



Application for Penalty Infringement Notice (PIN) Review

Privacy Notice: Mackay Regional Council is collecting this information to process your Application. If required, Council may provide your details to a collection agency that has been employed by Council for the recovery of unpaid fees. In all other circumstances, this information will only be disclosed to a third party with your written authorisation or as required by law

P: 1300 622 529 | **E:** council@mackay.qld.gov.au | **F:** 07 4944 2400 | PO Box 41 Mackay QLD 4740 | **ABN:** 56 240 712 069
CS Centres: Mon-Fri, 9:00am-4:00pm | Civic Precinct, Gordon St, Mackay | 65 Broad St, Sarina | 20 Victoria St, Mirani

For your application to be assessed you must:

- Complete all relevant sections; and
- Provide all supporting information referred to on this form.

Please ensure you consider the Prescribed Infringement Notice Review Guidelines prior to submitting your form.

Contact council if you have any specific enquiries regarding fees or how to complete this form. Please type or print clearly and select boxes where applicable. Enter "n/a" if the question does not apply.

SECTION A – APPLICATION TYPE

- | | |
|---|---|
| <input type="checkbox"/> PARKING | <input type="checkbox"/> ANIMAL |
| <input type="checkbox"/> DEVELOPMENT COMPLIANCE | <input type="checkbox"/> HEALTH |
| <input type="checkbox"/> ENVIRONMENTAL PROTECTION | <input type="checkbox"/> OVERGROWN / UNTIDY ALLOTMENT |
| <input type="checkbox"/> WATER | <input type="checkbox"/> OTHER |

SECTION B – APPLICANT DETAILS

Title: Mr Mrs Ms Miss Other:

Family Name:

Given Name/s:

Residential Address:

Suburb:

Post Code:

Postal Address:

Suburb:

Post Code:

Home Phone:

Work Phone:

Mobile:

Email:

SECTION C – INFRINGEMENT DETAILS

Infringement Number/s:

Infringement Issue Date/s:

Infringement Offence Details:

Have you previously lodged a request for review about this infringement with Council? Yes No

Vehicle details, if applicable:

Vehicle Details:

State of Registration:

SECTION D – REVIEW DETAILS

Please provide your reasons for requesting PIN review

SECTION E – APPLICANT CHECKLIST & DECLARATION

Evidence attached (evidence to support your application must be attached for a review to be considered)

Statutory declaration attached (if required)

- I declare the information provided in this application to be true and correct;
- I hereby request a review of the circumstances leading to the issue of the above penalty infringement notice.

Applicant Name:

Signature:

Date:

OFFICE USE ONLY

PIN waived

Penalty remains

Delegation reference:

Signature:

Date:

Prescribed Infringement Notice (PIN) Review Guidelines

If you have been issued a Prescribed Infringement Notice (PIN) you may appeal 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 a PIN if it has been issued for an incident regarding:-

- Parking
- Animal
- Environment
- Development Compliance
- Health
- Stormwater
- Water
- Overgrown/Untidy Allotment

There are **three stages** to Council's appeals process, two internal and one external, as outlined below.

Stage 1 – Local Review

1. You have **28 days** from the date the ticket (PIN) was issued to lodge your appeal. Your appeal must be in writing (on the applicable Application for Review Form).
2. The area of Council that issued the ticket investigates your appeal.
3. After the investigation, Council sends you a letter advising if your PIN has been waived or whether it stands and must be paid. You are also advised of your further review rights.

Stage 2 – Review by Council's Delegated Independent Officer

1. If your PIN stands and you disagree with the decision from Stage 1, you can appeal the decision to Council's Delegated Independent Officer. This is an independent officer within Council that has the ability to overturn or uphold decisions reached during Stage 1.
2. Your appeal must be in writing (on the applicable Application for Review Form) and should include the letter from Council in Stage 1. It should be made within **14 days** of the date of Council's letter advising that your PIN stands. You can include new information or evidence that might help your appeal.
3. Council's Delegated Independent Officer investigates your appeal. This may include examining relevant files, interviewing people or requesting additional information.
4. Council's Delegated Independent Officer sends you a letter advising the results of the investigation and whether your PIN stands or whether it has been waived. You are also advised of your further review rights. This is Council's final position on the matter.

Stage 3 – External Review

If your ticket stands after Council's Delegated Independent Officer has investigated your appeal in Stage 2 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 ticket 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 PIN issued, you should try and include:-

- Building approvals/private certifier documents
- Original Pay and Display parking ticket
- Photographs or diagrams showing the exact location of the incident
- Statutory declaration from witness/es
- 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 at the time of the infringement notice was issued including name and contact details of the driver.
- Copies of permits or disabled permits not displayed at the time of the offence
- Vehicle repair receipt
- Written advice or a crime report from the Queensland Police Service
- The ticket or PIN you were issued (or a photocopy). If you don't have this information, you should include:-
 - Ticket or infringement number
 - Animal name, type and registration
 - numberDate of the incident
 - Name and address of 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 nor 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)

However if you believe you have extenuating circumstances beyond those mentioned above, or have sufficient justification for a review, Council will still review all written appeals.

How can I pay the infringement?

Payment can be made at any of Council's Client Service Centres located at Mackay, Mirani or Sarina. Payment is also able to be made via Council's website www.mackay.qld.gov.au (select Online Services) or phone payment by calling 1300 MACKAY. Payment by cheque or money order can also be posted to Mackay Regional Council, PO Box 41 MACKAY QLD 4740

How can I find out more?

You can find out more by visiting Council's website www.mackay.qld.gov.au or phone Council on 1800 MACKAY.

Civic Precinct, Gordon Street
PO Box 41 Mackay | QLD 4740 | Australia

Phone **1300 MACKAY** (1300 622 529)
Fax **07 4944 2400**

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