

From: Hick, Jamie [REDACTED]
Sent: Wednesday, 9 July 2025 12:03 PM
To: Hannah Craig
Cc: Jane Black; Naomi Menon; Oddie, Carolyn; Maranik, Ryan
Subject: RE: Soft Plastic Stewardship Australia - application for authorisation AA1000695 - ACCC request for information [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID4250448] [Allens-DMS.FID2503273]

Dear Hannah

Thank you for providing a copy of APCO's response to the ACCC's request for information dated 26 June 2025.

While SPSA does not agree with several statements in APCO's response, SPSA is not proposing to comment in detail on the response at this stage. We understand from our recent discussions with you that the ACCC will ask additional questions of SPSA if SPSA's position is not clear or any further clarification is required following SPSA's previous submissions. There are just a few points that SPSA would like to clarify:

1. There will be no duplication of levies under Horizon 1. APCO's EPR fee model has been deferred and APCO's 2030 Strategic Plan has not been endorsed by government. APCO could avoid any possible duplication in the future.
2. The incremental administrative burden for Scheme Participants under the proposal (if any) is minimal in circumstances where:
 - a. The form of the data collected through the Scheme has been designed to align with APCO's definitions and current reporting frameworks, meaning that members can simply use the data they have already collected / reported to fulfil their reporting obligations under the SPSA Scheme;
 - b. SPSA Scheme Participant reporting obligations are limited under the Scheme Agreement; and
 - c. SPSA proposes to use APCO's existing systems and processes, subject to an agreement being reached between the parties.
3. SPSA's reporting is likely to complement, not conflict with, APCO's reporting, providing increased visibility over soft plastic recycling. This is because:
 - a. SPSA proposes to provide reporting to APCO to facilitate alignment on targets and deliverables required by industry;
 - b. SPSA's reporting will be specific to the Scheme, whereas APCO's reporting is industry-wide across all forms of used packaging; and
 - c. There is currently very limited recycling information specific to soft plastic packaging.

Discussions with APCO are continuing and SPSA will provide an update on the agreement once finalised. At this stage, SPSA expects that the nature of the services will be as set out in SPSA's RFI response.

SPSA's ambition is to be an effective producer responsibility organisation for soft plastics, a distinct role from that which APCO plays under the current co-regulatory framework. SPSA remains committed to working with government and APCO in relation to future possibilities for working together to deliver efficiencies for Scheme Participants and maximise public benefit.

Please let us know if you would like to discuss any of the above, or otherwise have any questions.

Kind regards

Jamie and Carolyn

Jamie Hick
Associate, **Allens**

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