

Redland City Council
Local Government Regulation 2012 Chapter 4, Part 12, Division 3, Subdivision 3

NOTICE OF INTENTION TO ACQUIRE LAND FOR OVERDUE RATES OR CHARGES

Date: 6 January 2023

Mrs Michelle D Schuit
[REDACTED]

The Notice of Intention to Acquire Land **attached** to this letter is given to you by the **Redland City Council** and relates to property described as follows:

Lot & Plan:	Lot 1 on RP 118042
Title Reference:	14203183
Property Address:	2 Jane Street Macleay Island QLD 4184
Property Number:	39459
Property Owner:	[REDACTED] Mrs Michelle D Schuit

Pursuant to section 148 of the *Local Government Regulation 2012* (Qld) ('**Regulation**'), the Notice of Intention to Acquire Land is given to you by the Council on the above land because:

- there are overdue rates and/or charges on the land, and some of the overdue rates and/or charges have been overdue for at least 3 years; and
- either of the following applies:
 - a. The total amount of the overdue rates and/or charges is more than the value of the land and the land is considered to be:
 - i. valueless; or
 - ii. of so little value that, if it were sold, the proceeds of the sale would be less than the amount of the overdue rates and/or charges;
 - b. The total amount of the overdue rates and/or charges is more than the market value of the land.

Where land meets the criteria under section 148 of the Regulation, Council may decide, by resolution, to acquire the land.

The Notice of Intention to Acquire Land provides a summary of the overdue rates, charges, and interest accrued on those overdue rates and/or charges. If you wish to review a full itemised list of individual levies with particularised interest for each, please contact Council.

Your Rights Prior to Acquisition

Pursuant to section 150 of the Regulation, if the overdue rates or charges are not paid in full within six (6) months after Council gives the Notice of Intention to Acquire Land, Council may start the procedures for acquiring the land.

Please note that once Council begins the procedures to acquire the land, the process may only be ended by payment of all overdue rates and charges, as well as all expenses that Council incurs in attempting to acquire the land.

Consequences of Non-payment

If you do not pay the amount of all overdue rates, charges, interest owing and all expenses incurred by the Council for the intended sale, the Council will acquire the land under Chapter 4, Part 12, Division 3, Subdivision 3 of the Regulation.

You are encouraged to make contact with Council to resolve your account and prevent the acquisition of the land.



Andrew Chesterman
Chief Executive Officer
Redland City Council

NOTICE OF INTENTION TO ACQUIRE LAND

Local Government Regulation 2012, Chapter 4, Part 12, Division 3, Section 149 Notice of Intention to Acquire Land for Overdue Rates or Charges

Pursuant to section 149 of the *Local Government Regulation 2012* (Qld), Redland City Council formally gives this Notice of Intention to Acquire Land, stating the following:

- (a) That the local government has, by resolution, decided under section 149 of the *Local Government Regulation 2012* (Qld) to acquire land for overdue rates or charges;
- (b) That the resolution mentioned in the preceding paragraph was made on 14 December 2022;
- (c) That the terms of the resolution were as follows:

“That Council resolves as follows:

1. Pursuant to Chapter 4, Part 12, Division 3, Subdivision 3 of the *Local Government Regulation 2012*, to acquire the stated land for overdue rates and charges.
 2. That this report 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.”
- (d) That the land decided to be acquired by the resolution is described as follows:
 - 2 Jane Street Macleay Island QLD 4184
 - Lot 1 on RP 118042
 - 600.00m²
 - (e) That the land, as at the date of this notice, has overdue rates and/or charges as follows:

• Overdue rates in the amount of:	\$ 2,326.04
• Overdue charges in the amount of:	\$ 322.57
• A sum total of:	<u>\$ 2,648.61</u>

 - The rates and/or charges have been unpaid since 05/11/2018 for a total period of 4 Years, 3 Months;
 - (f) That the interest owing on the overdue rates and/or charges:
 - at the date of this notice, is in the amount of \$ 449.00;
 - is currently accruing at a rate of 8.17%;
 - previously accrued at a rate of:
 - 11% until 30 June 2019;
 - 9.83% from 1 July 2019 until 30 June 2020;
 - 8.53% from 1 July 2020 until 30 June 2021;
 - 8.03% from 1 July 2021 until 30 June 2022;
 - is payable from the day the rates or charges became overdue and calculated on daily rests as compound interest.
 - (g) The total amount of overdue rates, overdue charges, and interest owing as at the date of this notice is \$ 2,648.61;
 - (h) Attached to this notice is a copy of sections 149, 150 and 151 of the *Local Government Regulation 2012* (Qld).



Andrew Chesterman
Chief Executive Officer
Redland City Council
6 January 2023

Property	Date	Charge Description	Levy	Interest	Credit	Balance	Period Unpaid
39459	1/10/2018	@Environment Charge	28.89	1.29	27.83	2.35	4 yrs 3 mth
39459	1/10/2018	Emergency management levy - Class E Group 1	6.65	0.35	6.40	0.60	4 yrs 3 mth
39459	1/10/2018	General rate category 10	78.00	2.93	75.13	5.80	4 yrs 3 mth
39459	1/10/2018	Landfill remediation	10.97	0.53	10.57	0.93	4 yrs 3 mth
39459	1/10/2018	Redland City SES administration	1.75	0.10	1.69	0.16	4 yrs 3 mth
39459	1/10/2018	Rural fire brigade	5.00	0.27	4.81	0.46	4 yrs 3 mth
39459	1/01/2019	@Environment Charge	28.89	13.76	-	42.65	4 yrs 0 mth
39459	1/01/2019	Emergency management levy - Class E Group 1	6.65	2.93	-	9.58	4 yrs 0 mth
39459	1/01/2019	General rate category 10	78.00	37.17	-	115.17	4 yrs 0 mth
39459	1/01/2019	Landfill remediation	10.97	5.07	-	16.04	4 yrs 0 mth
39459	1/01/2019	Redland City SES administration	1.75	1.03	-	2.78	4 yrs 0 mth
39459	1/01/2019	Rural fire brigade	5.00	2.33	-	7.33	4 yrs 0 mth
39459	1/04/2019	@Environment Charge	28.89	12.73	-	41.62	3 yrs 9 mth
39459	1/04/2019	Emergency management levy - Class E Group 1	6.65	2.74	-	9.39	3 yrs 9 mth
39459	1/04/2019	General rate category 10	78.00	34.17	-	112.17	3 yrs 9 mth
39459	1/04/2019	Landfill remediation	10.97	4.74	-	15.71	3 yrs 9 mth
39459	1/04/2019	Redland City SES administration	1.75	0.95	-	2.70	3 yrs 9 mth
39459	1/04/2019	Rural fire brigade	5.00	2.18	-	7.18	3 yrs 9 mth
39459	1/07/2019	@Environment Charge	30.50	11.48	-	41.98	3 yrs 6 mth
39459	1/07/2019	Emergency management levy - Class E Group 1	6.75	2.35	-	9.10	3 yrs 6 mth
39459	1/07/2019	General rate category 10	80.25	30.08	-	110.33	3 yrs 6 mth
39459	1/07/2019	Landfill remediation	10.13	3.81	-	13.94	3 yrs 6 mth
39459	1/07/2019	Redland City SES administration	1.75	0.81	-	2.56	3 yrs 6 mth
39459	1/07/2019	Rural fire brigade	3.75	1.62	-	5.37	3 yrs 6 mth
39459	1/10/2019	@Environment Charge	30.50	10.44	-	40.94	3 yrs 3 mth
39459	1/10/2019	Emergency management levy - Class E Group 1	6.75	2.17	-	8.92	3 yrs 3 mth
39459	1/10/2019	General rate category 10	80.25	27.48	-	107.73	3 yrs 3 mth
39459	1/10/2019	Landfill remediation	10.13	3.48	-	13.61	3 yrs 3 mth
39459	1/10/2019	Redland City SES administration	1.75	0.74	-	2.49	3 yrs 3 mth
39459	1/10/2019	Rural fire brigade	3.75	1.48	-	5.23	3 yrs 3 mth
39459	1/01/2020	@Environment Charge	30.50	9.40	-	39.90	3 yrs 0 mth
39459	1/01/2020	Emergency management levy - Class E Group 1	6.75	1.97	-	8.72	3 yrs 0 mth
39459	1/01/2020	General rate category 10	80.25	24.81	-	105.06	3 yrs 0 mth
39459	1/01/2020	Landfill remediation	10.13	3.17	-	13.30	3 yrs 0 mth
39459	1/01/2020	Redland City SES administration	1.75	0.67	-	2.42	3 yrs 0 mth
39459	1/01/2020	Rural fire brigade	3.75	1.35	-	5.10	3 yrs 0 mth
39459	1/04/2020	@Environment Charge	30.50	8.11	-	38.61	2 yrs 9 mth
39459	1/04/2020	Emergency management levy - Class E Group 1	6.75	1.70	-	8.45	2 yrs 9 mth
39459	1/04/2020	General rate category 10	80.25	21.35	-	101.60	2 yrs 9 mth
39459	1/04/2020	Landfill remediation	10.13	2.77	-	12.90	2 yrs 9 mth
39459	1/04/2020	Redland City SES administration	1.75	0.58	-	2.33	2 yrs 9 mth
39459	1/04/2020	Rural fire brigade	3.75	1.18	-	4.93	2 yrs 9 mth
39459	1/07/2020	@Environment Charge	29.08	6.46	-	35.54	2 yrs 6 mth
39459	1/07/2020	Emergency management levy - Class E Group 1	6.85	1.45	-	8.30	2 yrs 6 mth
39459	1/07/2020	General rate category 10	82.75	18.41	-	101.16	2 yrs 6 mth
39459	1/07/2020	Landfill remediation	7.50	1.57	-	9.07	2 yrs 6 mth
39459	1/07/2020	Redland City SES administration	1.77	0.49	-	2.26	2 yrs 6 mth
39459	1/07/2020	Rural fire brigade	2.50	0.61	-	3.11	2 yrs 6 mth
39459	1/10/2020	@Environment Charge	29.08	5.71	-	34.79	2 yrs 3 mth
39459	1/10/2020	Emergency management levy - Class E Group 1	6.85	1.29	-	8.14	2 yrs 3 mth
39459	1/10/2020	General rate category 10	82.75	16.29	-	99.04	2 yrs 3 mth
39459	1/10/2020	Landfill remediation	7.50	1.41	-	8.91	2 yrs 3 mth
39459	1/10/2020	Redland City SES administration	1.77	0.42	-	2.19	2 yrs 3 mth
39459	1/10/2020	Rural fire brigade	2.50	0.53	-	3.03	2 yrs 3 mth
39459	1/01/2021	@Environment Charge	29.08	4.99	-	34.07	2 yrs 0 mth
39459	1/01/2021	Emergency management levy - Class E Group 1	6.85	1.13	-	7.98	2 yrs 0 mth
39459	1/01/2021	General rate category 10	82.75	14.20	-	96.95	2 yrs 0 mth

Property	Date	Charge Description	Levy	Interest	Credit	Balance	Period Unpaid
39459	1/01/2021	Landfill remediation	7.50	1.23	-	8.73	2 yrs 0 mth
39459	1/01/2021	Redland City SES administration	1.77	0.36	-	2.13	2 yrs 0 mth
39459	1/01/2021	Rural fire brigade	2.50	0.47	-	2.97	2 yrs 0 mth
39459	1/04/2021	@Environment Charge	29.08	4.24	-	33.32	1 yrs 9 mth
39459	1/04/2021	Emergency management levy - Class E Group 1	6.85	0.97	-	7.82	1 yrs 9 mth
39459	1/04/2021	General rate category 10	82.75	12.11	-	94.86	1 yrs 9 mth
39459	1/04/2021	Landfill remediation	7.50	1.08	-	8.58	1 yrs 9 mth
39459	1/04/2021	Redland City SES administration	1.77	0.30	-	2.07	1 yrs 9 mth
39459	1/04/2021	Rural fire brigade	2.50	0.40	-	2.90	1 yrs 9 mth
39459	1/07/2021	Emergency management levy - Class E Group 1	6.95	0.79	-	7.74	1 yrs 6 mth
39459	1/07/2021	Environment & coastal management	37.23	4.35	-	41.58	1 yrs 6 mth
39459	1/07/2021	General rate category 10	84.25	9.88	-	94.13	1 yrs 6 mth
39459	1/07/2021	Landfill remediation	11.97	1.41	-	13.38	1 yrs 6 mth
39459	1/07/2021	Redland City SES administration	1.82	0.27	-	2.09	1 yrs 6 mth
39459	1/07/2021	Rural fire brigade	1.63	0.23	-	1.86	1 yrs 6 mth
39459	1/10/2021	Emergency management levy - Class E Group 1	6.95	0.61	-	7.56	1 yrs 3 mth
39459	1/10/2021	Environment & coastal management	37.23	3.49	-	40.72	1 yrs 3 mth
39459	1/10/2021	General rate category 10	84.25	7.90	-	92.15	1 yrs 3 mth
39459	1/10/2021	Landfill remediation	11.97	1.13	-	13.10	1 yrs 3 mth
39459	1/10/2021	Redland City SES administration	1.82	0.21	-	2.03	1 yrs 3 mth
39459	1/10/2021	Rural fire brigade	1.63	0.19	-	1.82	1 yrs 3 mth
39459	1/01/2022	Emergency management levy - Class E Group 1	6.95	0.48	-	7.43	1 yrs 0 mth
39459	1/01/2022	Environment & coastal management	37.23	2.70	-	39.93	1 yrs 0 mth
39459	1/01/2022	General rate category 10	84.25	6.08	-	90.33	1 yrs 0 mth
39459	1/01/2022	Landfill remediation	11.97	0.88	-	12.85	1 yrs 0 mth
39459	1/01/2022	Redland City SES administration	1.82	0.16	-	1.98	1 yrs 0 mth
39459	1/01/2022	Rural fire brigade	1.63	0.15	-	1.78	1 yrs 0 mth
39459	1/04/2022	Emergency management levy - Class E Group 1	6.95	0.33	-	7.28	0 yrs 9 mth
39459	1/04/2022	Environment & coastal management	37.23	1.91	-	39.14	0 yrs 9 mth
39459	1/04/2022	General rate category 10	84.25	4.32	-	88.57	0 yrs 9 mth
39459	1/04/2022	Landfill remediation	11.97	0.61	-	12.58	0 yrs 9 mth
39459	1/04/2022	Redland City SES administration	1.82	0.11	-	1.93	0 yrs 9 mth
39459	1/04/2022	Rural fire brigade	1.63	0.10	-	1.73	0 yrs 9 mth
39459	1/07/2022	Emergency management levy - Class E Group 1	7.10	0.21	-	7.31	0 yrs 6 mth
39459	1/07/2022	Environment & coastal management	40.38	1.24	-	41.62	0 yrs 6 mth
39459	1/07/2022	General rate category 10	88.25	2.74	-	90.99	0 yrs 6 mth
39459	1/07/2022	Landfill remediation	12.17	0.38	-	12.55	0 yrs 6 mth
39459	1/07/2022	Redland City SES administration	1.76	0.07	-	1.83	0 yrs 6 mth
39459	1/07/2022	Rural fire brigade	1.61	0.06	-	1.67	0 yrs 6 mth
39459	1/10/2022	Emergency management levy - Class E Group 1	7.10	0.07	-	7.17	0 yrs 3 mth
39459	1/10/2022	Environment & coastal management	40.38	0.42	-	40.80	0 yrs 3 mth
39459	1/10/2022	General rate category 10	88.25	0.94	-	89.19	0 yrs 3 mth
39459	1/10/2022	Landfill remediation	12.17	0.13	-	12.30	0 yrs 3 mth
39459	1/10/2022	Redland City SES administration	1.76	0.03	-	1.79	0 yrs 3 mth
39459	1/10/2022	Rural fire brigade	1.61	0.03	-	1.64	0 yrs 3 mth

Local Government Regulation 2012

Reprint current from 1 May 2022 to date (accessed 3 November 2022 at 9:39)

[Chapter 4](#) > [Part 12](#) > [Division 3](#) > [Subdivision 3](#) > Section 149

149 Requirements for notice of intention to acquire land

- (1) The local government may, by resolution, decide to acquire the land.
- (2) If the local government does so, the local government must, as soon as practicable, give all interested parties a notice of intention to acquire the land.
- (3) A *notice of intention to acquire* is a document, signed by the chief executive officer, stating—
 - (a) that the local government has, by resolution, decided to acquire land for overdue rates or charges, under this section; and
 - (b) the day on which the resolution was made; and
 - (c) the terms of the resolution; and
 - (d) a description of the location and size of the land, as shown in the local government's land record; and
 - (e) details of the overdue rates or charges for the land, as at the date of the notice, including details of the period for which the rates or charges are unpaid; and
 - (f) details of the interest that is owing on the overdue rates or charges, as at the date of the notice, including—
 - (i) details of the rate at which interest is accruing; and
 - (ii) a description of the way that the interest is calculated; and
 - (g) the total amount of the overdue rates or charges and the interest, as at the date of the notice; and
 - (h) a copy, or general outline, of this section and [sections 150](#) and [151](#).

150 Time to start procedures to acquire

- (1) This section applies if—
 - (a) a local government gives, under [section 149](#), a notice of intention to acquire land for overdue rates or charges; and
 - (b) the overdue rates or charges are not paid in full within 6 months after the local government gives the notice of intention to acquire the land.
- (2) The local government may start the procedures for acquiring the land.
- (3) However, the local government must end the procedures for acquiring the land 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 acquire the land.

151 Acquisition procedures

- (1) This section sets out the procedures that a local government must follow when acquiring land for overdue rates or charges.
- (2) The local government must—
 - (a) discharge the overdue rates or charges payable for the land; and
 - (b) give the registrar of titles a request, in the appropriate form, to record the local government as the registered owner of the land.
- (3) After receiving the request, the registrar of titles must record the local government as the registered owner of the land free of all encumbrances other than any State encumbrances.
- (4) The registrar of titles—
 - (a) may record the local government as the registered owner of the land even if the request is not accompanied by the instrument of title for the land; and
 - (b) need not inquire whether the local government has complied with this subdivision; and
 - (c) is not affected by actual or constructive notice of any failure by the local government to comply with this subdivision.
- (5) When the registrar of titles has recorded the local government as the registered owner of the land, the local government must remove the reference to the land from the land record.
- (6) In this section—

appropriate form see the Land Title Act, schedule 2.