

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.

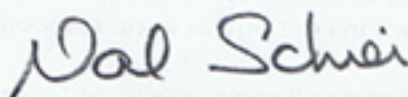
Council has made an effort to put such in place, including reducing the operational hours of the depot, ceasing daily stockpiling and crushing activities and only using the depot intermittently for the storage of fill and inert hard infrastructure. However, I stress that in the absence of definitive 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