

Gold Coast City Council



Subordinate Local Law No. 15.1 (On-site Sewerage Facility) 2008

It is hereby certified that this is a true and correct copy of
Subordinate Local Law No. 15.1 (On-site Sewerage Facility) 2008 made, in accordance with the
Local Government Act 1993, by the Council of the City of Gold Coast
Joe McCabe
Acting Chief Executive Officer

**Gold Coast City Council
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(On-site Sewerage Facility) 2008**

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Gold Coast City Council Subordinate Local Law No. 15.1 (On-site Sewerage Facility) 2008

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 15.1 (On-site Sewerage Facility) 2008*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 15 (On-site Sewerage Facility) 2008*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 15 (On-site Sewerage Facility) 2008* by ensuring that on-site sewerage facilities are operating effectively and efficiently so as to protect public health and the environment.

4 Definitions

The dictionary in the Schedule (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

Part 2 Definitions in the local law

5 Prescribed criteria

For the purposes of section 12 (Operation of the on-site sewerage facility) and the Schedule (Dictionary) of *Local Law No. 15 (On-Site Sewerage Facility) 2008*, the operation of an on-site sewerage facility must comply with the following prescribed criteria—

- (a) The on-site sewerage facility to be operated must be the subject of an installation or operational approval.
- (b) The installation and operation of the on-site sewerage facility must comply with—
 - (i) the registration requirements for the on-site sewerage facility under *Local Law No. 15 (On-site Sewerage Facility) 2008*; and
 - (ii) the provisions of the planning scheme and any relevant planning scheme policy; and

- (iii) AS/NZS 1547:2000, AS/NZS 1546:1:1998, AS/NZS 1546:2:2001, AS/NZS 1546:3:2001 and any other relevant Australian/New Zealand standard issued or approved by the Council of Standards Australia and the Council of Standards New Zealand, which is in force at the time of the installation of the on-site sewerage facility.
- (c) A final inspection of the on-site sewerage facility must be carried out by the local government before the commencement of the operation of the on-site sewerage facility.
- (d) Effluent from the on-site sewerage facility must be disposed of on the premises on which the on-site sewerage facility is operating in a manner approved by the local government.
- (e) All waste (including waste water) generated as part of the operation of the on-site sewerage facility must be disposed of in a safe and sanitary manner.
- (f) Waste from the operation of the on-site sewerage facility must not be disposed of into the stormwater system, waters or a watercourse.
- (g) Effluent from the on-site sewerage facility must not flow into the stormwater system, waters or a watercourse or escape onto neighbouring premises.
- (h) The operation of the on-site sewerage facility must not cause a nuisance to neighbouring premises.
- (i) The land application system must be built and commissioned in compliance with AS/NZS 1547:2000 before the commissioning of the on-site sewerage facility.
- (j) The owner of the premises on which the on-site sewerage facility is operating must unless otherwise required by the local government—
 - (i) enter into a service contract with a service contractor to service the on-site sewerage facility to ensure the proper operation of the on-site sewerage facility—
 - (A) for an on-site sewerage facility if there is an aerated wastewater treatment system – within 3 months of the installation of the on-site sewerage facility; and
 - (B) for any other on-site sewerage facility – within 12 months of the installation of the on-site sewerage facility; and
 - (ii) ensure that the service contract is carried out in accordance with—

- (A) a service schedule as specified in an installation or operational approval for the on-site sewerage facility; or
 - (B) section 10 (Periodic inspection, monitoring or management program) of this subordinate local law, if no service schedule has been specified in an installation or operational approval for the on-site sewerage facility; and
- (iii) ensure that a report comprising the service contractor's normal service report is sent to the local government within thirty days of the service of the on-site sewerage facility.
- (k) Any object, including a vehicle and machinery, which is dismantled as part of the operation of the on-site sewerage facility must be dismantled undercover on a paved impervious surface which is unaffected by stormwater runoff.
 - (l) All spillages of wastes, contaminants or other chemicals must be cleaned up immediately. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater system, waters or a watercourse.
 - (m) The operation of the on-site sewerage facility must not attract fly breeding or vermin infestation.
 - (n) The operation of the on-site sewerage facility must be kept free of pests and conditions offering harbourage for pests.
 - (o) All hazardous materials must be stored and used in a safe manner as part of the operation of the on-site sewerage facility.
 - (p) The operating of the on-site sewerage facility must not be changed in any respect without the prior notification and approval of the local government.

Part 3 Registration of on-site sewerage facilities

6 Information to accompany application for a registration

For the purposes of section 6(1)(c)(iv) (Application for the registration of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*, an application for the registration of an on-site sewerage facility must be accompanied by—

- (a) the address and real property description of the premises at which the on-site sewerage facility will be operated; and

- (b) the name, address and telephone number of the owner and the occupier of the premises at which the on-site sewerage facility will be operated; and
- (c) details of the on-site sewerage facility including—
 - (i) the installation and operational approval for the on-site sewerage facility; and
 - (ii) the use of the premises on which the on-site sewerage facility is to be operated; and
 - (iii) the number of sanitary facilities to be served by the on-site sewerage facility; and
 - (iv) the maximum number of persons to be served by the on-site sewerage facility; and
 - (v) the make, model and maximum capacity of the on-site sewerage facility; and
 - (vi) the proposed land application system; and
 - (vii) an on-site sewerage facility site plan.

7 Information and materials to accompany application to transfer a registration

For the purposes of section 9(2)(b)(vi) (Transfer of a registration of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*, an application to transfer a registration of an on-site sewerage facility must be accompanied by—

- (a) the address and real property description of the premises at which the on-site sewerage facility will be operated; and
- (b) the name, address and telephone number of the holder of the registration of the on-site sewerage facility; and
- (c) the name, address and telephone number of the owner of the premises on which the on-site sewerage facility is situated; and
- (d) the name, address and telephone number of the person to whom the registration of the on-site sewerage facility will be transferred; and
- (e) details of the on-site sewerage facility including—
 - (i) the installation and operational approval for the on-site sewerage facility; and

- (ii) any change to the use of the premises on which the on-site sewerage facility is to be operated; and
- (iii) any change to the number of sanitary facilities to be served by the on-site sewerage facility; and
- (iv) any change to the maximum number of persons to be served by the on-site sewerage facility; and
- (v) any change to the maximum capacity of the on-site sewerage facility; and
- (vi) any change to the proposed land application system; and
- (vii) any changes to the on-site sewerage facility site plan; and
- (f) details of the existing registration under *Local Law No. 15 (On-site Sewerage Facility) 2008*; and
- (g) a copy of an inspection and service report dated less than fourteen days prior to the making of an application to transfer a registration under section 9 (Transfer of a registration of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*.

8 Information and materials to accompany an application to renew a registration

For the purposes of section 10(4) (Renewal of a registration of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*, an application to renew a registration of an on-site sewerage facility must be accompanied by—

- (a) the address and real property description of the premises at which the on-site sewerage facility will be operated; and
- (b) the name, address and telephone number of the owner of the premises at which the on-site sewerage facility will be operated; and
- (c) the name, address and telephone number of the holder of the registration of the on-site sewerage facility; and
- (d) details of the on-site sewerage facility including—
 - (i) the inspection and operational approval for the on-site sewerage facility; and
 - (ii) any change to the use of the premises on which the on-site sewerage facility is operating; and

- (iii) any change to the number of sanitary facilities to be served by the on-site sewerage facility; and
- (iv) any change to the maximum number of persons to be served by the on-site sewerage facility; and
- (v) any change to the maximum capacity of the on-site sewerage facility; and
- (vi) any change to the proposed land application system; and
- (vii) any change to the on-site sewerage facility site plan; and
- (e) details of the existing registration under *Local Law No. 15 (On-site Sewerage Facility) 2008*; and
- (f) a report prepared by the service contractor in relation to the service performed in respect of the on-site sewerage facility dated less than fourteen days prior to the making of an application to renew a registration under section 10 (Renewal of a registration of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*.

9 Records to be kept

For the purposes of section 14(2)(b) (Inspection of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*, the records that are required to be kept in respect of an on-site sewerage facility must—

- (a) contain details of—
 - (i) all reports prepared by a service contractor in relation to any service performed in respect of the on-site sewerage facility; and
 - (ii) when the on-site sewerage facility was serviced; and
 - (iii) the name, address and telephone number of any service contractor; and
 - (iv) the nature of the service performed in respect of the on-site sewerage facility; and
 - (v) the installation and operational approval for the on-site sewerage facility; and
 - (vi) the registration under *Local Law No. 15 (On-site Sewerage Facility) 2008*; and
 - (vii) the on-site sewerage facility site plan; and

- (viii) the name, address and telephone number of the person who carried out the pumping of the waste water from the on-site sewerage facility; and
 - (ix) the operational manual provided by the designer, manufacturer or installer of the on-site sewerage facility; and
 - (x) any guidelines or educational booklets provided by the local government in relation to the operation and maintenance of the on-site sewerage facility; and
- (b) be kept for a period of 10 years.

10 Periodic inspection, monitoring or management program

For the purposes of section 14(4)(b) (Inspection of an on-site sewerage facility) of *Local Law No. 15 (On-site Sewerage Facility) 2008*, the owner of the premises on which an on-site sewerage facility is situated must carry out a compliance inspection of the on-site sewerage facility in the manner prescribed by the local government—

- (a) every 3 months if the on-site sewerage facility is an aerated wastewater treatment system; or
- (b) every 12 months if the on-site sewerage facility is—
 - (i) an aerobic sand filter system which does not involve disinfection; or
 - (ii) a composting toilet; or
 - (iii) a holding tank; or
- (c) at intervals specified by the local government from time to time, if the on-site sewerage facility is an aerobic sand filter system which involves disinfection; or
- (d) every 12 months if the on-site sewerage facility is not of a type specified in subsections (a), (b) and (c); or
- (e) every 3 years if an on-site sewerage facility is—
 - (i) an all waste septic tank; and
 - (ii) a split blackwater septic tank and greywater disposal system.

Schedule Dictionary

section 4

aerated wastewater treatment system has the meaning given in AS/NZS 1546.3:2001.

aerobic sand filter system means a system involving—

- (a) the application of primary effluent over a bed of sand which rests on a layer of graded gravel underlay over a system of under drains; and
- (b) physical and biological (mainly aerobic) treatment processes; and
- (c) discharge of secondary treated effluent by means of—
 - (i) below-ground trenches; or
 - (ii) sub-surface irrigation; or
 - (iii) surface irrigation, following disinfection.

all waste septic tank has the meaning give to ***septic tank*** in AS/NZS 1546.1:1998.

AS/NZS means an Australian/New Zealand standard issued or approved by the Council of Standards Australian and the Council of Standards New Zealand.

AS/NZS 1546.1:1998 means AS/NZS 1546.1:1998 On-site Domestic Wastewater Treatment Units – Septic Tanks.

AS/NZS 1546.2:2001 means AS/NZS 1546.2:2001 On-site Domestic Wastewater Treatment Units – Waterless Composting Toilets.

AS/NZS 1546.3:2001 means AS/NZS 1546.3:2001 On-site Domestic Wastewater Treatment Units – Aerated Wastewater Treatment Systems.

AS/NZS 1547:2000 means AS/NZS 1547:2000 On-site Domestic Wastewater Management.

blackwater has the meaning given in AS/NZS 1546.1:1998.

chemical has the meaning given in the *Environmental Protection Regulation 1998*.

compliance inspection means an inspection of the on-site sewerage facility by a service contractor in accordance with the inspection procedure specified by the local government from time to time.

composting toilet has the meaning given in the *Environmental Protection (Waste Management) Regulation 2000*.

contaminant has the meaning given in the *Environmental Protection Act 1994*.

effluent has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.

greywater has the meaning given in AS/NZS 1546.1:1998.

greywater disposal system means the fittings and components that allow for the dispersion of greywater on to land, which includes a grease trap, a greywater holding tank, a submersible pump with auto-float switch, an approved hose and a heavy droplet sprinkler head.

hazardous material has the meaning given in the *Dangerous Goods Safety Management Act 2001*.

holding tank means a tank used for holding waste water prior to pumping out.

installation or operational approval for an in-site sewerage facility means an approval required to be obtained under local government Acts and other legislation for the installation and operation of the on-site sewerage facility.

land application system has the meaning given in AS/NZS 1547:2000.

on-site sewerage facility site plan means the plan to scale and specifications of the operation of the on-site sewerage facility showing—

- (a) all buildings on the premises; and
- (b) all relevant site features, including stormwater drainage channels, pools and dams; and
- (c) the real property boundaries of the premises; and
- (d) the on-site sewerage facility and its construction and fit-out details; and
- (e) all sanitary facilities; and
- (f) the land application system.

pest includes vermin and insects.

planning scheme has the meaning given in the *Integrated Planning Act 1997*.

planning scheme policy has the meaning given in the *Integrated Planning Act 1997*.

sanitary appliance means an appliance which is intended to be used for sanitation and which is not a sanitary fixture.

Example of a sanitary appliance—

A machine for washing dishes and clothes.

sanitary facilities include:

- (a) a sanitary appliance; and
- (b) a sanitary fixture.

sanitary fixture means any fixture which is intended to be used for sanitation.

sanitation means the activities of washing and excretion carried out in a manner or condition such that the effect on health is minimised, with regard to dirt and infection.

septic tank has the meaning given in AS/NZS 1546.1:1998.

service includes in relation to an on-site sewerage facility—

- (a) the inspection of the on-site sewerage facility and any premises, equipment or thing involved in connection with the operation of the on-site sewerage facility; or
- (b) the measuring, weighing, sampling, testing or otherwise examining anything that may be inspected pursuant to paragraph (a); or
- (c) the maintenance, repair, cleansing, replacement or alteration of anything that may be inspected pursuant to paragraph (a).

service contractor means—

- (a) a person licensed under the *Standard Plumbing and Drainage Regulation 2003*; or
- (b) a person approved by the local government to carry out a service on an on-site sewerage facility.

stormwater means the runoff due to rainfall from roofed areas, from paved and unpaved areas, and from water bearing ground.

stormwater system has the meaning given in *Subordinate Local Law No. 7.5 (Business on Public Places other than Council Facilities) 2008*.

vermin means rats, mice, guinea pigs and other rodents capable of carrying or transmitting a notifiable disease, but does not include a protected animal within the meaning of the *Nature Conservation Act 1992*.

waste has the meaning given in the *Environmental Protection Act 1994*.

waste water has the meaning given in the *Standard Plumbing and Drainage*

Regulation 2003.

waters has the meaning given in the *Environmental Protection Act 1994*.