

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

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HERITAGE ACT (NSW) 1977 REVIEW



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PROTECTING SIGNIFICANT INTERIORS

SUBMISSION

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PROTECTING SIGNIFICANT INTERIORS.

HERITAGE ACT REVIEW SUBMISSION

SUMMARY

The importance of protecting significant interiors has not been widely recognised in Australia, largely because our design culture is still evolving, such that we have yet to lay claim to having a national or regional style, as is evoked through the monikers, Scandinavian or Danish design.

For this to eventuate, we need to recognise and protect key moments in our interiors history, in the same way as we are at least attempting to do, with architectural stylistic periods.

Interiors which have been fortuitously protected, like the interiors of the Rose Seidler House, can assist in setting the principles which ought to guide the preservation, conservation and adaptive reuse of significant interiors, beyond the museum setting.

REFORM PRINCIPLES

- 1. Alterations to Interiors of Non-significant buildings. Standard Exemption 4.**
- 2. Subdivision of Non-significant buildings. Standard Exemption 11.**
- 3. Interpretation of Temporary relocation of moveable heritage objects. Standard Exemption 17.**

A number of standard exemptions (1-20) to conduct work without approval exist for listings on the State Heritage Register. These exemptions, 4 and 11, could potentially impact on the integrity and survival of significant interiors, worthy of listing in their own right.¹

John Truscott Interiors Hamer Hall, Arts Centre, Melbourne

Partial demolition of significant interiors

In 2010 extensive renovations of Hamer Hall were undertaken by Ashton Raggart McDougall (ARM Architecture) which had a major impact on the integrity of the important interiors designed by John Truscott in 1980. Earlier planned refurbishments by him for the buildings 10th anniversary were not undertaken because of his death on 5th September 1993.²

¹ See Unprotected Interiors, Melbourne Heritage Action melbourneheritageaction.wordpress.com (27/06/21)

² Bridget McLeod, *Celebrating John Truscott*, 18th September 2013, performingartscollection.wordpress.com (20/06/21)

The changes to Truscott's interiors included the removal of the light sculpture by Michel Santry, *Arcturus*.³ Half of the Truscott interiors were said to have been impacted by the redevelopment.

Comment at the time was that the expectation within the architectural community was that ARM Architecture would;

“...reassert the hero Grounds, and expunge the interloper Truscott.”⁴

Heritage Victoria had issued a permit for the redevelopment to proceed.

THE ISSUES

In the UK permission to change interiors is only required if the interiors are listed.⁵ The general principle involved is that all buildings need to change over time if they are to remain in use and not become redundant. The consent regime is designed to “avoid unnecessary change, and [minimise] harm to whatever makes the building special.”⁶

The criterion for consent approval is (2011 Act, Article 85);⁷

“the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

However, an important interior, may be located within a building which itself has no architectural or historic significance.

Even for buildings which of themselves may be worthy of listing, the UK experience is that the interior of the buildings are rarely comprehensively assessed prior to listing and that “levels of rarity and completeness” may exist that are not evident from the exterior alone.⁸

Therefore prioritising, architectural and historic building listings may not have the desired effect of preserving the most important interiors.

Additionally, Klingenberg, points out the problem that surfaces - walls, floors, ceilings⁹, doors and windows - may be considered under the term ‘interiors’ as fixed elements, while important moveable elements, such as

³ Ruth Williams, August 8, 2010, *Heritage at stake as lights go down on 1980s icon*, The Age, theage.com.au 19/06/21

⁴ Conrad Harmann, 23rd February 2013, Hamer Hall, architectureau.com (20/06/21)

⁵ Johnathon Taylor, Historic Interiors and Heritage Protection buildingconservation.com 19/06/21

⁶ Johnathon Taylor, Historic Interiors and Heritage Protection buildingconservation.com 19/06/21

⁷ Johnathon Taylor, Historic Interiors and Heritage Protection buildingconservation.com 19/06/21

⁸ Johnathon Taylor, Historic Interiors and Heritage Protection buildingconservation.com 19/06/21

⁹ See Council of the City of Sydney v Trico Constructions Pty Ltd [2015] NSW LEC 56

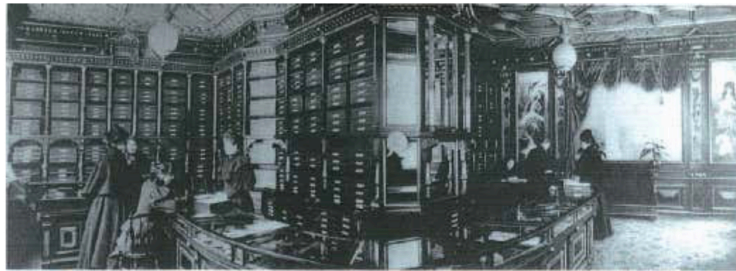


Figure 4. Shop interior 1897



Figure 5. Shop interior 1981

Photographs of the interior of a Norwegian glove shop in Oslo.

artworks, furnishings, carpets, lamps, etc may not, resulting in a loss of a unitary vision for a space.¹⁰ She says “to grasp the totality of an interior, both the material and immaterial aspects must be understood.”¹¹

Klingenberg relates how the interior of the shop (above) was transformed in its use, with all the appropriate heritage consents, from an exclusive glove shop to a pub, with much of the interior fittings being retained, however;¹²

“The atmosphere and experience of a fine, traditional upper class shop had been lost.”

There are a number of issues involved;

- the protection and conservation of important interior spaces.
- the protection and conservation of important interior built forms and surfaces.
- the protection and conservation of important interior schemes.

¹⁰ See Ellen S Klingenberg, Conservation of Cultural Memories in Interiors - A Challenge for New Use, IE International Conference, Reinventing Architecture and Interiors, the past, the present and the future, 2012.

¹¹ See Ellen S Klingenberg, Conservation of Cultural Memories in Interiors - A Challenge for New Use, IE International Conference, Reinventing Architecture and Interiors, the past, the present and the future, 2012.

¹² See Ellen S Klingenberg, Conservation of Cultural Memories in Interiors - A Challenge for New Use, IE International Conference, Reinventing Architecture and Interiors, the past, the present and the future, 2012,

- the protection and conservation of important interior artefacts and furnishings.
- the protection and conservation of representative interiors of significant practitioners.
- the protection and conservation of representative interiors of significant styles.
- the protection and conservation of representative interiors of significant periods (including interiors younger than 20 years).¹³

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There are a range of governance concerns;

- detecting the presence of contested discourse surrounding a redevelopment proposal.
- developing a process to acknowledge moral rights and involve preexisting designers perspective where possible.
- developing a process to achieve objectivity in analysing¹⁴ and creating the project proposal.
- developing a process to include all stakeholders, for and against, in objective dialogue.
- developing a process to ensure all views are objectively reviewed and responded to in an iterative way.
- developing an transparency and accountability framework.
- developing appropriate enforcement processes.



Portrait of Thea Proctor, 1905, by George W Lambert. Source: Art Gallery of New South Wales collection, [309.2005](#)

¹³ The practice in the Netherlands was to allow 50 years “to ensure sufficient distance-in-time which would allow for proper assessment of their heritage value.” Marieke Kuipers and Wiessel de Jong, *Designing from Heritage - Strategies for Conservation and Conversion*, 2017, 15.

¹⁴ “Building archaeology reports are often commissioned as a basic requirement before authorities allow alterations to listed monuments. Such reports, usually compiled by a trained building archaeologist, indicate the materials and (estimated) dates of the main components of a building. They also identify the respective values of the components in relation to the construction history of the whole. In general, the aim is to maintain elements with a (very high) historical value as much as is technically possible.” Marieke Kuipers and Wiessel de Jong, *Designing from Heritage - Strategies for Conservation and Conversion*, 2017, 32.

BACKGROUND

The Interior Design profession in Australia has a relatively short history.

The profession traces its educational history in NSW to the Sydney Mechanics School of Art opening in Sydney in 1833, followed by the Sydney School of Art in 1860. Lucien Henry taught at the Sydney Technology College in 1881. In 1915 Walter Burley Griffin designed 'Cafe Australia'. And in 1932 Thea Proctor designed a cafe for David Jones.

The first course in Interior Design in Australia was offered at RMIT in 1942.¹⁵



Cafe Australia by Walter Burley Griffin and Marion Mahony Griffin (1915)

The development of the profession of interior design in the US

The interior design profession is said to be 100 years old in the United States;¹⁶

'In the early 1900s, the term 'Interior Decorator' was first used in America. Most decorators at the time had no academic credentials, but the best of them had a combination of good taste, common senses and natural talent, to interpret and address the issues such as scale and proportion. Elsie de Wolfe, became the first interior decorator to be given a design commission. In 1913, Elsie de Wolfe, published the first interior design book, 'The House in Good Taste.' Dorothy Draper, was the first documented commercial interior decorator, establishing her design firm in 1923.'

¹⁵ Nancy Spanbroek and Marina Lommerse, Interior Architecture in Australia and Canada, IDEA Refereed Design Scheme 1999, 3. espace.curtin.edu (27/06/21)

¹⁶ A Brief History of Interior Design, IDLNY idlNY.org (20/06/21)

In the US in 1903, the New York School of Applied and Fine Arts, now Parsons, offered the first courses in Interior Decoration.¹⁷ The desire for greater education in the fine and applied arts drew impetus from the industrial revolution making available to a greater number of people furnishings and decorations, many of poor design and quality. “Many buyers lacked the taste and training to distinguish between the two.”¹⁸ American writers, critics and designers, influenced by John Ruskin¹⁹ and William Morris in the UK, called for more training to elevate the standard of taste.²⁰

The development of the interior design profession in Australia

In Australia Marion Hall Best practicing between 1938 and 1974, is said to be the best known and most influential practitioner. There are no known accessible interiors designed by her. Best advocated for interior decorating to become a profession.

There is a significant difference in the work of an interior decorator²¹ and an interior designer that is perhaps little understood. A decorator’s role more closely resembles - although it differs from - what we would today call a interior stylist. But essentially interior decorators would work with a client on creating sophisticated - often seasonal - decorating schemes, primarily but not exclusively, for homes.

Sue Carr, an interior designer, practising from the 1970s onwards, is said to have taken up the mantle of professionalisation.²² A interior designer works with the architectural envelope to provide for occupation of spaces within buildings. Their work has a greater emphasis on the functional and organisational aspects of designing, often for commercial purposes, rather than primarily on the aesthetic or decorative.

The term interior architecture has been introduced in an attempt to provide “a more accurate description of what interior designers do and to better distinguish their role from similar professions.”²³ Not all in the profession agree that this nomenclature assists with clarifying issues of professional identity.

¹⁷ A Brief History of Interior Design, IDLNY idlhy.org (20/06/21)

¹⁸ Interior decoration traces its origins to wall painting and furniture sales. Bridget A May, Lessons in Diversity: Origins of Interior Decoration Education in the United States, 1870-1930, Journal of Interior Design, 31st October 2016,

¹⁹ John Ruskin was a founding member of the Society for the Protection of Ancient Monuments (SPAB 1877)

²⁰ Interior decoration traces its origins to wall painting and furniture sales. Bridget A May, Lessons in Diversity: Origins of Interior Decoration Education in the United States, 1870-1930, Journal of Interior Design, 31st October 2016,

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²² Indesign’s Little Black Book of Australian Interior Designers, indesignlive.com (20/06/21)

²³ As a professional with both interiors and architectural training this rationale is unhelpful, particularly when architects (particularly females who are often allocated these tasks) undertake interiors work without the specialised training.

THE ATHENS (1931) AND VENICE CHARTERS (1964)



FIG. 2.24 The Roman Theatre of Marcellus, completed in 11 BC / Maurizio Olmeda

“It is self-evident and generally accepted that the theatre of Marcellus dating from 11BC forms part of our cultural heritage. Most people will understand that this old structure is not simply a pile of rubble, even though its original function was altered by converting it into dwellings during the Renaissance.”²⁴

In *Designing from Heritage - Strategies for Conservation and Conversion*, - **pertinent to the identification and conservation of interiors** - the authors point to key questions about;

- the Structure/Space Relationship (Spirit of Place);
- the Space Plan/Street and Immediate Surroundings;
- Spatial Arrangements;
- The Service Layer and Furnishings and Furniture of a Heritage Interior
- and Spirit of Place.



FIG. 4.3 Anonymous contemporary drawing of the archaeologist Alexandre Lenoir in the crypt of the Basilique at St Denis, personally opposing vandalism of the Royal Tombs during the ravages of the French Revolution in 1793; a civic act that contributed to the later institutionalisation of historical buildings and monuments care as a national concern / source unknown.

²⁴ Kuipers and de Jonge, *Designing from Heritage - Strategies for Conservation and Conversion*, 2017, 27.

Conservation

Conservation aims to sustain the historic fabric as much as possible, while restoration aims to re-instate the historic image of a stylistically coherent unity. Although the two approaches to heritage are often considered to be opposed, they need not be.

Likewise commemorative values (age and historical value) need not exclude present day values (use and art value).²⁵ Each approach can be used separately or combined judiciously, reflecting the relevant values, with proper analysis, research and documentation, according to need and circumstances. For example, interiors with a high degree of intactness, by significant designers in signature styles, have a high art value. This predominant high art value should guide the overall approach towards conservation and restoration.

Adaptive Reuse

In contemporary conservation practice, keeping buildings in use has become the primary focus, shifting conservation strategies further towards regeneration and adaptive re-use. Regeneration and adaptive re-use may be appropriate in many circumstances - but certainly not all. Reconstruction and replication are also now favoured approaches to conservation.²⁶

Instructively, for understanding nuance in heritage value, in the conservation of the early buildings of the Modern Movement conservation efforts are “often directed at design intentions and rarely at material aspects.”²⁷

THE ATHENS CHARTER 1931

“In 1931 The International Museums Office organised at the Athens Conference, a meeting of Conservationists of historic buildings. It was not until 1957 that the architectural specialists organised a conference of their own [in Paris]”²⁸

THE VENICE CHARTER 1964

The Venice Charter 1964 or the International Restoration Charter, put forward by UNESCO provided for the creation of ICOMOS.²⁹

²⁵ See Kuipers and de Jonge, *Designing from Heritage - Strategies for Conservation and Conversion*, 2017, 69..

²⁶ See Kuipers and de Jonge, *Designing from Heritage - Strategies for Conservation and Conversion*, 2017, 69.

²⁷ Kuipers and de Jonge, *Designing from Heritage - Strategies for Conservation and Conversion*, 2017, 71..

²⁸ The History of the Venice Charter [icomos.org](https://www.icomos.org) (20/06/21)

²⁹ The History of the Venice Charter [icomos.org](https://www.icomos.org) (20/06/21). The Athens Charter of 1931 is sometimes confused with the CIAM Athens Charter of the same name and year. This Charter is a Modernist manifesto on the design of cities, with some surprisingly relevant advice, given our COVID related challenges. Section E. Relates to the Legacy of History. Key members of CIAM were Le Corbusier, Walter Gropius, Siegfried Gideon and Jose Luis Sert. It is therefore a pivotal reference document of Modernism.

The Venice Charter was challenged in 1964 by Professor Renato Bonelli “who claimed it contained nothing new, and even that the concepts expressed in it were contradictory to principles promoted after the Second World War, when aesthetic criteria had gained precedence over historical ones.”³⁰

This criticism relates perhaps to Article 3 of the Charter which is said to be its AIM;³¹

“The intention in conserving and restoring monuments is to safeguard them no less as works of art than as historical evidence.”

The Principles of the Charter informed the Australian Burra Charter (1979) and as basic policy guidelines for the assessment of Cultural Heritage Sites on the UNESCO’s World Heritage List.³²

In terms of the **conservation of interiors**, Articles 5 and 8 are of particular note;³³

Article 5

‘The conservation of monuments is always facilitated by making use of them for some socially useful purpose, Such use is therefore desirable, but it must not change the layout or decoration of the building. *It is within these limits only that modifications demanded by change of function should be envisaged and may be permitted.*”



Marion Hall Best sitting on the lawn at The Grove, Woollahra, with nine iconic chair designs by the likes of Eero Aarnio, Harry Bertoia and more, 1970. Photography: Mary White .

³⁰ Jukka Jokilehto, The Context of the Venice Charter (1964), Conservation and Management of Archaeological Sites (1998) Vol 2, 229.

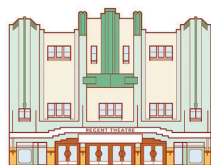
³¹ Venice Charter, 1964.

³² Jukka Jokilehto, The Context of the Venice Charter (1964), Conservation and Management of Archaeological Sites (1998) Vol 2, 230.

³³ Venice Charter, 1964.

Article 8

“Items of sculpture, painting or decoration which form an integral part of a monument, may only be removed if this is the sole means of ensuring their preservation.”



REVIVE THE REGENT THEATRE MUDGEE INC.

THE BURRA CHARTER (1979)

The Burra Charter (1979) is the foundational cultural heritage document in Australia. The latest revision of the Charter occurred in 2013.

1.3 The definition of *fabric* is given as;

“All the physical material of the place including elements, fixtures, contents and objects.”

Article 10 refers to Contents:

“Contents, fixtures and objects which contribute to the *cultural significance of a place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and preservation; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.”

Article 33 refers to the treatment of removed fabric, including content, fixtures and objects.

THE WORLD HERITAGE CONVENTION 1972

The World Heritage Convention (WHC) aims at the “preservation of cultural properties.”³⁴ The strategic objectives of the Convention are credibility, conservation, capacity building, communication and communities.³⁵ By signing the Convention;³⁶

³⁴ World Heritage Convention 1972 whc.unesco.org (27/06/21)

³⁵ World Heritage Convention 1972 whc.unesco.org (27/06/21)

³⁶ World Heritage Convention 1972 whc.unesco.org (27/06/21)

“each country pledges to conserve not only world heritage sites situated on its territory, but also to protect its national heritage. The State Parties are encouraged to integrate the protection of natural and cultural heritage into regional planning programmes, set up staff and services at their sites, undertake scientific and technical conservation research and adopt measures which give heritage a function in the day to day life of the community.”

THE EPBC ACT (Cth) 1999

Australia implements the UNESCO World Heritage Convention 1972 through the Environmental Protection and Biodiversity Conservation Act (EPBC Act 1999). Under the EPBC Act 1999, the Australian government seeks to “enhance the management and protection of Australia’s heritage places, including World Heritage properties.”³⁷

World Heritage properties and National Heritage places are recognised under the Act as “matters of national environmental significance.” (MNES).³⁸ Any action proposed to be taken;³⁹

“that is likely to have a significant impact on Heritage properties and places must be referred to the Minister, and undergo an environmental assessment and approval process.”

Properties of both World Heritage and National Heritage significance are often located within the NSW geographic region and government jurisdiction. This means that;⁴⁰

“landowners, developers, companies, individuals and governments must seek commonwealth approval **in addition to state and territory or local government approvals** if their plans might significantly impact on matters of national significance.”



Interior designer George Freedman in his Surry Hills apartment. MARCO DEL GRANDE

³⁷ World Heritage Properties and National Heritage Places environment.gov.au (27/06/21)

³⁸ World Heritage Properties and National Heritage Places environment.gov.au (27/06/21)

³⁹ World Heritage Properties and National Heritage Places environment.gov.au (27/06/21)

⁴⁰ World Heritage Properties and National Heritage Places environment.gov.au (27/06/21)

The Objects of the EPBC Act

In order to strengthen the protections around Australia's heritage interiors more generally and prevent their exclusion in the consideration of heritage places, reference needs to be made back to the objects of the Act. In particular;

- a) "to provide for the protection of the environment, especially those aspects of the environment that are Matters of National Environment Significance",

THE HERITAGE ACT (NSW) 1977

When the NSW government provided input into the Inquiry into heritage conducted by the Productivity Commission in 2005, it posited an expansive definition of *historic heritage* including;⁴¹

"sites, areas and cultural landscapes, as well as buildings and works (singly or grouped), relics, archaeological sites and movable objects, and may include components, contents, spaces and views. Heritage items and places are synonymous terms."

The heritage value of a place is also known as its *cultural significance*.⁴²

Under the Report to the Productivity Commission, heritage management also had an all encompassing meaning including "all those processes involved in caring for historic heritage, including identification of heritage places, policy development and guidelines and physical and practical care and conservation."⁴³

The State of the Environment Report in 2001 identified the source of pressures on historic heritage as;⁴⁴

- urban redevelopment pressures
- population shifts, losses or gains
- urban consolidation affecting the heritage character of older suburbs
- abandonment of rural structures due to new technology and new markets or products
- loss of cultural landscapes through changing rural land use patterns
- declining public sector budgets

⁴¹ NSW Submission to the Productivity Inquiry into the Policy Framework and Incentives for the Conservation of Historic Heritage. pc.gov.au (27/06/21)

⁴² NSW Submission to the Productivity Inquiry into the Policy Framework and Incentives for the Conservation of Historic Heritage. pc.gov.au (27/06/21)

⁴³ NSW Submission to the Productivity Inquiry into the Policy Framework and Incentives for the Conservation of Historic Heritage. pc.gov.au (27/06/21)

⁴⁴ NSW Submission to the Productivity Inquiry into the Policy Framework and Incentives for the Conservation of Historic Heritage. pc.gov.au (27/06/21)

- public building redundancy
- Information and awareness failures
- market and policy failures

It can be expected that these pressures have only been exacerbated in the intervening years.

Historic Interiors, for the reasons stated previously, are likely to be in an even more precarious position vis a vis their preservation and conservation.



Interior of the Paragon Cafe in Katoomba

The Extent of the Problem of Historic Interiors in NSW

It is estimated that there are over 20,000 heritage listed buildings in NSW, and about 200 conservation areas, heritage building groups or precincts.⁴⁵ As stated previously a significant interior may be located in a building that is not of itself of heritage importance. That said, heritage policy promotes;⁴⁶

“Legislation at National, State and Local levels [that] attempts to encourage the retention and reuse of heritage items, and to promote new development that positively contributes to that historic context.”

⁴⁵ Wildlife Seizure Guidelines environment.gov.au (17/04/20)

⁴⁶ New Uses for Heritage Places environment.nsw.gov.au (27/06/21)

UTOPIA ARCHITECTS



Wealth and style ... inside Leslie Walford's Double Bay house.

Walford was a founding member of the Society of Interior Designers of Australia.

CONCLUSIONS

As NSW is the oldest settlement area in Australia, it potentially has the greatest repository of representative interiors, and renowned designers, from the late 1700s to the present.

As interior design is only a young profession it is essential that its key practitioners⁴⁷ are identified and the significant interiors relevant to and related to its development are preserved and conserved for posterity.

⁴⁷ Including Babette Hayes, Sharmane Solomon, Marion Hall Best, Deirdre Broughton, Mary White, Florence Broadhurst, Thea Proctor, Marion Mahony Griffin and Walter Burley Griffin, George Freedman, Leslie Walford and John Truscott.
