

NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES OR CHARGES

Section 140 of the Local Government Regulation 2012

To: [REDACTED] **DAVID DE ZILWA**

AND TO: **INTERESTED PARTIES**
(as defined in Schedule 8 of the *Local Government Regulation 2012*)

1. This is a Notice of Intention to Sell Land for Overdue Rates or Charges given by Redland City Council (Council) pursuant to section 140(3) of the *Local Government Regulation 2012* (the Notice).
2. Council resolved to sell the Land described at paragraph 4 below because some or all of the overdue rates or charges for the land have been overdue for at least the period prescribed by section 140(1)(c) of the *Local Government Regulation 2012*.
3. The resolution was made on 15 May 2024.
4. The terms of the resolution are as follows:

“That, pursuant to section 140(2) of the Local Government Regulation 2012, Council resolves as follows:
 1. *To sell the land described in the attachment for overdue rates and charges in accordance with Chapter 4 Part 12 Division 3 Subdivision 2 of the Local Government Regulation 2012.*
 2. *That this report and attachment remains confidential until such time as required by any legal or statutory obligation, subject to maintaining the confidentiality of legal privileged, private and commercial in confidence information.”*
5. The description of the location and size of the land as shown in Council’s land record, is as follows:
 - a. Real Property Description: Lot 12 on RP 113176
 - b. Address: 26 Francis Road, Macleay Island QLD 4184
 - c. Size: 708.2m²
6. 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 or charges have been unpaid, are as set out in Attachment 1 to this Notice.
7. 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 date after the due date for payment on daily rests and as compound interest in accordance with section 133 of the *Local Government Regulation 2012* at the rate of:
 - a. 8.53% per annum in relation to rates and charges levied from 1 July 2020 to 30 June 2021;
 - b. 8.03% per annum in relation to rates and charges levied from 1 July 2021 to 30 June 2022;
 - c. 8.17% per annum in relation to rates and charges levied from 1 July 2022 to 30 June 2023;
 - d. 11.64% per annum in relation to rates and charges levied from 1 July 2023 to 30 June 2024.
8. The total amount of overdue rates and charges and interest as at the date of this Notice is \$22,763.18.

9. A copy of sections 141 to 144 of the Local Government Regulation 2012 are also attached to this Notice at Attachment 2.

Signed on 20 May 2024 by the Chief Executive Officer of Redland City Council.



Andrew Chesterman
Chief Executive Officer
Redland City Council

ATTACHMENT 1

Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/01/2021	01/01/2021 - 31/03/2021	12/02/2021	8.53%	3 yrs 3 mths 8 days (1193 days)	Emergency management levy - Class E Group 2	27.65		13.51
					@Environment Charge	29.08		12.34
					General rate category 1a - 1b	265.50		166.36
					Landfill remediation	7.50		3.17
					Redland City SES administration	1.77		0.79
					Residential Island 240Lt Waste / 240Lt Recycle	119.12		50.60
					Residential water consumption	8.60		3.10
					Rural fire brigade	2.50		1.08
					State Gov't bulk water consumption	43.71		15.73
					Water fixed access - Domestic KLMP Is	70.12		48.97
					Interest		124.08	
					01/04/2021	01/04/2021 - 30/06/2021	17/05/2021	8.53%
@Environment Charge	29.08		2.93					
General rate category 1a - 1b	265.50		110.54					
Landfill remediation	7.50		0.76					
Redland City SES administration	1.77		0.18					
Residential Island 240Lt Waste / 240Lt Recycle	119.12		12.02					
Residential water consumption	400.33		-					
Rural fire brigade	2.50		0.25					
State Gov't bulk water consumption	2,035.54		-					
Water fixed access - Domestic KLMP Is	70.12		37.07					
Interest		807.62						

ATTACHMENT 1

Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/07/2021	1/07/2021 - 30/09/2021	12/08/2021	8.03%	2 yrs 9 mths 8 days (1012 days)	Emergency management levy - Class E Group 2	28.10		5.62
					Environment & coastal management	37.23		3.59
					General rate category 1a - 1b	270.00		109.77
					Landfill remediation	11.97		1.15
					Redland City SES administration	1.82		0.18
					Residential fixed water access 20mm	72.42		36.98
					Residential Island 240Lt Waste / 240Lt Recycle	123.69		11.92
					Residential water consumption	232.09		-
					Rural fire brigade	1.63		0.16
					State Gov't bulk water consumption	1,180.12		-
					Interest		444.24	
01/10/2021	01/10/2021 - 31/12/2021	15/11/2021	8.03%	2 yrs 6 mths 5 days (917 days)	Emergency management levy - Class E Group 2	28.10		5.62
					Environment & coastal management	37.23		3.59
					General rate category 1a - 1b	270.00		109.77
					Landfill remediation	11.97		1.15
					Redland City SES administration	1.82		0.18
					Residential fixed water access 20mm	72.42		36.98
					Residential Island 240Lt Waste / 240Lt Recycle	123.69		11.92
					Residential water consumption	81.81		-
					Rural fire brigade	1.63		0.16
					State Gov't bulk water consumption	417.66		-
					Interest		195.20	

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Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/01/2022	01/01/2022 - 31/03/2022	14/02/2022	8.03%	2 yrs 3 months 6 days (826 days)	Emergency management levy - Class E Group 2	28.10		5.62
					Environment & coastal management	37.23		3.59
					General rate category 1a - 1b	270.00		109.77
					Landfill remediation	11.97		1.15
					Redland City SES administration	1.82		0.18
					Residential fixed water access 20mm	72.42		36.98
					Residential Island 240Lt Waste / 240Lt Recycle	123.69		11.92
					Residential water consumption	91.21		-
					Rural fire brigade	1.63		0.16
					State Gov't bulk water consumption	468.50		-
					Interest		186.11	
01/04/2022	01/04/2022 - 30/06/2022	16/05/2022	8.03%	2 yrs 4 days (735 days)	Emergency management levy - Class E Group 2	28.10		5.62
					Environment & coastal management	37.23		3.59
					General rate category 1a - 1b	270.00		109.77
					Landfill remediation	11.97		1.15
					Redland City SES administration	1.82		0.18
					Residential fixed water access 20mm	72.42		36.98
					Residential Island 240Lt Waste / 240Lt Recycle	123.69		11.92
					Residential water consumption	57.87		-
					Rural fire brigade	1.63		0.16
					State Gov't bulk water consumption	297.25		-
					Interest		128.19	

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Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/07/2022	01/07/2022 - 30/09/2022	15/08/2022	8.17%	1 yrs 9 mths 5 days (644 days)	Emergency management levy - Class E Group 2	28.80		5.76
					Environment & coastal management	40.38		3.71
					General rate category 1a - 1b	282.75		109.76
					Landfill remediation	12.17		1.12
					Redland City SES administration	1.76		0.16
					Residential fixed water access 20mm	74.85		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	129.96		11.96
					Residential water consumption	72.96		-
					Rural fire brigade	1.61		0.15
					State Gov't bulk water consumption	374.80		-
					Interest		131.31	
01/10/2022	01/10/2022 - 31/12/2022	14/11/2022	8.17%	1 yrs 6 mths 6 days (553 days)	Emergency management levy - Class E Group 2	28.80		5.76
					Environment & coastal management	40.38		3.71
					General rate category 1a - 1b	282.75		109.76
					Landfill remediation	12.17		1.12
					Redland City SES administration	1.76		0.16
					Residential fixed water access 20mm	74.85		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	129.96		11.96
					Residential water consumption	62.97		-
					Rural fire brigade	1.61		0.15
					State Gov't bulk water consumption	322.11		-
					Interest		103.38	

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Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/01/2023	01/01/2023 - 31/03/2023	13/02/2023	8.17%	1 yrs 3 mths 7 days (462 days)	Emergency management levy - Class E Group 2	28.80		7.42
					Environment & coastal management	40.38		6.36
					General rate category 1a - 1b	282.75		122.24
					Landfill remediation	12.17		1.92
					Redland City SES administration	1.76		0.28
					Residential fixed water access 20mm	74.85		39.63
					Residential Island 240Lt Waste / 240Lt Recycle	129.96		20.47
					Residential water consumption	59.24		4.27
					Rural fire brigade	1.61		0.26
					State Gov't bulk water consumption	300.39		21.66
					Interest		76.60	
01/04/2023	01/04/2023 - 30/06/2023	18/05/2023	8.17%	1 yrs 2 days (368 days)	Emergency management levy - Class E Group 2	28.80		5.76
					Environment & coastal management	40.38		3.71
					General rate category 1a - 1b	282.75		109.76
					Landfill remediation	12.17		1.12
					Redland City SES administration	1.76		0.16
					Residential fixed water access 20mm	74.85		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	129.96		11.96
					Residential water consumption	9.11		-
					Rural fire brigade	1.61		0.15
					State Gov't bulk water consumption	46.21		-
					Interest		39.11	

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Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/07/2023	01/07/2023 - 30/09/2023	15/08/2023	11.64%	9 mths 5 days (279 days)	Emergency management levy - Class E Group 2	29.75		5.95
					Environment & coastal management	43.00		3.71
					General rate category 1a - 1b	296.00		109.33
					Landfill remediation	14.83		1.28
					Redland City SES administration	1.60		0.14
					Residential fixed water access 20mm	79.78		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	140.81		12.16
					Residential water consumption	5.21		-
					Rural fire brigade	2.80		0.24
					State Gov't bulk water consumption	26.41		-
					Interest		43.42	
01/10/2023	01/10/2023 - 31/12/2023	17/11/2023	11.64%	6 mths 3 days (185 days)	Emergency management levy - Class E Group 2	29.75		5.95
					Environment & coastal management	43.00		3.71
					General rate category 1a - 1b	296.00		109.33
					Landfill remediation	14.83		1.28
					Redland City SES administration	1.60		0.14
					Residential fixed water access 20mm	79.78		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	140.81		12.16
					Residential water consumption	84.50		-
					Rural fire brigade	2.80		0.24
					State Gov't bulk water consumption	411.19		-
					Interest		56.32	

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Charge Date	Rating Period	Due Date	Interest Rate	Period Unpaid	Charge Description - Property No: 17572	Levy	Interest	Credit
01/01/2024	01/01/2024 - 31/03/2024	13/02/2024	11.64%	3 mths 7 days (97 days)	Emergency management levy - Class E Group 2	29.75		5.95
					Environment & coastal management	43.00		3.71
					General rate category 1a - 1b	296.00		109.33
					Landfill remediation	14.83		1.28
					Redland City SES administration	1.60		0.14
					Residential fixed water access 20mm	79.78		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	140.81		12.16
					Residential water consumption	597.37		-
					Rural fire brigade	2.80		0.24
					State Gov't bulk water consumption	2,905.80		-
					Interest		122.94	
01/04/2024	01/04/2024 - 30/06/2024	17/05/2024	11.64%	3 days (3 days)	Emergency management levy - Class E Group 2	29.75		5.95
					Environment & coastal management	43.00		3.71
					General rate category 1a - 1b	296.00		109.33
					Landfill remediation	14.83		1.28
					Redland City SES administration	1.60		0.14
					Residential fixed water access 20mm	79.78		36.89
					Residential Island 240Lt Waste / 240Lt Recycle	140.81		12.16
					Residential water consumption	737.35		-
					Rural fire brigade	2.80		0.24
					State Gov't bulk water consumption	3,586.74		-
					Interest		4.54	
Sub-totals						22,874.37	2,463.06	2,574.25
TOTAL AMOUNT OF OVERDUE RATES AND CHARGES AND INTEREST (being levies plus interest less credits)						22,763.18		

Attachment 2

Local Government Regulation 2012

Reprint current from 2 May 2024 to date (accessed 7 May 2024 at 15:01)

[Chapter 4](#) > [Part 12](#) > [Division 3](#) > [Subdivision 2](#) > Section 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\(2\)](#).

Local Government Regulation 2012

Reprint current from 2 May 2024 to date (accessed 7 May 2024 at 15:01)

[Chapter 4](#) > [Part 12](#) > [Division 3](#) > [Subdivision 2](#) > Section 142

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.

Local Government Regulation 2012

Reprint current from 2 May 2024 to date (accessed 7 May 2024 at 15:01)

[Chapter 4](#) > [Part 12](#) > [Division 3](#) > [Subdivision 2](#) > Section 143

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.

Local Government Regulation 2012

Reprint current from 2 May 2024 to date (accessed 7 May 2024 at 15:01)

[Chapter 4](#) > [Part 12](#) > [Division 3](#) > [Subdivision 2](#) > Section 144

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.