

# Parking infringement information sheet

Our parking restrictions are in place to ensure safe, fair and convenient access to services and facilities for all of the community.

Keep in mind these six basic rules when parking to help avoid an infringement:

- Make sure you take time to read the parking sign carefully
- Check that you know the times you are allowed to park and allow yourself time to return before parking expires
- Ensure you have parked your vehicle within the lines or area permitted, clear of obstructing any driveways
- Ensure your valid parking session is activated or ticket is clearly displayed before leaving your vehicle
- Ensure your valid Residential or Visitor parking permit is clearly displayed
- If you are unsure, take the time to familiarise yourself with the local laws which apply in the City of Subiaco. These laws can be viewed on the city's website.

The city provides a range of short and long term parking facilities at various fee scales. For car park information and maps, please visit [www.subiaco.wa.gov.au](http://www.subiaco.wa.gov.au)

## **Parking infringement disputes**

### **Policy statement**

The city aims to provide a high quality service to the public to ensure equity of access and for regulating and directing the movement and parking of vehicular traffic. The city will avoid using traffic management practices as a primary source of revenue, promote good public relations at all times and ensure a fair, efficient, helpful and friendly service.

### **Policy application**

Persons contravening parking local laws will receive infringement notices with which they will be expected to comply. Infringements will be enforced by the city utilising the Fines Enforcement Registry or the Magistrates Court if so elected by the recipient.

Infringement notices will be issued under reasonable circumstances and will not be issued over trivial matters or when a warning notice is more appropriate. An infringement notice issued under reasonable circumstances may be reviewed if the recipient claims special circumstances led to the offence.

The circumstances where an infringement may be withdrawn include:

- a hospital emergency
- the vehicle was stolen
- a car accident emergency, or
- a broken down vehicle emergency (if possible, remain with the vehicle to explain the circumstances to the issuing officer).

The circumstances where an infringement will not be withdrawn include:

- doctor's appointment went overtime
- hairdresser did not finish on time
- theatre ran overtime
- restaurant service was slow
- a phone call was too important
- meeting with a client went overtime
- was unaware of the local laws or regulations relating to parking
- did not see sign
- sign was confusing, or
- did not know that Football Parking Restrictions applied.

## **Requesting a parking infringement be withdrawn**

If you receive a parking infringement and believe it is incorrect or there are circumstances related to the infringement that should be considered, the City of Subiaco offers the opportunity to seek a review of that decision.

Parking infringement disputes are reviewed by qualified and experienced persons offering an impartial assessment in relation to Council policy and local laws and the evidence provided by the applicant.

This initiative enables parking infringement recipients the opportunity to request an infringement be withdrawn through a thorough, fair and equitable review process prior to considering alternate remedies such as electing to have the matter referred to the Magistrates Court.

A request to withdraw a parking infringement may either be submitted through the city's online dispute form at [www.subiaco.wa.gov.au](http://www.subiaco.wa.gov.au) or in writing to:

Chief Executive Officer  
City of Subiaco  
PO Box 270  
SUBIACO WA 6904

A request to withdraw a parking infringement must be lodged as soon as practicable after the issue date to avoid further fees that may be incurred once the infringement becomes overdue. Outstanding parking infringements that have progressed to the Fines Enforcement Registry (FER) are not eligible for review.

The city will only accept a request from the driver of the vehicle to which the infringement relates. A request will not be accepted verbally by phone or in person at the Administration Centre. Canvassing of representatives of the city **will exclude a request from being considered.**

**A written request to withdraw a parking infringement must** include the following information;

- name and address
- infringement number
- date of notice
- vehicle registration number
- copies of all relevant supporting documentation and evidence
- an explanation of why you believe the infringement notice should be reviewed.

It is advisable to retain a copy of all correspondence sent for your own records until the matter is resolved.

It is important that when requesting a parking infringement be withdrawn that accurate and detailed information as well as supporting evidence is included in the request. Failing to include supporting evidence and accurate information may limit the city's opportunity to offer a thorough review process.

## **Supporting evidence**

### ***Breakdown vehicles***

A request to withdraw a parking infringement where the vehicle was allegedly broken down must be accompanied by supporting evidence. For example a report from a reputable vehicle road side assistance company, an authorised mechanic or a vehicle towing company.

### ***Stolen vehicles and vehicle accidents***

A request to withdraw a parking infringement where the vehicle was allegedly stolen or involved in an accident must be accompanied by supporting evidence from the Western Australian Police in the form of a Police Report specifically listing the stolen vehicle.

### ***Hospital emergency***

A request to withdraw a parking infringement where the recipient of a parking infringement was attending Princess Margaret Hospital or King Edward Memorial Hospital as a patient or visitor in an extreme medical emergency is reviewed by the Metropolitan Access and Parking Department (MAPD), a division of the Department of Health.

Please request the relevant form from the city and submit it to MAPD. Following a review of the circumstances in relation to the medical emergency, MAPD will send a report to the city which may be considered when reviewing a request to withdraw a parking infringement.

### ***Medical emergency***

A request to withdraw a parking infringement where the recipient of a parking infringement was attending a hospital other than Princess Margaret Hospital or King Edward Memorial Hospital as a patient or visitor or was involved in an extreme medical emergency must be accompanied by supporting evidence from the respective hospital or medical practitioner. For example a doctors certificate or patient report.

### ***Statutory declarations***

Statutory declarations from third parties or witnesses may be accepted as additional evidence in relation to the above circumstances. These declarations will not be regarded as evidence in their own right, but rather as supporting documentation. Penalties apply for making a false or misleading declaration.

## **Reviewing a decision**

The review process offers parking infringement recipients an opportunity to request a parking infringement be withdrawn.

The matter will be reviewed within ten working days and you will be notified of the result in writing. If you are successful, the infringement will be withdrawn and no further action will be taken. If you are unsuccessful, you will be advised of your options.

If you do not wish to accept the modified penalty you may elect to have the infringement proceed before a Magistrates Court for determination.

A request to have a matter referred to the Magistrates Court must be in writing, addressed to the Chief Executive Officer.