
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P36699

Applicant:



NAME OF PLACE/OBJECT: FORMER CLIFTON MOTOR GARAGE

HERITAGE REGISTER NUMBER: H2380

LOCATION OF PLACE/OBJECT: 205-211 QUEENS PARADE FITZROY NORTH, YARRA CITY

THE PERMIT ALLOWS: Partial demolition, reconstruction and new works, involving the construction of a four-storey multi-use development and three basement levels within the extent of registration, generally in accordance with the following documents:

- Revised structural engineering drawings set, prepared by John Kyrgios & Associates Pty Ltd, dated 26 June 2023.
- Memorandum re: proposed propping to heritage façade, prepared by John Kyrgios & Associates Pty Ltd, dated 27 September 2023.
- Schedule of Conservation Works, prepared by Bryce Raworth Conservation | Heritage, dated 24 July 2023.
- Revised architectural drawings set, drawing nos. TP0.00-03, 10-12, 20-22, 30; TP1.00-15; TP2.00-03; TP3.00-02; TP6.00-01, prepared by CHT Architects, dated 29 June 2023.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

PERIOD OF VALIDITY

1. The permission granted for this permit will expire if one of the following circumstances applies: the permitted works have not commenced within two (2) years of the original date of issue of this permit, or are not completed within four (4) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director Heritage Victoria.
2. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.

HERITAGE PROTECTION

3. Prior to the commencement of any of the works approved by this permit, a **Heritage Protection Plan** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Heritage Protection Plan will be endorsed and will then form part of the permit. The Heritage Protection Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection methods for the heritage place during the undertaking of the works (including a detailed propping methodology for the facade), a work site layout plan. The Heritage Protection Plan must also include a dilapidation report (including images) for the heritage building to record its condition prior to the commencement of works approved by this permit.

CONSTRUCTION-READY DRAWINGS

4. Prior to the commencement of any of the works approved by this permit, a **construction ready (marked as such) set of architectural drawings**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit.
5. Prior to the commencement of any of the works approved by this permit, a **schedule of construction materials, colours and finishes** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the schedule will be endorsed and will then form part of the permit.
6. Prior to the commencement of any of the works approved by this permit, a **construction ready (marked as such) set of structural engineering drawings**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit. The documentation must demonstrate that the basement excavation works will not impact on the structural integrity of registered fabric.
7. Prior to the installation of exterior signage, a **construction ready (marked as such) set of signage drawings**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit.
8. Prior to the commencement of any relevant **tenancy fit outs, construction ready (marked as such) set of architectural drawings**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit.

CONSERVATION WORKS

9. Prior to the commencement of any of the works approved by this permit, a **suitably experienced heritage conservation consultant**, approved in writing by the Executive Director Heritage Victoria, must be engaged to advise and assist as necessary with the preparation of the documentation where any intervention to built fabric of heritage significance is involved and to provide relevant conservation advice to the permit holder during the carrying out of those works. In particular the heritage conservation consultant must help fulfil conditions 9 to 12 of this permit.
10. Prior to the commencement of any of the works approved by this permit, the heritage conservation consultant approved under condition 8 must prepare **a costed schedule and drawings of conservation works** identified as required for the heritage place for the approval and endorsement by the Executive Director Heritage Victoria and once endorsed these works become part of the permit and must be completed within the period of validity of the permit. The schedule and drawings must include but not be limited to: facade structural investigations, concrete cancer rectification, conservation and repair works to walls (brickwork and tile surfaces), render, joinery, stormwater goods, and resolution of historically appropriate paint schemes based on architectural paint research.
11. Prior to the commencement of any of the works approved by this permit and as provided for under s.103 of the *Heritage Act 2017*, a financial security in the form of an **unconditional Bank Guarantee** in favour of the Heritage Council of Victoria (ABN 87 967 501 331), is to be lodged with the Executive Director Heritage Victoria. The period of validity of the Bank Guarantee is to be unspecified.

The Bank Guarantee is to ensure the satisfactory completion of all of the works required by Condition 9. The amount guaranteed must be equivalent to the cost shown in the approved conservation schedule under Condition 8 plus a 20% contingency sum (inclusive of GST).

The bank guarantee must set out under the “contract/agreement” that the bank “asks the Principal to accept this bank guarantee (“undertaking”) in connection with condition 11 on permit P36699.

12. Following completion of the conservation works required under Condition 8, the approved heritage conservation architect must submit to the Executive Director Heritage Victoria, for their approval, **a brief written report confirming that the conservation works have been completed** and the extent to which the completed conservation works conformed to good practice in their professional judgement. A Heritage Victoria representative may require a visit the place to inspect and confirm the satisfactory completion of the works.
13. The Bank Guarantee referred to in Condition 9 will be released to its provider following receipt by the Executive Director Heritage Victoria of a written request by the permit holder, subject to the completion of all of the works referred to in Condition 9 to the satisfaction of the Executive Director Heritage Victoria. The Bank Guarantee will be forfeited to the Heritage Council of Victoria in the event that all of these works are not completed to a satisfactory standard prior to the expiry date of this permit.
14. If the works required by Condition 8 approved by the permit are undertaken in full to the satisfaction of the Executive Director Heritage Victoria before any other works approved by this permit are commenced, financial security is not required to be lodged. Following completion of the works outlined above, the approved heritage conservation architect must submit to the Executive Director Heritage Victoria a brief written report confirming that the conservation works have been completed and the extent to which the completed conservation works conformed to good practice in their professional judgement. Once the report has been approved and endorsed by the Executive Director Heritage Victoria, and a Heritage Victoria officer has been to site to inspect the works, the remainder of the works approved by the permit may proceed.

DISMANTLING AND RECONSTRUCTION WORKS

15. Prior to the commencement of any of the works approved by this permit, the heritage conservation consultant approved under condition 8 must prepare the following for the approval and endorsement by the Executive Director Heritage Victoria and once endorsed these works become part of the permit and must be completed within the period of validity of the permit:
 - **An accurate record of the existing condition and details of the north-east boundary wall, exposed roof trusses and gabled roof form.** Documentation must use recognised recording techniques such as photography, surveying, drawn and written descriptions.
 - **A costed schedule for all involved works, and**
 - **Drawings for the reconstruction of the north-east boundary wall, exposed roof trusses and gabled roof form.** These must include all decorative features and be based on the existing condition record. Any missing features to be reinstated must be supported by adequate historical, pictorial and physical documentation.

16. Prior to the commencement of any of the works approved by this permit and as provided for under s.103 of the Heritage Act 2017, **a financial security in the form of an unconditional Bank Guarantee** in favour of the Heritage Council of Victoria (ABN 87 967 501 331), is to be lodged with the Executive Director Heritage Victoria. The period of validity of the Bank Guarantee is to be unspecified.

The Bank Guarantee is to ensure the satisfactory completion of all of the works required by condition 14. The amount guaranteed must be equivalent to the cost shown in the approved costed schedule under condition 14 plus a 20% contingency sum (inclusive of GST).

The bank guarantee must set out under the “contract/agreement” that the bank “asks the Principal to accept this bank guarantee (“undertaking”) in connection with condition 16 on permit P36699.

17. Following completion of the reconstruction works required under condition 14, the approved heritage conservation consultant must submit to the Executive Director Heritage Victoria, for their approval, **a brief written report confirming that the reconstruction works have been completed** and the extent to which the completed works conformed to good practice in their professional judgement.
18. The Bank Guarantee referred to in condition 15 will be released to its provider following receipt by the Executive Director Heritage Victoria of a written request by the permit holder, subject to the completion of all of the works referred to in condition 14 to the satisfaction of the Executive Director Heritage Victoria and the satisfaction of condition 14. The Bank Guarantee will be forfeited to the Heritage Council of Victoria in the event that all of these works are not completed to a satisfactory standard prior to the expiry date of this permit.

ARCHIVAL QUALITY PHOTOGRAPHIC SURVEY

19. Prior to the commencement of any of the works approved by this permit an **archival quality photographic survey** is to be prepared to record the existing condition and setting of the place. The survey is to be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note entitled “Specification for the submission of archival photographic records” (available on the Heritage Council website or from Heritage Victoria on request). Two copies of the completed photographic survey are to be produced with one copy submitted to the Executive Director Heritage Victoria for approval in writing prior to commencement of any of the works approved by this permit. On approval of the first copy the second copy is to be lodged with the La Trobe Picture Collection, 328 Swanston Street Melbourne 3000, State Library of Victoria or delivered by courier to Despatch: 174 Little Lonsdale Street Melbourne 3000. Deliveries accepted from 7.30am to 4.30pm (A receipt will be sent the day the material is received).

INTERPRETATION

20. A **Heritage Interpretation Plan** for installation of interpretive devices within the registered land must be prepared by a suitably qualified and experienced practitioner. The Heritage Interpretation Plan must include proposals for the appropriate interpretation of the history of the site and the place's long-standing historical association with the developing Australian motor car industry in the early-mid twentieth-century. The Heritage Interpretation Plan is to be submitted to the Executive Director Heritage Victoria for endorsement within 12 months of the commencement of works in accordance with condition 2.

21. Prior to the implementation of the on-site interpretation, a **construction ready (marked as such) set of drawings** documenting works generally in accordance with the Heritage Interpretation Plan approved at condition 12, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit. After its approval the interpretation works are to be implemented on site prior to the expiration of the permit.

STORAGE OF HERITAGE FABRIC

22. Prior to the alteration works to the heritage facade for the new entry, a **long-term on-site storage plan** for the bricks to be removed from the central bay must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Storage Plan will be endorsed and will then form part of the permit. This plan must include the physical location for storage on site and methods for protecting the material from disassociation, physical impact, theft or vandalism, fire, water, and pests. The approved Heritage Consultant under condition 8 must prepare the documentation to fulfil this condition.

GENERAL CONDITIONS

23. Should further minor changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged in accordance with the permit condition for endorsement by the Executive Director Heritage Victoria. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
24. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place/object. However, if other previously hidden original or inaccessible details of the object or place are uncovered, any works that may affect such items must immediately cease. The Executive Director Heritage Victoria must be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
25. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
26. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
27. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.

TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF 120 PENALTY UNITS (\$22,190.40 FROM 1 JULY 2022) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$110,952 FROM 1 JULY 2022)

UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$887,616 FROM 1 JULY 2022) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,775,232 FROM 1 JULY 2022) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE HERITAGE ACT 2017.

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date Issued:

08 December
2023

**Signed as delegate for the Executive Director,
Heritage Victoria pursuant to the Instrument of
Delegation**



A handwritten signature in black ink, appearing to read "Nicola Stairmand". The signature is fluid and cursive.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria