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| Saved Provisions of 1989 Act |
| |  |  | | --- | --- | | **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 | | 181I | 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) | | **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** | | |