

## Heritage Council Determination

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<b>Determination date</b>	7 August 2025
<b>Place/Object name</b>	Balaclava Hill Mine Precinct
<b>Location</b>	Reedy Lake Road, Whroo, Shire of Campaspe, Taungurung Country
<b>VHR number</b>	H2465
<b>Category</b>	Registered Place and Registered Archaeological 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 7 August 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 categories of Registered Place and Registered Archaeological Place.

The Heritage Council also determined to:

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

The Executive Director made and accepted a nomination to include the Balaclava Hill Mine Precinct ('the Place') in the Victorian Heritage Register ('Heritage Register'). On 19 May 2025 the Executive Director made the Recommendation to the Heritage Council that the Place be included in the VHR. The Recommendation was advertised publicly for a period of 60 days, beginning on 23 May 2025.

## Section 44 submissions

During the 60-day public advertisement period, two submissions were received pursuant to section 44 of the *Heritage Act 2017*. Neither submission requested that a hearing be conducted. The submissions are summarised below:

- Parks Victoria, the land manager of the Place, made a submission in response to the Executive Director's Recommendation. Parks Victoria did not object to its inclusion in the Heritage Register nor the proposed extent of registration for the Place, and supported proposed specific permit exemptions.
- Mr Alan McLean, author of the 2024 book *Rushing to Whroo, 1853 – 1880*, made a submission supporting the Executive Director's Recommendation to include the Place in the Heritage Register. Mr McLean referred to the conservation and protection needs of the Place in his submissions, in addition to public access and safety considerations.

## The Place

### Description

Extracted verbatim from page 3 of the Executive Director's Recommendation, for information only (in-text references to figures removed):

*The Balaclava Hill Mine Precinct is located on the traditional land of the Taungurung people.*

*The Balaclava Hill Mine at Whroo is an open cut gold mine dating to the 1850s and 1860s. It was developed and operated by local miner, John Thomas Lewis. The dramatic, steep-sided cavity is c.25 metres deep at its greatest depth and is up to 40 metres wide and 70 metres long. Balaclava Hill itself projects about 40 metres above the surrounding terrain.*

*A range of features around the slopes of the hill reveal various aspects of the mine's operation.*

*A tunnel in the lower south-west corner of the open cut provides access to remove and transport ore along a short tramline (now gravel-surfaced pathway) to the crushing battery.*

*The original mine battery was on the north side of the hill, an area now characterised by a long, narrow terrace and a large patch of grey tailings sands. In 1863 the battery was moved to the west side of the hill (no longer extant). This part of the site features a levelled terrace and thousands of hand-made brick fragments, which were originally part of the machinery foundations or chimney stack. There is no evidence of machinery surviving at the mine.*

*Numerous open and capped mine shafts around the hillside reveal earlier attempts to extract ore prior to excavation of the open cut. Numerous coppiced ironbark trees growing on Balaclava Hill reveal the original source of fuelwood for the mines. The southern and western flanks of Balaclava Hill feature the scattered remains of shallow alluvial workings.*

*The Balaclava Hill Mine Precinct site also includes the remains of three intact dams built in the early 1860s and used for water storage. These are located in the head of Balaclava Gully, on the north side of Reedy Lake Road. Water flowed down the gully from east to west and was stored in each dam in turn. The dams are among the earliest intact mining water supply systems in Victoria associated with a quartz mine. The lowest and largest dam still holds a large volume of water.*

*A large heap of quartz tailing sands west of the Nagambie-Rushworth Road are the remains of the auriferous ore removed from the mine. The heap covers an irregular shaped area c.50 metres across. From around 1900 these sands were reprocessed nearby in three extant brick-lined cyanide vats to extract residual gold. Mullock (waste rock) from the Balaclava Hill Mine Precinct was later removed and used as road base in the district.*

*A reconstructed puddling mill (VHR H1244) is located immediately south-west of the Balaclava Hill Mine Precinct near the junction of Nagambie-Rushworth Road and Murchison-Whroo Road. The trough is 50cm deep and 6.40 metres in diameter and lined with timber.*

*A clearing on the south side of the hill is the house site of John Thomas Lewis and his family. The building, no longer standing, was originally a weatherboard bungalow imported from the United States, with French windows and a verandah around three sides. The only remaining features of the house site include seven clumps/specimens of Aleppo Pine, and a large brick-lined cistern.*

## 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 Balaclava Hill Mine Precinct is of State-level cultural heritage significance and is to be included in the Heritage Register. The Heritage Council makes this determination subject to the Executive Director's correction of typographical and wording errors in the registration information for the Place, as discussed at Heritage Council meeting HC287 (7 August 2025).

The Heritage Council agrees that the Balaclava Hill Mine Precinct is of historical significance to the State of Victoria for its association with the Victorian gold rush, noting the Place to be one of the State's largest recorded nineteenth-century open-cut reef gold mines, and a well-preserved example of its type. The Heritage Council agrees that the extent of retained features at the Place allows a full range of historic open-cut quartz mining, quarrying and processing techniques, in addition to life on the mine, to be readily understood.

The Heritage Council finds that the structure of the ore body at the Place is uncommon in the Victorian Goldfields, featuring small but rich quartz auriferous quartz reefs and spurs located close to the surface. This resulted in open-cut mining at the Place, when most gold quartz reefs in Victoria were mined using shafts and tunnels. The Heritage Council is satisfied that the place is uncommon for the remnant evidence of the early securing of a water-right licence for quartz mining.

The Heritage Council finds that the Balaclava Hill Mine Precinct is archaeologically significant and has the potential to yield significant information about the development, expansion and contraction of Victoria's mining history. The Heritage Council finds that the Place is notable for clearly demonstrating the principal characteristics of a historical open-cut reef gold mine, and that it is readily legible as one of the largest, most dramatic and best-preserved examples of historical open-cut reef gold mining in Victoria.

The Heritage Council determines that the Balaclava Hill Mine Precinct meets the following Criteria for Assessment in the Heritage Council's *Victorian Heritage Register Criteria and Threshold Guidelines*: (**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 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 and objects.

### Extent of Registration

The Extent of Registration is provided as **Attachment 2** and includes all of the place shown hatched on Diagram 2465 encompassing all of Crown Allotment 25 and 26 Section 7 Township of Whroo; Crown Allotment 5 Section 6 Township of Whroo; Crown Allotment 6 Section 6 Township of Whroo and Crown Allotment 1 Section 8 Township of Whroo and parts of Allotment 8A and 9A Section C Parish of Whroo and Crown Allotment 2 Section 8 Township of Whroo and part of the road reserves of Reedy lake Road and Nagambie-Rushworth Road.

### Permit exemptions

The Heritage Council determined specific permit exemptions for works or activities which would not harm the cultural heritage significance of the Balaclava Hill Mine Precinct (**Attachment 3**).

### Conclusion

The Heritage Council of Victoria determined on 7 August 2025, in accordance with section 49(1)(a) of the *Heritage Act 2017*, that the Balaclava Hill Mine Precinct is to be included in the Victorian Heritage Register in the categories of Registered Place and Registered Archaeological Place.



**Professor Philip Goad**

**Chair, Heritage Council of Victoria**

# Attachment 1

## Victorian Heritage Register Criteria and Threshold Guidelines

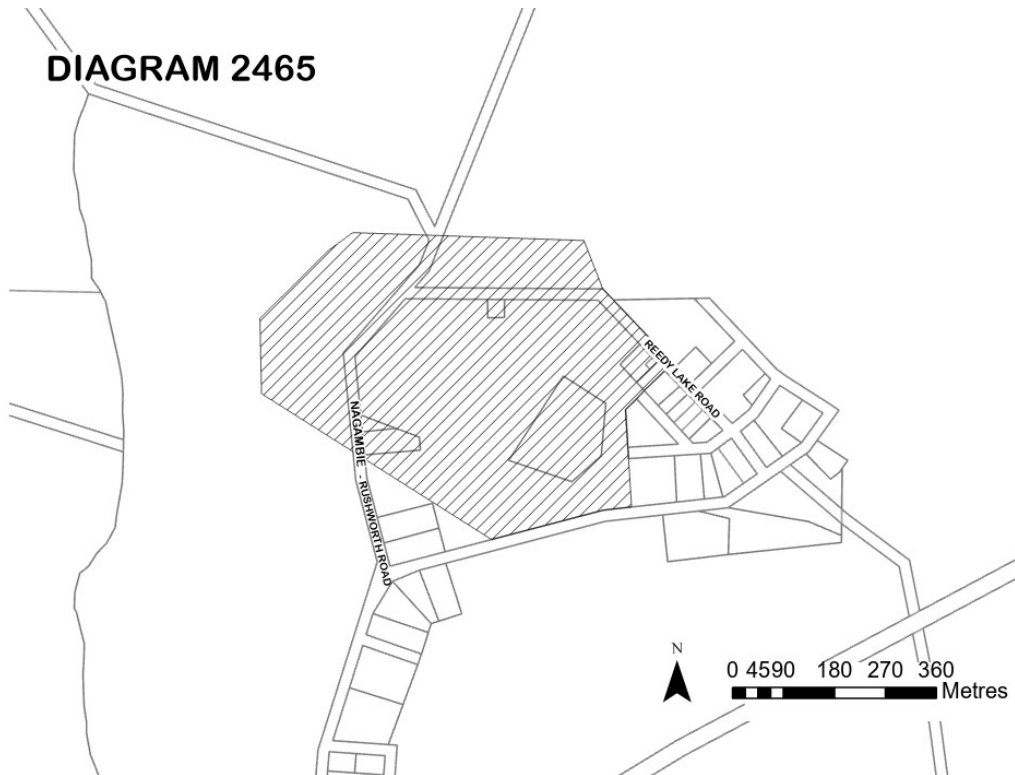
<b>Criterion A</b>	Importance to the course, or pattern, of Victoria's cultural history.
<b>Criterion B</b>	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
<b>Criterion C</b>	Potential to yield information that will contribute to an understanding of Victoria's cultural 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 2465 encompassing all of Crown Allotment 25 and 26 Section 7 Township of Whroo; Crown Allotment 5 Section 6 Township of Whroo; Crown Allotment 6 Section 6 Township of Whroo and Crown Allotment 1 Section 8 Township of Whroo and parts of Allotment 8A and 9A Section C Parish of Whroo and Crown Allotment 2 Section 8 Township of Whroo and part of the road reserves of Reedy lake Road and Nagambie-Rushworth Road.



# 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 Policy

It is recommended that a Conservation Management Plan is utilised to manage the place in a manner which respects its cultural heritage significance.

### 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 do not harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

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

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director 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 Balaclava Hill Mine Precinct subject to the following guidelines and conditions:

#### Guidelines

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.

### **Conditions**

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**

1. All vegetation management, excluding removal or lopping of coppice trees throughout the extent and the Aleppo pine at the Lewis house site. Vegetation management works must not have the potential to affect archaeological remains.
2. Installation of new Parks Victoria wayfinding/directional, informational and heritage interpretation signage.