



Yeshiva College within the Harry O Triguboff Centre
formerly the Sydney Talmudical School
34 Flood Street, Bondi

HAA Response to Queries from the Independent Planning Commission
Version V1.0
27th February 2024



for
Waverley Council
by
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Introduction

In 2023 this practice undertook an Assessment of Cultural Heritage Significance of the former Sydney Talmudical School for Waverley Council.

On 21st February 2024, The Independent Planning Commission of NSW asked Waverley Council to have their heritage consultant respond two to matters arising out of their work to assess an application to rezone the land on which the building is sited. HAA's responses to the matters are as follows.

1. Whether the site meets the threshold for Local Significance.

The query of the commission is to:

“provide further considerations from Council’s heritage consultant on whether the Site meets the threshold for local significance, as distinct from state level significance. In considering local significance, the Council may want to consider the definition of ‘local heritage significance’ in section 4A of the Heritage Act 1977, which refers to significance to ‘an area’ as defined in the Local Government Act 1993 and the definition of local significance in Figure 1 of Assessing Heritage Significance” (DPE, 2023)

Considering that:

- the NSW Heritage Act definition for local significance differs from that for state in that the values are found to pertain to *an area*, and
- the DPE publication identifies that local significance turns on significance to a local area or community

the site meets the threshold local significance for the following reasons:

- It is important to the history of the Waverley Area because Waverley was one of seven areas of Sydney where new synagogues were built, and the only area with a school of Jewish Scholarship. This is a distinct phase in the history of Jewish faith, and along with the formation of the Central Synagogue, it signifies the start of a significant Jewish community in Waverley. **(Criterion (a))**
- This site in Waverly has a civic building which is strongly and directly associated with the eminent Australian architect Harry Seidler, the Jewish leader Abraham Rabinovitch, and has been the venue for visits by eminent Australians in their civic roles, H V Evatt, Malcolm Fraser and Kevin Rudd. **(Criterion (b))**
- The place contains a seminal and excellent work of civic and religious architecture, which are outstanding parts of the religious and civic architecture of Waverley, and the architect for which was welcomed to Waverley for his modernism in an earlier competition for a town hall. The place contains technological significance for it being the largest thin concrete shell structure in the municipality. **(Criterion (c))**
- The building located at 34 Flood St, Bondi has been the focus of Jewish communal worship and education in Bondi since its construction in 1959. The place has strong and special associations with the Jewish faith community in Bondi for its ongoing use as a civic and religious building. The worship, educational and civic functions of the building demonstrate this continued use.. **(criterion (d))**

- The building has potential to yield information about thin wall concrete shell construction which informs the history of the technological development of Waverley. **(criterion (e))**
- The synagogue and former Sydney Talmudical College premises building at 34 Flood St, Bondi is uncommon for the period due to its large thin shell concrete vaulted roof form in Waverley. The place has rarity value as the only religious building by Seidler and as a surviving intact example of a post war modernist synagogue, which were once common across NSW particularly Eastern Sydney but are now smaller in number. **(criterion (f))**
- The synagogue and former Sydney Talmudical College premises building located at 34 Flood St demonstrates the principal characteristics of its class as a post war modernist synagogue designed by a migrant architect. It is part of a small but important group of distinctive modernist style synagogues designed by migrant architects who established practices in NSW. The place is a relatively intact and surviving example of a post war modernist synagogue which is rare for its class. **(criterion (g))**

Finally, may we draw the Commissions attention to the objectives of the heritage section (5.10(1)) of the Waverley Local Environmental Plan, which makes no distinction about level of significance being relevant to the plan.

2. Comments on Reports commissioned by the Land Owner

The commission has invited *any additional comments from Council's heritage consultant in response to the heritage reports provided by the landowner.*

The two heritage reports commissioned by the landowner are:

- Extent Heritage Pty Ltd: *34 Flood Street Bondi Heritage Assessment September 2023 Final*
- Weir Phillips: *No. 34 - 36 Flood Street, Bondi Heritage Assessment September 2023*

With respect to their review of our assessment against the criteria, we comment on remarks by Extent in the following table

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

HAA Assessment	Peer Review	Comment by HAA
<p>The building at 34 Flood St is historically significant as one of seven surviving works from a distinct period for synagogue construction within NSW (c1957-60). The synagogue is associated with the post war period enlargement of migration of Jewish faith and culture within NSW. The establishment of the Talmudic College is part of the development of a distinctive locale of Jewish immigrants within the Waverley Local Government Area. It also facilitated the training of rabbis in Sydney reflecting the growth of the Jewish faith diaspora following World War II. Finally, the construction of the synagogue is part of a historical pattern demonstrating the arrival of Jewish architects to NSW, all of whom were</p>	<p>Extent There is no evidence which provides a link between the seven sites mentioned against this criterion, or why the period cited represents a 'distinct period' of synagogue construction. As noted by Rutherford and others, the post-war Jewish diaspora was happening all over the world, and the construction of new religious buildings to suit the needs of this migrant community is not unique to the Jewish community, to this locality, or to the migrant experience in general. In Extent's view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>In fact, the evidence of the distinct period is the list provided in the HAA assessment, Section 5.3. In NSW, there were four synagogues constructed in the nineteenth Century (City, the Great Synagogue, Newtown, Maitland) and in the twentieth century just before the second World War the Temple Emmanuel was constructed.</p> <p>In the years c.1957-1960 were constructed seven new synagogues, each by a migrant Jewish Architect. This was followed by perhaps one in the later 1960s and no others until the 1980s. The Talmudical School is the only purpose build centre of Jewish Scholarship built in its time. The seven new synagogues are the expression in NSW of what was happening all over the wall.</p> <p>It follows, that the subject place indeed belongs to set distinct in time, origin of</p>

<p>modernists; Hugh Buhrich, Hans Peter Oser and Harry Seidler.</p> <p>Level of Significance: State</p>		<p>design, and inclusion of a school of scholarship.</p>
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Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW’s cultural or natural history (or the cultural or natural history of the local area)

HAA Assessment	Peer Review	Remarks by HAA
<p>1. The synagogue and former Sydney Talmudical College premises building, located at 34 Flood St, Bondi, and its later development is evidence of the ongoing use of the place as a religious and civic site.</p> <p>2. The building and its later development addition reflects the broadening of institutions available to the Jewish faith community in NSW and the Waverley LGA; responding to migration patterns after World War II.</p> <p>3. The place maintains ongoing institutional associations with similar Jewish faith institutions in Brooklyn; New York, and Israel. As an institution the synagogue has an ongoing association with the broader Jewish community, by the training of Rabbis who engage with communities which are not congregants of the Orthodox ‘Habad’ philosophy.</p>	<p>Extent 1, 2 This reads as a general list of associations with the site which are not remarkable in their own right. The comparison to other Seidler buildings is not analytical, and their mere fact that some Seidler buildings are heritage listed does not mean that this building warrants heritage listing.</p>	<p>A purpose-built synagogue and Talmudical School can be reasonably understood as having a strong and specific association with the Jewish and Civic life of the place, it being in fact commissioned and used as a place of Jewish worship and the location of a School of Jewish Scholarship.</p>

<p>4. The place is primarily associated with eminent modern architect Harry Seidler as the original design is his only religious building, although he did design Jewish sites, and demonstrates an important stage in Seidler’s output and career as an early work of Civic architecture.</p> <p>The distinct roof form of the synagogue with its repeating thin shell concrete vaults is stylistically associated with principles of Bauhaus design and Modernism with which Seidler is particularly associated. It is an outstanding example of the modernist building forms produced and constructed by Seidler in collaboration with structural engineer Alan Milston, of Miller, Milston and Ferris. His association, with the firm began with Peter Owen Miller in c1950 for the Meller House (LEP item no. 1995), 37 The Bulwark, Castlecrag, and continued with the Igloo House c1951 (Williamson House, SHR item no. 01652) at Mosman. The synagogue and former Sydney Talmudical College premises building is associated with this collaboration and is an important work which demonstrates their innovative achievement.</p>	<p>4. Additionally, the fact that Seidler designed this building (in addition to many others) does not necessarily lead to the conclusion that it warrants heritage listing. Were that the case, then every building designed by Seidler would automatically need to be heritage listed, which is not the intent of the association criterion. The building represents a minor example of Seidler’s early work, and the claimed associations with other individuals are at best cursory, particularly claimed associations with Evatt and Fraser. The mere fact that a person of note opened a building is insufficient evidence of a significant association. In Extent’s view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>4 the criterion is about association with a figure. In this case, Harry Seidler is strongly and directly associated with the site as the author of its building. Seidler is an important figure in Australian architecture, and this, is will be shown in criterion c), is a work that is significant in his output.</p>
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<p>5. The synagogue and former Sydney Talmudical College premises building is associated with Abraham Rabinovitch. Rabinovitch, a businessman and philanthropist, who was instrumental in the Jewish day school movement, which initiated the construction of similar Jewish institutions such as the North Bondi Hebrew School and Kindergarten (c1942-43) and Moriah College (c1952) in Sydney. Rabinovitch was the founder and chair of Sydney Talmudical College (now called Yeshiva College Bondi) who purchased the site on Flood Street in 1955 and commissioned Seidler to design the original college buildings. The ongoing use of the place for educational and worship purposes continue this significant associations.</p> <p>7. The connection to the place with former Prime Minister Malcolm Fraser and prominent politician and judge Dr H.V. Evatt's is acknowledged as significant to the importance of the building but incidental as an association. In 1961, Dr Evatt attended opened the Sydney Talmudical College with buildings designed by Seidler. Fraser opened the primary school building (Malka Brender Building) at Yeshiva College Bondi in</p>		<p>5 The association with Abraham Rabinovich is direct as he is the founder.</p>
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<p>1980 while elected Prime Minister. Dr Evatt, paternal uncle of architect Penelope Seidler nee Evatt (married to Harry Seidler), acted as Foreign Minister in the Chifley and Curtin governments circa 1940s and contributed to the establishment of the United Nations and drafting of the Universal Declaration of Human Rights. In 1947, Dr Evatt chaired a special committee on Palestine which engendered the partition of Palestine. In 1949 as President of the UN General Assembly Dr Evatt oversaw the historic vote which admitted Israel as the 59th member of the United Nations. While these notable figures demonstrate the importance of the place as a Jewish institution their associations are merely incidental as they were not directly involved with the construction or design of the place.</p> <p>Level of Significance: State</p>		
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Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or in local area)

HAA Assessment	Peer Review	Remarks by HAA
<p>1. The building located at 34 Flood St, Bondi is an important work of the eminent Australian architect Harry Seidler who the historian Jennifer Taylor regards as “one of</p>	<p>Extent</p> <p>1. The statement against this criterion again highlights only the limited importance of this building within Seidler’s career, and there is no attempt to</p>	<p>1 Philip Drew and Kenneth Frampton’s publication <i>Harry Seidler Four Decades of Architecture</i> includes a chronology of the built work of Seidler from 1948 to 1992. Their chronology details that</p>

<p>the major talents of Australian architectural History”.</p>	<p>contextualize it within his career or the Modernist architectural movement. Rather it relies on the restatement of comments by third parties without analysis.</p>	<p>Seidler built only single houses until 1954 (design dates are used), when his first non-domestic building, Horowitz Offices was built in Ultimo. More houses followed until 1957 when the Canberra Bowling Club was built, followed by the Talmudical School in 1959. These are his two first civic buildings. In this same year, he built his first high-rise residential block, Blues Point Tower, the precursor of many others, particularly in the 1980s. He built his next Civic work, the Australia Square Development in 1962 (design date) followed by the memorial to the martyrs at Rookwood in 1969, and the MLC building in 1971. In this context, the Talmudical school stands out as his first civic building in NSW. It is also one of a small set of his works containing civic space in NSW (Australia Tower, MLC Building, Grosvenor Place, North Sydney Council Offices, Ian Thorpe Pool). His major civic works outside NSW include the Australian Embassy in Paris, Tuggeranong, ACT, Hong Kong Club and Offices, Riverside in Brisbane.</p> <p>Comments by third parties have been used as they are critical to the independent assessment of Seidler, who published so much himself. We have correctly relied upon the two most recent publications about him by the eminent architectural historians Philip Goad and Jennifer Taylor for context of</p>
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<p>2. It is significant to Seidler’s architectural output, firstly as probably his first civic building, incorporating a civic external plaza space. Seidler went on to create plaza spaces of great importance in cities of the eastern coast, preeminent among them is the Australia Square development (c.1962-1967). Also, the synagogue is important in Seidler’s work for its technical and creative emphasis using thin shell concrete vaulting.</p> <p>3. It is among the largest and most ambitious thin shell structure built in NSW in the immediate post war period in collaboration with structural engineer Alan Milston (Miller, Milston, and Ferris).</p> <p>4. The distinctive roof form is significant as architectural sculptural form, along with the free-standing drum stair in the courtyard space, both of which are identified as indicative of the mastery of Harry Seidler by the eminent historian of Australian Modernism Philip Goad. Particularly,</p>	<p>2. There is no demonstration of the link between the barrel vault roof structure and ‘Bauhaus principles’ and, as Extent has demonstrated, neither barrel vaulting nor thin shell concrete were new or innovative architectural techniques by the time of this building.</p>	<p>his work in international modernism. To have invented a new analysis would have been bold indeed.</p> <p>2 The barrel vault and beam serve to engineer a clear span across the entire main space. The creation of clear space free of internal function by use of manufactured approach to design, in this case a factory form of roof, is a hallmark of Bauhaus design. (c.v. Kenneth Frampton, <i>The Bauhaus: the evolution of an idea 1919-32</i> Chapter in his <i>Modern Architecture a critical history</i> Thames and Hudson 1980)</p> <p>3 The list provided by Extent agrees there is no better example in NSW. Two earlier examples have recently been found by Professor James Wierick, who could be approached to describe them. They are no longer in existence.</p> <p>4 Our analysis of the architectural merit of the building has not been challenged.</p>
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<p>the geometric free plan and configuration of the roof form is important in demonstrating Seidler's application of Bauhaus principles and Oscar Neimeyer's influence. Notwithstanding, later alteration to finishes, and noting a fine complimentary addition, the place retains the original form and characteristics of its pure spatial and structural conception.</p> <p>5. The place also demonstrates in an early non-domestic work, the Bauhaus architectural principles for which Seidler is particularly identified, being the pupil, assistant and collaborator of Marcel Breuer. In this case the principals are clear to see in the abstract planning, and devising of pure space sculpted by structural form. Finally, it is also a leading surviving example of a post war modernist synagogue within NSW. It is one of the finest religious architectural works of its period.</p> <p>Level of Significance: State</p>	<p>5. There is no demonstration of how this building is a 'leading surviving example' of synagogue architecture, as there is insufficient analysis to establish either the principles of synagogue architecture, or its place relative to other examples of synagogue architecture. In Extent's view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>5 Of the seven synagogues designed by European modernists, of which only two others survive, the Seidler Talmudical School is, in our opinion, the most pure in terms of its expression of European Modernism.</p>
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Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or local area) for social, cultural or spiritual reasons

HAA Assessment	Peer Review	Remarks by HAA
<p>The building located at 34 Flood St, Bondi has been the focus of Jewish communal worship and education in Bondi since its construction in 1959. The place has strong and special associations with the Jewish faith community in Bondi for its ongoing use as a civic and religious building. The worship, educational and civic functions of the building demonstrate the continued use of the place for community in association with the Jewish community in Bondi. The place has social significance for its ongoing associations and continued use for Jewish educational purposes with the migrant Jewish in Bondi and Waverley.</p> <p>Level of Significance: Local</p>	<p>Extent This is a generic statement which could apply to any religious building of any faith in Australia. It is no way demonstrated to be special or different from the associations any congregation may feel towards their place of worship, and the use of a building as a sacred space is not sufficient in and of itself to meet the threshold for heritage significance. In Extent's view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>The statement is true of many churches and for this reason, many religious properties are listed in heritage inventories.</p> <p>The fact that it is generally the case has not prevented them being listed.</p>

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

HAA Assessment	Peer Review	Remarks by HAA
<p>It is possible that the vaulted roof system of the 1959 designed synagogue and former Sydney Talmudical College premises building was the largest in NSW from the same period. It has the</p>	<p>Extent This is purely speculative and is not backed up with evidence. As Extent has demonstrated, this roof form was developed in the 1920s, was commonplace from the 1930s and began to fall out</p>	<p>Extent have articulated the extent of this technology in Europe, however, this assessment is to establish the technical significance in NSW.</p>

<p>potential to yield information regarding its construction and the performance of thin shell concrete over time. The roof form of the synagogue and former Sydney Talmudical College premises building located at 34 Flood St, Bondi meets the threshold for state significance.</p> <p>Level of Significance: State</p>	<p>of favour by the 1960s. If anything, this roof is a late example of a well-established construction technique. In Extent's view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>Both HAA and Extent have found no better example of the technology in NSW.</p> <p>That it was a technological achievement is not in doubt.</p>
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Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

HAA Assessment	Peer Review	Remarks by HAA
<p>The synagogue and former Sydney Talmudical College premises building at 34 Flood St, Bondi is uncommon for the period due to its large thin shell concrete vaulted roof form. The place has rarity value as the only religious building by Seidler and as a surviving intact example of a post war modernist synagogue, which were once common across NSW particularly Eastern Sydney however are now smaller in number.</p> <p>Level of significance: State</p>	<p>Extent Again, these matters have been commented upon at length – the building is a minor work by Seidler, uses well-established construction techniques and the supposed rarity of post war modern synagogues has not been demonstrated. In Extent's view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>In accordance with the procedural purpose of this criteria to establish rarity, we have identified correctly which of the assessed values are rare.</p>

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or environments (or a class of the local area's cultural or natural places or environments)

HAA Assessment	Peer Review	Remarks by HAA
<p>The synagogue and former Sydney Talmudical College premises building located at 34 Flood St demonstrates the principal characteristics of its class as a post war modernist synagogue designed by a migrant architect. It is part of a small but important group of distinctive modernist style synagogues designed by migrant architects who established practice in NSW. The place is a relatively intact and surviving example of a post war modernist synagogue which is rare for its class.</p> <p>Level of Significance: State</p>	<p>Extent As extent's analysis demonstrates, the building lacks integrity and has been fundamentally altered from its original design intent. Better examples of the work of Seidler, Modernist architecture generally, and synagogue architecture specifically exist elsewhere. In Extent's view, this assessment does not adequately demonstrate significance against this criterion, at either a state or local level.</p>	<p>The schedule of fabric in our assessment has included each component of the important structure.</p> <p>Our conclusions are: Internal and external finishes and glazing systems have been replaced with similar industrially derived systems. This is not unusual for modernist buildings, and does not affect the spatial and structural characteristics of the building.</p> <p>The liturgical furniture and layout has been reconfigured. This is not uncommon in religious buildings and, as it is not assessed that Seidler's design was liturgically notable, there is no loss of significance associated with the change. The Adler Building next door has been added with a gap between the Seidler vault and the upper storeys. It allows the form of the Talmudical Building to be understood well.</p> <p>The Crash Wall is a major intrusion but, should it be replaced with a more sensitive design, the integrity of the presentation of the civic building to the street is able to be restored.</p> <p>Inconclusion, the significance assesses is not impinged by the changes.</p>

Most of the remarks of Weir Philip echo those of Extent and are addressed in the above. In respect of the presence of spalling concrete, we ask the commission to have an engineer assess the overall condition should it feel that the evidence of spalling on the exposed edges only is indicative of a serious defect. We saw no evidence of spalling on the important beams.

Hector Abrahams