



QUEENSLAND  
**OMBUDSMAN**  
*Standing for fairness*

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# Council liability for injury or damage to property

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## Can we help?

We rarely investigate complaints about legal liability.

This is because we cannot make a ruling that a council is liable or order that compensation be paid. Only a court can do this.

Depending on the circumstances of the matter, we may consider:

- the adequacy of council's investigation and consideration of the claim
- the reasons provided by council or its insurer not to accept liability.

If council's reasons appear to have a reasonable basis, we will not investigate further.

# **Common complaints about council liability for injury and damages**

Councils have responsibility for a wide range of functions, including maintenance of roads, parks and cemeteries, water supply, sewerage, and stormwater drainage.

Common complaints about councils involve injury or damage to property from potholes, obstacles on footpaths, falling branches, flooding or subsidence.

If you are injured or suffer damage to your property and believe it is because of council action (or inaction) you may wish to seek legal advice. A lawyer can provide you with advice about whether you have a claim against council. Act quickly, strict time limits apply to some types of claims.