

If you wish to report an incident and do not intend to make a claim for damages against Gympie Regional Council, you should contact us on 1300 307 800.

This Notice of Incident and Claim form must be used if you wish to claim for property damage or loss you believe to be the result of the negligent actions or omissions of the Gympie Regional Council. This form should be completed and returned to the Gympie Regional Council **within 30 days** of the incident.

This form is set out in five steps:

Step 1 – provides important information and a privacy statement – please read before proceeding.

Step 2 – provides space for you to set out information about the circumstances of the incident.

Step 3 – provides space for you to set out details of any claim for damages you may wish to make against Council.

Step 4 – provides important information about disclosure of information to other organisations.

Step 5 – signed declaration by the person making the claim.

Step 1 – Important Information and Privacy statement

If you believe you have sustained personal injuries as a result of this incident, you should not complete this form. You should seek independent legal advice as time limits may apply.

The Gympie Regional Council is not liable for loss or damage arising out of all incidents on Council owned or maintained roads. In particular, the Council is unlikely to be liable for compensation where, in accordance with the relevant legislation such as the provisions of the *Civil Liability Act 2003 (Qld)*:

- property damage is sustained from a road if the Council had no prior knowledge of the hazard;
- failure to inspect and repair a road in the circumstances when there was no prior knowledge of the hazard in question.

Please note – This form and the following supporting documents need to be provided before any claim can be considered:

- photos of damage;
- two quotes for repair, or a copy of the paid tax invoice will be required;
- any other evidence of the damage or loss incurred.

Privacy statement

The information disclosed by you in the Notice of Incident and Claim form may be used to: investigate the incident, consider and respond to a claim (including in the course of legal proceedings), to take any necessary remedial action in respect of the road and/or infrastructure and for the purpose of analysing incidents and planning and implementing risk management and safety measures. We may disclose any information you provide to our insurers and advisers, including investigators and legal advisers, and to any other organisation we consider might have responsibility in respect of this incident. You have a right of access to information we collect about you. For further information, view our privacy policy at <https://www.gympie.qld.gov.au/> or contact the Gympie Regional Council on 1300 307 800.

Where to send your Notice of Incident & Claim form, with supporting documents:

Via mail to:

Gympie Regional Council
PO Box 155
Gympie QLD 4570

Deliver to:

Customer Service Centre
Town Hall
2 Caledonian Hill
Gympie

Scan and email to:

council@gympie.qld.gov.au

Step 2 - Notice of incident

Details of person or company reporting incident, and if applicable, proposing to make a claim.

Company name (if applicable)

ABN (if applicable)

Full name

Residential/Business address

Postcode

Postal address (if different from above)

Postcode

Telephone number

Email

Vehicle registration (if vehicle involved)

Vehicle make and model (if vehicle involved)

Details of the incident

Date

Time (am/pm)

Road name

Locality (city/suburb/town)

Nearest intersection

List any road infrastructure or other infrastructure involved (traffic light, signs, fences, poles, etc.)

Was the road infrastructure or other infrastructure damaged as a result of this incident?

Yes No

If 'Yes' Please provide a description of the item damaged.

Description of incident

In your opinion, was your vehicle, or other property, damaged due to the condition of the road, or road infrastructure, or other infrastructure (such as a footpath, tree or fence)?

Yes No

If 'yes' please provide a description of the damage to the property (including motor vehicles)

Were there any witnesses to the incident?

Yes No

If 'yes', please provide the following details

Witness 1: Full name, address and phone number

Witness 2: Full name, address and phone number

Are you proposing to make a claim for damages against Gympie Regional Council?

Yes No

If 'yes', please complete Step 3 – Notice of claim

Step 3 - Notice of claim

Describe the property damaged including, if a motor vehicle, the make and model of the motor vehicle

The amount of the claim (\$)

Detail how this amount is calculated

Please state why you believe Gympie Regional Council is liable for your claim

Will you be making, or have you made, an insurance claim?

Yes No

If 'Yes', please provide the name and address of the insurer, the insurance policy number or claim number.

If you are seeking compensation for damages to property, please attach:

- two quotes for repairs;
- or a copy of the paid tax invoice;
- other evidence in support of your claim (e.g. photos of the damage and the area of the incident)

Please continue to Step 4 and Step 5

Step 4 – Disclosure of information – please read

Important notice

The Gympie Regional Council may not be the organisation responsible for the road, infrastructure or the incident. We may need to send details of your claim (including any personal or commercially sensitive information we obtain in relation to the claim) to another organisation so that it can:

- investigate the incident;
- consider any claim for compensation, including any legal proceedings against them;
- enable remedial action to be taken (if necessary) in relation to the road and/or infrastructure;
- gather information for the analysis of the causes of incidents and the planning and implementation of risk management and safety measures.

By signing the declaration below you consent to disclosure of this Notice of Incident and Claim - Property Damage form and any other information that is obtained by Gympie Regional Council in respect of the claim to any person or organisation we consider may be responsible for this incident.

Step 5 – Declaration to sign

I,
of

declare that:

1. All the information contained in this Notice of Incident and Claim - Property Damage form is accurate to the best of my knowledge and belief.
2. I have to the best of my knowledge and belief disclosed all relevant information to Gympie Regional Council and have not withheld any relevant information.
3. Any attached quotation for repairs has been prepared for the sole purpose of repairing any damage directly resulting from the incident as described in this Notice of Incident and Claim form.

Signature

Date

REMINDER: After completing this form, please attach quotes or invoices for repairs, along with photos, and send or deliver to Gympie Regional Council as per page 1.