



TREE ROOT DAMAGE TO SEWER AND STORM WATER

Procedures for claiming and applying for reimbursement where blockage is caused by roots from government trees

Transport Canberra and City Services (TCCS) is the ACT Government agency responsible for the management of Canberra's urban trees.

Please note: The Australian Capital Territory does not automatically accept liability for damage until the circumstances have been investigated.

1. When a blockage occurs, the resident should call a private drainer.
2. The drainer clears from the top end and proceeds to go downstream until the blockage is cleared, a major obstruction is met or the main sewer is reached.
3. The drainer should contact:
 - a. ActewAGL if it is established that:
 - i. the blockage is in the main, or;
 - ii. the blockage is outside the leasehold boundary and the blockage cannot be cleared by conventional means and/or the drainer considers that the replacement of the pipes may be required. (Go to paragraph 4).
 - b. Access Canberra on 13 22 81 if it is apparent that roots from a Government tree caused a blockage inside the lease so that an inspecting officer who represents TCCS can arrange a site inspection (Go to paragraph 7 & 8).
4. In circumstances such as Paragraph 3 a) (ii) above, the drainer shall expose the lease drain at the leasehold boundary tie point for inspection by an ActewAGL representative who will advise whether ActewAGL will accept liability. If ActewAGL accepts liability, ActewAGL will clear the choke, except in some exceptional circumstances where the drainer will be authorised to clear the blockage at ActewAGL's expense.
5. Private drainer to submit invoice directly to ActewAGL for assessment for:
 - a. work done in establishing that the blockage was in the sewer main or tie line, and/or;
 - b. work done in locating and clearing blockage in sewer tie line where the blockage was outside the leasehold boundary and the cause of the blockage was ACT Government responsibility, for example, faulty construction or tree root damage.
6. In all other cases the private leaseholder is to be billed.



Please note: The following points should be especially noted and understood in relation to the matter of clearance of sewer chokes:

- a. An assertion by the drainer that the length of coiled rods inserted into the drain through a gully trap exceeds the distance from the trap to the lease boundary will not be accepted as evidence that the source of the choke is beyond the lease boundary or that an adjoining tree caused the blockage. This is because the coiled rods may compress and twist and in any case the drainer may have pushed the obstruction downstream.
- b. Should the Inspection Opening (IO) at the property boundary be under a concrete slab or be inaccessible for any other reason, the drainer may open at the next accessible IO upstream. The inspection procedure as detailed at Paragraph 4 above should then be followed.
- c. In the case of a deep jump-up, opening at the top of the jump-up may be permitted with the inspection procedure as outlined in Paragraph 4 above to be followed. Should any disagreement develop, then the IO at the property boundary must be opened up and if ActewAGL is proved to be liable, the drainer will be reimbursed for the extra work involved. This practice should not be adopted unless the depth of the jump up is at least 1.5 metres or some other exceptional circumstances apply.

Blockage within the lease

Please note: The same procedure should be followed where it is thought that storm water pipes are blocked by roots from a Government tree.

7. TCCS will consider a claim for reimbursement of the costs of clearing a sewer or storm water line choke and associated repairs within the lease if it can be clearly demonstrated that roots from a Government tree have caused the blockage and there is no evidence that the pipes have been poorly laid. An assertion by the drainer that the length of coiled rods inserted into the drain indicates that a Government tree has caused the blockage for the reasons outlined in Paragraph 6 a) will not be accepted as satisfactory evidence. Claims for the reimbursement of eeling costs or inspecting drainage systems with a diagnostic camera where repairs have not been carried out will not be considered.
8. Where blockages cannot be cleared by eeling, the sewer or storm water line will need to be dug up by a private drainer or the lease owner to clear the blockage and carry out repairs. If the claimant wants to be reimbursed for costs associated with drain repairs and site reinstatement, it must be clearly demonstrated that roots from an ACT Government tree have caused the blockage.
9. When a claims enquiry is received by Access Canberra on 13 22 81 they will arrange for an inspecting officer who represents TCCS to arrange a site inspection and provide a copy of the claims procedure and explain its content as soon as is practicable after receiving the enquiry.



10. If the claimant chooses to excavate, an inspecting officer who represents TCCS must be present when the root damaged section of drain is exposed. The inspecting officer will attend within as soon as is practicable, and:
 - a. consider whether roots from an ACT Government tree caused the blockage;
 - b. agree on the extent of work required to rectify the damage.
11. When it is agreed that the ACT Government will accept responsibility for the cost of drain repairs, the inspecting officer will authorise the 'agreed' work, including; excavation, drain repairs, installation of a riser where required and reinstatement of the site, to be carried out.
12. The inspecting officer will then recommend that reimbursement of the costs of the 'agreed' work be made. Reimbursement of other costs associated with eeling the pipes and the use of a diagnostic camera may also be considered.
13. TCCS will not necessarily pay 100% of any claim for reimbursement. After considering all factors including the age and type of the pipes, proximity of Government and other trees and the quality of workmanship, the inspecting officer will indicate at this stage what percentage of the total cost the ACT Government will reimburse.
14. If additional work is required, the inspecting officer will carry out another inspection and the claimant will need to provide further quotations for the inspecting officer's approval. TCCS will only reimburse costs associated with agreed work. The resident is solely responsible for obtaining quotations and for the repairs to be carried out.
15. When work is complete, the claimant should pay the bill and then submit a written claim for reimbursement of agreed costs incurred in repairing the damage to:

The Manager
Urban Treescapes
GPO Box 158
CANBERRA ACT 2601

The claimant must provide full details of their claim for reimbursement including a description of works undertaken, dates and times they met the inspecting officer, a copy of the paid account(s) and any other relevant information including the cost of reinstatement of the excavated area.
16. TCCS will obtain a report from the inspecting officer and will send a cover letter and an indemnity form to the claimant to be signed and returned prior to arranging for reimbursement of agreed costs.
17. TCCS may seek legal advice from the ACT Government Solicitor about claims. It is not obliged to provide the advice to claimants, who are free to obtain their own legal advice at their own cost.