

## Application to Waive Parking Infringement Notice (PIN)

Applications must be lodged **within 28 days of infringement date**

### Applicant Details

Applicant's Full Name:		
Postal Address:		
Daytime Contact Phone #'s:		
Email:		
Registration Details:	Number:	State:
Are you the registered owner of the vehicle?	Yes <input type="checkbox"/> No <input type="checkbox"/> <b>If No:</b> The registered owner must lodge a statutory declaration naming you as the responsible driver prior to you submitting your appeal. Link to Queensland Statutory Declaration Form - <a href="#">Click Here</a>	

### Infringement Details – One Application to Waive PIN must be completed per infringement notice.

Infringement #:	Date of Offence:
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### Grounds for Appeal – Please refer to the list of reasons not accepted on reverse of this form.


### Supporting Documents - Please provide any relevant supporting documentation when submitting this form. This may include:

Statutory Declaration <input type="checkbox"/>	Proof of Payment – Ticket Purchased <input type="checkbox"/>	Valid Permit <input type="checkbox"/>
Letter from Hospital / Doctor <input type="checkbox"/>	Police Report <input type="checkbox"/>	Towing Invoice <input type="checkbox"/>

### Declaration

I hereby declare that the information provided by me on this form is true and correct in every respect and I hereby request the withdrawal on the above Penalty Infringement Notice.

I hereby acknowledge that the submission of a request to waive a Penalty Infringement Notice/s will not pause the timeframe to elect to have the matter heard before the Magistrates Court in accordance with Section 22(1) of the *State Penalties Enforcement Act 1999*, being twenty-eight days (28) after the date of the infringement notice.

Signature	Date
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**Completion of this form in no way guarantees waiver of the infringement notice.**

## General Information

Please complete all sections on page 1 to lodge an appeal. Incomplete or forms without all necessary information and documentation will result in your application being rejected.

### The appeal review is assessed on the following grounds:

- Did the offence occur? (The facts and particulars of the offence are correct);
- Has the infringement been issued to the correct person? If not, then the registered owner must nominate the driver responsible providing full name and residential address; or
- Where the circumstances that led to receiving a parking infringement notice was beyond the control of the driver (exceptional circumstances).

### Grounds of appeal not considered for waiver of infringement:

- You did not understand the parking sign - the signs are based on Australian Standard.
- Being unaware of the law or disagreeing with the law.
- Not having coins or other payment method to insert into the machine immediately upon parking.
- User error in activation, zone selection or in licence plate entry when using the EasyPark application.
- Time purchased insufficient to allow for unexpected delays.
- Paid ticket not displayed or is not clearly displayed.
- Parking or stopping (includes brief periods) in a restricted area or zone without the appropriate permit, e.g. Disability, Commercial Load, Bus, Taxi, No Parking or No Stopping zones.
- A vehicle classed commercial use for registration purpose with Queensland Transport does not entitle the vehicle to park in Commercial Loading Zones. Only Utilities (including dual cabs), panel vans and vans without rear passenger seats and/or seat belts do not require a Commercial vehicle parking permit.

### Cairns Regional Council may consider the withdrawal of a PIN if you can demonstrate any of the following occurred at the time of the offence:

- Your vehicle was broken down.
- You were involved in a medical emergency.
- You were issued with a PIN as the registered owner of the vehicle that at the time of the offence, had been sold or stolen, or was under the "permitted" control of another person (Statutory Declaration) required.

## Faulty Ticket Machines

For Council to withdraw an infringement notice based on a faulty ticket machine there must be a record of you reporting the faulty machine.

**In all instances, you should try to include evidence to support your reason for appeal. The information you provide assists Council Officers to make an informed and fair decision.**

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## SUBMITTING YOUR APPLICATION: Options

1. In person – Council's Customer Service Centre, 119-145 Spence St Cairns
2. By email – Email to [regadmin@cairns.qld.gov.au](mailto:regadmin@cairns.qld.gov.au)
3. By mail – Post to PO Box 359 Cairns QLD 4870

### Cairns Regional Council – Information Privacy Statement

Your personal information has been collected for the purpose of assessing your Application. The collection of your information is authorised under the *Local Government Act 2009*. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.