

Quilpie Shire Council
NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES OR CHARGES

s.140 of the Local Government Regulation 2012

1. This is a Notice of Intention to Sell land for overdue rates or charges given by the Quilpie Shire Council (the "Council") pursuant to section 140(3) of the *Local Government Regulation 2012*.
2. The Council has resolved to sell the land described in paragraph 4 below because some of the overdue rates or charges for the land have been overdue for at least three years.
3. The resolution was made on 15 August 2023, and the terms of the resolution is as follows:

That Council resolves to:

1.
 - (a) sell the land listed in the below Schedule for overdue rates or charges pursuant to section 140(2) of the *Local Government Regulation 2012*; and
 - (b) delegate to the Chief Executive Officer its power to:
 - i. give a Notice of Intention to Sell the land to all interested parties under section 140(3) of the *Local Government Regulation 2012*; and
 - ii. take all further steps required under sections 141, 142, 143, 144, 145 and 146 of the *Local Government Regulation 2012* to effect the sale of the land.

SCHEDULE

<i>Assessment number</i>	<i>Lot on plan description</i>
00059-00000-000	Lots 71 and 80 on CP A2456
...	...
...	...

4. The description of the location and size of the land as shown in the Council's land record is as follows:

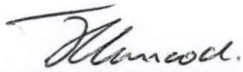
Registered Owner	Property Number	Property Description	Property Address	Size
ANN-MAREE COLLEY & MARK DAVIS	00059-00000-000	L71, 80/A2456: PAR ADAVALE	SHEPHERD STREET ADAVALE	4,046m ²

5. Details of the overdue rates and charges for the land, as at the date of this Notice, including details of the period for which the rates and charges have been unpaid are set out in **Attachment 1** to this Notice.
6. Details of the interest that is owing on the overdue rates and charges, as at the date of this Notice, are set out in **Attachment 1** to this Notice. Interest is calculated from the day after the due date for payment of each rate notice. The current interest accruing on all overdue rates and charges is calculated at a rate of 8.00% per annum on daily rests and as compound interest in accordance with section 133 of the *Local Government Regulation 2012*.
7. The total amount of overdue rates and charges and interest as at the date of this Notice is

\$4,421.16.

8. If full payment of the overdue rates and charges and interest calculated up until the date of payment is not received within three months after the date this Notice is given to all interested parties for the land, the Council will commence procedures for the sale of the land under section 142 of the *Local Government Regulation 2012*. If Council commences procedures for the sale of the land, the overdue rates and charges include all expenses the Council incurs in attempting to sell the land.
9. A copy of sections 141 to 144 of the *Local Government Regulation 2012* is contained within **Attachment 2** to this Notice.

Signed on 6 November 2023 by the Chief Executive Officer of Quilpie Shire Council.



.....
Justin Hancock
Chief Executive Officer
Quilpie Shire Council

ATTACHMENT 1

SCHEDULE OF OVERDUE RATES AND CHARGES

PROPERTY ADDRESS: Lot 71 & 80 Shepherd Street, ADAVALE

Assessment No.: 00059-00000-000

	Amount	Issue Date	Due Date
Period 01/01/2016 - 30/06/2016			
General Rates	\$ 149.00	29/02/2016	29/03/2016
Emergency Management Fire Levy	\$ 12.10		
Interest Charged between period	\$ -		
Period 01/07/2016 - 31/12/2016			
General Rates	\$ 151.25	01/09/2016	30/09/2016
Emergency Management Fire Levy	\$ 12.50		
Interest Charged between period	\$ 9.12		
01/07/2016 - 31/12/2016			
Period 01/01/2017 - 30/06/2017			
General Rates	\$ 151.25	28/02/2017	30/03/2017
Emergency Management Fire Levy	\$ 12.50		
Interest Charged between period	\$ 9.55		
01/01/2017-30/06/2017			
Period 01/07/2017-31/12/2017			
General Rates	\$ 154.28	01/09/2017	03/10/2017
Emergency Management Fire Levy	\$ 25.80		
Interest Charged between period	\$ 28.82		
01/07/2017-31/12/2017			
Period 01/01/2018-30/06/2018			
General Rates	\$ 154.28	01/03/2018	04/04/2018
Emergency Management Fire Levy	\$ 25.80		
Interest Charged between period	\$ 29.88		
01/01/2018-30/06/2018			
Period 01/07/2018-31/12/2018			
General Rates	\$ 157.36	29/08/2018	28/09/2018
Emergency Management Fire Levy	\$ 26.60		

	Amount	Issue Date	Due Date
Interest Charged between period 01/07/2018-31/12/2018	\$ 52.86		
Period 01/01/2019-30/06/2019		28/02/2019	29/03/2019
General Rates	\$ 157.36		
Emergency Management Fire Levy	\$ 26.60		
Interest Charged between period 01/01/2019-30/06/2019	\$ 54.87		
Period 01/07/2019-31/12/2019		02/09/2019	02/10/2019
General Rates	\$ 160.51		
Emergency Management Fire Levy	\$ 27.00		
Interest Charged between period 01/07/2019-31/12/2019	\$ 74.10		
Period 01/01/2020-30/06/2020		02/03/2020	31/03/2020
General Rates	\$ 160.51		
Emergency Management Fire Levy	\$ 27.00		
Interest Charged between period 01/01/2020-30/06/2020	\$ 78.72		
Period 01/07/2020-31/12/2020		01/09/2020	30/09/2020
General Rates	\$ 160.51		
Emergency Management Fire Levy	\$ 27.40		
Interest Charged between period 01/07/2020-31/12/2020	\$ 102.62		
Period 01/01/2021-30/06/2021		01/03/2021	30/03/2021
General Rates	\$ 160.51		
Emergency Management Fire Levy	\$ 27.40		
Interest Charged between period 01/01/2021-30/06/2021	\$ 115.55		
Period 01/07/2021-31/12/2021		06/09/2021	05/10/2021
General Rates	\$ 165.00		
Emergency Management Fire Levy	\$ 27.80		
Interest Charged between period 01/07/2021-31/12/2021	\$ 77.69		

	Amount	Issue Date	Due Date
Period 01/01/2022-30/06/2022		13/03/2022	12/04/2022
General Rates	\$ 165.00		
Emergency Management Fire Levy	\$ 27.80		
Interest Charged between period 01/01/2022-30/06/2022	\$ 116.45		
Period 01/07/2022-31/12/2022		19/09/2022	20/10/2022
General Rates	\$ 170.78		
Waste Management Levy	\$ 78.00		
Emergency Management Fire Levy	\$ 28.40		
Interest Charged between period 01/07/2022-31/12/2022	\$ 132.12		
Period 01/01/2023-30/06/2023		28/02/2023	30/03/2023
General Rates	\$ 170.78		
Waste Management Levy	\$ 78.00		
Emergency Management Fire Levy	\$ 28.40		
Interest Charged between period 01/01/2023-30/06/2023	\$ 147.72		
Period 01/07/2023-31/12/2023		28/02/2023	29/09/2023
General Rates	\$ 221.00		
Waste Management Levy	\$ 117.50		
Emergency Management Fire Levy	\$ 29.20		
Interest Charged between period 01/07/2023-30/08/2023	\$ 53.00		
Interest Charged between period 01/09/2023-06/11/2023	\$ 62.91		
Overdue rates and charges	\$ 3,275.18		
Interest charges to 06/11/2023	\$ 1,145.98		
Less Payments			
Total Overdue Rates and Charges	\$ 4,421.16		

Attachment 2

Local Government Regulation 2012
Chapter 4 Rates and charges

[s 141]

141 When procedures for selling land must start and end

- (1) This section applies if—
 - (a) a local government decides to sell land under this subdivision for overdue rates and charges and gives the registered owner of the land a notice of intention to sell the land; and
 - (b) the overdue rates or charges are not paid in full within—
 - (i) generally—3 months after the local government gives the notice of intention to sell the land; or
 - (ii) if the rates or charges were levied on a mining claim—1 month after the local government gives the notice of intention to sell the land.
- (2) The local government must start the procedures mentioned in section 142(4) for selling the land within 6 months after the local government gives the notice of intention to sell the land to the registered owner of the land.
- (3) The local government must end the procedures at the earliest of the following—
 - (a) the local government is paid—
 - (i) the amount of the overdue rates or charges; and
 - (ii) all expenses that the local government incurs in attempting to sell the land;

- (b) the land is sold;
 - (c) 1 year after the notice of intention to sell is given to the registered owner.
- (4) If the local government ends the procedures under subsection (3)(c), nothing in this section prevents the local government from deciding to sell the land again under section 140(2).

142 Procedures for selling land

- (1) This section sets out the procedures that a local government must follow when selling land for overdue rates or charges.
- (2) The local government must first offer the land for sale by auction.
- (3) The local government must prepare an auction notice.
- (4) At least 14 days, but not more than 35 days, before the day of the auction, the local government must—
 - (a) give a copy of the auction notice to everyone who was given a notice of intention to sell the land; and
 - (b) publish the auction notice on the local government's website; and
 - (c) display the auction notice in a conspicuous place in the local government's public office, until the day of the auction; and
 - (d) display the auction notice in a conspicuous place on the land unless it is not reasonably practicable to do so because the land is in a remote location or difficult to access; and
 - (e) take all reasonable steps to publish the auction notice in another way to notify the public about the sale of the land.

Examples of other ways to publish the auction notice—

publish the auction notice in a newspaper that is circulating generally in the local government area or on a real estate trading website

- (5) However, if—
- (a) the land is a building unit; and
 - (b) it is not practicable to display the auction notice in a conspicuous place on the land;
- the notice may be displayed in a conspicuous part of the common property for the building units.
- (6) In this section—
- auction notice*, for a sale of land by auction, means a written notice stating—
- (a) the day, time and place of the auction; and
 - (b) a full description of the land.

143 Conduct of auction

- (1) The local government must set a reserve price for the land at the auction that is at least—
- (a) the market value of the land; or
 - (b) the higher of the following—
 - (i) the amount of overdue rates or charges on the land;
 - (ii) the value of the land.
- (2) If the reserve price for the land is not reached at the auction, the local government may enter into negotiations with any bidder who attended the auction to sell the land by agreement.
- (3) However, the price for the land under the agreement must not be less than the reserve price for the land.

144 Procedures for selling land by another auction or negotiation

- (1) The local government may, after the day of the auction, decide to continue to offer the land for sale by another auction, or sale by negotiation, under this section.

-
- (2) The local government must end any negotiations entered into under section 143(2) when it makes a decision under subsection (1).
 - (3) Sections 142(3) to (5) and 143 apply to the preparation and conduct of any subsequent sale by auction under this section.
 - (4) The local government must prepare a sales notice if it decides to offer the land for sale by negotiation under this section.
 - (5) The local government must—
 - (a) give a copy of the sales notice to each interested party who was given a notice of intention to sell the land; and
 - (b) publish the sales notice on the local government's website; and
 - (c) display the sales notice in a conspicuous place in the local government's public office; and
 - (d) display the sales notice in a conspicuous place on the land unless it is not reasonably practicable to do so because the land is in a remote location or difficult to access; and
 - (e) take all reasonable steps to publish the sales notice in another way to notify the public about the sale of the land.

Examples of other ways to publish the sales notice—

publish the sales notice in a newspaper that is circulating generally in the local government area or on a real estate trading website

- (6) However, if—
 - (a) the land is a building unit; and
 - (b) it is not practicable to display the sales notice in a conspicuous place on the land;the notice may be displayed in a conspicuous part of the common property for the building units.
- (7) The local government must ensure that the price for land offered for sale by negotiation under this section is at least—

- (a) the market value of the land; or
 - (b) the higher of the following—
 - (i) the amount of overdue rates or charges on the land;
 - (ii) the value of the land.
- (8) In this section—
- sales notice***, for a sale of land by negotiation, means a written notice stating—
- (a) the land is for sale by negotiation; and
 - (b) a full description of the land.