



Environment Protection and Biodiversity Conservation Act 1999

INCLUSION OF A PLACE IN THE NATIONAL HERITAGE LIST

I, Malcolm Bligh Turnbull, Minister for the Environment and Water Resources, having considered, in relation to the place specified in the Schedule of this instrument -

- (a) the Australian Heritage Council's assessment whether the place meets any of the National Heritage criteria; and
- (b) the comments determined to have been given to the Council under section 324JH of the Environment Protection and Biodiversity Conservation Act 1999; and

being satisfied that the place described in the Schedule has the National Heritage value or values specified in the Schedule, pursuant to section 324JJ of the Environment Protection and Biodiversity Conservation Act 1999, include it in the National Heritage List.

Dated 13th day of September 2007

[signed]

Malcolm Bligh Turnbull
Minister for the Environment
and Water Resources

SCHEDULE**STATE / TERRITORY**

Name:

Location / Boundary

Criteria / Values

AUSTRALIAN CAPITAL TERRITORY**High Court - National Gallery Precinct:**

About 16ha, Parkes Place and King Edward Terrace, Parkes, comprising the area bounded by the alignment of the north-western boundary of Blocks 6 and 8 Section 28, Parkes, the southern shore of Lake Burley Griffin, the northern side of Bowen Place and the eastern and southern boundary of Block 7 Section 29, Parkes, and the northern side of King Edward Terrace.

Excluded is the National Gallery car park, being that part of Block 7 Section 29 to the west of ACT Standard Grid 211583mE.

Criterion**Values**

- (a) the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history.

The High Court - National Gallery Precinct (the Precinct) demonstrates the development of the Parliamentary Zone as the home for national institutions during a period in Australian cultural history when a search for national identity was stimulated by rapidly evolving political and social environment. The values of the Precinct are predominantly expressed in the major features of the High Court, its Forecourt, Ceremonial Ramp and Cascade, as well as the relationship between the High Court and the National Gallery, and the Sculpture Garden with its water features.

The High Court is the highest court in Australia. It forms an essential element in the balance of power among the executive, houses of parliament and the courts. The building is not only the site for landmark legal cases and the focus and pinnacle of the justice system in Australia, its siting and setting reinforce the Court's constitutional importance and power, as well as its relationship to, but independence from the other arms of democratic government. Its design was influenced by its first presiding Chief Justice, Sir Garfield Barwick.

The High Court Building has outstanding associative Indigenous heritage value because it is the place where the *Mabo* and *Wik* judgements were made. Sir Anthony Mason was Chief Justice for the *Mabo* case and Sir Gerald Brennan was Chief Justice for the *Wik* Case. The judgements recognised Indigenous common law rights to land and provided the basis for the recognition of native title.

The creation of the National Gallery and the Sculpture Garden demonstrated growing confidence in a sense of nationhood reflected through a role for the national government and capital in the creating and presenting of major collections important to the nation.

Criterion

Values

- (d) the place has outstanding heritage value to the nation because of the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments.
- The High Court - National Gallery Precinct is a rare example of an integrated design employing modernist building and landscape architecture on a scale and of a fineness of finish designed to project a sense of national importance. The precinct architecture is the work of the firm Edwards, Madigan Torzillo & Briggs. Colin Madigan designed the National Gallery and Christopher Kringas designed the High Court.
- The High Court and National Gallery buildings are excellent examples of the Late Twentieth Century Brutalist style, demonstrating boldly composed shapes and massing.
- The landscape design by Harry Howard predominantly reflects the Australian Native design style that developed in Australia in the late 1960s, inspired by a distinctively Australian landscape character.
- (e) the place has outstanding heritage value to the nation because of the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.
- The Precinct provides a significant array of aesthetic experiences derived from the patterns of the architectural masses, rough textures of the off-form concrete architectural elements, the vast spaces of the building foyers, the varied levels of the buildings, the varied internal spaces, the patterns of the external columns and tower elements, and, within the landscape surrounds, the vistas, the water features, terraces, sculptures and the intimate garden areas.
- The High Court has aesthetic importance for its grand monumental presence, projecting and recessing concrete shapes, the awe-inspiring spacious qualities of the Public Hall and the contrasting but strongly expressed elevations.
- The High Court has a symbolic prominence in its physical separation from Parliament. It also has visual landmark prominence in the important landscape setting of the Parliamentary Zone particularly when viewed from across the lake.
- The Sculpture Garden is important for the great richness of features and visual beauty resulting from the combination of sculptures of high artistic merit and a highly creative garden design using predominantly local native species. In addition, the off-white colour of the concrete masses, enhanced by predominantly cool hues of the selected native vegetation and slate paving. The sharp forms and hard texture of the concrete features create a dynamic interaction with the informal shapes and textures of the garden spaces, a quality that is particularly emphasised at the marsh pond where the flat planes of the concrete platform and footbridge appear to float over the surface of the marsh pond. The ephemeral aesthetic qualities of the water features, particularly the Fog Sculpture, and the beauty of the gardens and landscape areas are greatly enjoyed by the community.

Criterion**Values**

- (f) the place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period.

The High Court - National Gallery Precinct is important for its design achievement. The Precinct is an integrated complex of buildings, gardens, landscaping, water features and architectural elements which create a setting for the national art and sculpture collection as well as venue for important national functions. The complex is stylistically integrated in terms of architectural forms and finishes, and as an ensemble of freestanding buildings linked by a footbridge in a cohesive landscape setting.

The High Court of Australia is an imposing civic building which incorporates the significant design features of the ceremonial ramp, the forecourt, the courtrooms, the emblematic designs on fittings and the Public Hall. The highly prominent ceremonial ramp with its integral water cascade is a design feature that symbolically invites public access to the High Court and links to the National Gallery entrance. The high profile of the building in the precinct and Parliamentary Triangle is also an important design feature that emphasises the separation of the Judiciary from Parliament and the role of the High Court as the intermediary between the government and the people.

An innovative design feature of the Precinct is the extension of the underpinning triangular geometry of the spatial layout of the National Gallery projecting into the surrounding landscape, particularly in the Sculpture Garden and High Court Forecourt, expressed in path layout patterns, paving patterns, the angled siting of the Flugelman Sculpture and the water patterns of the High Court cascade. The triangular shape is further expressed in structural columns and beam patterns of the Gallery as in numerous small elements.

A key design feature for the Sculpture Garden is the integration of the sculptures with the garden by the use of partially enclosed display spaces, long sight lines and water features. A further design feature is the subtle division of the garden into seasonal areas to reflect flowering in the spring and winter gardens, and a cool ambience with water in the summer garden. The Fiona Hall Fern Garden is an individual creative work.

The Precinct is important for the artistry and craftsmanship of the water features of the marsh pond with its cascade and the adjacent Fujiko Nakaya *Fog Sculpture*, the reflecting pool with the Lachaise *Floating Figure*, and High Court Ceremonial Ramp Cascade.

The innovative design excellence arising from the high quality integrated concrete structures and spaces composition combined with the craft based approach to concrete construction, is expressed throughout the precinct with the exception of the 1997 Gallery wing.

Criterion	Values
(g) the place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.	As the focus and the pinnacle of the justice system in Australia, the High Court has critical importance to each and every Australian.

For a description of any references quoted above, and more information on each of the places please search the Australian Heritage Database at <http://www.deh.gov.au/cgi-bin/ahdb/search.pl> using the name of the place.