
# Outstanding correspondence

To

The office of the
Queensland's Ombudsman

# Northern Belle Pty Ltd

*Cairns first Licensed Parlour Est. 2006*

18-09-09

To the office of the Ombudsman.

This request put to your office is on advice from the Hon Minister for local government Desley Boyle (as per attachment).

Dear Sir/Madam,

The negotiated "To Do List" by Council set by Senior E.P.A. officer Steven Smith and Myself Aart Brons was put to Council by Steven on the 08-02-08 (as per attachment).

I feel Northern Belle Pty Ltd was more the lenient when making and agreeing to that list so there for want that list honored and adhered to in full. "No More & No Less" ( Council has not even come close to its obligations as up to date) "Read Cairns City Council Dust file" in www.aartbrons.com.

Section 64 of the Queensland prostitution act has been tested to the extreme by Council to a great expense to all involved (ref to www.aartbrons.com and or "the how we got here page" in www.northernbelle.com.au

Northern Belle Pty Ltd was lawfully established under the integrated planning act through the E&P court and in according to the Hon Minister for local Government Desley Boyle. (see attachment)

There for, the code of which the parcel of land belongs should now also be protected against any illegal activity within that code, and certainly within 200 meters (refer to S64 of the act)

Proof of such illegal activity can be read in the "Cairns City Council Dust file" to be read in www.aartbrons.com and or in "how we got here" in www.northernbelle.com.au and can not be sustained as a matter of law.

Council rates will remain unpaid untill Senior E.P.A. officer Steven Smith 10 point plan is adhered to in full, and the last fence post is in. "No More & No Less" point blank (as per attachment)

It is very disappointing to see Desley Boyle pass up her responsibility and I feel her "duty of care" (as per attachment).

Please intervene A.S.A.P, as Council is still threatening to sell our property (as per attachment)

Intervention would put a stop to wasting any more money as this "narrow minded" view by Council has been costly, hurtfull, and time consuming enough to all concerned.

If council insists and sends this case back through the court system it will be vigorously defended.

Hoping to hear from you soon as time is of the essence.

Kind regards
Aart "The Aardvark" Brons"

*11 Cava Close Bungalow CAIRNS 4870 QLD AUSTRALIA*
*Ph 07 4033 5955 Fax 07 4054 3976*
www.northernbelle.com.au


**Desley Boyle MP**
**Member for Cairns**

*Office 1 "McLeod South"*
*78-84 Spence Street*
*P O Box 1259 Cairns 4870*

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*cairns@parliament.qld.gov.au*


6th November 2008

Mr Aart Brons
Northern Belle Pty Ltd
11 Cava Cl
BUNGALOW QLD 4870

Dear Mr Brons

I have followed up your concerns with the Cairns Regional Council.

They have advised that despite the former Cairns City Council originally recommending the refusal of your application, the brothel was lawfully established under the Integrated Planning Act, through the P&E Court. They acknowledged that the files relating to your application have been reviewed a number of times with the Council decision making and the officers actions not being considered contrary to the Act.

Given these prior investigations, I will not be calling for an enquiry into the actions of the former Cairns City Council.

You may wish to re-open investigations with the Cairns Regional Council if you have any new evidence that has come to light. Failing this you are within your rights to contact the Crime and Misconduct Commission on 1800 061611 to seek further assistance.

Regards,

Desley Boyle MP
Member for Cairns

**From:** Steve Smith
**To:** Evans Kerry
**Cc:** manager@northernbelle.com.au ; Chris Buckingham
**Sent:** Friday, February 08, 2008 4:35 PM
**Subject:** RE: McCoombe St Depot

Hello Kerry

I have spoken to the complainant and suggested a plan that allows council to undertake the planned activity while limiting its impacts on the Northern Belle establishment. I strongly suggest council agree to the following:

1. Council fence the perimeter of the McCoombe Street depot to prevent unauthorised access from the northern side of the property;

2. Council commence with the planned concrete crush of the existing 3000t stockpile and that this crush begin as soon as possible and be concluded by the end of the February 2008 (subject to availability of plant);

3. Council should also take all reasonable measures to lessen the impact of the crushing activity by undertaking works at the northern end of the stockpile in the morning and then in the afternoons shifting the crushing plant to the southern end of the pile;

4. That council undertake a noise assessment of the crushing plant and that all reasonable steps be undertaken to mitigate against noise and dust propagation;

5. That Council advise, in writing, all near neighbours of its intention to undertake the crushing activity stating the times and expected duration of the activity as well identifying a nominated contact person for the activity;

6. That Council plan to seal the McCoombe street depot to reduce the likelihood of further dust nuisance.

7. That at the end of the crush activity, Council scales down any screening and stockpiling operations at the site and maintain the site as a sealed hardstand storage area in keeping with the surrounding landuse.

8. That ceases any further stockpiling of concrete material for recycling and seek an alternative site (perhaps the Portsmith landfill site).

9. That after the existing stockpiles are reduced council shave back the height of the bund wall at the northern end of the depot to a maximum height of 3 meters.

Please advise the EPA if the above recommendations are suitable to council. Please contact Chris Buckingham (4046 6754) in relation to this matter.

In relation to the possible compensation to Northern Belle for cleaning costs incurred by the operation of the crusher, I suggest that this is a matter that is best left negotiated between CCC and Northern Belle.

Regards
Steve Smith
Senior Environmental Officer
Environmental Protection Agency

p.s. Please note that I will be out of the office until 10 March. Please liaise with Chris on this matter

MILLER HARRIS LAWYERS

4 September 2009

Our ref: EBJ:MKL:2901563

Mr Aart Brons and Ms Wille Myntje Brons
11 Cava Close
BUNGALOW QLD 4870

**Our client:** **Cairns Regional Council**
**Matter:** **Outstanding rates**

We act for the Cairns Regional Council and are instructed as follows:

1. You are the registered owners of the land situated at 11 Cava Close, Bungalow in the State of Queensland, more particularly described as Lot 7 on SP101286, County of Nares, Parish of Cairns, Title Reference 50210201 ("**the land**").

2. Despite demand, you have failed to pay to our client rates and interest thereon totalling $14,471.47 as at today, levied pursuant to the *Local Government Act 1993*. Particulars of the outstanding rates and interest have previously been provided to you in our client's rate notices:

   2.1. for the period 1 January 2008 to 30 June 2008 dated 25 January 2008;

   2.2. for the period 1 July 2008 to 31 December 2008 dated 8 August 2008;

   2.3. for the period 1 January 2009 to 30 June 2009 dated 6 February 2009; and

   2.4. for the period 1 July 2009 to 31 December 2009 dated 24 July 2009.

3. If you do not pay the sum of $14,471.47 to our client by 5 pm on 18 September 2009, we have instructions to commence a court proceeding against you to recover:

   3.1. the sum of $14,471.47;

   3.2. further compound interest on the sum outstanding at the rate of 11 % per annum; and

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3.3. costs.

Yours faithfully
MILLER HARRIS LAWYERS
Per:

**Michael Laycock**
**Senior Associate**

Email: michaellaycock@millerharris.com.au
Direct Phone: (07) 4036 9755

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QUEENSLAND
ombudsman

Our ref: 2009/13792

22 September 2009

Mr Aart Brons
Northern Belle Pty Ltd
11 Cava Close
BUNGALOW QLD 4870

Dear Mr Brons

Thank you for your letter dated 18 September 2009, concerning your complaint about the Cairns Regional Council, in relation to unpaid rates and rectification of pollution issues from a Council works depot.

Your complaint will be assessed and you will be advised as soon as possible whether we will investigate.

If we decide that we cannot investigate your complaint, or that an investigation is not warranted, you will be given our reasons.

Please find enclosed an Information Sheet that explains how this Office responds to complaints about local government councils.

Yours faithfully

for Alison Fraser
Senior Investigator
Assessment and Resolution Team

*Encl.*

Tel: 07 3005 7000 · Freecall: 1800 068 908 (outside Brisbane) · Fax: 07 3005 7067 · Email: ombudsman@ombudsman.qld.gov.au

QUEENSLAND
**ombudsman**

# Information

## Dealing with your complaint about a council

### What happens to my complaint?

Your complaint is assessed to ensure it is within our jurisdiction and we have the legal power to deal with it.

We try to assess all complaints within seven days of receipt.

Usually, the Ombudsman will only consider your complaint if you have already tried to resolve it directly with the council concerned.

You can do this by contacting the council in writing and outlining the specific details of your complaint. We will tell you whom to contact in the council.

If you are still not happy with the outcome, or you do not receive a response from the council within a reasonable time, we will re-assess your complaint.

Your complaint will be registered and allocated a case number. It is important that you quote your case number when contacting our Office.

Nine out of ten complaints are assessed and/or settled within 60 days.

It may take longer if we need further information from you to clarify your complaint, or if we need information or documents from the council concerned.

If we cannot deal with your complaint for any reason, we will tell you why.

### What can I do to help?

- Provide us with relevant information to help us understand your complaint.
- Organise your material in a logical and concise way.
- Send us copies of all correspondence and other documents, such as details of telephone discussions with council officers.
- Tell us what you want (e.g. an apology, a different decision, or a change to the way the council does things).
- Keep us updated on any new developments on your complaint (e.g. letters sent to you by the council) as this will assist us to assess and investigate your complaint.
- Be courteous in your dealings with us.

### What happens if my complaint is to be investigated?

You will be notified of the issues that the investigative team intends to take up with the council.

Our investigator will inform you of any correspondence or information you should provide.

The investigation may involve file inspections, telephone inquiries, interviews and discussions involving you, council officers or other people.

Sometimes, our investigation may take longer than expected if we need to get more detailed information from you or the council concerned to resolve the complaint.




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