

Notice to Claimant/s

If you consider that you may have incurred some loss and wish to make a claim for which you believe that the Sunshine Coast Regional Council may be liable for, please read the information below and complete the attached 'Claim Form'.

Council is not automatically liable for a claim just because it owns an asset and/or is responsible for the land the asset is located on (i.e. potholes, trees, etc.) or when the damages are the direct result of a storm event (including rain and/or wind events), or other matters outside of Council's control.

If you want Council to consider your claim, then it is your responsibility to provide evidence substantiating the claim. You should provide as much information and evidence as you can that may show that Council has breached a duty to take precautions against a risk of harm (and is otherwise liable) under Section 9 of the Civil Liability Act 2003.

This Notice does not contain legal advice, and the Council does not provide legal advice to you. Completion of this Claim Form provides Council with information to consider your potential claim. Providing this information to Council does not start legal proceedings and is not a substitute for a:

- 'Notice of a claim' under the Personal Injuries Proceedings Act 2002; or
- Documents starting legal proceedings in a Court or Tribunal (e.g., filing a 'Claim' or 'Statement of Claim' in a Court under the Uniform Civil Procedure Rules 1999).

Where Council's review of the information that you have provided indicates that the issue/s may relate to a Council contractor or other party, you will be advised to contact the contractor or other party directly as Council does not accept liability for loss suffered as a result of their actions. In providing you with another party's details, this should not be taken to be an indication that Council may believe that the other party may have any liability to you.

All properly completed Claim Forms are reviewed and so accepting the Claim Form does not mean that Council accepts that it does or may have liability for the matter that you have raised.

Note: Should you experience difficulty in completing the following Claim Form - Notice of Injury, Loss or Damage and be unable to obtain a representative to act on your behalf, please contact Council's Insurance Team on (07) 5420 8927.

Claim Form

Notice of Injury, Loss or Damage

Purpose of Form: The information disclosed by you in this Claim Form will be used to assess, process and 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 incident and for the purpose of risk management activities. We may disclose any information you provide to Council's insurers and advisers, including investigators and legal advisers.

1. PERSONAL DETAILS		
Title:	Surname:	First Name/s:
Address:		
Telephone: (H):	Mobile:	Email:
Would you like all correspondence sent to you via email? Y/N		
Do you want a third party to act on your behalf? Y/N		
If Yes, please advise details of the third party acting on your behalf below.		
Title:	Surname:	First Name/s:
Address:		
Telephone: (H):	Mobile:	Email:
2. OCCURRENCE		
Was any property damaged?		Y/N
Date:	Time (include am/pm):	
Weather conditions at time of occurrence:		
Specific location of occurrence:		
Description of the occurrence:		
What is considered to be the apparent cause of the occurrence?		
Estimate of Loss / Claim \$		Please attach 2 quotes or a paid tax invoice to support the estimate
Why do you believe Council may be liable? <i>Provide details why you believe Council caused the incident, or alternatively why Council is responsible for the injury, loss or damage (the reasons must identify the step, process or act that caused the injury, loss or damage).</i>		

3. SUPPORTING EVIDENCE

All claimants must provide supporting evidence. Not providing all the requested information may cause a delay in considering this Claim Form. The evidence required will depend on the nature of the claim and could include, but not limited to:

1. 2 x quotations and/or a paid tax invoice;
2. Photographs from different angles of the damage, injury and incident location;
3. A statement from any witness to the incident (if relevant);
4. A structural or engineering report (if relevant);
5. Documents from your medical professional/specialist related to all injuries;
6. Any other information to support your claim.

4. ADDITIONAL INFORMATION

Have you reported the occurrence to Council? Y/N

If yes, please provide any reference numbers given by Council relating to this.

5. DECLARATION

I/We acknowledge that the completion of this Claim Form is not a substitute for:

- 'Notice of a claim' as required under the Personal Injuries Proceedings Act 2002 or
- 'Claim' or 'Statement of Claim' as required under the Uniform Civil Procedure Rules 1999

I/We certify that the information given in this form is truthful, accurate and complete to the best of my/our knowledge.

I/We acknowledge that I/we have read and understood the Information Privacy Act 2009 information referred to in this document and consent to the collection, storage, use and disclosure of personal and sensitive information of all persons affected by this claim, including to Council's insurers, investigators and legal advisers.

I/We acknowledge that Council's acceptance of a completed Claim Form is not an automatic acceptance of liability.

I/We declare that any attached quotation/invoices relates to the sole purpose of the incident/damage as described in the Claim Form.

6. SIGNATURE:

Name:

Date:

Notes:

You can submit this form via email to Insurance@sunshinecoast.qld.gov.au (please attach form), in person at one of Council's Customer Service Centres or post to Locked Bag 72, Sunshine Coast Mail Centre, Qld 4560.

Once Council receives the completed Claim Form with the requested information:

1. The receipt / acknowledgment of the Claim Form will be provided to you;
2. A review of the information that you provide will be undertaken (and Council may also review its own records and take other investigative steps). You may be contacted to provide additional information before the matter goes any further;
3. Council may consider its liability for the claim, and may seek its own legal advice; and
4. Once the review has been completed and any advice received, you will be contacted with Council's response to the matters that you have raised in the Claim Form.