

COLLINS SETTLEMENT SITE

HERITAGE IMPACT STATEMENT

3110-3118 Point Nepean Road, Sorrento

June 2025

Prepared for

APPLETREE SORRENTO PTY LTD

Prepared by

LOVELL CHEN



ACKNOWLEDGEMENT OF COUNTRY

This report was prepared on the lands of the Wurundjeri people who have been custodians of this land for thousands of years. We acknowledge their stories, connection to land, water and culture which is embedded in Country. We pay our respects to their Elders past and present and acknowledge that this report includes a post-contact history that forms only a small part of the ongoing story.

Nee Morna, 3110 Point Nepean Road, Sorrento is located on the lands of the Bunurong people, who are, and have always been the custodians of this land. We pay our respects to the Elders past and present, and acknowledge the stories, traditions and cultures of all Aboriginal and Torres Strait Islander people.

Quality Assurance Register

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Project no.	Issue no.	Description	Issue date	Approval
7547.05	1	Heritage Impact Statement	19/06/2025	MK

Referencing

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1.0 INTRODUCTION

This heritage impact statement (HIS) has been prepared for Appletree Sorrento Pty Ltd to accompany a permit application to Heritage Victoria for swimming pool works at Nee Morna which falls within the Victorian Heritage Register (VHR) extent of registration for the Collins Settlement Site (H1050).

The proposal is for the introduction of a swimming pool, pool house and associated landscaping works at 3118 Point Nepean Road, Sorrento, a subdivided lot to the north of the residence Nee Morna (Figure 1).

We respectfully acknowledge that Nee Morna and the surrounding properties are located on the land of the Bunurong People.

This application makes reference to the following documentation for the proposed works:

- Architectural drawings prepared by Powell & Glenn Architects, dated 29 May 2025 and numbered TP00-TP06 (inclusive), TP20, TP30, TP40 and TP60-TP61.
- Landscape plan prepared by Miles Baldwin Design, dated 5 June 2025 and numbered TP-01 – TP-03 (inclusive), TP-10, TP-45, TP-50.
- Arborist advice prepared by Galbraith & Associates, dated 30 May 2025.



Figure 1 Location plan with the subject property and location of the proposed works approximately indicated by the arrow

Source: www.street-directory.com.au

1.1 Background

Pre-application discussions were held on site with Heritage Victoria in September 2024. Subsequently, Heritage Victoria provided the following comments in October 2024 in relation to the proposed works:

- There is a level of comfort with the proposed works, subject to final design details. As discussed on site, the pool house should be located behind the existing trees to ensure that it is not visible from Sullivan Bay.
- The works would require a permit from Heritage Victoria. The application should be supported by an archaeologists report.

Subsequent advice from Heritage Victoria confirmed that historical archaeological requirements could be managed under the conditions of a permit issued for the works.

These points of consideration have been addressed in Section 5.0 of this HIS.

1.2 Relevant approvals

Planning Permit P23/1196 was issued by Mornington Peninsula Shire on 16 December 2024. This permit provides the approval for a boundary realignment between Lot 2 (3118 Point Nepean Road) and Lot 5A (3110 Point Nepean Road). The works proposed in this application will be wholly contained within the approved Lot 2A (3118 Point Nepean Road) (Figure 2), noting that the approved subdivision is not complete at this time.

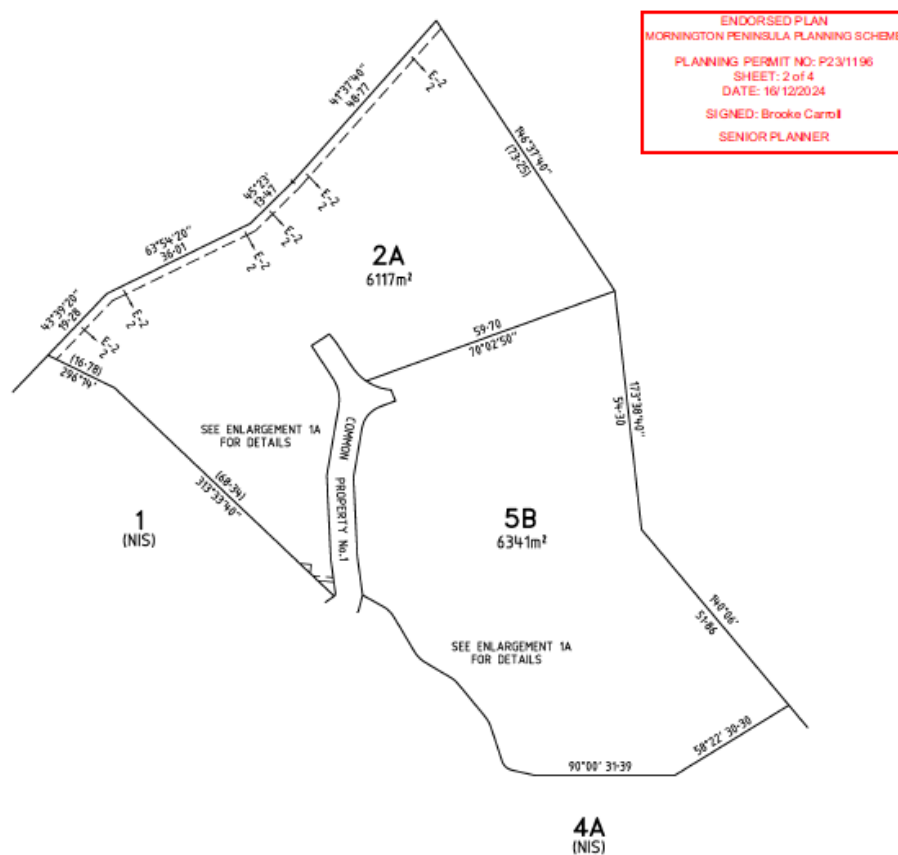


Figure 2 Endorsed boundary realignment plan for lots 2 and 5A (now 2A and 5B)
Source: Mornington Peninsula Shire

2.0 STATUTORY HERITAGE CONTROLS

The area known as the ‘Collins Settlement Site’, of which the subject property at 3118 (approved Lot 2A) Point Nepean Road forms a part, is of recognised historical value as the first European settlement site in Victoria. The broader settlement site is accordingly included in several heritage registers as set out below. The larger property, (prior to subdivision, collectively 3110 Point Nepean Road) has also been identified as a place of local significance.

2.1 Victorian Heritage Register

The 'Collins Settlement Site', 2700-3148 Point Nepean Road (including the subject property at 3118 Point Nepean Road) is identified as place number H1050 in the VHR to the extent of 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 well as all the features known as 'Settlers Graves' as marked F1 (Figure 3).

The VHR statement of significance (reproduced below) outlines the historic, archaeological, aesthetic (landscape) and social significance of the site:

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. 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.

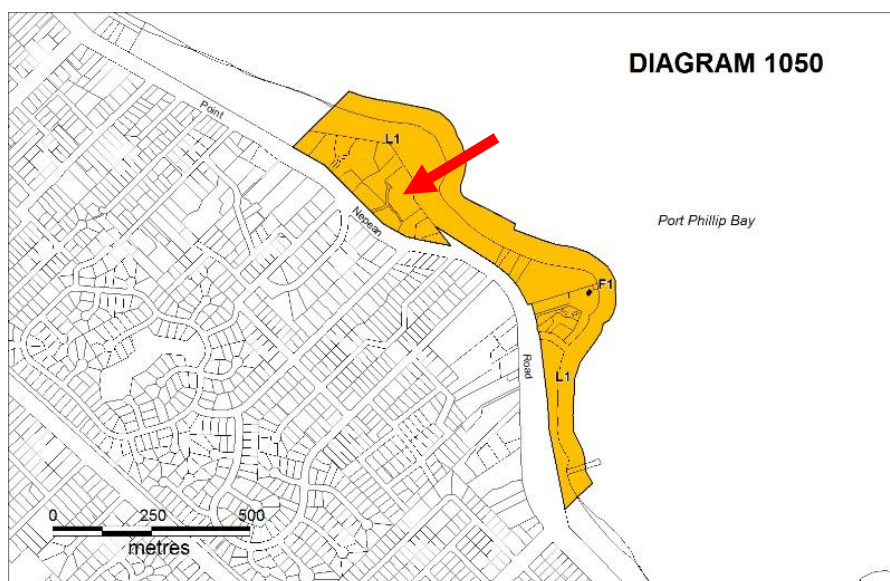


Figure 3 VHR extent of registration of the Collins Settlement Site (the location of the subject property is approximately indicated)
Source: Heritage Victoria

2.2 Victorian Heritage Inventory

The 'Collins Settlement Site', Point Nepean Road Sorrento, is also included in the Victorian Heritage Inventory (VHI) as place number H7821-0001.

The Heritage Inventory Significance of the Collins Settlement site as identified in the VHI is as follows:

Archaeological potential for subsurface remains of some structures although development and subdivision would have destroyed most evidence.

Historical significance as a contact settlement site.

2.3 Mornington Peninsula Planning Scheme

Nee Morna, 3110 Point Nepean Road, is individually identified as HO176 in the Schedule to the Heritage Overlay (HO) of the Mornington Peninsula Planning Scheme (Figure 4). The HO Schedule indicates that external paint controls and tree controls apply but internal alteration controls do not apply.

The property is also located in the broader 'Collins Settlement Site' which is identified as HO255 in the Schedule. The extent of HO255 matches the VHR extent of registration for the Collins Settlement Site (Figure 4).

In accordance with the requirements identified in Clause 43.01 of the Mornington Peninsula Planning Scheme, a heritage place which is included in the VHR is subject to the requirements of the *Heritage Act 2017*. Accordingly, a planning permit is not required under the Heritage Overlay for the proposed buildings and works.

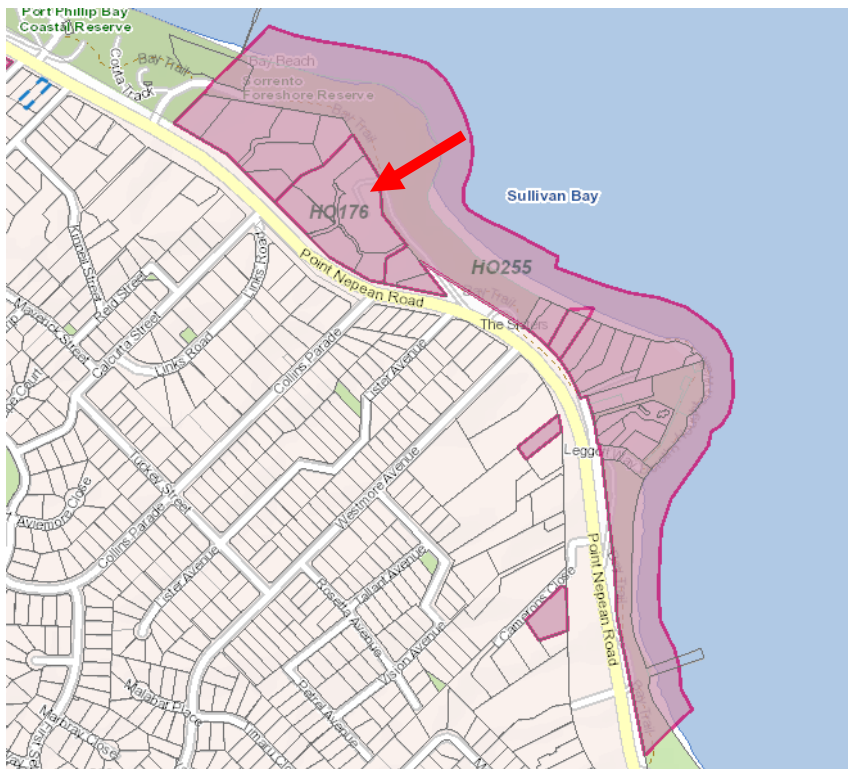


Figure 4 Plan showing the HO mapped extent for Nee Morna (HO176, indicated) and the Collins Settlement Site (HO255)

Source: Vicplan

3.0 DESCRIPTION

The subject property is located to the north side of Point Nepean Road and to the south of the headland known as the 'Western Sister' (Figure 5). Current subdivided lots are shown at Figure 6, which does not include the approved boundary realignment between lots 5B and 2A.

The house Nee Morna is located on Lot 5B of the subdivision (3110 Point Nepean Road). Nee Morna is a two-storey (and part three-level) limestone Bungalow dwelling with timber and concrete detailing in the Federation style. A two-storey contemporary addition with a flat roof form has been added to the south elevation. The building is oriented to take in views of Port Phillip Bay, with the rear of the building located to the south. The dwelling is set within a broad landscaped garden, including a landscape terrace to the north of the building, large expanses of lawn, mature trees and a curved driveway providing access from Point Nepean Road from the common property driveway. Existing fencing within this property includes solid brush fencing along the east property boundary and vehicle and pedestrian gates to the Point Nepean Road entry to the property. No additional built form is located within this Lot.

To the north of the subject property, 3118 Point Nepean Road (approved Lot 2A) is generally open grassed space and has a modern single-storey building. The mature Moonah trees within the lot are generally sited along or close to the property boundaries (Figure 7 and Figure 8). The proposed works are wholly within this property.

To the east of the subject property as well as the south and the remainder of the lot, 3106 and 3108 Point Nepean Road (Lot 3 & Lot 4), is the densely vegetated foreshore reserve and densely vegetated lots with no buildings/structures. To the southeast of the subject property, 3120 Point Nepean Road (Lot 1) is a residential lot with a dwelling and associated landscaping and driveway.



Figure 5 Recent satellite image of the subject property; the subdivided lots are not shown
Source: Nearmap, image date July 2024

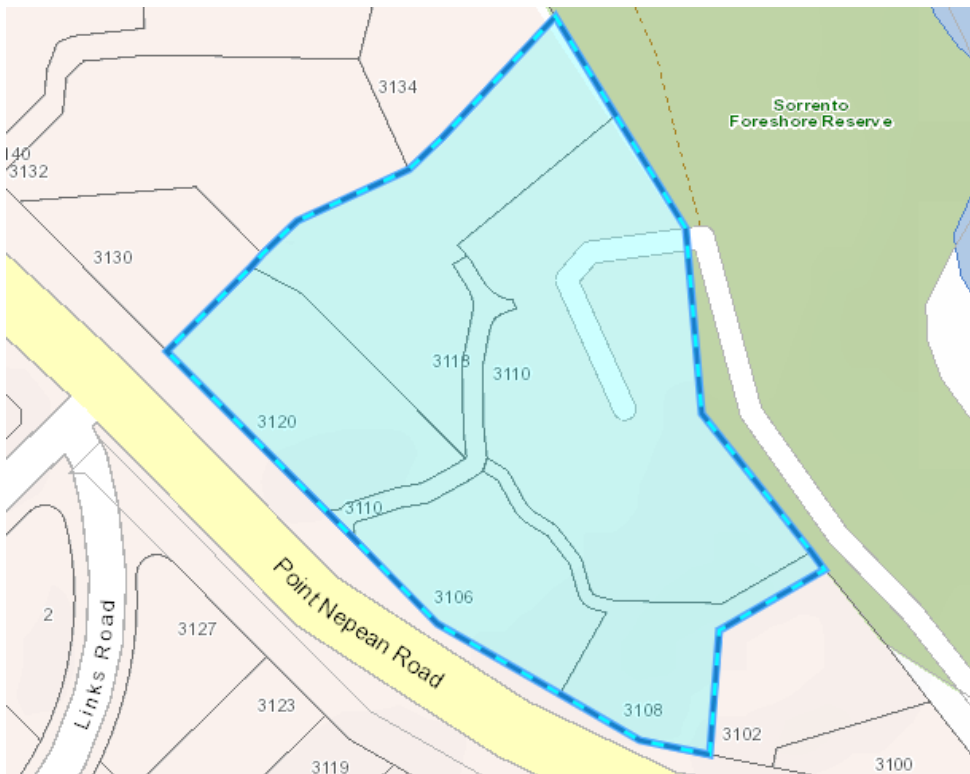


Figure 6 Former 3110 Point Nepean Road property in blue, with subdivided lots identified; the approved boundary realignment between lots 5B and 2A is not shown here
Source: Vicplan



Figure 7 View north towards the location of the proposed works within the approved Lot 2A



Figure 8 Existing Moonah trees along the eastern property boundary of the approved Lot 2A; no tree removal is proposed or required

4.0 PROPOSED WORKS

The proposal is for the installation of a domestic swimming pool, terrace and a single storey pool house with associated landscaping and fencing, to be set back approximately 18m from the northern property boundary of the approved Lot 2A (refer Figure 7).

The proposed swimming pool is a rectangular in-ground pool, measuring 12m x 5m with a timber batten safety fence enclosing access to the pool. Terrace paving (Endicott crazy paver) and low-scale planting is proposed around the pool, with a single-storey pool house to the south of the swimming pool.

The proposed pool house is a simple rectangular structure with a flat roof which will reach an overall height of approximately 4.3m. The proposed pool house will be clad with horizontal timber cladding with an exposed aggregate concrete parapet. Canvas awnings are proposed on the north and west elevations of the pool house. A fireplace flue will extend approximately 300mm above the building parapet (Figure 9 & Figure 10).

The proposal will not require the removal of any existing trees within the property and all excavation is outside of the Tree Protection Zones (TPZ) of all trees in the vicinity. Minimal encroachment from landscaping works (i.e. addition of mounding) in the order of 2% - 15% will occur into the TPZs of a small number of immediately surrounding trees, but no removal of trees or excavation is required in these areas. Proposed new landscaping works include two new trees and several low-level shrubs in garden beds surrounding the pool and pool house.

The swimming pool and associated structures are proposed to provide private outdoor recreation spaces within the subject site and associated with the residence within Lot 5B.



Figure 9 Render image of the proposed pool house and vegetation
Source: Powell & Glenn Architects



Figure 10 Render image of the proposed swimming pool, landscaping, fencing and pool house
Source: Powell & Glenn Architects

5.0 ASSESSMENT OF HERITAGE IMPACTS

5.1 Relevant considerations

The key considerations under the Heritage Act are as follows:

- S. 101(2)(a) the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object
- S 101(2)(b) the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object.

Additionally, the Executive Director may consider if relevant the matters at s. 101(3)(a):

- the extent to which the application, if approved, would affect the cultural heritage significance of any adjacent or neighbouring property that is—
 - i. included in the Heritage Register; or
 - ii. subject to a heritage requirement or control in the relevant planning scheme.

5.2 The extent to which the application, if approved, would affect the cultural heritage significance of the registered place [S101(2)(a)]

The table below includes a brief summary of the heritage values identified in the VHR statement of significance for the Collins Settlement Site and a comment regarding the potential for heritage impacts from the proposed swimming pool and its associated structures.

Table 1 Assessment against VHR values

Summary of heritage significance	Comment
<p>Historical significance</p> <ul style="list-style-type: none"> • British Government's first official settlement in southern Australia in 1803 • Landscape contains evidence from its founding period which provide an understanding of the history of colonisation, and more evidence may be revealed through further investigations 	<p>There will be no impact on historical significance. While the landscape of Sullivan Bay has revealed evidence from its founding period, the registered place as the first official British settlement in Australia will be unaffected by small-scale works comprising the installation of a swimming pool and associated structures on private property.</p>
<p>Aesthetic significance</p> <ul style="list-style-type: none"> • The pre-settlement landscape of Sullivan Bay and the enclosing headlands survives • Old growth Moonah woodland • Views between the Eastern and Western Sister, the Western Sister and St Pauls, and to Arthurs Seat 	<p>The aesthetic significance of the Collins Settlement Site is derived from native vegetation and the surviving pre-settlement landscape, as well as key views, including between the Sisters. The proposal is for the introduction of a swimming pool and pool house on private land, associated with the existing residence Nee Morna in the adjoining lot.</p> <p>The location of the proposed works to the northern extent of the property at 3118 Point Nepean Road (Lot 2A) is such that there will be little to no visibility to the</p>

Summary of heritage significance	Comment
	<p>pool/pool house from the Bay Trail to the east of the property. All of the trees in the vicinity of the proposal are mature Moonahs (<i>Melaleuca lanceolata</i>). The existing trees along the eastern property boundary will largely conceal the proposed works in these views however where there may be some visibility from this trail, the proposed pool house will present as a simple, low-scale structure associated with a private residence. In considering the potential for visibility otherwise from the public domain, the location of the property at 3118 Point Nepean Road and elevation of the property above Sullivan Bay and the foreshore between the Sisters is such that the works will be entirely concealed in these elevated views; no part of the proposed works will be visible from Sullivan Bay. The siting of the works entirely within private property to the west of the Bay will also ensure that the foreshore reserve will be unaffected by the proposed works and there will be no change to significant views between the Sisters or to Arthurs Seat.</p> <p>The key consideration in relation to aesthetic significance is the potential for the proposed works to result in harm to, or loss of, the mature Moonah trees in proximity to the works. These trees are generally grouped close of the eastern and northern boundaries of Lot 2A, with the works proposed in the open grass area and set back from these property boundaries (refer Figure 7). No tree removal is proposed or required for the proposed works. Where the works will extend into the TPZs for the Moonah trees in proximity, the accompanying arboricultural report prepared by Galbraith & Associates notes that ‘this encroachment is in the form of topsoil addition only of approximately 0-200mm depth, with the thicker additions at the extremities of the TPZs.’¹ This will ensure the trees are adequately protected to maintain the contribution of these trees to the aesthetic significance of the broader heritage place.</p> <p>The proposed new landscaping works will introduce new vegetation within the property, however this will be low-scale and visually associated with the pool</p>

¹ Galbraith & Associates, 3110 Point Nepean Road, Sorrento, 30 May 2025, p. 4.

Summary of heritage significance	Comment
	<p>works. It will not inhibit or disrupt views to or an understanding of the native vegetation along the property boundaries and surrounding the property along the foreshore reserve.</p> <p>Accordingly, there will be no impact from the proposal on aesthetic significance deriving from the pre-settlement landscape, enclosing headlands, Moonah woodland or views between the Eastern and Western Sister.</p>
<p>Archaeological significance</p> <ul style="list-style-type: none"> Potential to contain relics relating to the historic occupation of the site 	<p>The proposed works will require an extent of subsurface disturbance for the installation of an in-ground swimming pool, associated services and the construction of a pool house. This disturbance will be limited to the area of the proposed works only, with no subsurface disturbance otherwise within the balance of the registered place.</p> <p>Recognising that the Collins Settlement Site is a registered archaeological place and is included on the VHI, historical archaeological considerations are required for any subsurface works within the place. There have been a number of archaeological assessments of Nee Morna previously and the results of these assessments suggest that there is 'some potential for archaeological remains associated with the 1803-4 Collins Settlement, however, such remains are less likely to be located... on the Nee Morna property than elsewhere in the wider area. [This is because the] background research indicates that the main focus of the settlement was to the east around the bay and on the Eastern Sister, with activities in the vicinity of Nee Morna confined to the flagstaff, possible church, and battery, and possible graves, but all of these features were located some distance to the north of Nee Morna.'²</p> <p>In addition to this assessment, a tennis court was previously located towards the northern end of the subject property (evident at Figure 11, since removed),</p>

² Biosis, *Nee Morna, 3108-3110 Point Nepean Road, Sorrento, Archaeological testing application*, 21 November 2017, pp. 18 & 20.

Summary of heritage significance	Comment
	<p>which suggests previous surface level disturbance in the general location of the proposed works.</p> <p>Noting the above, which suggests minimal potential for impacts on historical archaeological remains associated with the Collins Settlement Site in the location of the proposed works, the implementation of management measures, for example monitoring of all subsurface works and an unexpected find protocol, could be included as a permit condition to appropriately address the archaeological significance of the place. This approach is consistent with pre-application discussions with Heritage Victoria.</p>
<p>Social significance</p> <ul style="list-style-type: none"> • Recognition of the site as the 1803 settlement • Defence of the site by the Melbourne and Peninsula communities when its future protection was in jeopardy 	<p>There will be no impact on social significance. The understanding and association of the place as the site of the 1803 settlement will be unaffected by the proposed works.</p>



Figure 11 2010 aerial image of the subject property showing a tennis court in the approximate location of the proposed new works (indicated)
Source: Nearmap, image date October 2010

5.3 The extent to which the application, if refused, would affect the reasonable or economic use of the registered place [S101(2)(b)]

The proposal for the introduction of a residential swimming pool and associated works is an appropriate and reasonable use of a small and discreet area of private land within the Collins Settlement Site. The property has long been associated with residential use, forming part of the broader Nee Morna property constructed in the early twentieth century, which has since been subdivided. The proposal is a reasonable use of a residential allotment, is minimal in extent and will not require the removal of any trees or other visible works that would result in an adverse heritage impact on the registered place.

No submission is being made in relation to economic use.

5.4 The extent to which approval would affect the cultural heritage significance of any adjacent or neighbouring property [S101(3)(a)]

Consideration may be given at Section 101(3)(a) of the *Heritage Act 2017* to the potential for the proposed new building/works to affect the cultural heritage significance of a neighbouring property that is included in the VHR or subject to a local heritage control. The subject property (approved Lot 2A) forms part of a broader site that is included in the Heritage Overlay of the Mornington Peninsula Planning Scheme as part of the HO extent for Nee Morna (HO176).

The statement of significance for Nee Morna included in the *Shire of Flinders Heritage Study – Significant Sites and Areas* is as follows:

Nee Morna is of at least regional significance as a substantial and highly intact example of a Bungalow with some Federation features. It also has an outstanding landmark quality and is set in superb landscaped grounds which retain many of their original features and have Bay views.

As outlined above, the works are proposed entirely within the approved Lot 2A and towards the northern extent of this property. While still within the mapped extent of HO176, there is a substantial distance between the new works and the residence Nee Morna which will ensure there is no change to the fabric or presentation of the residence and no visual impacts on the residence, its associated landscape setting or views to the Bay. Accordingly, there will be no adverse impact on the cultural heritage significances of the Nee Morna from the works as proposed.

6.0 CONCLUSION

The proposal for a swimming pool, with associated structures and landscaping, will introduce new elements within a subdivided residential allotment to the north of Nee Morna. There will be no adverse impact on the setting, landscape or views associated with the existing building as identified in the statement of significance for HO176.

More broadly, the proposed new works will not result in an adverse impact on the heritage values of the Collins Settlement Site. The historical and social significance of the place will be unaffected by the introduction of minor new works within an established residential property. The aesthetic significance of the registered place will also not be affected as the proposed new works will be generally concealed in public views and will not require the removal of any existing trees within the property. Previous historical archaeological assessments suggest there is limited potential for remains associated with the 1803-4 Collins Settlement in the location of the proposed works, and appropriate archaeological management will further assist in managing the potential for heritage impacts on the archaeological significance of the registered place.