

Regulations 1976 No. 33

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

I, ANTHONY ALLAN STALEY, the Minister of State for the Capital Territory, hereby make the following Regulations under the *Building and Services Ordinance 1924*.

Dated this twenty-fourth day of December, 1976.

A. A. STALEY

Minister of State for the Capital Territory.

AMENDMENTS OF THE GARBAGE REGULATIONS†

1. These Regulations shall come into operation on 1 January 1977. Commencement.
2. Regulation 2 of the Garbage Regulations is amended— Definitions.
 - (a) by omitting the definitions of “Commercial premises” and “Dwelling-house” and substituting the following definitions:—
 - “‘bin’ means a bin of a type approved by the Minister, being a bin that—
 - (a) has a capacity not exceeding 0.085 cubic metre, 2 handles and a closely fitting lid with a flange overlapping the top of the bin; and
 - (b) is of a solid and durable construction;
 - ‘commercial premises’ means premises other than domestic premises;
 - ‘container’ means a container of a type approved by the Minister, being a container that has a capacity of—
 - (a) 0.765 cubic metre;
 - (b) 1.530 cubic metres;
 - (c) 2.295 cubic metres; or
 - (d) 3.060 cubic metres;
 - ‘domestic premises’ means premises that are used exclusively or primarily for residential purposes;”;
 - (b) by inserting in the definition of “Occupier”, after the words “another person”, the words “and in the case of a parcel of land that is subdivided into units and common property under the *Unit Titles Ordinance 1970*, the corporation constituted by that Ordinance in connexion with that subdivision”; and
 - (c) by omitting the definition of “Receptacle”.
3. Regulation 3 of the Garbage Regulations is amended— Provision of bins and containers.
 - (a) by omitting from sub-regulation (1) the words “premises, other than commercial premises,” and substituting the words “domestic premises”;
 - (b) by omitting from sub-regulation (4) the words “Subject to regulation 3A, the Minister” and substituting the words “The Minister”; and

* Notified in the *Australian Government Gazette* on 30 December 1976.

† For reference to the original Regulations and amendments made before 1960 see footnote on p. 133 of Vol. III of “Laws of the Australian Capital Territory 1911-1959”. For later amendments see Regulations 1974, No. 33; and 1976, Nos. 7 and 9.

- (c) by omitting from sub-regulation (4) the words "any premises" and substituting the words "any domestic premises".

4. After regulation 3 of the Garbage Regulations the following regulation is inserted:—

Hiring of containers to occupiers of domestic premises.

"3AA. (1) The Minister may, upon receiving an application in writing from the occupier of domestic premises, on behalf of the Commonwealth, let out on hire to the occupier a container for use at those premises.

"(2) For each container let out on hire to the occupier of domestic premises, the occupier is liable to pay to the Commonwealth, in respect of each week included in the period of the hiring, the fee specified in column 2 of the Schedule opposite to the description in column 1 that applies to that container."

Garbage on commercial premises.

5. Regulation 3A of the Garbage Regulations is amended by omitting sub-regulation (6) and substituting the following sub-regulation:—

"(6) The occupier of commercial premises is liable to pay to the Commonwealth—

- (a) for each removal of garbage from the premises—
- (i) in respect of each bin from which garbage is removed—a fee of 35 cents; and
 - (ii) in respect of each container from which garbage is removed—the fee specified in column 3 of the Schedule opposite to the description in column 1 that applies to that container; and
- (b) for each container in use on the premises—the fee, in respect of each week included in the period during which the container remains in use on the premises, specified in column 2 of the Schedule opposite to the description in column 1 that applies to that container."

Certain premises to be domestic premises.

6. Regulation 3B of the Garbage Regulations is amended—

- (a) by omitting from sub-regulation (1) the words "premises other than commercial premises" and substituting the words "domestic premises"; and
- (b) by omitting from sub-regulation (3) the words "be deemed not to be commercial premises" and substituting the words "be deemed to be domestic premises".

Weekly clearance of garbage from premises.

7. Regulation 9 of the Garbage Regulations is amended by omitting from sub-regulation (2) the words "premises, other than commercial premises," and substituting the words "domestic premises".

Schedule.

8. The Schedules to the Garbage Regulations are repealed and the following Schedule is substituted:—

SCHEDULE		Regulations 3AA and 3A	
FEES			
Column 1		Column 2	Column 3
Container		Hiring fee	Removal fee
		\$ c	\$ c
Container having a capacity of 0.765 cubic metre	1.10	1.90
Container having a capacity of 1.530 cubic metres	1.50	3.25
Container having a capacity of 2.295 cubic metres	1.70	5.40
Container having a capacity of 3.060 cubic metres	1.80	7.50

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

Further
amendments.

SCHEDULE		Regulation 9
Provision	Amendments	
Sub-regulation 3 (1)	..	Omit " receptacles " (wherever occurring), substitute " bins or containers ".
Sub-regulation 3 (4)	..	Omit " receptacles " (wherever occurring), substitute " bins or containers ".
Sub-regulation 3A (2)	..	Omit " domestic receptacles ", substitute " bins ".
Sub-regulation 3A (3)	..	(a) Omit " domestic receptacles ", substitute " bins ".
		(b) Omit " domestic receptacle ", substitute " bin ".
		(c) Omit " separate receptacle ", substitute " separate bin ".
Sub-regulation 3A (4)	..	Omit " commercial receptacle other than a receptacle obtained from Australia ", substitute " container other than a container obtained from the Commonwealth ".
Sub-regulation 3A (5)	..	(a) Omit " receptacle ", substitute " container ".
		(b) Omit " Australia ", substitute " the Commonwealth ".
Sub-regulation 3A (7)	..	(a) Omit " from a receptacle ", substitute " from a bin or a container ".
		(b) Omit " where the receptacle ", substitute " where the bin or container ".
Sub-regulation 4 (1)	..	Omit " receptacles ", substitute " bins or containers ".
Sub-regulation 5 (1)	..	Omit " receptacle or in a container approved by the Minister or by an authorized officer ", substitute " bin or a container ".
Regulation 5A	..	(a) Omit " the last preceding regulation ", substitute " regulation 5 ".
		(b) Omit " receptacle ", substitute " bin or a container ".
Regulation 6	..	Omit " garbage receptacle ", substitute " bin or a container ".
Regulation 7	..	(a) Omit " all receptacles ", substitute " a bin or container ".
		(b) Omit " covers ", substitute " cover ".
		(c) Omit " the receptacles ", substitute " the bin or container ".
Regulation 8	..	Omit " all such receptacles ", substitute " a bin or container ".
Sub-regulation 9 (2)	..	(a) Omit " receptacles ", substitute " bins and containers ".
		(b) Omit " Provided that ", substitute " Provided that, in the case of bins, ".
		(c) Omit " receptacle " (wherever occurring), substitute " bin ".
Sub-regulation 10 (1)	..	Omit " receptacles ", substitute " bins and containers ".
Sub-regulation 10 (2)	..	(a) Omit " Australia " (wherever occurring), substitute " the Commonwealth ".
		(b) Omit " receptacle ", substitute " bin or container ".
Regulation 11	..	Omit " Australia " (wherever occurring), substitute " the Commonwealth ".
Sub-regulation 12 (1)	..	Omit " Australia ", substitute " the Commonwealth ".