

# Sale of Land by Sales Notice – FAQ and Important Information

1. **No legal advice** - Council cannot provide legal advice. Any advice provided by Council or its agents is general in nature.

You are encouraged to seek independent legal advice and undertake your own due diligence conditions as you see fit, prior to submitting your offer.

2. **As is, where is** - Council cannot provide access or inspection of the properties. The properties are sold on a “as is, where is” basis. Council cannot agree to a building and pest condition.

Council gives no warranty as to the state or occupation of a property in any respect, including whether the buyer will receive vacant possession.

If there is an occupier in the property after settlement, this is the buyer’s responsibility.

3. **The Sale list may change** - Properties can be removed from sale, at Councils absolute discretion.

Council may also at any time enter into a contract of sale if an appropriate offer is accepted, without further notice to you.

It is recommended that you continue to check Council’s website as the list of properties for sale may be continuously updated.

4. **Contract terms** – Any terms to your offer should be formally submitted in writing with your offer of purchase.

Council can consider a finance condition or an extended settlement date, as well as amendments to the standard terms or special conditions.

5. **Contracts entered after 1 August 2025 - Notice pursuant to section 100(c) of the Property Law Act 2023 (Qld)**

The Seller of the property is a local government and any related contract of sale gives effect to the exercise of a power under the *Local Government Act 2009* and the *Local Government Regulation 2012* (Qld) to sell land to recover overdue rates or charges.

The Buyer needs to make the buyer’s own enquiries about matters affecting the property, and the Seller is not required to comply with section 99 of the *Property Law Act 2023* (Qld).

The Contract will be the REIQ Contract for the Sale and Purchase of Residential or Commercial Real Estate 1<sup>st</sup> Edition with Special Conditions as appropriate.

The Buyer will need to execute a copy of the notice pursuant to section 100(c) **prior** to executing the contract of sale.

6. **Reserve** – Any successful offer must meet or exceed the reserve price set pursuant to regulation 144(7) of the *Local Government Regulation 2012* (Qld).

You are encouraged to submit your **best offer** for Councils consideration.

7. **Conveyancer** - If you are the successful bidder, you will need to nominate a conveyancer to act on your behalf.

Settlement of these properties cannot occur via PEXA.

8. **Property transferred free of encumbrances** - On lodgment of the transfer documentation with Titles Queensland, the property will be transferred to the buyer free of encumbrances.

9. **Application of proceeds of sale** - The Seller is obligated to use proceeds of sale in a priority order pursuant to regulation 146 of the *Local Government Regulation 2012* (Qld).

The Buyer will be liable for land tax and any outgoings not paid in full by operation of Regulation 146. However, the Property is sold free of all local government rates and charges accrued prior to the Settlement Date

10. **CLH Group** – CLH Group, including Collection House and CLH Lawyers act for Cloncurry Shire Council regarding the Sales Notices dated 16 July 2025.

11. **Further questions?** If, after reading the above information and reviewing the applicable Sales Notice, you have any further queries, please contact CLH Group on 1300 314 443.