

4.2 Parking Infringement Reviews

Policy Statement

Motorists who contravene the parking local laws may receive infringement notices which they are expected to comply with and which will be enforced.

While not legislatively required, the City of Subiaco recognises that it is best practice to offer motorists an opportunity to request a review of an infringement notice that they have been issued.

The City aims to provide a high level of customer service that is fair and transparent.

Policy Scope and Application

This policy applies to all motorists that have received an infringement.

Infringement notices may be reviewed if the motorist claims special circumstances led to the offence. Infringement notice reviews are an evidence based process and will be deliberated against the appropriate local laws and Acts under which the penalty was issued or to which it relates, with consideration given to supporting evidence and statements submitted by the recipient. A review of an infringement notice will determine if the penalty should be withdrawn or upheld.

The circumstances where an infringement may be withdrawn include, but are not limited to:

- A broken down vehicle emergency
- A car accident emergency
- A hospital emergency, or
- The vehicle was stolen.

An infringement cannot be reviewed if the matter has been referred to a Magistrate or if it has been referred to the Fines Enforcement Registry for collection.

An infringement may only be reviewed by an appropriately authorised and experienced officer and may only be withdrawn in line with Council delegations.

Related Sources

- *Local Government Act 1995*
- *City of Subiaco Parking Facilities Local Laws*
- *Road Traffic Code 2000*
- *Oaths, Affidavits and Statutory Declarations Act 2005*
- *Criminal Procedure Act 2004*
- *Fines, Penalties and Infringement Notices Enforcement Act 1994*

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	N/A	
Council Adoption	Meeting Date	20 April 2021
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	