



## REGISTER OF HERITAGE PLACES - ASSESSMENT DOCUMENTATION

### 11. ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

The criteria adopted by the Heritage Council in November 1996 have been used to determine the cultural heritage significance of the place.

#### PRINCIPAL AUSTRALIAN HISTORIC THEME(S)

- 4.3 Developing institutions
- 7.6 Administering Australia
- 7.6.4 Dispensing justice
- 8.1 Organising recreation

#### HERITAGE COUNCIL OF WESTERN AUSTRALIA THEME(S)

- 403 Law and order
- 405 Sport, recreation and entertainment
- 408 Institutions
- 602 Early settlers

#### 11.1 AESTHETIC VALUE\*

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* is of aesthetic significance to the people of Perth and Western Australia because it represents some of the city's major institutions. Their formal proportions, grand scale and design represent the role of the legal system in society. The formal aesthetic qualities of the buildings represent the community's respect for those institutions. (Criterion 1.1)

The Supreme Court Gardens and the Stirling Gardens are important to the community as attractive places to visit and as settings for organised public events. (Criterion 1.1)

The Supreme Court is of aesthetic significance as an excellent example of the work of Chief Architect John Grainger. Both in terms of the planning of the building and the design of the elevations, the building is of high architectural quality. The building is an excellent example of Federation Academic Classical architectural style. The planning of the building using the change in levels to provide public and restricted access to the different parts of the building from different levels, the quality of the main entrance and three principal courts, the use of light wells to provide natural light throughout the building and the design of the judges' chambers and library overlooking the Supreme Court

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\* For consistency, all references to architectural style are taken from Apperly, Richard; Irving, Robert and Reynolds, Peter *A Pictorial Guide to Identifying Australian Architecture: Styles and Terms from 1788 to the Present*, Angus & Robertson, North Ryde, 1989.

Gardens and river are all examples of the aesthetic quality of the building. (Criterion 1.2)

The Old Courthouse is an excellent example of classical Greek revival style and is notable as a significant achievement in the infant colony. (Criteria 1.1 & 1.2)

The gardens immediately surrounding the Supreme Court exhibit design skill in creating a dignified setting for the building which shield it from its busy, public surroundings. The lower gardens exhibit considerable level of design achievement in the creation of an attractively enclosed, sheltered garden environment from a previously exposed windswept space. (Criterion 1.2)

The large, mature trees along Barrack Street and Riverside Drive, particularly the curving row of tall Washington Palms, contribute to the aesthetic quality of the surrounding area, and are visually continuous with Stirling Gardens to the north and the grounds of Government House to the north-east. They are a distinctive landmark in their own right from viewpoints as distant as Kings Park and South Perth. (Criterion 1.3)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* are integral components of the area known as the Government Precinct. This area includes a number of other government buildings and significant public open spaces. In the immediate vicinity of the Supreme Court, the old Courthouse provides an important aesthetic component of the formal approach to the Supreme Court. (Criterion 1.4)

The tall perimeter planting of Supreme Court Gardens contributes to and is integral with the streetscape of Riverside Drive, and forms an integral part of the avenue of Moreton Bay Figs which line and enclose Barrack Street between The Esplanade and Riverside Drive. (Criterion 1.4)

## 11. 2. HISTORIC VALUE

The Supreme Court and the Old Courthouse have accommodated a number of the State's judicial courts. They have housed the courts where the state's major civil and criminal cases have been tried and were places where significant decisions affecting the practice of law, and changes in the justice and Industrial Arbitration system have been taken place. (Criterion 2.1)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* is associated with the reclamation of the Swan River in the late 1800s and early 1900s for the purposes of providing level public open space for the city. (Criterion 2.1)

Parts of Stirling Gardens were used as one of the State's first acclimatisation gardens, from c. 1893. (Criterion 2.1)

The Old Courthouse is Perth's oldest building, and one of two remaining examples of the work of Henry Reveley, the colonial civil engineer. (Criteria 2.1 & 2.3)

The Supreme Court is historically significant for associations with significant events such as the imposition of the last death penalty in Western Australia in 1963. (Criterion 2.2)

The creation of Supreme Court Gardens and Stirling Gardens are important for their association with concerns about the provision of developed public open space in the City of Perth. (Criterion 2.2)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* is associated with a large number of eminent members of the legal professional

and the justice system, including the twelve chief justices who have presided over the court since 1903. (Criterion 2.3)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* is associated with John Grainger, Chief Architect with the Public Works Department of WA at the period, who designed the Supreme Court, and with Henry Willey Reveley, Colonial Civil Engineer from 1829 - 1838 who designed the Old Courthouse. (Criterion 2.3)

The Supreme Court is also significant for associations with the numerous criminals and their victims involved with cases tried in the various courts in the building. (Criterion 2.3)

The Supreme Court is an excellent example of the use of Federation Academic Classical architectural style for a public building in Perth in the early twentieth century. It is also significant as a technical achievement for the construction of a large building on the banks of the Swan River. (Criterion 2.4)

### 11. 3. SCIENTIFIC VALUE

The gardens of *Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* contain a range of mature, introduced plant species, some of which are comparatively rare within the local Perth area, which have the potential to yield information on their growth habits under cultivation, and in particular, on reclaimed land. (Criterion 3.1)

The Supreme Court Gardens has the potential to yield information on the physical layout of the first Port of Perth, the goods passing through the port between 1829 and the 1890s and the material culture of passengers using the port including newly arriving colonists. (Criterion 3.2)

The Supreme Court and Supreme Court Gardens have the potential to yield information on the stone jetty originally built by Reveley and its further extension and use as the Government jetty, and on the first major police complex in Perth and the Commissariat Store, also designed by Reveley and used as the Supreme Court from 1879. (Criterion 3.2)

The Supreme Court site area has the potential to yield information on the material culture associated with the Old Courthouse designed by Reveley and constructed in 1837 and of the existing Supreme Court constructed in 1903. (Criterion 3.2)

The Supreme Court Gardens and Stirling Gardens have some potential to inform on garden layouts and activities associated with the use of the area for social and community activities. (Criterion 3.2)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* is of scientific significance for its technical design achievement on a difficult site on the edge of a river. The design and construction of a substantial structure, such as the Supreme Court, on what was basically swampland in the early 1900s in Perth is a major achievement from the perspective of structural engineering. (Criterion 3.2)

### 11. 4. SOCIAL VALUE

The Supreme Court is of social significance representing the highest court in Western Australia. The gardens which surround and enclose the Supreme Court are an integral component of the building and its functions and are valued by the community and the legal profession for their association with the Court and the processes of law that are acted out within it. (Criterion 4.1)

The Supreme Court is significant in association with the adjacent Old Courthouse, the Francis Burt Law Centre, to the community generally for its role in the education process informing the public on the role and activities of the court. (Criterion 4.1)

The Supreme Court Gardens and Stirling Gardens are valued by the community as a venue for public gatherings, recreation and entertainment. (Criterion 4.1)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* contributes to the community's sense of place, as the site of some of major judicial institutions in the State. The gardens of *Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* are also well known and widely recognised within the City of Perth and contribute to the community's sense of place. (Criterion 4.1)

## **12. DEGREE OF SIGNIFICANCE**

### **12.1. RARITY**

The Supreme Court is the main and most important court in the State and is therefore unique. (Criterion 5.1)

The Supreme Court is a rare example of a large public building designed in the Federation Academic Classical style in Perth in the early twentieth century which remains substantially intact and has continually been used for its initial purpose since that time. (Criterion 5.1)

The Old Courthouse is rare as the oldest building in the City of Perth, as one of the few remaining designed in the classical Greek revival style of the 19<sup>th</sup> century and as one of two remaining examples of the work of H. W. Reveley. (Criterion 5.1)

The gardens of *Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens*, are comparatively rare examples of public gardens established in the 1840s and the 1920s in Perth that retain their existing site, overall layout, major plantings and design intent intact. (Criterion 5.1)

### **12.2 REPRESENTATIVENESS**

The gardens of *Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* are highly representative of the local Paradise/Oasis garden style as practiced in Perth in the 1920s. (Criterion 6.1)

*Supreme Court Building and Gardens, Old Courthouse, Stirling Gardens* represents the practice of the legal profession in Perth and in Western Australia. (Criterion 6.2)

### **12.3 CONDITION**

Prepared February 2002.

The Supreme Court is in generally sound condition. Recently completed conservation works include the completion of the staged replacement of the roof sheeting and the restoration of the three cupola skylights over the main entrance. There is evidence of rising damp in the building with salts on the surface of the stonework on the west and south elevations. Damp in the basement has been partly arrested by the installation of a drainage system to the northern side. There is minor fretting of the face brickwork in the basement. There is cracking to the balustrade parapet, particularly to the 1959

section of the building, which has been remedied by the addition of structural supports behind the parapet. The external joinery is in fair to poor condition with evidence of deterioration to window frames, and sills.

The Old Courthouse appears to be generally in sound condition. A new shingle roof has been constructed with metal ridges. The external rendered and painted walls have some superficial cracking and evidence of peeling paint. Internally the building is generally sound.

Both the Old Courthouse and the Supreme Court are inspected annually and a report on their condition prepared for the Department of Justice. White ant inspections and general maintenance is carried out on a regular basis.

All major components of Stirling Gardens and Supreme Court Gardens appear to be reasonably sound. However, many of the mature trees require ongoing arboricultural works to keep them sound and healthy. Both gardens are maintained on a regular basis by the City of Perth.

#### **12.4 INTEGRITY**

The Supreme Court and Supreme Court Gardens have high levels of integrity.

The Old Courthouse has been used for civic purposes since the founding of the settlement. The building demonstrates the origin and development of the legal and judicial system in Western Australia. This role is continued by the current use as a legal education centre (1992).

Stirling Gardens has a high level of integrity since it has been continuously used as a public garden since its opening in 1845.

#### **12.5 AUTHENTICITY**

The Supreme Court and Supreme Court Gardens have high levels of authenticity.

The Old Courthouse block is composed largely of original construction materials while the shingle roof, though historically correct, is not original. The finishes to some of the surfaces are somewhat different in their current form. (1992)

While the early landscape designs of the Stirling Gardens are not evident due to continuous change and modification, many trees have survived, such as the oak trees in the middle of the gardens (1845-46), the Cork Oak (1870s), the Giant Bamboo (before 1860), new specimens planted between 1885 and 1898, and remnants from the 1920s plantings designed to screen the Supreme Court.

Over the history of Stirling Gardens there have been many structures in the gardens including shelters, bandstands, houses, greenhouses and meteorological instrument houses but today there is little built fabric remaining in the gardens that dates from before the 1960s. Some built elements, such as the original 1845 fence lines and openings on Barrack Street and part of St Georges Terrace, the north-south axial path from the 1870s that leads from Cathedral Avenue to the Supreme Court; and other lesser paths that were established between 1880 and 1950, are important because, while they are replacements, they continue to maintain certain early uses, relationships and boundaries.

### **13. SUPPORTING EVIDENCE**

Supporting Evidence has been taken from: Heritage and Conservation Professionals, 'Supreme Court & Gardens, Conservation Plan', prepared for Register of Heritage Places - Assessment Doc'n Supreme Court Buildings and Gardens, 5 Old Court House, Stirling Gardens 14/02/2003

the Department of Contract and Management Services on behalf of the Ministry of Justice, September 1998; Considine and Griffiths Architects Pty Ltd, 'Stirling Gardens, Perth, Conservation Plan', for the City of Perth, December 1997, and Brady, Wendy & Smith, Ross, 'The Old Courthouse Perth, Conservation Plan', for the Building Management Authority of Western Australia, 1992.

Key sections used: 2.0 Analysis of Cultural Heritage Significance (p1-152), 2.0 Physical Evidence (p153-188).

### **13.1 DOCUMENTARY EVIDENCE**

For a discussion of the Documentary Evidence, refer to Heritage and Conservation Professionals, 'Supreme Court & Gardens, Conservation Plan', prepared for the Department of Contract and Management Services on behalf of the Ministry of Justice, September 1998; Considine and Griffiths Architects Pty Ltd, 'Stirling Gardens, Perth, Conservation Plan', prepared for the City of Perth, December 1997, and Brady, Wendy & Smith, Ross, 'The Old Courthouse Perth, Conservation Plan', for the Building Management Authority of Western Australia, 1992.

### **13.2 PHYSICAL EVIDENCE**

For a discussion of the Physical Evidence, refer to Heritage and Conservation Professionals, 'Supreme Court & Gardens, Conservation Plan', prepared for the Department of Contract and Management Services on behalf of the Ministry of Justice, September 1998; Considine and Griffiths Architects Pty Ltd, 'Stirling Gardens, Perth, Conservation Plan', prepared for the City of Perth, December 1997, and Brady, Wendy & Smith, Ross, 'The Old Courthouse Perth, Conservation Plan', for the Building Management Authority of Western Australia, 1992.

### **13.3 COMPARATIVE INFORMATION**

For a discussion of the Comparative Information, refer to Heritage and Conservation Professionals, 'Supreme Court & Gardens, Conservation Plan', prepared for the Department of Contract and Management Services on behalf of the Ministry of Justice, September 1998; Considine and Griffiths Architects Pty Ltd, 'Stirling Gardens, Perth, Conservation Plan', prepared for the City of Perth, December 1997, and Brady, Wendy & Smith, Ross, 'The Old Courthouse Perth, Conservation Plan', for the Building Management Authority of Western Australia, 1992.

### **13.4 KEY REFERENCES**

Heritage and Conservation Professionals, 'Supreme Court & Gardens, Conservation Plan', prepared for the Department of Contract and Management Services on behalf of the Ministry of Justice, September 1998;

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### **13.5 FURTHER RESEARCH**

Areas in Stirling Gardens that could be further investigated include: History of tree plantings, changes in layout of Stirling Gardens 1845-1952, dates and the

precise location of buildings and structures at the place where these are unknown.

Issues of Aboriginal significance have not been researched as part of the conservation plan for the Supreme Court building and gardens and the Old Court House, while the conservation plan for Stirling Gardens acknowledges pre-European settlement of the area by indigenous in a brief paragraph. Further research in the indigenous occupation of the site might be beneficial for the full understanding of its inherent significance to all people of Western Australia.