



IRF23/1147

Gateway determination report – PP-2023-789

Planning proposal to heritage list four Places of
Worship in Woollahra LGA

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	1
1.1	Overview.....	1
1.2	Objectives of planning proposal	2
1.3	Explanation of provisions	2
1.4	Site description and surrounding area.....	2
1.5	Mapping.....	13
	14
1.6	Background	15
2	Need for the planning proposal	15
3	Strategic assessment	22
3.1	Regional Plan	22
3.2	District Plan	22
3.3	Local.....	23
3.4	Local planning panel (LPP) recommendation.....	23
3.5	Section 9.1 Ministerial Directions	23
3.6	State environmental planning policies (SEPPs)	24
4	Site-specific assessment	24
4.1	Environmental.....	24
4.2	Social and economic.....	24
4.3	Infrastructure	25
5	Consultation.....	25
5.1	Community	25
5.2	Agencies.....	25
6	Timeframe	26
7	Local plan-making authority	26
8	Assessment summary	26
9	Recommendation.....	27

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal – April 2023
Heritage Inventory Sheets – April 2023
Heritage Study – April 2023

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Woollahra
PPA	Woollahra Municipal Council
NAME	Local Heritage Listing: Places of Worship in Woollahra
NUMBER	PP-2023-789
LEP TO BE AMENDED	Woollahra Local Environmental Plan 2014
ADDRESS	<ul style="list-style-type: none"> • 116-122 Paddington Street, Paddington (Lots 20, 21 and 22, Sec 1, DP 180) • 2 Carlisle Street, Rose Bay (Lot 1, DP 724928 & Lot 1, DP 966535) • 172-178 Oxford Street, Woollahra (Lot 1, DP 85862) • 3 Russell Street, Vaucluse (Lot 7, Sec 5, DP 4400)
DESCRIPTION	<ul style="list-style-type: none"> • Paddington Church of Christ complex and setting, including interiors and moveable heritage • St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage • Sydney Chevra Kadisha, including interiors and moveable heritage • Vaucluse Uniting Church complex and setting - former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage
RECEIVED	20/04/2023
FILE NO.	IRF23/1147
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are:

- To recognise the heritage significance of four sites in the Woollahra local government area (LGA) and provide them with statutory protection.
- To provide a statutory requirement for development proposals to consider their effects on the heritage significance of these items.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Woollahra Local Environmental Plan (LEP) 2014 as per the changes below:

- Insert a listing in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage) for the following sites;
 - Paddington Church of Christ, 116-122 Paddington Street, Paddington
 - St Andrews Scots Presbyterian Church, 2 Carlisle Street, Rose Bay
 - Sydney Chevra Kadisha, 172-178 Oxford Street, Woollahra
 - Vaucluse Uniting Church, 3 Russell Avenue, Vaucluse

The exact item description will be determined by the Parliamentary Counsel prior to the making of the LEP.

- Amend the Heritage Map to identify four additional heritage items at their respective addresses.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The planning proposal relates to four sites across the Woollahra LGA. The sites are located in the suburbs of Paddington, Rose Bay, Vaucluse and Woollahra. Each site contains a place of worship that has been identified by Council as having heritage significance. The following table provides a summarised description of each of the four sites.

Table 3: Site identification

Site identification	
Site 1 – 116- 122 Paddington Street, Paddington – Paddington Church of Christ	
Address	116-122 Paddington Street (Lots 20, 21 & 22 Sec 1 DP 180)

Site identification	
Description	<p><i>Paddington Church of Christ complex and setting, including interiors and moveable heritage</i></p> <p>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 parapeted 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.</p>
Existing Controls	<p>The site is zoned R2 Low Density Residential. The maximum height of buildings is 9.5m. There is no maximum floor space ratio (FSR) control.</p>
Map	<div data-bbox="338 712 1404 1151"> </div> <p>Figure 1: Cadastral map and aerial photograph of the subject site, outlined in red (Source: planning proposal)</p> <div data-bbox="331 1308 1007 1839"> </div> <p>Figure 2: Front elevation of the Paddington Church of Christ in 2020 (Source: planning proposal)</p>

Site identification

Site
photos

Figure 3: View of the 1970's residence at the rear of the site in 2020 (Source: planning proposal)

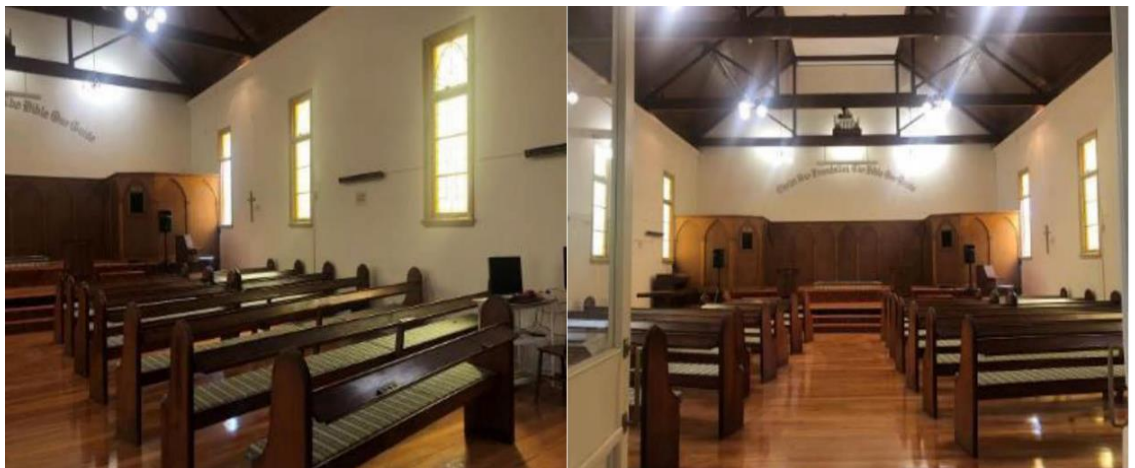


Figure 4: View of the nave with timber pews and leaded glass windows (left), and view of the alter with the roof truss above the nave (right) (Source: planning proposal)

Site identification

Site photos



Figure 5: View of the baptism bath (original feature, with later tiling)

Site identification

Site 2 - 2 Carlisle Street, Rose Bay – St Andrews Scots Presbyterian Church

Address	2 Carlisle Street, Rose Bay (Lot 1 DP 724928 & Lot 1 DP 966535)
Description	<p><i>St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage</i></p> <p>The church was constructed in 1913 in the Federation Gothic style. It has a steeply pitched roof and is constructed with sandstone footing, brown face brick walls, timber rafters, hammer beam roof internally and slate roof externally. The windows are cast concrete and are of a lancet style with filigree decoration. The roof has exposed eaves and there is a low sandstone fence on the street boundaries. There is a church hall located directly east of the Church building, which was constructed in 1919. The hall is single storey and is constructed with stone footing, brick walls that are painted and a later corrugated metal roof.</p>
Existing Controls	The site is zoned R3 Medium Density Residential. The maximum height of buildings is 10.5m and maximum FSR is 0.75:1.

Site identification

Map



Figure 6: Cadastral map and aerial photograph of the subject site, outlined in red (Source: planning proposal)

Site photos



Figure 7: View of the church from Dover Road (left) and close-up view of the front (western) elevation of the church (right) (Source: planning proposal)

Site identification

Site
photos

Figure 8: View of the organ in the north transept (left), and view of the nave looking west (right), the timber roof structures are shown in both photographs (Source: planning proposal)

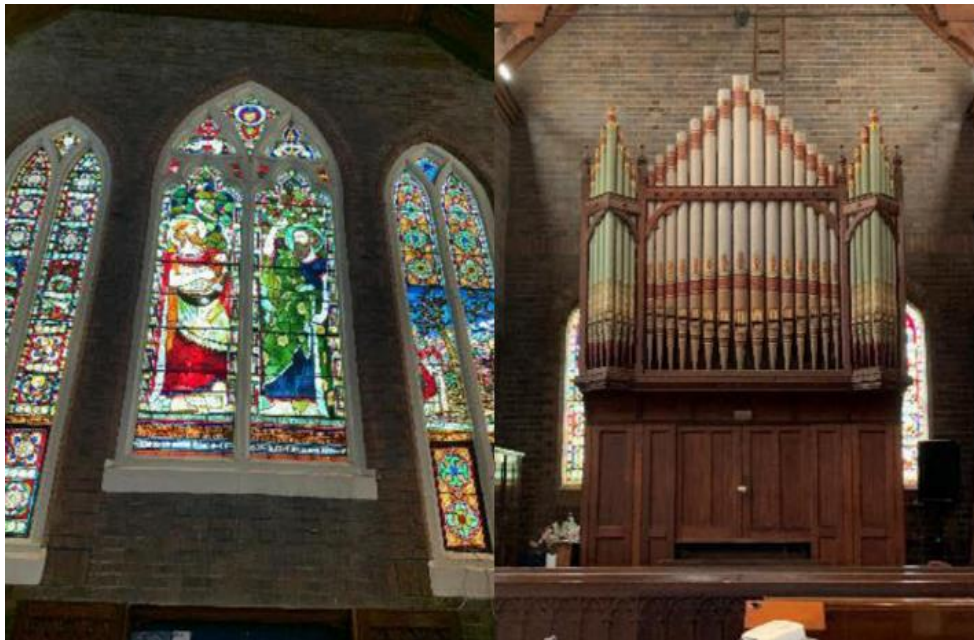


Figure 9: View of stained glass windows (left) and view of the organ (right) (Source: planning proposal)

Site identification



Figure 10: View of the church hall at the rear, originally constructed as a school hall (Source: planning proposal)

Site identification

Site 3 - 172-178 Oxford Street, Woollahra – Sydney Chevra Kadisha



Address	172-178 Oxford Street, Woollahra (Lot 1 DP 85862)
Description	<p><i>Sydney Chevra Kadisha, including interiors and moveable heritage</i></p> <p>The site was constructed between 1949 and 1952. The building is a Post-war Modernist style building designed by architect Samuel Lipson of Lipson and Kaad Architecture as a mortuary chapel for the Sydney Jewish community. The building is situated on an unusual wedge-shaped site between two roads. The building's northern elevation contains lower ground levels, and the southern elevation comprises the main ground level. The site is on a small podium and comprises two sections separated by a small courtyard: the eastern wing (chapel) and western wing. The western wing is used for administrative purposes and is of red brick construction with a hipped and flat roof. The interior includes reception, offices and residential accommodation.</p>
Existing Controls	The site is zoned R2 Low Density Residential. The maximum height of buildings is 9.5m. There is no maximum FSR control.
Map	 <p>Figure 11: Cadastral map and aerial photograph of the subject site, outlined in red (Source: planning proposal)</p>
Site photos	 <p>Figure 12: 1950s photograph of Chevra Kadisha showing the eastern chapel wing (Source: planning proposal)</p>



Figure 13: View of Chevra Kadisha from Oxford Street (left) and view from Wallis Street (right) (Source: planning proposal)



Figure 15: Interior view of the nave, timber pews and arches supported by ornate columns (left), and coffin stand on the altar (right) (Source: planning proposal)

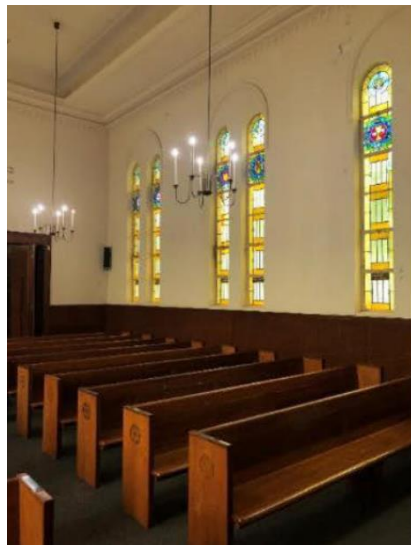



Figure 14: Interior view of the pews with arched stained glass windows in the background (Source: planning proposal)

Site identification

Site 4 - 3 Russell Street, Vaucluse – Vaucluse Uniting Church

Address	3 Russell Street, Vaucluse (Lot 7 Sec 5 DP 4400)
Description	<p><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></p> <p>The site comprises two former church buildings. The original 1909 church building is located at the southern end of the site. The northern end of the site is occupied by a 1960 A-frame church building, designed by Booker & Wilson Architect. The original 1901 building is not readily visible from the surrounding streetscape and is obscured by the 1960 church building. The original church is no longer in use as a place of worship. The 1960 church ceased being used as such in 2020. The 1960 church is a distinctive A-framed building on concrete foundations, with enclosing face brick walls and a sloping roof clad with concrete tiles and timber bargeboards.</p>
Existing Controls	The site is zoned R2 Low Density Residential. The maximum height of buildings is 9.5m and there is no FSR control.
Map	 <p>Figure 16: Cadastral map with the subject site shown in red, and aerial photograph of the subject site outlined in red (Source: planning proposal)</p>

Site
photos



Figure 17: Front elevation of Vaucluse Uniting Church – 1960 building (left), and view of the 1909 church spire to the rear of the site (right) (Source: planning proposal)



Figure 18: Leaded lancet glass windows and engaged piers along the side elevation of the 1909 church building (left), and timber pews and frosted glass windows as viewed from the nave of the 1960 building (right) (Source: planning proposal)



Figure 19: Rear wall of the 1909 church building, showing leaded glass highlight window, decorative mouldings and timber doors (left), and decorative mural painting to the walls within the 1909 building by Pixie O'Harris in 1961 (right) (Source: planning proposal)

The planning proposal makes reference to both “Lot 6” and “Lot 7” in describing the property details of the Vaucluse Uniting Church. A Gateway condition is recommended to require clarification of the lot number of the site and ensure consistency in the property description.

1.5 Mapping

The planning proposal includes indicative mapping (reproduced in **Figures 20 to 27** below) showing the proposed changes to the Heritage Map tiles. The maps indicate that the proposed item numbers are to be confirmed.

The proposed mapping in the planning proposal is suitable for community consultation.

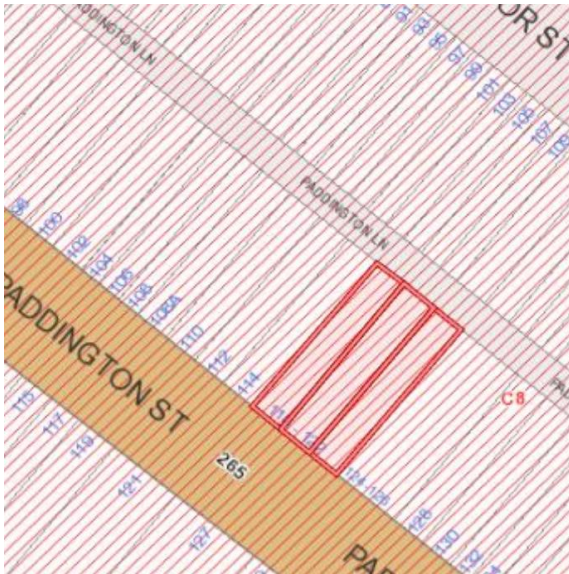


Figure 20: Current Woollahra LEP 2014 Heritage Map, Paddington Church of Christ is indicated in red (source: planning proposal)

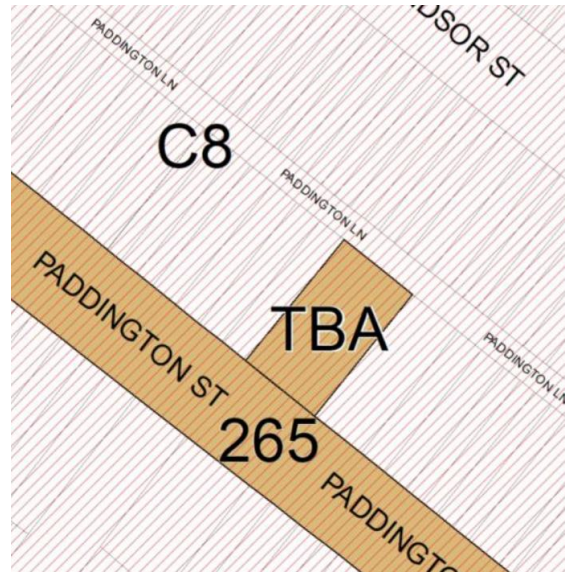


Figure 21: Proposed Woollahra LEP 2014 Heritage Map, showing Paddington Church of Christ as a heritage item (source: planning proposal)



Figure 22: Current Woollahra LEP 2014 Heritage Map, St Andrews Scots Presbyterian Church is indicated in red (source: planning proposal)



Figure 23: Proposed Woollahra LEP 2014 Heritage Map, showing St Andrews Scots Presbyterian Church as a heritage item (source: planning proposal)

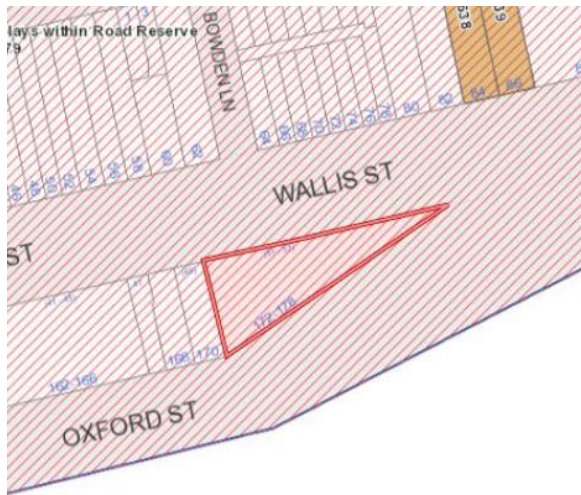


Figure 24: Current Woollahra LEP 2014 Heritage Map, Sydney Chevra Kadisha is indicated in red (source: planning proposal)

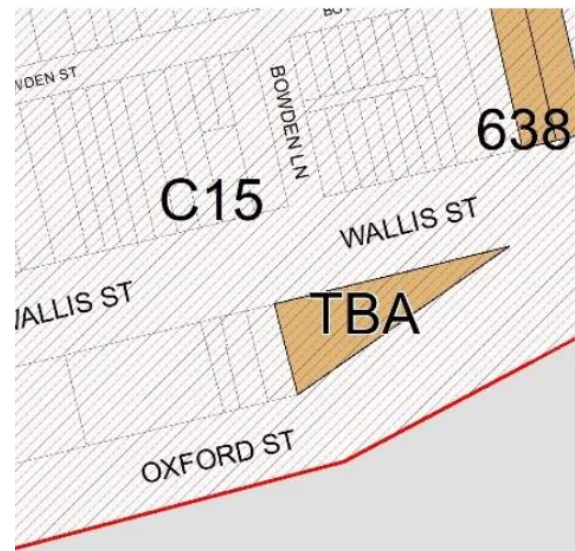


Figure 25: Proposed Woollahra LEP 2014 Heritage Map, showing Sydney Chevra Kadisha as a heritage item (source: planning proposal)



Figure 26: Current Woollahra LEP 2014 Heritage Map, Vacluse Uniting Church is indicated in red (source: planning proposal)



Figure 27: Proposed Woollahra LEP 2014 Heritage Map, showing Vacluse Uniting Church as a heritage item (source: planning proposal)

1.6 Background

November 2022 - Council conducted a heritage study of places of worship across the Woollahra LGA. The study identifies 27 places of worship and finds that five sites would reach the threshold for local heritage listing.

13 December 2022 – Council staff referred the planning proposal to the Woollahra Local Planning Panel (LPP) for advice. The LPP recommended Council to proceed with the planning proposal to list five sites, being the Paddington Church of Christ, St Andrews Scots Presbyterian Church, Sydney Chevra Kadisha, Vacluse Uniting Church and St George Greek Orthodox Church as local heritage items.

6 March 2023 - The planning proposal was considered by the Environmental Planning Committee (EPC).

27 March 2023 – The planning proposal was reported to the Ordinary Meeting of Council. Council resolved to endorse the planning proposal to list the following four sites as local heritage items: Paddington Church of Christ, St Andrews Scots Presbyterian Church, Sydney Chevra Kadisha and Vacluse Uniting Church, excluding St George Greek Orthodox Church, and to refer the proposal to the Department for Gateway determination.

The Council also resolved, among other things, that the staff to “*further investigate the heritage significance of the [St George Greek Orthodox Church] 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...*”

In response, Council staff has removed references to the listing of the St George Greek Orthodox Church from the subject planning proposal.

2 Need for the planning proposal

The planning proposal is the result of the assessment and recommendations of the *Heritage Study: Places of Worship, Woollahra LGA* and Heritage Inventory Sheets prepared by Council’s Senior Heritage Officer. The proposal and support documents find that each of the four sites meet the relevant criteria for listing as local heritage item.

The objective of the planning proposal is to recognise the heritage significance of the four sites and provide them 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.

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

Table 4 Summary of Council’s heritage assessment of the sites against the listing criteria of the NSW Heritage Office manual

Site	a) Historic	b) Associative	c) Aesthetic	d) Social	e) Research	f) Rarity	g) Representativeness
Paddington Church of Christ	✓	✓	✓	✓	✗	✓	✓

Site	a) Historic	b) Associative	c) Aesthetic	d) Social	e) Research	f) Rarity	g) Representativeness
St Andrews Scots Presbyterian Church	✓	✓	✓	✓	✓	✓	✓
Sydney Chervra Kadisha	✓	✓	✓	✓	✓	✓	✓
Vaucluse Uniting Church	✓	✗	✓	✓	✗	✓	✓

The following provides a summary of the assessment of significance undertaken by Council. The full details are in the heritage study and inventory sheets.

Although the heritage report and inventory sheets provided an assessment of significance, the planning proposal in its current form does not clearly outline which listing criteria have been satisfied for each of the four sites. As such, a Gateway condition is recommended to require revision to the planning proposal by including a summary of the assessment of heritage significance that clearly sets out how the sites satisfy the relevant listing criteria.

The heritage inventory sheets acknowledge that formal assessment of social significance has not been undertaken for the sites.¹ However, there are aspects of these sites that would demonstrate social significance, which are outlined in the discussions below. Exhibition of the proposal would provide an opportunity for the community to make submissions, and through which social values may be gauged.

Paddington Church of Christ complex and setting, including interiors and moveable heritage

Criterion (a) Historic Significance

Regarding 'historic significance', the site is found to satisfy the criterion on account of:

- The Paddington Church of Christ has historic significance as it is a part of the pattern of early twentieth century development of Paddington deriving from the subdivision of the Underwood Estate.
- The building has historic significance for its ability to demonstrate the pattern of growth and development of religious and community organisations of Paddington at the turn of the twentieth century, and the continuation of this activity until it ceased being used as a church in 2016.

Criterion (b) Historic Association

Regarding 'associative' significance, the site is found to satisfy the criterion on account of:

- This site has been associated with and used by the Churches of Christ since its foundation in 1901 until 2016, having moved from a Queen Street temporary hall in Woollahra. The Churches of Christ are autonomous Christian non-denominational congregations arising

¹ A formal assessment of social significance may take the form of surveys or focused engagement or consultation with members of the community.

from the American Restoration Movement, a 19th century evangelical movement seeking the unifications of all Christians.

- The subject site had a strong association with the prominent figures within the local Church of Christ community. This includes but is not limited to Thomas Bagley and G. Parker Jones.

Criterion (c) Aesthetic Significance

Regarding 'aesthetic significance', the site is found to satisfy the criterion on account of:

- The Paddington Church of Christ is an aesthetically distinctive example of the Federation Romanesque style church within the municipality.
- The building demonstrates characteristics associated with the Romanesque Revival style, including the brick course detailing, the inset rose window, and the symmetrical proportions of the building. The building is of fine architectural character, detail and scale, and retains landmark qualities within the surrounding Victorian era streetscape and conservation area.
- The interior includes significant elements including stained glass windows, timber panelled ceiling and exposed timber trusses.
- Since its construction at the turn of the twentieth century, the church has contributed to and complemented this residential setting in a largely unaltered state.
- The church building contains a collection of significant moveable objects that add to the intactness and aesthetic significance.

Criterion (d) Social Significance

Regarding 'social significance', the site is found to satisfy the criterion on account of:

- It is assumed the Paddington Church of Christ retains significance for its congregation, having been the venue for activities and worship for a small section of the local community for almost 120 years until 2016.
- It is anticipated the church building would retain memories and associations for members of the congregation spanning several generations, therefore being important to the community's sense of place.

Criterion (e) Research Potential

Regarding 'research potential', the site is not found to satisfy the criterion.

Criterion (f) Rarity

Regarding 'rarity', the site is found to satisfy the criterion on account of:

- The Paddington Church of Christ remains as one of a small number of Federation Romanesque style churches in the Woollahra municipality, and is the only Church of Christ example.
- It is one of the earliest Church of Christ churches within NSW. Its intactness, ownership and continuous use by the Church of Christ community are rare in Paddington and in the Woollahra municipality.

Criterion (g) Representativeness

Regarding 'representativeness', the site is found to satisfy the criterion on account of:

- The Paddington Church of Christ is a fine example of the type of ecclesiastic development occurring in Paddington in the early decades of the twentieth century, particularly in its Federation Romanesque style. The church has been well maintained and retains key design features and elements that are characteristic of this style, such as the gable parapet, decorative dichromatic brickwork, terracotta ridge ornaments, and small

fenestration. This is similar to the other examples of Romanesque style churches located within the LGA.

- The church can demonstrate attributes typical of the religious buildings and material culture of the Church of Christ denomination, such as the moveable heritage collection and the baptism bath.

St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage

Criterion (a) Historic Significance

Regarding 'historic significance', the site is found to satisfy the criterion on account of:

- St Andrews Scots Presbyterian Church has historic significance for demonstrating the pattern of development of the Presbyterian Church in Sydney and the Woollahra area.
- The site has continued in its function as a church since the early twentieth century.
- The church demonstrates the expansion of Rose Bay during the Federation period.
- The cedar pews, stone front, memorial plaques and communion plate (1839) have historic significance and demonstrate the continuity of the Presbyterian Church.

Criterion (b) Historic Association

Regarding 'historic association', the site is found to satisfy the criterion on account of:

- St Andrews Scots Presbyterian Church is associated with the Presbyterian congregation. It is associated with one of the first Presbyterian Churches built in NSW and the first Presbyterian congregation in NSW.
- The elements that are associated with the first church include the cedar pews, stone front, memorial plaques and communion plate (1839).

Criterion (c) Aesthetic Significance

Regarding 'aesthetic significance', the site is found to satisfy the criterion on account of:

- St Andrews Scots Presbyterian Church is a fine example of the Federation Gothic style constructed in 1913.
- The Church has landmark qualities being located on a prominent corner site. The building retains an excellent collection of high-quality stained-glass windows that date back to 1885.
- The 'barn-Gothic' roof rafters are of aesthetic significance, dating to 1885 from the original Church in the City.

Criterion (d) Social Significance

Regarding 'social significance', the site is found to satisfy the criterion on account of:

- St Andrews Scots Presbyterian Church has social significance for being a place of worship for the Presbyterian congregation in the local area since the early twentieth century.

Criterion (e) Research Potential

Regarding 'research potential', the site is found to satisfy the criterion on account of:

- The elements that are associated with the first church, including the cedar pews, stone font, memorial plaques and communion plate (1839) and the stained-glass windows, 'barn-Gothic' rafters, the 'Hill' organ (1885), have potential to provide a reference type about the early formation and practices of the Presbyterian congregation in Sydney.

Criterion (f) Rarity

Regarding 'rarity', the site is found to satisfy the criterion on account of:

- St Andrews Scots Presbyterian Church is the only example of a Federation Gothic church within the Woollahra LGA. Although other Federation Gothic churches exist in the wider Sydney area, the style is rare for ecclesiastical architecture in the Woollahra LGA.

Criterion (g) Representativeness

Regarding 'representativeness', the site is found to satisfy the criterion on account of:

- St Andrews Scots Presbyterian Church is representative of the growth of the Presbyterian Church in Sydney and the Woollahra LGA in the late nineteenth to early twentieth centuries. The building is a representative and fine example of ecclesiastical architecture built in the early twentieth century.

Sydney Chevra Kadisha, including interiors and moveable heritage

Criterion (a) Historic Significance

Regarding 'historic significance', the site is found to satisfy the criterion on account of:

- The Sydney Chevra Kadisha building has the ability to provide tangible evidence of increased Jewish immigration patterns during post-World War I era and the associated growth of religious and spiritual activities in NSW and the local area.
- It has been in operation as the only dedicated Jewish mortuary chapel in NSW since 1952.

Criterion (b) Historic Association

Regarding 'historic association', the site is found to satisfy the criterion on account of:

- The Sydney Chevra Kadisha building is associated with the Sydney Chevra Kadisha, being the first Jewish organisation founded in Australia. The organisation was founded in 1871 to fulfil the sacred obligations of attending, in accordance with Jewish Law, to Jewish persons who pass away.
- Sydney Chevra Kadisha has been the sole provider of Jewish funerals in NSW for over 200 years, and the Sydney Chevra Kadisha is the primary mortuary chapel. The building therefore has strong associational significance of the Sydney and wider NSW Jewish community.
- The building is associated with the work of Samuel Lipson of Lipson and Kaad Architecture, a prominent architectural practice working in Sydney from 1930s until the 1960s. The Lipson & Kaad architectural practice is cited as having designed several of the era's best buildings.

Criterion (c) Aesthetic Significance

Regarding 'aesthetic significance', the site is found to satisfy the criterion on account of:

- The Chevra Kadisha building has aesthetic significance as a prominent twentieth century landmark in the surrounding streetscape and wider Woollahra area.
- The building retains key characteristics of the Post-war Modernist style combined with a unique fusion of Orthodox Synagogue elements and design details. The building's interior and exterior remain substantially intact since its construction.
- Occupying a prominent corner location, the unusual wedge-shaped site of the Sydney Chevra Kadisha has influenced the aesthetically distinctive design and appearance of the building, which has landmark qualities and contributes to the aesthetic value of the local area.

Criterion (d) Social Significance

Regarding 'social significance', the site is found to satisfy the criterion on account of:

- The Sydney Chevra Kadisha building provides an important spiritual focus for activities and processes relating to the sacred obligation of attending to Jewish persons who pass away and is the only mortuary chapel that exclusively services the Jewish community in Sydney and NSW.
- The building is assumed to retain profound personal memories, values and associations for the mourners, volunteers and staff who are connected with this place.
- The facility is in constant use and there are no other examples of this type of place in NSW.

Criterion (e) Research Potential

Regarding 'research potential', the site is found to satisfy the criterion on account of:

- The building is the only one of its type in NSW and is considered to be an important benchmark/reference type.

Criterion (f) Rarity

Regarding 'rarity', the site is found to satisfy the criterion on account of:

- The Sydney Chevra Kadisha building is significant as the only Jewish mortuary chapel and funerary home exclusively serving the Jewish community in NSW.

Criterion (g) Representativeness

Regarding 'representativeness', the site is found to satisfy the criterion on account of:

- The Sydney Chevra Kadisha is a fine and representative example of an Inter-war ecclesiastical building designed by prominent Modernist architect Samuel Lipson.
- It is an outstanding example of the work of Samuel Lipson.

Vaucluse Uniting Church complex and setting, including interiors and moveable heritage

Criterion (a) Historic Significance

Regarding 'historic significance', the site is found to satisfy the criterion on account of:

- The Vaucluse Uniting Church site, comprising the 1909 Congregational Church building and the later 1960 A-frame church building, demonstrates the development and continuity of religious and community organisations in the Woollahra area since the turn of the twentieth century.
- The A-frame church, in particular, holds significance as an element of the Post-war ecclesiastic development of Vaucluse, during a time when a larger number of churches were built across Sydney to cater for the growth in population.

Criterion (b) Historic Association

The site does not satisfy this criterion.

Criterion (c) Aesthetic Significance

Regarding 'aesthetic significance', the site is found to satisfy the criterion on account of:

- The A-frame church building is a restrained late twentieth century ecclesiastic building. A-frame churches were designed for their striking spatial qualities and the building is aesthetically distinctive.

Note: The 1909 church building on the site is not considered to have aesthetic significance due to previous alterations and additions that had diminished its design integrity.

Criterion (d) Social Significance

With regard to 'social significance', the site is found to satisfy the criterion on account of:

- The church is likely to have significance as a centre for public worship for the local community for more than a century and a place of community memory.
- The A-frame church building contains memorials and plaques to commemorate individuals associated with the church over time.

Criterion (e) Research Potential

With regard to 'research potential', the site does not satisfy the criterion.

Criterion (f) Rarity

Regarding 'rarity', the site is found to satisfy the criterion on account of:

- The A-frame church building is rare within the Woollahra LGA. There are no other examples of this type within the Municipality.

Criterion (g) Representativeness

Regarding 'representativeness', the site is found to satisfy the criterion on account of:

- The Vaucluse Uniting Church is representative of churches built in both the early and mid-twentieth century. A-frame church buildings were popularly built during the 1960s and 1970s in Sydney and wider NSW.
- The form and design of the subject 1960 A-frame building are comparable to other similar A-frame buildings in Sydney. This building on the site is considered to be part of a group which collectively illustrates a representative type.

Note: The 1909 church building on the site has attributes that are representative of a congregational church building of its time, however the building has been subject to alterations and is not considered to be a fine example of this type.

DPE comments

The heritage report and inventory sheets have included discussions and assessment of the significant aspects and elements of the sites, with reference to the interiors and moveable objects (see further discussion below). A statement of significance for each site is provided in the planning proposal.

The heritage inventory sheet for the Sydney Chevra Kadisha building has described the moveable items within the site but without an assessment of their significance. The inventory sheet should be updated to provide an assessment of significance for the moveable items, which will form a Gateway condition.

For three of the sites (Paddington Church of Christ, St Andrews Scots Presbyterian Church and Vaucluse Uniting Church), the proposal refers to the "complex" and "setting" in the item description (section 1.2). The proposal also identifies the "interiors" and "moveable items" in the description for all sites (section 1.2). To provide clarity to the community, the planning proposal should be updated to include the following information, based on the assessment in the heritage report and inventory sheets:

- Discuss the significant elements of each site, including building and landscape components within the property boundaries or curtilage, setting and interiors, based on the information in the heritage report and inventory sheets.
- Include a list of moveable items that contribute to the heritage values of each site (this would be consistent with the recommendations of the heritage inventory sheets).

A Gateway condition to the above effect is recommended.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Region Plan: *A Metropolis of Three Cities*.

Table 5 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 13: <i>Environmental heritage is identified</i>	<p>The Region Plan states the need to conserve items of heritage significance. Objective 13 provides that environmental heritage should be protected for its social, aesthetic, economic, historic, and environmental values.</p> <p>The heritage study and inventory sheets prepared by Council have provided an assessment of significance indicating that the sites have reached the threshold for listing at a local level.</p> <p>The proposal is consistent with the objectives of the Region Plan, as it seeks to provide recognition and statutory protection of the heritage significance of these items.</p>

3.2 District Plan

The site is within the Eastern City District and the Greater Cities Commission (formerly Greater Sydney Commission) released the Eastern City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for liveability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 6 District Plan assessment

District Plan Priorities	Justification
<p>E6: <i>Creating and renewing great places and local centres and respecting the District's heritage</i></p> <p>Action 20: Environmental heritage is identified, conserved, and enhanced</p>	<p>This priority seeks to identify, conserve, interpret and celebrate the District's heritage values.</p> <p>The proposal contributes to the protection of the District's heritage through listing of four sites in the Woollahra LGA, which have been found to have heritage significance in a study conducted by Council. The listing will provide ongoing protection and recognition of the heritage significance of these items.</p> <p>The proposal is considered to be consistent with the District Plan</p>

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 7 Local strategic planning assessment

Local Strategies	Justification
Woollahra Community Strategic Plan 2030	The planning proposal accords with Goal 4: <i>Well-planned neighbourhoods</i> , specifically 4.2 <i>Conserving our rich and diverse heritage</i> . The proposal is consistent with the above goal as it seeks to recognise and protect the heritage significance of four sites in the Woollahra LGA through statutory heritage listing.
Woollahra Local Strategic Planning Statement 2020	<p>The planning proposal is consistent with Planning Priority 5: <i>Conserving our rich and diverse heritage</i> and Action 28: <i>Continue to proactively conserve and monitor heritage</i> in the Municipality including through:</p> <ul style="list-style-type: none"> • <i>Reviewing and updating provisions in Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015.</i> <p>The proposal seeks to list four places of worship in the Woollahra LGA as local heritage items. The listing will ensure any future development application will be subject to the provisions of Cl. 5.10 of the Woollahra LEP 2014, so that the impact of the development proposal on the significance of the sites will be considered by the consent authority. The proposal will facilitate the recognition and protection of the heritage significance of the sites and is consistent with the above priority.</p>

3.4 Local planning panel (LPP) recommendation

The planning proposal was referred to the Woollahra LPP on 13 December 2022. The LPP advises Council, among other things, to proceed with the planning proposal to list the Paddington Church of Christ, St Andrews Scots Presbyterian Church, St George Greek Orthodox Church, Sydney Chevra Kadisha and Vaucluse Uniting Church as local heritage items.

However, Council resolved at the Ordinary Meeting to list four sites excluding St George Greek Orthodox Church, and to have the staff to further investigate the heritage significance of this site.

The LLP also advises Council to proceed with the nomination of Sydney Chevra Kadisha for listing on the State Heritage Register.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 8 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Yes. Consistent.	This Direction applies to the proposal as it seeks to give effect to the Greater Sydney Region Plan and Eastern City District Plan. The proposal is consistent with this Direction.

3.2 Heritage Conservation	Yes. Consistent.	<p>The Direction applies to the planning proposal as it seeks to conserve four items of environmental heritage significance. The Direction requires that a planning proposal contain provisions that facilitate the conservation of items identified in a study of environmental heritage significance.</p> <p>The proposed heritage listing of the four sites will recognise their heritage significance and provide statutory protection.</p> <p>The proposal is consistent with this Direction.</p>
6.1 Residential Zones	Yes. Consistent.	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.

3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

Under the SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP), a range of exempt developments may be undertaken for heritage items.

The SEPP specifies in Part 1 Division 2 *Exempt and complying development*, clause 1.18(1)(c3) that:

*“To be complying development for the purposes of this Policy, the development must –
... not be carried out on land that comprises, or on which there is, a draft heritage item”.*

This means that if the four sites are listed as heritage items, the complying development (CDC) pathway would not be possible for development such as alterations to residence, certain internal alterations, minor external works and signage, etc. A development application (DA) would need to be prepared.

A Gateway condition is recommended to require revision to the planning proposal to include a discussion about the application of the Codes SEPP to heritage items.

4 Site-specific assessment

4.1 Environmental

The proposal will not have any adverse effects on any critical or threatened species, populations or ecological communities, or their habitat. There are no other environmental effects that would likely arise as a result of this planning proposal.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 9 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	The planning proposal is unlikely to have any significant adverse social impacts. Listing the sites as heritage items will provide the community with greater certainty regarding the heritage significance of the sites, facilitate their ongoing protection and provide opportunities for the community to appreciate their values.
Economic	<p>There would be a minor economic impact to the landowner as the heritage listing of the sites may require specialist heritage studies to form part of any future development application submission. This matter has not been addressed in the proposal.</p> <p>The planning proposal should be updated to include a discussion that certain developments may not be able to progress via the CDC pathway under the Codes SEPP, and that heritage management documents may be required to support any future DA under Cl. 5.10 of the Standard Instrument LEP. A Gateway condition is recommended to further address this matter.</p> <p>Notwithstanding, the proposal does not change the zoning or development standards applicable to the sites. As discussed above, the proposed listing means that the consent authority will need to consider the effect of any future development on the heritage significance of the sites pursuant to Cl. 5.10 of the LEP, it does not prohibit change or development as such.</p> <p>The proposal is considered to have an acceptable economic impact.</p>

4.3 Infrastructure

The proposal does not seek to change any existing infrastructure or facilitate further infrastructure provision. The proposal will not alter the existing zoning or development standards applicable to the sites. The proposal would not facilitate intensified developments and therefore would not generate additional demand for infrastructure.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The Department's *Local Environmental Plan Making Guideline 2022* (LEP Making Guideline) recommends a timeframe of 10 working days for a basic planning proposal. Given the proposal seeks to implement a group heritage listing of four sites, a timeframe of 20 working days is considered appropriate to allow sufficient time for the community and concerned stakeholders to make comments.

5.2 Agencies

It is recommended the following agencies/public organisations be consulted on the planning proposal:

- Environment and Heritage Group, Department of Planning and Environment; and
- National Trust of Australia (NSW)

The planning proposal makes reference to “Heritage NSW”, which has since been changed. A Gateway condition is recommended to require an administrative change to refer to the ‘Environment and Heritage Group, Department of Planning and Environment’ in the planning proposal.

6 Timeframe

Council proposes a seven- month time frame to complete the LEP (from Gateway determination).

The Department recommends a time frame of six months to ensure it is completed in line with the LEP Making Guideline. The Guideline outlines a benchmark of 140 days from the submission of the planning proposal to the Department for Gateway, which would then require the LEP to be completed by late December 2023. It is recommended that if the Gateway is supported it also includes conditions requiring Council to exhibit and report on the proposal by specified milestone dates.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the proposed heritage items have been found to be of local significance, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- It is supported by an assessment of heritage significance prepared in accordance with the NSW Heritage Office manual, *Assessing Heritage Significance*, 2001, which finds that all four sites satisfy relevant listing criteria and reach the threshold for local heritage listing.
- The proposal will recognise and provide statutory protection of the heritage significance of the sites.
- The proposal is consistent with relevant objectives, directions and priorities of the Greater Sydney Region Plan, Eastern City District Plan and Woollahra Local Strategic Planning Statement, and the applicable State Environmental Planning Policies and Section 9.1 Ministerial Directions.
- Specific conditions have been recommended to require additional information to be included in the planning proposal to ensure it is adequate for exhibition and agency consultation.

Based on the assessment provided in this report, the proposal must be updated before exhibition to:

- Update the assessment of significance in the heritage inventory sheet for the Sydney Chevra Kadisha to address the moveable items.
- Based on the assessment and materials in the heritage report and inventory sheets (as updated as per the above), include the following additional information in the planning proposal:
 - Include a summary of the assessment of heritage significance clearly setting out how the sites satisfy the relevant listing criteria in the NSW Heritage Office manual, *Assessing Heritage Significance*, 2001;
 - Discuss the significant elements of each site, including building and landscape components within the property boundaries or curtilage, setting and interiors; and
 - Include a list of moveable items that contribute to the heritage values of each site.

- Include a discussion regarding how the proposal would affect the application of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in section 6.2 and schedule 1 of the planning proposal.
- Provide further discussion in section 6.3 of the planning proposal regarding the economic impacts of the proposal, including how the proposed heritage listing would affect development pathways and the potential need for heritage management documents to support future development applications.
- Remove reference to 'Heritage NSW' and replace with 'Environment and Heritage Group, Department of Planning and Environment' in section 6.4 of the planning proposal.
- Confirm the lot number for the Vaucluse Uniting Church at 3 Russell Street, Vaucluse and ensure it is consistently referenced in the planning proposal.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - a) Update the assessment of significance in the heritage inventory sheet for the Sydney Chevra Kadisha to address the moveable items.
 - b) Based on the assessment and materials in the heritage report and inventory sheets (as updated as per the above), include the following additional information in the planning proposal:
 - Include a summary of the assessment of heritage significance clearly setting out how the sites satisfy the relevant listing criteria in the NSW Heritage Office manual, *Assessing Heritage Significance*, 2001;
 - Discuss the significant elements of each site, including building and landscape components within the property boundaries or curtilage, setting and interiors; and
 - Include a list of moveable items that contribute to the heritage values of each site.
 - c) Include a discussion regarding how the proposal would affect the application of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in section 6.2 and schedule 1 of the planning proposal.
 - d) Provide further discussion in section 6.3 of the planning proposal regarding the economic impacts of the proposal, including how the proposed heritage listing would affect development pathways and the potential need for heritage management documents to support future development applications.
 - e) Remove reference to 'Heritage NSW' and replace with 'Environment and Heritage Group, Department of Planning and Environment' in section 6.4 of the planning proposal.
 - f) Remove reference to "Forwarding of LEP amendment to Greater Sydney Commission" from the project timeline in section 9 of the planning proposal.
 - g) Confirm the lot number for the Vaucluse Uniting Church at 3 Russell Street, Vaucluse and ensure it is consistently referenced in the planning proposal.
2. Consultation is required with the following public authorities / organisations:
 - Environment and Heritage Group, Department of Planning and Environment; and
 - National Trust of Australia, NSW.

3. The planning proposal should be made available for community consultation for a minimum of 20 working days.
4. The planning proposal must be exhibited not more than two months from the date of the Gateway determination.
5. The planning proposal must be reported to council for a final recommendation not more than four months from the date of the Gateway determination.
6. The timeframe for completing the LEP is to be six months from the date of the Gateway determination.
7. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.



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6 June 2023
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