

Local Government Act 1989 - Saved Provisions

Part 1 - Preliminary

1	Preamble
1A	Interpretation of Act
1B	Construction of Act
2	Commencement
3	Definitions

Part 8 - Rates and charges on rateable land

Division 1 – Declaration of rates and charges

154	What land is rateable?
155	What rates and charges may a Council declare?
156	Liability to pay rates and charges
157	Which systems of valuing land may a Council use?
158	Declaring rates and charges
158A	Rates and charges to be levied on each occupancy
159	Municipal charge
160	Uniform rate
161	Differential rates
161A	Limited differential rates
162	Service rate and service charge
163	Special rate and special charge
163A	Submissions concerning special rates and charges



163B	Objection process relating to certain special rates and charges
164	Discontinuance of the works and projects for a special rate or special charge
165	Receipt of excess money
166	Variation of special rate or special charge

Division 2 - Payment of rates and charges

167	Payment of rates and charges
168	Incentives for prompt payment
169	Rebates and concessions
170	Deferred payment
171	Waiver
171A	Waiver by application—financial hardship
172	Council may charge interest on unpaid rates and charges
173	Land becoming or ceasing to be rateable land
174A	Land which ceases to be urban farm land or residential use land
175	Person acquiring rateable land
177	Council may require occupier to pay rent
178	Occupier who pays rates or charges
179	Invalidity of any rate or charge
180	Unpaid rate or charge
181	Council may sell land to recover unpaid rates or charges

Division 2A – Environmental upgrade agreements

181A	Environmental upgrade agreement
181B	Conditions to be met before Council may enter into environmental upgrade agreement
181C	Environmental upgrade charge
181D	Environmental upgrade agreement provisions
181E	Liability of Council to recover environmental upgrade charge
181F	Other responsibilities of Council
181G	Quarterly statement
181H	Delegation to Chief Executive Officer
1811	Guidelines
181J	Environmental upgrade agreements and charges under City of Melbourne Act 2001

Division 3	- Reviews and appeals
183	Review of differential rating by VCAT
184	Appeal to County Court
185	Application to VCAT
185AA	Application for declaration
185AB	Matters VCAT must take into account
Part 8A	- Rate Caps
185A	Purposes of this Part
185B	Base average rate
185C	Capped average rate
185D	Minister may set average rate cap by general Order
185E	Council may apply for higher cap
185F	Councils must comply with a general Order and any special Order that applies
185G	Review
Part 8B	- Cladding rectification agreements
185H	Definitions
185I	Cladding rectification agreement
185J	Conditions to be met before entering into cladding rectification agreement
185K	Cladding rectification agreements with owners corporations
185L	Cladding rectification charge
185M	Liability of occupier to pay cladding rectification charge
185N	Liability of Council to recover cladding rectification charge
Part 9 -	Specific functions, powers and restrictions
Division 1	- General provisions
198	Sewers and drains vested in the Council
199	Concentration or diversion of drainage
200	Drainage of land
201	Approved schemes
Division 2	- Provisions relating to transport
203	Transport plan

203A	Transport services
204	Council may declare a road to be a public highway or to be open to the public
205	Councils to have the care and management of certain roads
206	Power of Councils over roads
207	Powers of Councils over traffic
207A	Submissions under section 223
207B	Certain land used, or to be used, for roads to vest in Council
207C	Sewers, pipes, wires etc. of public authorities not affected
207D	Registration of titles of land affected by action concerning roads
207E	Alterations to titles if land exchanged
208	Transport Integration Act 2010, Transport (Compliance and Miscellaneous) Act 1983, Road Management Act 2004 and Road Safety Act 1986
208AA	Heavy Vehicle National Law (Victoria)
Doub 44	Conord

Part 11 - General

221	Service charges on non-rateable land
223	Right to make submission
224	Authorised officers
224A	Police may act as authorised officers to enforce certain local laws
237A	Council to provide information relating to land to inspectors of livestock
243	Regulations

Part 12 – Savings and transitional provisions

244	Local Government (Consequential Provisions) 1989 Act
245	Transitional provisions – Statue Law Amendment (Director's Liability) Act 2013
246	Local Government Amendment (Performance Reporting and Accountability) Act 2014 – financial year commencing on 1 July 2013
247	Transitional provision – Local Government Amendment (Improved Governance) Act 2015 – Councillor Conduct Panel matters
248	Transitional provision – Local Government Amendment (Improved Governance) Act 2015 – VCAT review
249	Transitional provision – Local Government Amendment (Improved Governance) Act 2015 – VCAT matters (by referral, on grounds of gross misconduct or for review)
250	Transitional provision – Local Government Amendment (Improved Governance) Act 2015 – Inspectors of municipal administration
251	Transitional provision – Local Government Amendment (Improved Governance) Act 2015 – Electoral reform

Schedules

Schedule 10 - Powers of Councils over roads

Schedule 11 – Powers of Councils over traffic

Schedule 12 - Regulations