

Registration Hearing H8313

**Former Clifton Motor Garage
205-211 Queens Parade, Fitzroy North**

Heritage Council Registrations Committee

DECISION OF THE HERITAGE COUNCIL

After considering the Executive Director's recommendation and submissions received, pursuant to s 265 of the *Heritage Act 2017* and s 42(1)(a) of the *Heritage Act 1995*, the Heritage Council has determined that the Former Clifton Motor Garage is a place of cultural heritage significance to the State of Victoria and should be included in the Victorian Heritage Register, confirming without change the extent of registration, and varying the Permit Exemption Policy and the Statement of Cultural Heritage Significance, recommended by the Executive Director on 22 September 2017.

Dr Andrew May (Chair)
Ms Penelope Smith
Ms Joanne Guard

Hearing Date: 22 February 2018
Decision Date: 22 May 2018

APPEARANCES / SUBMISSIONS

Executive Director, Heritage Victoria (‘the Executive Director’)

Submissions were received from the Executive Director, Heritage Victoria. Ms Nicola Stairmand, Acting Principal – Heritage Assessments of Heritage Victoria, appeared and made verbal submissions on behalf of the Executive Director. Mr Geoff Austin, Manager Heritage Register and Permits, Heritage Victoria, was also present and available to answer questions.

CBE Asia Pacific Pty Ltd (‘the Owner’)

Submissions were received from the Owner. Mr Ian Coleman of Ian Coleman Architects Pty Ltd appeared and made verbal submissions on behalf of the Owner.

INTRODUCTION

The Place

- 1 On 22 September 2017, the Executive Director made a recommendation ('the Recommendation') that the Former Clifton Motor Garage, 205-211 Queens Parade, Fitzroy North ('the Place') be included in the Victorian Heritage Register ('the Register') as a place of cultural heritage significance to the State of Victoria.
- 2 The proposed extent of registration included in the Recommendation includes all of the buildings and land shown hatched on Diagram 2380 encompassing all of Lots 2 and 3 on Lodged Plan 6254. This includes the 1938 Moderne structure fronting Queens Parade, as well as the former workshop and showroom spaces on the ground floor and the former residence on the first floor.
- 3 The 'Rationale for Extent' provided by the Executive Director on page 3 of the Recommendation submits that "the 1938 Moderne structure is more intact than the structures behind it, but all elements contribute to an understanding of the evolution of the place from a motor garage, workshop and showroom, to the amalgamation of three separate building [sic] into a cohesive whole in 1938".
- 4 The following 'History Summary' of the Place is taken from page 5 of the Recommendation:

'The site on which the Former Clifton Motor Garage is located was originally a sawmill and wood yard. In 1919 the site with existing workshop and garage was purchased by George and Lindsay Laity. In response to the growth in car ownership in the 1920s, the Laitys expanded the business by constructing a new brick garage and residence in 1921 and a car showroom in 1926. By 1933, Lindsay Laity was the sole owner. In 1938 he redeveloped the property, installed new equipment and engaged architect J H Wardrop to design a new unified frontage to Queens Parade in the Moderne style, similar to the adjacent United Kingdom Hotel (VHR H0684), also designed by Wardrop. During the 1940s and 50s, the business was owned by Edwin McKeown and then R. Bayford Pty Ltd. The property has been in the same ownership since 1964, when it began operating as Tru-Mould Tyre Services. In recent years, the property has operated as a bar and restaurant'.

- 5 The following 'Description Summary' is taken from page 5 of the Recommendation:

'The Former Clifton Motor Garage comprises a symmetrical street frontage in the Moderne style with workshop spaces behind (now converted to a kitchen and restaurant) and a former residence on the first floor. The place is dominated by a central tower with vertical fins above a centrally located window with entrance doors on either side. Single storey wings flank the tower on each side. Each wing has a large central opening for car access, and a window at each end. The lower walls are tiled with orange and brown ceramic tiles inlaid with red horizontal strip tiles. The upper walls are constructed of red bricks laid in a horizontal banded pattern with rendered panels framed in dark bricks. The former residence is located behind the central tower on the first floor and the ground floor is a single open space. The floors are polished concrete and the walls are exposed red brick. The western side of the building has exposed trusses and an unlined corrugated iron roof, and the eastern side has exposed trusses with plasterboard ceilings. The rear of the building now contains a commercial kitchen'.

- 6 The Committee notes that the above ‘History Summary’ and ‘Description Summary’ are part of the proposed Statement of Cultural Heritage Significance (‘Statement of Significance’) in the Recommendation.

The nomination of the Place for inclusion in the Register

- 7 A nomination for the Place to be included in the Register was accepted by the Executive Director on 24 June 2017 (‘the Nomination’). The nominated extent comprised:

‘All of the buildings and land known as the Former Clifton Motors Garage at 205-211 Queens Parade, [Fitzroy North].’

The Recommendation to include the Place in the Register

- 8 The Executive Director recommended on 22 September 2017 to include the Place in the Register.

- 9 The recommended extent of registration is the same as the nominated extent.

Process following the Recommendation of the Executive Director

- 10 Notice of the Executive Director’s recommendation was published in accordance with s 35 of the *Heritage Act 1995* (‘the Act’) for a period of 60 days.

- 11 One (1) submission in response to the Recommendation was received from the Owner of the Place pursuant to s 38(1)(a) of the Act, objecting to the recommended extent of registration.

- 12 The submission made by the Owner did not object to the inclusion of the 1938 Moderne façade structure in the Register, but did object to the inclusion of the earlier structures behind the façade.

- 13 While the submission acknowledged the rationale of aligning the extent of registration with the title boundaries for the Place, the Owner expressed disagreement with the Executive Director that the 1920s former showroom, workshop and former residence are of cultural heritage significance to the State of Victoria. The Owner requested a hearing, and in accordance with s 41(6) of the Act, a hearing was required to be held.

- 14 In accordance with s 41(6) of the Act, a Heritage Council Registrations Committee (‘the Committee’) was constituted to consider the Recommendation and the submission received from the Owner in response to it, and to make a determination, as delegated by the Heritage Council under s 12 of the Act. The Committee then invited further written submissions under s 40(2)(a) of the Act and a hearing was scheduled for 22 February 2018 (‘the hearing’).

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

Operation of transitional provisions of the Heritage Act 2017 (‘the New Act’)

- 15 The Committee notes the repeal of the Act, and the commencement of the New Act. The Committee notes that the Recommendation falls within the scope of transitional provisions set out at s 265(1) and (2) of the New Act. The Committee has therefore proceeded on the basis that, despite the repeal of the Act, the Act continues to apply to this Recommendation, and the Heritage Council’s associated hearing and determination, as if the Act had not been repealed.

Site inspection

- 16 On 22 February 2018, the Committee made a site inspection of the Place accompanied by the Heritage Council Hearings Coordinator. A representative of the Owner provided access to the Place. No submissions were sought, made or received at the time of the site inspection.

Conflicts of interest

- 17 At the hearing, the Chair invited Committee members to make declarations in relation to any matters that may potentially give rise to an actual or apprehended conflict of interest. The Committee was satisfied that there were no relevant conflicts of interest.

Place name

- 18 At the hearing, the Committee noted that in the Executive Director's Recommendation and hearing submissions received from hearing parties, references to the name of the Place were largely inconsistent (i.e. 'Clifton Motors'; 'Former Clifton Motors Garage').
- 19 The Committee has resolved to forthwith refer to the Place as the Former Clifton Motor Garage, and has amended wording relating to the Extent of Registration, Permit Policy and Statement of Cultural Heritage Significance accordingly to ensure consistency.

Future use of the Place

- 20 All parties were reminded that, pursuant to s 42 of the Act, it is not within the Committee's remit to consider future development proposals, or pre-empt any decisions regarding future permits. Rather, it is the role of the Committee to determine whether or not the Place, and all structures included in the recommended registration extent, are of cultural heritage significance to the State of Victoria.

ISSUES

- 21 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 the Committee takes on each issue.
- 22 Any reference to Criteria refers to the *Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance* (see **Attachment 1**).
- 23 It is noted that a significant degree of common ground was found between the submissions of the Executive Director and the Owner, namely an agreement that the 1938 Moderne façade of the Place is of cultural heritage significance to the State of Victoria; that the façade meets 'Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places or environments' at State level; and that the title boundary of the Place forms an appropriate extent of registration.
- 24 The key points of difference between the hearing parties were whether or not the earlier 1920s structures included in the recommended extent of registration for the Place are of cultural heritage significance to the State of Victoria, and if so, to what degree; and the proposed Permit Exemption Policy for the Place.

Criterion A – Importance of to the course or pattern of Victoria’s cultural history

- 25 The Executive Director recommended and submitted that the Place does not meet the threshold for inclusion on the Register under Criterion A, for the following reasons as set out on page 7 of the Recommendation:

‘There are many extant garages workshops, showrooms and other places associated with the car industry across Victoria. Many were constructed or re-developed in the 1920s or 1930s. There are more than five places in the Victorian Heritage Register (VHR) which are similar to the Former Clifton Motor Garage, and many have Heritage Overlays. As a garage, the Former Clifton Motor Garage has been compromised through alterations, and its association with the development of the car industry in Victoria is not understood better than most other places with substantially the same association’.

- 26 All parties agreed that the Place was not considered to meet Criterion A at State level.
- 27 However, the proposed Statement of Significance on page 5 of the Recommendation described the Place as being of “historical significance to the State of Victoria”. At the hearing, the Executive Director confirmed that the words “historical significance” had been included in the Recommendation through error.

Submissions of the Owner

- 28 The Owner agreed with the finding of the Recommendation that the place did not satisfy Criterion A at State level. Page 7 of the Owner’s written hearing submission asserted that:

‘Alterations [to the former garage, showroom and residence] have compromised the ability of the space to demonstrate its original use. All other vestiges of their former use as a 1920s and 30s motor garage are no longer extant’.

- 29 The Owner submitted that as the Recommendation found that the Place did not meet Criterion A at State level, that the words “historical significance” should be removed from the proposed Statement of Significance for the Place.

Submissions in reply of the Executive Director

- 30 The Executive Director was amenable to the Owner’s submission at paragraph 27, and agreed that the words “historical significance” should be removed from the proposed Statement of Significance for the Place.
- 31 At the hearing, the Executive Director submitted that the Place was not assessed as meeting Criterion A at a State-level, as other motor garages already included in the Register were considered to be more intact examples that better reflect the historical significance of motor garages to the course or pattern of Victoria’s cultural history.
- 32 The Executive Director submitted that it was common for motor garages to be remodelled in the 1920s and 30s, so as to give the appearance of being “modern and cutting edge”, and to present a cohesive design. It was submitted that other motor garages already included in the Register from this period better reflect this trend of remodelling and more clearly enable a cohesive understanding of the evolution of the motor garage in Victoria.

Discussion and conclusion

- 33 Whilst the Committee notes the agreement reached between parties in relation to Criterion A, it is not persuaded by the submissions of the Executive Director and the Owner in relation to the seemingly compromised intactness of the Place.
- 34 The Committee is of the view that the 1920s structures behind the façade remain intact to a higher degree than submitted by both the Owner and the Executive Director. Whilst the showroom and workshop have undoubtedly been subjected to modifications, including the installation of a commercial kitchen, the cavernous internal spaces strongly contribute to the understanding of the former function of the Place as a motor garage and show room, as do the surviving rear vehicle entrances. Likewise, the Committee is of the view that whilst a number of considerable modifications (including recent interior renovations, such as the installation of a new bathroom) have been made to the 1920s residence, the overall structure and rear exterior appearance remain.
- 35 The Committee is also concerned that the three comparable examples provided by the Executive Director on pages 19-21 of the Recommendation (the Former AJ Thomas Motor Garage H1383; the Former Kellow Falkiner Showrooms H0668; Former Melford Motors H2306) do not provide an adequate basis of comparison to the Place in this context. Only one of the examples (H1383) functioned as a motor garage in addition to a show room, and whilst two of the three places presented as comparisons in the Recommendation (H1383 and H2306) include earlier 1920s structures that were remodelled during the 1930s, the nature of the remodelling varies considerably from what is demonstrated at the Former Clifton Motor Garage, including the addition of extra wings and storeys, and the development of the complete site into one cohesive structure and style.
- 36 Despite the above misgivings, however, the Committee is not able to decisively conclude, based on the submissions and evidence provided, that the Place is demonstrated to be a place of historical importance to the State of Victoria. Therefore, the Committee finds that Criterion A is not satisfied at State level.

Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places or objects

- 37 All parties agreed that the Place demonstrates importance in demonstrating the principal characteristic of a class of cultural places and objects, and that Criterion D is met at State level.

Submissions and evidence

- 38 The Executive Director submitted that the Place satisfies Criterion D for the following reasons, as set out on page 9 of the Recommendation:

‘The Former Clifton Motor Garage is a notable example of Moderne style architecture which was synonymous with car show rooms and garages, office buildings, cinemas and hotels in the 1930s. This is demonstrated through the symmetrical design which incorporates horizontal and vertical lines, emphasised by the central tower with streamlined fins, and decorative brick and tile work. The materials are used in a highly considered manner, indicating the proficiency of the architect, J H Wardrop. The 1938 structure cleverly incorporates the earlier workshop, showrooms and residence. The architectural characteristics of the place are of equal or higher quality than other similar places in the [Victorian Heritage Register]’.

- 39 The Owner agreed that the 1938 Moderne façade satisfied Criterion D at State level.

Discussion and conclusion

- 40 The Committee agrees with the Executive Director in relation to Criteria D, and finds that the place is a notable example of Moderne style architecture, and that the architectural characteristics of the Place are of equal or higher quality than other similar places in the Register.
- 41 The Committee is of the view that the Place is also a notable example of the class of motor garages and show rooms. The Committee finds that the relative lack of integration between the 1920s structures and 1938 Moderne façade, and the level of intactness of the Place, offers a clear understanding of the history and evolution of the motor garage in Victoria. The Committee is of the view that the surviving openings and cavernous spaces of the Place are clearly evident remnants of the functioning garage and show room, and the Moderne façade is a notable example of the pressure commonly felt by garage owners to rapidly modernise in the 1930s. The integrity of surviving structural and internal elements of the 1920s residence, including the original timber staircase, balustrades and lead light windows, also contribute to a cohesive demonstration of the development and chronology of the Place and of other motor garages and show rooms in Victoria.
- 42 The Committee wishes to further note that the Place demonstrates a very early example of “reverse façadism”, whereby the street-facing appearance of an earlier building has been significantly modernised by the construction of a new façade only,¹ and is satisfied that this practice is not represented by any Place currently included the Register. It is noted that this element of the Place’s significance is not included in the Recommendation.
- 43 The Committee finds that Criterion D is satisfied at State level in relation to the Place.

Statement of Significance and Extent of Registration

Submissions of the Owner

- 44 The Owner submitted that, as the Recommendation found the Place did not meet Criterion A at State level, and nor were the former workshop, showroom, or residence found to be significant at State level, the 1920s buildings should therefore be removed from the extent of registration.
- 45 The Owner further submitted that although there is a physical intersection between the 1920s structures and the 1938 Moderne façade, the 1920s buildings cannot be considered as being of contributory significance to the Place, as the intention of the 1938 construction of the façade was not to “unify” the extant buildings, but rather to “conceal” them.
- 46 The Owners requested that, should the 1920 structures be retained within the extent of registration, that they be identified as being of “non-contributory” significance in the Statement of Significance for the Place.

Submissions in reply of the Executive Director

- 47 The Executive Director submitted that, although the cultural heritage significance of the place primarily relates to the 1938 Moderne façade fronting Queens Parade, the 1920s buildings sitting behind the façade cannot be considered as being of non-contributory significance.

¹ As opposed to the more currently recognised concept of façadism, whereby a historical façade or “shell” of a building is retained, whilst new structures are erected behind or around it.

- 48 The Executive Director submitted that as the earlier 1920s structures were built prior to the erection of the Moderne façade, they are the provocation and rationale behind the façade’s design and construction, and that without them the façade would simply be “an interesting and well-designed wall”. As such, these structures are intrinsic to the appreciation, understanding and context of the 1938 Moderne structure, and therefore cannot be considered to have no significance.
- 49 The Executive Director additionally submitted that protective curtilage and setting is something included in all contemporary registrations, with the registration of buildings on their own ceasing with the introduction if the *Historic Buildings Act 1981*.
- 50 The Executive Director referred to s 27 of the Act in support of his recommendation to include the 1920s buildings in the extent of registration:

27. Registration of additional land

- (1) *If the Executive Director considers that—*
- (a) *the cultural heritage significance of a registered place or a place nominated under this Division for inclusion in the Heritage Register would be substantially less if the land or any part of the land which is or has been used in conjunction with the place were developed; or*
 - (b) *land surrounding a registered place or nominated place is important to the protection or conservation of that place or contributes to the understanding of that place—*
- he or she may accept a nomination that that land be added to the Heritage Register as part of that place.*
- (2) *A nomination may be accepted under this section whether or not the land is in the same ownership as the place.*

- 51 The Executive Director submitted that pursuant to s 27(1)(b) of the Act, as these structures intersect with and are attached to the 1938 Moderne structure, it is important to consider these structures as being of contributory significance in order to manage the structure of the façade, in the event of any future proposed development or changes to the Place.

Discussion and conclusion

- 52 The Committee is of the view that the 1920s rear buildings cannot be considered as being of “non-contributory” significance to the Place.

- 53 The Committee is persuaded by the Executive Director’s submissions relating to the intrinsic physical and historical relationship between the 1938 Moderne façade and the 1920s structures behind it, and agrees that the 1920s structures are necessary to understanding the context of the façade, and reading the sequence of conversion of the Place. Without the appreciation of the 1920s structures, the rationale behind the façade’s design would be unclear, as would be the Place’s original function as a motor garage.
- 54 The Committee is of the view that the 1920s rear structures afford an understanding of the original purpose of the façade to conceal and aggrandise an earlier, more humble, garage. The “new” building (the 1938 Moderne structure fronting Queens Parade) can only be understood as “new” in relation to the existence of the “old” buildings (former workshop and show room spaces). Were just the façade to be retained as significant, there would be a clear diminution of understanding of this particular façade, that is, compared to other facades in the Register where the facades are the only remnant of a former unitary structure with which they were once contemporary.
- 55 The Committee is of the view that the Place’s intactness and rarity as one of the only buildings in Victoria modernised in the 1930s through the construction of a façade alone contributes to its significance at State level. This significance cannot be understood without the context provided by the 1920s structures concealed behind it. Therefore, the Committee determines to confirm the recommended extent of registration for the Place, including the 1920s workshops, showrooms and former residence as elements of contributory significance (see **Attachment 2**).
- 56 Based on its findings above, the Committee has resolved to modify the recommended Statement of Significance (see **Attachment 3**).

Permit Exemption Policy

Submissions of the Owner

- 57 In written submissions, the Owner submitted that an alternative to removing the 1920s buildings from the extent of registration would be to amend the Permit Exemption Policy to identify the 1920s structures as being of non-contributory significance. The Owner requested that the Permit Exemption Policy exempt works to the 1920s structures from the permit requirements of the Heritage Act 2017.

Submissions in reply of the Executive Director

- 58 The Executive Director did not agree with providing permit exemptions for works to the 1920s rear structures, being of the view that the structural integrity and the retention of cultural heritage significance of the 1938 Moderne façade requires management through the permit process rather than a permit exemption.
- 59 At the hearing, the Executive Director further clarified in response to questioning from the Committee, that there are no known architectural drawings of the Place, and the extent to which the rear 1920s structure intersect with the 1938 Moderne façade remains unclear. The Executive Director submitted that this further supports the need for any future changes to the Place to be managed through the permit application process pursuant to *Heritage Act 2017*.

60 The Executive Director reiterated that the absence of permit exemptions directly relating to works to the 1920s buildings does not necessarily mean that future demolition or development of these structures could never occur; rather, that such activity would need to be managed through the permit process pursuant to the *Heritage Act 2017*.

Discussion and conclusion

61 In light of the Committee's determinations above relating to the significance of the 1920s buildings, the Committee determines not to amend the Permit Exemption Policy to allow works to the 1920s structures to be exempt from requiring a permit pursuant to s 92(1) of the *Heritage Act 2017*.

62 The Committee is further persuaded that any works to the 1920s areas of the Place require the rigour and clarity afforded by the permit process pursuant to the *Heritage Act 2017*, given the absence of architectural drawings for the Place and the lack of understanding regarding the structural relationship between the 1938 Moderne façade and 1920s rear buildings.

63 The Committee, however, is of the view that the language of the proposed Permit Exemption Policy is somewhat generalised and at times unclear. This is particularly so with reference to the repeated use of the undefined term "original", which is potentially confusing and problematic given the various construction phases of the Place. Therefore, the Committee has resolved pursuant to s 42(4) to modify the Permit Exemption Policy for the Place (see **Attachment 4**). The Committee also notes that it has amended references to the Act (repealed) to reflect the commencement of the New Act.

CONCLUSION

64 In accordance with s 265 of the *Heritage Act 2017* and s 42(1)(a) of the Act, the Committee determines that the Former Clifton Motor Garage, at 205-211 Queens Parade Fitzroy North is of cultural heritage significance to the State of Victoria and should be included in the Register as it meets the State-level threshold for inclusion in the Register under Criterion D.

65 The Committee appends the Extent of Registration, Statement of Cultural Heritage Significance, Permit Policy and Permit Exemptions for the Place to record its inclusion in the Register, including any changes the Committee has made to the material included in the Recommendation (see **Attachments 2-4**).

ATTACHMENT 1

HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE

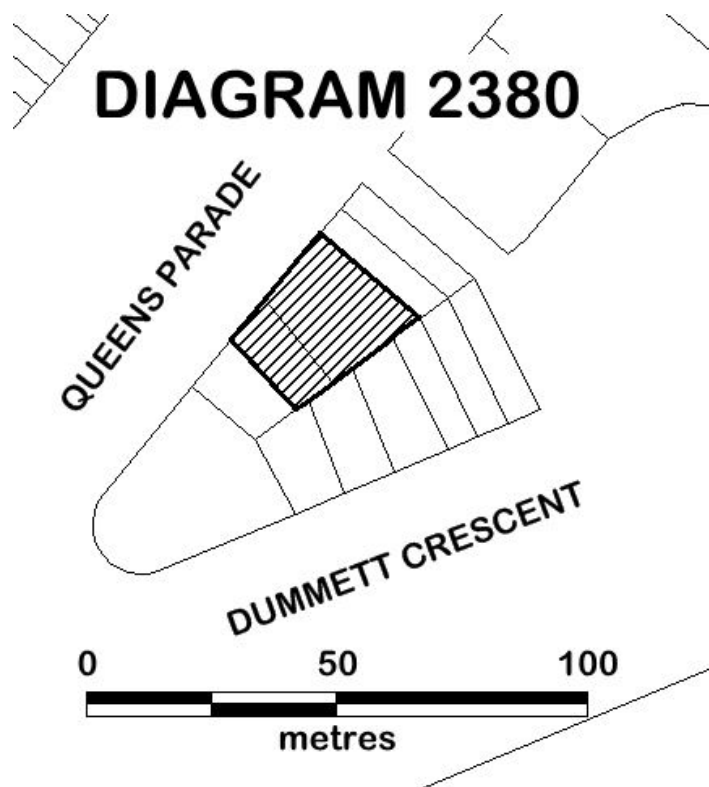
CRITERION A	Importance to the course, or pattern, of Victoria's cultural history
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION 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 community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.
CRITERION H	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 7 August 2008, and replace the previous criteria adopted by the Heritage Council on 6 March 1997.

ATTACHMENT 2

EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 2380 encompassing all of Lots 2 and 3 on Lodged Plan 6254.



The extent of registration of the Former Clifton Motors Garage in the Victorian Heritage Register affects the whole place shown on Diagram 2380 including all buildings (including the exteriors and interiors).

RATIONALE FOR EXTENT

The extent includes all of the structures formerly known as Clifton Motor Garage. It includes the 1938 Moderne structure fronting Queens Parade, as well as the former workshop and showroom spaces on the ground floor and the former residence on the first floor. The 1938 Moderne structure is more intact than the structures behind it, but all elements contribute to an understanding of the evolution of the place from a motor garage, workshop and showroom, to the amalgamation of three separate building into a cohesive whole in 1938.

AERIAL PHOTO OF THE PLACE SHOWING **PROPOSED** REGISTRATION



ATTACHMENT 3

PROPOSED PERMIT POLICY

Preamble

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to a registered place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering questions the owner may have and aid any decisions regarding works to the place.

The extent of registration of the Former Clifton Motors Garage in the Victorian Heritage Register affects the whole place shown on Diagram 2380 including all buildings (exteriors and interiors) and other features. Under the *Heritage Act ~~1995~~2017* a person must not remove or demolish, damage or despoil, develop or alter or excavate, relocate or disturb the position of any part of a registered place or object without approval. It is acknowledged, however, that alterations and other works may be required to keep places and objects in good repair and adapt them for use into the future.

If a person wishes to undertake works or activities in relation to a registered place or registered object, they must apply to the Executive Director, Heritage Victoria for a permit. The purpose of a permit is to enable appropriate change to a place and to effectively manage adverse impacts on the cultural heritage significance of a place as a consequence of change. If an owner is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.

Permits are required for anything which alters the place or object, unless a **permit exemption** is granted. Permit exemptions usually cover routine maintenance and upkeep issues faced by owners as well as minor works or works to the elements of the place or object that are not significant. They may include appropriate works that are specified in a conservation management plan. Permit exemptions can be granted at the time of registration (under [s.49\(3\) of the Heritage Act 2017](#)~~s.42 of the Heritage Act~~) or after registration (under [s.92 of the Heritage Act 2017](#)~~s.66 of the Heritage Act~~).

It should be noted that the addition of new buildings to the registered place, as well as alterations to the interior and exterior of existing buildings requires a permit, unless a specific permit exemption is granted.

Conservation management plans

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

Aboriginal cultural heritage

If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the *Aboriginal Heritage Act 2006*.

Other approvals

Please be aware that approval from other authorities (such as local government) may be required to undertake works.

Archaeology

Ground disturbance may affect any archaeological deposits at the place and, subject to the exemptions stated in this document, requires a permit.

Cultural heritage significance

Overview of significance

The cultural heritage significance of the Former Clifton Motors Garage lies in the 1938 Moderne structure fronting Queens Parade and in the former garage, showroom, workshop and residence behind [constructed over the period 1921-1938](#).

~~PROPOSED PERMIT EXEMPTIONS (UNDER SECTION 49(3) 42 OF THE HERITAGE ACT 2017 HERITAGE ACT)~~

It should be noted that Permit Exemptions can be granted at the time of registration (under [s.49\(3\) of the Heritage Act 2017](#) ~~s.42(4) of the Heritage Act~~). Permit Exemptions can also be applied for and granted after registration (under [s.92 of the Heritage Act 2017](#) ~~s.66 of the Heritage Act~~).

General Condition 1

All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

General Condition 2

Should it become apparent during further inspection or the carrying out of works that original [elements \(defined as being elements of the place constructed between 1921-1938\)](#) or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

General Condition 3

All works should ideally be informed by Conservation Management Plans prepared for the place. 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 Condition 4

Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.

General Condition 5

Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the relevant responsible authority, where applicable.

Specific Permit Exemptions

Exterior

- Minor patching, repair and maintenance which replace like with like.
- Removal of non-original items such as air conditioners, pipe work, ducting, wiring, antennae, aerials, signage etc and making good in a manner which does not damage the heritage fabric.
- Installation or removal of non-original external fixtures and fittings such as hot water services and taps in a manner which does not damage the heritage fabric.

- Installation or repair of damp-proofing by an approved method in a manner which does not damage the heritage fabric.
- Painting of previously painted surfaces provided that preparation or painting does not remove the original paint, decorative schemes or painted signage, or damage the heritage fabric.

Interior

- Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of any original paint or other decorative scheme.
- Demolition or removal of non-original stud/partition walls, suspended ceilings or non-original wall linings, non-original doors, windows, bathroom, bar, restaurant and kitchen fit-outs or lights.
- Installation of removable stud walls provided that installation does not damage/remove original fabric.
- Refurbishment of non-original bathrooms, toilets and kitchens including removal, installation or replacement of non-original sanitary fixtures and associated piping, mirrors, wall and floor coverings.
- Removal of non-original tiling or concrete slabs in wet areas provided there is no damage to or alteration of original structure or fabric.
- Installation, removal or replacement of electrical wiring provided that all new wiring is fully concealed and any original light switches, pull cords, push buttons or power outlets are retained in-situ. Note: if wiring original to the place was carried in timber conduits then the conduits should remain in situ.
- Installation, removal or replacement of non-original carpets and/or flexible floor coverings, wall coverings, curtain, blinds, curtain tracks, rods, blinds, and hooks, nails and other devices for hanging artwork and mirrors.
- Installation, removal or replacement of bulk insulation and plant in the roof space.
- Installation, removal or replacement of smoke detectors.

Maintenance and Security

- General maintenance including the removal of broken glass, the temporary shuttering of windows and covering of holes as long as this work is reversible and does not have a detrimental impact on cultural heritage significance.

Public Safety and Security

- The erection of temporary security fencing, scaffolding or hoardings to prevent unauthorised access or secure public safety which will not have a detrimental effect on the fabric of the place.
- Emergency building stabilisation (including propping) necessary to secure safety where a site feature has been irreparably damaged or destabilised and represents a safety risk.
Note: Urgent or emergency site works are to be undertaken by an appropriately qualified specialist such as a structural engineer, or other heritage professional.

Hard Landscape Elements

There is no landscape or gardens associated with this place.

ATTACHMENT 4

STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Former Clifton Motors Garage including the 1938 Moderne structure fronting Queens Parade and the former workshop, showroom and residential spaces behind.

History Summary

The site on which the Former Clifton Motor Garage is located was originally a sawmill and wood yard. In 1919 the site with existing workshop and garage was purchased by George and Lindsay Laity. In response to the growth in car ownership in the 1920s, the Laitys expanded the business by constructing a new brick garage and residence in 1921 and a car showroom in 1926. By 1933, Lindsay Laity was the sole owner. In 1938 he redeveloped the property, installed new equipment and engaged architect J H Wardrop to design a new unified frontage to Queens Parade in the Moderne style, similar to the adjacent United Kingdom Hotel (VHR H0684), also designed by Wardrop. During the 1940s and 50s, the business was owned by Edwin McKeown and then R. Bayford Pty Ltd. The property has been in the same ownership since 1964, when it began operating as Tru-Mould Tyre Services. In recent years, the property has operated as a bar and restaurant.

Description Summary

The Former Clifton Motor Garage comprises a symmetrical street frontage in the Moderne style with workshop spaces behind (now converted to a kitchen and restaurant) and a former residence on the first floor. The place is dominated by a central tower with vertical fins above a centrally located window with entrance doors on either side. Single storey wings flank the tower on each side. Each wing has a large central opening for car access, and a window at each end. The lower walls are tiled with orange and brown ceramic tiles inlaid with red horizontal strip tiles. The upper walls are constructed of red bricks laid in a horizontal banded pattern with rendered panels framed in dark bricks. The former residence is located behind the central tower on the first floor and the ground floor is a single open space. The floors are polished concrete and the walls are exposed red brick. The western side of the building has exposed trusses and an unlined corrugated iron roof, and the eastern side has exposed trusses with plasterboard ceilings. The rear of the building now contains a commercial kitchen.

Traditional owners/Registered Aboriginal Parties

This site is part of the traditional land of the Wurundjeri people.

HOW IS IT SIGNIFICANT?

The Former Clifton Motors Garage is of architectural ~~and historical~~ significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

WHY IS IT SIGNIFICANT?

The Former Clifton Motor Garage is significant at the State level for the following reasons:

The Former Clifton Motor Garage, designed by J H Wardrop is of architectural significance as a notable example of Moderne style architecture in Victoria. This is expressed through the striking 1938 street frontage to Queens Parade. Art Deco and Moderne style architecture became synonymous with car showrooms and garages, office buildings, cinemas and hotels in the 1920s and 1930s. The Former Clifton Motor Garage references the adjacent Former United Kingdom Hotel (VHR H0684), also designed by Wardrop through its scale, Moderne design and materials. The Former Clifton Motor Garage exhibits a streamlined, symmetrical design through the use of strong horizontal and vertical lines, cubic forms, vertical fins, and decorative brick and tile work. The Moderne frontage unifies the rear garage, showrooms and residence and conveys an image of the developing Australian motor car industry as modern, fast and forward thinking. [Additionally, the Moderne frontage is an unusual and early example of the practice of modernising an earlier building through the construction of a new façade only.](#)

[The Former Clifton Motor Garage is significant to the State of Victoria for demonstrating the principal characteristics of motor garages and show rooms in Victoria. The relative lack of integration between the 1920s structures and 1938 Moderne façade, and the level of intactness of the place, offers a clear understanding of the history and evolution of the motor garage in Victoria. The surviving openings and cavernous spaces of the Place are clearly evident remnants of the functioning garage and show room, and the Moderne façade is a notable example of the pressure commonly felt by garage owners to rapidly modernise in the 1930s. The integrity of surviving structural and internal elements of the 1920s residence, including original timber staircases, balustrades and lead light windows also contribute to the ability of the Former Clifton Motor Garage to cohesively demonstrate the development and chronology of motor garages and show rooms in Victoria.](#) [Criterion D]