

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Soft Plastic Stewardship Australia - application for authorisation AA1000695 - ACCC request for information [Allens-DMS.FID2503273] [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID4250448]
Date: Tuesday, 15 July 2025 10:22:07 AM
Attachments:

Dear Carolyn,

To assist our assessment of SPSA's application for authorisation, we request that SPSA provide the further information set out below by **18 July 2025**.

Interim authorisation

We refer to your letter dated 3 June 2025 regarding the conduct for which SPSA is seeking interim authorisation. We also refer to your response to our request for information dated 20 June 2025 which confirmed the intended scope of the conduct for which authorisation is sought.

In light of that correspondence, can you please confirm whether the below description reflects the conduct for which SPSA seeks interim authorisation.

Interim authorisation is sought for the following conduct:

- *SPSA setting and collecting, and the Scheme Participants agreeing to pay, the Scheme Levy and Minimum Levy, which may be passed on by a Scheme Participant as part of their price*
- *SPSA arranging for services to implement and operate the Scheme by:*
 - *issuing request(s) for information and/or request(s) for proposal in respect of, and/or*
 - *negotiation of (but not entering into and/or giving effect to) contracts with service providers for the collection, transport, sortation, storage, processing and recycling of used soft plastics and third-party services for invoicing, collecting and managing and auditing packaging data*
- *The sharing of operational information and data between SPSA and Coles, Woolworths and ALDI (being the members of the Taskforce) (as required) to allow SPSA to prepare to transfer the arrangements for the Taskforce instore collection program run by Coles, Woolworths and ALDI to SPSA.*

Scheme Revenue

SPSA has indicated that the \$16 million contribution to Coles and Woolworths will be phased over a period of 8 years to minimise impact on scheme costs. However, paragraph 86 of SPSA's RFI response suggests that Coles and Woolworths are required to be a scheme participant for 8 years in order to be eligible for the payment.

Accordingly, please clarify:

1. Does SPSA intend to withhold the proposed contribution to foundation feedstock costs incurred by Coles and Woolworths until the end of the 8 years?
2. If not, would SPSA seek to recoup any paid contribution to foundation feedstock costs if Coles or Woolworths were to cease to be a Scheme Participant at any time during the 8 years?

3. Please indicate approximately what share, expressed as a proportion of total levy revenue, SPSA expects that Coles and Woolworths will contribute each year over the 8 years?

A copy of this email will be placed on the ACCC's public register for this matter. A copy of SPSA's response will also be placed on the Authorisations Public Register, subject to any request to exclude certain information from the public register. For further information please refer to the [ACCC's Guidelines for excluding information from the public register](#).

Kind regards,

Hannah Craig *(she/her)*

Senior Analyst | Competition Exemptions Branch | Mergers and Exemptions Assessment Division

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