

SOUTH GIPPSLAND SHIRE COUNCIL

Overhanging Vegetation

Clause 35 of the General Local Law 2024



As your trees, shrubs and garden plants grow within your private property, they may also start to encroach on public footpaths and roads. This can have an impact on the movement of pedestrians and vehicles.

Vegetation can cause significant challenges for pedestrians with mobility restrictions and impact driver visibility. It may also cause injury to a person or damage a vehicle.

View the clause by visiting: www.southgippsland.vic.gov.au/locallaw

Responsibilities

An owner or occupier of a property must not allow anything from that property to constitute a danger to drivers or pedestrians. This means they must have an unobstructed passage and clear view.

It is your responsibility to ensure all vegetation is maintained so that it does not pose any risk.

How to Report Overhanging Vegetation

You can report to Council by:

 (03) 5662 9200

 council@southgippsland.vic.gov.au

You can also use Snap Send Solve.



South Gippsland
Shire Council

Actions

If Council Officers determine that vegetation from your property is causing an obstruction to a footpath or road, you will be requested to prune or remove it. A Notice to Comply will be issued stating the works that will need to be done and the date they need to be done by. If you need any clarification or an extension of time, please contact Council before the due date to discuss.

Examples of required works could be trimming shrubs back to the property line or cutting tree branches to allow clear access.

Tips and Hints

What you can do to avoid overhanging vegetation from your property include:

- ✔ Keep an eye on your trees, shrubs and plants to make sure they are back from footpaths and roads.
- ✔ Look up and make sure larger trees don't have branches that could hit a vehicle or obstruct the view of motorists from either direction.
- ✔ Don't forget back and side laneways.

Possible Penalties

Our first priority is to work with you to achieve compliance. However, if you fail to do the work required, or continue to allow overhanging vegetation from your property, Officers may take enforcement action.

Penalty for allowing vegetation to cause an obstruction:

Two penalty units (\$407 for 2025/26).

Penalty for failing to comply with a Notice to Comply:

Five penalty units (\$1,018 for 2025/26).

Additionally, if Council completes the required works due to non-compliance, the cost of the contractor plus an administration fee will be added to the property as compulsory works charges.

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9 Smith Street (Private Bag 4) Leongatha VIC 3953
5662 9200
council@southgippsland.vic.gov.au
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