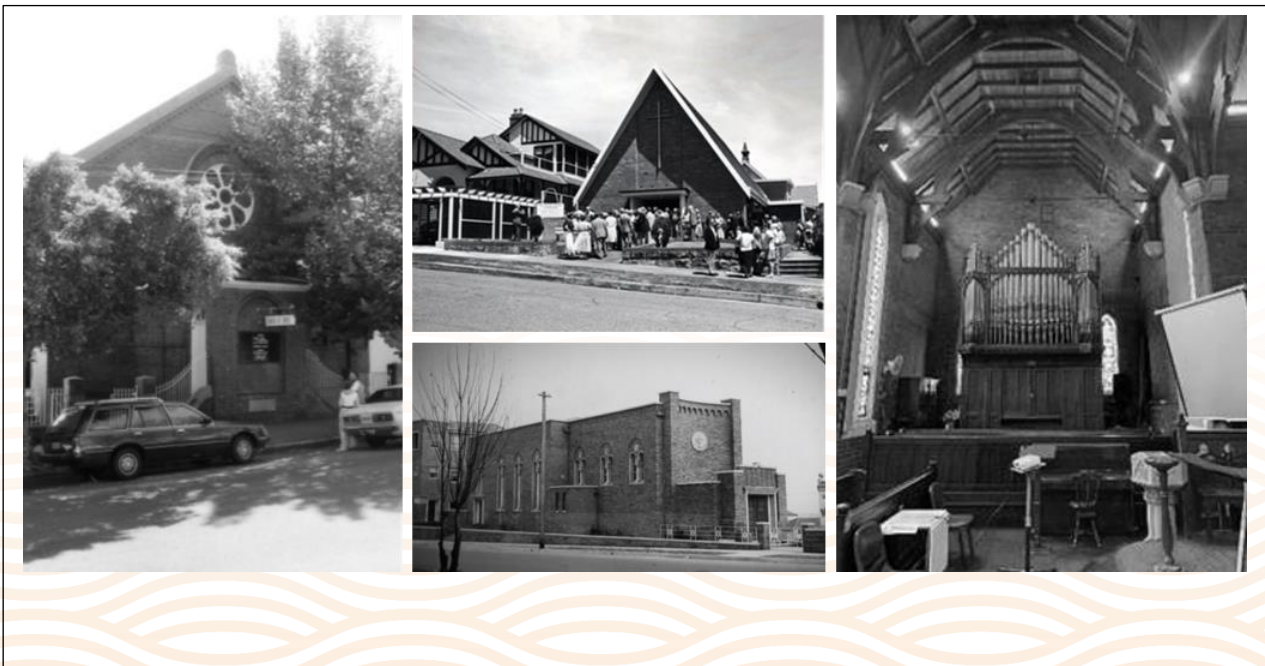


# Planning Proposal



## Local Heritage Listing: Places of Worship in Woollahra



Version Date:	April 2023
Division/Department:	Strategic Planning
Responsible Officer:	Shona Lindsay – Senior Heritage Officer, Eleanor Banaag – Senior Strategic Heritage Officer
HPE CM Record Number:	23/9312

## **Acknowledgement of Country**

*Woollahra Council acknowledges the Gadigal and Birrabirragal people, the traditional custodians of the land of Woollahra. We would like to acknowledge Aboriginal or Torres Strait Islander people and pay our respects to Elders past, present and emerging.*

**Cover Photo:** Woollahra Library Local History Digital Archive/ Shona Lindsay/ Sydney Chevra Kadisha/ Charlotte Simons/

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## Supporting documents (circulated separately)

- Heritage Study: Places of Worship, Woollahra LGA (April 2023)
- Heritage Inventory Sheets for four places of worship (April 2023)



# 1. Introduction

## 1.1. Summary

This planning proposal seeks to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), at Schedule 5 (Environmental heritage) and the Heritage Map, to include four new local heritage items.

These four properties are places of worship and were investigated as part of Council's *Heritage Study: Places of Worship, Woollahra LGA* (Nov 2022). The Study identified that there are 27 places of worship within the Woollahra LGA, of which 18 are listed as heritage items in the Woollahra LEP 2014, and one also listed on the State Heritage Register. Of the nine (9) places of worship that are not currently listed as heritage items, the Study found that five (5) meet the threshold for local heritage significance, and one of these also meets the threshold for State heritage significance.

The planning proposal was referred to the Woollahra LPP on the 13 December 2022, where they provided the following advice to Council:

- A. *THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the following sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014:*
- i. *Paddington Church of Christ complex and setting, including interiors and moveable heritage at 116-122 Paddington Street, Paddington (Lots 20, 21 & 22, Sec 1, DP 180)*
  - ii. *St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage at 2 Carlisle Street, Rose Bay (Lot 1 DP 724928 & Lot 1 DP 966535)*
  - iii. *St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable heritage at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP5092)*
  - iv. *Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862)*
  - v. *Vaucluse Uniting Church complex and setting - former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage at 3 Russell Street, Vaucluse (Lot 6, Sec 5, DP 4400).*
- B. *THAT the Woollahra Local Planning Panel provides advice to Council to proceed with the nomination to the State Heritage Register of Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862)*
- C. *THAT as part of a future heritage study, the following three sites be further examined for their heritage qualities:*
- *Sephardi Synagogue at 40-44 Fletcher Street, Woollahra*
  - *Kehillat Kadimah Synagogue at 662-666 Old South Head Road, Rose Bay*
  - *Chabad Double Bay at 2 Kiaora Road, Double Bay*

It is noted that the Woollahra LPP provided the following reasons for their decision:

*The Panel considered the submissions received, and considered the Places of Public Worship Heritage Study to be a thorough and comprehensively researched report, with a good comparative analysis and Council should be congratulated.*

On 6 March 2023, the planning proposal was considered by the Environmental Planning Committee and subsequently on 27 March 2023 the Council resolved

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 13 December 2022 regarding the planning proposal to list five places of worship as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.*
- B. *THAT Council endorse the planning proposal as contained at Attachment 3 of the report to the Environmental Planning Committee to list the following five sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014 and resolve to forward this to the Department of Planning and Environment with a request for a Gateway determination to allow public exhibition:*
  - i. *Paddington Church of Christ complex and setting, including interiors and moveable heritage at 116-122 Paddington Street, Paddington (Lots 20, 21 & 22, Sec 1, DP 180).*
  - ii. *St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage at 2 Carlisle Street, Rose Bay (Lot 1 DP 724928 & Lot 1 DP 966535)*
  - iii. *Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862)*
  - iv. *Vaucluse Uniting Church complex and setting - former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage at 3 Russell Street, Vaucluse (Lot 6, Sec 5, DP 4400).*
- C. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- D. *THAT Council endorse a nomination to the State Heritage Register of Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862).*
- E. *THAT Council receives and notes the recommendation for the St George Greek Orthodox Church, and staff further investigate the heritage significance of the complex having regard to the issues raised regarding religious freedoms, and that the community are engaged to establish if there are elements of the building that are appropriate for heritage listing, investigates whether there is an active Development Application (DA) for the site on the corner of Old South Head Road and Newcastle Street, Rose Bay and/or if further legal advice is required.*

*F. THAT Council request that staff update the heritage inventory sheet for this Sydney Chevra Kadisha, having considered the late correspondence from URBIS that was tabled at the Environmental Planning Committee meeting of 6 March 2023.*

The heritage study report, the heritage inventory sheets and the planning proposal have been updated based on the outcome of the Woollahra LPP meeting and Council meeting.

In light of Parts B and E of the resolution above, a reference to the listing of the St George Greek Orthodox Church has been removed from this planning proposal to allow for further investigations and community engagement regarding its heritage significance.

In light of Part F of the resolution above, Council have considered the comments made by URBIS and have updated heritage inventory sheet for the Sydney Chevra Kadisha to response to those comments, where reasonable and appropriate. A recommendation to prepare a movable heritage schedule has been included into the inventory sheet, with additional commentary that allows for a more comprehensive movable heritage assessment to be undertaken as part of the Conservation Management Plan process.

URBIS also comments that any works previously approved through an earlier DA process (DA2014/541) should be acknowledged in the inventory sheet, and clarify that these works are expected to be undertaken in future. As these works have not commenced, the development consent has now lapsed and it is not considered necessary to include this commentary.

## **1.2. Description of this planning proposal**

The objective of the planning proposal is to amend Woollahra LEP 2014 to list the places of worship identifies in Table 1 below as local heritage items in Schedule 5 Environmental heritage, Part 1 Heritage items. Heritage listing of these sites will ensure recognition of their significance, as well as provide statutory protection through ensuring that any future development proposals are assessed against the heritage provisions of the Woollahra LEP 2014.

Table 1: Subject sites to which the planning proposal applies

	<b>Item</b>	<b>Address</b>	<b>Lot/DP</b>
1	<i>Paddington Church of Christ complex and setting, including interiors and moveable heritage</i>	116-122 Paddington Street, Paddington	Lots 20, 21, 22, Sec 1, DP 180
2	<i>St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage</i>	2 Carlisle Street, Rose Bay	Lot 1, DP 724928 & Lot 1, DP 966535
3	<i>Sydney Chevra Kadisha, including interiors and moveable heritage</i>	172-178 Oxford Street, Woollahra	Lot 1, DP 85862
4	<i>Vaucluse Uniting Church complex and setting – former 1909 Vaucluse</i>	3 Russell Street, Vaucluse	Lot 7, Sec 5, DP 4400

Item	Address	Lot/DP
Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage		

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning and Environment supporting document. *Local Environmental Plan Making Guideline* (September 2022).

### 1.3. Assessments of Heritage Significance

An assessment of heritage significance of the four subject sites was carried out by Council Staff. That assessment is separately attached to this planning proposal, see *Heritage Study: Places of Worship, Woollahra LGA* (April 2023) and *Heritage Inventory Sheets for four places of worship* (April 2023).

The assessment of heritage significance was undertaken in accordance with Heritage NSW publications *Assessing heritage significance* (2001)-and *Investigating heritage significance* (2021). There are seven criteria used in the process of assessing heritage significance:

#### **Criterion (a) – Historical significance**

*An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).*

#### **Criterion (b) – Associative significance**

*An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).*

#### **Criterion (c) – Aesthetic/technical significance**

*An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in NSW (or the local area).*

#### **Criterion (d) – Social significance**

*An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.*

#### **Criterion (e) – Research potential**

*An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).*

#### **Criterion (f) – Rarity**

*An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural (or the cultural or natural history of the local area).*

#### **Criterion (g) – Representative**

*An item is important in demonstrating the principal characteristics of NSW's*

- *cultural or natural places; or*
- *cultural or natural environments.(or a class of the local area's cultural or natural places; or cultural or natural environments.)*

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

The assessment concludes that the following sites are of **local** heritage significance.

- *Paddington Church of Christ complex and setting, including interiors and moveable heritage* at 116-122 Paddington Street, Paddington (Lots 20, 21, 22, Sec 1, DP 180)
- *St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage* at 2 Carlisle Street, Rose Bay (Lot 1, DP 724928 & Lot 1, DP 966535)
- *Sydney Chevra Kadisha, including interiors and moveable heritage* at 172-178 Oxford Street, Woollahra (Lot 1, DP 85862)
- *Vaucluse Uniting Church complex and setting – former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage* at 3 Russell Street, Vaucluse (Lot 7, Sec 5, DP 4400)

Accordingly, it is recommended that these sites are listed in Schedule 5 and identified on the associated Heritage Maps of the Woollahra LEP 2014.

The report also concluded that the Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra is of **State** heritage significance. Accordingly, staff recommend that the Sydney Chevra Kadisha, including interiors and moveable heritage is of State significance and should be nominated to the State Heritage Register. This would occur should the listing in the Woollahra LEP 2014 be progressed.

Below, is the Statement of Significance for each property.

A copy of the inventory sheets for each property, including an assessment against all heritage criteria, is separately attached.

#### **1.4. Statements of Heritage Significance**

##### **1.4.1. Paddington Church of Christ complex and setting, including interiors and moveable heritage**

*The Paddington Church of Christ is of local heritage significance for its historical, associative, aesthetic, social, rarity, and representative heritage values.*

*Constructed at the turn of the twentieth century, the church building represents the ongoing pattern of development of Paddington and evidences the growth of religious and community organisations that were occurring in this part of Sydney at the time.*

*The church is designed in the Romanesque revival style and is of fine architectural character, detail and scale, including the inset rose window, exposed timber trusses and stained glass windows.*

*The Paddington Church of Christ has landmark qualities within the surrounding Victorian era streetscape and conservation area, and since its construction the building has contributed to and complemented this residential setting in a largely unaltered state.*

*Since its establishment more than one century ago, the church has been the location and focus of worship and activities for a section of the local community. The significance of the church building is enhanced by the associated collection of moveable heritage items.*

#### **1.4.2. St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage**

*St Andrews Scots Presbyterian Church is of local significance under the historical, associative, aesthetic, social, research potential, rarity, and representative criterion.*

*St Andrews Scots Presbyterian Church has historical significance as it has continued in its function as a church and for its associated community since the early twentieth century. St Andrews Scots Presbyterian Church is located on a prominent corner site, and has aesthetic significance as a fine example of the Federation Gothic style constructed in 1913 by architects Power and Adam and builders Messers. D. McRae and Son.*

*The building retains an excellent collection of high quality stained glass windows that date to 1885, and which were part of the original St Andrew's Scots Church built in 1835 and located in Sydney City behind St Andrew's Cathedral. The 'barn-Gothic' rafters are of aesthetic significance, dating to 1885 from the original Church in the City.*

*St Andrews Scots Presbyterian Church has historical and social significance for demonstrating the pattern of development of the Presbyterian Church in Sydney and the Woollahra area since the early twentieth century. It is associated with one of the first Presbyterian Churches built in NSW and the first Presbyterian congregation in NSW. It is rare as being a fine and representative example of a Federation gothic style ecclesiastical building in the Woollahra LGA.*

#### **1.4.3. Sydney Chevra Kadisha, including interiors and moveable heritage**

*The Sydney Chevra Kadisha building is of State significance and has important historical, associative, aesthetic, social, research potential, rarity and representative heritage values.*

*The building is associated with the Sydney Chevra Kadisha, the first Jewish organisation founded in Australia during the early nineteenth century to practice ritual and burial rights for the Colony's Jewish population.*

*Constructed in the mid-twentieth century to accommodate the growing requirements of the Sydney Chevra Kadisha, the building evidences the cultural influences occurring globally during the post-World War II era. The Sydney Chevra Kadisha building is the primary mortuary chapel servicing the Jewish community of Sydney and wider NSW, and is the only one of this type in the State. As such, the building retains profound personal memories, values and associations for generations of mourners, volunteers and staff whom are connected with this place, and is in constant use.*

*The building was designed by prominent Modernist architect Samuel Lipson of Lipson & Kaad Architecture, and is an excellent example of Post-War architecture reflecting the European influences of Lipson's practice. The building's distinctive interior and exterior remain substantially unaltered since its construction, and the building has strong landmark qualities within its context.*

#### **1.4.4. Vaucluse Uniting Church complex and setting – former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage**

*The Vaucluse Uniting Church site is of local heritage significance for its historical, aesthetic, social, rarity and representative heritage values.*

*Collectively, the former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building demonstrate the pattern of growth of religious and community organisations that were occurring in this part of Sydney at the time. The Former Vaucluse A-frame Church is historically significant as an illustration of postwar church-building activity in the municipality by the Congregationalists, later the Uniting Church (from 1977), who had worshipped at the place since 1909.*

*A-frame churches were designed and built for their striking spatial qualities, and the building is considered to be aesthetically distinctive. The church is a restrained and representative example of late twentieth century ecclesiastical church designed by architectural practice Booker & Wilson. The A-frame Church is an intact and substantial masonry example of its typology, which surged in international popularity over the 1950s as a cost-effective and flexible solution for post-war ecclesiastical design. Its bold triangular geometry and pared-back character are evocative of modernist architecture.*

*A-frame church buildings were popularly built during the 1960s and 1970s in Sydney and wider NSW, and the existing A-frame building on the site is therefore considered to be part of a group which collectively illustrates a representative type. There are no other examples of this building typology within the Municipality. Since the turn of the twentieth century, the site has been the location and focus of worship, activities and ceremony for a section of the local community. The significance of the 1960 church building is enhanced by the associated collection of moveable heritage items.*

## 2. Existing sites and surrounding context

### 2.1. Paddington Church of Christ

The Paddington Church of Christ is located on the northern side of Paddington Street, Paddington. The church was erected in 1901 and designed by architect Walter Sydney Newman in the Romanesque Revival style and is of face brick construction.

The church building presents to the street as two storeys in height with a parapet gabled roof form. Located on a steeply sloped site, the church building features a basement level. To the rear of the site fronting Paddington Lane is a two-storey 1970s brick residence that is associated with the Paddington Church of Christ.

The land on which it is built at 116-122 Paddington Street is also identified as Lots 20, 21 and 22, Section 1, DP 180 (see Figures 1 & 2 below).

The symmetrical two-storey church building is constructed of face brick with a parapeted gable roof that is clad with terracotta tiles, which in turn are capped by terracotta ridge ornaments. The exterior of the church building's design is defined by engaged brick piers and decorative dichromatic brickwork comprising string courses and soldier courses to fenestration. Characteristic of the church's Romanesque Revival style, fenestration is relatively small in relation to the wall area. The windows at street level are of rectangular amber leaded glass design, while fenestration at the lower basement level comprises timber framed double hung sash windows.

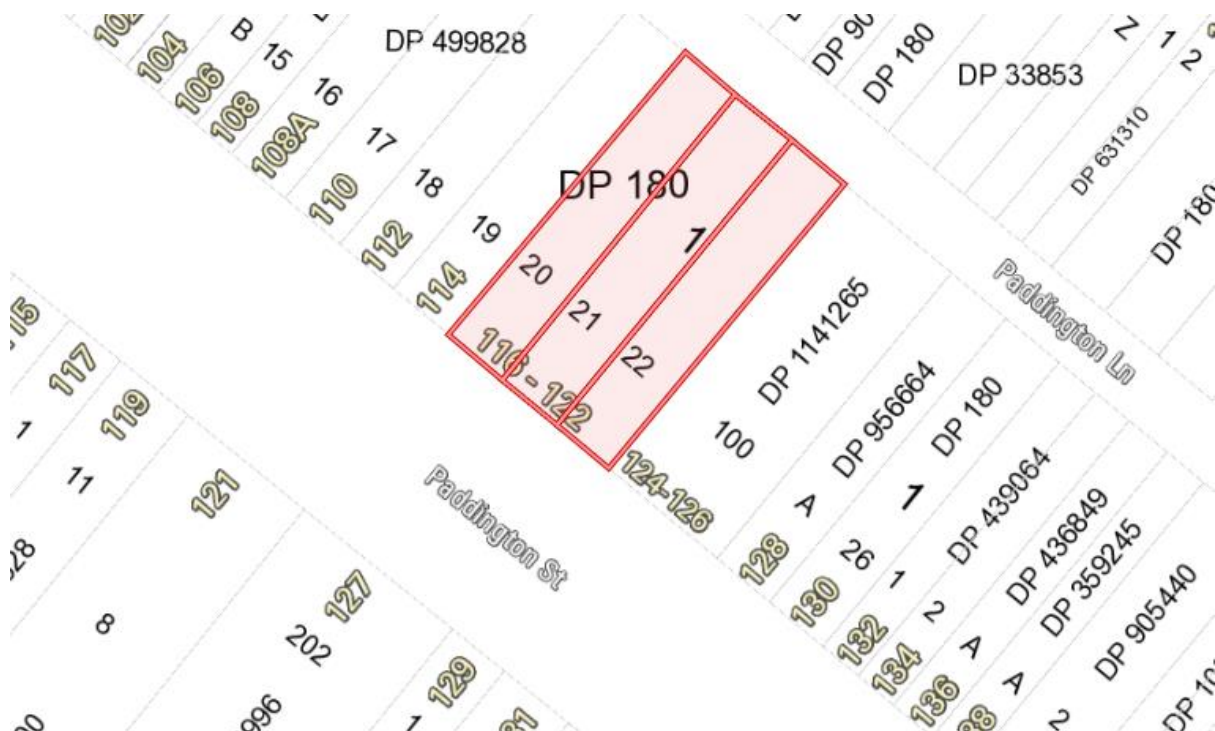


Figure 1 Cadastral map of 116-122 Paddington Street (Source: Woollahra MAPS)

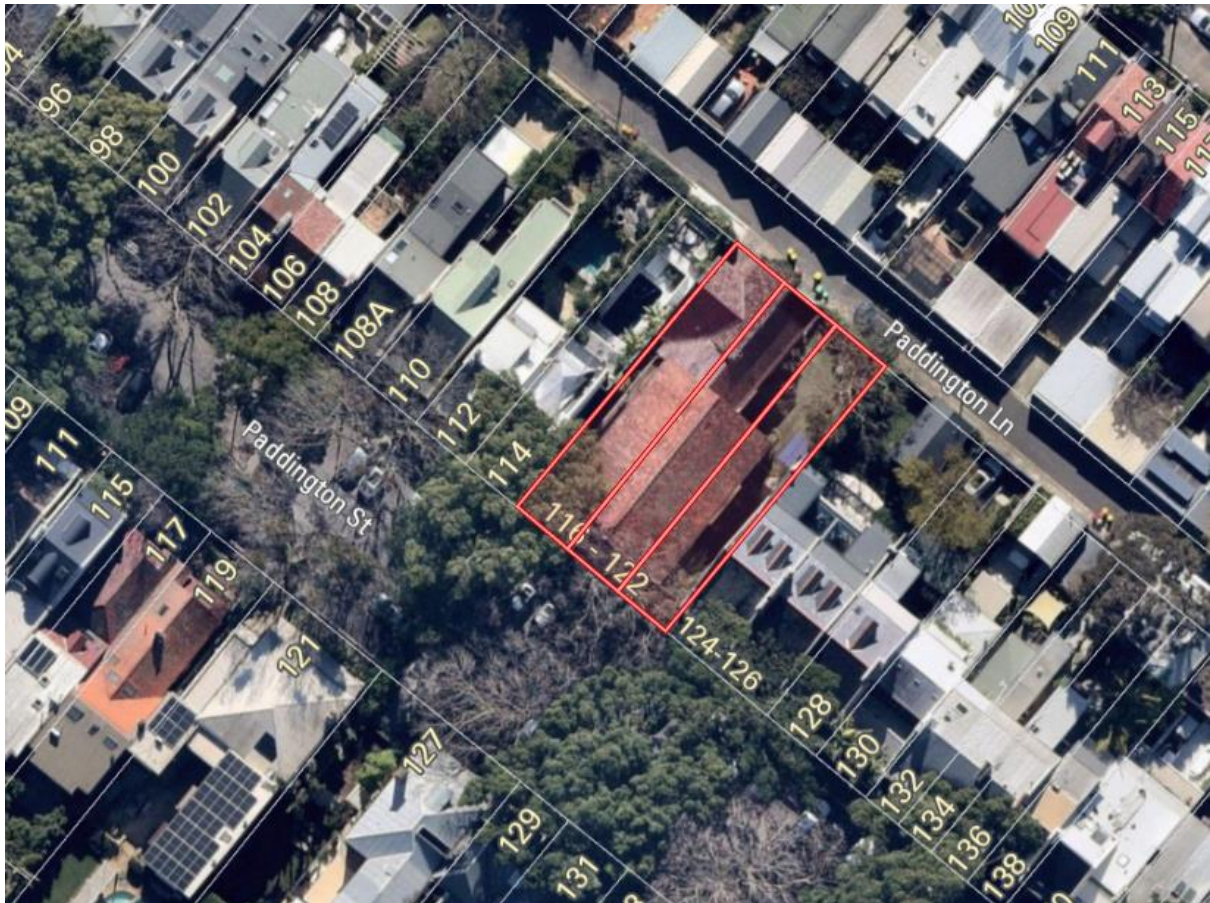


Figure 2 current aerial photograph of Paddington Church of Christ in Paddington (Source: Woollahra MAPS)



Figure 3: Front elevation of the Paddington Church of Christ in 2020



*Figure 4: View of the 1970s residence at the rear of the site in 2020*



*Figure 5: View of the main nave of the church in 2020*



*Figure 6: Detail view of baptism bath within Paddington Church of Christ (original feature, later retiled)*



*Figure 7: View of main church space within Paddington Church of Christ, showing timber pews and leaded glass windows*

## **2.2. St Andrews Scots Presbyterian Church, Rose Bay**

St Andrews Scots Presbyterian Church was constructed in 1913 in the Federation gothic style by builders Messers. D. McRae and Son. It has a steeply pitched roof and is constructed with sandstone footings, brown face brick walls, timber rafters, hammer beam roof internally and slate roof externally.

The exterior of St Andrews Scots Presbyterian church has sandstone footings, brown face brick walls and a slate roof. The windows are of cast concrete and are of a lancet style with filigree decoration, and the walls have a string course above and below the windows. The doors are made from timber. The roof has exposed rafter eaves. There is a low sandstone fence on the street boundaries.

This site at 2 Carlisle Street, Rose Bay is legally identified on Lot 1 DP 724928 and Lot 1 DP 966535.



Figure 8 Cadastral map of the area occupied by St Andrews Scots Presbyterian Church in Rose Bay  
(Source: Woollahra MAPS)

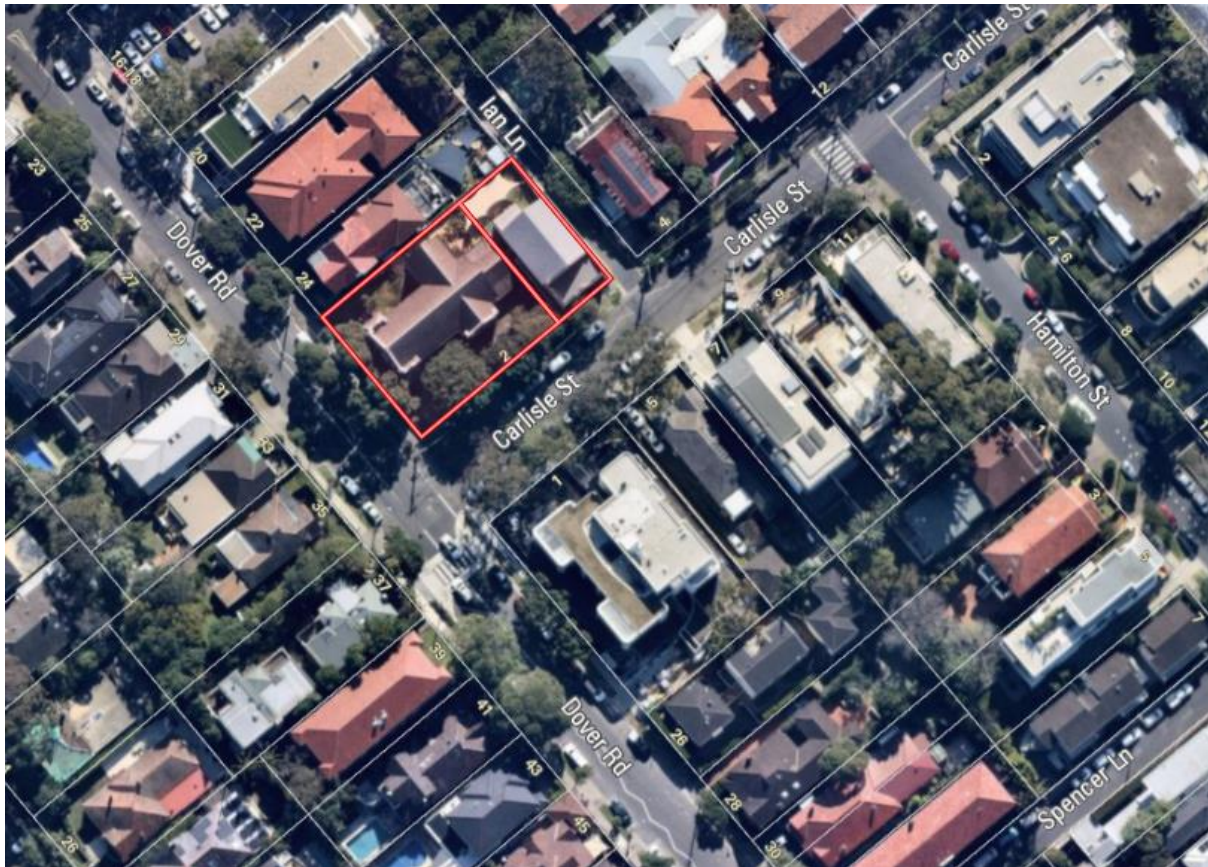


Figure 9 Aerial view of the area occupied by Hampden Lodge (Source: Woollahra MAPS)



Figure 10 View of front of church from Dover Road, western elevation



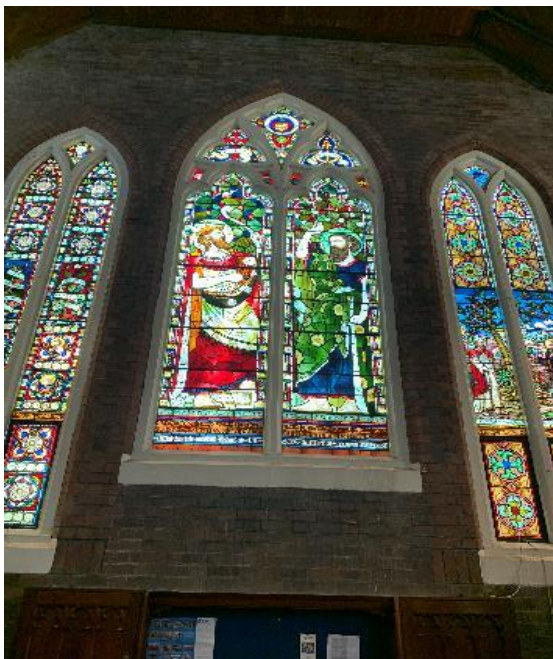
Figure 11 Western elevation of the church



*Figure 12 View of the organ in the north transept*



*Figure 13 Western elevation of the church*



*Figure 14 View of the stained glass windows*



*Figure 15 Closer view of the organ*



*Figure 16 View of north-eastern church hall, originally constructed as a school hall*

### **2.3. Sydney Chevra Kadisha, Woollahra**

Constructed between 1949 and 1952, the Sydney Chevra Kadisha building is a Post-war Modernist style building designed by prominent architect Samuel Lipson of Lipson and Kaad Architecture as a mortuary chapel for the Sydney Jewish community.

While the building retains characteristics of its style, this Modernist place of worship incorporates shapes, motifs and elements that specifically refer to traditional Orthodox Synagogue design. The building is situated on an unusual wedge shaped site between two roads and is on a north to south gradient. The building's northern elevation contains lower ground levels facing Wallis Street and the southern elevation comprises the main ground level facing Oxford Street.

The Sydney Chevra Kadisha building is raised on a small podium, and comprises two sections that are separated by a small internal courtyard: the eastern (chapel) wing and the western wing. The eastern (chapel) wing is located to the east of the courtyard.

The western wing is a three storey building used for administrative purposes, and is of red face brick construction with a hipped and flat roof. The western wing is accessed at lower ground level via Wallis Street and ground level via Oxford Street.

The principal elevation of the western wing faces Oxford Street and includes rendered elements framing fenestration and the entry point, a decorative iron balustrade with motif. Remaining elevations of the western wing are relatively simple. The interior of the western wing comprises reception, offices and residential accommodation.

The subject site at 172-178 Oxford Street, Woollahra is legally identified as Lot 1 DP 85862.



Figure 17 Cadastral description of Chevre Kadisha (Source: Woollahra MAPS)

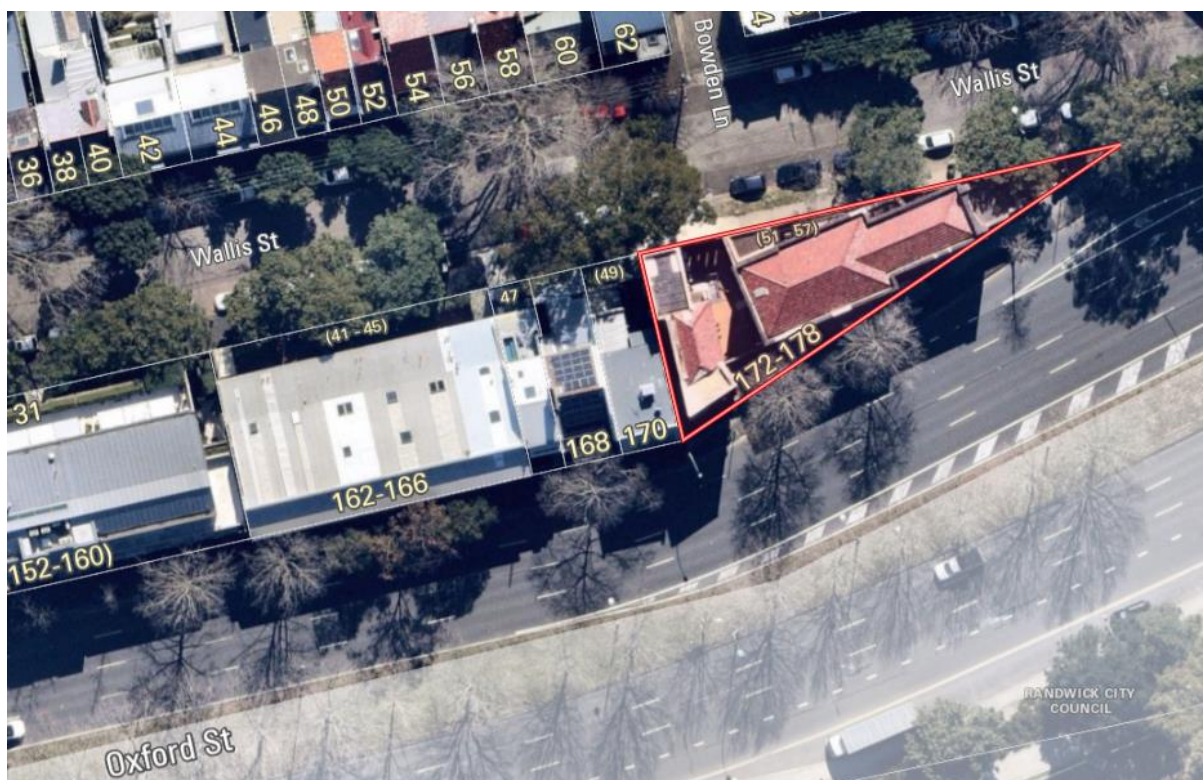


Figure 18 Aerial photo of Chevra Kadisha (Source: Woollahra MAPS)



Figure 19 1950s photograph of Chevra Kadisha showing the eastern chapel wing with the west wing in the background (Source Chevra Kadisha)



*Figure 20 1950s photograph of Chevra Kadisha showing the eastern chapel wing (Source Chevra Kadisha)*



*Figure 21 View from Oxford Street*



*Figure 22 View from Wallis Street*



*Figure 23 Internal view of the nave showing arches supported by ornate columns, timber pews and timber panel boards*



*Figure 24 View of coffin stand on the altar within the nave interior*



*Figure 25 View within the nave interior showing timber pews, and leaded glass windows*

#### **2.4. Vaucluse Uniting Church**

The site of the Vaucluse Uniting Church comprises two former church buildings. The original 1909 church building is located at the rear southern end of the site. The northern end of the site with street frontage to Russell Street is occupied by the 1960 A-frame church building, which was designed by Booker & Wilson Architects. The original 1909 building located at the rear of the site is not readily visible from the surrounding streetscape and is largely obscured by the 1960 church building. The original church is no longer used as a place of worship and has been used as a childcare facility since the 1960s. The 1960s A-frame church ceased being used as a church in 2020.

The 1960 church on the site is a distinctive A-framed building on concrete foundations constructed of face brickwork with a steeply sloping roof that is clad with concrete tiles and timber bargeboards to ends. The front (north) elevation of the modern church features decorative textured brickwork and a large centrally located metal crucifix above the main covered entry containing timber framed glazed doors. Fenestration to the side elevations of the church comprises large aluminium framed windows with frosted and amber coloured glass panes. The rear (south) elevation includes a small linking structure between the two churches that was added at the time of the 1960 church's construction.

The landscaping at the front of the site includes low sandstone and brick boundary walls along the street frontage and the main entry path, which is framed to each side by small conifer plantings and a eucalyptus tree to the north. The conifer plantings are seen as saplings in an historical photograph taken at the 1960 opening ceremony of the new church building, and are accompanied by commemorative plaques.

The site is legally identified as 3 Russell Street, Vaucluse, Lot 7, Section 5, DP 4400.

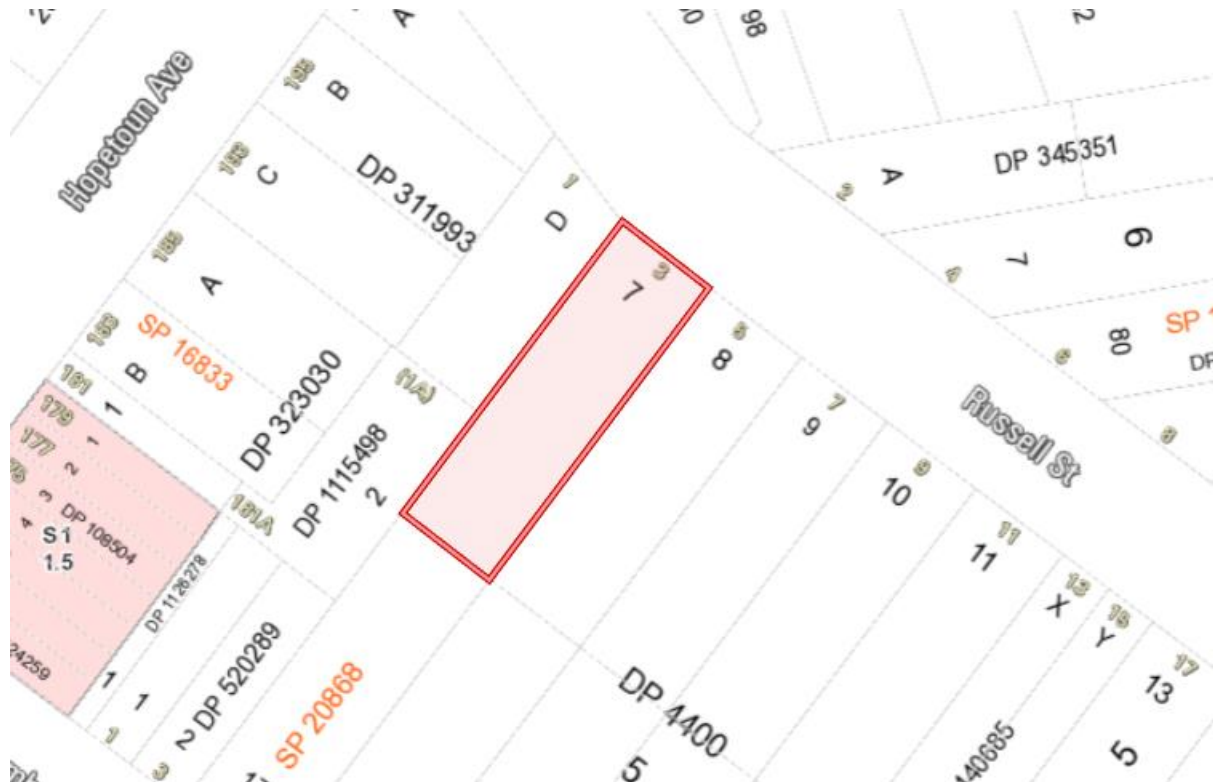


Figure 26 Cadastral description of the Vaucluse Uniting Church (Source: Woollahra MAPS)



Figure 27 aerial photo of the Vaucluse Uniting Church, Vaucluse (Source: Woollahra MAPS)



Figure 28 Front elevation of the Vaucluse Uniting Church, Vaucluse



*Figure 29 Detail view showing church spire of 1909 church building located at the rear of the site*



*Figure 30 Detail view of leaded glass windows and piers along the side elevation of the 1909 church building*



*Figure 31 View of timber pews and frosted windows within the nave*



Figure 32 View of rear wall to main church space showing leaded glass highlight window, decorative mouldings and timber doors

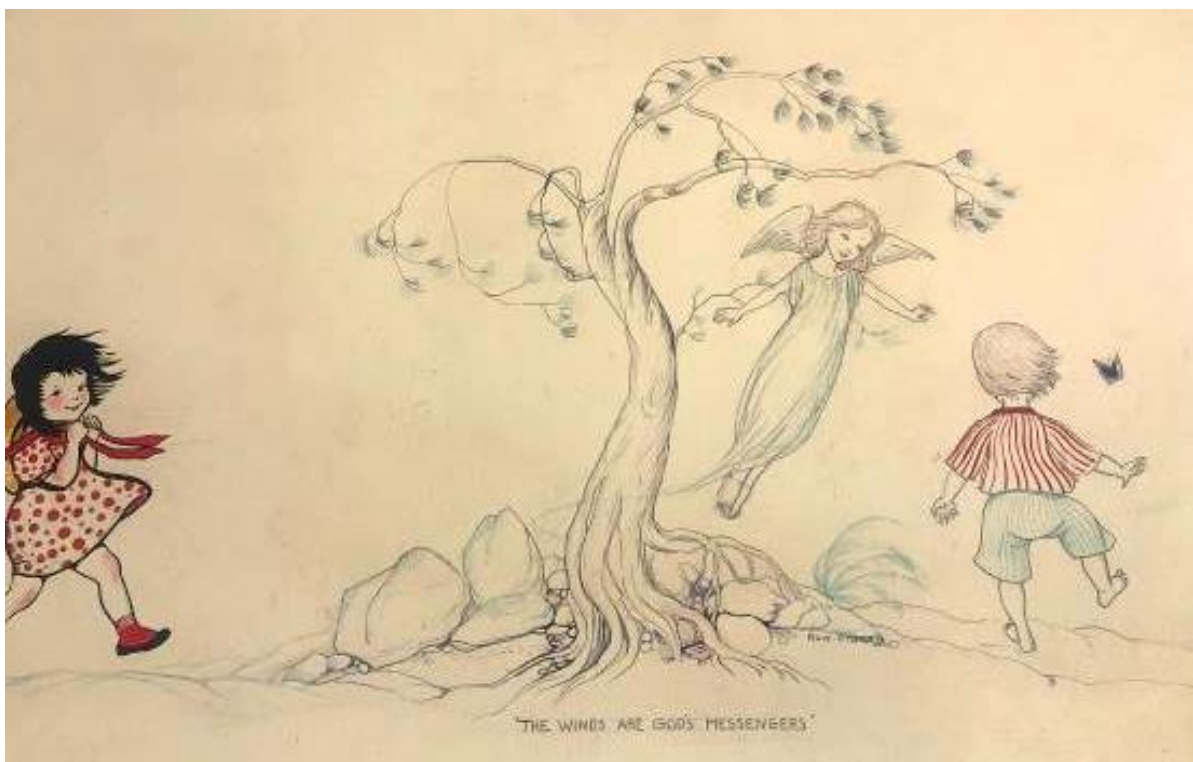


Figure 33 Decorative mural paintings to walls within the 1909 church building drawn by Pixie O'Harris in 1961



Figure 34 View towards altar showing the nave interior within the Vacluse Uniting Church

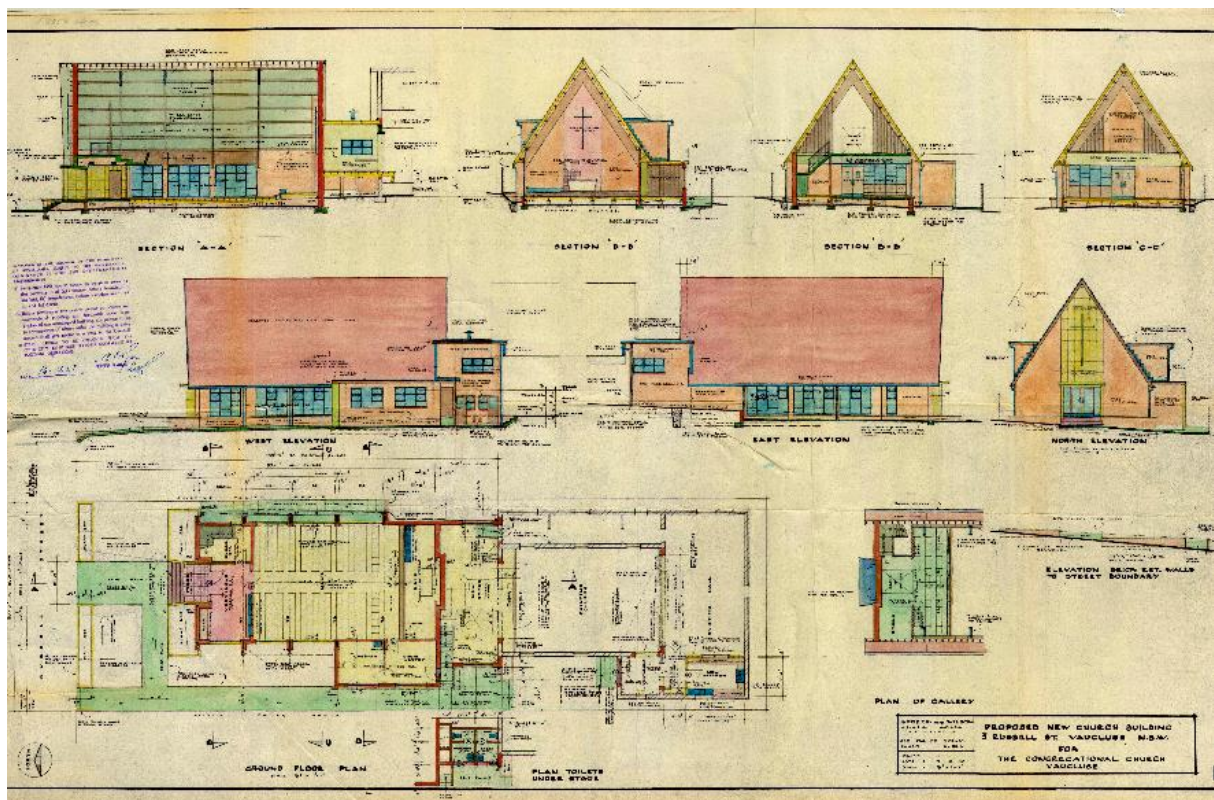


Figure 35 Original 1960s plans of A-frame church building (Source: Woollahra Council)

### 3. Existing planning controls

#### 3.1. Woollahra Local Environmental Plan 2014

Table 2 below identifies the zone and key principal development standards that currently apply to the four subject sites under Woollahra LEP 2014.

No changes are proposed to these under this planning proposal.

Table 2: Summary of current development standards

Site	Zone	Maximum building height (m)	Floor space ratio
Church of Christ, Paddington	R2 Low Density Residential Zone	9.5	N/A
St Andrews Scots Presbyterian Church, Rose Bay	R3 Medium Density Residential Zone	10.5	0.75
Sydney Chevra Kadisha, Woollahra	R2 Low Density Residential Zone	9.5	N/A
Vaucluse Uniting Church	R2 Low Density Residential Zone	9.5	N/A

##### 3.1.1. Zoning Objectives

The objectives of the R2 Low Density Residential zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for development that is compatible with the character and amenity of the surrounding neighbourhood.*
- *To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.*

The objectives of the R3 Medium Density Residential zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.*

### 3.1.2. Other LEP provisions

The Paddington Church of Christ is located within the Paddington Heritage Conservation Area of the Woollahra LEP 2014 (C8), and the Sydney Chevra Kadisha is located within the Woollahra Heritage Conservation Area of the Woollahra LEP 2014 (C15).

All four subject sites are identified under the Woollahra LEP 2014 as potentially containing Class 5 acid sulfate soils. The subject sites are not known to be subject to any other environmental constraints.

### 3.2. Woollahra Development Control Plan 2015

The *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) applies to the four subject sites. Any development proposals either on one of the sites, or on an adjoining site, are required to address any relevant Woollahra DCP 2015 controls.

## 4. Objectives of planning proposal

The objective of the amendment to Woollahra LEP 2014 is to recognise the heritage significance of four sites in Woollahra LGA and provide these with statutory heritage protection.

The planning proposal will amend Schedule 5 and the Heritage Map of the Woollahra LEP 2014 to include the four subject sites listed below. The inclusion of these sites as items in Schedule 5 of Woollahra LEP 2014 will mean any future development proposals either on the subject sites, or on any land within the vicinity, will need to consider the provisions of Clause 5.10 (5) of Woollahra LEP 2014. This will provide a statutory requirement for development proposals to consider the effects of proposed development on the heritage significance of these items.

Item	Address
Paddington Church of Christ	116-122 Paddington Street, Paddington
St Andrews Scots Presbyterian Church, Rose Bay	2 Carlisle Street, Rose Bay
Sydney Chevra Kadisha, Woollahra	172-178 Oxford Street, Woollahra
Vaucluse Uniting Church	3 Russell Avenue, Vaucluse

## 5. Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for each site in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage).  
[The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP].
- Amend the Heritage Map (various sheets) to identify four additional heritage items.

## 6. Justification

The planning proposal has strategic merit. The heritage significance of the four subject sites currently used as places of worship has been established by the heritage assessment undertaken by Council staff (see separately circulated documents: *Heritage Study: Places of Worship, Woollahra LGA* and *Heritage Inventory Sheets* (Nov 2022)).

The heritage listings will provide ongoing protection and recognition of the heritage significance of these items.

These matters are further discussed below in part 6.1 to 6.3.

### 6.1. Need for planning proposal

#### 1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The planning proposal is the result of the recommendations found in the main report *Heritage Study: Places of Worship, Woollahra LGA* and *Heritage Inventory Sheets* prepared by Council's Senior Heritage Officer. The report concluded that each of these four sites meet the criteria for listing as local heritage items.

#### 2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The objective is to recognise the heritage significance of all four sites and provide these with statutory heritage protection. The best means of achieving this objective is through an amendment to Woollahra LEP 2014 to list the sites as local heritage items. This is achieved through the planning proposal process.

Other options, such as adding site-specific objectives and controls to Woollahra DCP 2015, or including heritage conservation conditions to a potential development consent, will not provide the same level of heritage protection and recognition.

### 6.2. Relationship to strategic planning framework

#### 3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below.

#### **Greater Sydney Region Plan: A Metropolis of Three Cities**

The planning proposal is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly Objective 13: "Environmental heritage is identified, conserved and enhanced".

Identifying these four sites as local heritage items will provide ongoing protection and recognition of their heritage significance.

### **Eastern City District Plan**

The planning proposal is generally consistent with the directions, priorities and objectives of the *Eastern City District Plan*, particularly Planning Priority E6 and Action 20:

*Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage*

*Objective 13 'Environmental heritage is identified, conserved and enhanced'*

*Action 20 'Identifying, conserving and enhancing the environmental heritage of the local area' through:*

- a. engaging with the community early to understand heritage values
- b. applying adaptive re-use and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places

Heritage listing of these four sites will provide ongoing protection and recognition of the heritage significance of these items.

#### **4. Will the planning proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

##### **Woollahra Local Strategic Planning Statement**

Planning Priority 5 of the Woollahra Local Strategic Planning Statement is relevant:

*Planning Priority 5 Conserving our rich and diverse heritage*

In particular Actions 28 and 30 of this planning priority seek to ensure that heritage is conserved and that the LEP and DCP reflect the evolving nature of heritage:

*28. Continue to proactively conserve and monitor heritage in the Municipality including:*

- *reviewing and updating provisions in Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015*
- *sustainably managing visitation to our heritage conservation areas and destinations*
- *promoting a high standard of urban design in both the public and private domain that respects and communicates with heritage and our heritage conservation areas*
- *supporting implementation of legislation for Aboriginal Heritage.*

*30. Undertake further theme-based Municipality-wide studies, with consideration for the fact that heritage is constantly evolving.*

##### **Community Strategic Plan, Woollahra 2032**

The planning proposal is consistent with *Woollahra 2032 – Community Strategic Plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well-planned neighbourhoods) under the Social theme:

#### **4.2 Conserving our rich and diverse heritage**

Heritage listing of these four sites will provide ongoing protection and recognition of the heritage significance of these items, consistent with these local strategies.

**5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

Yes. The planning proposal is not in-consistent with other relevant State or regional study or strategy.

**6. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

**7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

**6.3. Environmental, social and economic impact**

**8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

**9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the items will be required when development is proposed, or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

**10. Has the planning proposal adequately addressed any social and economic effects?**

Yes. The heritage assessments measured four properties against the criteria for ‘cultural significance’ as defined in the *Australia ICOMOS Burra Charter*, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that these four sites meet a number of heritage criteria at a local level. While the planning proposal does not have any direct economic effect, it has some social impact for the local community that appreciates and enjoys local heritage in the Woollahra LGA.

**6.4. State and Commonwealth interests**

**11. Is there adequate public infrastructure for the planning proposal?**

Yes. The planning proposal involves the local heritage listing of four sites and does not involve amendments to the planning controls that will facilitate intensified development.

Currently, all properties have access to adequate public infrastructure such as water, sewer, electricity and telephone services.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the sites are suitable for the proposal of a local heritage listing in a residential zone.

**12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Should the planning proposal proceed to public exhibition, consultation with the relevant public authorities will be carried out. These authorities will include, but are not limited to:

- Heritage NSW
- The National Trust of Australia (NSW).

Further consultation will take place with any other authorities identified by the Gateway Determination.

## 7. Mapping

The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Maps (Sheets 8500\_COM\_HER\_003A, 8500\_COM\_HER\_003C, 8500\_COM\_HER\_004, and 8500\_COM\_HER\_005) by applying an “Item-General” classification to the following sites:

An extract of the existing and proposed heritage maps are shown below. It should be noted that the heritage item numbers as shown are indicative only and will be subject to confirmation at the finalisation stage.

	Item	Address	Lot/DP	LEP Heritage Map Sheet No.
1	<i>Paddington Church of Christ complex and setting, including interiors and moveable heritage</i>	116-122 Paddington Street, Paddington	Lots 20, 21, 22, Sec 1, DP 180	8500_HER_COM_003A
2	<i>St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage</i>	2 Carlisle Street, Rose Bay	Lot 1, DP 724928 & Lot 1, DP 966535	8500_HER_COM_005
3	<i>Sydney Chevra Kadisha, including interiors and moveable heritage</i>	172-178 Oxford Street, Woollahra	Lot 1, DP 85862	8500_HER_COM_003C
4	<i>Vaucluse Uniting Church complex and setting – former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage</i>	3 Russell Street, Vaucluse	Lot 7, Sec 5, DP 4400	8500_HER_COM_004

An extract of the existing and proposed heritage maps are shown in the following figures.

### Paddington Church of Christ

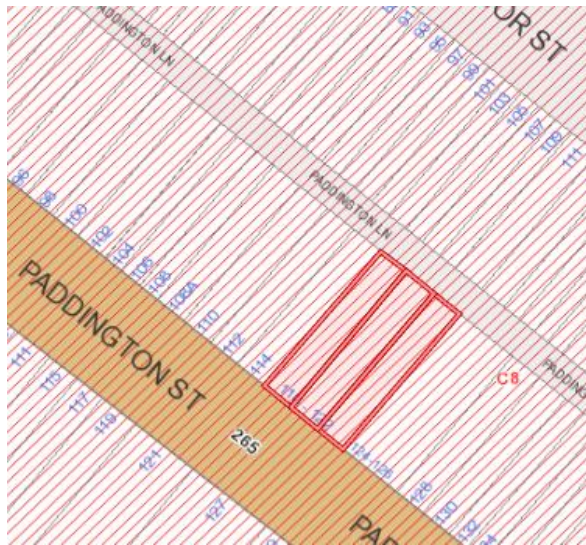


Figure 36 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_003A)

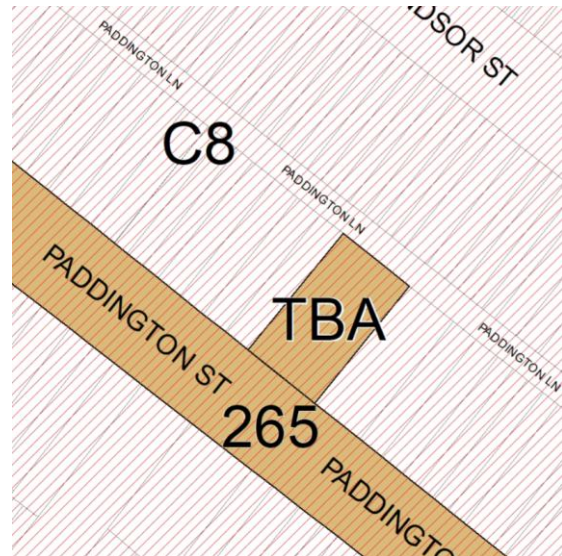


Figure 37 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_003A)

### St Andrews Scots Presbyterian Church, Rose Bay



Figure 38 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_005)



Figure 39 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_005)

## Sydney Chevra Kadisha, Woollahra

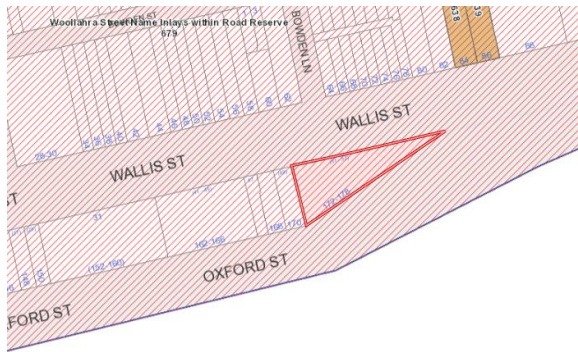


Figure 40 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_003C)

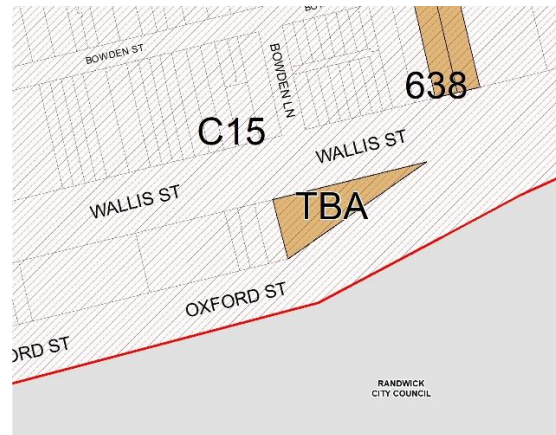


Figure 41 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_003C)

## Vaucluse Uniting Church



Figure 42 Extract from existing Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_004)



Figure 43 Extract from proposed Woollahra LEP 2014 Heritage Map (Sheet 8500\_HER\_COM\_004)

## 8. Community consultation

Public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2021*. It will also have regard to the other relevant plans and guidelines including the *Woollahra Community Participation Plan* (2019), the *Local Environmental Plan Making Guideline* (2021) and any conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period,
- a notice on Council's website
- a letter to land owners in the vicinity of each site, which will include every landowner in the Centre
- notice to local community, resident and business groups such as the Paddington Society, the Woollahra History and Heritage Society and the Vaucluse Progress Association.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- the planning proposal, in the form approved by the gateway determination
- the Gateway determination
- information relied upon by the planning proposal (such as relevant Council reports and the heritage significance assessment)
- Woollahra LEP 2014
- Section 9.1 Directions.

## 9. Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Woollahra Local Planning Meeting	13 December 2022
Environmental Planning Committee recommends proceeding	6 March 2023
Council resolution to proceed	27 March 2023
Gateway determination	May 2023
Completion of technical assessment	Usually none required
Government agency consultation	June 2023
Public exhibition period	Same time as agency consultation
Submissions assessment	July 2023
Council assessment of planning proposal post exhibition	August 2023
Council decision to make the LEP amendment	September 2023
Council to liaise with Parliamentary Counsel to prepare LEP amendment	October 2023
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	November 2023
Notification of the approved LEP	December 2023

## Schedules

### Schedule 1 – Consistency with State Environmental Planning Policies (SEPPs)

State environmental planning policy	Comment on consistency
SEPP (Biodiversity and Conservation) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Industry and Employment) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No.65 – Design Quality of Residential Apartment Development	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Planning Systems) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Applicable  There are currently no identified state significant precincts located in the Woollahra LGA.

State environmental planning policy	Comment on consistency
SEPP (Precincts – Regional) 2021	Not applicable.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resilience and Hazards) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resources and Energy) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Transport and Infrastructure) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

**Schedule 2 – Compliance with section 9.1 directions (Directions by the Minister)  
under the EP&AA Act**

<b>Planning proposal – Compliance with section 9.1 directions</b>		
<b>Direction</b>		<b>Applicable/comment</b>
<b>1</b>	<b>Planning systems</b>	
1.1	Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 13: Environmental Heritage is identified, conserved and enhanced.  The heritage listing of these four properties will provide ongoing protection of the heritage significance of these items.
1.2	Development of Aboriginal Land Council land	Not applicable. This planning proposal does not affect Aboriginal Land Council land.
1.3	Approval and referral requirements	The planning proposal seeks to heritage list four properties in the Woollahra Local Government Area. This is not expected to require any additional approval or referral requirements. The planning proposal is consistent with this direction.
1.4	Site specific provisions	The planning proposal does not contain any unnecessarily restrictive site specific planning controls. The planning proposal is consistent with the direction
<b>1</b>	<b>Planning systems – place based</b>	
1.5 – 1.20	Implementation Plans	Not applicable. These plans do not apply to the Woollahra LGA.
<b>2</b>	<b>Design and place</b>	
<b>3</b>	<b>Biodiversity and conservation</b>	
3.1	Conservation zones	Applicable and consistent. The planning proposal will not affect the conservation standards of any environmentally sensitive land.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
3.2	Heritage conservation	Applicable and consistent. The planning proposal will not affect the significance of places with environmental heritage. The proposed Heritage listing of four properties in Woollahra LGA will provide ongoing protection and recognition of the heritage significance of these properties.
3.3	Sydney drinking water catchments	Not applicable. This direction does not apply to the Woollahra LGA.
3.4	Application of C2 and C3 zones and environmental overlays in Far North Coast LEPs	Not applicable. This direction does not apply to the Woollahra LGA.
3.5	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.
3.6	Strategic Conservation Planning	Not applicable. The planning proposal does not apply to land identified as avoided land or a strategic conservation area under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
<b>4</b>	<b>Resilience and hazards</b>	
4.1	Flooding	Applicable and consistent. St Andrews Scots Presbyterian Church is located on flood liable land. The planning proposal will not rezone flood liable land or affect the application of controls that ensure that development on flood liable land will not result in risk to life or damage to property. The planning proposal is consistent with the direction.
4.2	Coastal management	Not applicable. The planning proposal will not affect land in a coastal zone.
4.3	Planning for bushfire protection	Not applicable. The planning proposal will not affect bushfire prone land.
4.4	Remediation of contaminated land	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to this direction.
4.5	Acid sulfate soils	Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
4.6	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
<b>5</b>	<b>Transport and infrastructure</b>	
5.1	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> <li>• <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</li> <li>• <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</li> </ul>
5.2	Reserving land for public purposes	The planning proposal does not amend reservations of land for public purposes. The planning proposal is consistent with the direction
5.3	Development near regulated airport and defence airfields	Applicable and consistent. The planning proposal does not contain a provision which is contrary to this direction.
5.4	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
<b>6</b>	<b>Housing</b>	
6.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
6.2	Caravan parks and manufactured home estates	The planning proposal will not affect any caravan parks or manufactured housing estates.
<b>7</b>	<b>Industry and employment</b>	
7.1	Business and industrial zones	Not applicable. The direction does not apply where sites are zoned for business or industry.
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable. This direction does not apply to the Woollahra LGA.
7.3	Commercial and retail development along the Pacific Highway, North Coast	Not applicable. This direction does not apply to the Woollahra LGA.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
<b>8</b>	<b>Resources and energy</b>	
8.1	Mining, petroleum production and extractive industries	Not applicable. This planning proposal will not affect any of the nominated activities.
<b>9</b>	<b>Primary production</b>	
9.1	Rural zones	Not applicable. This planning proposal will not affect any rural zones.
9.2	Rural lands	Not applicable. This planning proposal will not affect any rural lands.
9.3	Oyster aquaculture	Not applicable. This planning proposal will not affect any Priority Oyster Aquaculture Areas.
9.4	Farmland of state and regional significance on the NSW Far North Coast	Not applicable. This direction does not apply to the Woollahra LGA.