

Super collector

Updated July 2022

EPA 1024/22: This guideline is intended to assist applicants in completing the [Application for Approval for a Super Collector](#).

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 'super collector' in the *Environment Protection Act 1993* (the Act) means a person who, whether personally or through an agent, collects, handles and delivers for reuse, recycling or other disposal, containers received from collection depots.

Requirements under the Act

- Under section 69(1) of the Act, a person must not carry on business as a super collector 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.
- Under section 69A of the Act, the holder of an approval to carry on business as a super collector must
 - lodge an annual return with the Authority container information required by the Authority by condition of approval or by notice in writing ;and
 - Must pay the fees fixed by regulation.

Application

An application form must be completed, signed and approved by the EPA before the super collector 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 collection of the containers from collection depots for recycling or reuse.

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'.

- Whether planning approval has been granted by council or the relevant planning authority for the operation at the site
- The payment of the application fee.

Conditions of approval

If approval is granted the following conditions will be imposed:

- 1 The approval holder must ensure that every employee, agent or contractor responsible for carrying out any task under this approval is properly advised as to the general environmental duty pursuant to s25 of the *Environment Protection Act 1993*, not to undertake an activity that pollutes, or might pollute the environment unless that person takes all reasonable and practical measures to prevent or minimize any resulting environmental harm.
- 2 The approval holder must include in the annual return pursuant to s69A of the *Environment Protection Act 1993*, the following information for the quarters July to September, October to December, January to March and April to June;
 - the total number of containers sold for each material type (e.g., glass, aluminium, PET, HDPE,LPB);
 - the total number of containers returned for each material type;
 - the total weight of containers returned for each material type;
 - the rate of return in % for each material type.
- 3 The approval holder must notify the Authority in writing of the following circumstances:
 - an intention to cease carrying on a business as a super collector;
 - an intention to transfer the business to another person or company;
 - change of address of the business

NOTE:

- a It is the responsibility of the approval holder to ensure that the appropriate development approval is in place;
- b The Authority may by notice in the Gazette, vary the approval or impose, vary or revoke a condition of approval pursuant to s69(6)&(7) of the *Environment Protection Act 1993*;
- c The Authority reserves the right to place additional conditions on the approval if deemed appropriate.

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 as a super collector does not permit any activity in breach of any other approval by any other authority. For example, an approval to operate as a super collector 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.

Application fee

The following fee applies to applications for an approval to operate as a super collector.

Sector	Application fee ²
Super collector	\$976.10

Annual fee

The following fee for super collectors is payable in advance with the application fee.

Sector	Annual fee
Super collector	\$726.40

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 must be made at the time of application – by credit card if using the online application or by cheque or money order if using the hard copy form. 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.

² Fees are prescribed in the *Environment Protection (Fees) Variation Regulations 2013*

Further information

Legislation

Online legislation is available free at [Legislation SA](#).

General information

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