

ACCC PRE-DECISION CONFERENCE –SOFT
PLASTIC STEWARDSHIP AUSTRALIA
APPLICATION FOR AUTHORISATION–
AA1000695

Conference record

10:00AM AEST

19 September 2025

ACCC OFFICE
135 King Street, SYDNEY NSW 2000

And via online attendance

ATTENDEES

<p>Australian Competition & Consumer Commission</p>	<p>Mick Keogh (Chair) ACCC Deputy Chair</p> <p>Lyn Camilleri General Manager – Competition Exemptions</p> <p>Rachel Collins Senior Lawyer</p> <p>Priyanka Tomar Lawyer</p> <p>Jennifer Orr Deputy Chief Economist</p> <p>Michelle Mountford Principal Economist</p> <p>Naomi Menon Director – Competition Exemptions</p> <p>Miriam Kolacz Assistant Director – Competition Exemptions</p> <p>Hannah Craig Senior Analyst – Competition Exemptions</p> <p>Andrew Ng Senior Analyst – Competition Exemptions</p> <p>Chris Kim Graduate – Competition Exemptions</p> <p>Belinda Wright Executive and Administrative Assistant – Competition Exemptions</p>
<p>Soft Plastic Stewardship Australia (the Applicant)</p>	<p>Brooke Donnelly Director</p> <p>Bill Heague Director (Chair)</p> <p>Barry Cosier Co-CEO</p> <p>Dee Milosevic Co-CEO</p> <p>Aaron Rodman CFO & COO</p>
<p>Allens (Applicant’s legal representation)</p>	<p>Carolyn Oddie Partner</p>

	Jamie Hick Associate
Zero Waste Victoria	Kirsty Bishop-Fox President Petra Staiger Vice-President Kirsty Ruddock Managing Lawyer, Corporate & Commercial, Environmental Defenders Office Jess Ness Communications Coordinator
Boomerang Alliance	Jeff Angel Director
Product Stewardship Centre of Excellence	Rose Read Director
Macedon Ranges Shire Council	Bill Pemberton Coordinator Resource Recovery
Melton City Council	Kristel Ross Waste and Resources Recover Officer
Ballina Shire Council	Justine Rowe Resource Recovery Education Officer
APCO (Australian Packaging Covenant Organisation)	Karl Shanley Head of Stewardship
Australian Marine Conservation Society	Cip Hamilton Plastics Campaign Manager Tara Jones Program Manager (Plastics and Packaging)
iQRenew	Danial Gallagher CEO Graham Knowles General Manager
Port Phillip EcoCentre Inc	Neil Blake Port Phillip Baykeeper
Individual	Regina Kidd
Nestle Australia Ltd	Andrew Lawrey General Manager- Confectionary and Snacks
APR Plastics	Darren Thorpe Managing Director
Kellanova	Alicia Doherty Senior Manager- Corporate Affairs Australia and NZ Priya Chauhan Packaging Development Manager

<p>Australian Local Government Association</p>	<p>Dr Eleanor Robson Policy Director- Environment, Climate & Waste</p>
<p>Department of Climate Change, Energy, the Environment and Water (DCCEEW)</p>	<p>Annette Williams A/g Director, Packaging Reform Taskforce Rachelle MacDonald Assistant Director, Packaging Reform Taskforce Max Yeadon Policy Officer, Packaging Reform Taskforce Lainey Allen</p>
<p>Queensland Department of the Environment, Tourism, Science and Innovation</p>	<p>Celia Luck Senior Policy Officer, Office of Waste Reduction and Recycling – Environment and Heritage, Policy and Planning</p>

SUMMARY

19 September 2025, 10:00 am AEST

Commissioner Mick Keogh introduced himself and the ACCC staff present, welcomed everyone to the conference and declared the conference open. He outlined the purpose of the conference and the procedures that would be followed.

Opening statements from Zero Waste Victoria, who requested the conference

Ms Kirsty Bishop-Fox (Zero Waste Victoria) used PowerPoint slides during her opening statement which are available on the ACCC's [public register](#).

Regarding the public benefits and detriments identified in the ACCC's Draft Determination, **Ms Bishop-Fox** said that:

- Zero Waste Victoria (**ZWV**) agrees that soft plastic collection is in the public interest and that Soft Plastic Stewardship Australia (**SPSA**) is likely to reduce the amount of soft plastic going to landfill.
- ZWV also agrees with the public detriments identified by the ACCC's Draft Determination, including crowding out alternative stewardship arrangements, increased barriers to entry for service providers not contracted by SPSA and the risk of competitors sharing commercially sensitive information.
- However, ZWV submits that framing soft plastic recycling as a public benefit overlooks systemic waste drivers, risks locking in inefficient practices and underestimates the likely public detriments. ZWV notes that there are additional public, environmental and consumer detriments that should be considered, including:
 - Greenwashing risks – the scheme is limited to household plastics and excludes large waste streams (e.g. business to business waste).
 - Lack of plastic reduction commitments from upstream sources.
 - Costs being passed through to consumers rather than the producers meeting their obligations under the polluter-pays principle.
 - The scheme reducing incentives for packaging innovation and waste reduction.
 - The accountability of the scheme is compromised by SPSA's governance, which includes the same companies who place soft plastics on the market.
- ZWV recommends the ACCC re-review SPSA's application, weighing the claimed recycling benefits against public detriments, including issues of governance, reduced incentives for innovation and costs passed to consumers. The scheme should only be permitted if it clearly delivers full public benefit and protects consumers, the environment and public interests.

Regarding the full lifecycle of soft plastics, **Ms Bishop-Fox** said that:

- The scheme currently fails to account for the full lifecycle of soft plastics as it does not account for upstream production. In an efficient market, producers would seek less wasteful alternatives which means consumers are not burdened by packaging choices not within their control.
- There are 3 stages of the full lifecycle of soft plastics:

- Upstream – involves the production of the plastics. This can be packaging for manufacturers and brands. These brands are not passive participants as they specify packaging requirements. The governance of the full supply chain must recognise that brands do not just influence upstream, they decide it. This is important because there are currently no mandatory packaging requirements, which DCCEEW is currently reviewing.
- Midstream – involves use of soft plastics in packaging and retail distribution.
- Downstream – involves post-consumer soft plastic collection and recycling. These operations are in the public interest, but they cannot stand alone. For recycling to be fully in the public interest, it must displace virgin products in new products. Investment is needed to create stable and increased demand for recycled outputs. The downstream must be secured, or the scheme risks becoming a public relations effort, with no net benefit.
- ZWV asked SPSA:
 - What governance mechanisms ensure brands and retailers are accountable for the entire lifecycle of packaging, not just collection?
 - Who will ensure that all the recycle enters new products? How are funds allocated for R&D to support viable end markets? What guarantees prevent SPSA from saying that ‘we tried, but there was not enough end market’?

Regarding the greenwashing risks posed by the scheme, **Ms Bishop-Fox** said that:

- The ACCC’s guidelines “Making Environmental Claims – a guide for businesses” requires full lifecycle consideration, no omission of material facts and clear evidence-based claims. SPSA’s claims emphasise recycling while excluding upstream plastics which is a partial approach that risks misleading consumers to think that producers are handling all the waste they create when this is not the case.
- ZWV submits that strict conditions must be in place for full lifecycle consideration, genuine producer accountability and greenwash risks. Otherwise, the ACCC risks endorsing misleading claims and eroding public trust in both current and future stewardship schemes.

Regarding the polluter pays principle, **Ms Bishop-Fox** said that:

- The scheme contravenes the polluter pays principle and the *Environment Protection and Biodiversity Conservation Act 1999* s 3A. Instead of producers paying for the environmental costs of the plastic they create, SPSA proposes to shift costs onto customers. ZWV’s members hold significant concerns about supermarkets and brands not being required to take steps to reduce their soft plastic packaging.
- ZWV notes SPSA’s submission (12 June 2025) which states that ‘SPSA is committed to transparency in setting and imposing the Scheme Levy and will be publicly accountable for how it sets the Scheme Levy and the costs of its operations.’ While ZWV supports this approach, it is concerned about how the levy will be communicated to customers at the point of purchase and requests further clarification from SPSA on this issue.
- ZWV recommends that SPSA should be required to demonstrate that the scheme design aligns with polluter pays principle, precautionary measures and equitable cost allocation, taking into account the public benefit.

Regarding cost recovery under the scheme, **Ms Bishop-Fox** said that:

- ZWV agrees that all manufacturers and retailers that place soft plastics on the market should be accountable for covering the costs of responsible waste management. ZWV also agrees that Coles and Woolworths should not be required to cover the costs of recycling for other brands moving forward.
- When REDcycle collapsed, Coles and Woolworths offered to take responsibility for the soft plastic stockpile, which received significant positive media attention. However, it is apparent that Coles and Woolworths now intend to use SPSA as a means of retrospectively recovering \$16 million in costs incurred during the collapse of REDcycle. ZWV asked SPSA provide clarification given these costs were incurred before SPSA was incorporated and does not support its objectives.
- ZWV submits that SPSA's submission (12 June 2025) inaccurately references the claims made in Central Adelaide Waste and Recycling Authority's submission (4 April 2025). ZWV asked SPSA to clarify this misrepresentation of Central Adelaide Waste and Recycling Authority's submission.
- ZWV recommends that the ACCC should ensure any approval of collaboration between supermarkets and brands prioritises the public interest. Proposals that shift costs onto consumers to reimburse past costs undermines fairness, equity, and public trust should be disallowed.

Regarding claims in SPSA's submissions, **Ms Bishop-Fox** said that:

- SPSA has compared itself to European models referring to schemes such as Verpact in the Netherlands and Fost Plus in Belgium. ZWV noted the following issues with making these comparisons:
 - SPSA's voluntary structure gives industry control of decision making creating a governance model where accountability is not enforced. While international models can be informative it cannot replace the need for independent governance.
 - Many European soft plastic recycling schemes have closed recently.
- SPSA is registered with the Australian Charities and Not-for-profits Commission (**ACNC**). Clause 5(b)(v) of SPSA's Constitution provided to the ACCC allows for surpluses or profits to be paid to SPSA's members (such as the \$16 million to be paid to Coles and Woolworths). However, this clause is not present in the version of the Constitution on the ACNC website. ZWV submits that the lack of disclosure to the ACCC demonstrates SPSA's failure to meet its governance obligations and undermines public confidence in its not-for-profit status. ZWV asked SPSA to clarify the discrepancy and lack of disclosure to the ACCC.

Regarding SPSA's governance, **Ms Bishop-Fox** said that:

- SPSA's Board structure consists of up to 2 independent Directors out of a maximum of 10 Directors on the Board. This provides no assurance that the environmental public benefit will be prioritised over private interest.
- SPSA's Constitution states that a 'Director...who has an interest in a matter may vote in respect of that matter if it comes before the Board and be counted as part of the quorum'. ZWV submits that standard practice for not-for-profit organisations allows Directors who have an interest in a matter to respond to questions asked but does not permit them to vote.

- ZWV noted that SPSA's and Stakeholder Advisory Council's conflict of interest policies have not been made publicly available.
- ZWV recommends that the ACCC requires, as a condition of authorisation, that SPSA:
 - publish its full conflict of interest policy (or policies)
 - submit the policy (or policies) for review prior to granting authorisation, to ensure it can deliver a genuine public benefit
 - consider the public detriment of SPSA's requirements to protect member interests
 - explicitly define what is commercially sensitive information. While protecting commercially sensitive information is reasonable, it confirms that commercial interests are embedded in the scheme.
- ZWV acknowledges that SPSA is setting a scheme levy to re-share costs among scheme participants. ZWV is not opposed to this, but only if this levy is not passed on to consumers and is administered by the Government or an independent body.
- ZWV's proposed governance standards for SPSA includes:
 - Independent directors – At least 50% of the board should consist of independent, non-industry representatives, appointed through a transparent process. These directors should have no current financial or governance ties to SPSA members which could create conflict of interest.
 - Government or regulatory oversight – A representative from a government agency or regulator could be appointed as a non-executive director or formal observer. While not participating in day-to-day voting, this role should include the power to veto any and all board decisions that present clear conflicts of interest or that fail to demonstrate public benefit.
 - Conflict of interest safeguards – Any board member with a conflict of interest must declare it and not participate in discussions or votes on that matter. These conflicts and how they were managed should be documented in board minutes and reported publicly.
- A stewardship scheme loses credibility when governance is dominated by companies with the most vested interest. Without independent governance, the public is funding a scheme that may prioritise members' commercial interest over environmental outcomes.

Opening statements from Soft Plastic Stewardship Australia

Ms Brooke Donnelly (Soft Plastic Stewardship Australia) noted that SPSA cannot respond to questions (raised in ZWV's opening statement) directed to the ACNC or ACCC but will respond to other areas of inquiry.

Mr Bill Heague (Soft Plastic Stewardship Australia) said that:

- SPSA is a voluntary producer responsibility organisation. Our ambition is to turn soft plastics into a valuable resource and provide collection and processing capabilities.
- SPSA noted that it is not:
 - The first scheme to recycle soft plastics – SPSA has tried to learn from other schemes and are willing to continue to learn.

- A regulator – SPSA will work with these organisations (e.g. APCO) but are not responsible for their functions.
- A legislator – legislation takes time to be implemented, but in the meantime, SPSA believes that it can start to deliver on the public benefits.
- A local government – SPSA notes the concerns of this scheme being forced upon certain groups, however, the local governments that we are working with are favourable of the scheme. SPSA has a line of 60+ councils who are looking to work with SPSA in the future.
- A collector, sorter and/or processor – This is a nascent industry. Without the collection of soft plastics, entities in this industry will not have the confidence to scale up and build additional capacity.
- The commitments SPSA are making include:
 - Good governance and transparency – we have learned from REDcycle that without transparency issues are likely to arise. An important issue for SPSA is collecting the right volume of soft plastics to match the level of processing capacity currently online – which requires good transparency. SPSA’s governance and Constitution does have independent representation – the first independent Director appointed will be the chair of the Board, and the second independent Director appointed will be representative of the Stakeholder Advisory Committee.
 - To be efficient – organisations who choose to be part of this scheme do not have to, and they are doing it at great expense often when their competitors are not participating (and freeriding). SPSA gives its members a choice of whether to pass on the costs to their customers as this may be a mechanism our members need to employ to be part of the scheme – for most items it is less than 1 cent per pack.
 - Delivering the public good – we measure this by the tonnes of soft plastics we collect that would otherwise end up in landfill.

Ms Brooke Donnelly, Mr Bill Heague and Mr Barry Cosier (Soft Plastic Stewardship Australia) responded to questions raised in ZWV’s opening statement.

Regarding the full lifecycle of soft plastics:

- **Ms Brooke Donnelly** said that:
 - Brands do not control the packaging of products. Packaging is managed through APCO and the Sustainable Packaging Guidelines which have been in place for many years. It is not the role of SPSA to duplicate the work of other organisations or co-regulatory bodies that are already performing this work. However, we recognise the importance of working with these organisations to ensure that the scheme fits within the circularity of packaging.
 - B2B soft plastics are actually a very high value material in the Australian recycling system. This is why SPSA’s focus is on the area with the least retention and least solutions and needs the most support, which is the material in households. SPSA is a new organisation – we understand the importance of the circular context, but a practical, stepped out approach means we need to focus on where the major gaps are, which is soft plastics.

- **Mr Barry Cosier** said that:
 - SPSA agreed that the full lifecycle of soft plastics must be addressed. The scheme aims to address not only the lifecycle of packaging but the product it contains. Most companies are finding that ~70% of their emissions are scope 3 emissions coming from the product itself (and the packaging preserves it). Soft plastics is used as it can prolong the shelf life of the product while providing the greatest environmental benefit. SPSA is attempting to fix the supply chain where soft plastics is not being recycled properly.

Regarding mandatory regulation of soft plastic recycling, **Ms Brooke Donnelly** said that:

- SPSA is supportive of mandatory regulation. As a voluntary organisation, SPSA has limited ability to compel organisations to contribute to soft plastic recycling. Whilst SPSA has a cohort of engaged stakeholders, they do not represent the entire cohort who were part of the REDcycle program.

Regarding the reduction of soft plastics in products:

- **Ms Brooke Donnelly** said that SPSA understands that reduction is the preferred option, but that reuse and recycling are also important elements. An example is the Coles group, which have an active program to reduce packaging in store and is projected to have reduced 22 million pieces of plastic. SPSA are implementing on a circular outcome but acknowledge the challenges in doing so.
- **Mr Bill Heague** said that the pricing mechanism (levy) encourages organisations to reduce the amount in packaging because the levy is based on the amount of soft plastic placed on market. Unless we get a scheme running in Australia, access to post-consumer recycle will become increasingly difficult and packaging will continue to be made from virgin material.
- **Mr Barry Cosier** said that the scheme is aiming to deliver innovation. An example are garbage bags that are 100% recycled content, which displaces virgin material.

Regarding ZWV's claims of greenwashing:

- **Ms Brooke Donnelly** said that:
 - An issue with the REDcycle program was the lack of transparency – where each member did not know the total amount of material recycled through the scheme. SPSA was established for its independence and transparency – so it is supportive of the reporting requirements which may be imposed by the ACCC under the authorisation.
 - There are strong regulations against greenwashing which all organisations in Australia must comply with.
- **Mr Barry Cosier** said that DCCEEW has created a traceability framework for recycled content. The intention is to use this framework in the scheme, so any contract is conditional on a service provider having been third-party certified for traceability.

Regarding the polluter pays principle:

- **Ms Brooke Donnelly** emphasised that SPSA is a voluntary scheme. Whether member organisations choose to pass on costs of the levy to consumers or absorb the cost themselves is a matter for them to consider.
- **Mr Bill Heague** said that if SPSA places too many requirements on organisations then they may choose not to volunteer for the scheme.

- **Mr Barry Cosier** said that passing costs on to consumers is standard practice for stewardship schemes locally and globally. SPSA's focus is to ensure that costs are as low as possible to ensure an efficient scheme and lower impact on shelf price.

Regarding cost recovery under the scheme:

- **Ms Brooke Donnelly** noted that when REDcycle collapsed there was an immediate need to address the stockpile of soft plastics. The retailers took responsibility for this issue at the time and this scheme is a way to ensure that all organisations contribute towards the legacy cost incurred by the retailers. SPSA has been transparent about this approach. It is essential that every organisation equally contributes for the waste they place in the market, which has not happened to date.
- **Mr Bill Heague** said that there were many organisations with REDcycle on their packaging that hadn't paid a fee for the collection and warehousing of the soft plastics. Therefore, those REDcycle participants should contribute to the scheme.

Regarding SPSA's governance, **Ms Brooke Donnelly** said that:

- SPSA does not have the perfect scheme, but it does have an incredible amount of engagement from industry. SPSA has representatives from the National Plastics Recycling Scheme, Australian Food and Grocery Council, Soft Plastics Task Force, and stakeholders who have worked with soft plastics and innovation for many years. The Stakeholder Advisory Council also includes stakeholders from all parts of the supply chain.
- SPSA are establishing the scheme in alignment with the Corporations Act, ACNC, ACCC, APCO and other regulatory bodies and Government to provide confidence back to consumers following the collapse of REDcycle.

Opening statements from Macedon Ranges Shire Council

Mr Bill Pemberton said that:

- Macedon Ranges Shire Council (**MRSC**) has been recycling soft plastics for several years and is supportive of an industry led scheme.
- MRSC acknowledges that there is an inherent conflict of interest when you have members of industry come together to form a stewardship program. However, MRSC appreciates the transparency in the setup of this scheme and the fact that producers are taking responsibility for their own material. MRSC notes that there is significant buy in from its community for soft plastic recycling.
- MRSC is supportive of the eco-modulation concept, where an organisation pays for the tonnage of plastic used in its product. Therefore, when an organisation uses less packaging, it has less tonnage and pays a smaller levy.
- MRSC noted that under the scheme utilising Australian made recycled content will reduce an organisation's levy which will add market pull for the end product.
- MRSC urged the Government to make soft plastic recycling mandatory. While the SPSA scheme is not perfect – it should still be authorised as there is interest in the local community for soft plastic recycling.

Opening statements from the Australian Packaging Covenant Organisation

Mr Karl Shanley said that:

- APCO has a role as the coregulator. APCO regulates packaging and labelling, manages member data, tracks and reports on national packaging targets and monitors system performance. APCO is a central mechanism for aligning Government expectations, industry investment and community trust in packaging and sustainability.
- APCO is committed to supporting SPSA in building a successful scheme. APCO supports soft plastic recycling initiatives.

Opening statements from the APR Plastics

Mr Darren Thorpe said that:

- APR Plastics is heavily invested in the SPSA scheme.
- APR Plastics has recently obtained approval for a 20,000-tonne sorting facility that will produce 15,000 tonnes of oil. We have a supply chain committed for this end product and without the scheme we will have idle assets.
- APR Plastics has recovered 37 tonnes of soft plastic from 28,000 homes in Macedon Ranges and Ballarat in 12 months. The Scheme will increase volumes of soft plastics recovered which will allow us to expand our operations.
- APR Plastics and iQRenew have a combined processing capacity of 44,000 tonnes compared to the 7,500 tonnes at the height of REDcycle. The capacity to process the soft plastics exists, we just need a system in place to collect the soft plastics.

Opening statements from the Australian Marine Conservation Society

Ms Tara Jones said that:

- The Australian Marine Conservation Society (**AMCS**) is a peak marine conservation organisation dedicated to protecting Australia's oceans and marine life.
- AMCS supports the recycling of plastics, but it must be conducted in line with the waste hierarchy, so that plastic pollution is addressed in the full lifecycle. A scheme focussed only on recycling would still result in 570kg of plastic flowing to the ocean every second.
- AMCS submits that the SPSA scheme risks investing significant resources into a system that will not meaningfully reduce the amount of disposable plastic packaging placed on the market. There is a direct linear relationship between plastic production and plastic pollution.
- AMCS is concerned that the proposed system of adding soft plastics to co-mingled household recycling bins may increase contamination and decrease the quality of materials for recyclers.
- AMCS recommends that:
 - The ACCC ensures that the scheme and its members do not mislead customers about the environmental benefits of the scheme. Research suggests that the community tends to perceive the benefits of recycling as greater than the actual benefit. For example, polling for ClientEarth conducted in 2024 found that most respondents viewed plastic production and

packaging as a negative choice for the environment, however, when a label stated the recyclability of a products' packaging or the use of recycled plastic in the packaging, respondents felt it was a positive choice for the environment despite it being a single use item. This could explain the eagerness from the community for soft plastic recycling despite 96% of Australians supporting reducing single use plastics.

- Businesses remain responsible for the packaging they place on the market. AMCS does support not the option for SPSA members to pass on the levy fees to customers at this time because customers do not have equitable opportunities to avoid unnecessary and disposal plastic packaging. If a levy is placed on plastic packaging, the scheme should ensure that customers have equitable opportunities to purchase goods without single use plastic packaging (e.g. unpackaged, reusable or refillable packaging).
- The scheme commences with collection methods that that maximise community benefit, including in-store drop off for households and strategies to collect soft plastics away from home and at major events.
- AMCS noted that REDcycle collected less than 5% of consumer soft plastics at its peak, while SPSA expects the scheme may collect less than 1-5% of consumer soft plastics. AMCS questioned why the scheme needs to take the proposed format (of adding soft plastics to household co-mingled bins) when it is not expecting to collect more than REDcycle was collecting with its in-store drop off format.
- AMCS questions how businesses will be incentivised to reduce soft plastics in products, if they are able to pass on the cost of the levy to consumers.
- AMCS emphasised the importance of ensuring the scheme is transparent with customers, including the amount of plastic packaging that businesses place on the market each year.

Opening statements from the Ballina Shire Council

Ms Justine Rowe said that:

- Ballina Shire Council agrees with the opening statements from ZWV and AMCS and disagrees with the opening statement from Macedon Ranges Shire Council.
- Ballina Shire Council and its residents do not support this scheme and do not want to see soft plastic recycling as the solution. Instead, the solution should be focussed on reducing the amount of plastic waste in packaging.
- There is a persistent misconception among consumers of the benefits of recycling which would be compounded further if this scheme is allowed in its current form. Reduction and avoidance of soft plastics should be the priority.
- Ballina Shire Council is frustrated with statements referencing the need for this scheme to fulfil idle assets. Ballina Shire Council disagrees with producing and recycling soft plastics just to provide feedstock for recycling facilities – which will reduce innovation in packaging.

Opening statements from the Boomerang Alliance

Mr Jeff Angel said that:

- Boomerang Alliance appreciates the ACCC process and the initiatives of SPSA as a step towards having a regulated scheme in Australia.

- Governance is an important element for a scheme's success and to build public confidence in the scheme.
- A mandatory national product stewardship scheme should be introduced by 2026 that applies targets and producer responsibility across the lifecycle, including for soft plastics. The aim should be to get a best practice scheme as fast as possible, therefore an 8-year authorisation term is inappropriate.
- The public benefit test applied by the ACCC is usually measured against the status quo, which is a moving target. The ACCC should not regard what is happening now as a static point, as the situation is evolving. The ACCC should reach a decision that enables the SPSA, as a voluntary program, to disappear as fast as possible.

Opening statements from the Department of Climate Change, Energy, the Environment and Water

Ms Annette Williams said that the Department of Climate Change, Energy, the Environment and Water did not have any comments.

Opening statements from iQRenew

Mr Daniel Gallagher said that:

- iQRenew support the SPSA and the scheme.
- Most soft plastic is currently going to landfill and discarded as no value product in its end-of-life stage or is being incorrectly placed in yellow recycling bins contaminating the other recyclable materials.
- Recyclers (including iQRenew) have been investing tens of millions of dollars into trying to solve the soft plastics issue.
- iQRenew tested a 'bag in a bin' pilot program (whereby soft plastics are placed into sealed, tagged bags) which attracted significant interest from the community. It resulted in the reduction of loose plastics in the material recovery facility and enabled cleaner commodities and ensured they had maximum value.
- iQRenew built a demonstration plant in 2020 which gave us the confidence that we could separate at scale and produce recycled feedstock for manufacturers to create new products. With the learnings over the past 6 years, development work from offtake partners and support of the Softplastic Taskforce and access to REDcycle legacy feedstock, iQRenew built a facility that can currently process up to 14,000 tonnes of soft plastics.
- iQRenew has developed new products made from post-consumer soft plastics, including 100% recycled film and parts of a shampoo bottle.
- iQRenew has been working with chemical recycling companies to provide them with a feedstock for their process that will enable the creation of food grade packaging ready material.

Opening statements from Kellanova

Ms Alicia Doherty said that:

- Kellanova support the SPSA and the scheme. In lieu of a regulated approach, it is important to move forward with viable pathways for soft plastic recycling.

- While soft plastic recycling is important, Kellanova also actively works on reducing the amount of plastic packaging used on its products and its scope 3 emissions.
- While there is a desire to have plastics completely gone from products, this approach is not viable from a food company perspective – as plastics are a good material to prolong shelf life and food quality.

Opening statements from Melton City Council

Ms Kristel Ross said that Melton City Council agrees with the comments made about the local community wanting to see less plastic in products and is looking for support to make sustainable choices. Melton City Council is open to exploring recycling solutions as part of its waste management approach.

Opening statements from Nestlé

Mr Andrew Lawrey said that Nestlé is very supportive of the scheme and believe it is a step in the right direction. Nestlé acknowledges that recycling is only part of the solution, but we need to move forward.

Opening statements from Port Phillip EcoCentre Inc

Mr Neil Blake said that:

- That Port Phillip EcoCentre has been doing research into plastic pollution in the waterways. Research conducted in the major rivers of Melbourne revealed that microplastics are one of the 3 highest components of plastic pollution in the waterways. Port Phillip EcoCentre does acknowledge that plastics are an amazing product, but the wider community is concerned for the long-term concerns and for human health.
- With regards to the composition of governance, 2 independent Directors are laudable, but underdone. This could be seen as greenwashing. Mr Blake questions how these independent Directors will be chosen.

Opening statements from Product Stewardship Centre of Excellence

Ms Rose Read was absent, but Commissioner Keogh noted that the Product Stewardship Centre of Excellence provided a submission prior to the pre-decision conference about well-designed principles of stewardship.

Further statements from iQRenew and Boomerang Alliance

Mr Daniel Gallagher (iQRenew) further said that:

- It is important that the scheme is authorised for a sufficient time to provide confidence for investors (who have invested tens of millions of dollars) that their investment will be repaid over the lifetime of the scheme.
- iQRenew has 2 interested parties that are looking to secure 3-5 million tonnes of recycled materials for their products through offtake contracts. However, iQRenew cannot enter into offtake contracts until we have the confidence that the soft plastic materials will come through when we need it. Offtake contracts enable us to increase collections of soft plastics. The 29,000 tonnes of soft plastics expected to be collected under the scheme by 2030 provides us with the confidence to enter into staged offtake contracts with these entities.

Mr Jeff Angel (Boomerang Alliance) responded to iQRenew's further statement:

- Boomerang Alliance noted that the ability to build confidence and enter into offtake contracts would still be possible under a regulated scheme.
- Boomerang Alliance wants a voluntary scheme to have the shortest life as possible.

Mr Graham Knowles (iQRenew) further said that:

- There are facilities in Australia that require feedstock. iQRenew are reliant on SPSA obtaining approval because we need to be able to keep receiving feedstock.
- REDcycle was collecting 7,500 tonnes, but the iQRenew facility in NSW has capacity for 14,000 tonnes. In 2025, iQRenew received funding from federal and state governments to go to a higher processing level – in 2026, iQRenew should have the capacity to process 24,000 tonnes. But this is redundant unless we can receive feedstock either through curb side collection, return to store or Councils initiating community recycling centres to collect the materials.

Commissioner Keogh asked the conference whether there were any further questions. As no further questions were raised, Commissioner Keogh said that the ACCC would now accept further written submissions on or before Friday 26 September 2025, and reminded attendees that the ACCC will prepare a record of the conference.

Commissioner Keogh terminated the conference at 12:09pm.