

# Obstructions from private property

**Having accessible and safe footpaths, roads and open spaces, free from obstructions like overhanging branches and overgrown vegetation makes Darebin a better place to live.**

This is particularly important for people like parents with prams, older people or people with a disability.

An obstruction from a private property can include overhanging branches or vegetation, a sign or a structure including a veranda or awning. Obstructions can also create unsafe situations on our roads including blocking visibility and creating a hazard which could damage passing vehicles.

## Our approach to this issue

Our priority is to work with the community to address obstructions causing safety concerns. If for any reason you are having trouble removing or dealing with an obstruction from your property, please contact us so we can work with you to take a proactive approach.

## Reporting an obstruction

**If you see an obstruction from a private property you can report it to Council by:**

- ✓ calling **8470 8888**
- ✓ emailing **mailbox@darebin.vic.gov.au**

## Overhanging trees from your neighbour's property

Council does not have the power to deal with trees or branches that are overhanging from your neighbour's property onto your property. Disputes between neighbours about tress are covered by common law and are best resolved by talking directly to your neighbour.

If talking to your neighbour is unsuccessful, you can contact the Dispute Settlement Centre of Victoria. This is a free service and can help you resolve your dispute without having to resort to taking legal action.

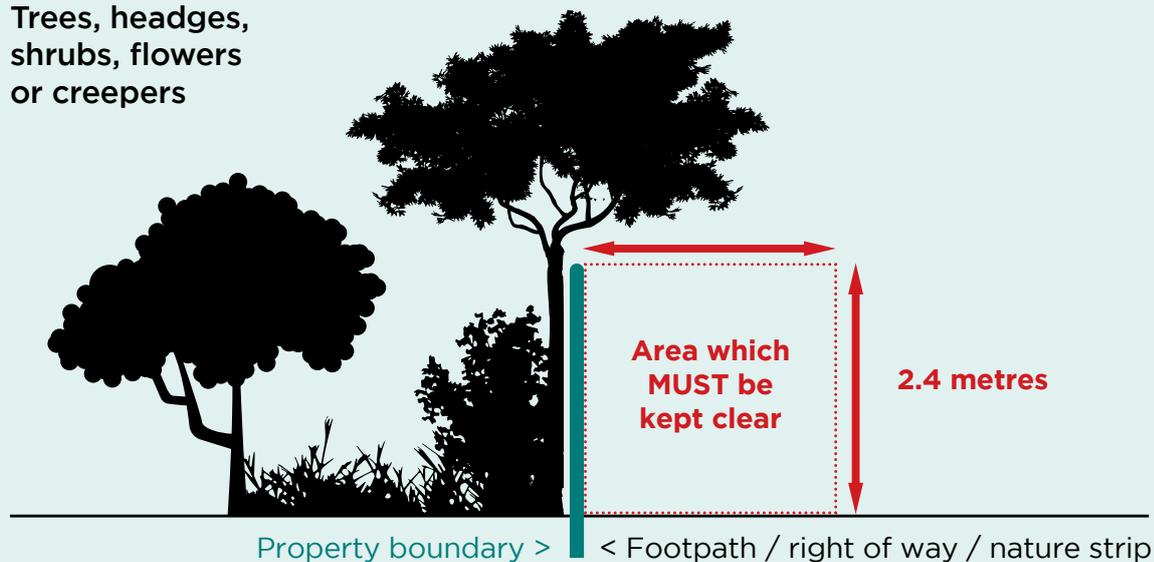


## Local law

The local law requires property owners or occupiers to ensure their land is free from any obstructions that may impact or create a safety issue for any public space like roads and footpaths.

More specifically the local law states that trees and other vegetation that encroaches onto or over the street from private property cannot impact the footpath at ground level and must be at least 2.4 metres high. If Council officers are informed about or discover an obstruction from a property, an investigation will be undertaken. If the property is found to have an obstruction, Council will then issue the owner or occupier with a Notice to Comply (this Notice will outline what the obstruction is and a date that it needs to be removed). If the issue is not fixed by the nominated date or alternative arrangements made, Council may, for safety reasons organise works to remove the obstruction at the property owner's expense.

**Trees, headges, shrubs, flowers or creepers**



## Possible penalties

Although our first priority is to work with the community, the local law enables Council to take further action if required. At the end of the process, if the obstruction and safety concern remains we may issue a fine plus the costs of any works carried out by a contractor.

**\$ Obstruction fine - \$300**

**For more information contact our Local Laws team:**

**8470 8888**

**www.darebin.vic.gov.au**

### CITY OF DAREBIN

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