



Operator's Guide to Complying with the Container Collection Agreement

Information on CRP Operators' responsibilities and obligations in the Container Collection Agreement.

We understand that legal agreements can be wordy and often hard to read.

To help ensure that you understand your compliance obligations under the Container Collection Agreement (CCA), we have developed an easy-to-read guide.

It's important to note that this document is a guide only and is intended to be read in conjunction with the CCA. If there is any inconsistency between this document and the CCA, the CCA applies.

References to the relevant sections of the CCA have been provided for your convenience.



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Terms used in this Guide

To assist you with using this Guide, we have included a list of helpful definitions of common terms used throughout the Guide. These definitions are taken from the CCA, and to the extent the definition of a term used is not contained in this Guide the applicable definition in the CCA will apply.

Act	Means the <i>Waste Reduction and Recycling Act 2011</i> (Qld)
Approval	means any licence, permit, consent, approval, determination, certificate or other requirement: (a) of any Regulatory Authority having any jurisdiction in connection with the implementation of the Scheme; or (b) under any other applicable Statutory Requirement; which must be obtained or satisfied for the purposes of performance of the parties' respective obligations under this Agreement, and includes all applicable development consents and environmental approvals.
CCA	Container Collection Agreement
Collection Infrastructure	means the equipment provided to the Operator by the Collection Infrastructure Provider to facilitate the collection of Containers at the Operator Refund Point and includes Shipping Units.
HVNL	means all applicable laws relating to the use of heavy vehicles, including the <i>Heavy Vehicle National Law Act 2012</i> (Qld) and any regulations made under it and all relevant Australian industry codes and standards.
Operating Conditions	means the framework of common and specific conditions applicable to Operator Refund Points where no formal planning or environmental approval is required under any applicable Statutory Requirement, as provided to the Operator at the commencement of the Mobilisation Period and as updated by the PRO from time to time
Payment Claim	means the claim for payment made by the Operator which attaches sufficient details, calculations and supporting documentation, including the number of eligible containers collected during the Operating Week by Material Type, in regard to the amounts claimed by the Operator to enable COEX to fully and accurately determine the amount payable by COEX to the Operator (Payments Schedule – clause 2.1).
Payments Schedule	means Schedule 4 of the CCA that sets out how amounts payable to Operators are calculated and payment terms.
Regulatory Authority	means:

- (a) any local, state or federal government or a governmental, quasi-governmental or judicial entity or authority (including the department or agency responsible under Queensland law for the relevant provisions of the Act);
- (b) a stock exchange; and
- (c) any other authority, agency, commission, regulator, ministry, department, instrument, tribunal (including any pricing body), enterprise, delegated authority or similar entity,

whether of Australia or elsewhere that has powers or jurisdiction under any law over a party or any act relating to this Agreement.

Scheme	the beverage container refund scheme established by the Department of Environment, Tourism, Science and Innovation (DETSI) pursuant to Part 3B of Chapter 4 of the Act.
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Scheme Data	means any data, information or Personal Information accessible to the Operator (or any third parties who have access to such Scheme Data through the Operator) and which relates in any way to the Scheme or a Scheme Participant. For clarity, Scheme Data includes data stored or held on, or which transfers through, the IT Platform.
Services Specification	means Schedule 1 of the CCA that sets out the minimum service requirements of Operators for container collection services, customer services and environment health and safety services.
Services	means: (a) all activities reasonably necessary to enable the Operator to be able to commence and undertake the Operational Services in accordance with this Agreement by the Operations Commencement Date, including the activities set out in the approved Mobilisation Plan and the achievement of the Mobilisation Service Outcomes (Mobilisation Activities); and (b) the services details in the Services Specification (Operational Services).
Statutory Requirements	means: (a) any law applicable to implementation and operation of the Scheme, the provision of the Services or the Operator's obligations under the CCA, including Acts, ordinances, regulations, by-laws, orders and other subordinate legislation, including those in relation to workplace health and safety and the HVNL; (b) Approvals (including any condition or requirement under them), applicable to implementation and operation of the Scheme, the provision of the Services or the Operator's obligations under the CCA; and (c) fees and charges payable in connection with the foregoing.
State Policy	means any policy, guideline, standard, circular directive, practice specification or procedure or direction (including any direction issued by the Minister under the Act) which applies in connection with the Scheme and which affects implementation of the Scheme, which: (a) is notified to the PRO; (b) is publicly available or otherwise available to the PRO; or (c) the PRO is expressly required by the terms of this Agreement, by law, or by direction of the Minister or the State, to comply with, as may be amended or updated from time to time.

Icons used in this Guide

	Mobilisation Requirements: This icon represents your obligations prior to the Mobilisation Completion Date.		Record Keeping: This icon represents your record keeping obligations.
	Weekly Requirements: This icon represents the requirements which must be performed every week.		Regulatory Obligations: This icon represents your obligations under the law.
	Monthly Requirements: This icon represents the requirements which must be met every month.		Policies/Manuals: This icon represents the obligation to comply with COEX policies and manuals.
	Quarterly Requirements: This icon represents the requirements which must be met every three months.		Environment, Health and Safety: This icon represents your obligations relating to the environment, health and safety.
	Annual Requirements: This icon represents the requirements which must be met every year.		Breach Reporting: This icon represents the obligation to report breaches.
	Document Submission: This icon represents the requirement to submit documents.		Operational Obligations (Services Specification): This icon represents your operational obligations.
	Declarations: This icon represents the requirement to submit declarations (including statutory declarations).		Use and Return of Assets: This icon represents your obligations relating to the use and return of Assets.



Mobilisation Requirements

The obligations below must be completed prior to the Mobilisation Completion Date.

Requirement	Details	When?	Operator or Site specific?
 Emergency Management Plan	Provide a written Emergency Management Plan.	Prior to Mobilisation Completion Date	Operator
 Environmental Management Plan	Provide a written Environmental Management Plan.	Prior to Mobilisation Completion Date	Operator
			



Weekly Requirements

The requirements below must be performed every week.

Requirement	Details	When?	Where?	Operator or Site specific?
 Payment Claim CCA, 10.4(a) ⁱ	Submit a Payment Claim for the relevant Operating Week.	By 12:00 pm (AEST) on the first Business Day of the next Operating Week	IT Platform	Operator/Site
 Container Declaration CCA Schedule 1, 2.3(h)(i)	Submit a declaration of actual number of eligible containers, by Material Type, collected, picked up and stored.	By 12:00 pm (AEST) on the first Business Day of the next Operating Week	IT Platform	Operator/Site
 Bulk Claim Arrangements CCA, 4.4, 12.1(f) and Schedule 1, 2.3(h)(vi)	Provide information regarding Bulk Claim Arrangements entered into.	When submitting payment claim, as applicable	Via email to Refund Declarations	Operator/Site
 Refund Declarations CCA, 4.4, 12.1(f) and Schedule 1, 2.3(h)(vi)	Provide Refund Declarations, as detailed in the Services Specification, Schedule 1 of the CCA.	When submitting payment claim, as applicable	Via email to Refund Declarations	Operator/Site



Monthly Requirements

The requirements below must be performed every month.

Requirement	Details	When?	Operator or Site specific?
 WHS Report and Environmental Management Report  CCA, Schedule 1, 4.3(f)(i)	Provide a Workplace Health and Safety Report and an Environmental Management Report, each of which include, at a minimum, the requirements set out in the Services Specification.	Monthly	Operator



Quarterly Requirements

The requirements below must be performed every three months.

Requirement	Details	When?	Operator or Site specific?
 Industrial Relations Statutory Declaration CCA, Schedule 1, 2.3(h)(iii)	Provide a signed statutory declaration confirming compliance with industrial relations laws for the preceding three months.	Within 20 Business Days after each Quarter ends	Operator



Annual Requirements

The requirements below must be performed every year.

Requirement	Details	When?	Operator or Site specific?
 Total Volume/Refund Amount Statutory Declaration CCA Schedule 1, 2.3(h)(ii)	Provide a signed statutory declaration confirming the total volume of eligible containers collected, Refund Amounts paid and compliance with fraud and conduct obligations.	Within 20 Business Days after the end of each financial year (30 June)	Operator
 IT Disaster Recovery Plan CCA Schedule 1, 2.3(e)(v)(D)(5)	Prepare disaster recovery plan setting out how the Operator will respond to IT Equipment, PRO IT Equipment and IT Platform failures, which is to be tested annually. Plan and testing results to be provided to COEX.	Each anniversary of the CCA	Operator
 Safety Management Plan CCA Schedule 1, 4.3(b)(iii), 4.3(c)(iii), (iv)	Provide written Safety Management Plan that is compliant with the <i>Work Health and Safety Act 2011</i> (Qld) and other relevant Statutory Requirements and Australian industry codes and standards. ¹	To be provided and reviewed at least annually	Operator/Site
 HVNL Policy, Procedures and Safety Management Plan	Provide HVNL policy, procedures and Safety Management Plan.	To be provided and reviewed at least annually	Operator

¹ Smaller operators may comply with their obligations in respect of the Services Specification – clauses 4.3(c)(iv), 4.3(d), 4.3(e) and 4.3(f)(i)(iii) within the Safety Management Plan.



Annual Requirements

The requirements below must be performed every year.

Requirement	Details	When?	Operator or Site specific?
 CCA Schedule 1, 4.3(c)(iv)			
 Emergency Management Plan CCA Schedule 1, 4.3(d)	Provide written Emergency Management Plan.	Annually, and if there is a major change to operations	Operator
 Environmental Management Plan CCA Schedule 1, 4.3(e), 4.3(f)(i)(iii) 	Provide a written Environmental Management Plan.	Annually, and if there is a major change to operations	Operator
 Modern Slavery Report CCA Schedule 1, 12.1(h)	Provide Modern Slavery Report.	Annually, when requested	Operator
 Insurance CCA, 17(a)(ii)	Provide certificates of currency from insurers for all required insurances.	Before the CCA comes into effect and upon renewal of relevant insurance policy	Operator



Record Keeping and Document Submission Obligations

This is a summary of your ongoing Record Keeping and Document Submission obligations. Copies of these documents may be requested by COEX at any time.

Requirement		Details	When?	Operator or Site specific?
	Approvals CCA, 3.2(a)(ii)	Provide copies of all Approvals required to provide the Services.	When requested	Site
	Compliance with Auditing System Requirements CCA, 12.1(b), (d), (e), (i), (k), (m) and Schedule 1, 2.3(e)(vii)(C), 4.3(g)(i)	Provide evidence of compliance with auditing system requirements.	If requested	Operator
	Compliance with Fraud and Inappropriate Conduct Requirements CCA, 13(b)(iii)	Provide information relating to processes and practices in providing the Services.	As soon as aware	Operator/Site
	Fraud and Inappropriate Conduct Statutory Declaration CCA, 13(b)(iv)	Provide statutory declaration confirming compliance with the fraud and inappropriate conduct provisions in the CCA.	If requested	Operator/Site
	Approvals, Permits and Licences CCA Schedule 1, 4.3(a)(i)(B)	Provide evidence that all applicable Approvals, permits and licences are held.	When requested, within five Business Days	Site

Ongoing General Compliance Obligations



Regulatory Obligations

This is a summary of your ongoing Regulatory obligations.

Requirement	Details	Operator or Site specific?
 Approvals CCA 3.1(a), 3.2(a)(i), 4.1(a)(i)(C) and Schedule 1 4.3(a)(i)(A)	Ensure all required approvals (licences, permits, consents, approvals) are obtained for operational services and Operator Refund Point compliance.	Site
 Codes and Standards CCA 3.1(a), 4.1(a)(i)(C), 4.1(a)(iv)	Ensure operational services and each Operator Refund Point comply with all relevant Australian industry codes and standards, including any codes and standards that come into effect after the date of the CCA.	Site
 Statutory Requirements CCA, 3.1(a), 4.1(a)(i)(C), 4.1(a)(iv)	Ensure operational services and each Operator Refund Point comply with all Statutory Requirements.	Operator/Site
 State Policy CCA, 4.1(a)(i)(C), 4.1(a)(iv)	Ensure performance obligations under the CCA and each Operator Refund Point comply with all legally binding State Policies related to Scheme implementation.	Operator/Site
 Waste Reduction and Recycling Act 2011 (Qld) CCA, 8.8, 8.9(a), 10.4(c), 12.1(c) and Schedule 4, 2.1	Ensure compliance with specific obligations in the Act, including sections 99ZD (Recycling), 99X (RVMs), 99ZC (Invoices), 99Y (Refund Declarations) and 99ZB(2) (Payment Claims).	Operator/Site
  Operating Conditions	Operate each Operator Refund Point per Operating Conditions and any required statutory planning or environmental approvals, with Statutory Requirements taking precedence in case of any inconsistency.	Site



Operational Obligations

This is a summary of your ongoing Operational obligations

Requirement	Details	Operator or Site specific?
 Container Collection Services CCA Schedule 1, 2	Provide the minimum service requirements in relation to collection of eligible containers for each Operator Refund Point in accordance with the Service Specification.	Operator/Site
 Customer Services CCA Schedule 1, 3	Provide the minimum service requirements in relation to interactions with customers for each Operator Refund Point in accordance with the in accordance with the Service Specification.	Operator/Site
  Operating Conditions CCA Schedule 1, 1.3	Operate each Operator Refund Point per Operating Conditions and any required statutory planning or environmental approvals, with Statutory Requirements taking precedence in case of any inconsistency.	Site
 Manuals CCA, 4.1(a)(i)(E), 4.1(a)(iv)	Ensure compliance with all Scheme-related manuals and operating procedures for each Operator Refund Point.	Operator/Site
 Media & Branding Policy CCA 4,1(a)(i)(E), 22.3(a)	Comply with the Media & Branding Policy and any COEX-issued policies on confidentiality, branding, public announcements, advertising and media comments related to the Scheme.	Site
 Infrastructure Dispute Policy CCA, 4.1(a)(i)(E)	Comply with the Infrastructure Dispute Policy and any COEX-issued policies on managing disputes related to infrastructure in connection with the Scheme.	Site



Operational Obligations

This is a summary of your ongoing Operational obligations

Requirement	Details	Operator or Site specific?
 Verification Policy CCA, 4.1(a)(i)(E), 12.1(a)	Comply with the Verification Policy, including the Scheme audit and verification methodology as determined and updated by COEX.	Site
 IT Systems Infrastructure Manual CCA, 4.1(a)(i)(E), 14(a)	Comply with the IT Systems Infrastructure Manual to ensure the security and integrity of all IT systems and Scheme Data.	Operator/Site



Environment, Health and Safety Obligations

This is a summary of your ongoing obligations in relation to Environment, Health and Safety.

Requirement	Details	Operator or Site specific?
 Environment, Health and Safety Services CCA Schedule 1, 4	Provide the minimum service requirements in relation to ensuring health and safety obligations and environmental practices are met in the delivery of all Services in accordance with the Services Specification.	Operator Refund Point
 Standard Operating Procedures, Onsite Traffic Management Plans, Public Access & Exclusion Zones CCA Schedule 1, 4.3(b)(iv)	Ensure written instructions, policies and procedures are in place for workplace health and safety, including standard operating procedures, onsite traffic management and public access/exclusion zones with child safety measures.	Site
 Asset Register CCA Schedule 1, 4.3(b)(v)(A)	Prepare, maintain and update an asset register of all equipment.	Operator/Site
 Hazardous Materials & Goods Register CCA Schedule 1, 4.3(b)(v)(B)	Prepare, maintain and update a register of all hazardous materials and goods.	Site
 Protocols & Standard Operating Procedures for Equipment & Hazardous Goods CCA Schedule 1, 4.3(b)(v)(D)	Develop written protocols and standard operating procedures for equipment and hazardous goods.	Operator/Site



Breach Reporting Obligations

This is a summary of your ongoing obligations relating to Breach Reporting. The requirements below must be performed as required.

Requirement	Details	Operator or Site specific?
 Breaches of Workplace Health and Safety Report or Environmental Management Report CCA Schedule 1, 4.3(f)(ii)	Report any breaches of the Workplace Health and Safety Report or Environmental Management Report.	Operator/Site
 HVNL Breaches CCA, 3.1(c)(i)	Report any actual or reasonably suspected breach of the HVNL (immediately).	Operator/Site
 Data Breaches CCA, 14(d)(iii)	Report any actual or suspected data breach affecting the IT Platform or any Personal Information or Scheme Data.	Operator/Site
 Infringement Notices CCA, 3.1(d)	Provide COEX any and all notices, correspondence and any other relevant documents concerning an infringement, prosecution, investigation, enforceable undertaking or other direction by the Regulatory Authority, in respect of an actual or suspected breach of any law	Operator/Site
 Authority Notices CCA, 3.2(a)(iii)	Provide COEX all relevant notices, applications and written communications between the Operator and any Regulatory Authority regarding each Operator Refund Point and the Services.	Operator/Site
 Intervening Event Notices CCA, 18.1	If the Operator is of the opinion that an Intervening Event has occurred or is likely to occur, promptly give COEX a written notice which includes the particulars in clause 18.1 of the CCA. An Intervening Event means any of the following: (d) a Force Majeure Event;	Operator/Site

- (e) an incident in respect of the IT Platform which prevents the Operator from performing a critical business function (an ***IT Incident***);
- (f) a change in Law; or
- (g) a breach of the CCA by the COEX,

but only to the extent that it prevents the Operator from performing the Services.



Notifications – Incidents

CCA, 22.3(h)(iv)

Notify COEX about unregistered materials, environmental health and safety incidents, fraudulent claims and unauthorised access to the IT Platform or Scheme Data.

Operator/Site



Notifications – Non-Compliance

CCA, 22.3(b)

Notify COEX about any non-compliance with the Media & Branding Policy and other related policies or guidelines regarding confidentiality, branding, public releases, advertising or media comments.

Operator/Site



Asset Obligations

This is a summary of your ongoing obligations relating to the Use and Return of Assets.

Requirement	Details	When?	Where?	Operator or Site specific?
 Use of Collection Infrastructure CCA, 8.11(e)	Take reasonable care to prevent loss or damage to the Collection Infrastructure.	Ongoing	Operator Refund Point	Operator/Site
 Return of Collection Infrastructure CCA, 8.12(a)	Promptly return all Collection Infrastructure to the Collection Infrastructure Provider.	When not required; at the end of the Operations Period; or at the end of the Term	Operator Refund Point	Operator/Site