



ENQUIRIES: Mr Bruce Gardiner
PHONE: 4044 3017
YOUR REF:
OUR REF: #3251624

27 July 2011

Mr Aart Brons
Manager@northernbelle.com.au
aart.brons@bigpond.com

Dear Mr Brons

RE: 11 CAVA CLOSE, BUNGALOW

I acknowledge receipt of your email dated 25 July 2011, and your previous correspondence. In relation to your allegation of illegal infrastructure at McCoombe Street depot, I note that this structure was created several years ago as a result of a request from you to provide a buffer to ameliorate noise, dust and other perceived impacts from the depot operations. As per previous recent correspondence I again refer you to Council's letter of 31 March 2010, in which you were advised that the actions taken by Council were appropriate and that there was no illegal activity being undertaken by Council. The Chief Executive Officer further advised that no further action would be taken unless anything new or substantively different was raised by you. As there is no substantive additional information in either your correspondence of 21 June 2011 or 25 July 2011, no further action will be taken by Council in this matter.

In relation to your concerns regarding the State Government's proposed Cairns Transit Network; I refer to the fact that actions at the depot including the construction of the sound mound pre-date any planning by the State Government. As such there is no relationship between the past works undertaken by Council and the current future infrastructure planning by the State Government.

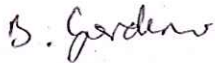
I further note that your correspondence clearly indicates that this matter has been raised by you with the relevant State Government agency. As Council has no decision making power in this matter there is no further action Council can take other than to note the concerns that you have raised with that Department. At such time that the State has finalised the Cairns Transit Network design plans, Council will then review the impact on the Depot and its faculties and will work with the State to ensure that this important public infrastructure is constructed. It is noted that this may impact on the structures at the Depot including the mound. Council will work with relevant agencies including the Department of Environment & Resource Management (DERM) to ensure that subsequent works are undertaken in the best interests of the community and where appropriate further public consultation will be undertaken prior to commencement of any works.

I therefore advise as Acting Chief Executive Officer, that Council now considers this matter closed.

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I further strongly urge you to settle the matter of your outstanding rates and charges. As previously advised you have a legal obligation under the Local Government Act to pay outstanding rates and charges. As such, you cannot withhold payment because of issues that are not associated with the rates and charges levied.

Yours faithfully

A handwritten signature in cursive script that reads "B. Gardiner".

BRUCE GARDINER
Acting Chief Executive Officer