

SOUTH AUSTRALIA

**ENVIRONMENT PROTECTION (VESSELS ON INLAND WATERS)
POLICY 1998**

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ENVIRONMENT PROTECTION (VESSELS ON INLAND WATERS) POLICY 1998

Gaz. 8 January 1998, p. 21¹

¹ Came into operation 8 January 1998: cl. 2.

Citation

1. This Policy may be cited as the *Environment Protection (Vessels on Inland Waters) Policy 1998*.

Commencement

2. This Policy comes into operation on 8 January 1998.

Interpretation

3. In this Policy, unless the contrary intention appears—

"**berth**" means permanent or temporary sleeping accommodation;

"**commercial passenger vessel**" means a vessel used for the conveyance of passengers for hire or other monetary reward;

"**galley**" means any part of a vessel designed to be used for the preparation of food;

"**lake**" has the same meaning as in the *Water Resources Act 1997*;

"**length**" in relation to a vessel means the maximum overall length of the vessel;

"**vessel**" means a boat, yacht, ship or other vessel capable of floating and being used on water;

"**waste**" does not include water that has been used for bathing or showering or for washing;

"**watercourse**" has the same meaning as in the *Water Resources Act 1997*.

Control of waste on certain vessels

4. (1) This clause applies to, and in relation to, vessels of a class described in Schedule 1.

(2) A person who is the owner, or is in charge, of a vessel to which this clause applies that is on, or on the banks of, a watercourse or lake must not use the vessel unless he or she ensures—

(a) that, subject to paragraph (d), all waste brought onto, or produced on, the vessel is stored in a container from which it cannot escape; and

(b) that the container referred to in paragraph (a)—

(i) is designed and constructed to facilitate cleaning; and

(ii) is maintained in working order and in a hygienic condition; and

(c) that neither—

(i) a garbage grinder; nor

(ii) a portable toilet that does not provide for waste retention,

is brought onto or kept on the vessel; and

3.

- (d) that—
- (i) the vessel is fitted with a suitable toilet that is connected to a holding tank; and
 - (ii) that the toilet, holding tank and all fittings comply with Schedule 2; and
 - (iii) the toilet and holding tank are maintained in working order and in a hygienic condition; and
 - (iv) the holding tank is not used to hold any material other than human waste.

Mandatory Provision—Category B offence.

(3) Subclause (2)(d)(i) does not apply in relation to a vessel that carries a portable toilet in working order that provides for waste retention if the vessel is not on, or on the banks of, a watercourse or lake for more than one month at a time.

Control of waste on other vessels

5. (1) This clause applies to, and in relation to, all vessels except those to which clause 4 applies.

(2) A person who is the owner, or is in charge, of a vessel to which this clause applies that is on, or on the banks of, a watercourse or lake must not use the vessel unless he or she ensures—

- (a) that a garbage grinder is not brought onto or kept on the vessel; and
- (b) that a container (if any) used to store waste on the vessel is sealed; and
- (c) that a portable toilet (if any) on the vessel provides for waste retention and is in working order.

Mandatory Provision—Category B offence.

4.

Use of waste disposal facility

6. A person who uses a waste disposal facility authorised by the Environment Protection Authority or that was approved or provided by the Minister administering the *Water Resources Act 1990* under the *Water Resources Regulations 1990* must comply with all directions displayed in the vicinity of the facility.

Mandatory Provision—Category B offence.

SCHEDULE 1*Vessels to which Clause 4 applies*

1. Clause 4 of the Policy applies to the following vessels:

- (a) vessels that provide sleeping accommodation and are six metres or more in length; and
- (b) vessels that have a galley; and
- (c) vessels provided with a toilet; and
- (d) commercial passenger vessels that are six metres or more in length.

2. For the purposes of Schedule 2 the vessels referred to in clause 1 of this Schedule are classified as follows:

| | 12 metres or more in length | 9 metres or more in length but less than 12 metres in length | 6 metres or more in length but less than 9 metres in length | less than 6 metres in length but having a toilet or galley |
|--|-----------------------------------|--|---|---|
| 9 or more berths | A | A | A | A |
| 5 to 8 berths | A | B | B | B |
| 3 or 4 berths | A | B | C | C |
| 1 or 2 berths | A | B | D | D |
| No berths but having a galley or toilet or being a commercial passenger vessel | A | B | D | D |

SCHEDULE 2
Holding Tanks and Fittings

1. (1) Holding tanks and fittings must be made of stainless steel, polyester, fibreglass, polyvinyl chloride or some similar non-corroding material.

(2) A holding tank may be made of some other material if the inside of the tank is lined with fibreglass or rubber so that no waste material can escape past or through the lining.

2. The capacity of holding tanks must be at least that set out in the following table:

| Class of vessel (see clause 2 of schedule 1) | Volume (litres) |
|---|--------------------|
| A | 180 |
| B | 140 |
| C | 70 |
| D | 30 |

3. The inner surface of a tank must be smooth and free from projections and a tank must be shaped to facilitate self-cleansing.

4. The toilet pan must—

- (a) be located as close as practicable to the top of the holding tank; and
- (b) be fitted with a mechanical or water seal that prevents the escape of gas from the holding tank.

5. (1) The holding tank outlet pipe must—

- (a) be at least 40 millimetres in diameter; and
- (b) be rigid and designed so that the holding tank cannot overflow.

(2) The outlet end of the outlet pipe must—

- (a) be rigidly fixed to the external deck of the vessel; and
- (b) be fitted with the female side of a Treloar-Kamlock quick coupling or some other quick coupling approved by the Environment Protection Authority; and
- (c) be fitted with a gas tight cover to protect the seal.

6. (1) A holding tank flushing pipe must—

- (a) be at least 40 millimetres in diameter; and
- (b) be rigid and designed so that the holding tank cannot overflow; and
- (c) be fixed to the top of the holding tank.

7.

(2) The outlet end of the flushing pipe must—

- (a) be rigidly fixed to the external deck of the vessel; and
- (b) be fitted with the female side of a Treloar-Kamlock quick coupling or some other quick coupling approved by the Environment Protection Authority; and
- (c) be fitted with a gas tight cover to protect the seal.

7. The point of connection of the outlet pipe to the holding tank must ensure that the depth of the waste remaining in the tank after evacuation is not more than 40 millimetres.

8. A vent pipe at least 40 millimetres in diameter must be connected to the top of the holding tank and must end at a point outside of the vessel that is more than 300 millimetres above the toilet seat.

9. Subject to the other provisions of this schedule, the holding tank and all fittings attached to it must be designed, constructed and assembled so that the contents of the tank (including the gas) cannot escape.

SCHEDULE 3

Transitional provisions

1. An exemption held by a person under Regulation 36(3) of the *Water Resources Regulations 1990* immediately before the revocation of those regulations will be taken to have been granted by the Environment Protection Authority pursuant to section 37 of the *Environment Protection Act 1993*. The provisions of the *Environment Protection Act 1993* and regulations made under that Act apply to any such exemption.
2. A quick coupling approved by the Minister under clause 6(b) or 9(2)(b) of schedule 2 of the *Water Resources Regulations 1990* will be taken to have been approved by the Environment Protection Authority under clause 5(2)(b) or 6(2)(b) of Schedule 2 of this Policy if the approval was in force immediately before the revocation of those regulations.