

To: Wayne Clive Passfield

NOTICE OF INTENTION TO SELL

This is a notice of intention to sell pursuant to section 140(4) of the *Local Government Regulation 2012* (Qld) ("the Regulation").

Ipswich City Council ("Council") has, by resolution made 19 November 2019, decided to sell the land described below for overdue rates or charges pursuant to section 140(2) of the Regulation.

Description of the land:

Location	Description	Area
142 Equestrian Drive, YAMANTO QLD 4305	Lot 178 Registered Plan 852417 Title Reference 18474119	897m2

The terms of the resolution:

That the interim administrator of Ipswich City Council resolve, pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the property at 142 Equestrian Drive, YAMANTO QLD 4305 (more properly described, as Lot 178 Registered Plan 852417) in accordance with the *Local Government Regulation 2012* as some or all of the overdue rates or charges have been overdue for at least 3 years.

Summary of the overdue rates or charges:

Overdue rates or charges	\$7 589.09
Interest	\$1 782.75
Total overdue rates or charges for the land as at 20 November 2019	\$9 371.84

Details of, including the period for which rates or charges have been unpaid is attached and marked "**Attachment A**".

In accordance with section 133 of the Regulation, interest on the overdue rates or charges accrued at the rate of:

- a) Prior to 1 July 2019, 11% per annum compounding daily
- b) From 1 July 2019, 9.83% per annum compounding daily.

A copy of sections 141 to 144 of the Regulation are attached and marked "**Attachment B**".

Dated at Ipswich this 20 day of November 2019

Signed by Charlie Dill
Acting Chief Executive Officer
Ipswich City Council



Note: For all payments and enquiries please contact Council's Recoveries Section on (07) 3810 6679.

Attachment A

Details of Overdue Rates or Charges as at 20 November 2019

Property Address: 142 Equestrian Drive, YAMANTO QLD 4305

Property Description Lot 178 RP 852417

Billing Period	Rate & Duscount Due Date	Differential General Rate	Enviroplan Levy	State Govt Emergency & Fire Levy - Group 2	Waste Charges - Wheelie Bin Service	Legal Cost - Judgement	Interest	Balance
01/07/15-30/09/15	20/08/2015	\$8.54					\$20.60	\$29.14
01/10/15-31/12/15	19/11/2015	\$247.95	\$10.50	\$49.10	\$81.50		\$21.35	\$439.54
01/01/16-31/03/16	18/02/2016	\$247.95	\$10.50	\$49.10	\$81.50		\$23.10	\$851.69
01/04/16-30/06/16	19/05/2016	\$247.95	\$10.50	\$49.10	\$81.50		\$32.85	\$1,273.59
01/07/16-30/09/16	18/08/2016	\$257.60	\$10.75	\$50.80	\$84.00		\$44.25	\$1,720.99
01/10/16-31/12/16	17/11/2016	\$257.60	\$10.75	\$50.80	\$84.00	\$623.60	\$54.70	\$2,802.44
01/01/17-31/03/17	16/02/2017	\$257.60	\$10.75	\$50.80	\$84.00		\$65.30	\$3,270.89
01/04/17-30/06/17	18/05/2017	\$257.60	\$10.75	\$50.80	\$84.00		\$79.00	\$3,753.04
01/07/17-30/09/17	17/08/2017	\$260.75	\$11.00	\$52.55	\$86.50		\$93.60	\$4,257.44
01/10/17-31/12/17	16/11/2017	\$260.75	\$11.00	\$52.55	\$86.50		\$107.85	\$4,776.09
01/01/18-31/03/18	15/02/2018	\$260.75	\$11.00	\$52.55	\$86.50		\$119.70	\$5,306.59
01/04/18-30/06/18	17/05/2018	\$260.75	\$11.00	\$52.55	\$86.50		\$135.80	\$5,853.19
01/07/18-30/09/18	16/08/2018	\$265.40	\$11.25	\$54.35	\$90.25		\$152.85	\$6,427.29
01/10/18-31/12/18	15/11/2018	\$265.40	\$11.25	\$54.35	\$90.25		\$169.25	\$7,017.79
01/01/19-31/03/19	14/02/2019	\$265.40	\$11.25	\$54.35	\$90.25		\$181.70	\$7,620.74
01/04/19-30/06/19	16/05/2019	\$265.40	\$11.25	\$54.35	\$90.25		\$200.45	\$8,242.44
01/07/19-30/09/19	15/08/2019	\$267.45	\$11.25	\$55.55	\$90.25		\$195.90	\$8,862.84
01/10/19-31/12/19	14/11/2019	\$267.45	\$11.25	\$55.55	\$90.25		\$84.50	\$9,371.84
TOTALS		\$4,422.29	\$186.00	\$889.20	\$1,468.00	\$623.60	\$1,782.75	\$9,371.84

ATTACHMENT B

Extracts from Local Government Regulation 2012
Chapter 4 Rates and charges

[s 141]

141 When procedures for selling land must be started

- (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 under section 142 for selling the land within 6 months after the local government gives the notice of intention to sell the land.
- (3) However, the local government must end the procedures if the local government is paid—
 - (a) the amount of the overdue rates or charges; and
 - (b) all expenses that the local government incurs in attempting to sell the land.

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) An *auction notice* is a document stating—
 - (a) the time and place of the auction; and
 - (b) a full description of the land.
 - (5) At least 14 days, but not more than 35 days, before the day of the auction, the local government must—
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Chapter 4 Rates and charges

[s 143]

- (a) give a copy of the auction notice to everyone who was given a notice of intention to sell the land; and
 - (b) advertise the auction notice in a newspaper that is circulating generally in the local government area; 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.
- (6) 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.

143 Conduct of auction

- (1) The local government must set a reserve price for 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 is not reached at the auction, the local government may enter into negotiations with the highest bidder at the auction to sell the land by agreement.
 - (3) However, the price for the land under the agreement must be more than the highest bid for the land at the auction.
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Extracts from Local Government Regulation 2012
Chapter 4 Rates and charges

[s 144]

- (4) If the highest bidder at the auction does not agree to buy the land, the land is taken to have been sold at the auction to the local government for the reserve price.
- (5) However, subsection (4) does not apply if the land is held on a tenure the local government is not competent to hold.

144 Procedures after sale of land to local government

- (1) This section applies if land is taken to have been sold at auction to the local government under section 143(4).
 - (2) The local government must give the registrar of titles a general request form.
 - (3) A *general request form* is a form that—
 - (a) is approved for a general request lodged in the land registry; and
 - (b) requests the local government be registered as owner of the land.
 - (4) After receiving the general request form, the registrar of titles must register the transfer of the interest of the registered owner to the local government free of all encumbrances.
 - (5) The registrar of titles may register the transfer even though the general request form is not accompanied by the instrument of title for the land.
 - (6) Also, the registrar of titles—
 - (a) need not inquire whether the local government has complied with this subdivision; and
 - (b) is not affected by actual or constructive notice of any failure by the local government to comply with this subdivision.
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