



# Request for compensation

This form needs to be completed and returned to: [info@frankston.vic.gov.au](mailto:info@frankston.vic.gov.au)

Please tick boxes where appropriate

## Please select the compensation being sought

Property Damage

Personal Injury

Motor Vehicle

Other

## 1. Contact details

Title:  Mr  Mrs  Ms  Other

Full name:

Telephone:

Mobile:

E-mail:

Address:

State:

Postcode:

## 2. Date and time of incident

Date of incident:

Time of incident:

## 3. Weather conditions

Conditions (e.g. dry, windy, raining, sunny):

## 4. Location of incident

Address:

Suburb:

Postcode:

Please provide details of the exact location with supporting photographs and markings showing the area in question:

If the location is unclear please provide a sketch to assist us in our investigations:

### 5. Introduction

If you are seeking compensation for loss or damage from an incident, which you believe has been caused by negligence, Council will investigate the circumstances of the incident to establish whether or not Council has any legal liability.

All claims are assessed on prevailing legal frameworks.

### 6. The Road Management Act 2004

Is your claim for property damage due to the condition of the roadway?  Yes  No

Is your claim for property damage due to the condition of the footpath?  Yes  No

If yes, please be advised that pursuant to Section 110 (3) of the Road Management Act, *'A road authority is not liable for property damages where the value of the damage is equal to or less than the threshold amount'*

The threshold amount effective from July 1, 2024 has been set at \$1,640.



For further information: [http://www.austlii.edu.au/au/legis/vic/consol\\_act/rma2004138](http://www.austlii.edu.au/au/legis/vic/consol_act/rma2004138)

Does your request for compensation exceed the threshold amount of \$1640 ?

Yes

No

The responsibility for the maintenance of roads within the municipality is shared between Council and VicRoads. A list of roads that are the responsibility of VicRoads is shown below and can be verified by referring to the FAQ on our website which provides a link to their website.

#### Roads managed by VicRoads

- Ballarto Road
- Baxter-Tooradin Road
- Cranbourne Road
- Cranbourne-Frankston Road
- Dandenong-Hastings Road or Westernport Highway
- Dandenong Road West
- Davey Street, between Nepean Highway and Hastings Road
- Fletcher Road
- Frankston-Dandenong Road
- Frankston-Flinders Road
- Hastings Road
- Klauer Street
- Moorooduc Highway
- Frankston Freeway
- Lathams Road, from Rutherford Road
- Nepean Highway
- Seaford Road
- Thompson Road
- Wells Road - Overton Road to Klauer Street

All footbridges over the Frankston Freeway, Wells Road and Brunel Road are Managed by VicRoads.

Road, traffic and hazardous road conditions can be reported to [VicRoads](#).

In circumstances where the road is the responsibility of VicRoads, you should stop completing this form and redirect your claim to them using the following link –

<https://www.vicroads.vic.gov.au/about-vicroads/acts-and-regulations/notice-of-incident>

*Prior to completing this form refer to FAQ on website and look at the map of roadways to confirm who is responsible for the road where the incident has occurred.*

## 7. Incident details

Please provide details of the incident and why you believe Council is liable:

## 8. Compensation

Please provide the details of the compensation you are seeking:

Amount: \$

Is this total GST Inclusive?

Yes

No

## 9. Insurance details

Have you claimed against your insurer?

Yes

No

Insurance Provider:

Claim/Policy Number:

Contact Name:

Contact Number:

## 10. Witness

Did anyone witness the incident? *(If yes, please provide their details):*

Yes

No

Contact name:

Contact number:

Full name:

Telephone:

Mobile:

E-mail:

Address:

State:

Postcode:



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## 11. Evidence

In order to succeed in your request for compensation you will be required to establish that Council caused the alleged loss and/or damage through negligence or breach of statutory responsibilities.

**Please provide any evidence that will support your claim, such as any previous contact with Council.**

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Is the evidence attached to this document?

Yes

No

## 12. Photographs

One of the most effective ways to avoid confusion about the circumstances of your claim is through photographs. This helps Council ensure it is investigating the correct issue.

Please provide a minimum of 3 photographs to support your claim.

*Your photographs need to show the following:*

- The area of property that was damaged,
- A clear marking on the photo showing an area where a trip and fall occurred,
- Clear photographs of roots and trees if you are making a tree root claim,
- Photos of injuries if relevant,
- A variety of shots and angles to clearly show the situation.

## Disclaimer

Completion and acceptance of this form does not represent an admission of liability on the part of Council. Your claim will be subject to investigation and the findings assessed on their own merits.

Council will acknowledge receipt of your claim with 7 days.

The assessment of claims can take up to 6 weeks to complete. This could be longer in circumstances where a higher than normal volume of claims are received, which can often occur due to extreme weather events.

## Privacy

Frankston City Council is committed to protecting your privacy. The personal information you provide on this form will be used to assess and determine your claim. Council may contact the nominated witnesses to gather further information about the incident. Please advise the witnesses that you have provided their contact details to Council. In order to fully assess your claim, it may be necessary to share information about you and the incident, including your name and contact details, to other parties, such as Council's insurer and contractors. Your information will only be used and disclosed as authorised by law. If you do not provide the detailed information requested on the form, your claim for compensation may not be able to be processed. Your claim may be referred to Echelon Claims to process on Council's behalf. Echelon may contact you directly. For information about how Echelon handles personal information, see their privacy policy at [Echelon privacy policy](#). For further detail about how Council handles personal information, or to access your information, see Council's privacy policy at [frankston.vic.gov.au](http://frankston.vic.gov.au) or contact Council's privacy officer on 1300 322 322.

Please print name:

Signature:

Date:

If your request relates to a location managed by another authority, such as VicRoads, do you want Council to pass on your completed form, including your personal information, to the relevant authority for actioning?

 Yes No

## Council Use Only

Council:

Council reference:

Received by:

Dated:

Council's notes:

