





**PLEASE ATTACH A COPY OF THE DECISION APPEALED AGAINST**

**List attachments:**

---

---

---

---

---

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

*This appeal must be signed by ALL the Applicant (s) or their Solicitor or Authorised Agent*

**NOTICE OF APPEAL**

**TO BE ADDRESSED TO:**

The Registrar  
Land Court  
GPO Box 5266  
BRISBANE QLD 4001

**OR DELIVERED TO:**

The Registry  
Land Court  
Level 8, 363 George Street  
BRISBANE QLD 4000

**OR FILED BY FACSIMILE:**

(07) 3247 4635

**The Applicant must file this Form with the Land Court and then serve a copy on the Chief Executive of DERM pursuant to ss. 11, 12 of the *Land Court Act 2000*.**

**EXTRACTS FROM Division 3 of Part 3 of Chapter 7 of the *Land Act 1994***

**427 Who may appeal**

A person who has applied for the review of a decision under division 2 and is dissatisfied with the review decision, may appeal to the court against the decision.

**428 Procedure for an appeal to the court**

- (1) An appeal to the court is started by filing written notice of appeal with the registrar of the court.
- (2) A copy of the notice must be served on the chief executive.
- (3) The notice of appeal must be filed within 42 days after the review notice day under section 426.
- (4) However, a regulation may provide a different period for particular decisions.
- (5) The court may, whether before or after the time for filing the notice of appeal ends, extend the period for filing the notice of appeal.
- (6) The notice of appeal must state fully the grounds of the appeal.

**429 Powers of court on appeal**

- (1) In deciding an appeal, the court has the same powers as the decision maker.
- (2) An appeal is by way of rehearing.
- (3) The court may—
  - (a) confirm the review decision; or
  - (b) set aside the review decision and substitute another decision; or
  - (c) set aside the review decision and return the issue to the Minister with directions the court considers appropriate.

**430 Effect of decision of court on appeal**

If the court substitutes another decision, the substituted decision is, for the relevant provision of this Act, taken to be the decision maker's decision.

### **431 Jurisdiction of the court**

The court has jurisdiction to hear and decide matters referred to the court by the Minister.

### **Schedule 2 Original decisions *section 423***

#### **Description of decision**

23A	about the allocation of a floating reserve
25(2)	about the unimproved value of a reservation
26(3)	about the boundaries of the land being resumed
26B(6)	about the value of commercial timber
58(3)	refusing a transfer
69(3)	about the unimproved value of land to be sold by a mortgagee in possession
109A(3)	imposing conditions on the approval for the simultaneous opening and closing of roads in deed of grant land
109B(4)	imposing conditions on the approval for the simultaneous opening and closing of roads in trust land or lease land
118(2)	excluding an applicant from a ballot or tender
127(7)	about the unimproved value of reclaimed land
130A(1)	about making a note in the appropriate register against a lease
155D(2)	reducing the term of a lease
160(3)	about whether the conditions of a lease have been fulfilled
168(5)	about whether the conditions of a lease have been fulfilled
170(3)	about the unimproved value or the timber value for the conversion to a deed of grant
176A(1)	refusal of approval of subdivision
176L(1)	refusal of approval of amalgamation
182(2)	about the category of a lease
212(3)	about a review change
214(1)	giving a remedial action notice
214E(2)	reducing the term of a lease
214E(2)	imposing additional conditions on a lease
222(6)	about compensation when a resumption is stopped
226(5)	about the value of improvements
232(5)	about the value of improvements
239(1)	not allowing the sale of a lease by a mortgagee
239(1)	not allowing the sale of a lease by a relevant local government
240C	forfeiting a lease
249(5)	about the value of improvements
322(6)	refusing a transfer
332(6)	refusing a sublease
347(4)	refusing an extension of time