

Appealing an Infringement

If you believe the penalty is not warranted, you can appeal it.

There are three stages within the appeal process:

- **Stage 1** - Local Level Review
- **Stage 2** - Council Delegated Independent Officer
- **Stage 3** - External Review

Appeals must be lodged within 28 days from when the Infringement Notice was issued.

To help you achieve the best outcome, it is important to supply evidence supporting your appeal. Depending on the type of Infringement issued, try to include:

- Statutory declaration from an eye witness
- Pay and display parking ticket or receipt (if applicable) or a certified copy
- Infringement notice or a photocopy. If you don't have this, please provide:
 - The infringement number
 - Vehicle registration number (if applicable)
 - Animal name, type and registration number (if applicable)
 - Name and current address of company or owner; if different from your own. You'll need to provide a statutory declaration to indicate you weren't the driver – (Mackay Regional Council can provide you with this form)
 - Date of the incident

Stage 1 - Local Level Review

Send an appeal form or appeal letter with any additional information or evidence to Mackay Regional Council.

After an investigation, Council will send a written decision to let you know if the penalty remains or if it has been waived.

Stage 2 - Council's Delegated Independent Officer

If the penalty stands after Stage 1, and you disagree with that decision, you can make an appeal to Council's Delegated Independent Officer. The Delegated Independent Officer can overturn or choose to uphold decisions reached during Stage 1.

Appeals at this level should be made within 14 days of the date on the letter advising the outcome of the Stage One appeal decision.

To assist with the investigation of the appeal, please supply any further supporting evidence that was not supplied during the Stage 1 appeal. Council's Delegated Independent Officer will review the new information and any other information supplied previously.

Send the additional information and a letter explaining your desire to seek a review by Council's Delegated Independent Officer to the CEO at Mackay Regional Council.

Council's Delegated Independent Officer will let you know in writing if the penalty still stands or if it has been waived.

Stage 2 is Council's final decision on the appeal.

Stage 3 - External Review

If you have exhausted Stages 1 and Two, the penalty still stands, and you disagree with the decisions, you can seek an External Review.

The External Review is conducted through the Magistrates Court. See the back of the infringement notice for details.



Regulated Parking Infringement Appeal

Received: ___/___/___

(PLEASE PRINT CLEARLY USING BLOCK LETTERS)

TICKET NUMBER: _____ DATE OF ISSUE: ___/___/___ VEHICLE REGO NO: _____

NAME: (SURNAME): _____ GIVEN: _____

RESIDENTIAL ADDRESS: (NO): _____ (STREET): _____
(SUBURB): _____ (P/C): _____

POSTAL ADDRESS: _____ (SUBURB): _____ (P/C): _____

TELEPHONE: _____ MOBILE: _____

Note - If the owner is not the person who was in charge and control of the vehicle at the time of the alleged offence, the driver in charge and control will need to complete the following declaration.

OTHER KNOWN USER DECLARATION

I, _____ of _____

declare that on ___/___/___ the date of the alleged commission of regulated parking infringement number in relation to vehicle registration no _____, the vehicle was in charge and control of: _____.

Name: _____

Address: _____

Phone: (Home) _____ (Mobile) _____

Signed: _____ Date: ___/___/___

PRIVACY DISCLAIMER

Mackay Regional Council is collecting your personal information in order to process your application. This information will only be disclosed to any other third party with your written authorisation or as we are required to by law

REASONS FOR APPEAL

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(If insufficient space, please use reverse side of form. To assist us in considering your appeal, please include any further evidence Which may help.

APPEAL DECLARATION

I hereby declare that the information provided by me on this form is true in every respect and I hereby request a review of the circumstances leading to the issue of the above ticket and the cancellation of the ticket in light of reasons given by me for my appeal above.

SIGNED: DATE:/...../.....

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Mackay Regional Council is collecting your personal information in order to process your application. This information will only be disclosed to any other third party with your written authorisation or as we are required to by law

Prior to any further action being taken by Council on this parking infringement notice you will be advised in writing to the address supplied by you above of the outcome of your appeal.

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OFFICE USE ONLY

WAIVED (Guideline:) PENALTY REMAINS

SIGNATURE: DATE:/...../.....