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Woman hit by tree limb awarded \$718,000

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YUN HEE CHOI'S friend thought the branch that fell on her unlucky compatriot who had been lying under a fig tree in Hyde Park was 1.5 metres long.

But Supreme Court judge Graham Barr - who yesterday awarded the Korean student \$718,000 in damages - found the 15-centimetre-thick branch was more likely to have been between seven and eight metres long.

Mrs Choi suffered severe head injuries including a fractured skull, and had a titanium plate inserted in her head after the accident in December 2000. She sued the City of Sydney and the council's then parks contractor, Prestige Property Services, claiming it had been negligent in managing the trees.

The case in the Supreme Court highlighted the parlous state of the park's signature Hill's weeping figs, which was detailed in arborists' reports dating from 1988 and 1996.

Justice Barr yesterday cleared the council of negligence, but found the contractor liable.

The judge said the council knew about the condition of the trees. However, it had given a \$2.4 million contract to a substantial, expert company in parks management. He said the tree itself was not diseased, and the branch problem would have been detected by proper inspection.

Under the council's Hyde Park tree management plan released last year, all 102 Hill's figs will be removed.

At the time of the accident, Mrs Choi was studying for an arts degree at the University of Sydney. Justice Barr said she "has suffered serious and permanent consequences which will materially affect her life".

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