

## Heritage Council Regulatory Committee

### ‘Victory’ House

742 Geelong Road, Canadian, City of Ballarat

**Regulatory Committee meeting** – 24 February 2023

**Members** – Mr Adrian Finanzio SC (Chair), Dr Ursula de Jong, Professor Philip Goad

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#### DETERMINATION OF THE HERITAGE COUNCIL

**Not to include the place in the Victorian Heritage Register** – After considering the Executive Director’s recommendation and response to request for further information, the Heritage Council has determined, pursuant to section 49(1)(b) of the *Heritage Act 2017*, that ‘Victory’ House located at 742 Geelong Road, Canadian, City of Ballarat is not of State-level cultural heritage significance and is not to be included in the Heritage Register.

**Mr Adrian Finanzio SC (Chair)**  
**Professor Philip Goad**  
**Dr Ursula de Jong**

**Decision Date** – 27 February 2023

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## ACKNOWLEDGEMENT

As a peak heritage body, we acknowledge the Traditional Owners of the Country that we call Victoria, as the original custodians of Victoria's land and waters, and acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of Aboriginal culture and traditional practices.

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## INTERESTED PARTIES

### **EXECUTIVE DIRECTOR, HERITAGE VICTORIA ('THE EXECUTIVE DIRECTOR')**

The Executive Director recommended that 'Victory' House, located at 742 Geelong Road, Canadian, City of Ballarat (**'the Place'**), not be included in the Victorian Heritage Register (**'the Register'**). Further information was also received by the Executive Director.

## PRELIMINARY, PROCEDURAL AND OTHER MATTERS

### CONFLICTS OF INTEREST

1. Upon appointment, Committee members were asked to consider whether written declarations or otherwise were required to be made in relation to any matters that may potentially give rise to an actual or apprehended conflict of interest. All members were satisfied that there were no relevant conflicts of interest and made no such declarations.

## INTRODUCTION/BACKGROUND

### INTERIM PROTECTION ORDER REQUEST AND DETERMINATION

2. On 12 August 2022, a request that an Interim Protection Order ('IPO') be made in relation to the Place was lodged with the Heritage Council. After considering the request that an IPO be made, on 26 August 2022 the Heritage Council determined, pursuant to section 143 of the *Heritage Act 2017* ('the Act'), to make and serve an IPO in relation to the Place.

### EXECUTIVE DIRECTOR'S RECOMMENDATION

3. Within 60 days of the IPO being served, Heritage Victoria was required to make a recommendation as to whether or not the Place, or part of the Place, should be included in the Register.
4. Having assessed the Place in accordance with section 149 of the Act, on 25 October 2022, the Executive Director recommended to the Heritage Council, pursuant to section 37(1)(a) of the Act, that the Place should not be included in the Victorian Heritage Register ('the Recommendation').

### THE PLACE

5. The Recommendation assessed the area of land defined by the IPO, which covered 'Victory' house, being all of the property at 742 Geelong Road, Canadian, including the residence and outbuildings (exteriors and interiors), landscape, garden, trees and other features as well as archaeological potential.
6. The Place is described on page 5 of the Recommendation:  
*"'Victory' house is a single-storey double-fronted weatherboard house built in the Edwardian era. It demonstrates features of Victorian, Edwardian and interwar architectural styles. The front façade is of block-fronted timber, there is a corrugated iron gable roof and the house faces southeast towards Main Road. There are eight rooms. A modest later addition at the rear with skillion roof forms the kitchen. An adjacent small later addition covers the northwest verandah and steps leading from that back door."*

### PROCESS FOLLOWING THE EXECUTIVE DIRECTOR'S RECOMMENDATION

7. The significance of the Place was assessed by the Executive Director against the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (updated by the Heritage Council on 3 December 2020) ('**Criteria for Assessment**'). Please refer to **Attachment 1**, and the substance of that assessment is set out in the Recommendation.

8. Public notice of the Executive Director's Recommendation was given in accordance with section 41 of the Act. The notice provided a period of 60 days within which submissions could be made in relation to the Recommendation.
9. No submissions were received pursuant to section 44 of the Act.
10. At a meeting of the Heritage Council on 2 February 2023, determined, pursuant to section 15(3) of the Act, to delegate to a Heritage Council Regulatory Committee ('**the Committee**') the consideration and determination.
11. This Committee is therefore required to consider the Recommendation and make a determination as to whether the Place should or should not be included in the Register pursuant to section 49(1)(a) or (b) of the Act.
12. Section 47(1) of the Act empowers the Committee (as a delegate of the Heritage Council) to request the Executive Director to provide any information in relation to a recommendation made under section 37 of the Act in order to inform its decision.
13. In accordance with section 47(1) of the Act, on 15 February 2023, the Committee requested that the Executive Director provide responses to a number of matters relating to the Recommendation ('**Request**'). A copy of the Request is provided at **Attachment 2**.
14. A response from the Executive Director was received on 22 February 2023 ('**Response**'). A copy of the Executive Director's response is provided at **Attachment 3**.

## DISCUSSION AND DETERMINATION

15. The Executive Director recommended that the Heritage Council the Place not be included in the Register in accordance with section 49 of the Act by determining:
  - *“that ‘Victory’ house is not of State-level cultural heritage significance and should not be included in the VHR in accordance with s.49(1)(b) of the Act.*
  - *the information presented in this recommendation suggests that ‘Victory’ house may be of potential local significance.”<sup>1</sup>*
16. Having considered the Recommendation and the Response provided by the Executive Director the Committee is of the view that the Place is not to be included in the Register for the reasons stated in the Recommendation and the Response.

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<sup>1</sup> Page 2 of the Executive Director's Recommendation.

## **ATTACHMENT 1**

### **HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE**

CRITERION A	Importance to the course, or pattern, of Victoria's cultural history.
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places or environments.
CRITERION E	Importance in exhibiting particular aesthetic characteristics.
CRITERION F	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
CRITERION G	Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

**These were updated by the Heritage Council at its meeting on 3 December 2020, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.**

## ATTACHMENT 2

### HERITAGE COUNCIL REQUEST FOR FURTHER INFORMATION

Event Number: **RHC20156**

**15 February 2023**

To: Steven Avery, Executive Director, Heritage Victoria  
Via email from: [heritage.council@delwp.vic.gov.au](mailto:heritage.council@delwp.vic.gov.au)

Dear Mr Avery,

**RE: EXECUTIVE DIRECTOR RECOMMENDATION TO NOT INCLUDE 'VICTORY' HOUSE, 742 GEELONG ROAD CANADIAN, CITY OF BALLARAT**

On 26 August 2022 an interim protection order was made in relation to 'Victory' House, 742 Geelong Road, Canadian ('**the Place**') [Hermes No.209202] in the Victorian Heritage Register ('**VHR**') pursuant to section 143 of the *Heritage Act 2017* (Vic) ('**the Act**').

On 25 October 2022 the Executive Director furnished its recommendation under Part 3 of the Act ('**the Recommendation**') in accordance with sections 149 and 37 of the Act, recommending that the Place **not** be included in the VHR.

On 11 November 2022 the Recommendation was published in accordance with section 41 of the Act.

Following publication of the Recommendation no submissions were received.

It is now for the Heritage Council to consider the Recommendation and make a determination as to whether the Place should or should not be included in the VHR pursuant to section 49(1)(a) or (b) of the Act. For that purpose, the Heritage Council has appointed a Regulatory Committee comprising Adrian Finanzio SC (Chair), Philip Goad and Ursula de Jong (together 'the Committee') to consider the recommendation and make the ultimate determination.

Section 47(1) of the Act empowers the Committee (as a delegate of the Council) to request the Executive Director to provide any information in relation to a recommendation made under section 37 of the Act.

In accordance with section 47(1) of the Act, the Committee requests that the Executive Director provide the following information:

1. Details of the Executive Director's consideration of the following matters (if any), and whether or not those matters were regarded as important in the formulation of the Recommendation, particularly in the Executive Director's assessment as to whether the tests for Criterion A might be met:
  - a. The length of continuing Chinese occupation of the residence over many generations during a period of anti-Chinese sentiment associated with White Australia policies, and
  - b. The social significance of the Place to migrant communities.
2. If the matters set out in (1) above were not considered in detail, what additional steps would be required to explore the relevance/importance of these themes in assessing the cultural heritage significance of the Place.

3. In response to step 2 for Criterion A, the Recommendation states that:

*“‘Victory’ house does not allow an association with making homes for Victorians in the early 1900s to be better understood than most other places or objects with the same association. The house is of interest as a manager’s residence at a gold mine in Ballarat which accommodated six generations of one [Chinese] family.”*

Was the history of migrants in Victoria in the 20<sup>th</sup> century considered in your assessment, particularly the history of Chinese migrants in the 20<sup>th</sup> century? If not, please explain why, and what additional steps would be required to explore the relevance of this topic.

4. Was consideration given to whether the significance of the Place was affected in any way by the fact that the Place was sold in 2007, interrupting the long-continued ownership of one family in 2007?
5. What methods did the Executive Director deploy to explore themes set out on page 23 of the Recommendation (which include; migrating and making a home (2.5), gold mining (4.5), making homes for Victorians (6.7), and building community life/preserving traditions and commemorating (8.5)), to reveal whether or not they contributed to the Place’s cultural heritage significance?
6. It is apparent the recommendation considers and assesses each of the themes referred to in (5) independently against each of the criteria for assessment, where in each case, the Recommendation concludes that none are elevated to the level of State significance. Did the Executive Director consider whether or not the sum of the evidence taken cumulatively might elevate the significance of the Place?

**Date for response**

Could you please provide us with an estimate of time required to respond to the above questions via email to [heritage.council@delwp.vic.gov.au](mailto:heritage.council@delwp.vic.gov.au).

Yours sincerely

**Hearings Manager, Heritage Council Secretariat**

# ATTACHMENT 3

## THE EXECUTIVE DIRECTOR'S RESPONSE TO REQUEST FOR FURTHER INFORMATION



### Department of Transport and Planning

Wednesday 22 February 2023

Hearings Manager,  
Heritage Council Secretariat  
By email: [heritage.council@delwp.vic.gov.au](mailto:heritage.council@delwp.vic.gov.au),

Dear Ms

#### **RE: EXECUTIVE DIRECTOR RECOMMENDATION TO NOT INCLUDE 'VICTORY' HOUSE, 742 GEELONG ROAD CANADIAN, CITY OF BALLARAT**

On 26 August 2022 an interim protection order was made in relation to 'Victory' House, 742 Geelong Road, Canadian ('**the Place**') [Hermes No.209202] in the Victorian Heritage Register ('**VHR**') pursuant to section 143 of the *Heritage Act 2017* (Vic) ('**the Act**'). On 25 October 2022 the Executive Director furnished its recommendation under Part 3 of the Act ('**the Recommendation**') in accordance with sections 149 and 37 of the Act, recommending that the Place **not** be included in the VHR. On 11 November 2022 the Recommendation was published in accordance with section 41 of the Act. Following publication of the Recommendation no submissions were received.

It is now for the Heritage Council to consider the Recommendation and make a determination as to whether the Place should or should not be included in the VHR pursuant to section 49(1)(a) or (b) of the Act. For that purpose, the Heritage Council has appointed a Regulatory Committee ('the Committee') to consider the recommendation and make the ultimate determination.

On 15 February 2023 the Committee requested that the Executive Director provide information in relation to the following questions. In accordance with section 47(1) of the Act. The Executive Director provides that information under section 47(2) of the Act at **Attachment 1**.

I note that on 16 August 2022, the Hardy and Chung (Victory) House and Mining Landscape (H7622-0464) was included in the Victorian Heritage Inventory. I also note that on Wednesday 7 February 2023, the Ballarat City Council resolved to prepare a planning scheme amendment to apply a permanent Heritage Overlay to 'Victory' House.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steven Avery'.

**Steven Avery**  
Executive Director  
Heritage Victoria



## Attachment 1

Information provided to the Heritage Council in accordance with section 47(2) of the Act.

	<p><b>Question 1a:</b></p> <p>Provide details of the Executive Director's consideration of the following matters (if any), and whether or not those matters were regarded as important in the formulation of the Recommendation, particularly in the Executive Director's assessment as to whether the tests for Criterion A might be met:</p> <ul style="list-style-type: none"><li>• The length of continuing Chinese occupation of the residence over many generations during a period of anti-Chinese sentiment associated with White Australia policies.</li></ul>
1a	<p><b>Answer 1a:</b></p> <p><b>Was this matter considered?</b></p> <p>Yes.</p> <p><b>Was this matter regarded as important in the formulation of the Recommendation, particularly in the Executive Director's assessment as to whether the tests for Criterion A might be met?</b></p> <p>Yes.</p> <p><b>Additional information</b></p> <p>The reasons behind the continued occupation of residences by families over many generations are complex. They can relate to factors including class, wealth, race, gender, work opportunities, health, age, family ties, a desire or need to settle in one place, as well as particular life circumstances.</p> <p>The Wong Chung family's approximately 105-year occupation of 'Victory' House occurred during the era of the White Australia policies (from 1901). Anti-Chinese sentiment was prevalent at this time, but it had been widespread from the 1850s, and shaped the Wong Chung family's employment and housing decisions well before the construction of 'Victory' House in 1906. During the nineteenth century, some Chinese migrants travelled back and forth to China for family and financial reasons, while others remained more settled in the colony (sometimes permanently) and created their own families and communities. The Wong Chung family's trajectory appears to have more closely follow the latter path. From 1906 onwards, the family settled in Ballarat in an inter-generational bilingual household which lived in the one house.</p> <p>The reasons why the family made their home in the Ballarat area from 1902-03 to 2007 are multifaceted, and partly relate to the marriages of James Wong Chung and his father Ah Wong Chung (b.1840). These two generations of men married non-Chinese English-speaking women from the region.</p>

Ah Wong Chung migrated from China and married Mary Anne Baker, an Irish immigrant. In 1896, their son James Wong Chung married Mary Anne Holderhead, and the couple moved to Ballarat after the birth of the first six of their twelve children. Ah Wong Chung and Mary Baker joined them from nearby Linton. James Wong Chung soon developed social and cultural ties to both the local Chinese and non-Chinese communities. James' father was born in China and his mother in Ireland. James was an English speaker raised and schooled in Linton, with a limited direct experience of China (there is no evidence he travelled there) and his own children attended local schools and mixed with local children. The Wong Chungs appear to have established a Ballarat-based life and it is not thought that they had active relationships with people in China.

Notably, this protected the family from one of the most significant impacts of the White Australia policies: the *Immigration Restriction Act 1901*. This Act effectively allowed government authorities to deny non-white people entry to Australia. This was devastating for Chinese people whose lives depended on travelling back and forth to China and wanted to bring family members to Victoria. But it did not have too great a practical effect on settled families in Victoria with few ties to China, such as Wong Chung family. By 1906, China-born Ah Wong Chung was 66 years old, and his wife Mary Anne was 61, and both were cared for by James at 'Victory' House. The family consisting of Ah Wong, Mary Ann and second and third generation descendants appear to have had little need to travel to and from China and had made Ballarat their home.

Although settled at 'Victory' House, the Wong Chung family was subject daily to the anti-Chinese sentiment of the era and experienced racism across the twentieth century.<sup>1</sup> That said, the family's desire to put down roots in Ballarat may relate to a feeling of relatively safety in that area. By 1906 there was a well-established post-gold rush Chinese community moving from mining into activities like market gardening, which was also evident in Bendigo. It is not uncommon for racial minorities to seek and remain in a safe enclave and to cultivate and enrich that community.

It is noteworthy that during the nineteenth-century, and after 1901, Chinese people were not banned from buying land and property. Some Chinese people rented houses either because they could not afford to buy, or renting allowed greater flexibility in a life conducted between China and Victoria (pre-1901). Wealthier Chinese people could afford to buy residences and buildings for their businesses. A person or family's capacity to purchase property related to social class and financial means: this was true across all cultural groups, migrant or otherwise. In Chinese communities, home ownership was more likely among merchants and entrepreneurs than labourers or market gardeners.

Another group that could afford property were those who generated funds through gambling or other risk-based activities with substantial returns. The Wong Chung family's purchase of 'Victory' House is thought to have been funded by a successful bet on the horse 'The Victory' in the Melbourne Cup of 1902. Good luck and skilful betting allowed them to become home builders and home owners, which guaranteed them more financial security than most of their peers. Although gambling expresses itself in culturally specific ways, the Wong Chung's win on the horses is arguably related more to good fortune, than their cultural or immigrant background. The windfall created a financial opportunity and housing choice: notably, the family chose to stay in Ballarat and James continued to work at the Woah Hawp Canton Mine, rather than move elsewhere in Victoria or return to China. The win provided the security of a house that was maintained over generations.

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<sup>1</sup> Personal communication from Bindi Trembath, James Wong Chung descendant, 15 September 2022.

	<p><b>Question 1b:</b></p> <p>Details of the Executive Director’s consideration of the following matters (if any), and whether or not those matters were regarded as important in the formulation of the Recommendation, particularly in the Executive Director’s assessment as to whether the tests for Criterion A might be met:</p> <ul style="list-style-type: none"> <li>• The social significance of the Place to migrant communities.</li> </ul>
1b	<p><b>Answer 1b:</b></p> <p><b>Was this matter considered?</b></p> <p>Yes, in relation to Criterion G (Social Significance), not Criterion A (Historical Significance).</p> <p><b>Was this matter regarded as important in the formulation of the Recommendation, particularly in the Executive Director’s assessment as to whether the tests for Criterion A might be met?</b></p> <p>Yes, this matter was regarded as important in the formulation of the Recommendation. That said, this matter was not considered in relation to Criterion A (Historical Significance). It was considered in relation to the tests for Criterion G (Social Significance). See the Executive Director’s Recommendation Report pp. 13, 32-37 &amp; 43.</p> <p><b>Additional information</b></p> <p>In relation to Criterion G (Social Significance) the Executive Director notes that:</p> <ul style="list-style-type: none"> <li>• No submissions were received by the Heritage Council in response to the ‘not include’ recommendation. It would be expected that if the Chinese community had a strong and special connection with a place that resonated across Victoria, objecting submissions would have been lodged.</li> <li>• Social significance develops over time (has a ‘time depth’). It is possible that ‘Victory’ House will gain in State-level social significance in the coming decade(s) if, as it is understood, plans to establish a Chinese cultural museum at the place are successfully realised.</li> </ul>

2	<p><b>Question 2:</b></p> <p>If the matters set out in (1) above were not considered in detail, what additional steps would be required to explore the relevance/importance of these themes in assessing the cultural heritage significance of the Place.</p>
	<p><b>Answer 2:</b></p> <p>NA</p>
3	<p><b>Question 3:</b></p> <p>In response to step 2 for Criterion A, the Recommendation states that:</p> <p><i>“‘Victory’ house does not allow an association with making homes for Victorians in the early 1900s to be better understood than most other places or objects with the same association. The house is of interest as a manager’s residence at a gold mine in Ballarat which accommodated six generations of one [Chinese] family.”</i></p> <p>Was the history of migrants in Victoria in the 20th century considered in your assessment, particularly the history of Chinese migrants in the 20th century? If not, please explain why, and what additional steps would be required to explore the relevance of this topic.</p>
3	<p><b>Answer 3:</b></p> <p>The question quotes from Step 2: State Level significance test for Criterion A (Historical Significance) as follows:</p> <p>6.7 Making homes for Victorians</p> <p><i>‘Victory’ house does not allow an association with making homes for Victorians in the early 1900s to be better understood than most other places or objects with the same association. The house is of interest as a manager’s residence at a gold mine in Ballarat which accommodated six generations of one family.</i></p> <p>This historical theme was considered alongside 2.5 Migrating and making a home; 4.5 Gold mining; 8.5 Building Community Life/Preserving traditions and commemorating.</p> <ul style="list-style-type: none"> <li>• When addressing 6.7, ‘Victory’ House was considered in relation to all Victorians (Aboriginal people, migrants and non-migrants).</li> </ul>

	<ul style="list-style-type: none"> <li>• When addressing 2.5 'Victory' House was considered in relation to migrants and their particular experiences of making a home.</li> <li>• Both themes were addressed separately to allow for their full exploration.</li> </ul> <p>The Executive Director's response to 2.5 Migrating and making a home explicitly considered 'the history of Chinese migrants in the 20th century' as follows:</p> <p><i>'Victory' house does not allow an association with the migration of Chinese people and the process of making a home in Victoria to be better understood than most other places or objects with the same association. It is one of an unknown number of residences built for and/or lived in by Chinese people across Victoria in the early twentieth century. There is no key historical event of Victoria that occurred at this place related to Chinese (or other) people. There are no design features or ornamentation at 'Victory' house which are recognisably 'Chinese'.</i></p>
4	<p><b>Question 4:</b></p> <p>Was consideration given to whether the significance of the Place was affected in any way by the fact that the Place was sold in 2007, interrupting the long-continued ownership of one family in 2007?</p> <p><b>Answer 4:</b></p> <p>This was considered. It was regarded as an important matter to consider. During consultations with a descendant of the Wong Chung family, a Heritage Victoria staff member directly posed the question 'Why was the place sold by the family if it was a place of such high significance within the Ballarat Chinese community?' The descendant cited personal and financial reasons within the family.</p>
5	<p><b>Question 5:</b></p> <p>What methods did the Executive Director deploy to explore themes set out on page 23 of the Recommendation (which include; migrating and making a home (2.5), gold mining (4.5), making homes for Victorians (6.7), and building community life/preserving traditions and commemorating (8.5)), to reveal whether or not they contributed to the Place's cultural heritage significance?</p> <p><b>Answer 5:</b></p> <p>The methods deployed to explore the historical themes 2.5, 4.5, 6.7 and 8.5 to reveal whether or not they contribute to the place's cultural heritage significance included:</p> <p><i>Comparative analysis:</i></p>

Comparing 'Victory' House with similar places in the VHR and HOs to establish how the theme contributes to the comparator's cultural heritage significance and may contribute to the subject place. Comparators also allows an understanding of whether the place is rare, and assist in the formation of a view about State-level significance in relation to similar places.

*Historical research:*

Undertaking basic factual primary research from contemporary sources to reveal which historical themes are demonstrated (or have been said to demonstrate). This included, for example, the review of land and title records, newspaper articles and notices, rate books, miners license information and mine records. Reviewing secondary sources to reveal how the subject place fits into broader historical patterns, and how the history has been conceptualised by historians.

*Accessing Chinese language records:*

A Hong-Kong born Cantonese-speaking intern from the University of Melbourne Master of Urban Cultural Heritage, Janice Yeung, assisted in the assessment process. This intern had experience in the heritage field in Hong Kong and brought language and cultural skills to the assessment.

*Consultation:*

Heritage Victoria staff members had discussions with the following experts:

- Robyn Ballinger, 13 September 2022 (Historian commissioned to write an analysis of Victory House for the City of Greater Ballarat)
- Sophie Couchman, 5 October 2022 (Historian, expert in Chinese/Australian history)
- Anna Kyi, 15 September 2022 (Historian, expert in Chinese/Australian history, employed at Sovereign Hill)
- Annabel Neylon, 14 September 2022 (Heritage Consultant)
- Bindi Trembath, 15 September 2022 (James Wong Chung descendant)
- Charles Zhang, 15 September 2022 (Migrant to Australia in the 1980s and Chinese community leader in Ballarat)
- Laura Campbell, September – October 2022 (Archaeologist, Heritage Victoria with expertise in the archaeology of the Ballarat goldfields).

Sophie Couchman (expert in Chinese/Australian history) was contacted again on 17 February 2023 to provide information about the housing and home ownership patterns of Chinese migrants in the preparation of the response to **Question 1**.

Jeremy Smith (Senior Archaeologist, Heritage Victoria and expert in the history of the Melbourne Cup) was contacted on 17 February 2023 to provide information about the win of 'The Victory' in the 1902 Melbourne Cup to inform the response to **Question 1**.

**Question 6:**

It is apparent the recommendation considers and assesses each of the themes referred to in (5) independently against each of the criteria for assessment, where in each case, the Recommendation concludes that none are elevated to the level of State significance. Did the Executive Director consider whether the sum of the evidence taken cumulatively might elevate the significance of the Place?

**Answer 6:**

‘Victory’ House demonstrates various ‘histories’ and ‘historical themes’. Question 6 asks does the accumulation of all these ‘histories’ together elevate the place to State-level significance?’

Every heritage place reflects multiple histories which are inseparable from each other and intersect closely (eg: Chinese migration and Gold Mining). In an assessment, historical themes are separated to ‘test’ them against places/objects for comparison. The State-level test for Criterion A is inherently comparative. For example, when assessing gold mines to discern which best represents the theme of Gold Mining across the thousands of extant and archaeological gold mines in the State, it is necessary to have a common comparative theme(s).

Historical themes are also separated so that the State-level test is not evaluating a narrow theme made up of multiple accumulated themes. This is the equivalent of ‘too many qualifiers’. In practice, the approach suggested in Question 6 would test this accumulated theme: **Is ‘Victory’ House the best place in Victoria to demonstrate how Chinese migrants (Theme 2.5) were involved in Gold Mining (Theme 4.5) made a home for themselves as migrants and Victorians (Themes 2.5 & 6.7) built a community and preserved cultural traditions (Theme 8.5)?** The answer is an inevitable ‘yes’ because only a few other places (if any) could possibly demonstrate all these accumulated historical themes the same time.

Assessors are careful to avoid engineering a narrow theme or class, as it potentially distorts where the State-level threshold lies. It is easy to construct an accumulated historical theme that is so specific that the place can be better understood than ‘most other places or objects in Victoria with substantially the same association’ (the State-level test) because the association is so narrowly conceived.

‘Accumulated historical themes’ also set up the difficulty of comparing places in the future. The Criterion A State-level test is: ‘Does the place/object allow the clear association with the event, phase, period, process, function, movement, custom or way of life of historical importance to be understood better than most other places or objects in Victoria with substantially the same association.’ If the theme is too specific, it can never be used again and its comparative value is lost. This is why comparisons within similar single historical themes, such as those in Victoria’s Framework of Historical Themes, are necessary and useful.

6