

**ASSESSMENT OF CULTURAL
HERITAGE SIGNIFICANCE AND
EXECUTIVE DIRECTOR
RECOMMENDATION TO THE
HERITAGE COUNCIL**



NAME DENDY STREET BEACH BATHING BOXES
LOCATION THE ESPLANADE, BRIGHTON
VHR NUMBER: PROV H2369
CATEGORY: HERITAGE PLACE
HERITAGE OVERLAY BAYSIDE CITY: HO143
FILE NUMBER: FOL/16/10289
HERMES NUMBER: 13226



EXECUTIVE DIRECTOR RECOMMENDATION TO THE HERITAGE COUNCIL:

- That the Dendy Street Beach Bathing Boxes be included as a Heritage Place in the Victorian Heritage Register under the *Heritage Act 1995* [Section 32 (1)(a)].

A handwritten signature in black ink that reads 'Timothy Smith'.

TIM SMITH OAM
Executive Director

Recommendation Date: Friday 19 May 2017

This recommendation report has been issued by the Executive Director, Heritage Victoria under s.32 of the *Heritage Act 1995*. It has not been considered or endorsed by the Heritage Council of Victoria.

BACKGROUND TO NOMINATION

A nomination was accepted for the Landscape of Dendy Street Beach, which is inclusive of the Dendy Street Bathing Boxes, on 29 March 2016. The Landscape of Dendy Street Beach contains natural landscape elements, places of Aboriginal significance and built cultural heritage structures (such as the bathing boxes). The *Heritage Act 1995* (the Act) does not allow for the assessment of places primarily of natural heritage value, or of places of cultural heritage significance only on the grounds of an association with Aboriginal tradition or Aboriginal traditional use.

NATURAL HERITAGE VALUES

The purpose of the Act is to 'provide for the protection and conservation of places and objects of cultural heritage significance. Under s.3 of the Act a 'place' is defined as 'a building, a garden, a tree, the remains of a ship or part of a ship, an archaeological site, a precinct or a site.' The vegetated sand dunes (the Dr Jim Willis Reserve) and the beach are significant components of the place but are primarily elements of natural heritage values.

ABORIGINAL VALUES

The Landscape of Dendy Street Beach includes sites associated with Boonwurrung culture, which are included in the Victorian Aboriginal Cultural Heritage Register established by the *Aboriginal Heritage Act 2006*. These sites are not included in this assessment as under s.5 of the Victorian *Heritage Act 1995*, as the Act does not apply to a place or object that is of cultural heritage significance only on the grounds of its association with (a) Aboriginal tradition; or (b) Aboriginal traditional use.

SUMMARY

It is the view of the Executive Director that the Landscape of Dendy Street Beach in its entirety should not be included in the Victorian Heritage Register (see separate report). It is the view of the Executive Director that the Dendy Street Beach Bathing Boxes should be included in the Victoria Heritage Register for the reasons outlined in this current report.

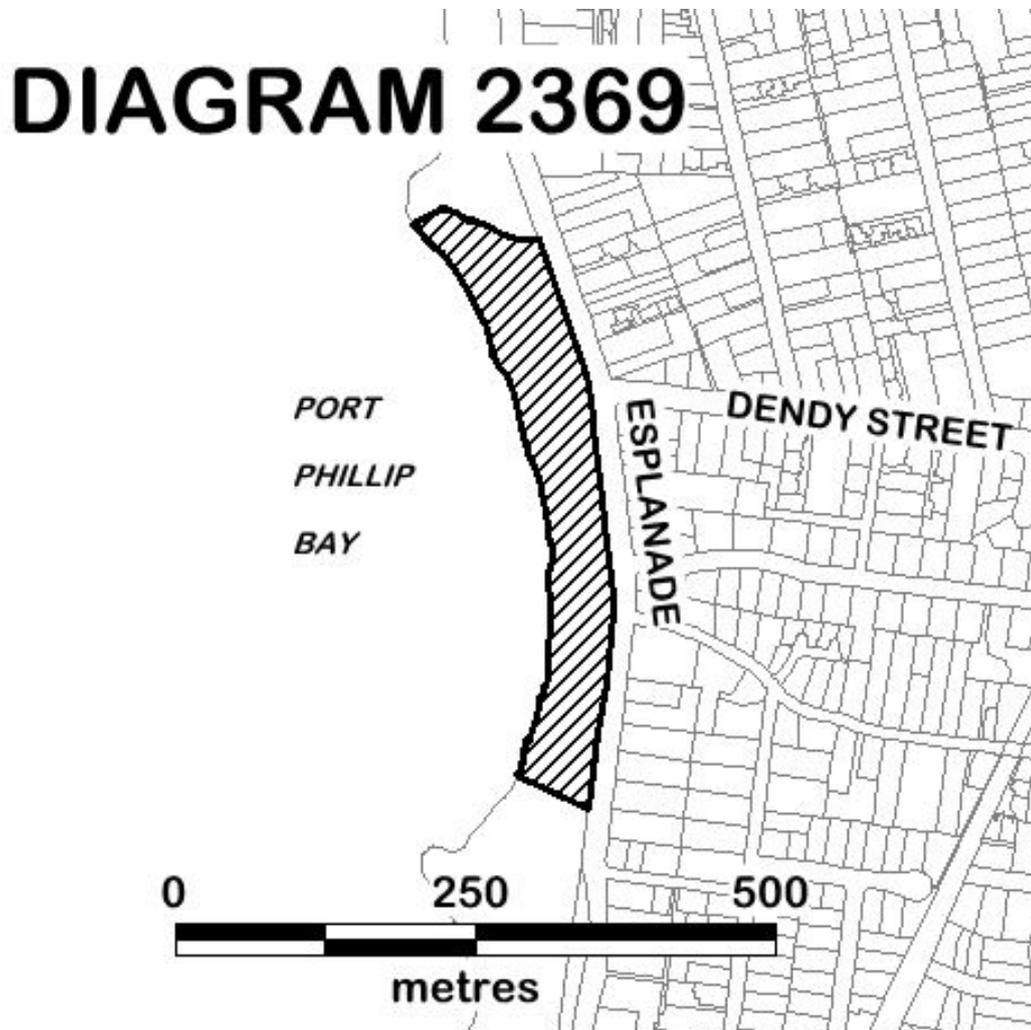
EXTENT OF NOMINATION

The landscape of beach, dunes and foreshore reserve west of The Esplanade, Brighton, from, and including the Brighton Life Saving Club (LSC) southwards to, and including, Green Point Reserve. This includes the Dr Jim Willis Reserve, and the renowned bathing boxes.



RECOMMENDED REGISTRATION

All of the place shown hatched on Diagram 2369 encompassing part of Crown Allotment 1E3 Parish of Moorabbin extending from the southern side of the access road to the life saving club in the north and a line extended parallel to and 5 metres from the northern most bathing box to a line extended parallel to and 5 metres from the southern most bathing box.



The extent of registration of the Dendy Street Beach Bathing Boxes in the Victorian Heritage Register affects the whole place shown on Diagram 2369 including all the bathing boxes.

RATIONALE FOR EXTENT

The following map identifies the recommended extent of registration. The combined red and yellow areas indicate the entire area nominated as the Landscape of Dendy Street Beach. The red areas indicate the areas not recommended for entry in the Victorian Heritage Register. The yellow area indicates the recommended extent for entry in the Victorian Heritage Register as the Dendy Street Beach Bathing Boxes.

The extent includes all existing bathing boxes at Dendy Street Beach. It is Bayside Council policy that no new bathing boxes will be added outside this footprint, although new boxes may be constructed within it. The extent also includes the vegetated sand dunes behind the boxes, and the land to the high water mark (the water's edge). The rationale for including the land in front of the bathing boxes is to provide a context for their historical location near the high water mark. The rationale for including the sand dunes behind the bathing boxes is to provide context through the coastal setting that the sand dunes provide.



AERIAL PHOTO OF THE PLACE SHOWING PROPOSED REGISTRATION



STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Dendy Street Bathing Boxes and their coastal landscape setting. The interiors of the individual bathing boxes are not of cultural heritage significance. The c. 1960s change room has no significance in the context of this place.

History Summary

Brighton developed into a beachside suburb and tourist destination from the mid 1800s when its beaches became places of leisure and sea bathing. Along the many beachfronts of Brighton, gardens and walkways were created for promenading and bathing boxes were erected to allow for modest bathing. Bathing boxes were originally used as changing rooms, and located close to the water so that the bather could enter the water discreetly. By the 1920s most of the bathing boxes on Brighton beaches had fallen into disrepair and there was agitation for their removal. This was addressed in 1934 when most of the bathing boxes in the area were relocated to one beach, Dendy Street Beach. By 1952, the boxes at Dendy Street Beach were again in a dilapidated state. Various municipal authorities supported the removal of all bayside structures around Port Phillip Bay, including Frankston City Council who in 1974 gave bathing box owners ten years to remove their boxes. The policies were supported by the Labor government but due to strong lobbying from the Brighton Bathing Box Association and individuals, the Minister for Planning and Environment requested a study of all structures around the bay. This resulted in the retention of the Dendy Street Bathing Boxes as a representative group. By this date, the bathing boxes had been painted in bright colours. They continue to be utilised by Brighton residents who lease them from Bayside City Council.

Description Summary

The Dendy Street Beach Bathing Boxes are located on Dendy Street Beach, The Esplanade, Brighton. Running along The Esplanade are vegetated sand dunes, in front of which are a uniform line of more than 80 brightly painted beach bathing boxes. The bathing boxes are located close together, apart from at the southern end of the beach, where there are small groupings of boxes with wider spaces in between. They are similar in size and form, of small scale, and comprise timber weatherboard cladding with corrugated iron roofing. Openings are generally to the front elevation and vary in size and style.

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

HOW IS IT SIGNIFICANT?

The Dendy Street Beach Bathing Boxes are of historical and social significance to the State of Victoria. They satisfy the following criteria for inclusion in the Victorian Heritage Register:

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion D

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

Criterion G

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

WHY IS IT SIGNIFICANT?

The Dendy Street Beach Bathing Boxes are significant at the State level for the following reasons:

The Dendy Street Beach Bathing Boxes are historically significant for their association with the development of beach culture in Victoria from the 1840s to the present day. This is demonstrated through their evolution from functional, rudimentary structures which allowed bathers to change and discreetly enter the water, to their present use and appearance as brightly decorated places which form focal points for casual and social interaction. [Criterion A]

The Dendy Street Bathing Boxes demonstrate the principal characteristics of bathing boxes through their small scale, gabled roofs, and rudimentary design using simple building materials such as weatherboard cladding and corrugated iron roof sheeting. [Criterion D]

The Dendy Street Beach Bathing Boxes are socially significant for their strong association with local, national and international visitors. They are renowned not only for their function, but for their landmark qualities as a backdrop to many celebrations and casual beach visits. They have been reported and recorded in multiple mediums including photography, painting, digital and film media, and used in promotional products. They are instantly recognisable as the predominant assemblage of bathing boxes retained in Victoria. [Criterion G]

RECOMMENDATION REASONS

REASONS FOR RECOMMENDING INCLUSION IN THE VICTORIAN HERITAGE REGISTER [s.34A(2)]

Following is the Executive Director's assessment of the place against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines (2014)*.

CRITERION A

Importance to the course, or pattern, of Victoria's cultural history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION A

The place/object has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history.

Plus

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

Plus

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

Executive Director's Response

The Dendy Street Beach Bathing Boxes have a clear association with the development of beach culture in Victoria, and with the development of the activity of sea bathing in particular. They demonstrate this through their evolution from functional structures which allowed the bather to change out of his or her clothes and discreetly enter the water, to their present use as places of casual social interaction, and for the storage of recreational equipment associated with sport and leisure activities.

Bathing boxes were originally located close to the high water mark, to reduce the possibility of the public viewing the bather in a state of undress. Their functional use was reflected in their rudimentary appearance and construction, and small entrance doors which afforded privacy. In the early twentieth century, as social mores relaxed, mixed bathing became acceptable and beach visits became more casual. This is demonstrated in the 1930s, when the bathing boxes were moved away from the high water mark, to their current position at the rear of the beach. The bathing boxes continued to be used as change rooms, but also became focal points for the enjoyment of beach related sporting, social and recreational activities.

Criterion A is likely to be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION A

The place/object allows the clear association with the event, phase etc. of historical importance to be *UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION.*

Executive Director's Response

Brighton was one of the earliest bayside suburbs established in Victoria. It is not known when the first bathing boxes were constructed, possibly by the 1860s, but there were bathing boxes at Dendy Street Beach by the 1880s. The Dendy Street Beach Bathing Boxes have been in their present location since 1934 when most bathing boxes in the Brighton area were moved to Dendy Street Beach.

As one of the largest groupings in Victoria, the Dendy Street Beach Bathing Boxes allows the prolific nature of beach structures during the late nineteenth and early twentieth century to be understood better than at most other places in Victoria with substantially the same association. The Dendy Street Beach Bathing Boxes have become emblematic of bathing boxes throughout Victoria as the most predominant assemblage of bathing boxes in Victoria.

Criterion A is likely to be satisfied at the State level.

CRITERION B

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION B

The place/object has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

Plus

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

Plus

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc.

OR

The place/object is *RARE OR UNCOMMON*, containing unusual features of note that were not widely replicated

OR

The existence of the *class* of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.

Executive Director's Response

The Dendy Street Beach Bathing Boxes do not possess uncommon, rare or endangered aspects of Victoria's cultural history. There are other assemblages of bathing boxes around Port Phillip Bay, including those at Portsea, Mount Eliza, Chelsea, Safety Beach and Mornington.

Criterion B is not likely to be satisfied.

CRITERION C

Potential to yield information that will contribute to an understanding of Victoria's cultural history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION C

The:

- visible physical fabric; &/or
- documentary evidence; &/or
 - oral history,

relating to the place/object indicates a likelihood that the place/object contains *PHYSICAL EVIDENCE* of *historical interest* that is *NOT CURRENTLY VISIBLE OR UNDERSTOOD*.

Plus

From what we know of the place/object, the physical evidence is likely to be of an *INTEGRITY* and/or *CONDITION* that it *COULD YIELD INFORMATION* through detailed investigation.

Executive Director's Response

This criterion usually refers to archaeology or physical evidence that is not currently visible. The Dendy Street Beach Bathing Boxes do not contain physical evidence of historical interest (such as historical archaeology) that is not currently visible. The place does contain sites associated with Boonwurrung culture, and these sites are included in the Victorian Aboriginal Cultural Heritage Register established by the *Aboriginal Heritage Act (2006)*. They are not located within the footprint of the Dendy Street Beach Bathing Boxes.

Criterion C is not likely to be satisfied.

CRITERION D

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

STEP 1: A BASIC TEST FOR SATISFYING CRITERION D

The place/object is one of a *CLASS* of places/objects that has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

Plus

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

Plus

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

Executive Director's Response

Bathing Boxes and other structures such as boat sheds were prolific on nineteenth and twentieth century beaches in Victoria. By 1985 there were more than 2,300 structures around Port Phillip Bay. The Dendy Street Beach Bathing Boxes have a clear association with the development of beach culture and demonstrate the principal characteristics of the class including their small scale, weatherboard cladding, and high pitched gable roofs of corrugated iron.

Criterion D is likely to be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION D

The place/object is a *NOTABLE EXAMPLE* of the class in Victoria (refer to Reference Tool D).

Executive Director's Response

The Dendy Street Beach Bathing Boxes are a notable example of the class of bathing boxes in Victoria. They are the largest intact grouping of bathing boxes in Victoria, and demonstrate the once prolific nature of these structures around Port Phillip Bay. Individually they display the principal characteristics typical of this class and are a fine assemblage of bathing boxes with a clear lineage to the development of beach culture on Victoria's beach during the nineteenth and twentieth centuries.

Criterion D is likely to be satisfied at the State level.

CRITERION E

Importance in exhibiting particular aesthetic characteristics.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION E

The *PHYSICAL FABRIC* of the place/object clearly exhibits particular aesthetic characteristics.

Executive Director's Response

The Dendy Street Beach Bathing Boxes clearly exhibit particular aesthetic characteristics through their setting in front of vegetated sand dunes, with views across Port Phillip Bay to the Melbourne CBD. The brightly painted exterior walls set against the natural backdrop of the sand dunes contribute to their aesthetic characteristics.

Criterion E is likely to be satisfied.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION E

The aesthetic characteristics are *APPRECIATED OR VALUED* by the wider community or an appropriately-related discipline as evidenced, for example, by:

- *critical recognition* of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline as an outstanding example within Victoria; or
- wide public *acknowledgement of exceptional merit* in Victoria in medium such as songs, poetry, literature, painting, sculpture, publications, print media etc.

Executive Director's Response

The aesthetic characteristics of the Dendy Street Beach Bathing Boxes are appreciated and valued by local residents, and by national and international visitors to Dendy Street Beach. The bathing boxes have been photographed, painted and drawn innumerable times, however there has been no critical recognition of the aesthetic characteristics of the place within the fields of art, design, architecture or related disciplines, or acknowledgement of exceptional merit to substantiate critical values against this criterion at this time.

Criterion E is not likely to be satisfied at the State level.

CRITERION F

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION F

The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.

Plus

The physical evidence demonstrates a *HIGH DEGREE OF INTEGRITY*.

Executive Director's Response

The Dendy Street Beach Bathing Boxes do not contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created.

Criterion F is not likely to be satisfied.

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 people as part of their continuing and developing cultural traditions.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION G

Evidence exists of a *DIRECT ASSOCIATION* between the place/object and a *PARTICULAR COMMUNITY OR CULTURAL GROUP*.

(For the purpose of these guidelines, 'COMMUNITY or CULTURAL GROUP' is defined as a sizable group of persons who share a common and long-standing interest or identity).

Plus

The ASSOCIATION between the place/object and the community or cultural group is *STRONG OR SPECIAL*, as evidenced by the regular or long-term use of/engagement with the place/object or the enduring ceremonial, ritual, commemorative, spiritual or celebratory use of the place/object.

Executive Director's Response

Since the early twentieth century, the Dendy Street Bathing Boxes have survived numerous appeals for their demolition to evolve into now valued and instantly recognisable structures. They have a strong association not only with the immediate community, but also with national and international visitors. The Dendy Street Bathing Boxes are renowned for their landmark qualities, from both the beach and the water, and the juxtaposition of the brightly painted bathing boxes against the vegetated dunes contributes to these distinctive landmark qualities. They have provided a backdrop to many celebrations and beach visits. This has ensured that they have been photographed innumerable times and these images have contributed to increased awareness and visitation.

The Dendy Street Beach Bathing Boxes also have a direct association with the individual licensees who are required to be residents of Brighton. Some of the licensees have generational association with their bathing boxes, as they have been passed down through successive family members.

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION G

The place/object represents a *PARTICULARLY STRONG EXAMPLE* of the association between it and the community or cultural group by reason of its *RELATIONSHIP TO IMPORTANT HISTORICAL EVENTS* in Victoria and/or its *ABILITY TO INTERPRET EXPERIENCES* to the broader Victorian community.

Executive Director's Response

The Dendy Street Beach Bathing Boxes are popular landmarks and are emblematic of bathing boxes in Victoria. They are instantly recognisable as the predominant assemblage of bathing boxes in Victoria. They are highly visited, admired and valued and their social significance is demonstrated by the frequency with which the public has lobbied for their retention since the 1920s. The level of attachment to these structures is further evidenced by their frequent use in major marketing campaigns by local and state government entities as iconic tourism brand items.

Criterion G is likely to be satisfied at the State level.

CRITERION H

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

STEP 1: A BASIC TEST FOR SATISFYING CRITERION H

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

Plus

The *ASSOCIATION* of the place/object to the person(s) *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources and/or oral history.

Plus

The *ASSOCIATION*:

- directly relates to *ACHIEVEMENTS* of the person(s) at, or relating to, the place/object; or
- relates to an *enduring* and/or *close INTERACTION* between the person(s) and the place/object.

Executive Director's Response

The Dendy Street Beach Bathing Boxes do not have a direct association with a person or group of persons who have made a strong or influential contribution to the course of Victoria's history.

Criterion H is not likely to be satisfied.

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 Dendy Street Bathing Boxes in the Victorian Heritage Register affects the whole place shown on Diagram 2369 including all the bathing boxes. Under the *Heritage Act 1995* 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.42 of the Heritage Act) or after registration (under 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 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 works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the *Aboriginal Heritage Act 2006*.

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*.

Human remains

If any suspected human remains are found during any works or activities, the works or activities must cease. The remains must be left in place, and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the Coronial Admissions and Enquiries hotline must be contacted immediately on 1300 888 544. As required under s.17(3)(b) of the *Aboriginal Heritage Act 2006* all details about the location and nature of the human remains must be provided to the Secretary (as defined in 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.

Natural and Environmental Values

The eastern part of this place, which comprises part of the Dr Jim Willis Reserve, has natural and environmental values. It is being included in this registration to provide a setting for the bathing boxes. The intent is not to regulate the management of the Dr Jim Willis Reserve under the Act, but to allow ongoing landscape management in accordance with the requirements of the Bayside Planning Scheme.

The Bayside Planning Scheme Vegetation Protection Overlay (VPO1) covers part of the recommended place, and approval from Bayside City Council is required for works in this area.

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 Dendy Street Beach Bathing Boxes lies in the external fabric of the individual bathing boxes, including weatherboard cladding, corrugated iron roofs, and their small scale, as well as the formation of the bathing boxes in a continuous line at the rear of the beach.

PROPOSED PERMIT EXEMPTIONS (UNDER SECTION 42 OF THE HERITAGE ACT)

It should be noted that Permit Exemptions can be granted at the time of registration (under s.42(4) of the Heritage Act). Permit Exemptions can also be applied for and granted after registration (under 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 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 OF THE BATHING BOXES

- Minor patching, repair and maintenance which replaces like with like.
- Painting of previously painted surfaces which replicates the colours and patterns of the existing paint scheme. A permit is required for any new schemes or designs.

INTERIOR OF THE BATHING BOXES

- Works to the interior spaces which do not impact on the internal structure required to support the building.

MAINTENANCE, PUBLIC SAFETY AND SECURITY OF THE BATHING BOXES

- General maintenance of the bathing boxes. Such maintenance includes 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.
- General works/maintenance providing that the original form of the structure remains unaltered and that the works do not involve a substantial alteration or modification. Proposed new additions and alterations to stairs, entrances and decks require a permit.
- Public safety and security activities provided the works do not involve the removal, alteration or demolition of the bathing boxes.
- The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety.
- Emergency stabilisation necessary to secure safety where a bathing box has been irreparably damaged or destabilised and represents a safety risk to its users or the public. Note: Urgent or emergency site works are to be undertaken by an appropriately qualified specialist such as a structural engineer or other heritage professional.

CHANGING ROOM BUILDING (C. 1960S)

Maintenance and internal and external alterations to the changing room building provided that the works occur within the envelope of the existing building.

LANDSCAPE EXEMPTIONS

No permit is required for tree or vegetation works, removal or replanting under the Victorian *Heritage Act 1995* where it is undertaken in accordance with the requirements of the Bayside Planning Scheme.

RELEVANT INFORMATION

LOCAL GOVERNMENT AUTHORITY

Bayside City

HERITAGE LISTING INFORMATION

- **Heritage Overlay:** Yes: Bayside City Council HO143
- **Heritage Overlay Controls:**
 - External Paint: Yes
 - Internal Alteration: No
 - Tree: No
- **Victorian Aboriginal Heritage Register:** Yes
- **Other listing:** Yes: Bayside City Council
Vegetation Protection Overlay (VPO1)

HISTORY

The landscape

The land known as the Landscape of Dendy Street Beach is the traditional land of the Boonwurrung people and their presence is evident in cultural sites within the sand dunes along the Esplanade. This place includes Green Point, originally a low receding cliff which was filled in when a sea wall was constructed post 1936, and Dendy Street Beach and Holloway Bay. The dunes behind Dendy Street Beach were probably created around 6,000 years ago when the sea level stabilised and sand was deposited against the Red Bluff Sands which run under the Esplanade. Foreshore winds continue to shift sand from the beach, resulting in two dunes with a small swale or depression between them. Vegetation has stabilised the dunes and continues to trap the sand.

The dune area is now known as the Dr Jim Willis Reserve after Dr Jim Willis who was the Assistant Government Botanist at the National Herbarium of Victoria (Royal Botanic Gardens, Melbourne) until his retirement in 1972. He was a long term resident of Brighton and was widely recognised for his taxonomic research and more than 800 publications on native flora.

The establishment of Brighton

In 1840, prior to leaving Britain, Henry Dendy was granted eight square miles of land under a Special Survey approved by the British Government's Land and Emigration Commission. It was bounded by North Road, East Boundary Road, South Road and the high water mark of Port Phillip Bay. On his arrival in 1841, Dendy employed Jonathan Binns Were as his agent and the new township of Brighton was surveyed in the same year. Dendy eventually sold his interest to the Were family and after a slow beginning, Brighton became a popular recreational destination, with interest slowly growing in the healthy atmosphere of beach side locations.

Beach ownership

In 1873 Beach Road (now the Esplanade) was formed, exacerbating ongoing disputes about ownership of land at Brighton between the road and the high water mark. Some believed it was in private ownership and others believed it was for public use. In theory, a portion of land one chain from the high water mark had been allocated for public use but bathing boxes had already been erected on this land and drew complaints from private owners whose properties abutted the foreshore. In 1876, Nicholas Wre tested this ownership by advertising a property between the road and the high water mark for sale. The land was jointly purchased by private residents, the government and Council and was ultimately handed over to the Brighton Council for public use.

Bathing and bathing boxes

In the nineteenth century, the activity of sea bathing was common in Britain, as well as Australia. People visited beachside destinations to take in the unpolluted seaside air, and to bathe. During this period sea bathing was not considered so much as a sport or recreational activity, but as a health benefit. The water was clean, and bathing was often a substitute for washing. It was a discreet affair, with segregated bathing times and areas. Men bathed naked and women wore dresses or bathing costumes, almost as cumbersome as clothing. Even with segregation, bathers accessed the water using bathing 'machines' or purpose built baths which extended out into the water, ensuring there was as little opportunity as possible for the bather to be seen. Despite this, there were many complaints about the visibility of naked men, and in 1891 Brighton Council passed a resolution that they too had to be clothed. During the mid to late nineteenth century, beaches around Port Phillip Bay, including Brighton, St Kilda and Williamstown, had a number of commercial bathing enclosures with change rooms, promenades and enclosures extending out into the water.

It is not known when the first bathing boxes were constructed in the Brighton area, but the Brighton Hotel advertised a wheeled bathing machine for use as early as 1844. It is likely that there were bathing boxes on Dendy Street Beach by the 1860s, and definitely by the 1880s. Unlike places in Europe and Britain where bathing boxes were almost always connected to a resort or hotel, bathing boxes in Victoria were usually privately owned. Some of them were connected to a beachside house, but most were freestanding. As with all nineteenth century bathing boxes, those at Dendy Street Beach were initially erected close to the high water mark.

Brighton continued to expand and by 1915 there were 120 bathing boxes on Brighton beaches. Permits for the boxes were managed by Council, and licensees paid an annual fee to use them, and were also expected to maintain them. However by the 1920s, many of the bathing boxes were falling into disrepair, or were destroyed or damaged by storms and high tides. There was agitation to remove bathing boxes, boat sheds and other similar structures from the foreshore, however most survived and new ones were constructed. Those built in the first few decades of the twentieth century were weatherboard with shingle or corrugated iron roofs and painted white and green. It wasn't until the mid-1970s that the individual, brightly painted colour schemes evident today were implemented.

The issue of public versus private beach ownership and access was also raised, as well as the view that the boxes were restricting foreshore improvements. In response to the Depression of the 1930s, the State Government initiated a work program building a bluestone wall along the Brighton foreshore to reduce erosion. The area known as Dendy Street Beach was excluded and most bathing boxes in the Brighton area were relocated to Dendy Street Beach, at first to the high water mark and later to the rear of the beach in a single, uniform line. In 1935 the Brighton Bathing Box Owners Association formed, and is still in operation today.

By the 1950s, newspapers were again reporting the neglected appearance of the boxes, 'Hundreds of gaily painted bathing-boxes, once the pride of many beaches, have become forgotten. Some look like dilapidated fowl houses-walls missing, boards torn off, roofing ragged and rusty ... sand piles half-way up the walls.' In response, Council proposed to demolish the privately licensed boxes and replace them with large concrete dressing sheds for use by all members of the public. This never eventuated and the conflict between public beach access and perceived private ownership continued.

In 1967, the Port Phillip Authority developed a policy proposing the removal of all beach structures, including bathing boxes, as they were seen to restrict access to, and use of, crown land as well as causing environmental issues. Although the Liberal government did not support the policy, it also did not support the construction of any new structures.

In the early 1980s the Labor government adopted policies which actively discouraged the private use of any public areas. Local authorities had created similar policies, including Frankston which in 1974 had given box licensees ten year notice to remove their boxes. The issue was exacerbated in 1983 when the Coastal Caucus Committee of the Labor Party recommended that the approximately 2,000 Port Phillip Bay boatsheds, bathing boxes and similar structures should be phased out over five years or less, a policy supported by the Minister for Planning and Environment in 1984. This caused strong objection from groups, most significantly from the Brighton Bathing Box Association, and representations were made to the Historic Buildings Council. In response, the Minister requested a study of the architectural and historical significance of all structures around Port Phillip Bay, which resulted in a recommendation to retain the Dendy Street Beach Bathing Boxes as a representative group. By this date, the bathing boxes had been painted in their existing bright colours, and have continued to be maintained and utilised by Brighton residents who pay a licensing fee to Bayside City Council.

VICTORIAN HISTORICAL THEMES

06 Building towns, cities and the garden state

6.3 Shaping the suburbs

09 Shaping cultural and creative life

9.1 Participating in sport and recreation

PHYSICAL DESCRIPTION

The Dendy Street Beach Bathing Boxes are located on Dendy Street Beach, Brighton. There are more than 80 bathing boxes which form an almost continuous line at the rear of the beach, below vegetated sand dunes. They are located close together, apart from at the southern end of the beach, where there are groupings of boxes with wider gaps in between. They are similar in size and form, and generally comprise timber weatherboard construction with corrugated iron pitched roofs. The openings are generally to the front elevation and vary in size and style, from single opening doors, to double doors and horizontally hinged awnings. Some have small decks or steps to the front. Each bathing box is painted in a unique colour scheme, some of which comprise plain, multiple colour combinations, while others incorporate murals and decorative elements.

LANDSCAPES, TREES & GARDENS

There is no identified landscape elements of state level significance at this place, or which can be assessed under the Victorian *Heritage Act (1995)*. The recommended extent of registration includes the native vegetation on the sand dunes behind the bathing boxes and the beach to the high water mark in front of the sand dunes. These landscape elements are included to provide a beach side and historical context for the bathing boxes.

ARCHAEOLOGY

There is no identified archaeology of state level significance at this place.

INTEGRITY/INTACTNESS

Intactness – The individual bathing boxes appear intact, however some of the original fabric has been replaced and/or repaired and some bathing boxes have been constructed within the last five years. (March 2017)

Integrity – Despite the changes made to the physical fabric of the individual bathing boxes, the Dendy Street Beach Bathing Boxes retain their integrity through their ability to interpret the evolution of the bathing box in the context of the development of beach culture. Initially built as rudimentary structures out of simple materials, and located in a corrosive beach side environment, it is entirely reasonable that materials have been replaced over the course of more than 100 years. (March 2017)

CONDITION

The Dendy Street Beach Bathing Boxes are in good condition. There has been some weathering of various materials, however the individual licensees, the Brighton Bathing Box Association and Bayside City Council work together to ensure the bathing boxes are adequately maintained. (March 2017)

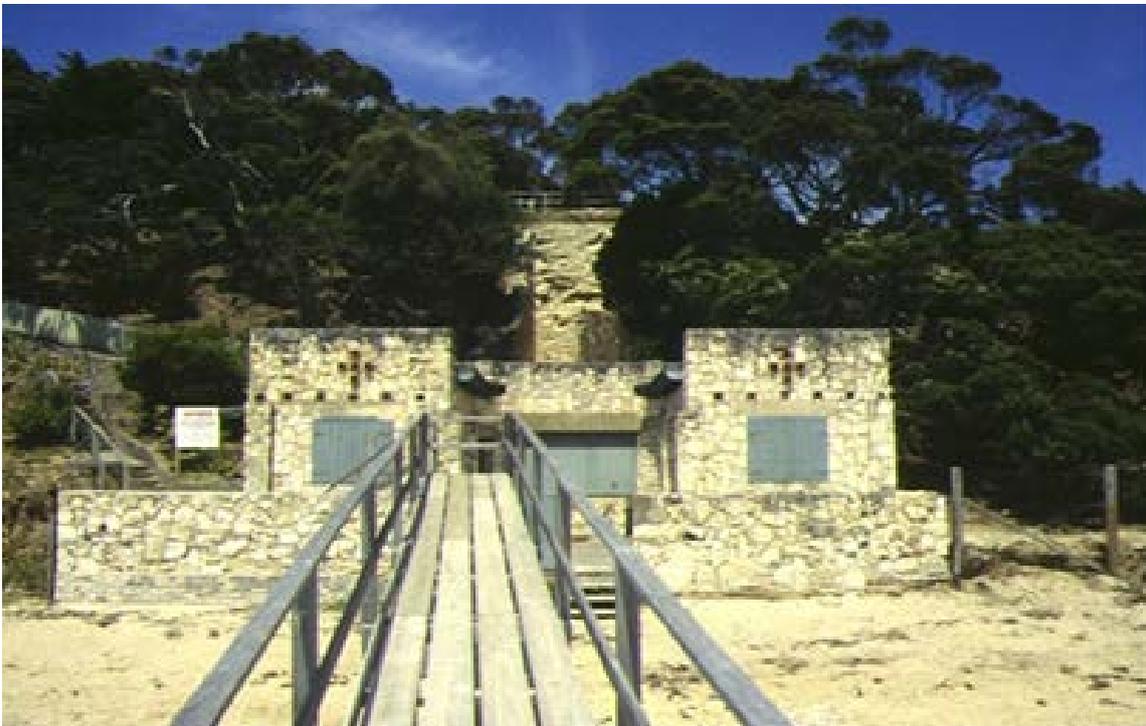
COMPARISONS

There is only one bathing box in the Victorian Heritage Register.

Comparison – Bathing Boxes in the VHR

Ilyuka Lime Kiln / Bathing Box (VHR H1191)

The Ilyuka Lime Kiln/Bathing Box is the only bathing box on the Victorian Heritage Register and was originally built as a lime kiln in 1880. It was converted to a bathing box in 1930 in a modified Spanish Colonial or 'Pueblo' style by architect Harry Norris as an adjunct to the building of Ilyuka for American oil company executive Harry Cornforth. The Ilyuka Lime Kiln/Bathing Box is architecturally important as an unusual and successful adaptation of a lime kiln to make a spacious and visually interesting bathing box. It is an important work of Harry Norris, one of Victoria's most notable inter-war architects. The Ilyuka Lime Kiln/Bathing Box is historically important as a rare and essentially intact example of a lime kiln which were once plentiful along the Point Nepean Peninsula and the Geelong area. The bathing box is also of historical interest for its associations with American Oil Company executive Harry Cornforth and as an example of the opulent holiday lifestyle of Melbourne residents.



Ilyuka Lime Kiln / Bathing Box (VHR H1191)

Comparison – Places associated with beach culture in the VHR

Eastern Beach Bathing Complex and Reserve, Geelong (VHR H0929)

Constructed between 1928 and 1939, the Eastern Beach Bathing Complex is the last major enclosed sea bathing facility to be constructed on Port Phillip Bay, and represents the culmination of the ethos of sea bathing. Eastern Beach has provided a focal point for Geelong's outdoor activities. Eastern Beach Promenade is also significant in being the only original structure that survives of the many sea-baths which once dominated Port Phillip Bay's foreshore and is unique within Victoria. Eastern Beach represents an innovative example of the work of structural engineer and architect, Harry Hare. The sea-baths are illustrative of the traditional pastime of sea bathing, popular since the 1840s and are representative of the transition from segregated and private bathing in the 19th century to mixed public bathing and pursuit of sport and leisure in the early 20th century. There were no bathing boxes at Eastern Beach Bathing Complex and Reserve.



Eastern Beach Bathing Complex And Reserve (VHR H0929)

Bells Beach Surfing Recreation Reserve (VHR H2032)

Bells Beach Surfing Recreation Reserve is a landscape that is significant as an international icon of Australian surfing culture. It comprises a high concentration of quality surfing spots created by swells from the southern ocean which slow and steepen over the reef strewn shallows to form consistent, rideable waves. The roots of surfing in Victoria are in the Torquay/Surf Coast area beginning at Lorne in 1920, and pioneer surfers were accessing Bell's Beach from 1939. In January 1961 the first surfing event was held, followed by the first annual Bells Beach Easter competition in 1962 which, since 1991, has been recognised as the world's longest running surfing competition. The creation of the Bells Beach Surfing Recreation Reserve (a world first) in 1973, the recognition of its environmental excellence, and even the creation of the Surf Coast Shire in 1995 bear testimony to the special place of surfing and Bells Beach in Victorian social history. Bells Beach Surfing Recreation Reserve has historic significance to the development of surfboard and wetsuit technology. The Bells Beach conditions led to important developments in the surfing industry which has become a multi-million dollar surf manufacturing industry. There were no bathing boxes at Eastern Beach Bathing Complex And Reserve.



Bells Beach Surfing Recreation Reserve (VHR H2032)

Comparison summary– Places associated with beach culture in the VHR

The Ilyuka Lime Kiln / Bathing Box, the Eastern Beach Bathing Complex and Reserve, and the Bells Beach Reserve are the only other places in the Victorian Heritage Register associated with the development of beach culture. Unlike the Dendy Street Bathing Boxes, the Ilyuka Bathing Box was not purpose built, but was a one-off re-use of a lime kiln which was converted into a bathing box in 1930 by the architects for the owners of the nearby residence. The structure is atypical of the hundreds of simple bathing boxes erected around Port Phillip Bay. As such, it has limited ability to demonstrate the development of beach culture from the mid nineteenth century to the present day.

The Eastern Beach Bathing Complex and Reserve comprises a cohesive built environment focussed on the concept of recreation and leisure in a beach side setting. Like the Dendy Street Bathing Boxes, the Complex demonstrates the popularity of the beach as a focal point for beach side activities, recreation, and socialising.

Bells Beach Surfing Recreation Reserve is well known as a place intrinsically connected to surf and beach culture. Although there are no bathing boxes or permanent structures at Bells Beach, it readily demonstrates the development of beach culture during the twentieth century. Like the Dendy Street Beach Bathing Boxes, Bells Beach Surfing Recreation Reserve attracts local, national and international visitors.

KEY REFERENCES USED TO PREPARE ASSESSMENT

Allom Lovell & Associates (1999) *City of Bayside Heritage Review* (including a review of *City of Brighton Urban Character and Conservation Study* (1986) and the *City of Sandringham Heritage and Conservation Study* (1989) by Andrew Ward)

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Jenkinson, Jo (2015) *The Lure of the Beach* Brighton Historical Society

Smith, R V (1987) *James H Willis – a distinguished botanical career* Botanic Magazine Vol. 2 pg 27

Wakelin Associates Pty Ltd (2011) *Geomorphology of Brighton Dunes & Jim Willis Reserve*

Willis, J H (1991) *My Lifetime Involvement with Systematic Botany* Botanic Magazine Vol. 8 pg 43

The Age and the *Argus* (various articles)

http://www.brightonvillage.com.au/Brighton_History/history.htm

<http://www.brightonbathingbox.org.au/en/history>

PROPOSED TEXT FOR THE BLUE HERITAGE PLAQUE

In the late nineteenth century, bathing boxes were used as waterfront change rooms which hid the bather from view. Moved to their current location in 1934, their bright exteriors indicate a change from discreet 19th century bathing to the casual activities of today.

LOCATION PLAN



ADDITIONAL IMAGES



2017: Dendy Street Beach Bathing boxes, looking south



2017: Dendy Street Beach Bathing boxes, looking north



1987: Rear of the Dendy Street Bathing Boxes (Source: State Library of Victoria)



1980s: Dendy Street Beach (Source :State Library of Victoria, Rennie Ellis)



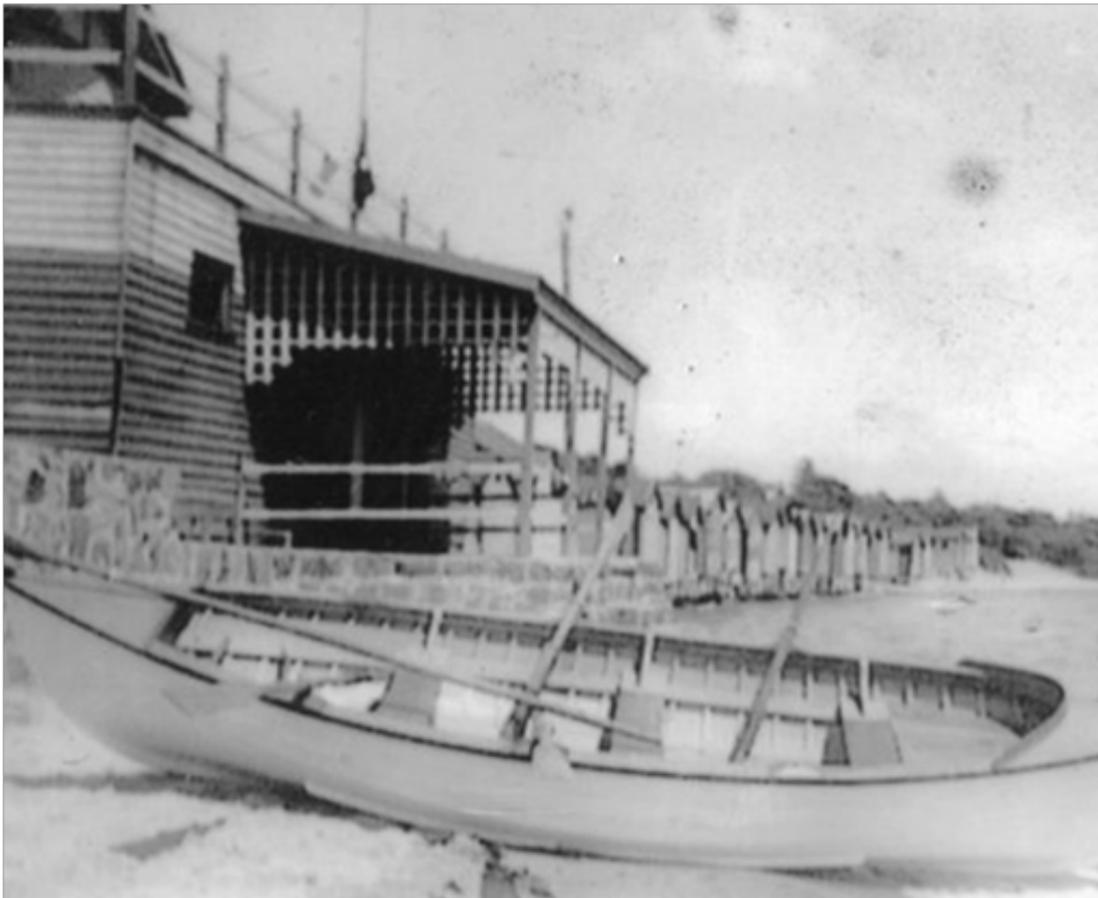
1980: King Tide at Dendy Street (Source: Bayside Library Services)



1961: Brighton (Source: National Library of Australia)



1951: Bathing boxes Brighton Beach (Source: State Library of Victoria)



Pre 1934: Source: <http://www.brightonlsc.com.au/history.html>



c1932 Dendy Beach (Source: Museum Victoria)