



Application for Making a Claim Against Council for Alleged Loss or Injury

Information: Council's Procedure for Determining a Claim

Council will investigate the claim and gather information relating to the circumstances of the incident, the extent of the hazard, any factors that contributed to the formation of the hazard and the evidence presented by the claimant.

If Council believes it has not been negligent, it reserves its right to deny the claim in line with the provisions of the *Civil Liability Act 2002*.

If Council accepts a claim, in full or in part, Council will only compensate for the agreed loss once it has conducted due diligence and processed this application and accompanying evidence.

Determination of claims made relating to the roads listed below are made in consultation with Transport for NSW and within the bounds of standard conditions of settlement imposed by that authority:

- *Council works under contracts with RMS for State roads include the Kings Highway, Braidwood/Goulburn Road and Sutton Road.*

If a claim relates to a site or project managed by a Council contractor, the claim may be referred to the contractor for consideration and/or determination.



Instructions

(Please complete the claim form on the following pages)

For Council to consider a claim by a third party for an alleged loss, the claimant is required to do the following:

1. Put the claim in writing. The letter / email should include as much detail as possible about the incident, such as:
 - Date / Time
 - Circumstances
 - Conditions (e.g. weather, traffic, other)
 - Exact location of the incident. If due to a road failure, please include number of kms from nearest landmark (e.g. property number, bridge or cross street etc)
 - Name of road and locality
 - Direction of travel
 - Photographic evidence of the hazard the claimant believes caused the loss
 - Photos of the item allegedly damaged
 - Witness details and/or statements

You will also need to provide:

- At least two quotes for repairs to the damaged item (if applicable)
- Medical reports on any injuries (if applicable)
- An explanation as to why the claimant believes Council is responsible.

The information relating to the claim should be forwarded with a covering letter with the application and any attachments to:

By Post: Legal Queanbeyan-Palerang Regional Council PO Box 90 Queanbeyan NSW 2620

Or

By in-person delivery to Council customer service centres at Queanbeyan, Bungendore or Braidwood during business hours (8.30am-4.30pm Monday-Friday)

By email: Council@qprc.nsw.gov.au

Note: If sending by email, the maximum attachment size is 10 MBs



Claim Against Council for Alleged Loss or Injury Claim Form

Name of Claimant:

Address of Claimant

Email Address:

Company Name (if applicable):

Company Address (if applicable):

Company ABN (if applicable):

Date/Time of incident:

Exact location of the incident. If due to a road failure, please include number of kms from nearest landmark (e.g. property number, bridge, park or cross street etc.):

Lot Number DP (if applicable)

Name of road and locality:

Direction of travel:



Circumstances

Conditions (e.g. weather, traffic, other):

An explanation why the claimant believes Council is responsible.



Attachments

I have attached photographic evidence of the hazard

Photos of the item alleged damaged or injury

Witness details and/or statements

At least two quotes for repairs to the damaged item (if applicable)

Medical Evidence (if applicable)

Signature of Applicant:

Date of application:

For Council Use Only:

Date Received:

Matter Number:

ECM Reference: