

GOLD COAST CITY COUNCIL



Gold Coast City Council

REPEALED
(E. 19/12/08)

**SUBORDINATE LOCAL LAW NO. 42.1
(ON-SITE SEWERAGE FACILITY) 2003**

PART 1 – PRELIMINARY	3
SHORT TITLE	3
AUTHORISING LOCAL LAW	3
OBJECT	3
DEFINITIONS	3
PART 2 - DEFINITIONS IN THE LOCAL LAW.....	6
PRESCRIBED CRITERIA	6
PART 3 – REGISTRATION OF ON-SITE SEWERAGE FACILITIES.....	9
INFORMATION TO ACCOMPANY APPLICATION FOR A REGISTRATION	9
INFORMATION AND MATERIALS TO ACCOMPANY APPLICATION TO TRANSFER A REGISTRATION	10
INFORMATION AND MATERIALS TO ACCOMPANY AN APPLICATION TO RENEW A REGISTRATION.....	11
RECORDS TO BE KEPT	12
PERIODIC INSPECTION, MONITORING OR MANAGEMENT PROGRAM	13

REPEALED (GAZETTE 19/12/08)

**GOLD COAST CITY COUNCIL
SUBORDINATE LOCAL LAW NO. 42.1
(ON-SITE SEWERAGE FACILITY) 2003**

PART 1 – PRELIMINARY

Short title

- 1 This subordinate local law may be cited as Subordinate Local Law No. 42.1 (On-Site Sewerage Facility) 2003

Authorising local law

- 2 This subordinate local law is made pursuant to Local Law No. 42 (On-site Sewerage Facility) 2002.

Object

- 3 The object of this subordinate local law is to assist in the implementation of *Local Law No. 42 (On-site Sewerage Facility) 2002* by ensuring that on-site sewerage facilities are operating effectively and efficiently so as to protect public health and the environment.

Definitions

- 4 In this subordinate local law:

“**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.

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

“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*.

“development approval” has the meaning given in the *Integrated Planning Act 1997*.

“effluent” has the meaning given in the *Standard Sewerage Law*.

“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 on-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
- (e) 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*.

“septic tank” has the meaning given in the *Standard Sewerage Law*.

“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);

- (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 *Sewerage and Water Supply Act 1949*; or
- (b) a person approved by the local government to carry out a service on an on-site sewerage facility.

“stormwater ” has the meaning given in the *Standard Sewerage Law*.

“stormwater system” means:

- (a) a roadside gutter; or
- (b) a stormwater drain; or
- (c) surface waters (being water other than ground waters); or
- (d) any other land or structure that is used to convey or store stormwater.

“vermin” has the meaning given in the *Health Regulation 1996*.

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

“waste water” has the meaning given in the *Standard Sewerage Law*.

“waters” has the meaning given in the *Environmental Protection Act 1994*—

PART 2 - DEFINITIONS IN THE LOCAL LAW

Prescribed criteria

5 For the purposes of section 3 (Definitions) of *Local No. 42 (On-site Sewerage Facility) 2002*, 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) all relevant legislation; and
 - (ii) the installation or operational approval for the on-site sewerage facility; and
 - (iii) the registration of the on-site sewerage facility under Local Law No. 42 (On-site Sewerage Facility) 2002; and
 - (iv) the provisions of the planning scheme and any relevant planning scheme policy; and
 - (v) any relevant development approval under the Integrated Planning Act 1997; and
 - (vi) 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 and in accordance with the Environmental Protection Act 1994, Environmental Protection (Waste) Regulation 2000, Environmental Protection (Interim Waste) Regulation 1996, Environmental Protection (Water) Policy 1997, Sewerage and Water Supply Act 1949 and the Standard Sewerage Law.

- (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 where 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 (Period inspection, monitoring or management program) of this subordinate local law, where 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 (30) days of the service of the on-site sewerage facility.

- (k) All objects (including vehicles and machinery) which are 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 operation 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

Information to accompany application for a registration

6 For the purposes of section 6(1)(c)(iv) (Application for the registration of an on-site sewerage facility) of Local No. 42 (On-site Sewerage Facility) 2002, 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) details of 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.

Information and materials to accompany application to transfer a registration

- 7 For the purposes of section 9(2)(f) (Transfer of a registration of an on-site sewerage facility) of Local No. 42 (On-site Sewerage Facility) 2002, 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) details of the installation and operational approval for the on-site sewerage facility; and
- (ii) details of any change to the use of the premises on which the on-site sewerage facility is to be operated; and
- (iii) details of any change to the number of sanitary facilities to be served by the on-site sewerage facility; and
- (iv) details of any change to the maximum number of persons to be served by the on-site sewerage facility; and
- (v) details of any change to the maximum capacity of the on-site sewerage facility; and
- (vi) details of any change to the proposed land application system; and
- (vii) details of any changes to the on-site sewerage facility site plan; and
- (f) details of the existing registration under Local Law No. 42 (On-site Sewerage Facility) 2002; and
- (g) a copy of an inspection and service report dated less than fourteen (14) 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. 42 (On-site Sewerage Facility) 2002.

Information and materials to accompany an application to renew a registration

8 For the purposes of section 10(4) (Renewal of a registration of an on-site sewerage facility) of Local No. 42 (On-site Sewerage Facility) 2002, 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) details of the inspection and operational approval for the on-site sewerage facility; and
 - (ii) details of any change to the use of the premises on which the on-site sewerage facility is to be operated; and
 - (iii) details of any change to the number of sanitary facilities to be served by the on-site sewerage facility; and
 - (iv) details of any change to the maximum number of persons to be served by the on-site sewerage facility; and
 - (v) details of any change to the maximum capacity of the on-site sewerage facility; and
 - (vi) details of any change to the proposed land application system; and
 - (vii) details of any change to the on-site sewerage facility site plan; and
- (e) details of the existing registration under Local Law No. 42 (On-site Sewerage Facility) 2002; 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 (14) 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. 42 (On-site Sewerage Facility) 2002*.

Records to be kept

9 For the purposes of section 14(2)(b) (Inspection of an on-site sewerage facility) of Local No. 42 (On-site Sewerage Facility) 2002, 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. 42 (On-site Sewerage Facility) 2002; 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 ten (10) years.

Periodic inspection, monitoring or management program

10 For the purposes of section 14(4)(b) (Inspection of an on-site sewerage facility) of Local Law No. 42 (On-site Sewerage Facility) 2002, 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:

- (a) every three (3) months where the on-site sewerage facility is an aerated wastewater treatment system; or

- (b) every twelve (12) months where the on-site sewerage facility is:
 - (i) an aerobic sand filter system which does not involve disinfection; or
 - (ii) a septic tank; or
 - (iii) a composting toilet; or
 - (iv) a holding tank; or
- (c) at intervals specified by the local government from time to time, where the on-site sewerage facility is an aerobic sand filter system which involves disinfection; or
- (d) every twelve (12) months where the on-site sewerage facility is not of a type specified in sections 10(a), (b) and (c) (Periodic inspection, monitoring or management program) of this subordinate local law.

REPEALED (GAZETTE 19/12/08)