

Heritage Council Determination

Determination date	5 February 2026
Place/Object name	Ballarat Synagogue Complex
Location	2-4 Barkly Street, Ballarat East, Ballarat City, Wadawurrung Country
VHR number	H0106
Category	Registered Place and Registered Objects Integral to a Registered Place
Relevant legislative provision/s	Amendment to the Victorian Heritage Register, pursuant to section 62 of the <i>Heritage Act 2017</i>

Determination of the Heritage Council

The Heritage Council of Victoria determined on **5 February 2026**, in accordance with Part 3 and Part 5 of the *Heritage Act 2017* ('the Act'), that the above Place is to be amended in the Heritage Register.

The Heritage Council determined to make the following amendments to the Heritage Register:

- the objects are integral to understanding the cultural heritage significance of the registered Place and are to be included in the Heritage Register in accordance with section 49(1)(ca) of the Act; and
- including additional land in the Heritage Register being all of the Place shown hatched on Diagram 106 in accordance with section 49(1)(d)(i) and (ii) of the Act; and
- determining categories of works or activities which may be carried out in relation to the Place for which a permit is not required in accordance with section 49(3)(a) of the Act.

Executive Director's Recommendation ('the Recommendation')

The State-level cultural heritage significance of the Ballarat Synagogue Complex, located at 2–4 Barkly Street, Ballarat East, Ballarat City, Wadawurrung Country ('the Place') was recognised in 1974 by its inclusion in the (former) Register of the Historic Buildings.

On **18 September 2025** the Executive Director accepted an application to amend the registration of the Place to ensure it is consistent with current practices under the Act.

On **17 November 2025** the Executive Director made a recommendation to the Heritage Council ('the Recommendation') that the existing registration for the Place should be amended in the Heritage Register. The Recommendation was advertised publicly for a period of 60 days, beginning on **21 November 2025**.

Section 44 submissions

During the 60-day public advertisement period no submissions were received pursuant to section 44 of the *Heritage Act 2017* ('the Act').

The Place

Description

Extracted verbatim from page 3 of the Executive Director's Recommendation (in-text references have been removed):

The Ballarat Synagogue Complex is located on the traditional land of Wadawurrung People.

*The complex consists of the synagogue, the Minister's Residence, the Paul Simon Memorial Hall, a mature *Pinus canariensis* (Canary Island Pine), and the Succah (a temporary dwelling used for the celebration of the Feast of the Tabernacles).*

The complex is bound by a low brick fence at the east end in front of the synagogue, timber picket fencing along the southern boundary to Barkley Street (in front of the Paul Simon Memorial Hall and Minister's Residence) and steel and cyclone wire fencing along the northern (rear) boundary to St Pauls Way.

Reasons for the amendment application

Additional land

The Executive Director recommended that the Heritage Council amend that registration of the Place to include additional land, having formed the view that:

- The State-level cultural heritage significance of the Place would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the Place were developed [s.40(3A)(c)(i)]; and
- The additional land surrounds the Place and is important to the protection or conservation of the Place; or contributes to the understanding of the Place [s.40(3A)(c)(ii)].

The Executive Director noted that:

- The land proposed for inclusion is currently and has been used in conjunction with the Place for over 160 years; and
- The current extent is limited to the footprint of the synagogue, and is insufficient to protect, conserve and allow for a proper understanding of the Place.

The Executive Director was of the view that:

- The additional land is of significance as it contains the Paul Simon Memorial Hall, Succah and Former Minister's Residence, and Canary Island Pine that are part of the cultural heritage significance of the Ballarat Synagogue Complex; and

- As the grounds of the Place are comparatively small, any development would occur close to significant buildings and features; and
- Without an approval process, significant buildings and features could potentially be impacted by new buildings which, depending upon their siting, height, form, scale and materials, would affect the setting of the Place; and
- If any of the additional land proposed for inclusion in the registration were developed, depending upon the nature of the proposal, there is potential for the development to impact upon the Place and substantially reduce its State-level cultural heritage significance; and
- Including additional land will ensure that all works are managed through an approval process consistent across the entirety of this Place and would provide certainty for all parties; and
- Including an area of land around all the buildings will enable potential change immediately adjacent to the Place (for example, new additions) to be managed under an approvals process; and
- Inclusion of an area of land around all the buildings will also enable works that could potentially impact on the conservation of the building, such as drainage, landscaping and paving, to be managed under an approvals process; and
- Inclusion of an area around the building provides a setting for the Place.

Change of name

The Executive Director recommended that the name of the Place be amended to 'Ballarat Synagogue Complex' from 'Synagogue'. The Executive Director's reason was that the proposed name distinguishes the place from other synagogues by including its location. Naming the Place as a 'complex' indicates that there is more than one building or element of significance of the Place.

Objects integral

The Executive Director recommended the inclusion of objects integral to understanding the cultural significance of the Place, details of which were provided to the Heritage Council for consideration.

Summary of how the objects are integral to understanding the cultural heritage significance of the Place

It was the recommendation of the Executive Director that the recommended objects integral relate to the continuous operation of the Ballarat Synagogue Complex, are associated with worship at the Place from the mid-nineteenth century onwards and demonstrate its significance as the oldest continuously operating synagogue on mainland Australia.

Heritage Council's findings

The Heritage Council's statutory remit is confined by the Act. When a place or object is included in the Heritage Register, the description, history, Statement of Significance and permit policy do not form statutory components of the Heritage Register.

The Heritage Council notes that the Executive Director may make non-statutory amendments to the Statement of Significance as set out in the Recommendation. The Heritage Council raised several queries with the Executive Director at Heritage Council meeting HC291 with respect to (non-statutory) wording included in the Recommendation, and the Executive Director noted some non-statutory suggestions would be considered.

The Heritage Council's decision in relation to the Place is confined to the extent of registration and permit exemptions.

Objects integral to the registered place

The Heritage Council's findings generally accord with the Executive Director's Recommendation. The Heritage Council finds that the collection of objects associated with the Place are integral to the understanding of the cultural heritage significance of the Place and notes that an inventory of the objects is held by the Executive Director, Heritage Victoria.

Additional land

The Heritage Council finds that:

- The State-level cultural heritage significance of the Place would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the Place were developed [s.40(3A)(c)(i)]; and
- The additional land surrounds the Place and is important to the protection or conservation of the Place; or contributes to the understanding of the Place [s.40(3A)(c)(ii)].

The amended extent of registration is provided as **Attachment 1** and includes all of the Place hatched on Diagram 106 encompassing all of Lots 1 and 2 Plan of Subdivision 544783, and the objects integral to the Place.

Place name

The Heritage Council agrees that the name of the Place should be changed from 'Synagogue' to 'Ballarat Synagogue Complex'.

Permit exemptions

The Heritage Council determined specific permits exemptions that would not harm the cultural heritage significance of the Place or the objects integral to the Place. The permit exemptions are provided as **Attachment 2** to this determination.

Conclusion

The Heritage Council determined, pursuant to Part 3 and Part 5 of the *Heritage Act 2017*, that the registration for Ballarat Synagogue Complex is to be amended in the Heritage Register.

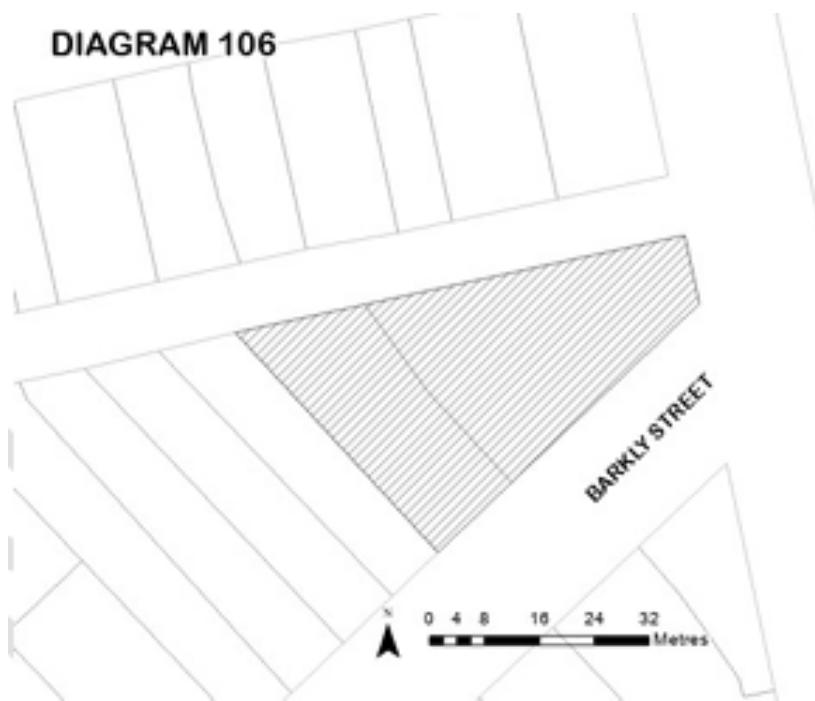


Professor Philip Goad
Chair, Heritage Council of Victoria

Attachment 1

Extent of Registration

All of the place shown hatched on Diagram 106 encompassing all of Lots 1 and 2 Plan of Subdivision 544783, and the objects integral identified in the inventory held by the Executive Director.



Attachment 2

Categories of Works or Activities which may be undertaken without a Permit (Permit exemptions)

Permit exemptions

General exemptions

General exemptions apply to all places and objects included in the Heritage Register. General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which do not harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions. Find out more about heritage permit exemptions [here](#).

Specific exemptions

The works and activities below are not considered to cause harm to the cultural heritage significance of the **Ballarat Synagogue Complex** subject to the following guidelines and conditions:

Guidelines for specific permit exemptions

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage*

Act 2006 is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.

5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and

poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor

7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

Conditions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other

potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.

5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Secretary (as defined in the *Aboriginal Heritage Act 2006*).

Exempt works and activities

Former Minister's Residence

The cultural heritage significance of the Minister's Residence at 4 Barkly Street, Ballarat East is due to its historical associations with the Ballarat Synagogue. An addition has been made to the rear, and some internal alterations have occurred. The purpose of the permit exemptions is to allow works that do not impact on the significance of the place to occur without the need for a permit.

Permit exemptions:

1. All interior alterations to the rear addition of the residence including the living/dining and kitchen constructed after 2000.
2. All non-structural internal alterations to the previously altered rooms of the original Minister's Residence.
3. Alterations and repairs to rear carport, constructed after 2000.
4. All external works to post-2000s extension and carport provided there is no impact on the presentation of the residence from Barkly Street.