

**LAND COURT OF
QUEENSLAND**

(Court Use Only)

**NOTICE OF APPEAL
AGAINST A CATEGORISATION DECISION**

Please print clearly. If insufficient space, use separate numbered sheets. Sheets attached ()

Appeal to the Land Court against the decision of

* in:

- (a) the determination of an objection to the categorisation of land **.
- (b) the refusal of the decision maker to allow a further period to give a notice of objection **.

* insert decision maker.

** delete whichever is inapplicable.

APPELLANT(s)	<input type="text"/>
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Address (Residential or business address)	<input type="text"/>
	Is this your address for service? Yes/No

Name of solicitor and firm, or authorised agent (if applicable)	<input type="text"/>
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Business address (if applicable)	<input type="text"/>
	Is this your address for service? Yes/No

Address for Service (if not one of the above)	<input type="text"/>
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Telephone	<input type="text"/>	Fax	<input type="text"/>
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Email	<input type="text"/>
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RESPONDENT:	
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Address	
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Telephone		Fax	
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Email	
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PARTICULARS OF THE LAND WHICH IS THE SUBJECT OF THE APPEAL

Property ID		Local Government/ BCC Division	
Real Property Description		Parish	
		Area	
Date of notice of decision upon objection		Category appealed against	
Date of receipt of decision upon objection		Category contended by you	

Grounds of appeal	
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Signed	
	Appellant(s)/Authorised Agent/Solicitor * Cross out whichever is inapplicable

Date	
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PROCEDURE TO INSTITUTE AN APPEAL

1. The **Notice of Appeal** may be

- | | | | | |
|--|-------------|--|-------------|--|
| <p>(a) filed in person at –
The Registry
Land Court
Level 8
363 George Street
BRISBANE QLD 4000</p> | <p>OR -</p> | <p>(b) forwarded by post to –
The Registrar
Land Court
GPO Box 5266
BRISBANE QLD 4001</p> | <p>OR -</p> | <p>(c) filed by facsimile
Fax: 07 3247 4635</p> |
|--|-------------|--|-------------|--|

2. The appellant **must** within **7 days** after filing the **Notice of Appeal** serve on the respondent a copy of the **Notice of Appeal**.

3. The following is Section 89 of the *City of Brisbane Act 1924* -

Appeal against determination

89(1) If the **owner** of rateable land is aggrieved by -

- (a) the determination of an objection to the categorisation of the land;
or
- (b) the refusal by the decision maker to allow a further period to give a notice of objection;
the owner may appeal to the Land Court against the determination or refusal.

(2) The appeal must be instituted by filing a notice of appeal in the Land Court registry.

(3) The notice of appeal must -

- (a) be filed within 42 days after the owner received notice of the determination of the objection or the refusal; and
- (b) be in a form approved by the Land Court.

(4) A copy of the notice of appeal must be given to the decision maker within 7 days after the notice of appeal is filed in the Land Court registry.

(5) Failure to comply with subsection (4) does not affect the making of the appeal or the jurisdiction of the Land Court to determine the appeal, but costs of any adjournment caused by the failure may be awarded against the owner of the land.

The following is Section 988 of the *Local Government Act 1993* -

Where and how to start appeal

988(1) The appeal must be started by filing a notice of appeal in the Land Court registry.

(2) The notice of appeal must -

- (a) be filed within 42 days after the owner received notice of the decision or failure; and
- (b) be in a form approved by the Land Court.

(3) The owner must give a copy of the notice of appeal to the decision maker within 7 days after the notice of appeal is filed in the Land Court registry.

(4) Failure to comply with subsection (3) does not affect the making of the appeal or the jurisdiction of the Land Court to decide the appeal, but costs of any adjournment caused by the failure may be awarded against the owner of the land.