

**Parks, Conservation and Lands****PROCEDURE FOR CLAIMING FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH TREE ROOT DAMAGE TO PRIVATE PROPERTY****BACKGROUND**

This procedure is to be used where it is believed that roots from an ACT Government tree have caused damage to private property.

PROCEDURE

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 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 Parks, Conservation and Lands on **132281** so that an inspecting officer who represents Parks, Conservation and Lands can assess the situation.
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 \$2000.00, 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 complete.

File reference:

The ACT Government will take no responsibility for arranging for quotations to be obtained or for repairs to be carried out.

7. The claimant must then submit a written claim for reimbursement of costs incurred in repairing the damage to:

The Director
Parks, Conservation and Lands
PO 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 quotations, a copy of the paid account and any other relevant information such as photographs or written details regarding the incident.

8. Parks, Conservation and Lands will obtain a report from the inspecting officer and arrange for reimbursement if payment is recommended.
9. Claimants should be aware that some claims may be sent to the ACT Government Solicitor's office for determination.
10. Parks, Conservation and Lands 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 Parks, Conservation and Lands.