

NORTHERN TERRITORY OF AUSTRALIA

AMENDMENTS OF PUBLIC HEALTH (GENERAL  
SANITATION, MOSQUITO PREVENTION, RAT  
EXCLUSION AND PREVENTION) REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1998, No. 49\*

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Regulations under the *Public Health Act*

I, NEIL RAYMOND CONN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Public Health Act*.

Dated 30 October 1998.

N R CONN  
Administrator

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AMENDMENTS OF PUBLIC HEALTH (GENERAL  
SANITATION, MOSQUITO PREVENTION, RAT  
EXCLUSION AND PREVENTION) REGULATIONS

1. PRINCIPAL REGULATIONS

The Public Health (General Sanitation, Mosquito Prevention, Rat Exclusion and Prevention) Regulations are in these Regulations referred to as the Principal Regulations.

2. DEFINITIONS

Regulation 3 of the Principal Regulations is amended -

(a) by inserting after the definition of "closet" the following:

"'Code' means the Code of Practice for Small On-site Sewage and Sullage Treatment Systems and the Disposal or Reuse of Sewage Effluent, November 1996, published by Territory Health Services;"

(b) by omitting "digestion;" from the definition of "septic tank" and substituting the following:

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\* Notified in the *Northern Territory Government Gazette* on 11 November 1998.

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"digestion and includes -

- (a) any associated pipes and effluent disposal system;
- (b) any apparatus or device for the reuse of effluent; and
- (c) any apparatus, device or system for the storage, treatment, disposal or reuse of sullage;"

(c) by inserting after the definition of "septic tank" the following:

"'structure' includes a septic tank, chemical toilet and any other device used for the storage or treatment of night-soil;

'sullage' means domestic waste water from a bath, shower, basin, laundry or kitchen and includes the floor waste water from those sources;"

(d) by omitting "3 feet" from the definition of "to dispose of" and substituting "1 metre".

3. REPEAL AND SUBSTITUTION

Regulations 25, 26, 27 and 28 of the Principal Regulations are repealed and the following substituted:

"25. SANITARY CONVENIENCES AND SULLAGE NOT CONNECTED WITH SEWERAGE SYSTEM

"(1) Where the sanitary conveniences on premises or occupied land are not connected with the sewerage system, the owner or occupier of the premises or land must ensure that they are connected to a septic tank, chemical toilet or other device used for the storage or treatment of night-soil that has been approved by the Chief Health Officer for use in the Territory under regulation 26.

"(2) Where sullage from premises or occupied land is not disposed of into the sewerage system, the owner or occupier of the premises or land must ensure that it is disposed of into a septic tank that has been approved by the Chief Health Officer for use in the Territory under regulation 26.

"26. APPROVAL OF SEPTIC TANKS

"(1) A person must not sell or offer for sale, or the owner or occupier of premises or land must not install or permit to be installed on the premises or land, a septic tank, chemical toilet or other device used for the storage or treatment of night-soil unless it is of a type that has been approved by the Chief Health Officer for use in the Territory.

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"(2) An application for an approval under this regulation is to be made in the approved form to the Chief Health Officer by the manufacturer of, or a person who wishes to sell, the type of septic tank, chemical toilet or other device used for the storage or treatment of night-soil and is to be accompanied by the fee specified in Schedule 1 for the approval.

"(3) On receiving an application under this regulation, the Chief Health Officer may approve or refuse to approve the type of septic tank, chemical toilet or device used for the storage and treatment of night-soil for use in the Territory.

"(4) An approval under this regulation is to be in writing and is subject to the conditions, if any, that the Chief Health Officer determines and specifies in the approval.

"(5) The manufacturer of, or a person who wishes to sell, a type of septic tank, chemical toilet or other device used for the storage or treatment of night-soil approved under this regulation may apply to the Chief Health Officer for the approval to be varied.

"(6) An application for an approval to be varied under this regulation is to be made in the approved form and is to be accompanied by the fee specified in Schedule 1 for the variation of the approval.

"(7) On receiving an application under this regulation for the variation of an approval, the Chief Health Officer may approve or refuse to approve the variation.

"(8) The variation of an approval under this regulation is to be in writing and is subject to the conditions, if any, that the Chief Health Officer determines and specifies in the variation of the approval.

"27. APPROVAL OF INSTALLATION OF SEPTIC TANKS

"(1) Except as provided in regulation 28, the owner or occupier of premises or land must not install or permit to be installed on the premises or land a septic tank, chemical toilet or other device used for the storage or treatment of night-soil unless he or she has the written approval of the Chief Health Officer to do so.

"(2) An application for approval to install a septic tank, chemical toilet or other device used for the storage or treatment of night-soil is to be made in the approved form to the Chief Health Officer and is to be accompanied by the fee specified in Schedule 2 for the approval.

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"(3) The Chief Health Officer, on receiving an application under this regulation, may approve or refuse to approve the installation of the septic tank, chemical toilet or other device used for the storage or treatment of night-soil.

"(4) An approval under this regulation is to be in writing and is subject to the conditions, if any, that the Chief Health Officer determines and specifies in the approval.

"(5) Where approval has been given under this regulation, a person must not install the septic tank, chemical toilet or device used for the storage or treatment of night-soil other than in accordance with the approval and the conditions to which the approval is subject.

"28. INSTALLATION OF SEPTIC TANKS WITHOUT APPROVAL

"(1) The owner or occupier of premises or land may install or permit to be installed on the premises or land a septic tank, chemical toilet or device used for the storage or treatment of night-soil without an approval being given under regulation 27 where the septic tank, chemical toilet or device -

- (a) discharges into the sewerage system;
- (b) is installed in accordance with the requirements of the *Building Act*; or
- (c) is installed in accordance with the requirements of subregulation (2) by a person who meets the requirements of subregulation (3).

"(2) For the purposes of subregulation (1)(c), the requirements are -

- (a) the septic tank, chemical toilet or other device used for the storage or treatment of night-soil is of a type that has been approved under regulation 26;
- (b) the septic tank, chemical toilet or other device used for the storage or treatment of night-soil is installed in accordance with the Code;
- (c) the owner or occupier submits a notice, in the approved form, to the Chief Health Officer of his intention to install the septic tank, chemical toilet or other device used for the storage or treatment of night-soil at least 7 days before commencing to install the septic tank, chemical toilet or other device;

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- (d) the owner or occupier does not cover the septic tank, chemical toilet or other device used for the storage or treatment of night-soil after it is installed when directed by the Chief Health Officer within 2 days of submitting the notice referred to in paragraph (c); and
- (e) the owner or occupier submits a notice, in the approved form, to the Chief Health Officer of having completed the installation of the septic tank, chemical toilet or other device used for the storage or treatment of night-soil not later than 14 days after completing the installation.

"(3) For the purposes of subregulation (1)(c), the requirements are that the person -

- (a) holds a licence issued under the *Plumbers and Drainers Licensing Act*;
- (b) is a building practitioner, within the meaning of the *Building Act*; and
- (c) holds an approved insurance policy that will indemnify an owner or occupier of premises or land against the installation of a septic tank, chemical toilet or other device used for the storage or treatment of night-soil to a Class 1 or Class 10 building not complying with the Code.

"28A. NOTICE PROHIBITING CERTAIN PERSONS INSTALLING SEPTIC TANKS

"(1) The Chief Health Officer may, by notice served on a person referred to in regulation 28(1)(c), prohibit the person installing a septic tank, chemical toilet or other device used for the storage or treatment of night-soil in accordance with that regulation where the Chief Health Officer is satisfied that the person has installed a septic tank, chemical toilet or other device used for the storage or treatment of night-soil in contravention of the requirements of that regulation.

"(2) A person served with a notice under subregulation (1) who installs a septic tank, chemical toilet or other device used for the storage or treatment of night-soil in contravention of the notice is guilty of an offence.

"28B. MAINTENANCE OF SEPTIC TANKS

"The owner or occupier of premises or land where a septic tank, chemical toilet or other device used for the storage or treatment of night-soil is installed must maintain it in accordance with -

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- (a) the Code; and
- (b) the conditions, if any, of an approval given under regulation 26 or 27 in relation to the septic tank, chemical toilet or other device."

4. NEW SCHEDULES

The Principal Regulations are amended by adding at the end the following:

"SCHEDULE 1

Regulation 26

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1. Approval of a septic tank, chemical toilet or other device for the storage or treatment of night-soil -	
Concrete, fibreglass or plastic septic tank	300
Waterless composting toilet	200
Aerated wastewater treatment system	500
Aerobic sand filter	500
Chemical toilet	150
Any other device not otherwise referred to	150
Any other on-site septic tank not otherwise referred to	500
2. Variation of approval	150

SCHEDULE 2

Regulation 27

	\$
Approval of installation of septic tank, chemical toilet or other device for the storage or treatment of night-soil	400

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5. FURTHER AMENDMENTS

The Principal Regulations are amended as set out in the Schedule.

SCHEDULE		
Regulation 5		
Provision	Amendment	
	omit	substitute
Regulation 7(1)	"40 feet"	"12 metres"
Regulation 7(3)	"200 square feet"	"18 square metres"
	"100 square feet"	"9 square metres"
Regulation 7(4) and (5)	"50 feet" (wherever occurring)	"15 metres"
Regulations 19 and 21(3)	"100 feet"	"30 metres"
Regulation 29	"3 inches"	"80 millimetres"
Regulation 37	"18 meshes to the inch"	"7 meshes to the centimetre"
Regulation 40(c)	"regulation 47"	"regulation 37"