

Statement of Recommendation from the Executive Director, Heritage Victoria

Ballarat Synagogue Complex, VHR H0106
Wadawurrung Country



1861, Ballarat Synagogue. Source: [SLV](#)

Executive Director recommendation

I recommend to the Heritage Council of Victoria (**Heritage Council**) that the Ballarat Synagogue Complex in the Victorian Heritage Register (**VHR**) be amended. The categories of registration are recommended to be a Registered Place and Registered Objects Integral to a Registered Place.

In accordance with section 62 of the *Heritage Act 2017* (**the Act**), I suggest that the Heritage Council determine:

- the objects are integral to understanding the cultural heritage significance of a registered place and are to be included in the VHR in accordance with section 49(1)(ca) of the Act
- to include additional land in the VHR (section 49(1)(d)(i) and (ii) of the Act)
- the proposed categories of works or activities which may be carried out in relation to the place for which a permit under the Act is not required will not harm the cultural heritage significance of the place under 49(3)(a) of the Act.



STEVEN AVERY

Executive Director, Heritage Victoria

Date of recommendation: 17 November 2025

The process from here

1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's recommendation on its [website](#) for a period of 60 days.

2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60-day publication period, any person or body may make a written submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#).

3. Heritage Council determination (sections 46, 46A and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place, object or land in the VHR or amend a place, object or land already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. The Heritage Council must conduct a hearing if the submission is made by a person or body with a real or substantial interest in the place, object or land. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

4. Obligations of owners of places, objects and land (sections 42, 42A, 42B, 42C, 42D and 43)

The owner of a place, object or land which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the Executive Director in writing of any works or activities that are being carried out, proposed or planned for the place, object or land.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place, object or land before entering into a contract.

5. Further information

The relevant sections of the Act are provided at Appendix 1.

Amendment recommendation

State-level cultural heritage significance of the place

The State-level cultural heritage significance of the Ballarat Synagogue was recognised in 1974 by its inclusion in the Register of Historic Buildings.

Amendment application

The Ballarat Synagogue was registered in 1974 and in accordance with legislation at the time the registration does not include land. Heritage Victoria received a nomination for the place and subsequently decided to review the registration.

In June 2025 the Executive Director made a nomination of additional land and objects for the place. It is considered that an amendment to the registration of the Ballarat Synagogue would enable protection of the entire complex.

Assessment of additional land and summary of significance

The information below is provided under s.40(3A)(c)(i)(ii) and s.40(4)(c)(i)(ii) as part of the Executive Director's Statement of recommendation.

The Executive Director recommends that the Heritage Council amend this registration because it is his 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)].
- 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 notes that:

- 1) The land proposed for inclusion is currently and has been used in conjunction with the place for over 160 years.
- 2) 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 is of the view that:

- The additional land is of significance as it contains additional significant features.
- As the grounds of the place are comparatively small, any development would occur close to significant buildings and features.
- 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.
- 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.
- 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.
- 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.
- 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.
- Inclusion of an area around the building provides a setting for the place.

Change of name

All registered places and objects in the Register are gazetted under a primary name. Alternative names are recorded and are searchable online in the Victorian Heritage Database (VHD).

Current primary name:	Synagogue
Proposed primary name:	Ballarat Synagogue Complex
Reason for change of primary name:	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 at the place.
Alternative name(s) also recorded:	-

Objects integral

Definition

In the context of a registered place, an 'object integral' is

- a key part of the place; and
- contributes to our understanding of the place's State-level cultural heritage significance.

An object integral does not have to be of State-level significance in its own right. A more detailed definition can be found in the Heritage Council's [Policy: objects integral to a registered place](#).

It should be noted that fixtures (such as window frames or decorative masonry) automatically form part of the registered place and are therefore protected under the Act.

Background

The Executive Director makes this recommendation to amend this registration because under section 27A of the Act they consider that the objects are integral to understanding the cultural heritage significance of a registered place.

Statutory requirements under section 40

Terms of the recommendation (section 40(3)(a))

The Executive Director recommends that the registration of the Ballarat Synagogue Complex in the VHR is amended.

Information to identify the place or object or land (section 40(3)(b))

Number: VHR H0106

Category: Registered Place and Registered Objects Integral to a Registered Place

Name: Ballarat Synagogue Complex

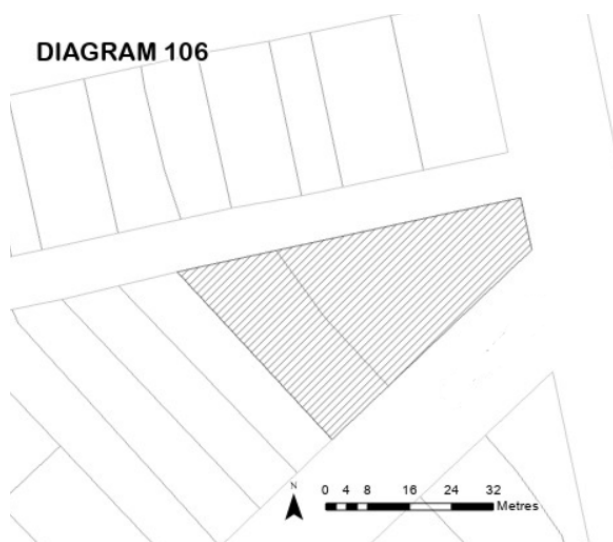
Location: 2-4 Barkly Street, Ballarat East

Municipality: Ballarat City

Proposed extent of registration

The Executive Director recommends that the extent of registration for the Ballarat Synagogue Complex be gazetted as:

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.



Assessment of whether the objects are integral to understanding the cultural heritage significance of a registered place (40(3A)(b))

The Heritage Council's [Policy: objects integral to a registered place](#) notes that for the purposes of the Act, an object will be considered integral to a place if it satisfied the following tests:

1.	Do the objects form a key part of that place, being a component in its design, operation or use that contributes importantly to a richer and more complete understanding of its historical, cultural, technical, aesthetic and/or social meaning at a State level?	Yes	The objects integral proposed for inclusion contribute to a more rich and complete understanding of the synagogue's continuing operation.
2.	Can the contribution be substantiated through physical, documentary or oral evidence?	Yes	The contribution of the collection to a more complete understanding of the synagogue's historical significance can be substantiated through physical evidence and oral evidence.
Executive Director's Response		The objects can be considered integral to the place.	

Summary of how the object is integral to understanding the cultural heritage significance of the place (40(4)(b))

The objects integral listed above demonstrate continuing religious observance at the place for over 100 years and contribute importantly to its rich decorative tradition. The objects integral are an important part of the fabric that have historical and cultural associations with ongoing Jewish practice in the Ballarat area.

Summary of cultural heritage significance (section 40(4))

Statement of significance

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

What is significant?

The Ballarat Synagogue Complex consists of the synagogue, the Paul Simon Memorial Hall (former Hebrew School), the Succah, the former Minister's Residence and a *Pinus Canariensis* (Canary Island Pine). The Synagogue was constructed in 1861, in the Renaissance Revival style to designs by the local architect, T. B. Cameron. Cameron also designed the Minister's Residence at the western end of the complex in 1862, and it was erected soon after. The classically styled Paul Simon Memorial Hall (former Hebrew School) sits between the synagogue and Minister's Residence and was opened in 1865. The *Pinus Canariensis* (Canary Island Pine) at the front (east) of the synagogue, is the one remaining of two planted in 1867. The utilitarian Succah, clad in galvanised corrugated iron and with its opening roof, was constructed around 1900 and moved to its current location in 2007.

Associated with the place are a range of objects associated with worship at the synagogue from the mid-nineteenth century onwards, including Torah scrolls, prayer books, tablets, furnishings and other items.

How is it significant?

The Ballarat Synagogue Complex is of historical and architectural significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects

Why is it significant?

The Ballarat Synagogue Complex is of historical significance as an early example of a synagogue constructed for a Jewish congregation in Australia. Serving an orthodox congregation in its early years, it is one of the few surviving nineteenth-century synagogues in Victoria still used for religious purposes and containing objects from the early years of religious observance. It is significant as an intact complex of religious buildings, that demonstrate the Jewish presence on the goldfields. It is oldest continuously operating synagogue on mainland Australia. [Criterion A]

The Ballarat Synagogue Complex is of architectural significance as a fine example of conservative classical design as applied to an early religious building in Victoria. The striking interior of the building is also significant and includes original furniture and fittings, including a cedar Bimah and cedar-fronted Ark, and cast iron gallery balustrading. [Criterion D]

Recommended permit exemptions under section 38

Introduction

A [heritage permit](#) is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are [exempt from a heritage permit](#), if the proposed works will not harm the cultural heritage significance of the heritage place or object.

Permit Policy

It is recommended that the place is managed in accordance with the *Ballarat Synagogue Conservation Management Plan (2020)* prepared by David Rowe and Wendy Jacobs on behalf of the Ballarat Hebrew Congregation.

Permit Exemptions

General Permit Exemptions

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

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

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 of Heritage Victoria 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 Permit Exemptions

The works and activities listed below under the heading 'Exempt works and activities' are not considered to cause harm to the cultural heritage significance of the Ballarat Synagogue Complex. These are 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.

General conditions for specific permit exemptions

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 Aboriginal Heritage

Council (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 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.

Appendix 2: Important information for owners and interested parties

Heritage Council determination (section 49)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its [website](#) under section 41.

Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#). The owner can also make a submission about proposed permit exemptions (Section 40(4)(d)).

Consideration of submissions to the Heritage Council (section 46)

(1) The Heritage Council must consider—

- (a) any written submission made to it under section 44; and
- (b) any further information provided to the Heritage Council in response to a request under section 45.

Conduct of hearings by Heritage Council in relation to a recommendation (section 46A)

(1) The Heritage Council may conduct a hearing in relation to a recommendation under section 37, 38 or 39 in any circumstances that the Heritage Council considers appropriate.

(2) The Heritage Council must conduct a hearing if—

- (a) a submission made to it under section 44 includes a request for a hearing before the Heritage Council; and
- (b) the submission is made by a person or body with a real or substantial interest in the place, object or land that is the subject of the submission.

Determinations of the Heritage Council (section 49)

(1) After considering a recommendation that a place, object or land should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing, the Heritage Council may—

- (a) determine that the place or object is of State-level cultural heritage significance and is to be included in the Heritage Register; or
- (ab) in the case of a place, determine that—
 - (i) part of the place is of State-level cultural heritage significance and is to be included in the Heritage Register; and
 - (ii) part of the place is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (ac) in the case of an object, determine that—
 - (i) part of the object is of State-level cultural heritage significance and is to be included in the Heritage Register; and
 - (ii) part of the object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (b) determine that the place or object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

- (c) in the case of a recommendation in respect of a place, determine that the place or part of the place is not to be included in the Heritage Register but—
 - (i) refer the recommendation and any submissions to the relevant planning authority or the Minister administering the Planning and Environment Act 1987 to consider the inclusion of the place or part of the place in a planning scheme in accordance with the objectives set out in section 4(1)(d) of that Act; or
 - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place or part of the place; or
 - (ca) in the case of a recommendation in respect of an object nominated under section 27A, determine that the object, or part of the object, is to be included in the Heritage Register if it is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register; or
 - (d) in the case of a recommendation in respect of additional land nominated under section 27B, determine that the additional land, or any part of the additional land, is to be included in the Heritage Register if—
 - (i) the State-level cultural heritage significance of the place, or part 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; or
 - (ii) the additional land or any part of the additional land surrounding the place, or part of the place, is important to the protection or conservation of the place or contributes to the understanding of the place.
- (2) The Heritage Council must make a determination under subsection (1)—
- (a) within 40 days after the date on which written submissions may be made under section 44; or
 - (b) if any hearing is conducted, within 90 days after the completion of the hearing.
- (3) A determination made under subsection (1)(a), (ab), (ac), (ca) or (d)—
- (a) may include categories of works or activities which may be carried out in relation to a place, object or land, or part of a place, object or land, for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place, object or land; and
 - (b) must include a statement of the reasons for the making of the determination.
- (4) If the Heritage Council determines to include a place, or part of a place, in the Heritage Register, the Heritage Council may also determine to include land that is not the subject of a nomination under section 27B in the Heritage Register as part of the place if—
- (a) the land is ancillary to the place; and
 - (b) the person who owns the place, or part of the place—
 - (i) is the owner of the land; and
 - (ii) consents to its inclusion.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

Obligations of owners (section 42, 42A, 42B, 42C, 42D)

42 Obligations of owners—to advise of works, permits etc. on foot when statement of recommendation given

- (1) The owner of a place, object or land to whom a statement of recommendation has been given must advise the Executive Director in writing of—

- (a) any works or activities that are being carried out in relation to the place, object or land at the time the statement is given; and
- (b) if the place, object or land is a place or additional land, any application for a planning permit or a building permit, or any application for an amendment to a planning permit or a building permit, that has been made in relation to the place or additional land but not determined at the time the statement is given; and
- (c) any works or activities that are proposed to be carried out in relation to the place, object or land at the time the statement is given.

(2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.

42A Obligations of owners before determination or inclusion in the Heritage Register—to advise of permits

(1) This section applies if—

- (a) an owner of any of the following is given a statement of recommendation—
 - (i) a place or object nominated under section 27;
 - (ii) an object nominated under section 27A;
 - (iii) land nominated under section 27B; and
- (b) any of the following occurs within the statement of recommendation period in relation to the place, object or land—
 - (i) the making of an application for a planning permit or a building permit;
 - (ii) the making of an application for an amendment to a planning permit or a building permit;
 - (iii) the grant of a planning permit or building permit;
 - (iv) the grant of an amendment to a planning permit or building permit.

(2) The owner must advise the Executive Director in writing of—

- (a) the making of an application referred to in subsection (1)(b)(i) or (ii), within 10 days of the making of the application; or
- (b) a grant referred to in subsection (1)(b)(iii) or (iv), within 10 days of the owner becoming aware of the grant.

42B Obligations of owners before determination or inclusion in the Heritage Register—to advise of activities

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period it is proposed that activities that could harm the place, object or land be carried out.

(2) The owner, not less than 10 days before carrying out the activities, must advise the Executive Director in writing of the proposal to do so.

42C Obligations of owners before determination or inclusion in the Heritage Register—to advise of proposal to dispose

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period a proposal is made to dispose of the whole or any part of the place, object or land.

(2) The owner, within 10 days after entering into an agreement, arrangement or understanding for the disposal of the whole or any part of the place, object or land, must advise the Executive Director in writing of the proposal to do so.

42D Obligations of owners before determination or inclusion in the Heritage Register—requirement to give statement to purchaser

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) the owner proposes to dispose of the whole or any part of the place, object or land within the statement of recommendation period.

(2) Before entering into an agreement, arrangement or understanding to dispose of the whole or any part of the place, object or land during the statement of recommendation period, the owner must give a copy of the statement of recommendation to the person who, under the proposed agreement, arrangement or understanding, is to acquire the place, object or land or part of the place, object or land.

Owners of places and objects must comply with obligations (section 43)

An owner of a place, object or land who is subject to an obligation under section 42, 42A, 42B, 42C or 42D must comply with that obligation.

Penalty: In the case of a natural person, 120 penalty units;
 In the case of a body corporate, 240 penalty units.