



ACT
Government

Transport Canberra
and City Services

TREE ROOT DAMAGE TO PAVEMENT

Procedures for claiming for and applying for reimbursement for tree root damaged pavement

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. If the damage to a driveway or footpath is on the nature strip, the owner of the property (lessee) should contact Roads ACT on 13 22 81. Roads ACT will arrange for a site inspection and for temporary repairs to be carried out if appropriate. Roads ACT will use their guidelines to assess the damage and to advise the lessee if the driveway/footpath is to be replaced or repaired. If tree roots from an ACT Government tree are thought to have caused the damage, Roads ACT will arrange for a representative from the Urban Treescapes Section of TCCS to assess the situation. In some cases, a nature strip tree may need to be root pruned or removed before repairs are carried out.
2. If damage to a driveway/footpath or pavers is inside the lease the claimant will need to prove that the damage has been caused by roots from an ACT Government tree before any claim for reimbursement of costs associated with repairs will be considered. At times the cause of the damage will be obvious and in such cases the inspecting officer will advise the claimant that no further evidence is required. However, if the cause of the damage is not obvious to the inspecting officer, the claimant will be asked to provide evidence (by digging and exposing substantial tree roots or by removing broken pavement or pavers and uncovering tree roots) that roots from an ACT Government tree have caused the damage. Please note that the claimant will be responsible for all costs associated with providing evidence that is necessary to support their claim for reimbursement.
3. After roots have been exposed the claimant should contact Access Canberra on 13 22 81 so that an inspecting officer who represents TCCS can assess the situation. Upon consideration of all factors including root size, root type, the age of the driveway/footpath/pavers and fair wear and tear, the inspecting officer will advise the claimant whether the ACT Government will accept responsibility for the cost of repairing some or all of the damage and outline the extent of works for which the Government will pay.



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4. 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 the cost of repairs to the agreed area of driveway/footpath/pavers as outlined by the inspecting officer. The claimant must then submit the quotations 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, the inspecting officer may ask for additional quotations to be provided by the claimant. 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.
5. The ACT Government will take no responsibility for arranging for quotations to be obtained or for the repairs to be carried out.
6. 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.

7. TCCS will obtain a report from the inspecting officer and arrange for reimbursement if payment is recommended.
8. 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.
9. 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.