

**me@warrenbolton.com**

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**From:** me@warrenbolton.com  
**Sent:** Wednesday, 29 January 2025 1:38 PM  
**To:** 'Emily Burke'  
**Subject:** RE: Development conditions  
**Attachments:** Requested Condition Alterations.pdf

Hi Emily

I don't know if this will help with your discussions tomorrow but I have attached what is pretty much what I will accept - without taking the matter to court

I hope you might find it useful in reconsidering Council's position in relation to the proposed conditions

My regards

Warren

**Warren Bolton**

Mobile Int. 614 293949 04  
Aust. 04 293949 04

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**From:** Emily Burke <Emily.Burke@frasercoast.qld.gov.au>  
**Sent:** Tuesday, January 28, 2025 6:42 PM  
**To:** me@warrenbolton.com  
**Subject:** RE: Development conditions

Thanks Warren. I will look at tomorrow. I had to leave work early but I agree it does seem a better idea to resolve before issuing.

So we can overcome the need for a negotiated decision request.

I think I will also talk to my manager/s to get their advice. And will come back to you.

Kind regards

**Emily Burke**

Senior Planner

Development

T 07 4197 4367 | E [Emily.Burke@frasercoast.qld.gov.au](mailto:Emily.Burke@frasercoast.qld.gov.au)

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**From:** me@warrenbolton.com <me@warrenbolton.com>  
**Sent:** Tuesday 28 January 2025 5:29 PM  
**To:** Emily Burke <Emily.Burke@frasercoast.qld.gov.au>  
**Subject:** Development conditions

Hi Emily

I was doing some research earlier this afternoon in the government archives to see if I could locate that 'advisory note' from the Department back in the 1990s and I ended up in the planning tribunal section of the archives

- 8. All rehabilitation works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

Looking through some of the decisions to see I could find support for my position and I come across this feature (on the left) in a number of the decisions - which demonstrates the principle I was discussing about the use of "advisory notes" in tandem with formal decisions

Which demonstrates the principle I was discussing about

**ADVISORY NOTES**

**ENGINEERING**

**Qualified Person**

- 1. For the purpose of preparing a geotechnical report, and for certifying geotechnical stability for the development, a qualified person is considered to be a person who:
  - (a) Is a Registered Professional Engineer of Queensland (RPEQ).
  - (b) Has a degree in civil engineering or engineering geology.
  - (c) Has a minimum of five (5) years' experience in the field of geotechnical engineering or engineering geology.

**ECOLOGY & LANDSCAPING**

**Qualified Person**

- 2. For the purpose of preparing a rehabilitation plan, and for certifying compliance with the rehabilitation requirements of this decision notice, a qualified person is considered to be a landscape architect or ecologist with a minimum of three (3) years current experience in the field of landscape design.
- D. The certifications required in Conditions C Engineering 2 and Land Rehabilitation 7 are to be submitted to Council for acceptance prior to commencement of the use

the use of advisory notes in tandem with formal decisions

It's entirely up to Council which way you approach this but I would much rather prefer to see if I can encourage Council to consider shifting the relevant material into the ADVISORY NOTE **before you issue** the decision notice because if you issued the decision notice **as it is** I am simply going to make the same submission back to you as I've already made and that seems to me just to be like a waste of both our times

Regards

Warren

Warren Bolton

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Queensland Australia.

[Web Site](#)

Alternative contacts:-

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*Wisdom - if you don't want to borrow someone else's then you have to pay to get your own. [WB]*

 [Carbon Friendly Communication](#)



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