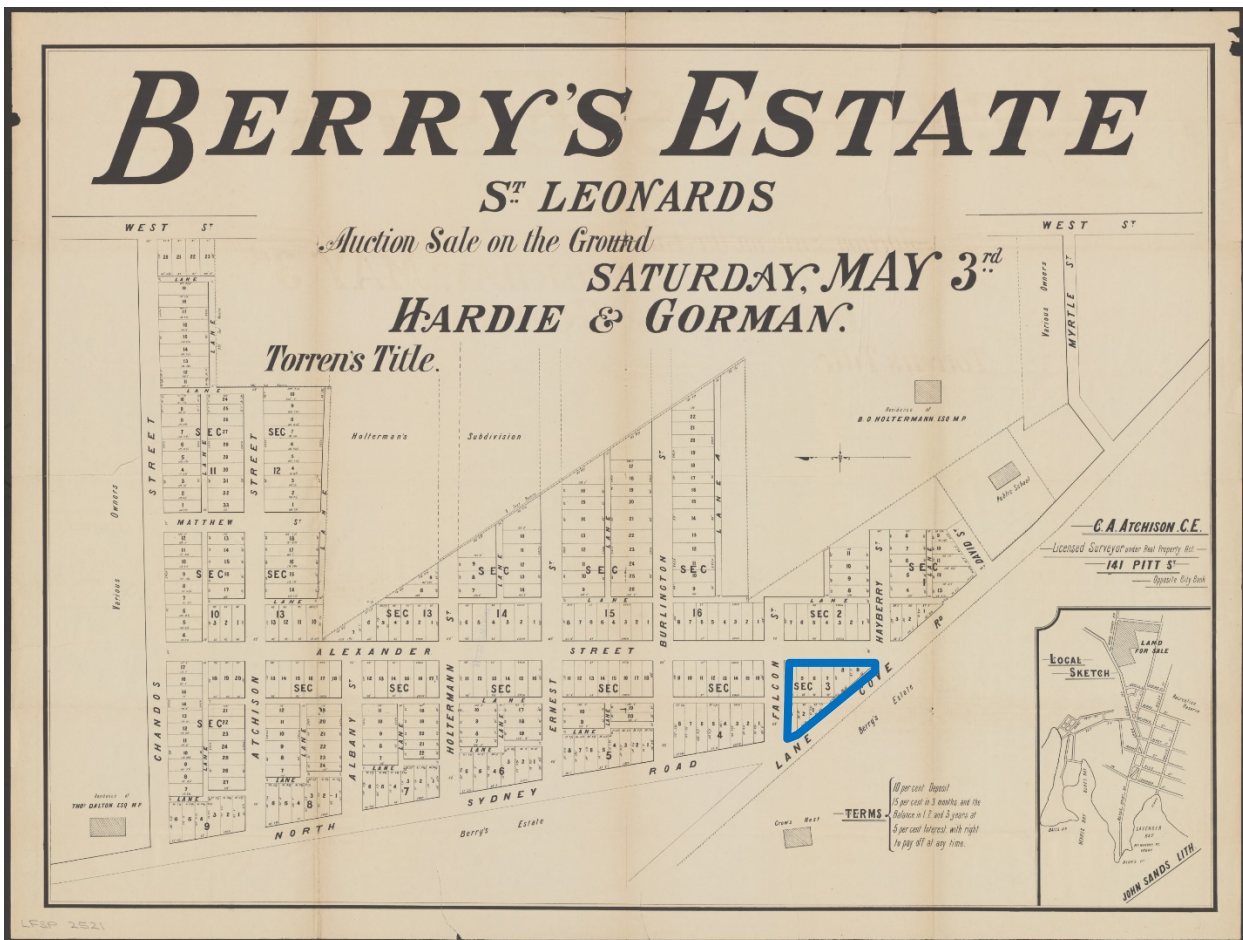


Figure 48 – Berry's Estate, St Leonards, 1884. Subject site outlined in blue

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



Figure 49 – HG Kent blacksmith shop, Crows Nest, c1886
 Source: North Sydney Heritage Centre Collections Station Library, LH REF PF 97



Figure 50 – EJ Hopkins saddlery shop, Crows Nest, c1890
 Source: North Sydney Heritage Centre Collections Station Library, LH REF PF 94



Figure 51 – HG Kent coachbuilding & wheelwright shop, Crows Nest, c1900-1910
 Source: North Sydney Heritage Centre Collections Station Library, LH REF PF 95



Figure 52 – HG Kent coachbuilding & wheelwright shop, Crows Nest, c1908
 Source: North Sydney Heritage Centre Collections Station Library, LH REF PF832

From 1887, the principal occupant of Section 3 was Henry George Kent, blacksmith. He established a blacksmith's shop at Crows Nest Junction in the mid-1880s on the then named Lane Cove Road (now Pacific Highway) near the intersection of Falcon Street (Figure 49). He was joined in the late 1890s by another blacksmith, Edward Jordan Hopkins (Figure 50).

Figure 53 comprises an extract from the detail survey sheet dated in 1891 and shows development on the subject site outlined in blue. Development at this time was principally located on the Lane Cove Road (Pacific Highway) frontage.



Figure 53 – Extract from Detail Survey North Sydney Sheet No. 71, 2 March 1891. Subject site outlined in blue

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

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

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

Figure 55 and Figure 56 comprise two views of road and tramway construction at the corner of Lane Cove Road and Falcon Street in 1929. HG Kent's coachbuilding/wheelwright shop and Kent's Corner building are visible in this view. Within a short time, even those buildings had been demolished and advertising hoarding lined the roadway (Figure 57).

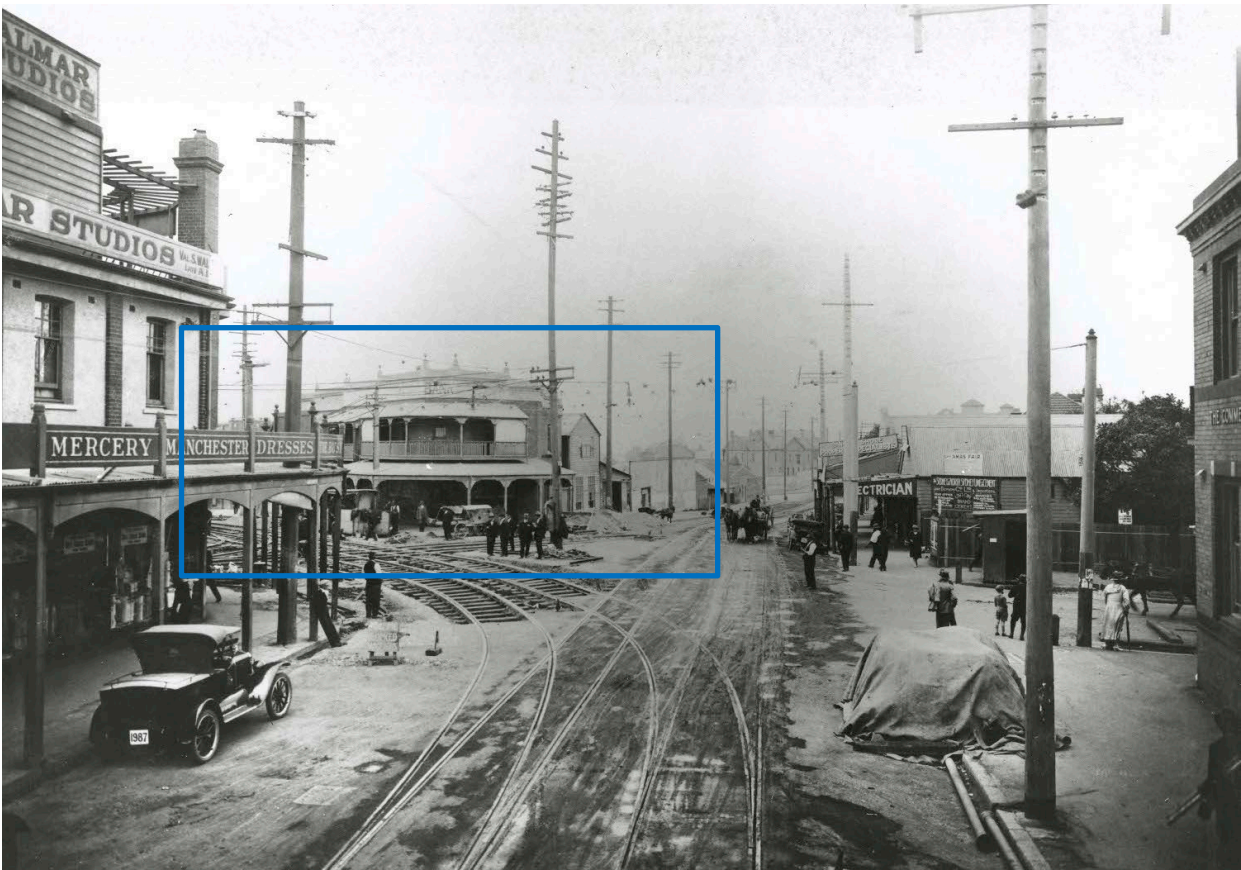


Figure 54 – Laying tram tracks at Crows Nest, c1920. This view is looking south along Lane Cove Road at Falcon Street and Willoughby Road intersection. Part of the subject site is visible in this photograph (outlined in blue)

Source: NSW State Archives & Records



Figure 55 – Junction of Lane Cove Road and Falcon Street, North Sydney, January 1929.

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



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

Figure 56 – Lane Cove Road near Falcon Street prior to wearing course being laid, 18 January 1929. View looking north along Lane Cove Road with subject site in the foreground

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

In the 1930s, the various owners of allotments within the subject block lodged applications to North Sydney Council for new retail and commercial buildings on their sites. In 1933, the *Sydney Morning Herald* reported on the “considerable expansion of business” at Crows Nest arising from the opening of the Sydney Harbour Bridge. Kent’s Limited commissioned Herbert J Gates to design a new two-storey commercial premises at the corner of Falcon Street and Pacific Highway to cost more than £3,000. The artist perspective is reproduced at Figure 58. The following year, Gates submitted another BA to North Sydney Council for “business premises” (three lock up shops) on the Pacific Highway further north with an estimated cost of £2,500.¹ Two years later, the Mercantile Mutual Insurance Company Ltd lodged a successful building application for new business premises (shops and two offices) on Lots 4 and 5 of Section 3. This was a two-storey building designed by Robertson & Marks Architects.² Also in 1936, Charles Balabous commissioned Adrian AL Jones to design alterations to his shop on the Pacific Highway (417), which property he rented from Kents Ltd.³

It was not only the buildings on the Pacific Highway that underwent transformation in this period. In 1949, the Rural Bank of NSW lodged a successful BA to erect a bank premises at the corner of Alexander Street and Pacific Highway on Lot 6 of Section 3 (now 389 Pacific Highway). This prominent corner building was erected by Max Cooper & Sons in 1950.⁴ Existing structures in Falcon and Alexander Streets also took the

¹ BA 34/290, North Sydney Municipal Council Archives

² BA 36/172, North Sydney Municipal Council Archives

³ BA 36/299

⁴ BA49/338

opportunity to improve their premises in conjunction with the rising land values and primacy of Crows Nest as a retail centre on the lower North Shore.



Figure 57 – Billboards on Pacific Highway near Crows Nest Junction, c1930

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

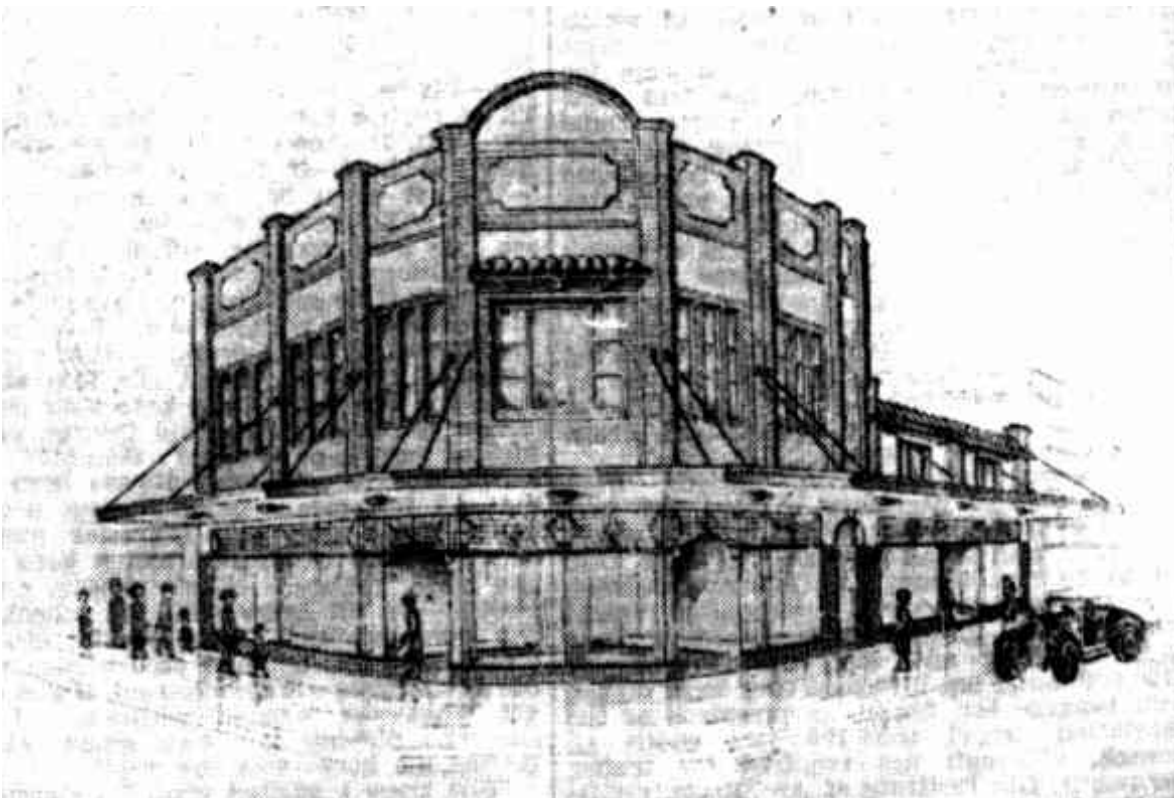


Figure 58 – New business premises at Crows Nest

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



Figure 59 – 1943 Aerial showing the subject site with the subject site shown outlined in red with a broken line.

Source: SIX Maps - 1943 Aerial

3.3. 391-393 PACIFIC HIGHWAY

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

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

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

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

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

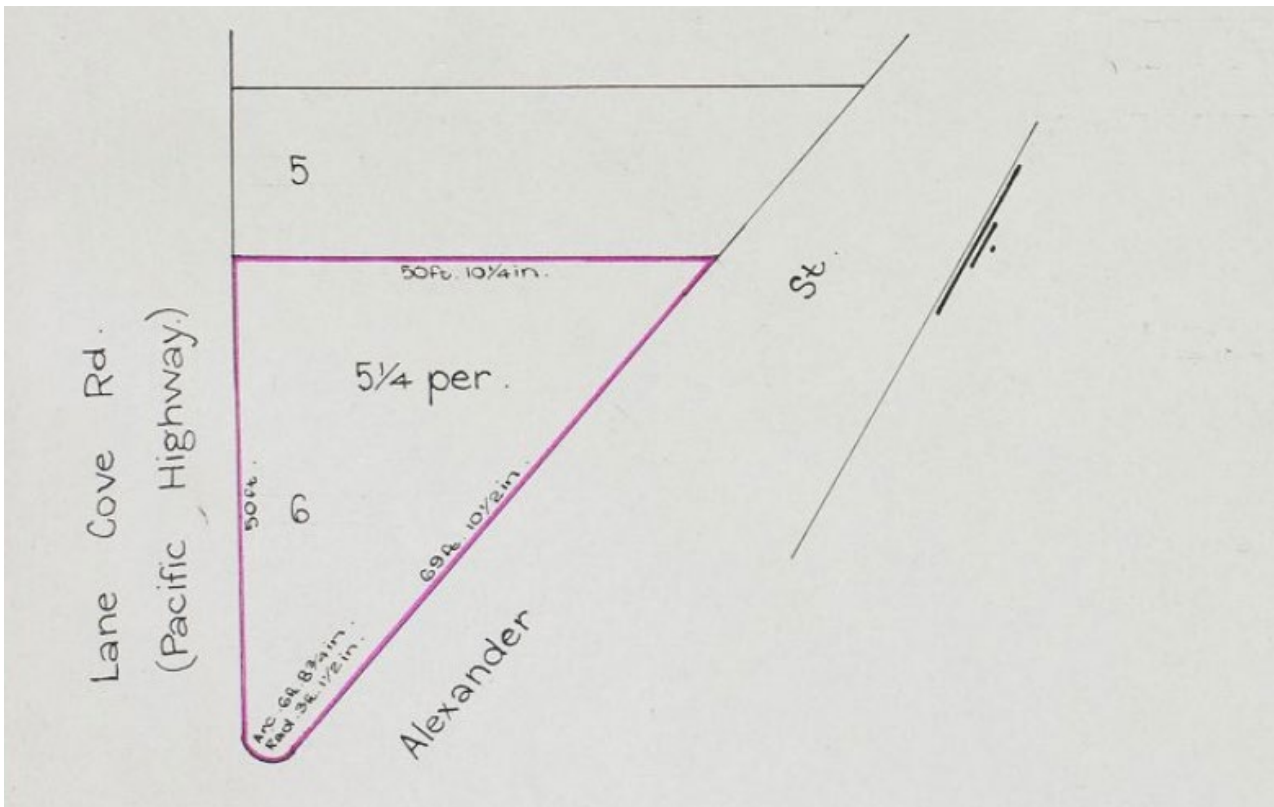


Figure 60 – Block plan of corner lot purchased by the Rural Bank of New South Wales in September 1948.

Source: NSW HLRV, Vol: 5636 Fol: 89

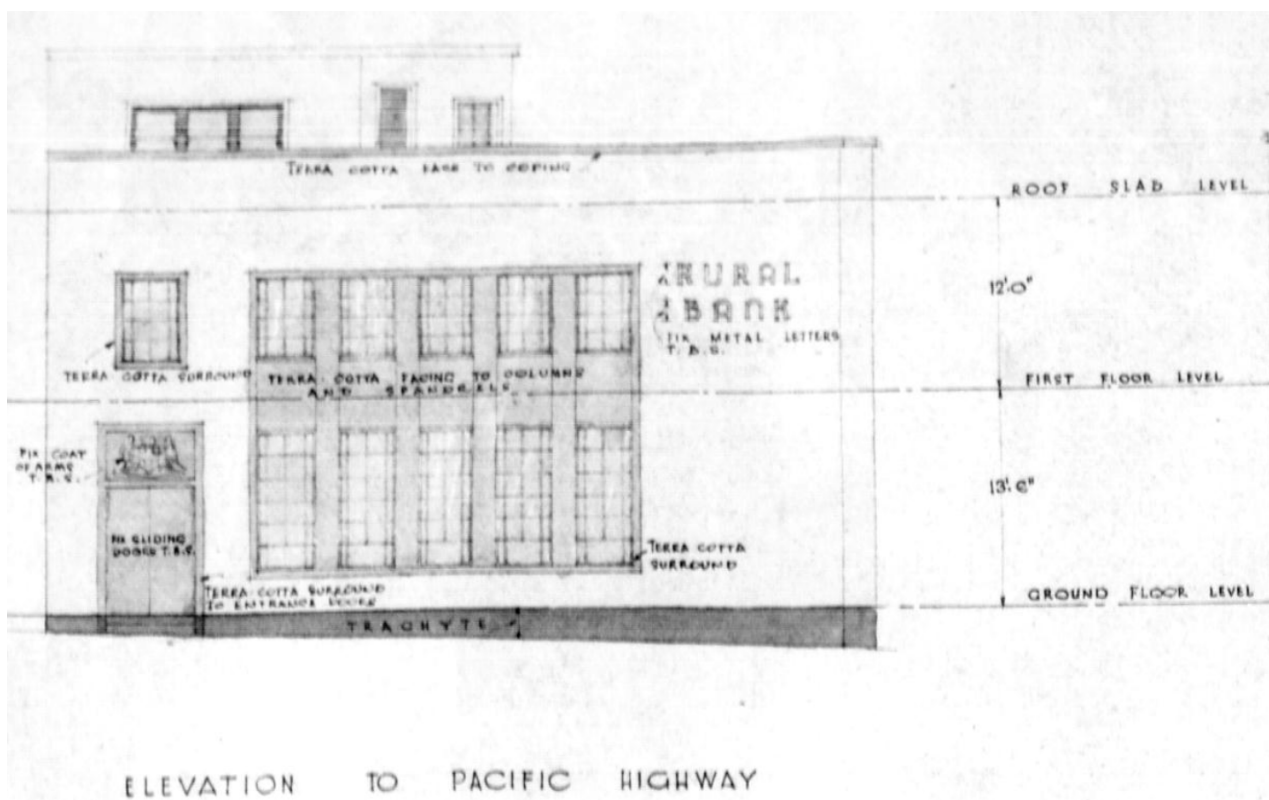


Figure 61 – Extract from plans for Rural Bank Crows Nest Branch showing elevation to Pacific Highway.

Source: North Sydney Council Buildings Application Archive.

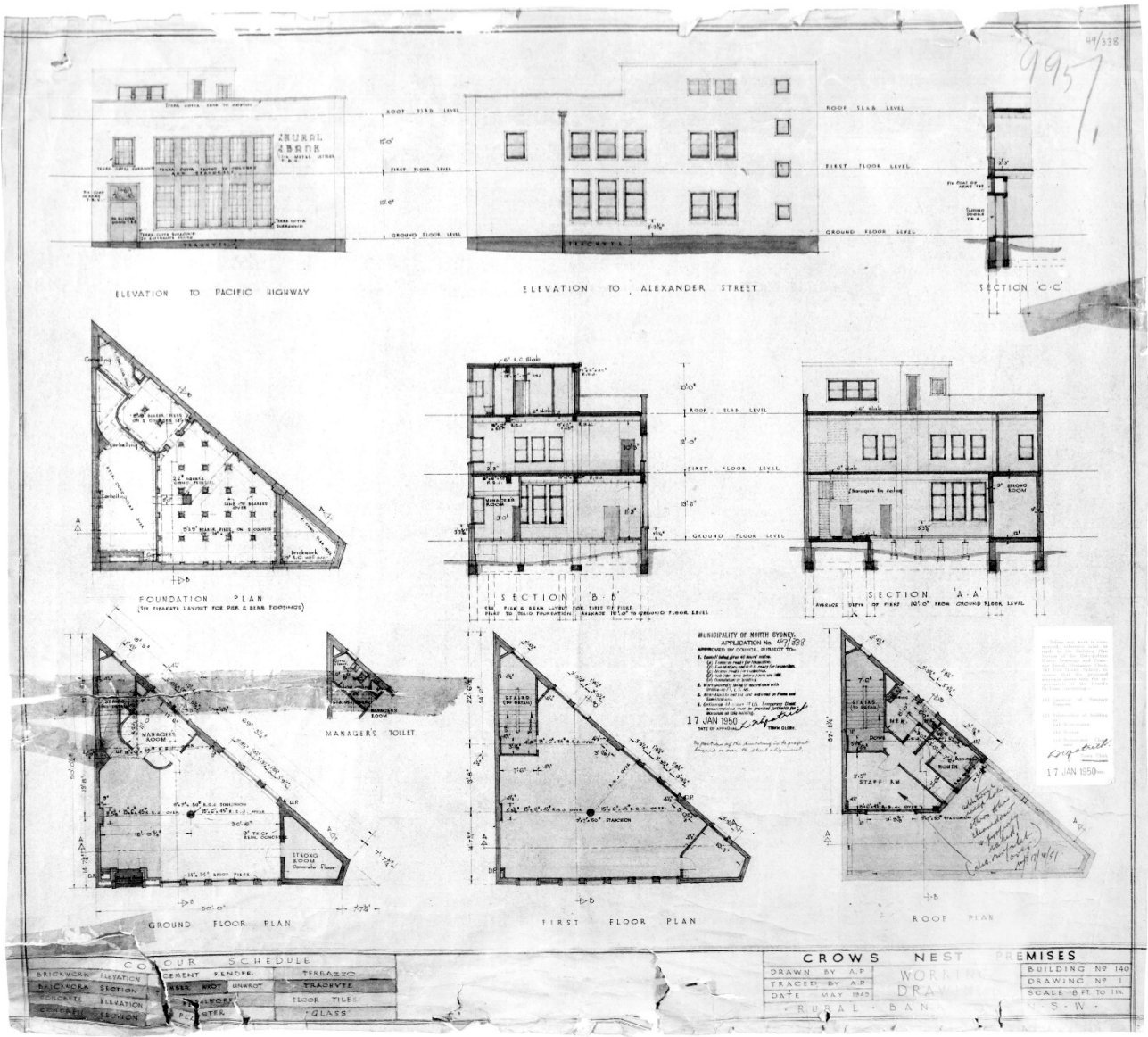


Figure 62 – Plans for the Rural Bank Crows Nest Branch, approved 1950.
 Source: North Sydney Council Buildings Application Archive.

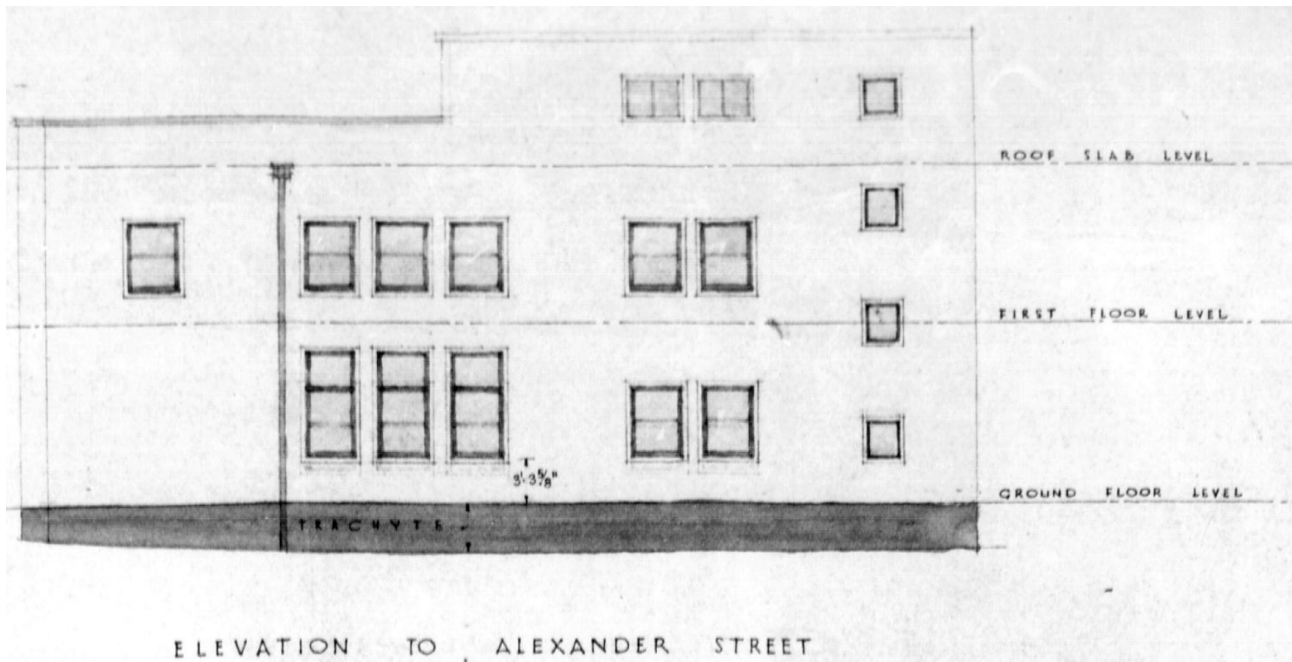


Figure 63 – Extract from plans for Rural Bank Crows Nest Branch showing Elevation to Alexander Street.

Source: North Sydney Council Buildings Application Archive.



Figure 64 – Tender advertising for paintwork at the newly constructed Rural Bank Crows Nest Branch in the Sydney Morning Herald, 1951.

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



Figure 65 – Principal façade of 391-393 Pacific Highway Crows Nest during the early 1990s. Coat of arms above door and trachyte stonework at base of building remain.

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

4. HERITAGE SIGNIFICANCE

4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

4.2. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been prepared in accordance with the 'Assessing Heritage Significance' guides.

Table 4 – Assessment of heritage significance

Criteria	Significance Assessment
<p>A – Historical Significance <i>An item is important in the course or pattern of the local area's cultural or natural history.</i></p>	<p>The buildings that form the Five Ways Crows Nest site date from between 1930 and the 1980s. The buildings range in height from 1-4 storeys and are designed in a variety of building styles and sizes and are in good to fair condition.</p> <p>The subdivision pattern within this triangular shaped block is unusual, however, this is associated with historic roadway systems. The Five Way intersection has become a distinctive landmark, however, the buildings within the subject site do not contribute to any historic significance associated with the site that results from any historic development other than the widening of the Pacific Highway due to an increase in car traffic and the construction of the Sydney Harbour Bridge in the second and third decades of the twentieth century.</p> <p>The historic development of a retail strip along the streets of Crows Nest is an incidental association with historic developments Crows Nest Town Centre, and better, more intact examples are located in other areas of the precinct.</p> <p>Built in 1951 and 1994, bank operated at 391-393 Pacific Highway, and was originally built by the NSW Rural Bank for Crows Nest. However, after the building ceased to operate as a bank, the building was adapted for retail and commercial use. This building has little historic significance beyond this association. Other than the Rural Bank insignia above the main entry, this historic association has been lost.</p> <p>The Five Ways Crows Nest site does not meet the threshold for heritage listing under Criterion A.</p>

Criteria	Significance Assessment
<p>B – Associative Significance</p> <p><i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area’s cultural or natural history.</i></p>	<p>The subject site has no substantiated associations with any historic person of significance.</p> <p>The Five Ways Crows Nest site does not meet the threshold for heritage listing under Criterion B.</p>
<p>C – Aesthetic Significance</p> <p><i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i></p>	<p>The buildings that form the Five Ways Crows Nest site date from between the 1930s and the 1980s. The buildings are designed in a variety of building styles and are in good to fair condition.</p> <p>No building on the subject site is known to have been designed by a reputable architect or designer. None of the buildings have landmark qualities nor are they creatively distinctive or have creative design or technical qualities that provide a scenic character of this section of Crows Nest Town Centre or the Pacific Highway or Falcon Street streetscapes.</p> <p>The Five Ways Crows Nest site does not meet the threshold for heritage listing under Criterion C.</p>
<p>D – Social Significance</p> <p><i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i></p>	<p>The subject site is not listed as a heritage item, nor is it identified as a heritage conservation area. This indicates the subject site does not provide an identifiable sense of place.</p> <p>There are various recommendations and guidelines for this site to be developed as part of the future character of the area. This indicates there is no social significance associated with this particular site. The subject site has been retained only because there has been no alternative suggestion for the site.</p> <p>The Five Ways Crows Nest site does not meet the threshold for heritage listing under Criterion D.</p>
<p>E – Research Potential</p> <p><i>An item has potential to yield information that will contribute to an understanding of the local area’s cultural or natural history.</i></p>	<p>The subject site does not provide any research potential.</p> <p>The history of the site indicates there were few buildings constructed on the site throughout its development. This indicates the site has little archaeological potential.</p> <p>Development that occurred on the site prior to the 1930s is readily available from other sites</p> <p>The Five Ways Crows Nest site does not meet the threshold for heritage listing under Criterion E.</p>

Criteria	Significance Assessment
<p>F – Rarity <i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i></p>	<p>The Five Ways Crows Nest site is one of many retail streetscapes along the Pacific Highway that have become degraded and lost their ability to serve the local community. These degraded retail strips along arterial thoroughfares are numerous, even if under threat.</p> <p>The Five Ways Crows Nest site is not rare and does not meet the threshold for heritage listing under Criterion F.</p>
<p>G – Representative <i>An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area's):</i></p> <ul style="list-style-type: none"> • <i>cultural or natural places; or</i> • <i>cultural or natural environments.</i> 	<p>The Five Ways Crows Nest site is one of many retail streetscapes along the Pacific Highway and Falcon Street. It is a poor example of its type and has lost its range of characteristics.</p> <p>The Five Ways Crows Nest site does not meet the threshold for heritage listing under Criterion G.</p>

4.3. SUMMARY STATEMENT OF SIGNIFICANCE

4.3.1. Five Ways Crows Nest Triangle Site

The Five Ways Crows Nest site, a triangular block of land bounded by Pacific Highway, Falcoln Street and Alexander Street, contains buildings that date from between 1930 and the 1980s. The buildings range in height from 1-4 storeys and are designed in a variety of building styles. Although the site is located within the setting of the iconic Five Ways intersection, with a number of heritage items of local significance marking the perimeter, the site itself has no buildings, landscapes or elements that meet the criteria for heritage listing.

4.3.2. Statement of Significance – Holtermann Estate C HCA

The following statement of significance for the Holtermann Estate C Heritage Conservation Area is taken from the North Sydney DCP, Part C, 3.6.3

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.

4.3.3. Statement of Significance – Holtermann Estate B HCA

The following statement of significance for the Holtermann Estate B Heritage Conservation Area is taken from the North Sydney DCP, Part C, 3.5.3

The Holtermann Estate B Conservation Area is significant:

(a) As a late 19th century subdivision for speculative housing.

(b) For its regular grid of streets, rear lanes and cross lanes.

(c) For its consistent late 19th and early 20th century residential character and the unity of its low scale built form that derives from its regular grid subdivision pattern and its single storey, detached and attached dwelling houses in a mixture of late Victorian and early Federation styles.

4.4. VIEW ANALYSIS - VICINITY HERITAGE ITEMS

The following provides an analysis of potential impact to heritage items located within the vicinity of the subject site.

Former North Shore Gas Co Office, 286-288 Pacific Highway		
Description	Statement of Significance	Heritage Impact
<p>The former North Shore Gas Co Office, designed in the Inter-War Art Deco style, is a two-storey retail building with polished stone ground floor, glazed entrance and cantilevered metal awning with pressed metal awning.</p> <p>First floor elevation comprises fluted, glazed terracotta tiles with pilasters, six timber-framed double-hung sash windows, with spandrels above and below the windows formed as a regular series of semi-circular vertical scallops, the whole being clad in glazed terracotta tiles.</p> <p>Parapet is fibro and batten facing and glass block highlights above the awning.</p>	<p><i>Excellent and unusual Inter-War 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.</i>⁶</p>	<p>The heritage item is located west of the subject site, on the opposite side of Pacific Highway, and will have direct views to the proposed development.</p> <p>The proposed concept building envelope will have some impact on the visual setting of the heritage item. However, this change is anticipated within the area and forms part of the future urban character of Crows Nest.</p>



Figure 66 - View of the main entry to the heritage item at 286-288 Pacific Highway, located directly west of the subject site

Source: Skymonkey, February 2020

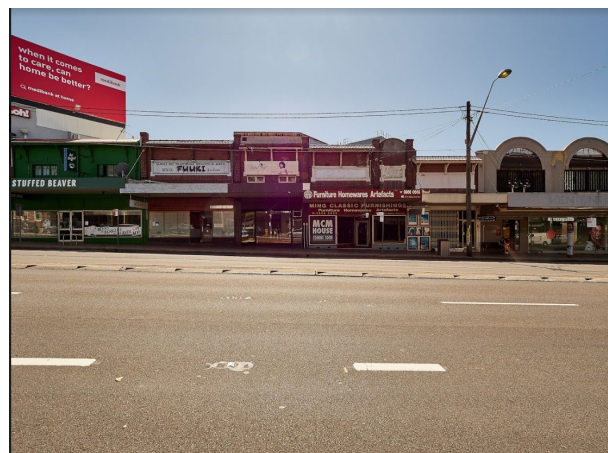


Figure 67 - subject site from entry to heritage item at 286-288 Pacific Highway showing there will be direct views to the proposed tower development.

Source: Skymonkey, February 2020

⁶ Heritage NSW, North Shore Gas Co Office, database no: 2180930.

Bank, 306 Pacific Highway, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>The former Bank of NSW building at 306 Pacific Highway, is two-storey corner building of face brickwork with stone string course, between floors, stone cornice beneath the parapet, elaborate triangular open-bed pediment with central cartouche and stone door frame to the entrance door with overhanging cornice carried on carved console brackets.</p> <p>Parapet has moulded decorative panels at regular intervals and windows are generally 12-paned double hung sash type frames. This building is designed in the Inter-War Georgian Revival style with a 1965 modernist Post-war International Style rear extension along Shirley Road.</p>	<p><i>The former Crows Nest Branch of the Bank of New South Wales is an excellent example of Inter-war Georgian revival architecture in a commercial building, with its significance enhanced by the prominent streetscape location as part of a five-way intersection dominated by buildings of a similar form, scale, materials and period.</i></p> <p><i>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.</i></p> <p><i>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.⁷</i></p>	<p>The heritage item is located west of the subject site, on the opposite side of Pacific Highway, and will have direct views to the proposed development.</p> <p>The proposed concept building envelope will have some impact on the visual setting of the heritage item. However, this change is anticipated within the area and forms part of the future urban character of Crows Nest.</p>

⁷ Heritage NSW, 306 Pacific Highway, database no. 2180896.



Figure 68 - View of the main entry to the heritage item at 306 Pacific Highway, located directly north-west of the subject site.

Source: Skymonkey, February 2020



Figure 69 - View towards the subject site from the main entry of the heritage item at 306 Pacific Highway, showing there will be direct views the subject site.

Source: Skymonkey, February 2020

Former National Australia Bank, 308 Pacific Highway		
Description	Statement of Significance	Heritage Impact
<p>The Former National Australia Bank was constructed in 1919 in the Victorian Regency style with Inter-War Stripped Classical style modifications. The two-storey rendered masonry commercial building is set to the street corner with a splayed entry. Parapet to street with a hipped corrugated metal roof with rounded timber vents. Lower face of building altered with new aluminium framed windows with tiled surrounds.</p> <p>Tile string course to first floor. Two-pane, double-hung, timber-framed sash windows to the upper floor in pairs with tile surrounds. Low parapet with hipped corrugated iron roof has a simple cornice line. Door and window openings are rectangular. Semi-circular dormer ventilator projects from roof behind corner facet.</p>	<p><i>An example of a two-storey rendered masonry commercial building on a prominent corner site with plainly detailed elevations. An important streetscape item as a part of a major intersection with a cohesive group of interwar commercial buildings on each corner. Of the five corner buildings, this is the earliest, though it has had its characteristic detailing modified. Continuous use as a bank since construction.</i>⁸</p>	<p>The heritage item is located north-west of the subject site, on the Pacific Highway but diagonally opposite, and will have direct views to the proposed development. The proposed concept building envelope will have some impact on the visual setting of the heritage item. However, this change is anticipated within the area and forms part of the future urban character of Crows Nest.</p>

⁸ Heritage NSW, Former National Australia Bank, database no. 2181003.



Figure 70 – View of the main entry to the heritage item at 286-288 Pacific Highway, located directly north-west of the subject site.

Source: Skymonkey, February 2020



Figure 71 – View towards the subject site from the main entry of the heritage item at 308 Pacific Highway, showing there will be direct views to the subject site.

Source: Skymonkey, February 2020

Willoughby House, Former OJ Williams Store, 429 Pacific Highway		
Description	Statement of Significance	Heritage Impact
<p>Willoughby House (Former OJ Williams Store), designed in the Inter-War Functionalist style, is a four-storey, commercial face brickwork building with ground floor shopfronts below suspended awning with pressed metal.</p> <p>It is located prominently on the corner of the Pacific Highway and Willoughby Road on a triangular site with a curved façade to the corner with roof concealed behind the parapet. The windows are horizontal bands with steel frames and painted brick sills and render heads.</p> <p>Corner entry tower to the Pacific Highway with vertical glazing to a stairwell with large metal clad addition above</p>	<p><i>Dramatic and imposing commercial building on an important corner of a major intersection which is characterised by buildings of similar period and materials. A fine example of the Interwar Functionalist style and an early example of a large regional department store. It is the work of TD Esplin.</i></p>	<p>The heritage item is located north-west of the subject site, diagonally opposite on the Pacific Highway. The southern windows of the commercial development will have direct views to the proposed development. The proposed concept building envelope will have some impact on the visual setting of the heritage item.</p> <p>However, this change is anticipated within the area and forms part of the future urban character of Crows Nest in the first three decades of the 21st century.</p>



Figure 72 – View of the main entry to a heritage item of Willoughby House, 429 Pacific Highway, located directly north of the subject site.

Source: Skymonkey, February 2020

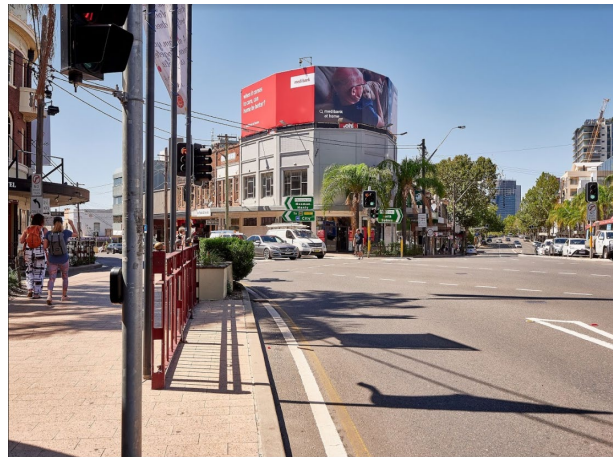


Figure 73 – View towards the subject site from the main entry of the heritage item at Willoughby House, showing there will be direct views to the subject site.

Source: Skymonkey, February 2020

Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>Crows Nest Hotel, designed in the Inter-War Mediterranean style and constructed in 1927-28, is a three-storey brick hotel set the street corner with a splayed entry corner. Painted render to the ground floor with timber framed windows and doors. Art Deco style suspended metal awning with elaborate façade above. Three projecting balconies on brackets with classical balustrades divide with two storey flat pilasters with papyri form Egyptian revival capitals. Twelve-pane double-hung timber sashes at the upper levels set in arched openings at the First Floor with rendered panels to the arch. Parapet to street with rendered frieze and cornice with three pediments central to each façade.</p> <p>A three-storey brick public hotel building on a corner site, with a curved facade to the corner and straight sections to each street frontage. The ground floor main entrance foyer to Willoughby Road is flanked by two Egyptian Revival fluted columns with papyri form capitals below a fish-scale leadlight, with a decorated floor in terrazzo, and is</p>	<p><i>Interesting large urban Inter-War hotel on an important intersection which has buildings similar in materials, form, style and period on each corner. A good example of the Inter-War Mediterranean style from the early twentieth century, it has powerfully detailed elevations with Egyptian revival details set on a prominent corner site. It is an important local hotel.⁹</i></p>	<p>The heritage item is located north of the subject site. The southern windows of the hotels will have direct views to the proposed development.</p> <p>The proposed concept building envelope will have some impact on the visual setting of the heritage item. However, this change is anticipated within the area and forms part of the future urban character of Crows Nest in the first three decades of the 21st century.</p>

⁹ Heritage NSW, Crows Nest Hotel, database no: 2181004.

Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest		
Description	Statement of Significance	Heritage Impact
sheltered by an art deco metal awning. The second floor has four cantilevered balconies, all with Italianate balustrades and console brackets. Parapet to the roofline has pediments central to each section of the facade.		



Figure 74 – View of the main entry to a heritage item of Crows Nest Hotel, located directly north of the subject site.

Source: Skymonkey, February 2020



Figure 75 – View towards the subject site from the main entry of the heritage item, Crows Nest Hotel, showing there will be direct views to the proposed development

Source: Skymonkey, February 2020

Shop Group 312-324, Pacific Highway, Crows Nest		
Description	Statement of Significance	Heritage Impact
A row of shops (Nos 312, 314, 316, 318, 320, 322-324), designed in the Federation Free Style and constructed c1919, are linked at first floor level by the repetition of seven identically detailed bays. Modern brick and aluminium glazed shopfronts to the ground floor. Suspended awning to the first floor with pressed metal soffit. Roughcast render to the upper floor with a smooth render decoration. Semi-circular opening blocked with steel framed windows. Moulded string course above and a frieze with a central panel. Moulded render cornice above and	<i>A good and well detailed example of a two storey, rendered masonry commercial building with residences to the first floor that was built as a row of seven and that forms a streetscape of high quality.</i> ¹⁰	<p>The heritage items are located north of the subject site along the Pacific Highway. The first floor eastern windows and verandahs will have peripheral views to the proposed development.</p> <p>The proposed concept building envelope will have minimal impact on the visual setting of the heritage item. However, this change is anticipated within the area and forms part of the future urban character of</p>

¹⁰ Heritage NSW, Shop Group 312-324, Pacific Highway, Crows Nest.

Shop Group 312-324, Pacific Highway, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>parapet to the street with a central finial bust with curved cappings each side.</p> <p>Each bay comprises a verandah behind a semi-circular arched opening, the archivolt moulded in stucco with a keystone extending to a moulded cornice, above which is an entablature containing a frieze with central blind panel. A bolder cornice has a central finial flanked by symmetrically curved wings to the pilasters which form the boundaries between panels.</p>		<p>Crows Nest in the first three decades of the 21st century.</p>



Figure 76 – View of the shopfront entry to the heritage item at 312 Pacific Highway, located north-west of the subject site.

Source: Skymonkey, February 2020



Figure 77 – View towards the subject site from the shopfront entry of the heritage item at 312 Pacific Highway, showing there will be direct views to the subject site.

Source: Skymonkey, February 2020

Crows Nest Fire Station, 99 Shirley Road, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>The Crows Nest Fire Station, designed in the Federation Arts and Crafts style, is a two storey brick building with gable roof of terracotta tiles. Asymmetric facade has a gable end as a pediment to one side and a square tower with projecting corner parapet sections to the other, with the central section containing an upper level verandah and ground</p>	<p><i>An 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</i></p>	<p>The heritage items are located north-west of the subject site. Located on Shirley Road, proposed development will not be visible from the principal rooms of the fire station.</p> <p>When looking to the fire station the proposed tower development will be visible as part of the backdrop. The proposed concept building envelope</p>

Crows Nest Fire Station, 99 Shirley Road, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>level motor garages which are framed by rusticated ashlar columns.</p> <p>Windows have 12 pane upper frames to the double-hung sashes. Verandah has brick balustrade and timber columns and is carried on heavy carved stone brackets</p>	<p><i>the Arts and Crafts style in a public utility context.</i>¹¹</p>	<p>will have little impact on the visual setting of the heritage item.</p> <p>However, this change is anticipated within the area and forms part of the future urban character of Crows Nest in the first three decades of the 21st century</p>

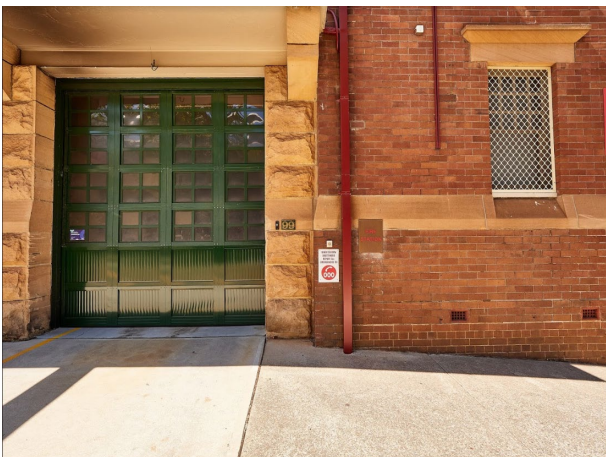


Figure 78 – View of the main entry to a heritage item of Crows Nest Fire Station, located northwest of the subject site.

Source: Skymonkey, February 2020

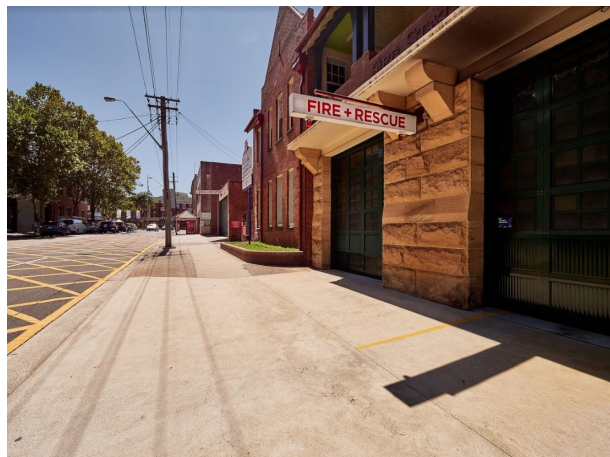


Figure 79 – View towards the subject site from the main entry of the heritage item, Crows Nest Fire Station, showing there will be no views to the proposed development.

Source: Skymonkey, February 2020

Uniting Church, 122 Shirley Road, Wollstonecraft		
Description	Statement of Significance	Heritage Impact
<p>Crows Nest Uniting Church, designed in the Victorian Free Gothic style, is a simply detailed brick church, constructed in 1905, with slate gabled roof featuring steeply pitched roof, parapeted gable ends, brick buttresses with sandstone copings and low pointed arches to windows and doors.</p> <p>The entry is off the corner of Nicholson St and Shirley Rd. The</p>	<p><i>Significant local church in original condition. Interesting interpretation of the Gothic idiom from the Federation period. The interior is also of significance.</i>¹²</p>	<p>The heritage items are located north-west of the subject site. Located on Shirley Road, there will be indirect, distant views of the proposed development from the main church entry above the roof of the Crows Nest Fire Station.</p> <p>The proposed concept building envelope will have minor adverse impact on views from the heritage item and act as a distant backdrop to</p>

¹¹ Heritage NSW, Crows Nest Fire Station, database no. 2180895.

¹² Heritage NSW, Crows Nest Uniting Church, database no. 2180888.

Uniting Church, 122 Shirley Road, Wollstonecraft		
Description	Statement of Significance	Heritage Impact
interior has exposed facebrick walls and plastered walls. The original joinery is present including the pews, lectern and altar. The Church is raised above street level with a sandstone block retaining wall on Nicholson St and a facebrick retaining wall on Shirley Rd. The Church is within a garden setting.		existing views to the southeast. However, this change is anticipated within the area and forms part of the future urban character of Crows Nest where development is occurring along the arterial roads.

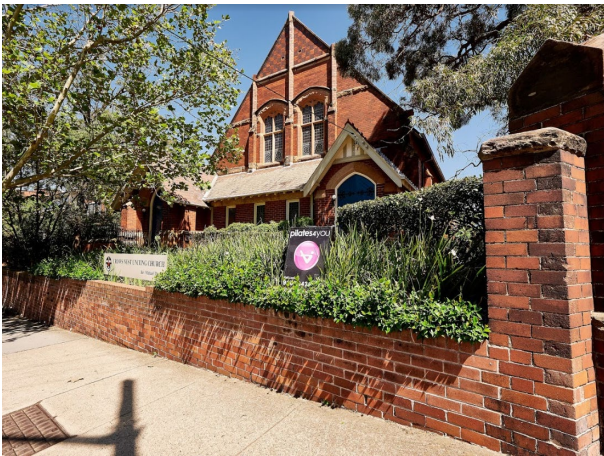


Figure 80 – View of the main entry to a heritage item, Crows Nest Uniting Church, located northwest of the subject site.

Source: Skymonkey, February 2020



Figure 81 – View towards the subject site from the main entry of the heritage item, Crows Nest Uniting Church, showing there will be indirect and distant views to the proposed development over the roof top of the Crows Nest Fire Station

Source: Skymonkey, February 2020

Former Church of Christ, 69 Falcon Street, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>The Former Church of Christ, designed in the Inter-War Gothic style and constructed from 1927-29, is a face brickwork, two-storey building with central raised and battlemented pediment over entrance. There is a window either side of the central entrance.</p> <p>Features include pointed arch windows with brick label moulds, elaborate leadlight glazing, pitched roof hall to the rear. Front section is</p>	<p><i>Interesting example of an Inter-War small church for a minority Christian group. Contrasts the buildings and churches of the mainstream Christian groups and important reminder of the diversity of beliefs present throughout the area's development.</i></p> <p><i>Provides evidence of the size, philosophy and activity of the church and its adherents. An interesting example of a two-storey brick church</i></p>	<p>The heritage item is located east of the subject site. Located on Falcon Street, there will be no view to the proposed development from the main entry to the property. The proposed concept building envelope will have no impact on views from the heritage item.</p>

Former Church of Christ, 69 Falcon Street, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>a wraparound parapeted form in face brick with a central battlemented bay over with pointed arched openings and brick decoration. The building has a short entrance section with a storeroom and office, then enters into the main church hall which is approximately 10m wide. At the rear of the hall was a stage area that extended across the width. The building has timber floors which are slightly raked in the hall. The hall has a corrugated iron roof.</p> <p>The former church was used as a place of worship until the late 1950s. It was closed due to falling congregation numbers. It was then converted to a residence and renovated c2005.</p>	<p><i>in the Inter-War Gothic style that has been built on a residential subdivision for a minority church. The interior is also of significance as the main volume of the church is still evident although having been adapted for residential use.</i>¹³</p>	



Figure 82 – View of main entry to heritage item at 69 Falcon Street located east of the subject site

Source: Google Maps

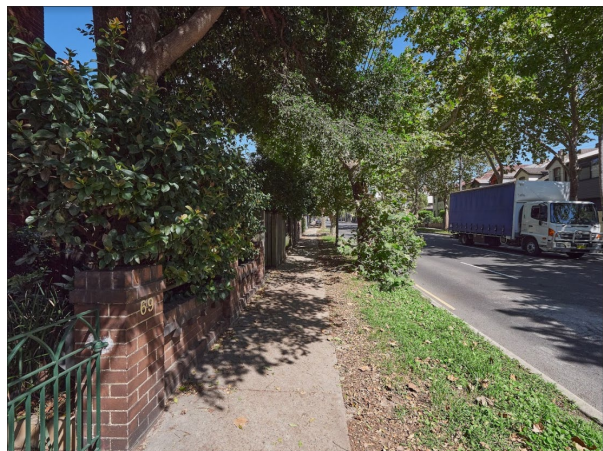


Figure 83 – View towards subject site from entry to heritage item at 69 Falcon Street showing mature street plantings will obscure views to the proposed tower

Source: Skymonkey, February 2020

North Sydney Girls' High School, 365 Pacific Highway		
Description	Statement of Significance	Heritage Impact
<p>North Sydney Girls' High School, designed in the Federation Free style</p>	<p><i>Important local school with significant place in the historical development of</i></p>	<p>The heritage item is located south of, and some distance away from, the</p>

¹³ Heritage NSW, Former Church of Christ, database no. 2181008.

<p>and constructed in 1919, is a large two storey brick building with hipped and gabled roof of slate tiles. General arrangement is of a longitudinal block with projecting gabled wings. Gable ends are half timbered and most of the upper storey and gable ends are rough cast rendered.</p> <p>Timber balustrades to upper floor verandahs, semi-circular arched colonnades to ground floor verandahs, multi-pane sash windows, rendered lintels and prominent chimneys are features.</p>	<p><i>public education on the North Shore. Substantial and relatively intact original building from establishment of the school. Local and regional significance for former and current pupils and staff. Buildings are representative of period school architecture and philosophy.</i>¹⁴</p>	<p>subject site. Located on the same side of the Pacific Highway as the subject site, there will be no view to the proposed development from the main entry to the property.</p> <p>This is due to the distance between the two properties and concealment by existing buildings. The proposed concept building envelope will have no impact on views from the heritage item.</p>
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Figure 84 – View of the main entry to North Sydney Girls High School, a heritage item at 365 Pacific Highway, located south of the subject site.

Source: Skymonkey, February 2020



Figure 85 – View towards the subject site from the main entry of the heritage item, North Sydney Girls High School, showing views to the subject site will be obscured by existing buildings.

Source: Skymonkey, February 2020

4.5. VIEW ANALYSIS – HERITAGE ITEMS WITHIN NEIGHBOURING HCAS

The following provides an analysis of potential impact to heritage items located within neighbouring Heritage Conservation Areas.

Former Hall, 14 Hayberry Street, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>The former Hall at 14 Hayberry Street, designed in the Federation Free Classical style, is a single storey brick hall with gabled</p>	<p><i>Single storey brick hall with gabled corrugated-iron roof. Side walls have rectangular sash windows and stepped buttresses with rendered</i></p>	<p>The heritage item is located east of the subject site within the Holtermann Estate C Conservation Area. Located on Hayberry Street,</p>

¹⁴ Heritage NSW, North Sydney Girls' High School, database no. 2180899.

Former Hall, 14 Hayberry Street, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>corrugated-iron roof located within the Holtermann Estate C Conservation Area. Side walls have timber-framed sash windows and stepped buttresses with rendered copings. Facade to Hayberry Street has parapet to gable end with central pediment between pilasters rising from ground level to the parapet, terminating in domically vaulted finials.</p> <p>The pediment is rectangular between pilasters with central raised semi-circle. The pilasters divide the facade into three bays, the central bay having a semi-circular arched fanlight above the entrance door with moulded archivolt and keystone. Flanking bays each have a semi-circular arched twelve-pane window.</p>	<p><i>copings. Facade to Hayberry Street has parapet to gable end with central pediment between pilasters rising from ground level to the parapet, terminating in domically vaulted finials.</i></p> <p><i>The pediment is rectangular between pilasters with central raised semi-circle. The pilasters divide the facade into three bays, the central bay having a semi-circular arched fanlight above the entrance door with moulded archivolt and keystone. Flanking bays each have a semi-circular arched twelve-pane window. This building is designed in the Federation Free Classical style.¹⁵</i></p>	<p>there will be no direct view to the proposed development from the main hall entry due to concealment by the adjoining building and screening by mature street trees. The proposed concept building envelope will have little adverse impact on views from the heritage item.</p>



Figure 86 – View of entry to heritage item at 14 Hayberry Street, located within the Holtermann Estate C conservation area

Source: Skymonkey, February 2020



Figure 87 – View towards subject site from entry to heritage item at 14 Hayberry Street showing existing buildings on the adjoining site and mature tree plantings will obscure views to the proposed tower and development

Source: Skymonkey, February 2020

¹⁵ Heritage NSW, Former Hall at 14 Hayberry Street, database no. 2181010.

House, 18 David Street, Crows Nest		
Description	Statement of Significance	Heritage Impact
<p>The house at 18 David Street, Crows Nest, designed in the Victorian Italianate style, is a single storey rendered brick with hipped roof of slate located within the Holtermann Estate C Conservation Area.</p> <p>Frontage to Hayberry Street is formed as a projecting faceted window bay with hipped roof and a verandah bay with curved corrugated iron verandah roof. Windows are rectangular, the bay windows being narrow, each with a label mould the full height of the opening which incorporates a keystone motif at the top, all over a continuous, heavily moulded sill.</p> <p>A side entry opening to David Street is semi-circular arched with label mould to impost height. The western elevation shows evidence that the house was originally intended to be attached to another house on this side (eg. fireplace opening). Front fence appears to be the original Victorian era acorn-topped picket fence, subsequently lowered in the Federation era and furnished with a top rail. The house is remarkably intact.</p>	<p><i>A fine example of Late Italianate villa style. Interpreted on a narrow-fronted, high-density subdivision. Despite the context, the building is well proportioned and attractive, though presently run-down, and it usefully illustrates the range of stylistic solutions applied to the residences of the working class of the period. Grouping: part of a former semi-detached pair.</i></p> <p><i>A fine example of Late Italianate villa style. Interpreted on a narrow-fronted, high-density subdivision. Despite the context, the building is well proportioned and attractive, though presently run-down, and it usefully illustrates the range of stylistic solutions applied to the residences of the working class of the period.</i>¹⁶</p>	<p>The heritage items are located east of the subject site within the Holtermann Estate C Conservation Area.</p> <p>There will be no direct views of the proposed development from the main entry to the dwelling because of coverage associated with mature street trees within the HCA. The proposed concept building envelope will have no adverse impact on views from the heritage item.</p>

¹⁶ Heritage NSW, 18 David Street, database no. 2181019.



Figure 88 – View of main entry to heritage item at 18 David Street within the Holtermann Estate C conservation area

Source: Skymonkey, February 2020



Figure 89 – View towards subject site from entry to heritage item at 18 David Street showing mature street plantings will obscure views to the proposed tower

Source: Skymonkey, February 2020

5. IMPACT ASSESSMENT

5.1. STATUTORY CONTROLS

5.1.1. North Sydney Local Environmental Plan 2013

The proposed works are addressed in the table below in relation to the relevant clauses in the North Sydney Local Environmental Plan 2013 (NSLEP 2013).

Table 5 – North Sydney Local Environmental Plan 2013 (NSLEP 2013)

Clause	Discussion
<p>NSLEP 2013, Part 5 Miscellaneous provisions, 5.10 Heritage conservation (1) Objectives</p> <p><i>The objectives of this clause are as follows:</i></p> <p>(a) <i>to conserve the environmental heritage of North Sydney,</i></p> <p>(b) <i>to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p>(c) <i>to conserve archaeological sites,</i></p> <p>(d) <i>to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p>The subject site of Five Ways Crows Nest is not heritage listed.</p> <p>The subject site is located in proximity to several heritage items of local significance identified in the NSLEP 2013, Schedule 5 Environmental heritage, Part 1 Heritage items, detailed hereunder:</p> <ul style="list-style-type: none"> ▪ Former North Shore Gas Co Office, 286-288 Pacific Highway, Crows Nest (Item No: I0150); ▪ Bank, 306 Pacific Highway, Crows Nest (Item No: I0151); ▪ Former National Australia Bank, 308 Pacific Highway, Crows Nest (Item No: I0152); ▪ Willoughby House, former OJ Williams store, 429 Pacific Highway, Crows Nest (Item No: I0172); ▪ Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest (Item No: I0181); ▪ Shop Group, 312-322 Pacific Highway (Item Nos: I0153 / I0154 / I0155 / I0156 / I0157 / I0158); ▪ Crows Nest Fire Station, 99 Shirley Road, Crows Nest (Item No: I0173); ▪ Uniting Church, 122 Shirley Road, Wollstonecraft (Item No: I1114); ▪ Former Hall, 14 Hayberry Street, Crows Nest (Item No: I0144); ▪ House, 18 David Street, Crows Nest (Item No: I0142); ▪ Former Church of Christ, 69 Falcon Street, Crows Nest (Item No: I0143); and ▪ North Sydney Girls' High School, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest (Item No: I0165). <p>The subject site is located in proximity to the following heritage conservation areas, identified in the NSLEP 2013, Schedule 5 Environmental heritage, Part 2 Heritage conservation areas:</p> <ul style="list-style-type: none"> ▪ Holtermann Estate "C" Heritage Conservation Area (labelled "CA09"). ▪ Holtermann Estate "B" Heritage Conservation Area (labelled "CA08"). <p>The subject site includes a property at 391-393 Pacific Hwy with a Modernist style former bank building, identified by Council's Conservation Planner as a potential heritage item. This heritage assessment does not find this building to have sufficient heritage significance to warrant heritage listing. Urbis</p>

Clause	Discussion
<p>NSLEP 2013, Part 5 Miscellaneous provisions, 5.10 Heritage conservation (2) Requirement for consent</p> <p><i>Development consent is required for any of the following:</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</i></p> <ul style="list-style-type: none"> <i>(i) a heritage item,</i> <i>(ii) an Aboriginal object,</i> <i>(iii) a building, work, relic or tree within a heritage conservation area,</i> <p><i>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</i></p> <p><i>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</i></p> <p><i>(d) disturbing or excavating an Aboriginal place of heritage significance,</i></p> <p><i>(e) erecting a building on land:</i></p> <ul style="list-style-type: none"> <i>(i) on which a heritage item is located or that is within a heritage conservation area, or</i> <i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</i> <p><i>(f) subdividing land:</i></p> <ul style="list-style-type: none"> <i>(i) on which a heritage item is located or that is within a heritage conservation area, or</i> <i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</i> 	<p>are of the opinion this building would not need to be retained as part of any future development on the Five Ways Crows Nest site.</p> <p>The Planning Proposal seeks to amend the maximum building height controls as they relate to the land bound by Pacific Highway, Falcon Street and Alexander Street. The subject site does not contain any listed heritage items or Aboriginal object. The subject site is not located within a heritage conservation area.</p> <p>The subject site is located in proximity to several heritage items of local significance.</p> <p>Although no archaeological assessment has been undertaken of the subject site, the subject site has not been identified as having archaeological potential on any heritage listing.</p> <p>There are no known Aboriginal objects on the site. No Aboriginal heritage assessment or due diligence has been undertaken of the site.</p> <p>The Planning Proposal does not propose subdivision of the subject site.</p>
<p>NSLEP 2013, Part 5 Miscellaneous provisions, 5.10 Heritage conservation</p>	<p>This HIS has been prepared to accompany a Planning Proposal seeking uplift from a maximum building height of 16 meters to 63.5 meters. This report has been prepared to assist</p>

Clause	Discussion
<p>(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>the consent authority in ascertaining potential impact to the existing heritage context of the Five Ways Crows Nest setting. This Heritage Impact Statement has assessed there will be no adverse impact on heritage items in proximity and neighbouring heritage conservation areas as a result of the subject Planning Proposal</p>
<p>NSLEP 2013, Part 5 Miscellaneous provisions, 5.10 Heritage conservation (5) Heritage assessment</p> <p>The consent authority may, before granting consent to any development:</p> <ul style="list-style-type: none"> (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The subject site is identified as being in proximity to several heritage items, as described above. It is also located in proximity to two (2) HCAs, detailed above. This HIS has been prepared to accompany the subject Planning Proposal, to assist the consent authority in their assessment of potential impacts to heritage fabric in the vicinity.</p>
<p>NSLEP 2013, Part 5 Miscellaneous provisions, 5.10 Heritage conservation (6) Heritage conservation management plans</p> <p>The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>The subject site, Five Ways Crows Nest, has little heritage significance. The site does not contain any heritage listed items. As such, there is no requirement for a conservation management plan.</p>

5.1.2. North Sydney Development Control Plan 2013

The proposed works are addressed in the table below in relation to the relevant provisions in the North Sydney Development Control Plan 2013 (North Sydney DCP).

Table 6 – North Sydney Development Control Plan 2013

Clause	Discussion
<p>P1 Respect and respond to the curtilage, setbacks, form, scale, and style of the heritage item in the design and siting of new work.</p>	<p>There are no heritage items located within the boundaries of the subject site. The subject site has no visual relationship to vicinity items and does not relate to either of the neighbouring HCAs.</p> <p>The proposed height amendments under this Planning Proposal are assessed to have no material or visual impact on the heritage significance of the identified vicinity items or relevant HCAs.</p> <p>The subject site is located at the Five Ways intersection along Pacific Highway. Five Ways facilitates the intersection of main arterial roads, providing access to Crows Nest and broader North Sydney. Pacific Highway facilitates six lanes of traffic, whilst Shirley Road and Falcon Street four. The site is identified an appropriate location for increased density given the physical separation of corner sites informed by existing street patterns. The proximity of the proposed Metro Station, south of Oxley Street, further compounds the opportunity for increased density.</p> <p>Detailed design, facilitated through subsequent Development Applications, will provide opportunity for development to respond appropriately to contrasting streetscapes. Treatment of built form, including scale, façade articulation and materiality will enable delivery of appropriate height transitions to mediate impact on the identified vicinity items and neighbouring HCAs. The subject heritage context does not rely on the subject site to be interpreted. The historic fabric of Five Ways Crows Nest is assessed to remain unchanged as a result of this Planning Proposal.</p>
<p>P2 Maintain significant public domain views to and from the heritage item.</p>	<p>Given the physical separation across the Five Ways intersection, the proposed uplift is found to have no impact on views to and from vicinity items and neighbouring HCAs. Principal views to and from heritage items are predominantly at street level. As such, any increased uplift above existing façade heights of historic shopfronts is found to have minimal impact on the interpretation of their heritage significance.</p>
<p>P3 Ensure compatibility with the orientation and alignment of the heritage item.</p>	<p>The subject site does not contain any heritage items. It does not visually relate to any of the identified vicinity items, or the neighbouring HCAs. As such, there is no requirement to</p>

Clause	Discussion
	maintain compatibility, orientation, or alignment with vicinity items. Interpretation of vicinity items largely occurs at street level; the proposed uplift therefore bares no visual relationship to the items. There is no requirement that the uplift respond to the form and orientation of single-storey vicinity items. Future detailed design will provide opportunities to respond to the existing heritage context through considered podium design, permeability, façade articulation and materiality.
P4 Provide an adequate area around the heritage item to allow for its interpretation.	The identified vicinity items and neighbouring HCAs are adequately distanced from the subject site given the physical separation incurred by the Pacific Highway, Falcon Street and Shirley Street. Furthermore, the heritage context does not rely on the subject site to be interpreted. Though there will be some impact to the setting of Five Ways, the proposed uplift is assessed to have no impact on the street level reading of vicinity items.
P5 Retain original or significant landscape features that are associated with the heritage item or that contribute to its setting.	The subject site does not contain any heritage items and is not associated with any HCAs. As such, the heritage context of Five Ways Crows Nest is to remain unchanged as a result of this Planning Proposal. Detailed design, including appropriate podium articulation and façade treatment will provide opportunity to enhance the setting and interpretation of vicinity items.

5.1.3. St Leonards and Crows Nest 2036 Plan

The St Leonards and Crows Nest 2036 Plan, prepared for the Department of Planning and Environment outlines the vision, objectives, and guiding principles for future planning of the St Leonards and Crows Nest Precinct. It identifies future land uses, proposed built form, growth projections, and required future infrastructure.

This HIS addresses the subject planning proposal in relation to the guiding principles contained within the St Leonards and Crows Nest 2036 Plan, as they relate to the subject site.

Table 7 – St Leonards and Crows Nest 2036 Plan

Clause	Discussion
	The Plan prioritises protecting the various elements of heritage significance in the area and their contribution to the desired future character identified in the Local Character Statement. No changes are proposed to Heritage Conservation Areas and the status of individual heritage items in the Plan. Built form recommendations in the Plan provide guidance for development near or adjoining heritage items and conservation areas drawn from the heritage analysis. These include:
Transition in heights from surrounding areas to HCAs.	Given the overall size of the Five Ways Crows Nest site, the subject site has been identified as having

Clause	Discussion
<p>Adopting the façade heights of existing heritage shopfronts as a street wall height benchmark for new buildings.</p>	<p>attributes appropriate to accommodate substantial uplift.</p> <p>The proposed adjustment to development controls under this Planning Proposal is assessed to have no material impact on vicinity items. The subject site does not contain any listed heritage items and does not relate to an existing HCA. All listed heritage items in the vicinity of the site are to be retained, ensuring no change to the heritage context of Crows Nest, Five Ways.</p> <p>Future development will alter the setting of neighbouring heritage items, in providing higher density development. It is acknowledged there will be some disparity in scale as the suburb transitions. However, the acknowledged heritage values of affected heritage items are to be retained, and do not rely on the subject site to be interpreted.</p> <p>Notwithstanding the potential visual impact of future built form on the subject vicinity items and HCAs, given the location of the site along a major transport corridor, the area is highly suitable for increased density.</p> <p>Detailed design as part of further approvals will provide the opportunity to address how future built form will respond to neighbouring HCAs. Measures including scale, building forms, façade articulation and materiality will further assist in facilitating appropriate height transitions from higher density affected HCAs. Detailed design will also provide opportunity to incorporate façade heights of existing heritage shopfronts as a base form of new buildings. This is able to be undertaken as part of future Development Applications pertaining to the subject sites.</p>
<p>Where rezoning is proposed for areas containing heritage items or conservation areas, ensure planning controls are adequate to protect cultural and Aboriginal heritage significance.</p>	<p>The subject Planning Proposal is limited to seeking adjustment to height of buildings and FSR only. It does not seek to amend the existing zoning of the subject site.</p>

5.2. HERITAGE DIVISION GUIDELINES

The proposed works are addressed in relation to relevant questions posed in the Heritage Division's 'Statement of Heritage Impact' guidelines.

Table 8 – Heritage Division Guidelines

Question	Discussion
<p>The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:</p>	<p>The heritage listed buildings at the intersection of the Pacific Highway, Falcon Street, Shirley Road and Alexander Street form part of the early 20th century character of Crows Nest and, as a collection, contribute to the significance of the historic development of the suburb.</p> <p>The subject site does not contain any heritage items and has no direct relationship to neighbouring HCAs. The proposed uplift would have no material impact on vicinity items and ensures street level interpretation is retained. As such, the heritage context of Crows Nest Five Ways would remain unchanged as a result of this Planning Proposal. The proposed uplift does not impede on the heritage significance of listed vicinity items, or neighbouring HCAs. Future Development Applications for the site will provide ample opportunity to respond appropriately to the existing heritage context.</p> <p>More broadly, the subject site is appropriately identified as an opportunity for increased density. From a heritage perspective, the physical separation as a result of the intersection sees that the heritage context of Five Ways would remain unaffected by the proposed uplift.</p>
<p>New development adjacent to a heritage item</p> <p>How does the new development affect views to, and from, the heritage item?</p> <p>What has been done to minimise negative effects?</p> <p>How is the impact of the new development on the heritage significance of the item or area to be minimised? Why is the new development required to be adjacent to a heritage item?</p> <p>How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?</p> <p>Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?</p> <p>Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?</p>	<p>The subject site is located in proximity to several heritage items of local significance, as identified in the NSLEP 2013, Schedule 5 Environmental heritage, Part 1 Heritage items, detailed hereunder:</p> <ul style="list-style-type: none"> ▪ Former North Shore Gas Co Office, 286-288 Pacific Highway, Crows Nest (Item No: I0150); ▪ Bank, 306 Pacific Highway, Crows Nest (Item No: I0151); ▪ Former National Australia Bank, 308 Pacific Highway, Crows Nest (Item No: I0152); ▪ Willoughby House, former OJ Williams store, 429 Pacific Highway, Crows Nest (Item No: I0172); ▪ Crows Nest Hotel, 1-3 Willoughby Road, Crows Nest (Item No: I0181); ▪ Shop Group, 312-322 Pacific Highway (Item Nos: I0153 / I0154 / I0155 / I0156 / I0157 / I0158); ▪ Crows Nest Fire Station, 99 Shirley Road, Crows Nest (Item No: I0173); ▪ Uniting Church, 122 Shirley Road, Wollstonecraft (Item No: I1114); ▪ Former Hall, 14 Hayberry Street, Crows Nest (Item No: I0144); ▪ House, 18 David Street, Crows Nest (Item No: I0142); ▪ Former Church of Christ, 69 Falcon Street, Crows Nest (Item No: I0143); and ▪ North Sydney Girls' High School, 365 Pacific Highway (between David and Myrtle Streets), Crows Nest (Item No: I0165).

Question	Discussion
<p>Will the additions visually dominate the heritage item? How has this been minimised?</p> <p>Will the public, and users of the item, still be able to view and appreciate its significance?</p>	<p>This Planning Proposal seeks to amend the height of buildings and FSR controls as they relate to the land bound by Pacific Highway, Falcon Street and Alexander Street, Crows Nest. This Planning Proposal seeks uplift from 16 meters to 63.5 meters; with a proposed envelope totalling 16 storeys.</p> <p>Given the physical separation across the Five Ways intersection, the proposed uplift is found to have no impact on views to and from vicinity items and neighbouring HCAs. Principal views to and from heritage items are predominantly at street level. As such, any increased uplift above existing façade heights of historic shopfronts is found to have minimal impact on the interpretation of their heritage significance.</p> <p>Identified vicinity items are principally interpreted at street level. The proposed uplift therefore has no relationship with single and double storey heritage items in the vicinity. It is assessed there would be no material impact on identified vicinity items. Future development applications for the site will provide opportunity for detailed design, including the use of existing historic shopfronts as a podium marker.</p> <p>Detailed design as part of further approvals will provide the opportunity to address how future built form will respond to the identified vicinity items. Measures including scale, building forms, façade articulation and materiality will further assist in facilitating appropriate height transitions from higher density affected HCAs. Detailed design will also provide opportunity to incorporate façade heights of existing heritage shopfronts as a base form/podium marker for new buildings. This is able to be undertaken as part of future Development Applications pertaining to the subject sites.</p> <p>For the reasons outlined throughout this assessment, this Planning Proposal is found to have no detrimental impact on the heritage context of Five Ways Crows Nest.</p>

6. CONCLUSIONS

Contextually, the site is located in an evolving commercial district, which will start to experience significant change following the completion of the Crows Nest Metro Station to the west of the St Leonards Centre. New buildings will be constructed of greater scale in the immediate vicinity of the site, which will subsequently alter the setting of the heritage items around the Five Ways Crows Nest site. It is, therefore, important to provide guidelines for future development to ensure the significance of the site's context is protected and enhanced, while still facilitating new development.

The heritage listed buildings at the intersection of the Pacific Highway, Falcon Street, Shirley Road and Alexander Street form part of the early 20th century character of Crows Nest and, as a collection, contribute to the significance of the historic development of the suburb.

The subject site, being the land bound by Pacific Highway, Falcon Street and Alexander Street does not contain any heritage listed items. 391-393 Pacific Highway, located on the corner of Pacific Highway and Alexander Street, is a building designed c1950 in a Modernist style. Council has advised this building has the potential for heritage listing. It is assessed that the above property has unsubstantiated significance as a potential heritage item. As such, all buildings located on the subject site are identified as having no contribution to the streetscape character of Five Ways Crows Nest. The subject site is therefore appropriate for redevelopment from a heritage perspective. This report has assessed the subject planning proposal's impact on heritage items in the vicinity of the subject site. The below points indicate the proposed building envelope to have no adverse impact on neighbouring heritage items and HCAs.

This Planning Proposal seeks to amend building height limits as they relate to the land bound by Pacific Highway, Falcon Street and Alexander Street. The proposal seeks uplift from 16 meters to 63.5 meters, with a proposed envelope totalling 16 storeys. The following points, summarised from the Assessment of Impact, (Section 5.0 of this report), substantiate the proposal's limited impact the heritage significance of the Five Ways intersection at Crows Nest. The findings in this report have been formulated with reference to Appendix A Visual Impact Assessment Images, Fiveways Triangle Site, prepared by Urbaine Architecture and Urban Design Strategy, *Five Ways Crows Nest*, prepared by Turner Architects.

- The subject site, being the land bound by Pacific Highway, Falcon Street and Alexander Street does not contain any heritage listed items. 391-393 Pacific Highway, located on the corner of Pacific Highway and Alexander Street, is a building designed c1950 in a Modernist style. Council has advised this building has the potential for heritage listing. It is assessed that the above property has unsubstantiated significance as a potential heritage item. As such, all buildings located on the subject site are identified as having no contribution to the streetscape character of Five Ways Crows Nest. The subject site is therefore appropriate for redevelopment from a heritage perspective.
- The proposed adjustment to development controls under this Planning Proposal is assessed to have no material impact on vicinity items. The subject site does not contain any listed heritage items and does not relate to an existing HCA. All listed heritage items in the vicinity of the site are to be retained, ensuring no change to the heritage context of Crows Nest, Five ways.
- The subject site is appropriately identified as an opportunity for increased density. From a heritage perspective, the physical separation as a result of the intersection would see the heritage context of Five Ways Crows Nest remain unaffected by the proposed uplift.
- Principal views to and from heritage items are predominantly at street level. As such, any increased uplift above existing façade heights of historic shopfronts is found to have minimal impact on the interpretation of their heritage significance.
- Identified vicinity items are principally interpreted at street level. The proposed uplift therefore has no relationship with single and double storey heritage items in the vicinity. It is assessed there would be no material impact on identified vicinity items. Future development applications for the site will provide opportunity for detailed design, including the use of exiting historic shopfronts as a podium marker.
- Interpretation of the existing streetscape character of the Holterman B and Holterman C Heritage Conservation Areas does not rely on the subject site. The proposed uplift does not impede on the reading of dominant typologies of the aforementioned HCAs. Detailed design of future development on the site will provide adequate opportunity to mitigate any identified impact.
- Detailed design, facilitated through subsequent Development Applications, will provide opportunity for development to respond appropriately to contrasting streetscapes. Treatment of built form, including

scale, façade articulation and materiality will enable delivery of appropriate height transitions to mediate impact on the identified vicinity items and neighbouring HCAs. Additionally, detailed design will facilitate opportunity to respond to the existing heritage context by incorporating façade heights of existing historic shopfronts as a base form/podium marker for new buildings. The proposal may also provide opportunity for permeability and increased street-level activation. Such concepts are found to be compatible in maintaining heritage significance alongside contemporary development.

The Planning Proposal is supported from a heritage perspective.

7. BIBLIOGRAPHY AND REFERENCES

7.1. BIBLIOGRAPHY

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