

South Australia

Public and Environmental Health (Wastewater Systems) Regulations 2007

under the *Public and Environmental Health Act 1987*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public and Environmental Health (Wastewater Systems) Regulations 2007*.

2—Commencement

These regulations will come into operation on the day on which the *Public and Environmental Health (Wastewater Systems) Amendment Act 2007* comes into operation.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—
 - Act* means the *Public and Environmental Health Act 1987*;
 - capacity* of a wastewater system—see subregulation (2);
 - EP*—see subregulation (2);
 - installation* of a wastewater system includes the commissioning of the system;
 - management* of wastewater includes treatment, reuse and disposal of wastewater;
 - mandatory notification stage*—see regulation 21(2)(a);
 - on-site wastewater system*—see regulation 4;
 - operator* of a wastewater system means—
 - (a) in the case of an on-site wastewater system—the owner of the premises on which the system is located;
 - (b) in the case of a reticulated community wastewater system—the council or other person responsible for the operation of the system;

prescribed body means—

- (a) Standards Australia; or
- (b) National Health and Medical Research Council; or
- (c) Natural Resource Management Ministerial Council; or
- (d) Environment Protection and Heritage Council; or
- (e) South Australian Water Corporation; or
- (f) Local Government Association of South Australia; or
- (g) Water Services Association of Australia Limited; or
- (h) a Minister or administrative unit of the Public Service;

prescribed code means—

- (a) the *Onsite Wastewater Systems Code* prepared by the South Australian Health Commission as in force from time to time, together with the standards or other documents prepared or published by a prescribed body, as in force from time to time, referred to in the code; or
- (b) the *Standards for Connection to a Reticulated Community Wastewater System* prepared by the South Australian Health Commission as in force from time to time, together with the standards or other documents prepared or published by a prescribed body, as in force from time to time, referred to in the code;

product approval means an approval of technical specifications for a wastewater system granted under these regulations;

relevant authority—see regulation 5;

reticulated community wastewater system means a wastewater system for the collection and management of wastewater generated in a town, regional area or other community;

revoked regulations means the *Public and Environmental Health (Waste Control) Regulations 1995*;

sell includes offer for sale or possess for the purpose of sale;

technical specifications includes technical, scientific and engineering details, plans, drawings and specifications;

undertaking has the same meaning as in the *Sewerage Act 1929*;

wastewater means waste or water collected and managed by means of a wastewater system;

wastewater system means—

- (a) an on-site wastewater system; or
- (b) a reticulated community wastewater system;

wastewater works means—

- (a) the installation of a wastewater system (including a temporary system); or
- (b) the alteration of a wastewater system involving—
 - (i) a change to the capacity of the system; or

- (ii) a change in the type of system used for collecting or managing wastewater; or
- (c) the decommissioning of a wastewater system (excluding a temporary system); or
- (d) the connection of a wastewater system to a reticulated community wastewater system or the disconnection of a wastewater system from a reticulated community wastewater system; or
- (e) the connection of a reticulated community wastewater system to the undertaking or the disconnection of a reticulated community wastewater system from the undertaking;

wastewater works approval means an approval of technical specifications for wastewater works granted under these regulations.

- (2) For the purposes of these regulations, the **capacity** of a wastewater system is to be determined in accordance with the prescribed codes and is expressed as a number of equivalent persons (**EP**) or a number of litres.

4—On-site wastewater systems

- (1) For the purposes of these regulations, an **on-site wastewater system** is a wastewater system used on premises for the on-site collection and management of wastewater generated at the premises where the wastewater collected and managed is predominantly—
 - (a) human waste either alone or in combination with water; or
 - (b) water that has been used in washing, laundering, bathing or showering; or
 - (c) water containing food or beverage waste; or
 - (d) a combination of the above,

whether or not the system is connected to a reticulated community wastewater system.

- (2) An **on-site wastewater system** includes a septic tank, waterless composting toilet, or an aerated wastewater treatment system, to which AS/NZS 1546 applies.

5—Relevant authority

- (1) Subject to this regulation, the relevant authority is the Minister.
- (2) The relevant authority for an application for a wastewater works approval in respect of a prescribed on-site wastewater system located within the area of a council is the council unless the wastewater works are to be undertaken by the council, or by a person acting in partnership, or in conjunction, with the council.
- (3) If an application is made to a council for a wastewater works approval in respect of a prescribed on-site wastewater system with a capacity of more than 20EP, the council may refer the application to the Minister and, if the council does so, the Minister becomes the relevant authority in relation to the application.
- (4) The relevant authority for an application by a council for a wastewater works approval in respect of an on-site wastewater system is the Minister or any other council that agrees to act as the relevant authority.

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- (5) If a council is the relevant authority for an application for a wastewater works approval, the council is the relevant authority for any application for an exemption made in conjunction with the application for the wastewater works approval.
- (6) If a council has determined an application for a wastewater works approval, the council, from time to time, of the area in which the wastewater system the subject of the approval is located is the relevant authority in relation to the approval, any exemption in relation to the wastewater system and any subsequent variation or revocation of the conditions of approval or exemption.
- (7) In this regulation—
- prescribed on-site wastewater system*** means an on-site wastewater system that—
- (a) has a capacity of 50 EP or less; and
 - (b) does not service more than 20 separate premises.

Part 2—Wastewater system requirements

6—Wastewater works

A person undertaking wastewater works or causing wastewater works to be undertaken must ensure that the following requirements are met:

- (a) in the case of the installation of an on-site wastewater system, the system must be the subject of a product approval; and
- (b) in any case, the works must be undertaken in accordance with—
 - (i) a wastewater works approval for the works; and
 - (ii) the prescribed codes to the extent that they are applicable.

Maximum penalty: Division 6 fine.

7—Operation, maintenance and servicing of wastewater systems

- (1) The operator of a wastewater system must ensure that the system is operated, maintained and serviced in accordance with—
- (a) any conditions of a wastewater works approval relating to the system (whether granted before or after the person became the operator of the system); and
 - (b) the prescribed codes to the extent that they are applicable.
- Maximum penalty: Division 6 fine.
- (2) A person who maintains or services a wastewater system must do so in accordance with—
- (a) any conditions of a wastewater works approval relating to the system; and
 - (b) the prescribed codes to the extent that they are applicable.

Maximum penalty: Division 6 fine.

8—Reuse or disposal of wastewater from wastewater systems

- (1) The operator of a wastewater system must ensure that wastewater from the system is not reused or disposed of to land or otherwise unless—
 - (a) the reuse or disposal is authorised by conditions of a wastewater works approval relating to the system (whether granted before or after the person became the operator); and
 - (b) the wastewater is reused and disposed of in accordance with—
 - (i) those conditions; and
 - (ii) the prescribed codes to the extent that they are applicable.

Maximum penalty: Division 6 fine.

- (2) A person must not reuse or dispose of wastewater from a wastewater system except in accordance with—
 - (a) any conditions of a wastewater works approval relating to the system; and
 - (b) the prescribed codes to the extent that they are applicable.

Maximum penalty: Division 6 fine.

9—Sale of on-site wastewater systems

A person must not sell an on-site wastewater system unless—

- (a) the system—
 - (i) is the subject of a product approval; and
 - (ii) in the case of a pre-fabricated system, bears the marking required by the prescribed codes (either as in force at the time of the approval or as in force at the time of the sale); and
- (b) copies of the manuals for the system referred to in the product approval (either as in force at the time of the approval or as in force at the time of the sale) are provided to the purchaser of the system.

Maximum penalty: Division 6 fine.

Expiation fee: Division 6 fee.

10—Exemptions from prescribed codes

- (1) A person may apply to the relevant authority for an exemption from compliance with specified provisions of these regulations requiring compliance with the prescribed codes.
- (2) The Minister may issue binding directions to councils about the granting of exemptions under this regulation.
- (3) An exemption must be given by the relevant authority by written notice and is subject to conditions stated in the notice.
- (4) An exemption extends to each person involved in the activity to which the exemption relates.
- (5) An exemption may be varied or revoked by the relevant authority by further written notice to the holder of the exemption.

- (6) A person who has been exempted from compliance with specified provisions of these regulations must not contravene, or fail to comply with, a condition of the exemption.
Maximum penalty: Division 6 fine.

11—Connection to reticulated community wastewater system

- (1) The Minister or a council (in respect of an on-site wastewater system located within the area of the council) may, by written notice, require the operator of an on-site wastewater system to make an application to the relevant authority, within the period specified in the notice, for a wastewater works approval for the connection of the system to a reticulated community wastewater system and, if necessary, for consequential alterations to the on-site wastewater system.
- (2) A person must not, without reasonable excuse, fail to comply with a notice given to the person under subregulation (1).
Maximum penalty: Division 8 fine.
Expiation fee: Division 8 fee.
- (3) If the operator of the wastewater system does not make an application within the period specified in the notice, the Minister or council may—
- (a) grant a wastewater works approval for the required wastewater works as if the application had been made; and
 - (b) by written notice, require the operator to undertake the required wastewater works in accordance with the wastewater works approval.
- (4) If the requirements of a notice under subregulation (3) are not complied with, the Minister or council may cause the requirements to be carried out (and a person authorised to do so by the Minister or council may enter land at any reasonable time for the purposes of carrying out the relevant work).
- (5) The Minister or council may recover the costs and expenses reasonably incurred in exercising a power under subregulation (4) and the fee that would have been payable had the application been made as required under subregulation (1) from the person who failed to comply with the notice, as a debt.

Part 3—Approvals**Division 1—Product approvals****12—Application**

- (1) A person who has designed or proposes to manufacture, construct or sell an on-site wastewater system may apply to the Minister for a product approval in relation to the system.
- (2) An application for a product approval must—
- (a) be made to the Minister in a manner and form determined by the Minister; and
 - (b) be accompanied by—
 - (i) technical specifications for the wastewater system; and

- (ii) manuals as contemplated by the prescribed codes; and
 - (iii) a statement of the expected service life of the system and its components; and
 - (c) include, or be accompanied by other information or documents required to be supplied by the form or the prescribed codes (which may include a certificate of an independent technical expert in relation to the wastewater system or other factors); and
 - (d) be accompanied by the fee fixed by Schedule 1.
- (3) The Minister may, by written notice, ask the applicant to provide the Minister with further technical specifications, information or documents relevant to the application or to modify the technical specifications or manuals accompanying the application.

13—Determination of application

The Minister may refuse to grant a product approval—

- (a) if the applicant fails to satisfy the Minister of 1 or more of the following:
 - (i) that the technical specifications for the wastewater system comply with the prescribed codes;
 - (ii) that the wastewater system is suitable for its purpose;
 - (iii) that the wastewater system will not, if properly installed and operated, adversely affect or threaten public or environmental health;
 - (iv) that the manuals required to accompany the application are suitable; or
- (b) for any other sufficient reason.

14—Duration of approval

- (1) A product approval expires 5 years after it is granted or, if a lesser period is specified in the instrument of approval, at the end of the specified period.
- (2) However, an application may be made for a further product approval for the same wastewater system.

15—Conditions of approval

- (1) A product approval is subject to the conditions specified by the Minister in the instrument of approval.
- (2) The Minister may, for example, grant an approval subject to a condition—
 - (a) that specifies requirements relating to—
 - (i) the design, manufacture or construction of the wastewater system; or
 - (ii) a quality assurance scheme for the manufacture or construction of the wastewater system; or
 - (b) that requires the holder to monitor the performance of wastewater systems that have been installed and to report the findings to the Minister; or
 - (c) that requires records of a specified kind to be created, maintained, and provided to the Minister.

- (3) A condition of approval may—
- (a) provide that a matter or thing is to be determined according to the discretion of the Minister or some other specified person or body; and
 - (b) operate by reference to a specified code as in force at a specified time or as in force from time to time.
- (4) If a code is referred to in a condition of approval—
- (a) a copy of the code must be kept available for inspection by members of the public, without charge and during normal office hours, at the principal office of the Department; and
 - (b) evidence of the contents of the code may be given in any legal proceedings by production of a document apparently certified by the Minister to be a true copy of the code.
- (5) The Minister may, on application and payment of the fee fixed by Schedule 1, by written notice to the applicant, vary or revoke a condition of a product approval.
- (6) The Minister may, on the Minister's own initiative, by written notice to the holder of a product approval, vary or revoke a condition of the product approval or impose a further condition, but in that case, the variation, revocation or imposition may not take effect until at least 6 months after the giving of the notice unless—
- (a) the holder of the approval consents; or
 - (b) the Minister states in the notice that, in his or her opinion, the variation, revocation or imposition is necessary in order to prevent or mitigate significant harm to public or environmental health or the risk of such harm.
- (7) A person to whom a product approval is granted must ensure that the conditions of the approval are complied with.
- Maximum penalty: Division 6 fine.

16—Identification of manuals

- (1) A product approval must identify the manuals to be supplied to a purchaser of the wastewater system.
- (2) The Minister may, on application by the holder of a product approval and payment of the fee fixed by Schedule 1, vary the product approval so as to refer to a new version of a manual.

17—Revocation of approval

- (1) The Minister may, by written notice to the holder of a product approval, revoke the approval if satisfied that—
- (a) the approval was obtained improperly; or
 - (b) a condition of the approval has been contravened.
- (2) Before the Minister revokes a product approval, the Minister must—
- (a) give the holder of the approval written notice of the Minister's proposed action specifying reasons for the proposed action; and

- (b) allow the holder of the approval at least 14 days within which to make submissions to the Minister in relation to the proposed action.

18—Register

- (1) The Minister must keep a register of product approvals granted under these regulations.
- (2) The register must include, in relation to each product approval, a statement of—
 - (a) the date of the approval; and
 - (b) the name and contact address of the holder of the approval; and
 - (c) the duration of the approval; and
 - (d) the type of wastewater system approved; and
 - (e) the conditions of approval; and
 - (f) if the approval has been revoked, a note of that fact and the date of the notice of revocation.
- (3) The register may be extended to include product approvals granted under the revoked regulations.
- (4) The register must be kept up-to-date, including by noting the date of any variation or revocation of conditions of approval or the imposition of further conditions of approval.
- (5) The register must be kept available for inspection by any person during ordinary office hours at the principal office of the Department and the registers or extracts of the registers may be made available to the public by electronic means.
- (6) The register may include other information considered appropriate by the Minister, but that information need not be made available to the public.
- (7) A person may, on payment of the fee fixed by Schedule 1, obtain a copy of any part of the register (except a part containing information that need not be made available to the public).

Division 2—Wastewater works approvals

19—Application

- (1) An application for a wastewater works approval must—
 - (a) be made to the relevant authority in a form determined by the Minister; and
 - (b) be accompanied by the technical specifications for the wastewater works; and
 - (c) if the works comprise the installation or alteration of a wastewater system—be accompanied by proposed conditions for the operation, maintenance and servicing of the system or the system as altered (as the case requires); and
 - (d) if it is proposed that wastewater from the wastewater system be reused or disposed of—be accompanied by proposed conditions for the reuse or disposal of the wastewater; and

- (e) include, or be accompanied by other information or documents required to be supplied by the form or the prescribed codes (which may include a certificate of an independent technical expert in relation to the wastewater system or wastewater works concerned); and
 - (f) be accompanied by the fee fixed by Schedule 1.
- (2) The relevant authority may, by written notice, ask the applicant to provide the authority with further technical specifications, information or documents relevant to the application or to modify the technical specifications submitted for approval.

20—Determination of application

- (1) The relevant authority may refuse to grant a wastewater works approval—
- (a) if the applicant fails to satisfy the relevant authority of either or both of the following:
 - (i) that the technical specifications for the wastewater works comply with the prescribed codes;
 - (ii) that the wastewater works will not, if undertaken in accordance with the conditions of approval, adversely affect or threaten public or environmental health;
 - (b) for any other sufficient reason.
- (2) If an application for a wastewater works approval involves a wastewater system that is directly or indirectly connected to the undertaking, the relevant authority must give South Australian Water Corporation a reasonable opportunity to comment on the application and must take into account any comments so made.

21—Conditions of approval

- (1) A wastewater works approval is subject to the conditions specified by the relevant authority in the instrument of approval.
- (2) A relevant authority may, for example, grant an approval subject to a condition—
- (a) that establishes mandatory notification stages during the progress of wastewater works when a person is required to notify the relevant authority in a specified manner and stop the work pending an inspection carried out at the person's expense; or
 - (b) that requires decommissioning of the wastewater system after a specified trial period or, in specified circumstances, on written notice to the operator of the system; or
 - (c) that requires the display of notices on the premises on which the wastewater system is located; or
 - (d) that requires a person to monitor the performance of the wastewater system and to provide to the relevant authority specified information in a manner, and at times, specified by the relevant authority; or
 - (e) that prevents activities that would adversely affect the operation or maintenance of a drain or treatment or disposal system or the reuse of wastewater from the wastewater system; or

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Division 2—Wastewater works approvals

- (f) that requires a wastewater system to have various access points for maintenance or inspection (raised to or terminating at surface level, or as required by the relevant authority); or
 - (g) that requires a wastewater system to be connected to a reticulated community wastewater system; or
 - (h) that requires records of a specified kind to be created, maintained, and provided to the relevant authority; or
 - (i) that requires certification of plumbing and drainage work by a plumber who is licensed or registered under the *Plumbers, Gas Fitters and Electricians Act 1995*; or
 - (j) that provides that a wastewater system must not be used unless or until it has been inspected or tested by an independent technical expert and the relevant authority supplied with a certificate given by that expert certifying that the wastewater works have been undertaken in accordance with the approved technical specifications; or
 - (k) that provides that specified material must not, or that only specified material may, be discharged into, or from, the wastewater system; or
 - (l) that requires the wastewater system to be serviced by a person of a specified class; or
 - (m) that otherwise specifies requirements relating to—
 - (i) the installation of the wastewater system; or
 - (ii) the decommissioning of the wastewater system; or
 - (iii) the connection of the wastewater system to a reticulated community wastewater system or the undertaking or the disconnection of the wastewater system from a reticulated community wastewater system or the undertaking; or
 - (iv) the operation, servicing and maintenance of the wastewater system; or
 - (v) the reuse or disposal of wastewater from the wastewater system.
- (3) A condition of approval may—
- (a) provide that a matter or thing is to be determined according to the discretion of the relevant authority or some other specified person or body; and
 - (b) operate by reference to the manuals referred to in a product approval for the wastewater system; and
 - (c) operate by reference to a specified code as in force at a specified time or as in force from time to time.
- (4) If a code is referred to in a condition of approval—
- (a) a copy of the code must be kept available for inspection by members of the public, without charge and during normal office hours, at, if the relevant authority is the Minister, the principal office of the Department and, if the relevant authority is a council, the office of the council; and

- (b) evidence of the contents of the code may be given in any legal proceedings by production of a document apparently certified by the relevant authority to be a true copy of the code.
- (5) If a condition of approval authorises the reuse or disposal of wastewater from a wastewater system, the authorisation is conditional on any necessary authorisation of the activity being in force under section 127 of the *Natural Resources Management Act 2004*.
- (6) The relevant authority may, on application and payment of the fee fixed by Schedule 1, by written notice to the applicant, vary or revoke a condition of a wastewater works approval.
- (7) The relevant authority may, on its own initiative, by written notice to the operator of a wastewater system to which a wastewater works approval applies, vary or revoke a condition of the approval or impose a further condition, but in that case, the variation, revocation or imposition may not take effect until at least 6 months after the giving of the notice unless—
 - (a) the operator consents; or
 - (b) the relevant authority states in the notice that, in its opinion, the variation, revocation or imposition is necessary in order to prevent or mitigate significant harm to public or environmental health or the risk of such harm.

22—Expiry of approval

- (1) A wastewater works approval expires if the works are not commenced within 24 months after the date of the approval.
- (2) A relevant authority may, on application and payment of the fee fixed by Schedule 1, postpone the expiry of a wastewater works approval for a specified period.

23—Registers

- (1) The relevant authority must keep a register of wastewater works approvals granted by the authority under these regulations.
- (2) The registers must include, in relation to each wastewater works approval, a statement of—
 - (a) the date of the approval; and
 - (b) the name and contact address of the applicant for the approval; and
 - (c) the nature of the wastewater works to which the approval relates; and
 - (d) the location or proposed location of the wastewater system concerned; and
 - (e) the type of wastewater system concerned; and
 - (f) the conditions of approval; and
 - (g) any postponement of the expiry of the approval.
- (3) The registers may be extended to include wastewater works approvals granted under the revoked regulations.

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Division 2—Wastewater works approvals

- (4) The registers must—
 - (a) be kept in a manner facilitating retrieval of relevant information for all approvals relating to a particular wastewater system; and
 - (b) be kept up-to-date, including by noting the date of any variation or revocation of conditions of approval or the imposition of further conditions of approval.
- (5) The registers must be kept available for inspection by any person during ordinary office hours at, if the relevant authority is the Minister, the principal office of the Department and, if the relevant authority is a council, the office of the council and the registers or extracts of the registers may be made available to the public by electronic means.
- (6) The registers may include other information considered appropriate by the relevant authority, but that information need not be made available to the public.
- (7) A person may, on payment of the fee fixed by Schedule 1, obtain a copy of any part of a register kept under these regulations (except a part containing information that need not be made available to the public).

Part 4—Enforcement**24—Inspections and testing**

- (1) An authorised officer may, in connection with the administration or enforcement of these regulations—
 - (a) enter premises and inspect, examine or test a wastewater system and undertake work or an activity reasonably necessary to facilitate or undertake an inspection, examination or test, or give directions as to an inspection, examination or test; and
 - (b) take samples of a substance or thing for analysis.
- (2) In the exercise of a power under this regulation, an authorised officer may be accompanied by such assistants as may be necessary or desirable in the circumstances.
- (3) A person must not, without reasonable excuse, hinder or obstruct an authorised officer, or a person assisting an authorised officer, in the exercise of a power under this regulation.

Maximum penalty: Division 6 fine.

25—Maintenance orders

- (1) If the Minister or a council is satisfied on reasonable grounds that a person is contravening these regulations in a manner that adversely affects or threatens public or environmental health, the Minister or council may give the person a written notice (a ***maintenance order***) specifying the action that the Minister or council considers should be taken for the protection of public and environmental health in order to avoid further contravention.
- (2) The Minister or council may, for example, issue a maintenance order requiring the operator of a wastewater system to take specified action (immediately or within a period specified in the notice)—
 - (a) to alter, repair or replace a component of a wastewater system; or

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- (b) to remove sludge or other material from a wastewater system; or
 - (c) to service, maintain or cleanse a wastewater system or a component of a wastewater system; or
 - (d) if a wastewater system is so defective, inadequate or inappropriate as to require replacement—to replace the wastewater system.
- (3) Failure to comply with a maintenance order is not of itself an offence but the order, and any evidence of the taking or failure to take the action specified in the order, is admissible in any proceedings against the person for an offence against these regulations relating to—
- (a) the alleged contravention in respect of which the order was given; or
 - (b) an alleged contravention of a similar kind occurring after the order was given.
- (4) If the requirements of a notice under this regulation are not complied with and the Minister or council is satisfied that urgent action is required to prevent or mitigate significant harm to public or environmental health or the risk of such harm, the Minister or council may cause the requirements to be carried out (and a person authorised to do so by the Minister or council may enter land at any reasonable time for the purposes of carrying out the relevant work).
- (5) The Minister or council may recover costs and expenses reasonably incurred in exercising a power under subregulation (4) from the person who failed to comply with the notice, as a debt.

Part 5—Miscellaneous

26—False or misleading statements

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided, or record kept, under these regulations.

Maximum penalty: Division 6 fine.

27—Access to codes, standards etc

For the purposes of section 47(8)(c) of the Act, copies of codes, standards or other documents must be kept available for inspection at the principal office of the Department.

28—Fees

A relevant authority may refund, reduce or remit payment of a fee payable under these regulations if the authority considers that appropriate in the circumstances.

Schedule 1—Fees

Drafting note—

The fee amounts are yet to be fixed.

- | | | |
|---|--|-----|
| 1 | Application for product approval | \$? |
| 2 | Application for wastewater works approval for installation or alteration of on-site wastewater system (other than temporary system)— | |

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	• if the system's capacity does not exceed 5 000 litres	\$?
	• if the system's capacity exceeds 5 000 litres	\$? plus \$? for each 1 000 litres (or part of 1 000 litres) that the system's capacity exceeds 5 000 litres
3	Application for wastewater works approval for installation or alteration of temporary on-site wastewater system—	
	• if the system will service not more than 10 persons	\$?
	• if the system will service more than 10 persons but not more than 100 persons	\$? plus \$? for each 1 000 litres (or part of 1 000 litres) that the system's capacity exceeds 5 000 litres
	• if the system will service more than 100 persons	\$? plus \$? for each 1 000 litres (or part of 1 000 litres) that the system's capacity exceeds 5 000 litres
4	Application for wastewater works approval for connection of on-site wastewater system to reticulated community wastewater system—	
	• in the case of an existing on-site wastewater system	\$?
	• in the case of a new on-site wastewater system—	
	• if the system's capacity does not exceed 5 000 litres	\$?
	• if the system's capacity exceeds 5 000 litres	\$? plus \$? for each 1 000 litres (or part of 1 000 litres) that the system's capacity exceeds 5 000 litres
5	Application for wastewater works approval for purpose not referred to in item 2, 3 or 4	\$?
6	The following additional fees are payable before a product approval or wastewater works approval is granted:	
	• if the Minister is consulted under regulation 20(3) (payable to the Minister)	\$?
	• if the relevant authority by written notice to the applicant informs the applicant that a number of inspections up to a specified number (not exceeding 3) may be required in order to determine the application—for each such inspection:	
	• in the case of an on-site wastewater system	\$?
	• in the case of a reticulated community wastewater system	\$?
7	For an inspection at a mandatory notification stage under conditions of a wastewater works approval—	
	• in the case of an on-site wastewater system	\$?
	• in the case of a reticulated community wastewater system	\$?
8	Application for variation or revocation of conditions of product approval or wastewater works approval	\$? plus

-
- if the relevant authority by written notice to the applicant informs the applicant that a number of inspections up to a specified number (not exceeding 3) may be required in order to determine the application—for each such inspection:
 - in the case of an on-site wastewater system \$?
 - in the case of a reticulated community wastewater system \$?
 - 9 Application for variation of product approval so as to refer to new version of manual \$?
 - 10 Application for postponement of expiry of wastewater works approval \$?
 - 11 Copy of part of register of product approvals or wastewater works approvals \$? for each page

Schedule 2—Revocation and transitional provisions

Part 1—Revocation

1—Revocation of *Public and Environmental Health (Waste Control) Regulations 1995*

The *Public and Environmental Health (Waste Control) Regulations 1995* are revoked.

Part 2—Transitional provisions

2—Product approvals

- (1) An approval in force under regulation 9 of the revoked regulations immediately before the commencement of this clause will be taken to be a product approval under these regulations.
- (2) The product approval under these regulations is subject to the same conditions as the approval under the revoked regulations and will expire 2 years after the commencement of this clause or on the date on which the approval would have expired under the revoked regulations, whichever is the earlier.

3—Wastewater works approvals

- (1) An approval in force under the revoked regulations other than under regulation 9 immediately before the commencement of this clause will be taken to be a wastewater works approval under these regulations.
- (2) The wastewater works approval under these regulations is subject to the same conditions as the approval under the revoked regulations and will expire in accordance with these regulations.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Public and Environmental Health (Wastewater Systems) Regulations 2007

Schedule 2—Revocation and transitional provisions

Made by the Governor

with the advice and consent of the Executive Council
on

No of

HEACS/06/105, HEACS/06/106