



Home

**Outstanding correspondence**

To

The Cairns Regional Council's  
Acting C.E.O

Peter Tapulo

(Or to whom else it may concern)

(As important democratic questions still remain with Peter,  
unanswered)

Mrs fix-it C.E.O Lyn Russell

Will inherit

**“The Aardvark”**

As per 16-11-09

And **will** be asked to **“fix it”**

**“ABSOLUTELY”**

(5)

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# Northern Belle Pty Ltd

Cairns first Licensed Parlour Est. 2006

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28-09-09

Cairns Regional Council.

Att: The acting Chief executive officer.

Peter Tapulo, or whom else it may concern,

To bring you up to date as to where of current

This matter has also been forwarded to the office of the  
Ombudsman (as per attachments)

The explanation given by Mayor Val Schier has **been totally  
Rejected** by "Aart the Aardvark" (as per attachment)

Me being the C.E.O of Northern Belle Pty Ltd and you  
now being the acting C.E.O of the Cairns Regional Council  
(for the time being) request you to re-assess and declare the  
activity within council depo to be outside and not within the code  
set for a "**Light Industrial**" zone, and there for declare the  
activity shown in the "Cairns City Council Dust File" to be read in  
The "how we got here" page in [www.northernbelle.com.au](http://www.northernbelle.com.au) "**Illegal**"

Outstanding cleaning bill (to be read in the same "dust file") should  
also be re-negotiated as the dust has continued to fall, and the last fence  
post ordered in by Senior E.P.A. Officer Steven Smith **is not actually in !!!!!**

Until then

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](http://www.northernbelle.com.au)

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# Northern Belle Pty Ltd

Cairns first Licensed Parlour Est. 2006

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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 than 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](http://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](http://www.aartbrons.com) and or "the how we got here page" in [www.northernbelle.com.au](http://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](http://www.aartbrons.com) and or in "how we got here" in [www.northernbelle.com.au](http://www.northernbelle.com.au) and can not be sustained as a matter of law.

Council rates will remain unpaid until 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, hurtful, 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](http://www.northernbelle.com.au)*

**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 Portsmouth 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

16 July 2009

#2162028

Mr Aart Brons  
Northern Belle  
11 Cava Close  
BUNGALOW QLD 4870

Dear Aart

Further to your letter of the 11 June 2009, the attached correspondence and previous information sent to me I wish to provide the following response.

The Cairns Regional Council depot land is included in the Community Facilities Planning Area in CairnsPlan. Historically the site was included in the Special Purpose zone under which the depot activities were established. The intent of this zone was to acknowledge the ownership of land by the Crown or Council for the provision of government services. While saying this, if Council's actions are causing a nuisance then remedial measures need to be put in place.

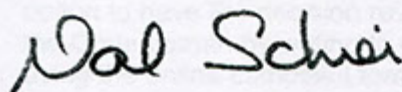
Council has made an effort to put such in place, including reducing the operational hours of the depot, ceasing daily stockpiling and crushing activities and only using the depot intermittently for the storage of fill and inert hard infrastructure. However, I stress that in the absence of definitive data about dust impacts, we have no basis to go introduce further measures.

As indicated to you previously Council's environmental protection officers are willing to set up monitoring devices within your property to help substantiate the case as to whether a legitimate dust nuisance was occurring. I understand you declined this request making it difficult to proceed any further in this matter in the absence of evidence that can stand the test of any legal challenge.

I am advised that you currently owe Council approximately \$11,000 in rates and another notice will go out later this month. I can only stress the importance of you paying these rates.

I am aware that this response may not meet your requests, however, I am not sure that any further action can be taken at the moment.

Yours sincerely



Val Schier  
Mayor  
Cairns Regional Council



Hon Desley Boyle MP  
Member for Cairns



Queensland  
Government

MC09.1681  
LA/09/1232

Minister for Local Government and  
Aboriginal and Torres Strait Island  
Partnerships

15 SEP 2009

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

Dear Mr Brons 

Thank you for your letter of 9 July 2009 requesting I investigate your concerns in relation to Cairns Regional Council and the possible sale of your property.

I note you have refused to pay your rates until Council addresses the dust problem from the nearby Council depot land.

Under the *Local Government Act 1993* (the Act) a Local Government can sell land on which a rate has been levied but which remains unpaid. The relevant sections are quite specific and regardless of any other matters pending, Council may exercise its right to sell the land.

However, officers of the Local Government and Planning Group, Department of Infrastructure and Planning contacted Council regarding your concerns and I am advised that in July 2009 the Mayor, Councillor Val Schier, wrote to you advising of a number of steps Council has taken to resolve this matter. I understand Council reduced the operating hours of the depot, stopped stockpiling and crushing activities, as well as reducing the use of the depot for general storage.

I also understand that you declined an offer by Council's environmental officers to set up monitoring devices on your property to substantiate the case of whether a **legitimate dust nuisance was occurring.**

As this is a matter for resolution between yourself and Council, I encourage you to continue to liaise with Councillor Schier and Council officers on this issue. There are limited powers available to me and the Department to direct a Local Government in respect to its lawful responsibilities.

If you are dissatisfied with the outcome of Council's decision in this matter, you have the option to have the decision reviewed by the Ombudsman. Complaints can be made to the Ombudsman by writing to GPO Box 3314, Brisbane, QLD 4001, in person, or by using the online complaint form which can be found at [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au).

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41 George Street Brisbane 4000  
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Email [lgatsip@ministerial.qld.gov.au](mailto:lgatsip@ministerial.qld.gov.au)  
ABN 65 959 415 158

Should you require any further information in relation to this matter, please contact Mr Lew Rojahn of the Department on telephone number 4057 3017.

Yours sincerely



**Desley Boyle MP**  
Minister for Local Government and  
Aboriginal and Torres Strait Islander Partnerships  
Member for Cairns



Outstanding correspondence

To

The Cairns Regional Council's  
Mayor

Val Scobie