

Queensland



Subordinate Legislation 1996 No. 17

*Environmental Protection Act 1994*

*Health Act 1937*

**ENVIRONMENTAL PROTECTION (INTERIM  
WASTE) REGULATION 1996**

**TABLE OF PROVISIONS**

Section		Page
<b>PART 1—PRELIMINARY</b>		
1	Short title .....	6
2	Commencement .....	6
<b>PART 2—WASTE MANAGEMENT</b>		
<i>Division 1—Preliminary</i>		
3	Definitions .....	6
<b>PART 3—SANITARY CONVENIENCES AND NIGHTSOIL DISPOSAL</b>		
<b>PART 4—MISCELLANEOUS</b>		
<i>Division 2—Expiry of regulation</i>		
62	Expiry .....	7
<b>PART 5—AMENDMENT OF REFUSE MANAGEMENT REGULATION 1983</b>		
64	Regulation amended .....	7
65	Amendment of s 3 .....	8
66	Amendment of s 4 .....	9
67	Omission of s 4A .....	9

---

68	Replacement of pt 2 heading (Storage, removal and collection of domestic and commercial refuse) . . . . .	9
	<i>Division 2—Storage, removal and collection of domestic and commercial waste</i>	
69	Omission of heading (Storage) . . . . .	9
70	Amendment of s 6 . . . . .	9
71	Omission of s 7 . . . . .	10
72	Omission of heading (Removal and collection) . . . . .	10
73	Amendment of s 8A (Notice regarding weekly refuse removal) . . . . .	10
74	Amendment of s 8B (Duties of refuse removalist) . . . . .	10
75	Amendment of s 9 . . . . .	10
76	Amendment of s 10 . . . . .	11
77	Replacement of pt 3 heading (Storage, removal and collection of industrial refuse) . . . . .	11
	<i>Division 3—Storage, removal and collection of industrial waste</i>	
78	Amendment of s 11 . . . . .	11
79	Omission of heading (Storage) . . . . .	11
80	Amendment of s 12 . . . . .	11
81	Omission of heading (Removal and collection) . . . . .	12
82	Amendment of s 13 . . . . .	12
83	Replacement of pt 4 heading (Disposal of domestic, commercial and industrial refuse) . . . . .	12
84	Omission of heading (Place of disposal) . . . . .	12
85	Amendment of s 15 . . . . .	12
86	Omission of heading (Direct land disposal) . . . . .	13
87	Omission of heading (On-site incineration or other treatment) . . . . .	13
88	Omission of s 18 . . . . .	13
89	Omission of heading (Incineration or other treatment) . . . . .	13
90	Amendment of s 19 . . . . .	14
91	Amendment of s 20 . . . . .	14
92	Omission of heading (Disposal of industrial refuse) . . . . .	14
93	Amendment of s 22 . . . . .	14
94	Replacement of pt 4A heading (Storage, removal and conveyance of recyclable biodegradable refuse) . . . . .	15

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

95	Omission of heading (Storage) . . . . .	15
96	Amendment of s 22A . . . . .	15
97	Omission of heading (Removal and conveyance) . . . . .	15
98	Amendment of s 22B . . . . .	15
99	Amendment of s 22C . . . . .	15
100	Omission of s 22D . . . . .	16
101	Replacement of pt 5 heading (General provisions) . . . . .	16

*Division 6—General*

102	Amendment of s 23 . . . . .	16
103	Amendment of s 26 . . . . .	16
104	Amendment of s 29 . . . . .	16
105	Omission of ss 30, 32 and 34 . . . . .	16
106	Amendment for maximum penalties . . . . .	17
107	Amendment for “Director-General” . . . . .	17
108	Amendment for “inspector” . . . . .	18
109	Amendment for “treatment plant” . . . . .	18
110	Amendment for “plant” . . . . .	18
111	Amendment for “refuse area” . . . . .	19
112	Amendment for “refuse tip” . . . . .	19
113	Amendment for “recyclable biodegradable refuse” . . . . .	19
114	Amendment for “commercial refuse” . . . . .	20
115	Amendment for “refuse container” . . . . .	20
116	Amendment for “refuse containers” . . . . .	21
117	Amendment for “industrial refuse” . . . . .	21
118	Amendment for “domestic refuse” . . . . .	21
119	Amendment for “refuse removal” . . . . .	22
120	Amendment for “refuse” . . . . .	22
121	Insertion of new section headings . . . . .	23
122	Renumbering of provisions . . . . .	23
123	Relocations . . . . .	23

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

124	Regulation amended . . . . .	24
125	Insertion of new div heading . . . . .	24
	<i>Division 1—Preliminary</i>	
126	Amendment of s 4 . . . . .	24
127	Amendment of s 5 (Interpretation) . . . . .	24
128	Replacement of pt 2 heading (Regulations to apply in areas or parts of areas where the local authority has itself undertaken or contracted for the execution of sanitary works) . . . . .	25
	<i>Division 2—Carrying out sanitary works by local governments</i>	
129	Amendment of s 6 (Application of this part) . . . . .	25
130	Amendment of s 14 (Selection of nightsoil disposal depot (burial system)) . . . . .	25
131	Amendment of s 15 (Management of nightsoil and disposal depot) . . . . .	25
132	Amendment of s 19 (Requirements for sanitary conveniences, pan cabinets and pans) . . . . .	25
133	Amendment of s 20 (Requirements for closets etc.) . . . . .	26
134	Replacement of pt 3 heading (Regulations to apply in areas or parts of areas where the local government has not itself undertaken or contracted for the execution of sanitary work . . . . .	26
	<i>Division 3—Carrying out sanitary works by others</i>	
135	Amendment of s 23 (Application of this part) . . . . .	26
136	Amendment of s 24 . . . . .	26
137	Amendment of s 26 (Requirements for cesspits) . . . . .	26
138	Replacement of pt 4 heading (General provisions) . . . . .	27
	<i>Division 4—General</i>	
139	Amendment of s 27 (Use of sanitary conveniences (including treatment devices)) . . . . .	27
140	Omission of s 28 . . . . .	27
141	Amendment of s 30 (Approvals and permits) . . . . .	27
142	Omission of s 31–33 . . . . .	27
143	Amendment for “Director-General” . . . . .	28
144	Amendment for maximum penalties . . . . .	28
145	Omission of headings . . . . .	29

---

146	Insertion of new section headings . . . . .	29
147	Renumbering of provisions . . . . .	29
148	Relocations . . . . .	29
<b>PART 7—REPEALS, TRANSITIONAL AND EXPIRY PROVISIONS</b>		
<i>Division 1—Preliminary</i>		
<i>Division 2—Repeals</i>		
150	Regulations repealed . . . . .	30
<i>Division 3—Transitional provisions</i>		
151	Reference to relocated provisions and regulation . . . . .	30
152	Authorities etc. under relocated regulation . . . . .	31
153	Legal proceedings . . . . .	31
<i>Division 4—Expiry provisions</i>		
154	Expiry . . . . .	31
<b>SCHEDULE 4 . . . . .</b>		
<b>INSERTION OF NEW SECTION HEADINGS</b>		
<b>SCHEDULE 5 . . . . .</b>		
<b>OMISSION OF HEADINGS</b>		
<b>SCHEDULE 6 . . . . .</b>		
<b>INSERTION OF NEW SECTION HEADINGS</b>		

## PART 1—PRELIMINARY

### Short title

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

### Commencement

2. This regulation commences on 2 February 1996.

## PART 2—WASTE MANAGEMENT

### *Division 1—Preliminary*

### Definitions

3. In this part—

“**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.

“**recyclable waste**” means clean and inoffensive waste that is declared to be recyclable waste under an application for an approval granted under section 118B of the Act.

“**regulated waste**” has the meaning given by the *Environmental Protection (Interim) Regulation 1995*.

“**regulated waste treatment and storage facility**” means a regulated waste treatment and storage facility for which a person holds a licence under the Act.

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

“**waste disposal facility**” means a general waste disposal facility or a

regulated waste disposal facility for which a person holds a licence under the Act.

**“waste incineration facility”** means a waste incineration facility for which a person holds an approval or a licence under the Act.

**“waste recycling and reprocessing facility”** means a waste recycling and reprocessing facility for which a person holds a licence under the Act.

**“waste transfer station”** means a waste transfer station for which a person holds a licence under the Act.

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

## **PART 4—MISCELLANEOUS**

### *Division 2—Expiry of regulation*

#### **Expiry**

**62.** This regulation (other than sections 19 and 20) expires on 31 December 1996.

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

#### **Regulation amended**

**64.** This part and schedule 4 amend the *Refuse Management Regulation 1983*.

**Amendment of s 3**

**65.(1)** Section 3, as heading—

*insert—*

**‘Definitions’.**

**(2)** Section 3, ‘In’ to ‘respectively:’—

*omit, insert—*

‘In this part’.

**(3)** Section 3, definitions “**due date**”, “**high-rise building**”, “**multi-unit residential building**”, “**notice to comply**”, “**recyclable refuse**” and “**refuse tip**”—

*omit.*

**(4)** Section 3, definitions “**commercial refuse**”, “**domestic clean-up refuse**”, “**domestic refuse**” and “**industrial refuse**”, ‘recyclable refuse’—

*omit, insert—*

‘recyclable waste’.

**(5)** Section 3, definitions “**commercial refuse**”, “**domestic clean-up refuse**”, “**domestic refuse**”, “**garden refuse**” and “**industrial refuse**”, ‘garden refuse’—

*omit, insert—*

‘garden waste’.

**(6)** Section 3, definitions “**domestic clean-up refuse**”, “**domestic refuse**” and “**industrial refuse**”, ‘domestic clean-up refuse’—

*omit, insert—*

‘domestic clean-up waste’.

**(7)** Section 3, definition “**industrial refuse**”, ‘pursuant’ to ‘1982’—

*omit, insert—*

‘under section 35 of the Standard Sewerage Law’.

**Amendment of s 4**

**66.(1)** Section 4(1), ‘These Regulations shall be’—

*omit, insert—*

‘This part is’.

**(2)** Section 4(2), ‘these Regulations’—

‘this part’.

**Omission of s 4A**

**67.** Section 4A—

*omit.*

**Replacement of pt 2 heading (Storage, removal and collection of domestic and commercial refuse)**

**68.** Part 2, heading—

*omit, insert—*

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

**Omission of heading (Storage)**

**69.** Heading before section 5—

*omit.*

**Amendment of s 6**

**70.** Section 6(1), ‘regulations 18(2) and 23 of these regulations’—

*omit, insert—*

‘section 26’.

**Omission of s 7**

**71.** Section 7—

*omit.*

**Omission of heading (Removal and collection)**

**72.** Heading before section 8—

*omit.*

**Amendment of s 8A (Notice regarding weekly refuse removal)**

**73.** Section 8A(1)(a), ‘section 8(1)’—

*omit, insert—*

‘section 7(1)’.

**Amendment of s 8B (Duties of refuse removalist)**

**74.** Section 8B(1), ‘section 8(1)’—

*omit, insert—*

‘section 7(1)’.

**Amendment of s 9**

**75.(1)** Section 9(A)(ii), ‘approved transfer’ to ‘disposal’—

*omit, insert—*

‘waste transfer station, waste recycling and reprocessing facility, regulated waste treatment and storage facility, incineration facility or waste disposal facility’.

**(2)** Section 9(A)(iii)(a), ‘pursuant’ to ‘1982’—

*omit, insert—*

‘under section 54 of the Standard Sewerage Law’.

**(3)**Section 9(B)(iii), ‘refuse tip’ to ‘disposal’—

*omit, insert—*

‘waste transfer station, waste recycling and reprocessing facility, regulated waste treatment and storage facility, incineration facility or waste disposal facility’.

### **Amendment of s 10**

**76.** Section 10(2), (3) and (4)—

*omit.*

### **Replacement of pt 3 heading (Storage, removal and collection of industrial refuse)**

**77.** Part 3, heading—

*omit, insert—*

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

### **Amendment of s 11**

**78.** Section 11, ‘For the purposes of these Regulations’—

*omit, insert—*

‘In this part’.

### **Omission of heading (Storage)**

**79.** Heading before section 12—

*omit.*

### **Amendment of s 12**

**80.** Section 12(D), ‘refuse tip’ to ‘facility’—

*omit, insert—*

‘waste disposal facility or waste transfer station’.

**Omission of heading (Removal and collection)**

**81.** Heading before section 13—

*omit.*

**Amendment of s 13**

**82.** Section 13(C)(i), ‘pursuant’ to ‘1982’—

*omit, insert—*

‘under section 54 of the Standard Sewerage Law’.

**Replacement of pt 4 heading (Disposal of domestic, commercial and industrial refuse)**

**83.** Part 4, heading—

*omit, insert—*

‘*Division 4—Disposal of domestic, commercial and industrial waste*’.

**Omission of heading (Place of disposal)**

**84.** Heading before section 15—

*omit.*

**Amendment of s 15**

**85.(1)** Section 15(1), ‘be approved’ to ‘person may’—

*omit.*

**(2)** Section 15(1), ‘refuse’ to ‘buildings’—

*omit, insert—*

‘construction or demolition waste other than’.

**(3)** Section 15(2), ‘the provisions of these Regulations’—

*omit, insert—*

‘this part’.

(4) Section 15(3), (5) and (6)—

*omit.*

(5) Section 15(2)—

*renumber* as section 15(3).

(6) Section 15—

*insert*—

‘(2) The local government may impose relevant conditions on the approval that it considers to be necessary or desirable, including, for example—

- (a) the place of the waste’s deposit or disposal; and
- (b) the way of the waste’s deposit or disposal.’

### **Omission of heading (Direct land disposal)**

86. Heading before section 16—

*omit.*

### **Omission of heading (On-site incineration or other treatment)**

87. Heading before section 18—

*omit.*

### **Omission of s 18**

88. Section 18—

*omit.*

### **Omission of heading (Incineration or other treatment)**

89. Heading before section 19—

*omit.*

**Amendment of s 19**

**90.(1)** Section 19, ‘pulverisation, composting or other treatment’—

*omit, insert—*

‘composting’.

**(2)** Section 19—

*insert—*

‘(2) This section expires on 30 June 1996.’.

**Amendment of s 20**

**91.(1)** Section 20(1) and (2), ‘incineration’ to ‘treatment’—

*omit, insert—*

‘composting’.

**(2)** Section 20—

*insert—*

‘(5) This section expires on 30 June 1996.’.

**Omission of heading (Disposal of industrial refuse)**

**92.** Heading before section 21—

*omit.*

**Amendment of s 22**

**93.(1)** Section 22(1)(B), ‘regulation 11 of these Regulations’—

*omit, insert—*

‘section 12’.

**(2)** Section 22 (3) and (4)—

*omit.*

**Replacement of pt 4A heading (Storage, removal and conveyance of recyclable biodegradable refuse)**

94. Part 4A, heading—

*omit, insert—*

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

**Omission of heading (Storage)**

95. Heading before section 22A—

*omit.*

**Amendment of s 22A**

96. Section 22A, ‘By-laws’ to ‘1988’—

*omit, insert—*

‘Law’.

**Omission of heading (Removal and conveyance)**

97. Heading before section 22B—

*omit.*

**Amendment of s 22B**

98. Section 22B(C)(i), ‘pursuant’ to ‘1988’—

*omit, insert—*

‘under section 54 of the Standard Sewerage Law’.

**Amendment of s 22C**

99. Section 22C(D)—

*omit.*

**Omission of s 22D**

**100.** Section 22D—

*omit.*

**Replacement of pt 5 heading (General provisions)**

**101.** Part 5, heading—

*omit, insert—*

*‘Division 6—General’.*

**Amendment of s 23**

**102.** Section 23, ‘The provisions of these Regulations shall—

*omit, insert—*

‘This part does’.

**Amendment of s 26**

**103.** Section 26, ‘these Regulations’—

*omit, insert—*

‘this part’.

**Amendment of s 29**

**104.** Section 29, ‘the provisions of these Regulations’—

*omit, insert—*

‘this part’.

**Omission of ss 30, 32 and 34**

**105.** Sections 30, 32 and 34—

*omit.*

**Amendment for maximum penalties**

**106.(1)** This section amends the following provisions—

- section 5(1)
- section 6
- section 9
- section 12
- section 13
- section 15(2)
- section 17
- sections 21 to 22C
- sections 24 to 28.

**(2)** At the end of the provisions mentioned in subsection (1)—

*insert—*

‘Maximum penalty—40 penalty units.’.

**Amendment for “Director-General”**

**107.(1)** This section amends the following provisions—

- section 3, definitions **“approved”**, **“standard commercial refuse container”** and **“standard domestic refuse container”**
- section 8
- section 10(1)
- section 12(D)
- section 14
- section 15(4)
- section 16(D)
- section 17(1)
- section 19
- section 20

- section 21(B)
- section 26
- section 29.

(2) In the provisions mentioned in subsection (1), ‘Director-General’—  
*omit, insert*—  
‘chief executive’.

### **Amendment for “inspector”**

**108.(1)** This section amends the following provisions—

- section 35
- section 37(1).

(2) In the provisions mentioned in subsection (1), ‘inspector’—  
*omit, insert*—  
‘authorised person’.

### **Amendment for “treatment plant”**

**109.(1)** This section amends the following provisions—

- section 21
- section 22(1)
- section 25.

(2) In the provisions mentioned in subsection (1), ‘treatment plant’—  
*omit, insert*—

‘waste recycling and reprocessing facility, regulated waste treatment and storage facility, incineration facility’.

### **Amendment for “plant”**

**110.(1)** This section amends the following provisions—

- sections 21 and 22

- section 25.

(2) In the provisions mentioned in subsection (1), ‘plant’—

*omit, insert—*

‘waste recycling and reprocessing facility, regulated waste treatment and storage facility, incineration facility’.

### **Amendment for “refuse area”**

**111.(1)** This section amends the following provisions—

- section 3, definition “**refuse area**”
- section 5(3)
- section 6(4)
- section 8A(2)
- section 15(4).

(2) In the provisions mentioned in subsection (1), ‘refuse area’—

*omit, insert—*

‘waste area’.

### **Amendment for “refuse tip”**

**112.(1)** This section amends the following provisions—

- sections 15 to 17
- sections 21 and 22
- sections 24 and 25.

(2) In the provisions mentioned in subsection (1), ‘refuse tip’—

*omit, insert—*

‘waste disposal facility’.

### **Amendment for “recyclable biodegradable refuse”**

**113.(1)** This section amends the following provisions—

- section 3, definitions **“industrial refuse”** and **“recyclable biodegradable refuse”**
- sections 22A to 22C.

(2) In the provisions mentioned in subsection (1), ‘recyclable biodegradable refuse’—

*omit, insert—*

‘recyclable biodegradable waste’.

### **Amendment for “commercial refuse”**

**114.(1)** This section amends the following provisions—

- section 3, definitions **“commercial refuse”**, **“industrial refuse”** and **“standard commercial refuse container”**
- sections 5 and 6
- section 8(1)
- section 8A(3)
- section 9
- section 10(1)
- sections 19 and 20
- section 26.

(2) In the provisions mentioned in subsection (1), ‘commercial refuse’—

*omit, insert—*

‘commercial waste’.

### **Amendment for “refuse container”**

**115.(1)** This section amends the following provisions—

- section 6
- section 8A
- section 8B
- section 15

- section 26.

(2) In the provisions mentioned in subsection (1), ‘refuse container’—  
*omit, insert*—  
‘waste container’.

### **Amendment for “refuse containers”**

**116.(1)** This section amends the following provisions—

- sections 5 and 6
- section 8A(2)
- section 12(A).

(2) In the provisions mentioned in subsection (1), ‘refuse containers’—  
*omit, insert*—  
‘waste containers’.

### **Amendment for “industrial refuse”**

**117.(1)** This section amends the following provisions—

- section 3, definition “**industrial refuse**”
- sections 11 to 14
- sections 21 and 22.

(2) In the provisions mentioned in subsection (1), ‘industrial refuse’—  
*omit, insert*—  
‘industrial waste’.

### **Amendment for “domestic refuse”**

**118.(1)** This section amends the following provisions—

- section 3, definitions “**domestic refuse**”, “**industrial refuse**” and “**standard domestic refuse container**”
- section 5

- section 6(4)
- section 8(2)
- section 8A(3).

(2) In the provisions mentioned in subsection (1), ‘domestic refuse’—  
*omit, insert*—  
‘domestic waste’.

### **Amendment for “refuse removal”**

**119.(1)** This section amends the following provisions—

- section 8(2)(A)
- section 8A
- section 26
- section 28.

(2) In the provisions mentioned in subsection (1), ‘refuse removal’—  
*omit, insert*—  
‘waste removal’.

### **Amendment for “refuse”**

**120.(1)** This section amends the following provisions—

- section 3, definitions “**commercial Refuse**”, “**domestic clean-up refuse**”, “**domestic refuse**”, “**industrial refuse**”, “**refuse area**” and “**removal service**”
- sections 5 to 8
- sections 8B and 9
- section 12(D)
- sections 15 to 17
- sections 22 to 22B
- sections 23 to 25.

(2) In the provisions mentioned in subsection (1), ‘refuse’—  
*omit, insert—*  
‘waste’.

### **Insertion of new section headings**

**121.** Immediately before a section mentioned in schedule 4, column 1, insert the section heading set out opposite in schedule 4, column 2.

### **Renumbering of provisions**

- 122.(1)** Sections 8 to 17—  
*renumber* as sections 7 to 18.
- (2) Sections 22A to 22C—  
*renumber* as sections 23 to 25.
- (3) Sections 23 to 29—  
*renumber* as sections 26 to 32.
- (4) Sections 35 to 37—  
*renumber* as sections 59 to 61.

### **Relocations**

- 123.(1)** Section 3, definitions—  
*relocate* to part 2, division 1, section 3.
- (2) Section 4—  
*relocate* to part 2, division 1, as section 4.
- (3) Divisions 2 to 6—  
*relocate* to part 2, as divisions 2 to 6.
- (4) Part 6—  
*relocate* to part 4, as division 1.

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

**Regulation amended**

**124.** This part and schedules 5 and 6 amend the *Sanitary Conveniences and Nightsoil Disposal Regulation 1976*.

**Insertion of new div heading**

**125.** After section 3—

*insert—*

*‘Division 1—Preliminary’.*

**Amendment of s 4**

**126.(1)** Section 4(1), ‘These Regulations shall be’—

*omit, insert—*

‘This part is’.

**(2)** Section 4(2), ‘these Regulations’—

‘this part’.

**Amendment of s 5 (Interpretation)**

**127.(1)** Section 5, ‘In these’ to ‘respectively:’—

*omit, insert—*

‘In this part’.

**(2)** Section 5—

*insert—*

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

**Replacement of pt 2 heading (Regulations to apply in areas or parts of areas where the local authority has itself undertaken or contracted for the execution of sanitary works)**

**128.** Part 2, heading—

*omit, insert—*

*‘Division 2—Carrying out sanitary works by local governments’.*

**Amendment of s 6 (Application of this part)**

**129.** Section 6, ‘The’ to ‘respect’—

*omit, insert—*

‘This division applies’.

**Amendment of s 14 (Selection of nightsoil disposal depot (burial system))**

**130.** Section 14(1), ‘its’ to ‘Director-General’—

*omit, insert—*

‘an authorised person’.

**Amendment of s 15 (Management of nightsoil and disposal depot)**

**131.(1)** Section 15(1), ‘its health surveyor’—

*omit, insert—*

‘an authorised person’.

**(2)** Section 15(2), ‘health surveyor’

*omit, insert—*

‘authorised person’.

**Amendment of s 19 (Requirements for sanitary conveniences, pan cabinets and pans)**

**132.** Section 19(2)(a), ‘prescribed’ to ‘Regulations’—

*omit, insert—*

‘stated in schedules 1, 2 and 3’.

#### **Amendment of s 20 (Requirements for closets etc.)**

**133.** Section 20(1)(c), ‘refuse’—

*omit, insert—*

‘waste’.

#### **Replacement of pt 3 heading (Regulations to apply in areas or parts of areas where the local government has not itself undertaken or contracted for the execution of sanitary work)**

**134.** Part 3, heading—

*omit, insert—*

*‘Division 3—Carrying out sanitary works by others’.*

#### **Amendment of s 23 (Application of this part)**

**135.** Section 23, ‘The’ to ‘respect’, first mention—

*omit, insert—*

‘This division applies’.

#### **Amendment of s 24**

**136.** Section 24, ‘prescribed’ to ‘Regulations’—

*omit, insert—*

‘stated in schedules 1, 2 and 3’.

#### **Amendment of s 26 (Requirements for cesspits)**

**137.** Section 26(1)(h), ‘prescribed to Regulations’—

*omit, insert—*

‘stated in schedule 2’.

**Replacement of pt 4 heading (General provisions)**

**138.** Part 4, heading—

*omit, insert—*

*‘Division 4—General’.*

**Amendment of s 27 (Use of sanitary conveniences (including treatment devices))**

**139.(1)** Section 27(1)(b), ‘the’ to ‘Regulations’—

*omit, insert—*

‘division 2 or 3’.

**(2)** Section 27(1)(c), ‘these Regulations’—

*omit, insert—*

‘this part’.

**Omission of s 28**

**140.** Section 28—

*omit.*

**Amendment of s 30 (Approvals and permits)**

**141.** Section 30(1), ‘these Regulations’—

*omit, insert—*

‘this part’.

**Omission of s 31–33**

**142.** Sections 31 to 33—

*omit.*

**Amendment for “Director-General”**

**143.(1)** This section amends the following provisions—

- section 7
- section 9(c)
- section 13(ii)
- section 14(2), (3) and (4)
- section 15(2)
- section 16(g), (l) and (m)
- section 17
- section 19(2)(a)
- section 27
- section 30.

**(2)** In the provisions mentioned in subsection (1), ‘Director-General’—  
omit, insert—  
‘chief executive’.

**Amendment for maximum penalties**

**144.(1)** This section amends the following provisions—

- section 18(1)
- section 19(1)
- section 20
- section 22
- sections 24 to 26
- section 27(1)
- section 27(2)(a)
- section 29.

**(2)** At the end of the provisions mentioned in subsection (1)—

*insert—*

‘Maximum penalty—20 penalty units.’.

### **Omission of headings**

**145.** Immediately before a section mentioned in schedule 5, column 1, omit the heading set out opposite in schedule 5, column 2.

### **Insertion of new section headings**

**146.** Immediately before a section mentioned in schedule 6, column 1, insert the section heading set out opposite in schedule 6, column 2.

### **Renumbering of provisions**

**147.(1)** Sections 4 to 27—

*renumber* as sections 33 to 56.

**(2)** Sections 29 and 30—

*renumber* as sections 57 and 58.

### **Relocations**

**148.(1)** Divisions 1 to 4—

*relocate* to part 3, as divisions 1 to 4.

**(2)** Schedules 1 to 3—

*relocate* as schedules 1 to 3.

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

### *Division 1—Preliminary*

#### **Definitions**

**149.** In this part—

“**relocated provision**” means a provision of a relocated regulation that is relocated to this regulation.

“**relocated regulation**” means a regulation amended and repealed by this regulation.

### *Division 2—Repeals*

#### **Regulations repealed**

**150.** The following regulations are repealed—

- Refuse Management Regulation 1983
- Sanitary Conveniences and Nightsoil Disposal Regulation 1976.

### *Division 3—Transitional provisions*

#### **Reference to relocated provisions and regulation**

**151.(1)** A reference in an Act or instrument to a relocated provision is taken to be a reference to the provision in this regulation.

**(2)** A reference in an Act or instrument to a relocated regulation is taken to be a reference to this regulation.

**(3)** Subsections (1) and (2) are laws to which the *Acts Interpretation Act 1954*, section 20A applies.

**Authorities etc. under relocated regulation**

**152.(1)** An application for an approval, permit or other authority made under a relocated regulation that is not dealt with before the commencement is taken to have been made under this regulation.

**(2)** An approval, permit or other authority given or made under a relocated regulation, and in force immediately before the commencement, is taken to have been given or made under this regulation.

**(3)** A requirement, direction, notice or order (however described) given or made under a relocated regulation, and in force immediately before the commencement, continues to have effect as if it were given or made under this regulation.<sup>1</sup>

**Legal proceedings**

**153.(1)** A legal proceeding started under a relocated regulation, but not finished before the commencement, may be continued and finished under this regulation.

**(2)** Subsection (1) is a law to which the *Acts Interpretation Act 1954*, section 20A applies.

***Division 4—Expiry provisions*****Expiry**

**154.** This part and parts 5 and 6 expire on the day they commence.

---

<sup>1</sup> The declarations made by this section do not end merely because of the expiry of this part—see *Acts Interpretation Act 1954*, s 20A.

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

section 121

<b>Column 1</b>	<b>Column 2</b>
<b>Section</b>	<b>Section heading</b>
4	Local governments to superintend
5	Owner or occupier of premises to provide waste containers
6	Requirements for waste containers etc.
8	Requirements for waste removal services
9	Requirements for vehicles and equipment used for waste removal services
10	Contracts entered into, or approvals, by local governments—domestic or commercial waste
11	Classification of industrial waste
12	Requirements for storage of industrial waste
13	Requirements for removal of industrial waste
14	Contracts entered into, or approvals, by local governments—industrial waste
15	Disposal or depositing of construction or demolition waste
16	Requirements for waste disposal facilities
17	Prohibited conduct at waste disposal facilities
19	Approval of composting plants

## SCHEDULE 4 (continued)

- 20 Requirements for local governments—composting plants
- 21 Requirements for disposal of industrial waste
- 22 Information to be provided to local governments—industrial waste
- 22A Storage of recyclable biodegradable waste
- 22B Requirements for vehicles and equipment used for removal and transport of recyclable biodegradable waste
- 22C Requirements for those engaged in removal and transport of recyclable biodegradable waste
- 23 To whom part does not apply
- 24 Prohibited conduct at waste disposal facilities
- 25 Requirements for those delivering waste to waste recycling and reprocessing facility etc.
- 26 Representations as to approvals under regulation
- 27 Conduct of waste removal service
- 28 Restraining of dog or domestic animal
- 29 Revocation, cancellation, suspension, amendment or variation of approval, authorisation or permission under regulation

**SCHEDULE 5****OMISSION OF HEADINGS**

section 145

<b>Column 1</b>	<b>Column 2</b>
<b>section</b>	<b>section heading</b>
5	Interpretation
6	Application of this Part
7	Nightsoil Disposal Depot
8	Depot facilities
10	Water supply
11	Fencing
12	Entry to depot
13	Method of disposal of nightsoil
14	Selection of nightsoil disposal depot (burial system)
15	Management of nightsoil and disposal depot
17	Copy of contract to be submitted to Director-General
18	Cesspits not to be constructed or used
19	Requirements for sanitary conveniences, pan cabinets and pans
21	Collection and removal of nightsoil
22	Access to closets
23	Application of this Part
25	Disposal of nightsoil from pans
26	Requirements for cesspits

## SCHEDULE 5 (continued)

- |    |  |
|----|--|
| 27 | Use of sanitary conveniences (including treatment devices) |
| 30 | Approvals and permits                                      |

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

section 146

<b>Column 1</b>	<b>Column 2</b>
<b>section</b>	<b>section heading</b>
4	Local governments to superintend
5	Definitions
6	Application of this division
7	Nightsoil disposal depot
8	Depot facilities
9	Depot procedures
10	Water supply to depot
11	Fencing of depot
12	Entry to depot
13	Method of disposal of nightsoil at depot
14	Selection of depot
15	Management of depot
16	Specifications for depot
17	Contract for the execution of work by a sanitary contractor
18	Cesspits not to be constructed or used
19	Requirements for sanitary conveniences, pan cabinets and pans
20	Requirements for closets etc.
21	Collection and removal of nightsoil

## SCHEDULE 6 (continued)

22	Access to closets
23	Application of this division
24	Requirements for closets, pan cabinets and pans
25	Disposal of nightsoil from pans
26	Requirements for cesspits
27	Use of sanitary conveniences
29	Nightsoil to be in lawful sanitary convenience
30	Approvals and permits

---

## ENDNOTES

1. Made by the Governor in Council on 1 February 1996.
2. Notified in the gazette on 2 February 1996.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Environment and Heritage.