Shire of Esperance

Request to Review Decision



Additional Information

DETAILS OF APPLICANT	(PLEASE PRINT IN BLOCE	KLETTERS)			
Last Name		First Name			
Residential Address	esidential Address			Pension Number	
Postal Address			Postcode		
Home ☎	Mobile 2	<u> </u>	Work ☎	Work ☎	
Email Address			Date of Birth		
Secondary Contact Name	Secondary Contact Name				
<u> </u>					
NOTE: ONLY THE ALLEGED BE WITHDRAWN IN CERTAI WITH THIS FORM					
Infringement Number:		Issue Date:			
Type of Infringement Issued	Dog	Parking	Litter	Other	
Offence Date		Time:			
Location Infringement Issued					
Vehicle / Dog Registration Number					
Reason for Review: Please read "Infringement Notice Review Guide" overleaf.					
NOTE: FAILURE TO PAY OR A		GEMENT WITHIN 28 D	AYS OF ISSUE MAY RES	ULT IN ADDITIONAL	
DECLARATION OF APPLI	CANT				
I hereby declare that the informathe circumstances leading to the			ect in every respect and I he	eby request a review of	
Signature:		Date:			
	collecting your personal in		ocess your application. This lition or as we are required to		
Office Use Only (please tick $\sqrt{\ }$)					
□ Withdrawn	□ Penalty R	Remains	Signed:		
(Delegation Reference)			Date:		

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Infringement Notice Review Guide

If you have been issued an infringement notice you may request to have a review of the decision to issue the infringement notice in accordance with the particular provision of the Local Law or State Act. You can appeal an infringement if it has been issued for an incident regarding:

- Dog
- Parking
- Litter
- Other

There are two stages to Council's appeals process.

Stage 1 - Local Review

- You have 28 days from the date the included notice was issued to lodge your appeal. Your appeal must be in writing (on the Request to Review Decision form)
- 2. The area of Council that issued the ticket investigates your appeal.
- After the investigation, Council sends you a letter advising that your Infringement Notice has been withdrawn or whether it stands and must be paid. You are also advised of your further review rights.

Stage 2 - External Review

If your infringement is upheld after **Stage 1** and you disagree with this decision, you have **two options:**

- Have your case heard in the Magistrates Court (refer to the back of the Infringement Notice for details of this process).
- 2. You can pay the fine and the matter is settled.

What Should I Include with My Appeal?

The information you provide with the application form will help us investigate your appeal. Depending on the type of infringement issued, you should try to include:

- Building approvals / private certifier documents
- Original 'Pay and Display' parking ticket
- Photographs or diagrams showing the exact location of the incident
- Statutory declarations from witnesses
- If you were not the driver of the vehicle at the time of the offence, you will need to provide a known user statutory declaration indicating who the driver was the time the infringement notice was issued, including name and contact details of the driver (Statutory Declaration form available from

http://www.australia.gov.au/information-andservices/public-safety-and-law/statutorydeclarations

- Copies of the permits or disabled permits not displayed at the time of the offence
- Vehicle repair receipt

- Written advice or an Offence Report from the Western Australian Police Service should include:
 - o Ticket or infringement number
 - Animal name, type and registration number
 - o Date of the incident
 - Name and address of the company or owner if different from your own
 - You will have to provide a statutory declaration to indicate you were not the driver or owner at the time
 - Vehicle registration number

Review of Appeal

The following defences may not be considered favourable by Council:

- Not aware of the legislation
- Misinterpretation / did not see signage
- Not familiar with the area
- No available parking and no valid reason for parking
- Being delayed at an appointment
- Stopping for a short time in a prohibited area (for example, stopping in a 'no stopping' area even if it is just to pick up or drop off passengers or goods)

If you believe you have extenuating circumstances beyond those mentioned above, or have sufficient justification for a review, Council will review your written appeal.