



Heritage Council Registrations and Reviews Committee

Rutherglen Common School

44 Murray Street Rutherglen, Indigo Shire, Victoria

Hearing – 28 February 2020

Members – Ms Lucinda Peterson (Chair), Ms Anna Foley, Ms Megan Goulding

DETERMINATION OF THE HERITAGE COUNCIL

Not to include the place in the Victorian Heritage Register – After considering the Executive Director’s recommendation, all submissions received, and conducting a hearing into the matter, the Heritage Council has determined, pursuant to section 49(1)(b) of the *Heritage Act 2017*, that the Rutherglen Common School located at 44 Murray Street, Rutherglen, is not of State-level cultural heritage significance and is not to be included in the Heritage Register.

Lucinda Peterson (Chair)

Anna Foley

Megan Goulding

Decision Date – 28 May 2020

ACKNOWLEDGEMENT

As a peak heritage body, the Heritage Council is proud to acknowledge the Traditional Owners, the Yorta Yorta People, as the original custodians of the land and waters on which we meet, and to 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 culture and traditional practices.

HEARING PARTICIPANTS

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

Submissions were received from the Executive Director, Heritage Victoria ('the Executive Director'). Ms Clare Chandler, Heritage Officer (Assessments), appeared on behalf of the Executive Director. Mr Geoffrey Austin, Manager – Heritage Register, was also present and available to take questions.

MR DAVID VALENTINE

Submissions objecting to the Executive Director's recommendation were received from Mr David Valentine, who appeared and made verbal submissions at the hearing.

INTRODUCTION/BACKGROUND

THE PLACE

01. On 16 September 2019, the Executive Director made a recommendation ('the Recommendation') to the Heritage Council pursuant to section 37(1)(b) of the *Heritage Act 2017* ('the Act') that the Rutherglen Common School, located at 44 Murray Street, Rutherglen ('the Place') should not be included in the Victorian Heritage Register ('the Register').

02. The Place is described on page 3 of the Recommendation as follows:

'The Rutherglen Common School sits on a flat site on Murray Street in Rutherglen. It is a free-standing, single-storey red brick building consisting of three classrooms and smaller ancillary room that form an L-shaped plan. The original classroom (1873) has a small projecting porch that faces Murray Street and provides the main entry. It also has arched windows along its south-east elevation. Two additional classrooms (1874) are similar to the original classroom but have rectangular windows. Internally, the classrooms consist of single volume spaces, with coved timber-lined ceilings. The original classroom has exposed timber scissor braces.'

03. The following historical summary is taken from page 3 of the Recommendation:

'In 1866 the Board of Education appointed a local committee to oversee the establishment of Common School No. 522 at Rutherglen. In December 1868 a decision was made at a public meeting to apply for government aid for establishment of the school, on the basis that half the funds were raised locally. In April 1869, the Common School commenced in hired premises at the Shire Hall. In January 1870 land was reserved for the establishment of the Common School. In September 1870, a new school committee was appointed. Planning and fundraising began and a new Common School building was proposed to the local Board of Education Inspector. In March 1872 funds were still being raised locally for the school and building had not commenced. In April 1872 sketches were considered and tenders called for construction of the Common School. The foundation stone was laid by the leading local financial contributor on 17 September 1873. The completed school building then opened for classes for the first time on 13 January 1873. Due to the introduction of the Education Act 1872 on 1 January 1873, it opened as a State School (it is known as the Common School). This was the case for over 450 vested Common Schools which all opened as State Schools when students returned from the summer break on 13 January 1873. Local fundraising continued after the opening of the school. New classrooms were added in 1874 to meet the needs of a growing student population. In 1908 a new Primary School building opened on the site adjacent to the former Common School building.'

04. The above description and history summary have been taken from the Recommendation and are provided for information purposes only.

NOMINATIONS

- 05.** On 5 March 2019, the Executive Director accepted a nomination that the Place be included in the Register as a place of State-level cultural heritage significance.

RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- 06.** On 16 September 2019, the Executive Director recommended to the Heritage Council that the Place not be included in the Register pursuant to section 37(1)(b) of the Act.

PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- 07.** After the Recommendation, notice was published on 20 September 2019 pursuant to section 41 of the Act for a period of 60 days.
- 08.** During the advertisement period, one (1) submission was received pursuant to section 44 of the Act. The submission, received from Mr Valentine, objected to the Recommendation and requested that a hearing be held.
- 09.** In accordance with section 46(2)(a) of the Act, a hearing was required to be held.
- 010.** A committee of the Heritage Council Registrations and Reviews Committee ('the Committee') was duly constituted to consider the Recommendation and submissions received in response to it, and to make a determination. The Committee invited further written submissions and a hearing was scheduled for 28 February 2020 ('the hearing').

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

SITE INSPECTION

- 011.** On 28 February 2020, the Committee undertook a site inspection of the Place accompanied by the Heritage Council Hearings Manager. Access to the Place was facilitated by Mr Valentine, in his capacity as a member of the Rutherglen Historical Society. No submissions were sought, made or received at the time of the site inspection.

CONFLICTS OF INTEREST

- 012.** The Chair invited Committee members to make declarations, written or otherwise, in relation to any matters that may potentially give rise to an actual, potential or perceived conflict of interest. The Chair and Committee members were satisfied that there were no relevant conflicts of interests and made no such declarations.

FUTURE USE, MAINTENANCE AND DEVELOPMENT OF THE PLACE

- 013.** It is not the role of the Committee to consider future proposals or to pre-empt any decisions relating to future processes under the Act or indeed any matters relating to *Planning and Environment Act 1987* (Vic) considerations. Pursuant to section 49(1) of the Act, the role of the Committee is to determine whether or not the Place, or part of it, is of State-level cultural heritage significance and whether it is, or is not, to be included in the Register.

ISSUES

- 014.** The following section is not intended to be a complete record of submissions that were made to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position that the Committee takes on each key issue.
- 015.** Any reference to Criteria refers to the Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance (updated by the Heritage Council on 4 April 2019) (see **Attachment 1**).
- 016.** The Committee has referred to the assessment framework and assessment 'steps' in *The Victorian Heritage Register Criteria and Threshold Guidelines* (updated 4 April 2019) ['the Guidelines'] in considering the issues before it. Any reference to assessment 'tests', 'steps' or 'exclusion guidelines' refers to the Guidelines.

SUMMARY OF ISSUES

- 017.** The Executive Director recommended that the Place not be included in the Register. The Executive Director's assessment found that the Place did not satisfy any of the Criteria for State-level cultural heritage significance.
- 018.** Mr Valentine submitted that the Place should be included in the Register as a place of State-level cultural heritage significance in relation to Criteria A, B, C, D, G and H. Mr Valentine made some other submissions in relation to Criterion E & F and the Committee has therefore made some comments and set out this document accordingly.

CRITERION A – IMPORTANCE TO THE COURSE, OR PATTERN OF VICTORIA'S CULTURAL HISTORY

Summary of submissions and evidence

- 019.** In assessing the Place in relation to Criterion A, the Executive Director found that the Place has a clear association with the development of the education system in Victoria, with the Common School system (1862-1872) and with the introduction of the *Education Act 1872* ('the 1872 Act'). The Executive Director found the development of the education system in Victoria (including the period of the Common School system) to be a period of historical significance to Victoria, being the era of the foundation of modern State education. The Executive Director also submitted that the introduction of the 1872 Act was a significant event in Victoria's history. However, the Executive Director found that the Place does not allow the period, or the introduction of the 1872 Act, to be understood better than most other places with substantially the same association. The Executive Director also submitted that, as the Place was the product of the Common School system rather than of the 1872 Act, the fact that it was the first to open after the introduction of the 1872 Act does not mean the Place allows this event to be understood better than most other places also associated with the 1872 Act and its introduction, including several schools opened in the months and years following 1872.
- 020.** In objecting to the Recommendation, Mr Valentine submitted that the Place meets the State-level threshold for inclusion in the Register under Criterion A. It was the position of Mr Valentine, broadly, that because the Place opened for the first time on 13 January 1873, and it was the first school to do so immediately after the 1872 Act came into effect, the Place is the only school that can be

directly associated with this moment of implementation of government policy and legislation 'for an educated society'. Mr Valentine's submission was that the Place is therefore of State-level historical significance for its association with the development of the education system in Victoria and with the Common School system more specifically. Mr Valentine further submitted that, apart from the history of the Place as a Common School and its association with the commencement of the 1872 Act, the State-level historical significance of the Place is evidenced by the purposeful intent to make the Place a new State-owned school immediately after the Act commenced. Mr Valentine submitted that the fabric of the place also demonstrates its rapid expansion immediately following the introduction of the 1872 Act in order to fill a desperate need in the community for school places for larger numbers of students. Mr Valentine also detailed in his submissions his view as to the historical significance of the length of the community-based process to seek funding and support for the original construction of the Place.

Discussion and conclusion

- 021.** The Committee agrees that the Place has a clear association with the development of the education system in Victoria (including the period of the common school system) and also with the introduction of the 1872 Act. Both the period and the event are of historical significance to the State of Victoria and both made a strong contribution to Victoria's development and history. The Committee also recognises that the introduction of the 1872 Act and the first use of the Place closely coincided, during a period of transition from the Common School system to the State School system.
- 022.** The Committee agrees with both the Executive Director and Mr Valentine that the introduction of the 1872 Act was a pivotal point in the history of education in Victoria.
- 023.** The Committee acknowledges that the Place is representative of a time of transition from the Common School system to the State School system. The Committee notes that the introduction of the 1872 Act had a significant and immediate impact on student numbers and, as demonstrated by Mr Valentine's research, led to the physical expansion of Common Schools.
- 024.** The Committee notes that the comparative examples that the Executive Director provided in relation to the impact of the 1872 Act are mainly large schools constructed after the 1872 Act came into place and, according to their Statements of Significance, are significant either for their architectural features or demonstrating the growth of the respective township. It is the Committee's view that the Executive Director considered the impact of the transition of the 1872 Act over a longer period of time, rather than the immediate impact.
- 025.** The issue is whether drilling down to the period of 'immediate impact' is too specific a qualifier. It is the Committee's view, in any case, that the immediate timeframe was an important transition period.
- 026.** The Committee notes that the Rutherglen school clearly demonstrates an immediate impact of the transition in the education system as a result of the 1872 Act and that it is demonstrated in the fabric of the Place, with the school effectively doubling in size.
- 027.** The comparative examples of Common Schools in the Register, presented by the Executive Director, were of intact Common Schools that do not appear to have been extended and were therefore of limited value for comparative analysis. That said, the Executive Director agreed at the hearing that there are many examples

across Victoria where Common Schools were extended as a result of the 1872 Act. The Committee recognises the extensive research completed by Mr Valentine in relation to the history of the Place and in relation to the relevant period. The material provided by Mr Valentine has been of great assistance to the Committee, which recognises that the Place makes a valuable contribution to the historical identity, cultural heritage and historic streetscape fabric of Rutherglen.

- 028.** The issue for the Committee is that it was not presented with sufficient other comparative examples of Common Schools that were affected in the same way by the transition to the 1872 Act. The Committee does not feel confident determining whether or not Rutherglen is the best example as little evidence was presented on that point. In any case, the Committee agrees with the Executive Director that the fact the Place was the first of its kind to open following the introduction of the 1872 Act would not necessarily confer State-level historical significance on the Place for the purposes of Criterion A.
- 029.** The Place does allow the development of the education system in Victoria and the introduction of the 1872 Act to be understood; however the evidence was not presented to the Committee that it is better understood than numerous other schools in Victoria (whether in the Register or not) with substantially the same associations. The Committee recognises, however, the historical values of the Place and notes that its historical values and associations are currently recognised by its inclusion in an individual Heritage Overlay in the Indigo Planning Scheme.
- 030.** The Committee acknowledges that the Place expanded following the introduction of the 1872 Act to satisfy a need for school places in the community, but finds there is insufficient evidence that this expansion and change was unique to Rutherglen or is of historical significance at a State level.
- 031.** The Committee finds that Criterion A is not satisfied at the State level.

CRITERION B – POSSESSION OF UNCOMMON, RARE OR ENDANGERED ASPECTS OF VICTORIA’S CULTURAL HISTORY

Summary of submissions and evidence

- 032.** In assessing the Place under Step 1 of Criterion B, the Executive Director found the Place has an association with the development of education in Victoria which is evident in the physical fabric and in documentary sources. The Executive Director’s assessment concluded, however, that the Place cannot be considered rare or uncommon in the terms of Criterion B because it does not contain unusual physical features of note that were not widely replicated in Victoria and because it is not one of a small number of Places with the same historical association. The Executive Director concluded the Place is therefore not endangered within its class. The Executive Director also submitted generally, in reply to Mr Valentine, that the fact that the Place was the first to open following the introduction of the 1872 Act does not make it endangered within the class of Common or State schools in Victoria, or rare or uncommon in its ability to demonstrate the relevant phase or event respectively.
- 033.** It was the position of Mr Valentine that the Place represents uncommon aspects of Victoria’s cultural heritage and is rare because it was the first school to open its doors for the first time as a free, secular and compulsory school after the introduction of the 1872 Act, and that no other place can represent that event. Mr Valentine also submitted that none of the comparators in the Register, as cited by the Executive Director, conform to the then Board of Education’s ‘Plan IX Class of

Building' and related design principles. Mr Valentine also cited the fact that the Place is the only school in Victoria that can celebrate its anniversary on 13 January each year as further evidence of its rarity.

Discussion and conclusion

- 034.** The Committee recognises that the Place has a close association with the development of the education system in Victoria and that it is important for its close temporal association with the introduction of the 1872 Act, being the first to open after its commencement, and therefore it has a close temporal association with the transition from the Common School system to the State School system. The Committee also recognises that the Place clearly demonstrates the class of Common Schools, and that several original design features are evident at the Place.
- 035.** The Committee agrees with the Executive Director that the fact that the Place was the first school in Victoria to open following the commencement of the 1872 Act is an unusual coincidence, but does not necessarily mean the Place is rare, endangered or uncommon at a State level in the terms of Criterion B.
- 036.** The Committee disagrees with the submissions of Mr Valentine that the Place should be assessed within the class of 'Board of Education Plan IX buildings'. The Committee notes that it is the consistent position of the Heritage Council that the use of multiple qualifiers in this way to assess classes of place should be avoided and there is no expectation that every category of building should be included in the Register.
- 037.** In relation to State and Common Schools and the development of education in Victoria, the Committee agrees with Mr Valentine and with the Executive Director that the Place demonstrates an association through its fabric. The Committee is of the view however, that features such as the coved, timber-lined ceilings and exposed timber scissor braces are not rare, uncommon or endangered for the purposes of this Criterion. The Committee agrees with the Executive Director that Common and State School buildings are not rare, uncommon or endangered in Victoria, and finds that the Place must be assessed in relation to all extant similar places in the State, of which, on the evidence, there are scores.
- 038.** The Committee finds that Criterion B is not satisfied at the State level.

CRITERION C – POTENTIAL TO YIELD INFORMATION THAT WILL CONTRIBUTE TO AN UNDERSTANDING OF VICTORIA'S CULTURAL HISTORY

Summary of submissions and evidence

- 039.** The Executive Director's assessment of the Place in relation to Criterion C found that, because the form, function, uses and history of the Place are all very well documented and clearly evident in its fabric, the Place is not likely to yield any information that would contribute to an understanding of Victoria's cultural history and concluded that Criterion C is not likely to be satisfied. The Executive Director submitted that Criterion C is typically used to assess hidden physical values, often relating to archaeological values. The Executive Director also noted in submissions that the significance of the Place has already been recognised at a local level by its inclusion in individual Heritage Overlay HO173 in the Indigo Shire Planning Scheme.
- 040.** Mr Valentine submitted that the Place could yield more information than other places in the Register, including information about associations between the

Place and politicians, local identities, education authorities, teaching staff and local communities over time. Mr Valentine also submitted that the Place is able to yield information about contemporaneous colonial culture, gender prejudice, funding arrangements and the development of Rutherglen. Mr Valentine provided extensive historical detail about these aspects of the Place's history and submitted that the history of the Place is not, as the Executive Director submitted, well documented and understood.

Discussion and conclusion

- 041.** The Committee recognises the extensive work completed by Mr Valentine in relation to the historical associations of the Place, but also refers to the note in the Guidelines that Criterion C normally applies to 'archaeological sites (land-based and maritime archaeology) and sites that develop over time through the layering of fabric'. The Committee notes the intention of the Guidelines is that Criterion C relates to the ability of the *fabric* of physical places themselves to yield additional meaningful information, and Mr Valentine's submissions did not show this to be the case in this instance.
- 042.** The Committee agrees with the assessment of the Executive Director that the Place does not have the potential to yield information that will contribute to an understanding of Victoria's cultural history, agrees that the history of the Place is well documented and clearly evident in its fabric and agrees that the Place is unlikely to yield further information that would contribute to an understanding of Victoria's cultural history. The Committee refers, indeed, to the submissions and extensive historical material provided by Mr Valentine as evidence that the history and fabric of the Place is very well documented and understood.
- 043.** The Committee finds that Criterion C is not satisfied at the State level.

CRITERION D – IMPORTANCE IN DEMONSTRATING THE PRINCIPAL CHARACTERISTICS OF A CLASS OF CULTURAL PLACES AND OBJECTS

Summary of submissions and evidence

- 044.** The Executive Director, in assessing the Place in relation to Criterion D, found that the Place is of the class of Common Schools, has a clear association with the development of the education system in Victoria and features the principal characteristics of the class of place in its physical fabric. The Executive Director noted that in order to gain approval and funding from the Board of Education, Common Schools were obliged to reflect the Board's guidance on school design. In the case of the Place the Executive Director noted that a plan for school houses, specifically Board of Education Plan IX, is evidenced in the Place generally by its modest and unadorned design, its use of local masonry materials, its dimensions and the windows located on one side only. The Executive Director concluded and submitted that the design was not pivotal or influential and that the Place it is a not a fine or notable example of its class in the terms of Criterion D, as its characteristics are not of higher quality or historical relevance typical of numerous other relatively intact examples. In response to Mr Valentine's criticisms of the nature of the comparative examples used in the Recommendation, the Executive Director submitted that modest comparators in the Register were referred to, and that schools built after the 1872 Act's introduction tended to be larger and more distinctive, especially in Melbourne. The Executive Director also submitted that Mr Valentine's proposed class of 'Board of Education Plan IX Schools' is too narrow to be an acceptable class in the terms of the Guidelines and requires the application of too many qualifiers.

045. In objecting to the Recommendation, Mr Valentine submitted that the Place meets the State level threshold for inclusion in the Register in relation to Criterion D as a fine and highly intact example of a school built according to the Board of Education Plan IX, that it 'conforms to every defined characteristic' of that plan, is unlike any other school in the Register and that there is no other 'educational place' of higher quality or heritage value. Mr Valentine also criticised the comparators used to assess the Place, describing the majority as 'grandiose, large', built in Melbourne and in regional centres and lacking the same close temporal association with the introduction of the 1872 Act.

Discussion and conclusion

046. The Committee agrees with the Executive Director's assessment that, on the evidence, the Place is of the class of Common Schools, has a clear association with the development of education in Victoria and that the principal characteristics of the class are evident in the physical fabric of the Place.

047. The Committee notes that hearing participants agreed the Place is an example of a Common School and that the Place was built (along with several others) according to Board of Education Plan IX and agrees with Mr Valentine that the Place, generally speaking, is an intact and evocative example of a Common School and demonstrates the principal characteristics of Common Schools.

048. The Committee, however, disagrees with Mr Valentine that the Place is of cultural heritage significance as a notable and fine example, at a State level, of a Common School. The Committee is of the view that Mr Valentine's submission, that the Place meets the threshold for State-level cultural heritage significance in relation to Criterion D as a 'Board of Education Plan IX School', is an example of the use of multiple qualifiers to accommodate a place, as described in page 5 of the Guidelines. The Committee notes that it is the consistent position of the Heritage Council that the use of multiple qualifiers in this way should be avoided.

049. The Committee finds that Criterion D is not satisfied at the State level.

CRITERION E – IMPORTANCE IN EXHIBITING PARTICULAR AESTHETIC CHARACTERISTICS

Summary of submissions and evidence

050. The Executive Director assessed the Place as exhibiting particular aesthetic characteristics through its simple and functional design but concluded that there is no evidence that the Place has been critically recognised or acknowledged as of exceptional merit at a State level. Mr Valentine did not make substantive submissions that the Place satisfied the relevant assessment steps in relation to Criterion E.

Discussion and conclusion

051. The Committee agrees with the Executive Director's assessment of the Place in relation to Criterion E and finds that Criterion E is not satisfied.

CRITERION F – IMPORTANCE IN DEMONSTRATING A HIGH DEGREE OF CREATIVE OR TECHNICAL ACHIEVEMENT AT A PARTICULAR PERIOD

Summary of submissions and evidence

- 052.** The Executive Director, in assessing the Place in relation to Criterion F, found that the Place does not contain physical evidence that demonstrates creative or technical achievement for the time in which it was created.
- 053.** Mr Valentine initially submitted, in objecting to the Recommendation, that the Place satisfied Step 1 of the test relating to Criterion F on the basis that no exact comparators of Board of Education Plan IX schools were cited by the Executive Director. However, Mr Valentine made no substantive submissions as to the State-level creative or technical achievements of the Place.

Discussion and conclusion

- 054.** The Committee agrees with the Executive Director's assessment of the Place in relation to Criterion F and finds that Criterion F is not satisfied at the State level.

CRITERION G – STRONG OR SPECIAL ASSOCIATION WITH A PARTICULAR COMMUNITY OR CULTURAL GROUP FOR SOCIAL, CULTURAL OR SPIRITUAL REASONS.

Summary of submissions and evidence

- 055.** The Executive Director found, in assessing the Place in relation to Criterion G, that although there is an attachment between the Place and people who have attended or worked at the Place and used it over time there is no evidence that the social values of the Place resonate at a State level for the purposes of Criterion G. The Executive Director, in response to Mr Valentine's submissions, stated his view that submissions Mr Valentine made in relation to social significance, such as the social change resulting from education and the 1872 Act, are more aptly considered in relation to Criterion A.
- 056.** Mr Valentine submitted that Criterion G is satisfied in relation to the Place because of its association with the 1872 Act and the corresponding changes to education and culture in the State of Victoria. Mr Valentine submitted further that the comparators cited by the Executive Director do not have the same capacity as the Place to show the impact of the 1872 Act on Victorian society.

Discussion and conclusion

- 057.** The Committee agrees with Mr Valentine and the Executive Director that the implementation of the 1872 Act was a moment of great significance in the history of the State. The Committee also recognises that the Place is of social significance to the community of Rutherglen. In relation to Criterion G, however, the Committee agrees with the Executive Director that there is no evidence that the Place is of social significance at a State level.
- 058.** The Committee agrees with the Executive Director's assessment of the Place in relation to Criterion G and finds that Criterion G is not satisfied at the State level.

CRITERION H – SPECIAL ASSOCIATION WITH THE LIFE OR WORKS OF A PERSON, OR A GROUP OF PERSONS, OF IMPORTANCE IN VICTORIA’S HISTORY

Summary of submissions and evidence

- 059.** In assessing the Place in relation to Criterion H, the Executive Director found that the Place does not have a direct association with a person or groups of persons who made a strong or influential contribution to the course of Victoria’s history.
- 060.** Mr Valentine submitted that the Place satisfies the threshold for Criterion H at a State level because of its association with Sir John Richards Harris, who was educated at the Place, became a medical practitioner in Rutherglen and beyond, had a career in the military and served as a Member of the Legislative Council, as a Minister of Public Health and as a leader of the Legislative Council for some years. Mr Valentine also referred to Sir Harris as the founder of the Victorian Cancer Council.

Discussion and conclusion

- 061.** The Committee has no doubt that Sir Richard Harris had an illustrious and varied career of service to the Victorian community and to its Parliament, but finds there is insufficient evidence that Sir Harris made a strong or influential contribution to the course of Victoria’s history or that the contribution is demonstrated through the fabric of this Place. The Committee also notes that, according to Mr Valentine’s own submissions, the association of Sir Harris with the Place does not directly relate to the achievements referred to by Mr Valentine.
- 062.** The Committee agrees with the assessment of the Executive Director in relation to Criterion H and finds that Criterion H is not satisfied.

CONCLUSION

- 063.** The Committee thanks Mr Valentine for his submissions in relation to the history and cultural heritage of the Place and for his extensive research in relation to same, which assisted the Committee in informing itself about the Place.
- 064.** The Committee recognises the significance of the Place to the town of Rutherglen and to the Rutherglen community and records its satisfaction that the Place is currently included as part of an individual Heritage Overlay in the Indigo Shire Planning Scheme.
- 065.** After considering the Executive Director’s Recommendation, all submissions received, conducting a site inspection and holding a hearing into the matter, the Heritage Council has determined, pursuant to section 49(1)(b) of the *Heritage Act 2017*, that the Rutherglen Common School at 44 Murray Street, Rutherglen, is not of cultural heritage significance to the State of Victoria and is not to be included in the Register.

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 4 April 2019, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.