



**ACT**  
Government

Transport Canberra  
and City Services

# TREE ROOT DAMAGE TO PRIVATE PROPERTY

## Procedures for claiming for reimbursement of costs associated with tree root damage to private property

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. The owner of the damaged property must be able to prove that roots from an ACT Government tree have caused the damage before a claim for reimbursement of costs will be accepted.
2. As a minimum, it would be expected that the site would be excavated and tree roots uncovered to show that they are the cause of the damage.
3. A report from a structural engineer that describes the extent of the damage and which outlines the extent of the work required to repair the damage may assist with the claimants bid for reimbursement of costs associated with repairs. However, a structural engineers' report must be supported by documented evidence that would include evidence that the site has been excavated and that roots from an ACT Government tree were the cause of the problem, photographs of the site and an estimate of the costs involved.
4. Once supporting evidence is available, the claimant should contact Access Canberra on 13 22 81 so that an inspecting officer who represents TCCS can assess the situation and if necessary agree on the area to be repaired at the Territory's expense.
5. After considering all evidence and circumstances relating to the matter, a judgement will be made about whether the ACT Government will accept all or partial responsibility for the damage and reimburse the cost of repairs accordingly.



6. If the claimant is advised that the ACT Government will accept responsibility for some or all of the damage, the claimant will need to obtain up to three (3) written quotations for repairs to the damage as agreed by the inspecting officer. The claimant must then submit the quotation(s) to the inspecting officer for evaluation. Where fewer than three quotations are provided and the price is considered to be too high by the inspecting officer, or if the value of the work is greater than \$2,000, then the inspecting officer may request additional quotations. Once the quote has been accepted and the work authorised, the claimant should then arrange for the work to be carried out and for the bill to be paid when work is completed.
7. The ACT Government will take no responsibility for arranging for quotations to be obtained or for repairs to be carried out.
8. The claimant must then submit a written claim for reimbursement of costs incurred in repairing the damage to:

The Manager  
Urban Treescapes  
GPO Box 158  
CANBERRA ACT 2601

The claimant should include as much detail as possible in their claim for reimbursement including dates and times they met the inspecting officer, copies of the quotation(s), a copy of the paid account and any other relevant information including photographs.

9. TCCS will obtain a report from the inspecting officer and arrange for reimbursement if payment is recommended.
10. 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.
11. TCCS will not necessarily accept responsibility for 100% of any claim for reimbursement and payment will not be made until the claimant has signed and returned an indemnity form to TCCS.