



Queensland

*Environmental Protection Act 1994*

# **Environmental Protection (Interim Waste) Regulation 1996**

**Reprinted as in force on 4 October 2004  
(includes commenced amendments up to 2004 SL No. 209)**

**Reprint No. 3A**

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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## **Environmental Protection (Interim Waste) Regulation 1996**

[as amended by all amendments that commenced on or before 4 October 2004]

### **Part 1 Preliminary**

#### **1 Short title**

This regulation may be cited as the *Environmental Protection (Interim Waste) Regulation 1996*.

#### **2 Commencement**

This regulation commences on 2 February 1996.

### **Part 2 Waste management**

#### **Division 1 Preliminary**

#### **3 Definitions**

In this part—

*approved* means approved by the chief executive.

*assembly building* means a building designed, constructed or adapted for the assembly of persons for—

- (a) civic, political, educational, transit, religious, social, or recreational purposes; or
- (b) entertainment or amusement.

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***commercial waste*** means waste (other than garden waste, recyclable waste, interceptor waste or waste discharged to a sewer) resulting from the use or occupation of any premises, or part thereof, being—

- (a) a hotel, motel, caravan park, cafe, food store, canteen or like premises; or
- (b) an assembly building, institutional building, school, kindergarten or child minding centre; or
- (c) premises where any spectator sport or any game is played; or
- (d) an exhibition ground, showground, racecourse, or like premises; or
- (e) an office, shop or other premises whatsoever, where there is carried on any business or work, other than a manufacturing process.

***construction or demolition waste*** means waste resulting from carrying out a construction or demolition activity, but does not include paper, cardboard, unseasoned timber, vegetation, paper-covered plasterboard, metals (other than steel reinforcing rods) and regulated waste.

***domestic clean-up waste*** means non-putrescible, dry and inoffensive waste (other than garden waste or recyclable waste) resulting from a general clean-up of any premises or any part thereof, being—

- (a) a single unit private dwelling; or
- (b) premises containing 2 or more flats, apartments or other dwelling units, each used as a separate domicile; or
- (c) a boarding house, hostel, lodging house or guest house.

***domestic waste*** means waste (other than domestic clean-up waste, garden waste, recyclable waste, interceptor waste or waste discharged to a sewer) resulting from the ordinary domestic use or occupation of any premises or any part thereof, being—

- (a) a single unit private dwelling; or



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- (b) premises containing 2 or more flats, apartments or other dwelling units, each used as a separate domicile; or
- (c) a boarding house, hostel, lodging house, or guest house.

***food store*** has the same meaning as that assigned to it under the *Food Act 1981*.

***garden waste*** means grass cuttings, trees, bushes, shrubs, loppings of trees, bushes and shrubs, and material of a like nature resulting from the ordinary use or occupation of any premises or any part thereof.

***industrial waste*** means interceptor waste and waste other than—

- (a) waste discharged to a sewer or to a treatment process which may be prescribed under the Standard Sewerage Law, section 35;
- (b) domestic waste, domestic clean-up waste, commercial waste, garden waste, recyclable biodegradable waste or recyclable waste.

***institutional building*** means a building designed, constructed, or adapted as a clinic, convalescent home, hospital, infirmary, nursing home, sanatorium, asylum, home or institute for orphans, poor, aged, sick, or physically or mentally handicapped persons, or similar institutions.

***interceptor*** means any apparatus used to intercept substances in sewage, waste water or trade wastes and prevent their discharge into sewers, septic tanks, other treatment devices or other waste water disposal systems, and includes—

- (a) neutralising interceptors for neutralising acidic and alkaline substances; and
- (b) grease interceptors for collecting and solidifying fat and grease and such like matter; and
- (c) oil interceptors for collecting all kinds of oil and petroleum products; and
- (d) silt interceptors for collecting soil, sand, gravel, and other settleable solids.

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***interceptor waste*** means any matter intercepted by and held in an interceptor.

***manufacturing process*** means any handicraft or process in or incidental to the making, assembling, altering, repairing, wrecking, renovation, preparing, ornamenting, finishing, cleaning, washing, or adapting of any goods or of any other articles or of any part thereof for trade or sale or gain or as an ancillary to any business.

***recyclable biodegradable waste*** means any interceptor waste which is or is intended to be removed from a grease interceptor and conveyed to a place for processing into a non-toxic, non-hazardous and usable substance for sale.

***recyclable waste*** means clean and inoffensive waste that is declared to be recyclable waste under an application for an approval granted under section 369A of the Act.

***regulated waste*** has the meaning given by the *Environmental Protection (Interim) Regulation 1995*.<sup>1</sup>

***regulated waste treatment and storage facility*** means a regulated waste treatment and storage facility for which a person holds, or is acting under, the required authority.

***removal service*** means the removal, collection, conveyance and disposal of waste from any premises by a local government or its contractor or a person approved by the local government.

***required authority***, for an environmentally relevant activity, means any of the following required under the Act for the activity—

- (a) for a chapter 4 activity—
  - (i) a registration certificate; and
  - (ii) if the activity is not subject to a code of environmental compliance—a development approval;

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<sup>1</sup> Now see *Environmental Protection Regulation 1998*, schedule 9, definition *regulated waste*.

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(b) for a mining or petroleum activity—an environmental authority.

***school*** includes a university, agricultural college, preschool, primary and secondary schools, teachers training college, school of mines, theological college, or similar establishment designed, constructed, or adapted for preschool, primary, secondary, or tertiary education.

***standard commercial waste container*** means a container of such type and such construction as approved by the chief executive for the storage of commercial waste.

***standard domestic waste container*** means a weatherproof and ratproof container of such type and such construction as approved by the chief executive for the storage of domestic waste and authorised by a local government for use in its area.

***the Act*** means the *Environmental Protection Act 1994*.

***waste area*** means an area within a local government in which the local government has itself undertaken or contracted for the removal, collection or conveyance of waste from any place and the disposal thereof.

***waste disposal facility*** means a general waste disposal facility or a regulated waste disposal facility for which a person holds, or is acting under, the required authority.

***waste incineration facility*** means a waste incineration facility for which a person holds, or is acting under, the required authority.

***waste recycling and reprocessing facility*** means a waste recycling and reprocessing facility for which a person holds, or is acting under, the required authority.

***waste transfer station*** means a waste transfer station for which a person holds, or is acting under, the required authority.

#### **4 Local governments to superintend**

(1) This part is in force within the areas of all local governments.

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- (2) The local government shall superintend and see to the execution of this part and shall do and provide all such acts, matters, and things as may be necessary for superintending or aiding in the execution thereof.

## **Division 2                      Storage, removal and collection of domestic and commercial waste**

### **5                      Owner or occupier of premises to provide waste containers**

- (1) The owner or occupier of any premises where domestic or commercial waste is produced shall provide as the circumstances may require at such premises in respect of such waste—
- (a) subject to the provisions of subsection (3) such number of standard domestic waste containers or standard commercial waste containers, as are necessary to contain all such waste; or
- (b) such facilities for the storage of all such waste in such locations as shall be directed by the local government.

Maximum penalty—40 penalty units.

- (2) Where an owner or occupier referred to in subsection (1) fails to comply with subsection (1)(a), the local government may supply and deliver such containers as are required by that provision to be provided and the cost of the supply and delivery of such containers shall thereupon constitute a debt due and payable to the local government by that owner or occupier.
- (3) A local government or its contractor may undertake the supply and delivery to all premises at which domestic or commercial waste is produced, and which are within a waste area, of such standard domestic waste containers or standard commercial waste containers as would otherwise be required to be provided by the respective owners or occupiers of such premises in accordance with subsection (1)(a), and the cost of the supply and delivery of any such container shall upon its

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supply and delivery constitute a debt due and payable to the local government by the owner or occupier of such premises.

- (4) Nothing in this section shall be construed so as to prevent a local government or its contractor from supplying or delivering those containers referred to in subsection (3) to an owner or occupier without cost to such owner or occupier.

**6 Requirements for waste containers etc.**

- (1) The occupier of any premises upon which domestic or commercial waste is produced, shall cause—
- (a) all such waste to be stored for removal in the waste container or containers provided on the premises for that purpose; and
  - (b) every waste container provided at such premises to be kept securely covered at all times when any waste is contained therein, except when in actual use uncovered to receive waste or to have the waste removed therefrom by a person engaged in a removal service or during cleaning; and
  - (c) every waste container and all facilities provided for the storage of waste at such premises to be kept in a clean condition and in good repair.
- (2) The occupier of any premises where the disposable sack system is utilised for the storage of domestic or commercial waste shall cause each such disposable sack to be—
- (a) fitted to the approved holder unit in accordance with the manufacturer's directions; and
  - (b) kept covered at all times with the cover provided with the approved holder unit, except when in actual use uncovered to receive waste; and
  - (c) protected from rats or other animals by keeping the approved holder unit securely closed except when the sack is being removed or replaced.
- (3) A person shall not at any premises where domestic or commercial waste is produced—

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- (a) place or put or suffer to be placed or put any moist or semiliquid substance in any waste container unless such moist or semiliquid substance is either adequately and securely wrapped, or is contained in a securely fastened, waterproof wrapper or container of adequate construction, prior to being placed or put in such waste container; or
  - (b) use, deal with, or damage any waste container so as to cause the said waste container from being thereafter tightly covered or weatherproof or serviceable; or
  - (c) disturb or otherwise interfere with the contents of any waste container; or
  - (d) remove or disturb the cover of any waste container save for the purpose of placing waste in such container; or
  - (e) place or put or suffer to be placed or put any matter or thing which is aflame, smouldering or alive in any waste container.
- (4) The occupier of any premises upon which commercial or domestic waste is produced and which is situated in a waste area shall—
- (a) cause each waste container to be kept on such premises in 1 of the following locations—
    - (i) at a fixed position at ground level close to the rear alignment of the building; or
    - (ii) at such other position as may be directed by the local government;
  - (b) ensure that there is ready and unobstructed access to such position for the removal of waste.
- (5) The owner or occupier of, or the registered operator or environmental authority holder in relation to, any premises where domestic or commercial waste is produced, other than a single unit dwelling house, shall, when so ordered by the local government, provide—
- (a) either—

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- (i) an elevated stand at such level as may be required by the local government for holding all waste containers; or
  - (ii) an imperviously paved area suitably drained to the satisfaction of the local government upon which to stand all waste containers; and
- (b) a suitable hose cock and hose in the vicinity of such stand or such paved area; and
  - (c) a suitable form of enclosure to the waste container area.
- Maximum penalty—40 penalty units.

## **7 Requirements for waste removal services**

- (1) A local government which undertakes, approves of, or contracts for a removal service in respect of domestic or commercial waste shall cause such removal service to be provided—
  - (a) at least once in each week, or with such frequency as may be required by the chief executive; and
  - (b) without excessive noise; and
  - (c) with due care and attention to avoid spillage.
- (2) A local government which undertakes or contracts for a removal service in respect of domestic waste shall cause such removal service to be carried out by 1 of the following methods—
  - (a) by use of a waste removal utensil into which the waste, including any disposable bin liner, shall be transferred at the position as prescribed in section 6(4)(a) and carried to the removal vehicle;
  - (b) by removing any approved disposable sack from its approved holder unit and carrying such disposable sack to the removal vehicle;
  - (c) by such other method as may be approved by the chief executive.

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## **8 Notice regarding weekly waste removal**

- (1) Subject to subsection (2), a local government may give to an occupier a notice stating—
  - (a) the days on which the waste removal service mentioned in section 7(1) is to be provided to the occupier; and
  - (b) that, to use the service on a day mentioned in paragraph (a), the occupier must place a standard waste container outside the occupier's property—
    - (i) at a specified location; and
    - (ii) by a specified time on the day.
- (2) This section applies to a local government in relation to a waste area only if the local government, or its contractor, has supplied standard waste containers to the occupiers in the waste area.
- (3) In this section—

***standard waste container*** means a wheeled standard domestic waste container or a wheeled standard commercial waste container, of not more than 260 L capacity.

## **Division 3 Storage, removal and collection of industrial waste**

### **12 Classification of industrial waste**

In this part, industrial waste shall be classified as follows—

- (a) dry industrial waste—being any industrial waste that is for the most part devoid of free moisture and is neither hazardous, putrescible, nor objectionable;
- (b) liquescent industrial waste—being industrial waste of a liquid or semiliquid nature or sludge containing full moisture, and includes grease, sludge or other wastes removed from any interceptor;
- (c) hazardous industrial waste—being any industrial waste containing any substance which may present danger to the safety of persons or equipment at the disposal area,



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by reason of toxicity, or of flammable, corrosive or explosive properties;

- (d) putrescible industrial waste—being industrial waste consisting mainly of plant or animal residues and which undergoes degradation by bacterial action;
- (e) objectionable industrial waste—being industrial waste that has an objectionable odour.

### **13 Requirements for storage of industrial waste**

The occupier of any premises upon which there is any industrial waste shall—

- (a) when so ordered by the local government, provide such number of waste containers of such type and in such location as may be required by the local government for the safe, efficient and nuisance free storage of such industrial waste, provided that where an occupier fails to comply with any order made by a local government hereunder the local government may supply and deliver such containers as are required by that order to be provided and the cost of the supply and delivery of such containers shall thereupon constitute a debt due and payable to the local government by such occupier; and
- (b) cause all industrial waste on such premises to be stored in such containers in such manner as may be required by the local government; and
- (c) cause every such container to be kept in a clean condition and in good repair; and
- (d) when so ordered by the local government, and for the purpose of rendering such industrial waste acceptable for disposal at a waste disposal facility or waste transfer station treat such waste to the standard approved by the chief executive.

Maximum penalty—40 penalty units.



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facility shall, when required by the local government, give to such local government or person in charge of such waste recycling and reprocessing facility, regulated waste treatment and storage facility, incineration facility or waste disposal facility a notification of—

- (a) the identity and precise location of each premises from which the waste has been collected; and
  - (b) the type of waste, as classified in section 12; and
  - (c) the volume or mass of such waste; and
  - (d) the name of the person conveying the waste to that waste recycling and reprocessing facility, regulated waste treatment and storage facility, incineration facility or waste disposal facility.
- (2) A person producing or generating any hazardous, putrescible, objectionable or liquescent industrial waste at any premises shall, when required by the local government, give to such local government, or person representing such local government, a notification of—
- (a) the identity and precise location of each premises from which the waste is produced or generated; and
  - (b) the classification, nature and composition of such waste; and
  - (c) the volume or mass or such waste produced or generated each month; and
  - (d) the method of disposal of such waste; and
  - (e) such other relevant information as the local government may require.

Maximum penalty—40 penalty units.



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**sanitary area** means any land within the area of a local government which, in respect of the premises thereon, the local government has itself undertaken or contracted for the collection, removal and disposal of nightsoil, but does not include land in respect of which the owner or occupier is required by or under any Act to have the premises thereon connected to sewerage or a septic tank.

**sanitary contractor** means a person who contracts with a local government to perform otherwise than as a servant any work in connection with—

- (i) the collection, removal and disposal of nightsoil; or
- (ii) the providing of suitable places, buildings, land and appliances for the deposit or disposal of nightsoil.

**sanitary convenience** means a urinal, water closet, earth closet or other receptacle for human waste, other than a cesspit or cesspool.

## **Division 2                      Carrying out sanitary works by local governments**

### **35            Application of this division**

This division applies to every sanitary area.

### **36            Nightsoil disposal depot**

The local government shall provide a depot or disposal ground for the disposal of all nightsoil which has been removed by it or its sanitary contractor from premises in sanitary areas provided that the local government shall not permit or allow any depot or disposal ground to be used, unless and until it has been approved by the chief executive.

### **37            Depot facilities**

- (1) The local government shall provide at every depot or disposal ground suitable premises with adequate facilities for the proper disposal of nightsoil.

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- (2) Such premises shall be—
- (a) soundly constructed; and
  - (b) of adequate size to include provision for the housing of pan washing facilities, the storage of pans, the storage of disinfectants and appliances, the storing of sawdust, the housing of vehicles, the tarring and repair of pans and the drying and airing of washed pans; and
  - (c) provided with a concrete floor which is properly laid and drained.

**38 Depot procedures**

The local government or its sanitary contractor, as the case may be—

- (a) shall cause all pans, sawdust, material and appliances used at a depot or disposal ground to be kept at the premises therein provided for that purpose; and
- (b) shall maintain the depot or disposal ground in a clean and tidy condition; and
- (c) shall not carry out any pan washing, pan tarring or cleaning of vehicles at any place other than at the premises provided for that purpose at the depot or disposal ground except with the prior approval of the chief executive.

Maximum penalty—20 penalty units.

**39 Water supply to depot**

The local government shall provide a sufficient supply of water at every depot or disposal ground for the cleaning of pans, vehicles, appliances, and concrete floors.

**40 Fencing of depot**

- (1) The local government shall cause every depot or disposal ground—
- (a) to be securely fenced on all sides; and

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- (b) to be provided with suitable gates or grids at all entrances thereto so as to prevent animals from entering.
- (2) The local government or its sanitary contractor, as the case may be, shall ensure that the gates of a depot or disposal ground are kept effectively closed when not in actual use.

Maximum penalty—20 penalty units.

**41 Entry to depot**

A person shall not without lawful authority or excuse enter or remain within any depot or disposal ground.

Maximum penalty—20 penalty units.

**42 Method of disposal of nightsoil at depot**

The local government shall cause all nightsoil to be disposed of—

- (a) by burial in the ground at an approved depot or disposal ground; or
- (b) otherwise with the prior permission in writing of the chief executive and in accordance in every respect with the requirements of such permission.

**43 Selection of depot**

The local government shall comply with the following conditions before any depot or disposal ground is first used either by the local government or by its sanitary contractor for the disposal of nightsoil by burial—

- (a) a report shall be obtained from its medical officer of health or an authorised person certifying—
  - (i) that the land selected for the burial of nightsoil—
    - (A) is not located within the catchment area of any public or domestic water supply; and
    - (B) is located above known flood levels; and

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- (C) is suitable for the purpose of humification and nitrification of nightsoil;
  - (ii) that the disposal of nightsoil in the land selected will not lead to the contamination of any water used for drinking, domestic, manufacturing, or other purposes, or for animals;
  - (iii) that the arrangements and access are such as to ensure proper removal of nightsoil to such depot or disposal ground;
  - (iv) that in his or her opinion no objection to the use of the land for disposal of nightsoil can be reasonably raised on sanitary grounds, and that such disposal in such land will not endanger the health of any area or any part thereof, whether directly or indirectly;
  - (v) that a permanent water supply can be secured on the land;
- (b) such report shall be submitted to the chief executive together with a plan drawn to scale and showing the locality and boundaries of the depot or disposal ground, and the relation of such depot or disposal ground to all watercourses or collections of water, and to any houses, drinking places for cattle, horses or any kind of stock within 1 km;
- (c) a plan of such land drawn to a scale of 1 in 500, shall be submitted to the chief executive showing the following particulars—
- (i) the type of fencing to be constructed around the depot or disposal ground;
  - (ii) all access roadways to the land and proposed gateways, gates or grids at the entrances thereto;
  - (iii) the location and type of construction of all roadways to be constructed within the depot or disposal ground;
  - (iv) the fall of the land;



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- (v) the location of all buildings to be constructed on the land;
  - (vi) the purposes for which such buildings are to be used;
  - (vii) complete details of the type and location of all drainage proposals including any proposed drains to prevent surface or seepage water reaching the nightsoil burial area;
  - (viii) the location of proposed nightsoil burial trenches including the location of burial trenches which it is proposed to reserve for the burial of nightsoil for any specific purpose;
  - (ix) the width of land around the perimeter of the depot or disposal ground which is to be reserved from all nightsoil burial and the proposed manner in which such reserved land is to be planted with trees to prevent or inhibit sight of the nightsoil burial area from any area outside the depot or disposal ground;
  - (x) the location of all water service mains and main electricity supply lines within the depot or disposal ground;
  - (xi) all such further information and particulars as the chief executive may require;
- (d) a plan of all buildings located at the depot, or disposal ground, drawn to a scale of not less than 1 in 100, and including at least 1 elevation, shall also be submitted to the chief executive showing the location of all pan washing appliances, pan disinfection facilities, pan storage facilities, drainage facilities, ablution and lunch room facilities for staff and storage facilities for all appliances and vehicles to be used in connection with the collection and disposal of nightsoil at the depot or disposal ground.

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#### **44 Management of depot**

- (1) The local government shall cause an inspection to be made of every depot or disposal ground at least once in each month by an authorised person.
- (2) The authorised person shall report on each inspection to the local government in writing and a copy of each report shall be forwarded to the chief executive if requested by the chief executive.

#### **45 Specifications for depot**

The local government or its sanitary contractor, as the case may be, shall ensure that the following requirements are observed and complied with when any depot or disposal ground is used for the burial of nightsoil—

- (a) a trench having a floor of rock or wet earth shall not be used for the burial of nightsoil;
- (b) the nightsoil shall be deposited in trenches not exceeding 600 mm in depth nor 600 mm in width, and, wherever practicable not more than 3 m in length;
- (c) the surface of the nightsoil deposited in a trench shall not be less than 150 mm measured vertically, from the edge of the excavation;
- (d) the nightsoil, after being deposited in the trench, shall be evenly covered, without undue delay, with a layer of clean earth at least 250 mm in depth;
- (e) trenches shall be excavated in the lowest part of the land first, and then progressively in the higher parts of the land;
- (f) a strip of undisturbed earth, not less than 300 mm in width shall be left between each 2 trenches;
- (g) a plan shall be kept at the depot or disposal ground showing the layout of the trenches and dates of commencement and completion of various areas used for nightsoil burial.

Such plan shall be available for inspection upon request by the chief executive;

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- (h) ground in which nightsoil has been buried shall not be used a second time for that purpose within 2 years unless the process of nightsoil humification and nitrification has been completed satisfactorily;
- (i) a person shall not cultivate at any depot or disposal ground any vegetable or fruit for human consumption;
- (j) ground in which nightsoil has been buried shall be graded or levelled from time to time to maintain a surface that is free of depressions, and excessive vegetation growing on such land shall be mown or cut as often as is necessary to maintain the burial area in a clean and tidy condition;
- (k) a strip of land at least 5 m wide all around the disposal area shall be reserved from all burial;
- (l) unless otherwise approved by the chief executive all water used for the washing of pans, pan lids and vehicles, and for washing the floor of the premises housing the depot facilities, shall be discharged by means of open concrete channels into a suitable sawdust and grit detention chamber, and thence to subsurface irrigation trenches.  

All sawdust and grit shall be removed from the detention chamber at the end of each day's operations and shall be disposed in trenches in the manner prescribed for the burial of nightsoil;
- (m) every pan and the lid of every pan, after the emptying of its contents and before it again leaves the depot or disposal ground, shall be thoroughly cleaned by 1 of the following methods—
  - (i) washing and scrubbing in water, then rinsing in clean water, and finally submerging in a suitable disinfectant solution;
  - (ii) any other method approved by the chief executive;
- (n) the internal and external surface of every metal pan, before it is first used, shall be covered with well-boiled tar, bitumastic paint, or other equally suitable material, and such coating shall thereafter be regularly renewed,

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whenever necessary, so as to effectively protect the whole of the pan and to afford a smooth, non-adherent surface.

Maximum penalty—20 penalty units.

**46 Contract for the execution of work by a sanitary contractor**

- (1) The local government shall, at least 1 month before entering into any contract for the execution of any work by a sanitary contractor, forward to the chief executive a copy of the proposed contract.
- (2) The copy of such contract forwarded to the chief executive shall be retained by the chief executive.

**47 Cesspits not to be constructed or used**

- (1) The owner or occupier of any premises in a sanitary area shall not—
  - (a) construct or use a cesspit on the premises; or
  - (b) permit or allow a cesspit to be constructed or used on the premises.

Maximum penalty—20 penalty units.

- (2) The local government may by notice in writing require the owner or occupier of any premises where a cesspit has been constructed contrary to this section to dismantle, take down and remove the materials thereof and to fill up the cesspit with earth to its satisfaction within the time specified in the notice.

**48 Requirements for sanitary conveniences, pan cabinets and pans**

- (1) The owner or occupier of any premises in a sanitary area shall not construct or place any sanitary convenience on the premises or alter any existing sanitary convenience, or permit or allow any such construction, placing or alteration—
  - (a) unless with the prior permission in writing of the local government; or

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- (b) contrary in any respect to the requirements of such permission.

Maximum penalty—20 penalty units.

- (2) The local government, when giving any such permission, shall ensure that the following requirements are complied with—
  - (a) the sanitary convenience, pan cabinet and pan shall be in accordance with the requirements respectively stated in schedules 1, 2 and 3, or of a type or description approved in writing by the chief executive;
  - (b) the sanitary convenience shall not be situated within 5 m from any road or building;
  - (c) the sanitary convenience shall be situated so as to allow the nightsoil to be removed from the premises without being taken through any building;
  - (d) the sanitary convenience shall be situated so as to be unlikely to cause contamination of any water intended for consumption or use by man;
  - (e) where such permission authorises the sanitary convenience to be situated under or within any building—
    - (i) the sanitary convenience shall have not less than 3 external walls; and
    - (ii) adequate cross ventilation shall be provided by means of wall openings or equivalent devices, which are protected by fly-proof wire gauze, and so that each opening or device shall provide a free opening of not less than 220 cm<sup>2</sup> to the external air.

#### **49 Requirements for closets etc.**

- (1) The owner or occupier of any premises in a sanitary area shall not—
  - (a) permit or allow to be constructed, placed or used on the premises any closet having connected or attached thereto any pipe or other device capable of discharging

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- the contents of any nightsoil pan onto any open ground;  
or
- (b) permit or allow any closet to be constructed, placed or used on the premises in any situation where it is possible for the contents of any nightsoil pan to overflow or soak therefrom into any open drain, watercourse, lake, well, dam or waterhole; or
  - (c) permit or allow any waste water, rubbish or waste to be carried into or deposited in any nightsoil pan; or
  - (d) permit or allow any person (other than a servant of the local government or its sanitary contractor) to remove any nightsoil pan from a closet or any of its contents from a nightsoil pan.
- (2) A person (other than a servant of the local government or its sanitary contractor) shall not on any premises in a sanitary area remove any nightsoil pan from a closet.
- (3) The occupier of any premises in a sanitary area shall—
- (a) ensure that every closet on the premises is kept clean and is maintained in good and serviceable repair and condition; and
  - (b) provide in every closet on the premises a suitable container for the storage of the sawdust or other material provided by the local government or its sanitary contractor for covering nightsoil in pans, and ensure that such material is used regularly for that purpose.

Maximum penalty—20 penalty units.

## **50 Collection and removal of nightsoil**

The local government or its sanitary contractor, as the case may be, shall ensure that the following requirements are complied with in respect of the collection, removal and disposal of nightsoil from closets on premises in a sanitary area—

- (a) an adequate supply of suitable sawdust or other material for covering nightsoil in pans shall be provided and maintained in every closet;

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- (b) every pan containing nightsoil shall be removed from its closet at least once in each week, and a clean and serviceable empty pan shall immediately be placed in the pan cabinet;
- (c) every pan containing nightsoil, immediately upon its removal from the pan cabinet, shall be covered with a watertight lid, and such lid shall be securely fixed to the pan to prevent any of the contents spilling from the pan;
- (d) every pan containing nightsoil shall be removed immediately from the premises and placed in the nightsoil removal vehicle;
- (e) every vehicle used in the removal of nightsoil shall have an adequately enclosed compartment thereon for the carriage of pans containing nightsoil and shall, in every respect, be suitably designed and constructed for the carriage of nightsoil;
- (f) all work in connection with the collection, removal, and disposal of nightsoil shall be carried out during the hours of daylight only;
- (g) nightsoil shall not be spilt or permitted to fall onto any premises or road.

Maximum penalty—20 penalty units.

## **51 Access to closets**

The owner and the occupier of any premises in a sanitary area shall ensure that the means of access to closets on the premises are such that all nightsoil may be conveniently removed from the premises by the local government or its sanitary contractor without being taken through any building.

Maximum penalty—20 penalty units.

### **Division 3                      Carrying out sanitary works by others**

#### **52            Application of this division**

This division applies to all land within the area of a local government, other than land—

- (a) which in respect of the premises thereon the local government has itself undertaken or contracted for the collection, removal, and disposal of nightsoil; or
- (b) in respect of which the owner or occupier is required by or under any Act to have the premises thereon connected to sewerage or to a septic tank.

#### **53            Requirements for closets, pan cabinets and pans**

The owner or occupier of any premises shall not construct or place, or permit or allow to be constructed or placed, on the premises any earth closet unless the closet, pan cabinet and pan are in accordance with the requirements respectively stated in schedules 1, 2 and 3.

Maximum penalty—20 penalty units.

#### **54            Disposal of nightsoil from pans**

The owner and the occupier of any premises whereon nightsoil is deposited in any pan shall ensure that the following requirements are complied with or, as the case may be, are not contravened—

- (a) nightsoil shall be disposed of at least once in every week by burial in trenches in an isolated place on the land where the burial of nightsoil is not likely to cause contamination of any water intended for consumption or use by man;
- (b) such place for the burial of nightsoil shall be selected by the owner or the occupier of the premises provided that where the owner or occupier has received a direction



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from the local government as to the place of burial then the nightsoil shall be buried in the place so directed;

- (c) a trench having a floor of rock or wet earth shall not be used for the burial of nightsoil;
- (d) nightsoil shall be deposited in trenches not exceeding 600 mm in depth, or 600 mm in width or 3 m in length;
- (e) the surface of the nightsoil deposited in a trench shall be not less than 150 mm, measured vertically, from the edge of the excavation;
- (f) after nightsoil is deposited in a trench, the following procedures shall be carried out immediately—
  - (i) every pan from which nightsoil has been emptied shall be thoroughly cleansed with water and the water emptied into the trench;
  - (ii) the trench shall be filled in so that the nightsoil is covered evenly with a layer of clean earth not less than 250 mm in depth.

Maximum penalty—20 penalty units.

## **55 Requirements for cesspits**

- (1) The owner or occupier of any premises shall not construct or use a cesspit on the premises or permit or allow any cesspit to be constructed or used on the premises unless the following requirements are complied with—
  - (a) a cesspit shall be not less than 2.5 m in depth, and of such width and length that an area not less than 1 m<sup>2</sup> is provided under each seat in the cesspit closet;
  - (b) the closet shall be placed over the cesspit on level ground or on ground which has been made level, and so that a margin of 300 mm of undisturbed ground is left between the edges of the cesspit excavation and the ground plates of the closet.

Earth shall be placed on the ground outside the closet, and against the ground plates, for a distance of not less

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than 1 m in the form of a mound having a slight fall away from the closet;

- (c) where a cesspit is situated so as to be likely to be affected by the runoff of storm water—earth parapets, not less than 300 mm high and retained in place by means of timber or other suitable material, shall be provided to divert storm water past the cesspit;
- (d) foundations of closet—the closet building shall be substantial and weatherproof, and, when set in position shall rest on a bed of reinforced concrete or well seasoned hardwood bearers (150 mm by 150 mm), the full size of the closet framing, and neatly halved together both at back and front of the building, and the ground-frame shall be coated with 3 coats of tar.

Earth shall be so placed about the foundations, and the floor and cabinets shall be so constructed, that flies and rodents are excluded from the cesspit;

- (e) floor of closet—the closet shall be floored with 150 mm by 25 mm hardwood shot edged or tongued and grooved jointing well cramped up and securely nailed in position.

An opening shall be provided in the floor over the cesspit to suit the cabinet to be provided, but not large enough to include the skirting on the cabinet.

The opening for the cabinet shall be centred so that deposits of nightsoil will fall clear of the walls of the cesspit;

- (f) closet structure—the closet structure shall consist of weatherproof walls and roof, and shall be of sound and substantial construction, and so erected as to secure privacy.

The walls shall be at least 2 275 mm in height at the lowest part and the closet compartment shall be not less than 1 500 mm long and 1 000 mm wide, inside measurement, clear of studs.

The closet shall have a door capable of being fastened from the inside, and hung so as to be self-closing.

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The door when shut, shall have an open space of not more than 15 mm wide at its top next to the lintel and 20 mm clearance at the floor level;

- (g) the internal wall surfaces of the closet compartment shall be painted with a light-coloured gloss finish paint;
- (h) cabinet for cesspit closet—the seat and flap of the cabinet shall be as stated in schedule 2 for a pan cabinet, and the upright sides shall be of the same material, but shall project at least 100 mm lower.

The front shall be made like the sides.

The inner frame, except for a square frame of 30 mm by 30 mm timber fastened to the under side of the seat, shall be omitted.

The vent pipe shall be as specified for the cabinet panstead.

The skirting of the cabinet shall be of timber 100 mm by 25 mm neatly chamfered on top edge and securely nailed to the boarding of the cabinet at the proper level to bring the top of the seat 450 mm above the floor when the cabinet has been placed in position.

The skirting alone shall have a bearing on the floor;

- (i) all external and internal surfaces of the cabinet shall be painted with at least 2 coats of a light-coloured gloss finish paint.
- (2) The owner or occupier of any premises shall not construct or use, or permit or allow to be constructed or used, on the premises any cesspit in any situation likely to be subjected to flooding or likely to cause contamination of any water intended for consumption or use by man.
  - (3) The owner or occupier of any premises shall not use, or permit or allow to be used, on the premises any cesspit after the contents thereof have reached 500 mm, measured vertically, from the top of the pit.
  - (4) When the contents of any cesspit have reached 500 mm measured vertically from the top of the pit, or the use of any cesspit is discontinued, the occupier of the premises

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shall cause the pit to be properly filled in with earth to a height of at least 500 mm above the edges of the pit.

- (5) The occupier of any premises shall ensure that the closet and cabinet of every cesspit on the premises—
- (a) are kept clean; and
  - (b) are kept free from flies and vermin; and
  - (c) are maintained in good and serviceable repair and condition.

Maximum penalty—20 penalty units.

## **Division 4                      General**

### **56            Use of sanitary conveniences**

- (1) Subject to this section, the owner or occupier of any premises shall not use, or permit or allow to be used, on the premises any sanitary convenience unless—
- (a) such sanitary convenience was provided in accordance with the requirements of the local government for the purpose of connecting the premises to sewerage or to a septic tank; or
  - (b) such sanitary convenience was provided under, subject to, and in accordance with division 2 or 3; or
  - (c) such sanitary convenience was lawfully provided on the premises prior to the commencement of this part.

Provided that the local government may permit the owner or occupier of any premises to provide thereon a sanitary convenience if such sanitary convenience is of a type or description approved in writing by the chief executive.

Maximum penalty—20 penalty units.

- (2) The owner or occupier of any premises shall not construct, place or use, or permit or allow to be constructed, placed or used, on the premises any sanitary convenience (other than a septic tank) which is or includes a chemical closet or other

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apparatus or device for the treatment of nightsoil on the premises—

- (a) unless with the prior permission in writing of the local government; or
- (b) contrary in any respect to the requirements of such permission.

Maximum penalty—20 penalty units.

- (3) When the local government gives any such permission it shall include therein requirements in respect of the proper disposal of such nightsoil.

**57 Nightsoil to be in lawful sanitary convenience**

The owner or occupier of any premises shall not permit or allow any nightsoil to remain on the premises other than in a lawful sanitary convenience.

Maximum penalty—20 penalty units.

**58 Approvals and permits**

- (1) The chief executive and the local government may give or refuse to give any approval or permission provided for in this part and, subject to this part, may give any such approval or permission subject to conditions relating to time, place, purposes, class, or circumstances, or otherwise, as specified in any such approval or permission.
- (2) Any approval or permission given by the chief executive may be revoked, cancelled, suspended, amended or otherwise varied by the chief executive in any circumstances where the chief executive is of the opinion that it is necessary or desirable to do so.



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**61 Prosecution of offences**

- (1) If an authorised person gives a notice to comply to a person in relation to an act or omission by the person, the person may not be prosecuted for an offence comprised by the act or omission unless the person fails to comply with the notice by the due date.
- (2) It is not a requirement of this regulation that a person must be given a notice to comply before the person may be prosecuted for an offence under this regulation.

## **Schedule 1      Requirements for closets**

sections 48(2) and 53

### **1      General construction**

Every closet shall be erected of weatherproof walls and roof, and shall be of sound and substantial construction, securely braced and adequately lighted and ventilated, and so erected as to ensure privacy.

### **2      Foundations**

- (1) If the floor of the closet is laid on ground level, concrete or brick baffle walls sunk 600 mm below the ground level shall be provided on all sides so as to prevent rats burrowing under the closet.
- (2) The brick, concrete, wooden, or metal stumps on which any closet, which is a separate building, is erected shall not be less than 300 mm above the level of the ground so as to admit of free perflation of air as well as to prevent the harbourage of rats or other vermin under such closet.

### **3      Floors**

- (1) When laid on ground level, the floor of the closet shall be of concrete, rendered to a smooth surface, and laid with a fall of 25 mm from the rear wall alignment to the front alignment, and the upper surface of such floor shall be not less than 75 mm above ground level.
- (2) When the closet is erected upon brick, concrete, wooden, or metal stumps, the floor shall be constructed of 150 mm by 25 mm shot-edged hardwood or other suitable flooring securely nailed to sole plates and joists.

### **4      Dimensions**

The walls shall be at least 2 275 mm in height at the lowest part, and the closet compartment shall be not less than



**Schedule 1 (continued)**

1 500 mm long, and 1 000 mm wide, inside measurement, clear of studs.

**5 Door**

- (1) The closet shall have a securely hinged door capable of being fastened from the inside, and hung so as to be self-closing.
- (2) The door when shut shall show an open space of not more than 15 mm wide at its top next to the lintel and 20 mm clearance at the floor level.

**6 Internal painting**

The internal wall surfaces of the closet shall be painted with at least 2 coats of a light coloured gloss paint.

## **Schedule 2      Requirements for pan cabinets**

sections 48(2), 53 and 55(1)

Every cabinet shall be constructed to the following requirements—

- 1      Internal measurements—
  - (a) height—432 mm from the under side or bottom of the flooring boards to the underside of the seat;
  - (b) width—387 mm clear of the internal surfaces of the side framing timber for cabinets constructed for pans of 300 mm diameter, and 438 mm, clear of the internal surfaces of the framing timber for cabinets constructed for pans of 350 mm diameter;
  - (c) depth—380 mm clear of the internal surface of the rear framing timber and the front edge of the flooring timber for cabinets constructed for pans of 350 mm diameter.
- 2 (1)    Materials—
  - (a) frame—50 mm by 25 mm timber;
  - (b) sides and door—tongued and grooved pine, well seasoned, and 19 mm thick;
  - (c) floor—100 mm by 25 mm shot-edged hardwood;
  - (d) seat—solid 25 mm timber or moulded material;
  - (e) pan runners—38 mm by 25 mm hardwood;
  - (f) lid—25 mm timber;
  - (g) pan stop—50 mm by 25 mm timber;
  - (h) door ledges—75 mm by 25 mm timber;
  - (i) door rebates—12 mm by 12 mm timber;
  - (j) vent pipe—75 mm diameter galvanised iron of 0.50 mm thickness.
- (2)    All timbers used in the construction of the cabinet shall be well seasoned and planed to a smooth surface.

### Schedule 2 (continued)

#### 3 Construction—

- (a) the hardwood floor, tightly cramped, shall be securely nailed to the lower framing pieces, placed on edge, for each side panel and the rear panel;
- (b) the tongued and grooved pieces for the 2 side panels and the rear panel shall be securely nailed to their upper framing pieces and assembled together by means of secure nailing to the lower framing pieces attached to the floor, and also along the vertical butt joints of the side panels with the rear panel;
- (c) the 2 hardwood pan runners shall be securely nailed to the floor, sufficiently spaced to allow the pan to slide smoothly over them, and to support the pan evenly in its position;
- (d) blocks of 50 mm by 25 mm material shall be centrally fixed to both the upper and lower framing piece in the rear panel as a stop for the pan when pushed into position.

Blocks of similar material shall also be fixed to both the upper and lower framing pieces of each side panel as guides for centralising the pan in the cabinet.

These blocks shall be fixed to the upper framing timber of each side panel so as to finish 100 mm clear of the rear panel frame timber, so as not to obstruct the vent pipe opening in the seat;

- (e) 2 front corner uprights of 63 mm by 19 mm timber shall be securely nailed to the side panels and the floor.  
25 mm by 12 mm stops shall be securely fixed to the rear surface of these uprights, protruding 12 mm beyond the edge of the uprights, so as to provide vertical rebates for the door when in the closed position;
- (f) the seat of the cabinet, cut to size to allow a nosing of not more than 5 mm to project beyond the front and side vertical surfaces of the cabinet, shall be securely nailed to the side and rear panels and the 2 front uprights.

### Schedule 2 (continued)

A piece of 25 mm by 12 mm timber shall be nailed to the under side of the seat in such a position as to provide a stop for the upper edge of the door when in the closed position.

The opening in the seat shall be elliptical in form, 265 mm by 225 mm and finished with a well-bevelled edge.

The width between the outer edge of the seat nosing and the front of the cabinet seat aperture shall be not less than 100 mm.

A 75 mm hole shall be bored near the back corner of the seat, for the vent pipe;

- (g) a strongly hinged fly-proof lid 300 mm long and 175 mm wide shall be fastened to an anchor piece of 75 mm by 25 mm timber fixed to the upper rear edge of the seat.

The lid shall be hinged 3 mm clear of the anchor piece to ensure that it can at all times close flat on the seat surface and be fly-proof when in the closed position;

- (h) the door shall be fastened by means of strong hinges to 1 of the front uprights, and a turn button shall be fixed to the other front upright in such a manner as to ensure that the door can be kept tightly closed.

A suitable handle shall be fitted to the door to facilitate its opening.

Near the bottom of the door 4 holes of 35 mm diameter shall be bored for air inlets, above the level of the cabinet floor.

These holes shall be covered on the inside with fly-proof gauze of brass, bronze, fibreglass or other corrosion-resistant material;

- (i) a galvanised iron vent shaft of 0.50 mm thickness and 75 mm diameter shall be fitted to the vent opening provided near the back corner of the seat, and extended close to the back wall of the closet through the roof thereof, and finished off square at least 300 mm above such roof, and finished with a cowl on top; the bottom end of such ventilating pipe shall be flush with underside of the seat,

**Schedule 2 (continued)**

and where the pipe passes through the seat it shall be securely fixed in position to prevent the vent pipe slipping down.

Where closets are built in rows or groups, each cabinet shall be separately ventilated in the manner prescribed in this section;

- (j) all internal and external surfaces of the cabinet shall be painted with at least 2 coats of light-coloured gloss paint.

## **Schedule 3      Requirements for pans**

sections 48(2) and 53

- 1      A pan shall be constructed of either galvanised iron of 0.50 mm thickness or of plastic material of equivalent standard, and shall be either cylindrical or slightly tapered in shape.
- 2 (1)      A cylindrical pan shall be either of the following dimensions—
  - (a)      300 mm in diameter by 350 mm high;
  - (b)      350 mm in diameter by 350 mm high.
- (2)      A tapered pan shall be 350 mm high and shall have a diameter at the open end of either 350 mm or 300 mm tapering to no less than 330 mm or 280 mm respectively at the base end.
- 3      A pan shall be fitted with at least 1 side handle and shall have a suitable rim or lugs for affixing watertight lids.
- 4      A pan shall be fitted with a suitable metal or plastic lid provided with—
  - (a)      an inset rubber seal or seal of other suitable material; and
  - (b)      a means by which the lid can be suitably affixed to the open rim or lugs of the pan;so as to provide a completely watertight seal when affixed to the pan, in such a manner as to prevent the leakage of pan contents in any position.

## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 4 October 2004. Future amendments of the Environmental Protection (Interim Waste) Regulation 1996 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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### 3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Reprint date
1	to 1996 SL No. 71	19 April 1996	3 May 1996
1A	to 1996 SL No. 441	20 December 1996	19 March 1997
1B	to 1997 SL No. 404	28 November 1997	15 December 1997
1C	to 1998 SL No. 162	22 May 1998	12 November 1998
1D	to 1998 SL No. 330	11 December 1998	15 January 1999
2	to 1999 SL No. 145	25 June 1999	23 July 1999
			(Column discontinued)
			Notes
2A	to 2000 SL No. 178	1 July 2000	5 July 2000
3	to 2000 SL No. 178	1 January 2001	
3A	to 2004 SL No. 209	4 October 2004	



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## 5 Tables in earlier reprints

Name of table	Reprint No.
Changed names and titles	1
Renumbered provisions	1

## 6 List of legislation

### **Environmental Protection (Interim Waste) Regulation 1996 SL No. 17**

made by the Governor in Council on 1 February 1996

notfd gaz 2 February 1996 pp 488–90

ss 1–2 commenced on date of notification

remaining provisions commenced 2 February 1996 (see s 2)

exp 1 September 2006 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

### **List of legislation to Refuse Management Regulation 1983—before relocation of ss 3–4, divs 2–6, pt 6 to Environmental Protection (Interim Waste) Regulation 1996 SL No. 17**

#### **Refuse Management Regulation 1983**

pubd 14 May 1983 pp 405–9

commenced on date of publication

amending legislation—

#### **regulations published gazette (pre SL Series)—**

1 September 1984 p 81; 19 January 1985 p 190; 20 December 1986 p 2421;  
14 February 1987 p 700; 10 October 1987 p 514; 15 July 1989 pp 2469–2472;  
10 February 1990 p 742

#### **Refuse Management Amendment Regulation (No. 1) 1993 SL No. 115**

notfd gaz 16 April 1993 pp 1830–2

commenced on date of notification

#### **Environmental Protection (Interim Waste) Regulation 1996 SL No. 17 pts 1, 5 sch 4**

notfd gaz 2 February 1996 pp 488–90

ss 1–2 commenced on date of notification

remaining provisions commenced 2 February 1996 (see s 2)

### **List of legislation to Sanitary Convenience and Nightsoil Disposal Regulation 1976—before relocation of divs 1–4, schs 1–3 to Environmental Protection (Interim Waste) Regulation 1996 SL No. 17**

#### **Sanitary Convenience and Nightsoil Disposal Regulation 1976**

pubd gaz 12 June 1976 pp 851–66

commenced 12 June 1976 (see s 1(2))

amending legislation—

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Regulation 1996*

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**regulation published gazette (pre SL Series)—**

11 December 1982 p 1741

**Environmental Protection (Interim Waste) Regulation 1996 SL No. 17 pt 6 schs 5, 6**  
notfd gaz 2 February 1996 pp 488–90  
ss 1–2 commenced on date of notification  
remaining provisions commenced 2 February 1996 (see s 2)

**List of legislation to Environmental Protection (Interim Waste) Regulation 1996  
SL No. 17—after relocation of Refuse Management Regulation 1983 ss 3–4,  
divs 2–6, pt 6 and Sanitary Convenience and Nightsoil Disposal Regulation  
1976 divs 1–4, schs 1–3**

**Environmental Protection Act 1994 No. 62 ss 1–2, 616(2) (as ins 2000 No. 64 s 52)**  
date of assent 1 December 1994  
ss 1–2 commenced on date of assent  
remaining provision commenced 1 January 2001

**Environmental Protection (Interim Waste) Regulation 1996 SL No. 17**  
notfd gaz 2 February 1996 pp 488–90  
ss 1–2 commenced on date of notification  
remaining provisions commenced 2 February 1996 (see s 2)  
  
amending legislation—

**Environmental Protection (Interim Waste) Amendment Regulation (No. 1) 1996  
SL No. 71**  
notfd gaz 19 April 1996 pp 1681–2  
commenced on date of notification

**Environmental Protection (Interim Waste) Amendment Regulation (No. 2) 1996  
SL No. 441**  
notfd gaz 20 December 1996 pp 1588–98  
commenced on date of notification

**Environmental Protection (Interim Waste) Amendment Regulation (No. 1) 1997  
SL No. 404**  
notfd gaz 28 November 1997 pp 1408–10  
commenced on date of notification

**Environmental Protection (Interim Waste) Amendment Regulation (No. 1) 1998  
SL No. 162**  
notfd gaz 22 May 1998 pp 509–14  
commenced on date of notification

**Environmental Protection (Interim Waste) Amendment Regulation (No. 2) 1998  
SL No. 330**  
notfd gaz 11 December 1998 pp 1376–7  
commenced on date of notification

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**Environmental Protection (Interim Waste) Amendment Regulation (No. 1) 1999  
SL No. 145**

notfd gaz 25 June 1999 pp 932–8  
commenced on date of notification

**Environmental Protection (Waste Management) Regulation 2000 SL No. 178  
ss 1, 2(5) pt 10**

notfd gaz 30 June 2000 pp 736–48  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2000 (see s 2(5))

**Environmental Protection Legislation Amendment Regulation (No. 1) 2004 SL  
No. 209 pts 1, 3**

notfd gaz 1 October 2004 pp 393–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 4 October 2004 (see s 2)

## 7 List of annotations

### PART 2—WASTE MANAGEMENT

#### Definitions

- s 3**
- def “**approved**” (prev pubd gaz 14 May 1983 pp 405–9)  
amd 1996 SL No. 17 s 107  
reloc 1996 SL No. 17 s 123(1)
  - def “**assembly building**” (prev pubd gaz 14 May 1983 pp 405–9)  
reloc 1996 SL No. 17 s 123(1)
  - def “**commercial waste**” (prev pubd gaz 14 May 1983 pp 405–9)  
amd 1996 SL No. 17 ss 65(4)–(5), 114, 120  
reloc 1996 SL No. 17 s 123(1)
  - def “**domestic clean-up waste**” ins reg pubd gaz 14 February 1987 p 700  
s 2(a)  
amd 1996 SL No. 17 ss 65(4)–(6), 120  
reloc 1996 SL No. 17 s 123(1)
  - def “**domestic waste**” (prev pubd gaz 14 May 1983 pp 405–9)  
amd reg pubd gaz 14 February 1987 p 700 s 2(b); 1996 SL No. 17  
ss 65(4)–6, 118, 120  
reloc 1996 SL No. 17 s 123(1)
  - def “**food store**” (prev pubd gaz 14 May 1983 pp 405–9)  
reloc 1996 SL No. 17 s 123(1)
  - def “**garden refuse**” (prev pubd gaz 14 May 1983 pp 405–9)  
amd 1996 SL No. 17 s 65(5)  
reloc 1996 SL No. 17 s 123(1)
  - def “**industrial waste**” (prev pubd gaz 14 May 1983 pp 405–9)  
amd reg pubd gaz 14 February 1987 p 700 s 2(c); reg pubd gaz 15 July  
1989 pp 2469–72 s 3(a); 1996 SL No. 17 ss 65(4)–(7), 113–114, 117–118,  
120  
reloc 1996 SL No. 17 s 123(1)
  - def “**institutional building**” (prev pubd gaz 14 May 1983 pp 405–9)

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- reloc 1996 SL No. 17 s 123(1)
- def **“interceptor”** (prev pubd gaz 14 May 1983 pp 405–9)  
reloc 1996 SL No. 17 s 123(1)
- def **“interceptor waste”** (prev pubd gaz 14 May 1983 pp 405–9)  
reloc 1996 SL No. 17 s 123(1)
- def **“manufacturing process”** (prev pubd gaz 14 May 1983 pp 405–9)  
reloc 1996 SL No. 17 s 123(1)
- def **“recyclable biodegradable waste”** ins reg pubd gaz 15 July 1989  
pp 2469–72 s 3(b)  
amd 1996 SL No. 17 s 113  
reloc 1996 SL No. 17 s 123(1)
- def **“recyclable waste”** amd 1994 No. 62 s 616(2) (amd 2000 No. 64 s 52);  
2004 SL No. 209 s 34(2)
- def **“regulated waste treatment and storage facility”** amd 2004 SL No. 209  
s 34(3)
- def **“removal service”** (prev pubd gaz 14 May 1983 pp 405–9)  
amd 1996 SL No. 17 s 120  
reloc 1996 SL No. 17 s 123(1)
- def **“required authority”** ins 2004 SL No. 209 s 34(1)
- def **“school”** (prev pubd gaz 14 May 1983 pp 405–9)  
reloc 1996 SL No. 17 s 123(1)
- def **“standard commercial waste container”** (prev pubd gaz 14 May 1983  
pp 405–9)  
amd 1996 SL No. 17 ss 107, 114  
reloc 1996 SL No. 17 s 123(1)
- def **“standard domestic waste container”** (prev pubd gaz 14 May 1983  
pp 405–9)  
amd 1996 SL No. 17 ss 107, 118  
reloc 1996 SL No. 17 s 123(1)
- def **“waste area”** (prev pubd gaz 14 May 1983 pp 405–9)  
amd 1996 SL No. 17 ss 111, 120  
reloc 1996 SL No. 17 s 123(1)
- def **“waste disposal facility”** amd 2004 SL No. 209 s 34(3)
- def **“waste incineration facility”** amd 2004 SL No. 209 s 34(4)
- def **“waste recycling and reprocessing facility”** amd 2004 SL No. 209  
s 34(3)
- def **“waste transfer station”** amd 2004 SL No. 209 s 34(3)

**Local governments to superintend**

- prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 4** (prev pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 s 66  
reloc 1996 SL No. 17 s 123(2)

**Division 2—Storage, removal and collection of domestic and commercial waste**

- div hdg** (prev pt 2 hdg pubd gaz 14 May 1983 pp 405–9) sub 1996 SL No. 17 s 68  
reloc 1996 SL No. 17 s 123(3)

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Regulation 1996*

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**Owner or occupier of premises to provide waste containers**

- prov hdg** prev prov hdg om 1996 SL No. 17 s 69  
pres prov hdg ins 1996 SL No. 17 s 121 sch 4
- s 5** (prev pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 106, 111, 114,  
116, 118, 120  
reloc 1996 SL No. 17 s 123(3)

**Requirements for waste containers etc.**

- prov hdg** ins 1996 SL No. 17 s 121 sch 4
- s 6** (prev pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 70, 106, 111,  
114–116, 118, 120  
reloc 1996 SL No. 17 s 123(3)  
amd 2000 SL No. 178 s 83; 2004 SL No. 209 s 35

**Requirements for waste removal services**

- prov hdg** ins 1996 SL No. 17 s 121 sch 4
- s 7** (prev pubd gaz 14 May 1983 pp 405–9) amd 1993 SL No. 115 s 5; 1993  
SL No. 367 s 3; 1996 SL No. 17 ss 107, 114, 118–120  
renum 1996 SL No. 17 s 122(2)  
reloc 1996 SL No. 17 s 123(3)

**Notice regarding weekly refuse removal**

- s 8** (prev s 8A) ins 1993 SL No. 115 s 6  
amd 1996 SL No. 17 ss 73, 111, 114–116, 118, 119  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)

**Duties of waste removalist**

- s 9** (prev s 8B) ins 1993 SL No. 115 s 6  
amd 1996 SL No. 17 s 74, 115, 120  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 84

**Requirements for vehicles and equipment used for waste removal services**

- prov hdg** ins 1996 SL No. 17 s 121 sch 4
- s 10** (prev s 9 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 75, 106,  
114, 120  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 84

**Contracts entered into, or approvals, by local government—domestic or commercial waste**

- prov hdg** ins 1996 SL No. 17 s 121 sch 4
- s 11** (prev s 10 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 76, 107,  
114  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 84

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Regulation 1996*

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**Division 3—Storage, removal and collection of industrial waste**

**div hdg** (prev pt 3 hdg pubd gaz 14 May 1983 pp 405–9) sub 1996 SL No. 17 s 77  
reloc 1996 SL No. 17 s 123(3)

**Classification of industrial waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 12** (prev s 11 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 78, 117  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)

**Requirements for storage of industrial waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 13** (prev s 12 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 80,  
106–107, 116–117, 120  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)

**Requirements for removal of industrial waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 14** (prev s 13 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 82, 106,  
117  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 85

**Contracts entered into, or approvals, by local governments—industrial waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 15** (prev s 14 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 107, 117  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 85

**Division 4—Information to be provided about industrial waste**

**div hdg** (prev pt 4 hdg pubd gaz 14 May 1983 pp 405–9) sub 1996 SL No. 17 s 83  
reloc 1996 SL No. 17 s 123(3)  
sub 2000 SL No. 178 s 86

**Disposal or depositing of construction or demolition waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 16** (prev s 15 pubd gaz 14 May 1983 pp 405–9) amd reg pubd gaz 1 September  
1984 p 81 s 2; reg pubd gaz 19 January 1985 p 190 s 2; 1996 SL No. 17  
ss 85, 106–107, 111–112, 115, 120  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
amd 1996 SL No. 71 s 3

**Requirements for waste disposal facilities**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 17** (prev s 16 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 107, 112,  
120  
renum 1996 SL No. 17 s 122(1)

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reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 87

**Prohibited conduct at waste disposal facilities**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 18** (prev s 17 pubd gaz 14 May 1983 pp 405–9) amd reg pubd gaz  
1 September 1984 p 81 s 3; 1996 SL No. 17 ss 106–107, 112, 120  
renum 1996 SL No. 17 s 122(1)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 87

**Approval of composting plants**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 19** (prev pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 90, 107, 114  
reloc 1996 SL No. 17 s 123(3)  
amd 1996 SL No. 71 s 4  
exp 30 June 1996 (see s 19(2))

**Requirements for local governments—composting plants**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 20** (prev pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 91, 107, 114  
reloc 1996 SL No. 17 s 123(3)  
exp 30 June 1996 (see s 20(5))

**Requirements for disposal of industrial waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 21** (prev pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 106–107,  
109–110, 112, 117  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 88

**Information to be provided to local governments—industrial waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 22** (prev pubd gaz 14 May 1983 pp 405–9) amd reg pubd gaz 10 February 1990  
p 742; 1996 SL No. 17 ss 93, 106, 109–110, 112, 117, 120  
reloc 1996 SL No. 17 s 123(3)

**Division 5—Storage, removal and conveyance of recyclable biodegradable waste**

**div hdg** (prev pt 4A hdg) ins reg pubd gaz 15 July 1989, pp 2469–72 s 5  
sub 1996 SL No. 17 s 94  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 89

**Storage of recyclable biodegradable waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 23** (prev s 22A) ins reg pubd gaz 15 July 1989 pp 2469–72 s 5  
amd 1996 SL No. 17 ss 96, 106, 113, 120  
renum 1996 SL No. 17 s 122(2)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 89

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**Requirements for vehicles and equipment used for removal and transport of recyclable biodegradable waste**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 24** (prev s 22B) ins reg pubd gaz 15 July 1989 pp 2469–72 s 5  
 amd 1996 SL No. 17 ss 98, 106, 113, 120  
 renum 1996 SL No. 17 s 122(2)  
 reloc 1996 SL No. 17 s 123(3)  
 om 2000 SL No. 178 s 89

**Requirements for those engaged in removal and transport of recyclable biodegradable waste**

**s 25** (prev s 22C) ins reg pubd gaz 15 July 1989 pp 2469–72 s 5  
 amd 1996 SL No. 17 ss 99, 106, 113  
 renum 1996 SL No. 17 s 122(2)  
 reloc 1996 SL No. 17 s 123(3)  
 om 2000 SL No. 178 s 89

**Division 6—General**

**div hdg** (prev pt 5 hdg pubd gaz 14 May 1983 pp 405–9) sub 1996 SL No. 17 s 101  
 reloc 1996 SL No. 17 s 123(3)  
 om 2000 SL No. 178 s 89

**To whom part does not apply**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 26** (prev s 23 pubd gaz 14 May 1983 pp 405–9) amd reg pubd gaz 15 July 1989  
 pp 2469–72 s 6; 1996 SL No. 17 s 102, 120  
 renum 1996 SL No. 17 s 122(2)  
 reloc 1996 SL No. 17 s 123(3)  
 om 2000 SL No. 178 s 89

**Prohibited conduct at waste disposal facilities**

**prov hdg** ins 1996 No. 17 s 121 sch 4  
**s 27** (prev s 24 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 106, 112,  
 120  
 renum 1996 SL No. 17 s 122(3)  
 reloc 1996 SL No. 17 s 123(3)  
 om 2000 SL No. 178 s 89

**Requirements for those delivering waste to waste recycling and reprocessing facility etc.**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 28** (prev s 25 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 106,  
 109–110, 112, 120  
 renum 1996 SL No. 17 s 122(3)  
 reloc 1996 SL No. 17 s 123(3)  
 om 2000 SL No. 178 s 89

**Representations about approvals**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
 sub 1996 SL No. 71 s 5  
**s 29** (prev s 26 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 103,  
 106–107, 114–115, 119



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renum 1996 SL No. 17 s 122(3)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 89

**Conduct of waste removal service**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 30** (prev s 27 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 s 106  
renum 1996 SL No. 17 s 122(3)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 89

**Restraining of dog or domestic animal**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
**s 31** (prev s 28 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 s 119  
renum 1996 SL No. 17 s 122(3)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 89

**Revocation etc. of authorities**

**prov hdg** ins 1996 SL No. 17 s 121 sch 4  
sub 1996 SL No. 71 s 6  
**s 32** (prev s 29 pubd gaz 14 May 1983 pp 405–9) amd 1996 SL No. 17 ss 104, 107  
renum 1996 SL No. 17 s 122(3)  
reloc 1996 SL No. 17 s 123(3)  
om 2000 SL No. 178 s 89

**PART 3—SANITARY CONVENIENCES AND NIGHTSOIL DISPOSAL**

**Division 1—Preliminary**

**div hdg** ins 1996 SL No. 17 s 125  
reloc 1996 SL No. 17 s 148(1)

**Local governments to superintend**

**prov hdg** ins 1996 SL No. 17 s 146 sch 6  
**s 33** (prev s 4 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 126  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Definitions**

**prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6  
**s 34** (prev s 5 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 127(1)  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
def “sanitary convenience” ins 1996 SL No. 17 s 127(2)

**Division 2—Carrying out sanitary works by local governments**

**div hdg** (prev pt 2 hdg pubd gaz 12 June 1976 pp 851–66) sub 1996 SL No. 17 s 128  
reloc 1996 SL No. 17 s 148(1)

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**Application of this division**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 35** (prev s 6 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 129  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Nightsoil disposal depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 36** (prev s 7 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Depot facilities**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 37** (prev s 8 pubd gaz 12 June 1976 pp 851–66)  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Depot procedures**

- prov hdg** ins 1996 SL No. 17 s 146 sch 6
- s 38** (prev s 9 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
amd 1996 SL No. 71 s 7

**Water supply to depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 39** (prev s 10 pubd gaz 12 June 1976 pp 851–66)  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Fencing of depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 40** (prev s 11 pubd gaz 12 June 1976 pp 851–66)  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
amd 1996 SL No. 71 s 8

**Entry to depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 41** (prev s 12 pubd gaz 12 June 1976 pp 851–66)  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
amd 1996 SL No. 71 s 9

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**Method of disposal of nightsoil at depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 42** (prev s 13 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Selection of depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 43** (prev s 14 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17  
ss 130, 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Management of depot**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 44** (prev s 15 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17  
ss 131, 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 ss 148(1)

**Specifications for depot**

- prov hdg** ins 1996 SL No. 17 s 146 sch 6
- s 45** (prev s 16 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
amd 1996 SL No. 71 s 10

**Contract for the execution of work by a sanitary contractor**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 46** (prev s 17 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 143  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

**Cesspits not to be constructed or used**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 47** (prev s 18 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 144  
reloc 1996 SL No. 17 s 147(1)  
renum 1996 SL No. 17 s 148(1)

**Requirements for sanitary conveniences, pan cabinets and pans**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6
- s 48** (prev s 19 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 ss 132,  
143–144  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)

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**Requirements for closets etc.**

- prov hdg** ins 1996 SL No. 17 s 146 sch 6  
**s 49** (prev s 20 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17  
 ss 133, 144  
 renum 1996 SL No. 17 s 147(1)  
 reloc 1996 SL No. 17 s 148(1)

**Collection and removal of nightsoil**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
 pres ins 1996 SL No. 17 s 146 sch 6  
**s 50** (prev s 21 pubd gaz 12 June 1976 pp 851–66)  
 renum 1996 SL No. 17 s 147(1)  
 reloc 1996 SL No. 17 s 148(1)  
 amd 1996 SL No. 71 s 11

**Access to closets**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
 pres ins 1996 SL No. 17 s 146 sch 6  
**s 51** (prev s 22 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 144  
 renum 1996 SL No. 17 s 147(1)  
 reloc 1996 SL No. 17 s 148(1)

**Division 3—Carrying out sanitary works by others**

- div hdg** (prev pt 3 hdg pubd gaz 12 June 1976 pp 851–66) sub 1996 SL No. 17 s 134  
 reloc 1996 SL No. 17 s 148(1)

**Application of this division**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
 pres ins 1996 SL No. 17 s 146 sch 6  
**s 52** (prev s 23 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 135  
 renum 1996 SL No. 17 s 147(1)  
 reloc 1996 SL No. 17 s 148(1)

**Requirements for closets, pan cabinets and pans**

- prov hdg** ins 1996 SL No. 17 s 146 sch 6  
**s 53** (prev s 24 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17  
 ss 136, 144  
 renum 1996 SL No. 17 s 147(1)  
 reloc 1996 SL No. 17 s 148(1)

**Disposal of nightsoil from pans**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
 pres ins 1996 SL No. 17 s 146 sch 6  
**s 54** (prev s 25 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 144  
 renum 1996 SL No. 17 s 147(1)  
 reloc 1996 SL No. 17 s 148(1)

**Requirements for cesspits**

- prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
 pres ins 1996 SL No. 17 s 146 sch 6  
**s 55** (prev s 26 pubd gaz 12 June 1976 pp 851–66) amd reg pubd gaz  
 11 December 1982 p 1471; 1996 SL No. 17 ss 137, 144

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renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
amd 1996 SL No. 71 s 12

**Division 4—General**

**div hdg** (prev pt 4 hdg pubd gaz 12 June 1976 pp 851–66) sub 1996 SL No. 17 s 138  
reloc 1996 SL No. 17 s 148(1)

**Use of sanitary conveniences**

**prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6

**s 56** (prev s 27 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 ss 139,  
143–144  
renum 1996 SL No. 17 s 147(1)  
reloc 1996 SL No. 17 s 148(1)  
amd 2000 SL No. 178 s 90

**Nightsoil to be in lawful sanitary convenience**

**prov hdg** ins 1996 SL No. 17 s 146 sch 6  
**s 57** (prev s 29 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17 s 144  
renum 1996 SL No. 17 s 147(2)  
reloc 1996 SL No. 17 s 148(1)

**Approvals and permits**

**prov hdg** (prev pubd gaz 12 June 1976 pp 851–66) om 1996 SL No. 17 s 145 sch 5  
pres ins 1996 SL No. 17 s 146 sch 6  
**s 58** (prev s 30 pubd gaz 12 June 1976 pp 851–66) amd 1996 SL No. 17  
ss 141, 143  
renum 1996 SL No. 17 s 147(2)  
reloc 1996 SL No. 17 s 148(1)

**PART 4—NOTICES TO COMPLY**

**pt hdg** sub 1999 SL No. 145 s 3(1)

**Division 1—Notices to comply**

**div hdg** (prev pt 6 hdg) ins 1993 SL No. 115 s 8  
reloc 1996 SL No. 17 s 123(4)  
om 1999 SL No. 145 s 3(1)

**Authorised person may serve notice to comply**

**s 59** (prev s 35) ins 1993 SL No. 115 s 8  
amd 1996 SL No. 17 s 108  
renum 1996 SL No. 17 s 122(4)  
reloc 1996 SL No. 17 s 123(4)

**Person must comply with a notice to comply**

**s 60** (prev s 36) ins 1993 SL No. 115 s 8  
renum 1996 SL No. 17 s 122(4)  
reloc 1996 SL No. 17 s 123(4)

**Prosecution of offences**

**s 61** (prev s 37) ins 1993 SL No. 115 s 8  
amd 1996 SL No. 17 s 108

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renum 1996 SL No. 17 s 122(4)  
reloc 1996 SL No. 17 s 123(4)

**Division 2—Expiry of regulation**

**div hdg** om 1999 SL No. 145 s 3(2)

**Expiry**

**s 62** sub 1996 SL No. 441 s 3; 1997 SL No. 404 s 3; 1998 SL No. 162 s 3  
amd 1998 No. 330 s 3  
om 1999 SL No. 145 s 3(2)

**PART 5—AMENDMENT OF REFUSE MANAGEMENT REGULATION 1983**

**pt 5 (ss 64–123)** exp 2 February 1996 (see s 154)

**PART 6—AMENDMENT OF SANITARY CONVENIENCES AND NIGHTSOIL  
DISPOSAL REGULATION 1976**

**pt 6 (ss 124–148)** exp 2 February 1996 (see s 154)

**PART 7—REPEALS, TRANSITIONAL AND EXPIRY PROVISIONS**

**pt hdg** exp 2 February 1996 (see s 154)

**Division 1—Preliminary**

**div 1 (s 149)** exp 2 February 1996 (see s 154)

**Division 2—Repeals**

**div 2 (s 150)** exp 2 February 1996 (see s 154)

**Division 3—Transitional provisions**

**div hdg** exp 2 February 1996 (see s 154)

**Reference to relocated provisions and regulation**

**s 151** exp 2 February 1996 (see s 154)  
AIA s 20A applies (see s 151(3))

**Authorities etc. under relocated regulation**

**s 152** exp 2 February 1996 (see s 154)

**Legal proceedings**

**s 153** exp 2 February 1996 (see s 154)  
AIA s 20A applies (see s 153(2))

**Division 4—Expiry provisions**

**div 4 (s 154)** exp 2 February 1996 (see s 154)

**SCHEDULE 1—REQUIREMENTS FOR CLOSETS**

(prev pubd gaz 12 June 1976 pp 851–66)  
reloc 1996 SL No. 17 s 148(2)

**SCHEDULE 2—REQUIREMENTS FOR PAN CABINETS**

(prev pubd gaz 12 June 1976 pp 851–66)  
reloc 1996 SL No. 17 s 148(2)

**SCHEDULE 3—REQUIREMENTS FOR PANS**

(prev pubd gaz 12 June 1976 pp 851–66)  
reloc 1996 SL No. 17 s 148(2)

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**SCHEDULE 4—INSERTION OF NEW SECTION HEADINGS**

exp 2 February 1996 (see s 154)

**SCHEDULE 5—OMISSION OF HEADINGS**

exp 2 February 1996 (see s 154)

**SCHEDULE 6—INSERTION OF NEW SECTION HEADINGS**

exp 2 February 1996 (see s 154)