

Collection depots

Updated July 2018

EPA 955/18: This guideline is intended to assist applicants in completing the Application for approval of a collection depot.

Introduction

South Australia operates a container deposit scheme where a 10-cent refund is available on certain empty beverage containers when the beverage is purchased in South Australia. The majority of approved containers are Category B containers meaning they must be returned to an approved collection depot for the refund.

The definition of 'collection depot' in the *Environment Protection Act 1993* (the Act) includes a reverse vending machine or RVM (see *Guidelines for Collection depots—reverse vending machine*).

Under section 69(1) of the Act, a person must not operate a collection depot without the approval of the Authority. The penalty for doing so is a maximum \$60,000 for a body corporate or maximum \$30,000 for a natural person.

Requirements under the Act

Under the Act, the operator of an approved collection depot:

- is required to accept category B containers that bear the approved refund marking or a former refund marking
- must pay the person delivering the container 10 cents for that container in cash
- must request a person presenting 3,000 or more containers within a 48-hour period, to complete a declaration form
- may request any person presenting containers for a refund to complete a declaration form stating that person has no reason to believe the containers were purchased outside of SA.
- keep the declaration for three years and make it available to an authorised officer, if requested.
- However, the operator of an approved collection depot may refuse to accept the container for refund if:
 - the container is unclean
 - he or she reasonably suspects the container was not purchased in South Australia
 - the request for a declaration has been refused.

Application

An application form must be completed, signed and approved by the EPA before the depot commences operation.

The Authority will consider the following when assessing an application for approval:

- The suitability of the waste management arrangement (WMA)¹ for the aggregation of the containers and the payment of refunds to consumers. This is usually achieved by entering into a contractual arrangement with the approved super collectors. However some depots return their containers via another approved collection depot without the need for a direct relationship with the super collectors. The Authority will consider other suitable proposals that ensure the containers are returned for recycling and consumers are refunded 10 cents.
- Whether planning approval has been granted by council or the relevant planning authority for the operation of the depot at the site.

The payment of the application fee.

Conditions of approval

If the depot is approved, the following conditions will be imposed:

- This approval to operate a collection depot only applies to (depot name) at (depot address) for the time that it remains in operation at these premises.
- If the approval holder's name or postal address (or both) changes, then the approval holder must inform the Authority in writing, within 28 days of the change occurring.
- If the collection depot is sold to another party, the approval holder must inform the Authority in writing, within 28 days of settlement.
- The approval holder who wishes to cease operation of the depot shall notify the Authority in writing, no less than 14 days from date of closing.
- The approval holder, or a person acting on his or her behalf, must not pay a refund on, or seek reimbursement for, containers that the approval holder, or the person acting on his or her behalf, knows were not purchased in South Australia.
- The approval holder must ensure that prominent signage is displayed, detailing the offence and the penalties under section 69 the Act, for presenting interstate containers for refund.

Important information regarding your approval

Section 69(6) of the Act allows the Authority to vary an approval or impose, vary or revoke a condition of an approval.

Section 69(7) allows the Authority to revoke an approval if satisfied that a condition of approval has been contravened.

Under section 69D it is an offence to contravene a condition of approval—maximum penalty \$4,000 and expiation fee of \$300

An approval to operate a collection depot does not permit any activity in breach of any other approval by any other authority. For example, an approval to operate a collection depot does not permit any activity on the premises which is not authorised under the Development Act 1993. It is the responsibility of the Approval Holder to ensure that any action or activity referred to in this approval is permitted by, and is carried out in compliance with, all relevant statutory requirements.

¹ Pursuant to section 68(3)(iii) of the Act, a WMA, 'in relation to containers of a particular class, means an arrangement for the collection, sorting and aggregation of containers of that class when empty and their reuse, recycling or other disposal'.

Contact details for industry super collectors

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KILKENNY SA 5009

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Facsimile: 08 8341 2494

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18 Wilson Street
ROYAL PARK SA 5014

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Facsimile: 08 8240 3766

Tim Alver

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246 Brighton Rd
SOMERTON PARK SA 5044

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Telephone: 08 8376 0555
Facsimile: 08 8376 0559

Fees

Application fees

The following fees apply to applications for approval to operate a collection depot. Please note your application for approval will not proceed unless payment is made.

Description	Fee
Collection depots	\$143.50

Annual fees

Description	Annual fee
Located in metropolitan Adelaide	\$307.50
Located outside of metropolitan Adelaide	\$153.75

Late payment penalties

The penalty for failure to pay the annual fee is \$300 or 5% of the annual fee (whichever is higher) for each month (or part of a month) for which the default continues.

Failure to pay within 14 days of a late payment reminder notice being sent will result in the approval being suspended. Failure to pay within six months of a late payment reminder notice being sent will result in the approval being revoked.

Payment options

Payment may be made by credit card, cheque or money order and must be made at time of application. Refer to the application form for further details on how to pay.

Approval

If your application is approved, a notice will be published in the Government Gazette and you will be sent a Certificate of Approval.

Disclaimer

This publication is a guide only and does not necessarily provide adequate information in relation to every situation. This publication seeks to explain your possible obligations in a helpful and accessible way. In doing so, however, some detail may not be captured. It is important, therefore, that you seek information from the EPA itself regarding your possible obligations and, where appropriate, that you seek your own legal advice.

Further information

Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: <shop.service.sa.gov.au>
Email: <ServiceSAcustomerservice@sa.gov.au>

General information

Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 2004
Facsimile: (08) 8124 4670
Freecall: 1800 623 445 (country)
Website: <<https://www.epa.sa.gov.au>>
Email: <EPA.CDLteam@sa.gov.au>
