

Eurobodalla Shire Council
Public Access presentation 8 November 2022

We are back fronting the ESC for answers.

We have received two replies from council after both our last public access meetings on the 19 July and 2 August these replies basically stated that council had signed off on our neighbours DA correctly.

After our mediation meeting with our neighbour at 15 Highlands Avenue and council at council's request on 23 June 2022 we received an email from Gary Bruce on the 27 June outlining what was agreed to in the mediation, neighbour would build a mound to plant screening vegetation and move their swimming pool to a 12m setback.

On the 22 July we then received an email from Gary Bruce stating that the owners of 15 Highlands Avenue have now decided they do not want to do this. They want to construct a sound proof fence instead and not move the pool. We replied to this email on the 27 July stating that yes but we would like to see the specifications for a sound proof fence (as far as we are concerned there is no such thing only an acoustic fence) and that we would still like them to move the pool as agreed.

We have not heard anything since this date 27 July 2022.

We decided to plant our own trees.

18 Oct 2022 we had a very aggressive neighbour of 15 Highlands avenue approach Rob on our land kicking over pots and coming up into Rob's face pointing his finger stating 'how dare you plant those trees they are going to block our view'.

1. They are not going to block their main view as their house is facing East, we have planted some hedging trees to the North of the property 2m off the boundary on our land.
2. He would have received a better view if he had stuck to the DCP Guidelines and set the property back 12m.

In going through this whole process from the 25 May we have come across the following issues:

1. We were told by the council that as this DA was a bushfire rebuild we did not have to be notified. We explained that it was not a bushfire rebuild that the land had been sold 12 months ago to a new owner.
2. We were initially told that an inspection had taken place by an officer from ESC prior to the DA being approved. Now we have been told in writing from

[REDACTED]

Catherine Dale that there was never an inspection by the Development Assessment Officer [REDACTED] prior to approving the DA at 15 Highlands Avenue

3. There is no documentation or paper trail asking for a 'variation' to the DA for 15 Highlands Avenue for a 12m setback.
4. We were told our property and dealings with Council were not and are not significant enough to inform us of this DA initially.
5. Council have said that the property was built in "generally in the same location as the previous home" - totally incorrect (see below) previous residence was set back 12m.
6. Council have stated that this property is built to code - totally incorrect there are 3 sections where the property is less than 12m from the boundary. This property overlooks our property and is set approx 4m higher so our privacy is compromised.

What we want now is to move on! We are in the process of planting a hedge along our boundary. We front the council to pay for our trees at a cost of approx \$27,000.00 as per the invoice sent to council on the 30th September along with our reply to Catherine Dale's letter to us in which we still have had no further response.



