

Presentation to Eurobodalla Shire Council, 14th February 2023 re land at Lot120 and Lot 125, The Anchorage, Moruya Heads

My presentation covers 4 topics;

1. Inappropriate use of land very close to other residences.
2. Erection of barbed wire
3. Position of barbed wire and gate is illegal
4. Protection of heritage tree and old quarry construction

I moved to my current address at 90 The Anchorage, Moruya Heads on 4th December 2019, as fire surrounded my previous home beside the Currowan Creek. Fortunately, we did not lose that house but outbuilding and sheds were burnt down. I am understandably very nervous about bushfire.

How does ESC allow unsupervised camping, with no access to water supply in the area designated as bushfire prone? I believe that this area is in Lot 120 and Lot 125 DP 752151 - Moruya Heads and is advertised on Hipcamp as "Moruya River Bush Camp"

What happens to toilet refuse? What happens to other waste water and rubbish?

When a totally inappropriate barbed wire barricade was erected in this area, adjacent to a road reserve and immediately in front of our boundary at No 90 The Anchorage, I spoke with my friend Dr Brett Stephenson, who is an authority on coastal marine environments (I believe Brett may be known to you as he is a member of the ESC Climate Change Advisory Committee) Brett informed me that the zone immediately in front of our house was C4 and no development is permitted there unless it will improve environmental features. Furthermore, no commercial activity was allowed on this land. I noted that there were three tents positioned erected a small pontoon over the edge of the river on 20th and 21st January. I find it very hard to believe that this is allowed!

With regards to the barbed wire, I was informed by ESC that a survey would be requested to ascertain the correct position. I was subsequently informed by a member of your staff that the boundary had been established by the presence of rusty wire tied many years ago, around a tree.



Old wire protrudes from tree. I do not believe this can be taken as a reliable indication of a “surveyed” boundary

As I had my property formally surveyed, I can establish where the boundary of Lot 120 and Lot 125 DP 752151 should be. The unsightly metal gate (Is this entry legal?) and the fence intrudes onto the road reserve area by approximately 2.5 meters.



Position of gate, intruding 2.5 metres onto Road reserve. Demonstrated by tape measure on ground.



The four stranded barbed wire (20 metres in length) on the south side of the gate is not supported by any posts but has been haphazardly tied around a tree, and is under tension as it extends to the gatepost. This will inevitably cause destruction of that tree.

The whole length of the barbed wire is hazardous both to humans and to all wildlife (or pet dogs). Access to the public access pathway adjacent, supposed 12 feet in width, is now very difficult. Who is responsible if I fall against this wire when it has been erected on Council owned land?



This is supposed to be an accessible pathway behind the houses to the river, 12 feet in width!

My final question concerns the quarry site and the old harbour in this area. This was the first quarry operated by the Letit family and the Look out Tree stands very close to our house, and I believe that it is protected as a heritage item. Is there any protection for the harbour walls and quarry site?

Please can the Council assure me that no development will occur in this extremely fragile coastal marine zone and that due care is taken to preserve the historic sites. I cannot believe that adhoc clearance is permitted by ESC.

In a review of “Moruya River Bush Camp” advertised by Hipcamp.com, it was stated that “Anita did offer to chop down a tree or two” Please reassure me and the other residents at the Anchorage that the Council will protect this vulnerable area and take appropriate action to remove the wire barricade.

I have attached copies of emails that I have received from Noel Fuller. I am not in agreement with this response and request further investigation by Council.

Patricia Ennis

Emails received:

Noel Fuller Environmental Health and Compliance Coordinator, 15th June

The owner was advised that due to potential impacts on public safety associated with the use of barbed wire in proximity to residential properties and to ensure the fence has not encroached onto Council land, Council requested the owner provide a surveyed plan confirming the fence alignment with the property boundary.

Noel Fuller July 7th 2022

The barbed wire fence installed on Lot 120 The Anchorage, has been confirmed to be exempt development in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes), 2008 (Codes SEPP). Post and wire fencing can be installed as exempt development in certain rural zones and environmental protection zones including on land zoned C4. Council has also reviewed the matter regarding the heritage items listed on the property and has ascertained there is minimal impact on these items related to the barbed wire fence.

Noel Fuller August 12th 2022

I attended this location on Thursday 11 August and inspected the fence line adjacent to your property. I identified that this fence was installed in line with the previous fence that was erected many years ago, however, had collapsed and was unreparable. Evidence of this previous fence can be seen in the attached photos and confirms a conversation with the owners that they had installed the fence in line with the old fence. As previously stated, this fence has not been erected illegally.