

# Heritage Impact Statement

Collins Settlement Site (part)  
3080A Point Nepean Road, Sorrento  
VHD H1050

Application for permit – Proposed Redevelopment  
21 May 2025



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## 1.0 Introduction

This assessment of heritage impacts was prepared at the request of Cortese Architects on behalf of Celia Burrell, the owner of the subject site at 3080A Point Nepean Road, Sorrento, which forms part of a wider heritage place known as Collins Settlement Site.

By way of background, Permit P14793 for the subdivision of the land that was at the time addressed as 3080 Point Nepean Road was issued on 16 September 2009. The permit allowed for a six lot subdivision, comprising five individual lots with approved building envelopes and one common property. Since this time, the subdivision has taken place and new dwellings have been constructed on four of the lots, today addressed as 3080, 3082, 3084 and 3086 Point Nepean Road. The HIS relates to a proposal to construct a new dwelling on the remaining subdivided lot, known as 3080A Point Nepean Road, together with landscaping works.

The report reviews the significance of Collins Settlement Site and comments on whether the proposed development works are appropriate in character and detail, and whether they are acceptable in terms of its impact on elements of identified heritage significance as included in the *Victorian Heritage Register*.

The report has been prepared by Bryce Raworth Pty Ltd, and is to be read in conjunction with the drawing package prepared by Cortese Architects, Arboricultural Report and landscape plan prepared by John Patrick Landscape Architects and other documentation submitted with respect to this application.

## 2.0 Sources of Information

The following draws upon external and internal site inspections along with a review of the *Heritage Act 2017* and Heritage Victoria's registration papers relating to the Collins Settlement Site. Reference has also been made to the *Principles for considering changes to places in the Victorian Heritage Register* (made and published under s19(1)(f) of the *Heritage Act 2017*, December 2022) and the *Heritage Victoria Policy: Reasonable or Economic Use* (made and published under s19(1)(f) of the *Heritage Act 2017*, June 2021).

Additionally, regard has been had for the City of Mornington Peninsula's Heritage Overlay provisions and local heritage policy, as set out under Clause 43.01 and Clause 15.03-1L-01 to the *Mornington Peninsula Planning Scheme*.

## 3.0 Methodology

This heritage impact statement has been prepared having regard for the Burra Charter and its guidelines, as amended in 2013, and in general accordance with *Heritage Victoria Guidelines for Preparing Heritage Impact Statements* (June 2021). It seeks to address key considerations set out in that document, as well as in the *Principles for considering change to places in the Victorian Heritage Register*.

## 4.0 Summary History

The history of Collins Settlement Site is referenced in the registration documentation for the place. It has also been examined as part of the *Shire of Flinders Heritage Study*, the *Mornington Peninsula Shire Thematic History*, and the Statement of Heritage Impact associated with P14793 prepared by Lovell Chen, which included the Historical Cultural Heritage Assessment prepared by Tardis Enterprises. What follows is a summary of the historical information contained in these documents.

The area of what is today known as the Mornington Peninsula was first the country of the Boonwurrung (Bunurong) people. The area would have provided an abundance of edible resources, including marsupials and more than fifty edible plants. The presence of shell middens is evidence that several shellfish species were also available.

In 1803, the area became the site of the first official British attempt at establishing a settlement in what is now Victoria, apparently prompted by favourable reports of Port Phillip Bay, as well as concern about French interest in the region. Lieutenant Colonel David Collins departed Portsmouth on 24 April 1803 on *HMS Calcutta*, accompanied by the supply ship *Ocean*, with the two ships arriving in Port Phillip on 7 and 9 October. Accompanying Collins were some 460-470 people, comprising around 300 convicts, some with wives and children, administrative staff, military personnel and a few free settlers, some with their families.

Three days were spent searching for a suitable landing, after which Collins selected a site he named Sullivans Bay, so called for John Sullivan, the Undersecretary for War and the Colonies. Prominent headlands known as The Sisters marked the eastern and western ends of the bay, and the initial tent encampment was established on an area of land between. General landing was complete on 16 October, and on the same day, Lieutenant Tuckey was dispatched to make a careful survey of the port.

Tuckey return from his survey on 27 October, having failed to discover any suitable waterway that would have allowed a settlement. Difficulties arising from lack of fresh water, poor soil and timber, together with conflict with the local Aboriginal population, led to Collins send a party with a letter to Governor King in Port Jackson requesting that the settlement be moved.

Knowing that a reply might take some time to arrive, work commenced on building huts and other structures. Local limestone was apparently used to construct chimneys for the huts, and for the building of the magazine. Land was also cleared for the growing of crops.

A number of deaths occurred during the time of the Collins settlement, however the numbers cited in the various sources differ. It is thought that the four graves which are situated near the Eastern Sister belong to later settlers, as it likely that any burials from the 1803 settlement group took place on the Western Sister, rather than the Eastern Sister where the senior members of the Settlement had their living quarters.

On 12 December 1803 permission was received from Governor King to relocate the settlement, and the convicts were put to work to construct a wharf to facilitate the removal. The first shipload

departed for the Derwent River in Van Diemens Land on 30 January 1804, with the remainder following on 18 May, thus ending the short lived settlement.

Further European activity in the broader area didn't take place until the late 1830s and 1840s when the land was taken up in pastoral leases. The area around the Eastern Sister became freehold in the 1870s, with D A Hughes purchasing Crown Allotment 65A, Parish of Nepean, County of Mornington, comprising just over 65 acres in October 1875. A series of owners followed and there are no records of any residence on the lot in the nineteenth century, with grazing the likely use.

Ormond Smith became owner of approximately 3 acres of Lot 65A in 1911, and by 1914 Rate Books indicate the presence of a dwelling. The site was purchased by Sarah Rand in 1916 and was owned by various members of the Rand family until 1997. The c.1914 residence burnt down and was replaced in the mid twentieth century by the house today addressed as 3082 Point Nepean Road.

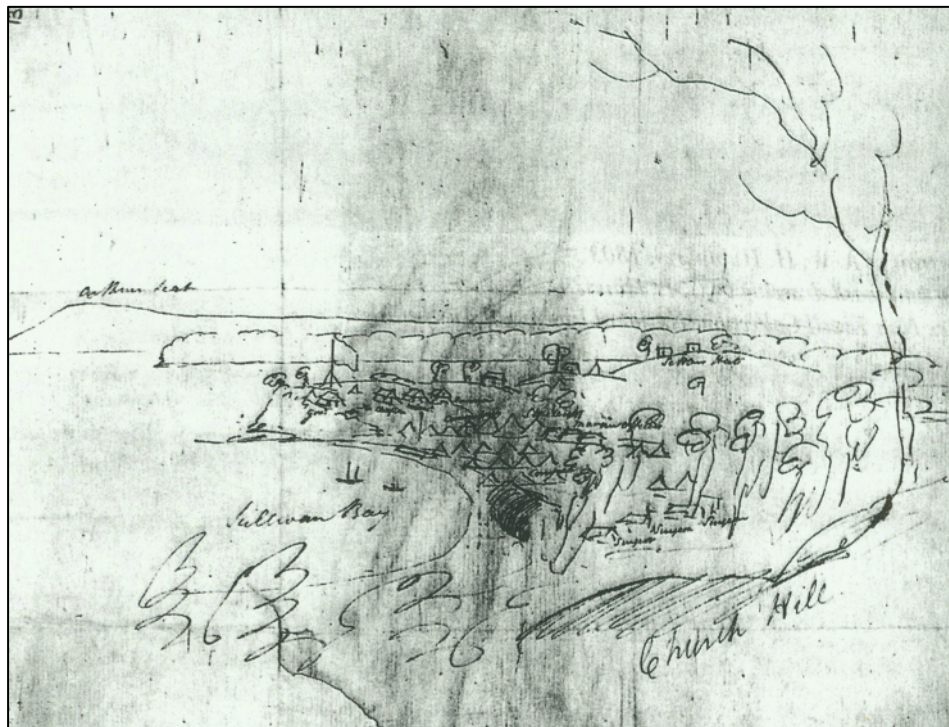


Figure 1 Sketch of Sullivan Bay, 1803, by GP Harris.  
Source: Copy of manuscript in British Library, held by State Library of Victoria.

## 5.0 Description

Collins Settlement Site is situated on the north side of Point Nepean Road, east of the town of Sorrento. It incorporates privately owned residential land as well as public land managed by Parks Victoria.

No. 3080A Point Nepean Road occupies part of this area. Built form on the land consists of a boat shed at the north-west corner of the site. The shed is a gable ended structure of timber and corrugated metal. Double doors are located to the north elevation, a single door to the south elevation and three windows to the west. The site is grassed with naturally occurring indigenous trees around the periphery and one Canary Island Palm in the centre. A brush fence lines the southern boundary and part of the eastern and western boundaries, while a post and wire fence marks the northern boundary. Vehicle access is provided at the southern end of the site by a common driveway.

To the north of the subject site is the foreshore of Tideways Beach. Adjoining the site to the east, 3080 Point Nepean Road is occupied by a two storey dwelling plus basement constructed 2016. The dwelling is rectilinear in form with timber cladding and large expanses of glazing facing the bay. Further east is the headland of the Eastern Sister.

Adjoining the subject site to the west, 3082 Point Nepean Road is occupied by a single storey mid twentieth century dwelling of painted brick with a gabled roof and a double storey garage/outbuilding. A tennis court with lights occupies the southern portion of the site, while a boat shed at the north-west corner of the site opens onto a private jetty, including undercover storage for boats.

Further west, two double storey dwellings constructed 2014-2015 occupy 3084 and 3086 Point Nepean Road. No. 3088 Point Nepean Road is occupied by Iluka, a Federation bungalow constructed 1923. This property also features a private boat shed and jetty. At 3096 Point Nepean Road is a single storey dwelling constructed in the mid 2000s, with private jetty. Terminating this row of dwellings at 3098 Point Nepean Road is a double storey dwelling with swimming pool and boat shed, the substantial renovation of which is nearing completion.





Figure 2 View of the subject property at 3080A Point Nepean Road, looking north.



Figure 3 View looking south toward the subject site from the foreshore.



Figure 4      *The boat shed at the north-west corner of the site.*



Figure 5      *View of the northern and western elevations of 3080 Point Nepean Road from within the subject site.*





Figure 6      *Looking east toward 3080 Point Nepean Road and the Eastern Sister.*



Figure 7      *The northern and eastern elevations of 3082 Point Nepean Road as viewed from within the subject site.*





Figure 8 3082 Point Nepean Road as viewed from the foreshore.



Figure 9 The north elevation of 3084 Point Nepean Road.





Figure 10      *The north elevation of 3086 Point Nepean Road.*



Figure 11      *Looking south-east toward Iluka at 3088 Point Nepean Road, with 3086 Point Nepean Road visible at rear.*





Figure 12      *The north elevation of 3096 Point Nepean Road.*



Figure 13      *3098 Point Nepean Road, works to which are nearing completion.*



## 6.0 Heritage Listings

### *Victorian Heritage Register*

The wider site addressed as 2700-3148 Point Nepean Road, Sorrento is of state significance, included in the Victorian Heritage Register as H1050. The extent of registration for the place is as follows:

1. All the land and water bounded by: the Point Nepean Road to the south; 100m to the east of the Camerons Bight jetty on the east; the eastern edge of the Sorrento Sailing Club land to the west, and a line 50 metres out from high water mark to the north, as marked L1 on Plan No. H1050 held by the Executive Director.
2. All the features known as 'Settlers Graves' as marked F1 on Plan No. H1050 held by the Executive Director.

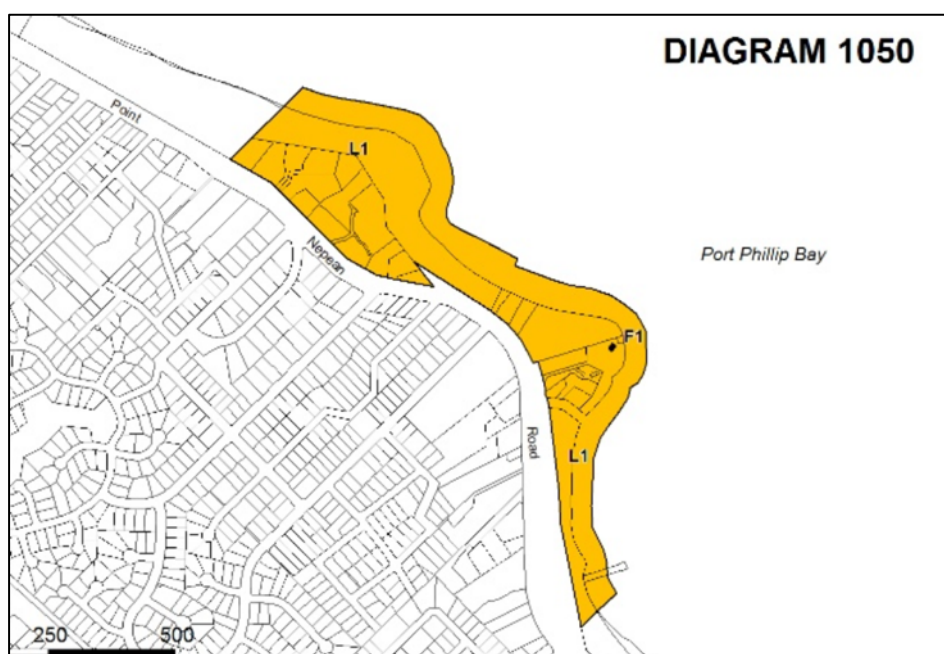


Figure 14 Extent of registration plan for Collins Settlement Site.  
Source: Heritage Victoria.

### *Victorian Heritage Inventory*

Collins Settlement Site is included in the Victorian Heritage Inventory, identified as H7821. Archaeological matters are addressed by a separate report.

### *Mornington Peninsula Heritage Overlay*

The wider site at 2700-3148 Point Nepean Road is identified as HO255 in the Schedule to the Heritage Overlay of the *Mornington Peninsula Planning Scheme*. This overlay recognises that the responsible authority with regards to heritage issues and any permit application for the land is Heritage Victoria. While a planning permit is not required under Clause 43.01, the Heritage Overlay, such permit is required under other clauses of the planning scheme. It is noted that a Notice of Decision to Grant a Permit, subject to conditions, was issued by Council on 9 April 2025.

#### *National Trust of Australia (Victoria) Register*

Collins Settlement Site is identified as being of state level significance by the National Trust of Australia (Victoria), with file numbers of B2168 and L10051. The National Trust has no statutory planning powers although it might play an advisory role with regard to any proposed works to registered sites.

## 7.0 Significance

As per the statement of significance that is endorsed by Heritage Victoria, Collins Settlement site is of historic, archaeological, aesthetic (landscape) and social significance.

The statement of significance as contained in the *Victorian Heritage Database* is as follows:

#### ***What is significant?***

*The British Government's decision to establish a settlement in southern Australia appears to have been prompted by favourable reports of Port Phillip Bay and concerns about the interest of the French in the area. The colonising party despatched from England comprised military personnel, administrative staff, a few free settlers and a majority of convicts. Some were fortunate enough to be accompanied by wives and children. Lt-Governor Collins led the party of 467 persons.*

*The site selected for the settlement was on the southern side of Port Phillip Bay at Sullivan Bay, relatively close to the Heads, a site chosen to enable protection of Bass Strait from the French. It was a difficult site to settle, without easy access to fresh running water, an anchorage well off-shore, and poor soils for agriculture; their survey of Port Phillip Bay revealed that much of the area had similar characteristics.*

*The settlement was established on an area of land between the Western Sister and Eastern Sister, prominent headlands which mark each end of Sullivan Bay. Most of the settlement was close to the Eastern Sister. Initially a tent encampment, work commenced quickly on building a jetty and other timber structures, including huts. A Local limestone was apparently used to construct chimneys for the huts, and for the building of the magazine. As well as barrels set into sand to trap fresh water, wells were dug, as were privies. Land was cleared for the growing of crops, perhaps totalling several acres.*

*In choosing this place for a settlement, the settlers directly displaced Aboriginal people from a regular camping area.*

*In 1804 Collins decided to move the settlement to Van Diemens Land, where John Bowen had established a settlement at Risdon Cove in 1803. They were moved as two parties, the second group leaving on 20 May, just over seven months after the settlement had been established.*

*Surviving physical evidence of the settlement is limited to oak barrels recovered in 1926, and artefacts thought to date to the initial settlement of the area such as the remains of a hand blown brandy bottle inscribed "Old Cognac 1795" and a pair of leg irons.*

*The graves site located within the Collins Settlement Historic Reserve is important for symbolic reasons in long being recognised by both the government and the community as a symbol and icon of the first attempt of European settlement in Victoria (even though historical knowledge suggests they are unlikely to be associated with the 1803-4 settlement).*

**How is it significant?**

*Collins Settlement Site is of historic, archaeological, aesthetic (landscape) and social significance to the State of Victoria.*

**Why is it significant?**

*Collins Settlement Site is historically significant as the site of the British Government's first official settlement in southern Australia, in 1803. From the perspectives of global colonisation, the site contains historical fabric, associations and meanings that are vital to the understanding of the history of colonisation in southern Australia.*

*The site is one of few Australian 'founding' sites that have survived two centuries of change. Like The Rocks in Sydney and Risdon Cove in Tasmania, the landscape of Sullivan Bay has revealed evidence from its founding period. More evidence may survive to be revealed as a result of future investigations.*

*Collins Settlement Site has aesthetic significance due to the survival of much of the pre-settlement landscape of Sullivan Bay, including the enclosing headlands, the old growth Moonah woodland, the shallow waters of the bay, the views between the Eastern and Western Sister and the Western Sister and St Paul's, and to Arthurs Seat.*

*Collins Settlement Site has archaeological significance due to its potential to contain relics relating to the historic occupation of the site.*

*Collins Settlement Site has social significance for long being recognised as the site of the 1803 settlement. The Melbourne and Peninsula communities have strongly defended the site during times when its long term protection seemed in jeopardy.*

## 8.0 Development Proposal

The proposal for the subject site is for the construction of a new dwelling. This will involve removal of five trees including two Coast Tea-trees, two Moonah and one Canary Island Date Palm.

The proposed new dwelling is of two levels plus basement. It has a rectilinear form with low pitched, parapeted roof. The minimum setback from the northern property boundary is 21.4 metres, with 3.0 metre setbacks from the eastern and western boundaries. The southern elevation of the dwelling addresses a private driveway, and is situated approximately 90 metres from Point Nepean Road. Materials include horizontally and vertically oriented timber wall cladding, white aluminium framed windows, some of which with white aluminium louvres or timber privacy blades, and grey Colorbond roofing.

Where site cuts are made at the southern end of the site, new stone clad retaining walls will provide erosion control. The remainder of the site will be landscaped with new hard and soft landscaping, including paths of granitic gravel and natural stone pavers, as well as native and indigenous trees, shrubs and groundcovers.

## 9.0 Impact Assessment

Applications for works to places on the Victorian Heritage Register are considered within the broad ambit of considerations under the *Heritage Act 2017*, which seek to conserve the significance of place, whilst also support their sustainability and taking into account economic impacts. In accordance with the *Heritage Act*, this heritage impact statement is directed at assisting the Executive Director, Heritage Victoria, to consider ‘*the extent to which the application, if approved, would affect the cultural heritage significance of the registered place*’.

It has been prepared in general accordance with the *Heritage Victoria Guidelines for Preparing Heritage Impact Statements*. With respect to the proposed works, it seeks to address several key matters, as set out in the guidelines as well as in the *Principles for considering change to places in the Victorian Heritage Register*.

### *Understand why the place is significant*

As per the statement of significance included in the Victorian Heritage Database, Collins Settlement Site is of historic, archaeological, aesthetic (landscape) and social significance. The design of the proposed works has been undertaken with reference to each of these aspects of significance.

The historical significance of the subject site, as part of the first official British settlement in southern Australia, will not be impacted by the proposed works. Construction of dwellings in the Sullivan Bay area have occurred over more than a century, including Nee Morna, constructed c.1909 and Iluka, constructed 1923, both of which are of individual heritage significance at the local level. None of these construction works have erased the associations and meanings relating to the history of colonisation. Appropriately managed and approved development may reveal further evidence relating to the founding period.



The proposed construction of a single dwelling on the residential lot will not impact upon the enclosing headlands, the old growth Moonah woodland or the shallow waters of the bay, which are the surviving features of the pre-settlement landscape for which the place is of aesthetic significance. While two Moonah trees are to be removed, both have been assessed as being of low arboricultural value, one of which due to being over-mature and in poor structural condition caused by decay. The removal of these trees is therefore acceptable. The significant views, being between the Eastern and Western Sister and the Western Sister and St Paul's, and to Arthur's Seat, will not be impeded by the works.

The social significance of the place, associated with community recognition of the 1803 settlement, will not be impacted by new construction on the subdivided lot. The Eastern Sister, with its public reserve, interpretation centre and early graves, will not be physically impacted by the works.

Matters pertaining to potential impacts on the archaeological significance of the site are not addressed by this report.



Figure 15 The graves on the Eastern Sister. Note that these are not located on the subject site.

#### *A cautious approach*

The use of a heritage place is recognised as an important element in its care, with the Burra Charter advocating to *'do as much as necessary to care for a place and to make it useable, but otherwise change it as little as possible so that its significance is retained.'* It is also a conservation principle that *'a place should have a compatible use'*, defined as *'a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.'*

The successive phases of development on the wider Collins Settlement land have demonstrated that residential usage is compatible with the character and appearance of the heritage place. In the years since 2009 when the subdivision of the subject site and its neighbours occurred, the construction of four other dwellings has taken place without adverse impact on the cultural significance. Similarly, the construction of the current proposal can be accommodated without undue impact.

*Protect significant settings and views*

In relation to the setting of a heritage place, the Burra Charter states that:

*Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.*

*New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.*

For each of the five residential lots of the 2009 subdivision, buildings envelopes were developed and approved. These were carefully considered taking into account cultural heritage (archaeological) potential, viewlines and sensitive areas of vegetation. The proposed new dwelling is located entirely within the approved building envelope, mitigating any impact on the setting.

Solid boundary fencing is restricted to the southern portion of the lot, maintaining the existing open landscape character in the foreshore vistas. While some existing trees are to be removed, these have all been assessed as being of low arboricultural value. The setting will be enhanced by new landscaping with indigenous and native vegetation in keeping with the locale, including Coast Tea Tree and Moonah specimens to replace those removed.



Figure 16 View looking west along Tideways Beach. The boat shed on the subject site is indicated by the arrow.

#### *Respectful change and new built form*

In relation to new work, the *Burra Charter* states that ‘*New work should be readily identifiable as such, but must respect and have minimal impact on the cultural significance of the place*’ and that ‘*New work should respect the significance of a place through consideration of its siting, bulk, form, scale, character, colour, texture and material. Imitation should generally be avoided.*’ In addition to this guidance, the *Principles for considering changes to places in the Victorian Heritage Register* advises that new buildings should be located to avoid adverse visual or physical impacts on the place.

As discussed above, the new building is appropriately located entirely within the approved building envelope. In views looking toward the dwelling from the public beach to the north, the new building will not be inappropriately dominant given its generous setback and the sloping topography of the land.

The *Principles for considering change* state that new built form should ‘*Ensure scale and massing ... is appropriate to the scale and massing of the place*’. The appropriateness of a two storey scale for new built form has been established by the recently constructed dwellings on the other subdivided lots of the place. These buildings are massed with two level facades that face the bay, taking advantage of the views. The proposed dwelling is similarly configured with a two level north facing facade. The low pitched roof serves to moderate the overall height.

The *Principles for considering change* also state that new built form should ‘*Apply a respectful, high quality design approach to architectural expression, materials and finishes*’. The proposal constitutes a high quality architectural design, with a carefully considered form that will readily be perceived as a contemporary construction. The selected materials are deferential to the coastal environment, with the timber cladding of the walls harmonising with the light tones of the window frames and louvres.

#### *Provide for upkeep*

Under the *Heritage Act*, the Executive Director must consider ‘*the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object.*’ A reasonable use is one which respects the heritage values of the place and does not require unacceptable levels of change. The Executive Director may consider the historic, recent and current uses of the registered place.

As discussed above, the proposed development is respectful of the significance of the place, and change has been carefully managed. Given the history of residential use on the wider site, the proposal is a reasonable use of the subdivided lot.

## 10.0 Conclusion

In conclusion, the proposal for the works to no. 3080A Point Nepean Road have been developed with appropriate regard for the significance of the Collins Settlement Site. The significant features of the graves and significant viewlines will not be physically or visually impacted. Although five trees are to be removed, all are of low arboricultural value.

The proposed new dwelling is appropriate in terms of its scale, siting, form and materiality. The introduction of new indigenous and native plantings will result in an appropriate setting. In a context where the historical and ongoing residential use of the Collins Settlement Site has proved to be a compatible use, the proposal is acceptable.