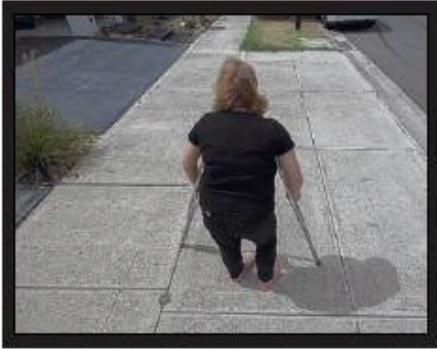


# Grandma to sue council

## Path fall behind case as documents show cracks were ignored

Neelima Choahan



A CRAIGIEBURN grandmother plans to sue Hume Council for debilitating injuries she says she received after tripping on a cracked footpath.

Suheyyla Karabiyik, 56, said she had gone to drop off her friend in Meadow Heights when she fell and hurt herself on the damaged path in Woodburn Cres in February 2018.

"It was so dark, I was walking and all of a sudden, 'bang!' and I was on the (ground)," Ms Karabiyik said.

"I tripped on the (footpath) and then I fell down really bad."

Ms Karabiyik said she hurt her knee and hip in the fall and had since been told she required a hip replacement.

Documents obtained under FOI, and seen by the *Northern Leader*, show the council knew about the "major cracking", measuring 15mm to 30mm, as far back as March 2017, but failed to do anything.

The document revealed 124 recorded incidents of cracking in the street, including 82 that were listed as major and 16 as extreme.

Ms Karabiyik's solicitor, Le Grand Margalit Lawyers partner Michel Margalit, said as a result they had issued the council with a notice of their intent to pursue a claim over the incident.

The council's sustainable infrastructure and services director Peter Waite said it was unable to comment on matters that were subject to legal proceedings.

Mr Waite said the council inspected, maintained and repaired footpaths to the standards set out in its road management plan, which was developed in consultation with the community.

Ms Margalit said residents had every right to suspect other hazards may exist and the council had done nothing to improve them.

"This is of greatest risk to the more vulnerable members of our society, such as those with vision impairment and the elderly, Ms Margalit said.

"One would have thought that if a hazard is identified as a major risk, the council would act swiftly to rectify the hazard. Unfortunately in my client's case that simply did not happen and she will sadly live with that for the rest of her life." Ms Karabiyik, who cares for her mother, said she lived with pain every day. "I used to run, dance, doing gym, swimming ... now I can't do anything," Ms Karabiyik said.