

Regulations 1974 No. 33

Regulations under the *Building and Services Ordinance* 1924-1968.*

I, GORDON MUNRO BRYANT, the Minister of State for the Capital Territory, hereby make the following Regulations under the *Building and Services Ordinance* 1924-1968.

Dated this nineteenth day of December, 1974.

GORDON M. BRYANT
Minister of State for the Capital Territory.

AMENDMENTS OF THE GARBAGE REGULATIONS

1. Regulation 2 of the Garbage Regulations is amended—

Definitions.

(a) by inserting after the definition of "Authorized officer" the following definitions—

" 'Commercial premises' means premises other than premises upon which a single dwelling-house is erected;

" 'Dwelling-house' includes a part of any premises used or intended to be used as a residence, whether it forms a complete residence in itself or not;";

(b) by omitting from the definition of "Garbage" the words "(except sewage)" and substituting the words "(except sewage, garden waste and waste arising from the conduct of a business of building or engineering or the repairing of motor vehicles)"; and

(c) by adding after the definition of "Premises" the following definition:—

" 'Receptacle' means a receptacle of a type which is approved by the Minister, being a receptacle that complies with the requirements of Schedule 1."

2. Regulation 3 of the Garbage Regulations is amended—

Garbage receptacles.

(a) by omitting from sub-regulation (1) the words "every premises" and substituting the words "premises, other than commercial premises;";

(b) by omitting from sub-regulation (1) the words "watertight receptacles of an approved pattern in accordance with the specification set out in this regulation" and substituting the words "approved receptacles";

(c) by omitting sub-regulations (2) and (3); and

(d) by omitting from sub-regulation (4) the words "The Minister" and substituting the words "Subject to regulation 3A, the Minister".

* Notified in the *Australian Government Gazette* on 23 December 1974.

† For references to the original Regulations and amendments see footnote on p. 133 of Vol. III of "Laws of the Australian Capital Territory 1911-1959".

3. The Garbage Regulations are amended by inserting after Regulation 3 the following regulation:—

Garbage on
Commercial
Premises.

“3A. (1) The Minister may, upon receiving an application in writing from the occupier of commercial premises, arrange for the removal of garbage from those premises in accordance with this regulation.

“ (2) An occupier of commercial premises, from which the Minister has arranged to remove garbage, shall not, in the course of a week, use more than 6 domestic receptacles.

“ (3) For the purpose of calculating the number of domestic receptacles used in the course of a week by an occupier of commercial premises, a domestic receptacle shall be considered to be a separate receptacle on each occasion on which garbage is removed from it.

“ (4) An occupier of premises from which the Minister has arranged to remove garbage shall not use a commercial receptacle other than a receptacle obtained from Australia.

“ (5) A receptacle supplied to an occupier by Australia shall be supplied on such terms and conditions as the Minister thinks fit.

“ (6) For each removal of garbage from commercial premises, the occupier of the premises is liable to pay to Australia fees calculated in accordance with Schedule 2.”

4. Regulation 5 of the Garbage Regulations is repealed and the following regulation is substituted:—

Disposal of
garbage.

“5. (1) The occupier of premises shall not leave or deposit garbage upon or about the premises, or permit garbage to be left upon or about the premises, other than in a receptacle or in a container approved by the Minister or by an authorized officer.

“ (2) A person who fails to comply with sub-regulation (1) is guilty of an offence and is punishable—

- (a) if an occupier of domestic premises, by a fine not less than \$20 and not more than \$50;
- (b) if an occupier of commercial premises, where the garbage contained putrescible matter directly or indirectly hazardous to human health, by a fine not less than \$200 and not more than \$500; or
- (c) in any other case, by a fine not less than \$100 and not more than \$300.”

Waste, other
than garbage.

5. Regulation 5A of the Garbage Regulations is amended by omitting the words “garden refuse” and substituting the words “any waste (not being garbage)”.

Weekly
clearance of
garbage from
premises.

6. Sub-regulation 9 (2) of the Garbage Regulations is amended by inserting after the words “all premises,” the words “other than commercial premises,”.

7. The Garbage Regulations are amended by adding the following Schedules:—

“SCHEDULE 1

Regulation 2

RECEPTACLES

Domestic receptacles shall have a capacity of 0.085 cubic metre, two handles, a closely fitting lid with a flange overlapping the top of the receptacle and be of a solid and durable construction.

Commercial receptacles shall be of a capacity of—

- (a) 0.765 cubic metre;
- (b) 1.530 cubic metres;
- (c) 2.295 cubic metres; or
- (d) 3.060 cubic metres.

" SCHEDULE 2

Regulation 3A

FEEES FOR REMOVAL OF GARBAGE FROM COMMERCIAL PREMISES

1. Where garbage is removed from domestic receptacles, a fee calculated at the rate of 17 cents for each receptacle.

2. Where garbage is removed from commercial receptacles, for each receptacle a fee of—

	\$
(a) in the case of a receptacle with a capacity of 0.765 cubic metre ..	1.88
(b) in the case of a receptacle with a capacity of 1.530 cubic metres ..	3.75
(c) in the case of a receptacle with a capacity of 2.295 cubic metres ..	5.18
(d) in the case of a receptacle with a capacity of 3.060 cubic metres ..	9.38."

8. The Garbage Regulations are amended as set out in the Schedule.

Schedule of amendments.

SCHEDULE

Regulation 8

Provision	Amendment
Sub-regulation 9 (2)	Omit " one shilling ", substitute " 10 cents "
Sub-regulation 10 (2)	Omit " the Commonwealth " (wherever occurring), substitute " Australia "
Regulation 11	Omit " the Commonwealth " (wherever occurring), substitute " Australia "
Sub-regulation 12 (1)	Omit " the Commonwealth " (wherever occurring), substitute " Australia "
Regulation 14	Omit " Twenty pounds ", substitute " \$40 " Omit " one pound ", substitute " \$2 "