

# Heritage Council Determination

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<b>Determination date</b>	5 June 2025
<b>Place name</b>	Mount Little Dick Fire Tower
<b>Location</b>	Mount Little Dick Road, Deptford, East Gippsland Shire, Gunaikurnai Country
<b>VHR number</b>	H2461
<b>Category</b>	Registered Place
<b>Relevant legislative provision/s</b>	Inclusion in the Victorian Heritage Register, pursuant to section 49(1)(a) of the <i>Heritage Act 2017</i>

## Determination of the Heritage Council

The Heritage Council of Victoria determined on 5 June 2025, in accordance with section 49(1)(a) of the *Heritage Act 2017*, that the above Place is to be included in the Victorian Heritage Register in the category of Registered Place.

The Heritage Council also determined:

- Categories of works or activities which may be carried out in relation to the place for which a permit is not required (specific permit exemptions), that would not harm the cultural heritage significance of the place, pursuant to section 49(3)(a) of the *Heritage Act 2017*.
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## The Place

### Description

Extracted from the Executive Director's Recommendation, for information only.

*The Mount Little Dick Fire Tower is a timber fire tower located in a clearing on the summit of Mount Little Dick, just north of Bruthen in East Gippsland on Gunaikurnai Country. The tower is approximately 30 metres high. The tower structure comprises four substantial, spliced timber legs, timber bracing and steel fastenings. The legs are set into concrete pads at their base, and taper upwards towards a cabin that sits on the top of the tower. One of the concrete pads has the year '1940' inscribed into it. There are four platforms spaced at intervals up the height of the tower. There are remnants of a timber access ladder, which once provided access to the cabin, between the upper levels. The timbers are a combination of ironbark and stringybark. The area of cleared land around the tower is accessible to the public, however, the tower is now surrounded by a security fence and there is no public access to the tower itself.*

### Executive Director's Recommendation ('the Recommendation')

On 17 March 2025 the Executive Director made the Recommendation to the Heritage Council that the Mount Little Dick Fire Tower is of State-level cultural heritage significance and should be included in the VHR. The Recommendation was advertised publicly for a period of 60 days, beginning on 21 March 2025.

### Section 44 submissions

No submissions were received during the public advertisement period.

## Heritage Council's findings

### State-level cultural heritage significance

The Heritage Council's findings accord with the Executive Director's Recommendation. The Heritage Council finds that the Mount Little Dick Fire Tower is of State-level cultural heritage significance as a remnant of the responses to Victoria's devastating Black Friday bushfires of January 1939. The Heritage Council agrees that it is a rare surviving example of a timber fire tower, and notes that it is the most intact remaining example of its type in Victoria.

The Heritage Council finds that the Mount Little Dick Fire Tower is a notable example of a timber fire tower in Victoria. It retains many of its original elements, including its timber cabin and a portion of the ladder, enabling the design and construction of these structures to be well understood. Its construction from readily available local timber demonstrates the skill and ingenuity of its builders.

The Heritage Council determines that the Mount Little Dick Fire Tower meets the following of the Heritage Council's Criteria for Assessment (**Attachment 1**) at State-level:

- **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 D** – Importance in demonstrating the principal characteristics of a class of cultural places and objects.

### Extent of Registration (**Attachment 2**)

The Extent of Registration is provided as **Attachment 2** and includes all of the place shown hatched on Diagram 2461 encompassing part of Allotment 2 Section B Parish of Kianeeek to the extent of 40m from the midpoint of the fire tower.

### Permit exemptions (Attachment 3)

The Heritage Council determined specific permit exemptions for works or activities which would not harm the cultural heritage significance of the Mount Little Dick Fire Tower.

The Heritage Council determined that amendments to one of the specific permit exemption (exemption no.1) proposed by the Executive Director, are required to better ensure that evidence of traditional techniques isn't lost and to emphasise the importance of retaining original fabric. The amendments as determined by the Heritage Council are reflected in **Attachment 3**.

### Conclusion

The Heritage Council of Victoria determined on 5 June 2025, in accordance with section 49(1)(a) of the *Heritage Act 2017*, that the Mount Little Dick Fire Tower is to be included in the Victorian Heritage Register in the category of Registered Place.



**Professor Philip Goad**  
**Chair, Heritage Council of Victoria**

# Attachment 1

## Heritage Council criteria for assessment of places and objects of cultural heritage significance

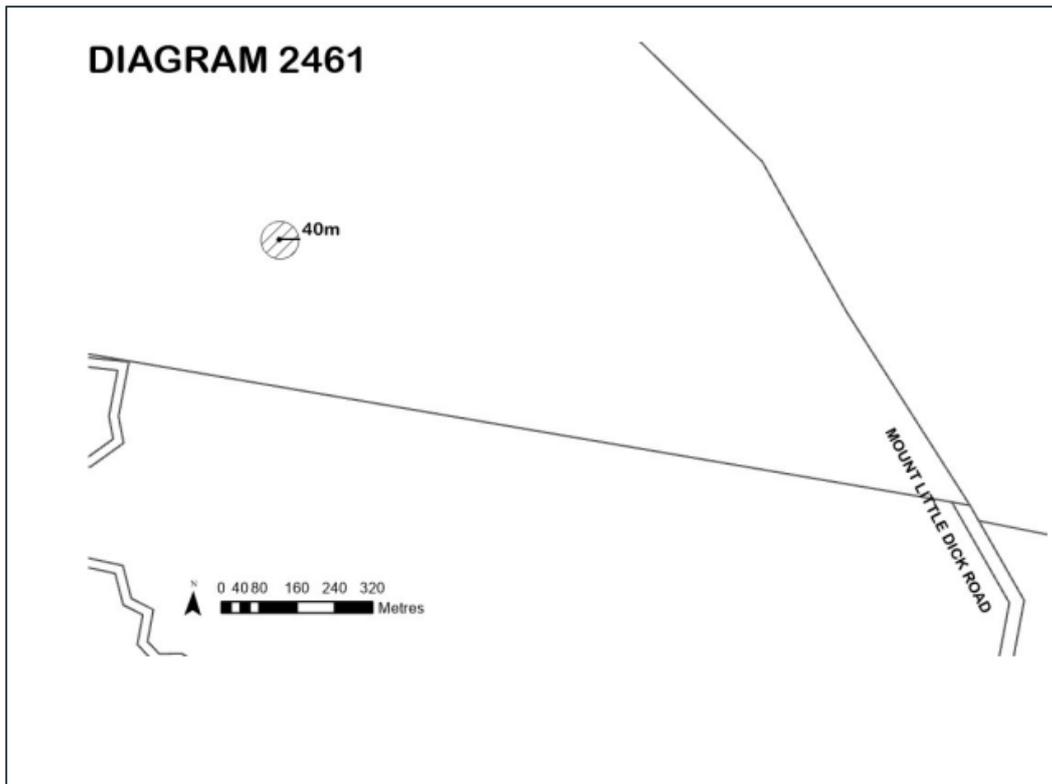
<b>Criterion A</b>	Importance to the course, or pattern, of Victoria's cultural history.
<b>Criterion B</b>	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
<b>Criterion C</b>	Potential to yield information that will contribute to an understanding of Victoria's cultural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

These were adopted by the Heritage Council at its meeting on 1 December 2022, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.

# Attachment 2

## Extent of Registration

All of the place shown hatched on Diagram 2461 encompassing part of Allotment 2 Section B Parish of Kianeeek to the extent of 40m from the midpoint of the fire tower.



# Attachment 3

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

### Introduction

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

### Permit exemptions

#### General exemptions

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

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

**Subdivision/consolidation:** Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the and the application for the planning permit was referred to the Executive Director as a determining referral authority, a permit is not required. Specific exemptions may also apply to your registered place or object. If applicable, these are listed below.

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

#### Specific exemptions

The works and activities below are not considered to cause harm to the cultural heritage significance of the Mount Little Dick Fire Tower. These are subject to the following guidelines and conditions:

#### Guidelines for specific permit exemptions

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.

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

all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor

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

### **General conditions for specific permit exemptions**

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

immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.

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

## Exempt works and activities

### *Fire Tower*

1. Repairs and maintenance to the fire tower and cabin, including the localised replacement of original fabric with new fabric provided:
  - the original appearance of the fire tower is not permanently altered
  - the retention of original physical fabric is maximised
  - new fabric is only introduced if original fabric is missing or deteriorated to the point it cannot be repaired
  - new timbers are eucalypt species with similar qualities to the original
  - techniques utilised in carrying out repairs reflect the original as much as practicable.
2. All works and activities necessary to protect the fire tower if it is under threat during a bushfire or other emergency, such as the application of fire retardant.
3. Works essential for emergency stabilisation of the fire tower, provided Heritage Victoria is informed within seven days of the works being carried out.
4. Application of termite controls and treatments.

### *Landscape and surrounds*

5. Repairs, maintenance, removal and replacement of existing perimeter fence, provided replacement is of the same size, location and type as the existing fence.
6. Installation of temporary security fencing, signage, scaffolding, hoardings, lighting and surveillance systems provided they are not attached to the fire tower.
7. Installation of signage authorised by the relevant government agencies, provided it is not attached to the fire tower.
8. Repairs, maintenance, installation and removal of standard park furniture, such as picnic tables.
9. Road and track repairs and maintenance, including grading, resurfacing and the like.
10. Management of vegetation, including removal.
11. Fire suppression and firefighting activities such as fuel reduction burns and fire control line construction, provided protection is in place for the fire tower.