

# Statutory or Local Law Infringement Internal Review Application



GREATER  
SHEPPARTON

If you have received an infringement notice from the Local Laws and Animal Management Unit you can apply to have the infringement notice reviewed by a Council Authorised Officer.

Please note;

- only one internal review form per infringement notice,
- only one infringement notice per application form,
- evidence is required to support your application,
- ensure that you complete all required fields or your application may be invalid. (It is important you provide your most current address and contact details so that we can contact you about your application if required.)

## Applicant's Details (The person making the application)

- Person named on the infringement notice       Other person with written consent (must have document in writing with this authorisation)       Authorised company representative

Name .....

Name of business (if applicable) .....

Address .....

Postal Address .....

Contact numbers: Private ..... Business .....

Mobile ..... Fax.....

Email.....

I understand that this is the ONLY internal review for this infringement that I am able to submit pursuant to s22(2) of the *Infringements Act* 2006. I declare that the information that I have supplied is true and correct to the best of my knowledge. I understand that by making a false or misleading statement in support of this claim, I may be prosecuted.

Signature ..... Date .....

Infringement notice number (only one per application).....

Name of person on infringement notice .....

## Grounds for Application - Please tick the relevant box only \*. Refer to descriptions on back of this form.

- |   |  |
|---|--|
| <input type="checkbox"/> You had <b>exceptional circumstances</b> (description 1)                                     | <input type="checkbox"/> The decision was <b>contrary to law</b> (description 2)           |
| <input type="checkbox"/> You had <b>special circumstances</b> (description 3)   | <input type="checkbox"/> There has been a <b>mistake of identity</b> (description 4)       |
| <input type="checkbox"/> You were <b>unaware of the notice</b> and it was not personally given to you (description 5) | <input type="checkbox"/> <b>Penalty Reminder Notice Fee Waiver request</b> (description 6) |

## Attach an explanation of your circumstances and ground(s) in support of your application

### How do I submit my application?

Please return the completed form and any your supporting evidence before the due date to:

#### BY MAIL

Please attach a completed application form and supporting evidence and mail it to;

Greater Shepparton City Council, Locked Bag 1000, SHEPPARTON VIC 3632.



#### IN PERSON

Please complete an application form, attach supporting evidence and present between 8.15am and 5.00pm, Monday to Friday at the Council offices, 90 Welsford St., Shepparton.



### Greater Shepparton City Council

Local Laws and Animal Management department

Locked Bag 1000, Shepparton 3632

90 Welsford Street, Shepparton 3630

Ph: (03) 5832 9700 Fax (03) 5831 1987 Email: [council@shepparton.vic.gov.au](mailto:council@shepparton.vic.gov.au)

[www.greatershepparton.com.au](http://www.greatershepparton.com.au)

ABN 59 835 329 843



# Information

## DO YOU UNDERSTAND YOUR INFRINGEMENT NOTICE OR PENALTY REMINDER NOTICE?

You may get advice from the following options:

- A lawyer
- Victorian Legal Aid ([www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au))
- A Registrar of the Children's Court

**Where can I get more information?** Please refer to Council website for more information: [www.greatershepparton.com.au](http://www.greatershepparton.com.au)

### Description of relevant grounds for internal review appeal

If you have been served with an infringement notice or a person acting on your behalf with the first-mentioned person's consent, may apply to Council for an internal review of the decision to serve the infringement notice if you believe:

#### 1 Exceptional circumstances

Please provide details of the exceptional circumstances (where you have committed the offence due to unforeseen or unpreventable circumstances eg: medical emergencies).

#### 2 Contrary to Law

Please provide the reasons why you consider the decision to issue you with an Infringement was unlawful (eg: the Infringement was not valid).

#### 3 Special circumstances

Special circumstances includes;

- a mental or intellectual disability, disorder, disease or illness
- a serious addiction to drugs, alcohol or volatile substance
- homelessness, or
- family violence within the meaning of the Family Violence Protection Act 2008.

You must provide evidence (eg: letter, report, statement) from one of the following parties to support your application.

- A case worker, case manager or social worker
- A general practitioner, psychiatrist or psychologist, or
- An accredited drug treatment agency.

Evidence (eg: letter, statement or a report) from practitioner or case worker should include the following information:

The practitioner/case worker's qualification and relationship to you, including the period of engagement

The nature, severity and duration of your condition or your circumstances:

- Whether you were suffering from the relevant condition or circumstances at the time the offence was committed, and
- Whether, in the opinion of the practitioner/case worker, it is more likely than not that your condition/circumstances resulted in your inability to understand or control the conduct constituting the offence.

The practitioner or agency report must show that because of your condition/situation you could understand or control constituting the offence.

#### 4 Mistaken Identity

Please provide an explanation of why you rely on the ground of mistake of identity (including evidence eg: copy of your driver's licence, in support).

#### 5 Person Unaware of Fine

An application made on the ground of 'person unaware' must:

- be made within 14 days of you becoming aware of the infringement notice (You may evidence the date that you became aware of the infringement notice by executing a statutory declaration)
- state the grounds on which the decision should be reviewed, and
- provide your current address for service.

#### 6 Penalty Reminder Notice Fee Waiver Request

Please provide the reason(s) why you believe the Penalty Reminder Notice Fee should be waived. Note: The original penalty amount is still applicable under this request.

### What happens after I apply?

Council will review your request within 90 days of receiving your application. It may take longer if you're asked to provide additional information. Your application for internal review will be assessed based on the information and evidence you provide to support your claim. Once a decision has been made, you'll receive notice of the outcome in the mail.

### Can Council request more information?

Council may request in writing any additional information which it requires to conduct a review from the applicant. If Council has requested additional information from you, within 14 days from the date of the request, you must provide the additional information; or if additional time is required, may request in writing an extension of time to provide the additional information.

### What are the possible outcomes of an internal review? Council can decide to:

- withdraw the fine and take no further action against you;
- withdraw the fine and issue an official warning instead;
- waive or vary any additional steps imposed by the fine;
- waive or vary any fees associated with the fine;
- confirm its decision to issue you with the fine;
- approve a payment arrangement; or
- refer the matter to the Magistrates' Court (or the Children's Court if you are under 18).

If the review is refused, you'll receive a notice in the mail to confirm: Council's decision; how much you need to pay; and when you need to pay it by.