

Notice of Intention to Sell Land

31 October 2023

B C Carnell
9 Barklya Ct
KAMERUNGA QLD 4870

Brett Claude Carnell

This notice is given to you by Cairns Regional Council and relates to property described as LOT 8 TYP GTP PLN 70351, situated at 8 Barklya Close KAMERUNGA QLD 4870, Queensland.

Background

This notice is given because rates or charges levied by Cairns Regional Council on the above property are at least 3 years overdue. Where rates or charges on a property are more than 3 years overdue, Cairns Regional Council may sell the property at public auction and use the proceeds to discharge the overdue rates and charges.

Cairns Regional Council is required to give a final notice to the property owner giving details of its decision and giving the owner a final opportunity to pay the overdue rates and charges. If the overdue rates and charges are not paid within 3 months of this notice, Cairns Regional Council will commence proceedings to sell the property without further reference to the property owner. The sale proceedings will be discontinued if the amount of all overdue rates and charges levied on the land, and all expenses incurred by Cairns Regional Council for the intended sale, are paid to it.

Cairns Regional Council has decided to apply this procedure to your property described above. The document gives you notice of the matters which Council is required to notify under the *Local Government Regulation 2012* to give you a final opportunity to pay the overdue rates and charges and prevent sale of the land by Council.

Formal Notice

You are hereby notified as follows: -

- (a) Cairns Regional Council proposes to sell the land described above because an overdue rate or charges has remained unpaid.
- (b) This document is a notice of intention to sell land under section 140 of the *Local Government Regulation 2012*
- (c) The date of Cairns Regional Council meeting at which the resolution to sell the land was made under section 140 of the *Local Government Regulation 2012* was 4th October 2023 and the resolution was in the following terms: -

That Council resolves to sell the following properties in accordance with the *Local Government Regulation 2012* Chapter 4, Part 12, Division 3, Selling or Acquiring Land for Overdue Rates and Charges and Council's Debt Recovery Policy.

That Council approves these properties be issued with Notices of Intention to Sell and delegates authority under the *Local Government Act 2009* to the Chief Executive Officer to negotiate, finalise, cease, or execute any and all matters relevant to the process of sale or acquisition.

Assessment Number 544296

- (d) The land is described in Cairns Regional Council's land record as LOT 8 TYP GTP PLN 70351, situated at 8 Barklya Close KAMERUNGA QLD 4870, Queensland. It has an area of 752 m².
- (e) Details of all overdue rates and charges for the land, as at the date of Cairns Regional Council's resolution referred to in paragraph (c) above, are as follows: -

Overdue Rates			\$ 11,511.67	
Interest to 13 October 2023			\$ 306.75	
Total Outstanding			\$ 11,818.42	
Rates			Amount	Due Date
01/07/2017	-	31/12/2017	\$ 5.79	07 August 2017
01/01/2018	-	30/06/2018	\$ 901.97	01 March 2018
01/07/2018	-	31/12/2018	\$ 917.80	30 August 2018
01/01/2019	-	30/06/2019	\$ 917.80	27 February 2019
01/07/2019	-	31/12/2019	\$ 931.72	28 August 2019
01/01/2020	-	30/06/2020	\$ 931.72	27 February 2020
01/07/2020	-	31/12/2020	\$ 948.44	02 September 2020
01/01/2021	-	30/06/2021	\$ 948.44	04 March 2021
01/07/2021	-	31/12/2021	\$ 971.87	25 August 2021
01/01/2022	-	30/06/2022	\$ 971.87	24 February 2022
01/07/2022	-	31/12/2022	\$ 1,001.72	31 August 2022
01/01/2023	-	30/06/2023	\$ 1,001.72	22 February 2023
01/07/2023	-	31/12/2023	\$ 1,060.81	30 August 2023
Overdue Water			\$ 17.57	
Interest to 13 October 2023			\$ 10.84	
Total Outstanding			\$ 28.41	
Water Usage			Amount	Due Date
13/02/2017	-	06/06/2017	\$ 5.75	25 July 2017
06/06/2017	-	09/10/2017	\$ 4.68	28 November 2017
14/02/2019	-	03/06/2019	\$ 7.14	23 July 2019

- (f) Interest is calculated from (and including) the date after the due date for each rate and is calculated as compound interest on daily rests.

Rating Years	Interest Rate
2016/2017	11.00%
2017/2018	11.00%
2018/2019	11.00%
2019/2020	9.83%
2020/2021	5.53%
2021/2022	8.03%
2022/2023	8.17%
2023/2024	11.64%

(g) The total amount of all overdue rates and charges at the date of the notice is **\$11,846.83** inclusive of:

Overdue Rates and Charges (paragraph (e))	\$11,511.67
Interest (paragraph (f))	\$306.75
Rates Total:	\$11,818.42
Overdue Water and Charges (paragraph (e))	\$17.57
Interest (paragraph (f))	\$10.84
Water Total:	\$28.41
Total:	\$11,846.83

(h) A copy of sections 141 to 144 of the *Local Government Regulation 2012* is attached.

Your rights

If you pay the amount of all overdue rates and charges referred to in this notice, including interest as mentioned in paragraphs (f) and (g) calculated up to the date of payment, and all expenses incurred by Cairns Regional Council for the intended sale, Cairns Regional Council must not sell the land. You will remain the owner of the land.

Council offers a variety of payment options such as,

- *Payment via B-PAY RATES Biller Code: 49346 or WATER Biller Code: 51722 Reference: assessment number*
- *Payment by MasterCard or Visa in person, by phone or online Council's Website www.cairns.qld.gov.au/online/payments Reference: assessment number*
- *Cheque or money order made payable to Cairns Regional Council, mailed to PO Box 359 Cairns 4870 or in person*
- *Payment via Australia Post outlets (a copy of the rates or water notice barcode will need to be presented)*

Consequences of non-payment

If you do not pay the amount of all overdue rates referred to in this notice, together with interest as mentioned in paragraphs (f) and (g) calculated up to the date of payment, and all expenses incurred by Cairns Regional Council for the intended sale, Cairns Regional Council will sell the land under section 142 of the *Local Government Regulation 2012* without further notice to you. The sale proceeds will be applied to discharge the overdue rates and charges.



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Christine Posgate
Acting Chief Executive Officer