

Application for Parking Infringement Notice Withdrawal

Relevant legislation

Parking Infringement Notices are issued generally under the Road Rules (Tasmania) 2019. An Application for Parking Infringement Withdrawal is provided for and guided by the *Monetary Penalties Enforcement Act 2005* on applying to the issuing authority (Glenorchy City Council) who will then review an Application.

Reasons we won't consider

A person who applies for the withdrawal of a Parking Infringement Notice based on the following reasons is very unlikely to be successful in their application:

- The vehicle operator was new to the Glenorchy area,
- The vehicle operator was not aware of the relevant road rule, or that it was an offence,
- An appointment or meeting ran overtime,
- The vehicle operator didn't notice, or misread a parking sign,
- The vehicle operator left a signed parking area and then returned to park in another parking space in the same area (Road Rule 369),
- The vehicle operator failed to, or incorrectly displayed a transferable parking permit,
- The vehicle ran out of fuel or battery charge,
- A vehicle that had vehicle issues and wasn't towed was left parked and exceeded a parking time limit.

Reasons we will consider

A person who applies for the withdrawal of a Parking Infringement Notice based on the following reasons *may* be successful in their application:

- the infringement notice was issued unlawfully or incorrectly,
- there were exceptional circumstances outside of the operator's control that led to an offence being committed. This includes a medical emergency, an injury or illness posing an immediate risk to a person's life or long-term health, or a vehicle that broke down and was towed.

Was another person driving your registered vehicle?

The registered owner of a vehicle is responsible for offences committed with the vehicle unless evidence is provided to show that another person was operating the vehicle at the date and time of the offence.

A registered vehicle owner to whom this applies must complete a Statutory Declaration providing the details of the person who was operating the vehicle at the date and time of the offence, and also notify Council within 14 days. Statutory Declaration forms can be obtained from Council's Customer Service Centre at 374 Main Road, Glenorchy, or from the Department of Justice website at:

https://www.justice.tas.gov.au/forms/statutory_declarations

Response to Applications

Council will carefully review, investigate, and consider all applications.

Council endeavours to provide responses to applicants by email, letter, or phone within 10 business days.

Whilst most applications can be assessed and finalised promptly, some others may take extra time. Council aims to keep applicants informed about the progress of an application and if it is likely to take longer than expected to review.

How to Apply

If a person believes that they have a justifiable reason of merit for committing an offence under the Road Rules (Tasmania) 2019, - in line with the information in this document, they can apply for the withdrawal of a Parking Infringement Notice on the approved form on Page 3 of this document.

How to Pay an Infringement Notice

Payment options are outlined on the reverse side of the Infringement Notice "ticket", and are available as follows:

- online via BPoint (visit gcc.tas.gov.au),
- in person at any Tasmanian post office,
- cheque or money order made payable to 'Glenorchy City Council' enclosed with the Infringement Notice (or quote the Infringement Notice number), sent to PO Box 103, Glenorchy, Tasmania 7010
- in person or by phone (03 6216 6800) to Council's Customer Service Centre, 374 Main Road, Glenorchy, between 8.30am and 5.00pm, Monday – Friday.



Form - Application for Parking Infringement Notice Withdrawal

PLEASE PRINT CLEARLY AND PROVIDE AN AUSTRALIAN RESIDENTIAL ADDRESS

INFRINGEMENT INFORMATION:

Infringement No.:		Infringement Date:		Vehicle Registration Number:	
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CONTACT DETAILS:

Title:		Given Names:	
Surname:		Date of Birth:	
Mobile Phone No.:		Home Phone No.:	
Work Phone No.:		Email:	

RESIDENTIAL ADDRESS:

Unit/Street No.:		Street:					
Suburb:				State:		Postcode:	

POSTAL ADDRESS (IF DIFFERENT TO RESIDENTIAL ADDRESS):

Unit/Street No.:		Street:					
Suburb:				State:		Postcode:	

STATEMENT OF REASONS: (reasons why the Infringement Notice should be withdrawn) - submit any supporting evidence to verify the reasons.

DECLARATION:

I hereby declare that the information I have completed on this form is truthful and correct, and by signing I also authorise Glenorchy City Council to update my details listed within this form.

Name:		Date:	
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Signature:	
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OTHER INFORMATION:

Under the *Monetary Penalties Enforcement Act 2005*, if an Application for Parking Infringement Notice Withdrawal is refused, the remaining options available for dealing with an Infringement Notice are:

- pay the monetary penalty in full; or
- apply to Council for a variation of payment conditions (extension of time to pay or payment arrangement); or
- lodge a notice of election for a court hearing.

PRIVACY NOTICE:

Council collects personal information to carry out its operations as a Tasmanian Local Government. This personal information may be used for other purposes permitted by law. The information may be shared with contractors and agents of the Council for this purpose, law enforcement agencies, courts and other organisations.

You do not have to provide your personal information but if full information is not provided the Council may be unable to action your application or request.

You can find out more about how the Council manages personal information and how you can request access or corrections to it in the Council’s Privacy Policy available on the Council website or on request.