

## CASSOWARY COAST REGIONAL COUNCIL

### 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 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 below before lodging a review application. You can lodge your request for review with any evidence and additional information online by emailing [enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au) or post to Cassowary Coast Regional Council, PO Box 887, INNISFAIL QLD 4860.

After the review is finalised, Council will send a written decision to advise if the fine stands or if it has been waived.

#### **Request for Review Guidelines**

Infringement notices are only withdrawn in extraordinary circumstances. Council reserves 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.

#### **Parking Infringements**

Complete application to waiver parking infringement form [link](#).

For vehicle related offences, in most cases this will be the owner of the vehicle unless a user declaration (statutory declaration) has been supplied and another responsible person has been nominated.

#### **Other Infringements**

Application must be in writing and accompanied by a statement of the grounds on which you seek the review and be supported by enough information to enable the Council to decide the application.

#### **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 infringement 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 issued, 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 – [form](#).
- Written advice or a crime report from the Queensland Police Service.
- The infringement notice or photocopy. If you don't have a notice, provide the infringement number or vehicle registration number.
- Date and time of incident.

## Options after Local Review

After the review is finalised Council will respond to your request and advise 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 (only applicable for infringements of \$200.00 or more) <https://www.cassowarycoast.qld.gov.au/downloads/file/4384/infringement-notice-payment-options-fact-sheet>
- Elect to have your case heard in the Magistrates Court.

## Further information

For further information contact Council at 1300 763 903  
or email [enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au)

DSN: 3220687