

Infringement Notice Review Request

If you have been issued with an infringement notice and believe that you have a legal defence, an exemption from the law, or there is an error on the infringement notice or there are exceptional circumstances, you may request to have the infringement notice reviewed. The review process does not negate nor detract from the option to have the matter heard in a magistrates Court however, a court election must be lodged within 28 days of the date of issue of the infringement notice. The recipient of the infringement notice should be aware that if they choose to have an internal review, the 28 day timeframe may expire before the decision date of the review. On these occasions, this timeframe may negate the option for a court election if the recipient does not agree with the internal review decision. Council endeavours to finalise parking infringement reviews within 28 days of receipt of the review application however this timeframe may vary dependant on circumstances.

Lodging your review

Please read the request for review guidelines before lodging a review application. You can lodge your request for review online via email enquiries@cassowarycoast.qld.gov.au with any evidence and additional information to:

Cassowary Coast Regional Council
PO Box 887
INNISFAIL QLD 4860

After the review is finalised, Council will send a written decision to your postal address to let you know if the fine stands or if it has been waived.

Request for review guidelines

Infringement notices are only withdrawn in extraordinary circumstances. Council reserve the right to refuse to withdraw an infringement notice at its discretion. Ignorance of the law and financial difficulties are not considered valid reasons for the withdrawal of an infringement notice.

The request for review must be submitted by the person issued with the infringement notice. For vehicle related offences, in most cases this will be the owner of the vehicle unless a user declaration has been supplied and another responsible person has been nominated.

Local review

Your request will be reviewed by a delegated officer of Council. You must lodge your request for review in writing within 28 days from the date the notice was issued.

Providing Evidence or additional information for your review

To help Council decide your case, it is important you provide sufficient supporting evidence when you lodge your request for review.

Depending on the type of infringement notice issue, you should try to include (where applicable):

- The grounds of any legal defence, exemption from the law, exceptional circumstances or error on the infringement notice;
- Photographs or diagrams showing the exact location of the incident
- Vehicle repair invoices, spare parts or towing receipt
- A copy of a valid parking permit or disability parking permit
- A statutory declaration from a witness. The form can be obtained from www.courts.qld.gov.au
- Written advice or a crime report from the Queensland Police Service
- The infringement notice or photocopy. If you don't have this, provide the:
 - Infringement number/s
 - Vehicle registration number
- Date and time of the incident.

Options after local review

After the review is finalised Council will send a letter to your postal address to let you know if the fine stands or if it has been waived. This will be Council's final decision on the matter.

If your fine stands after the review, your options will be:

- Pay the infringement notice in full to resolve the matter
- *Apply to make payments by instalment (for an infringement notice penalty of \$200 or more)
- *Elect to have your case heard in the Magistrates Court

*Note: Applications must be lodged within 28 days of the date of issue of the infringement notice.

Further Information

For further information contact Council at 1300 763 903 or email enquiries@cassowarycoast.qld.gov.au.