

Request to Review Decision



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

1. 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.
3. After the investigation, Council sends you a letter advising that your Infringement Notice has been withdrawn **or** whether it stands and must be paid.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**:

1. 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-and-services/public-safety-and-law/statutory-declarations>)
- 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:
 - Ticket or infringement number
 - Animal name, type and registration number
 - 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.