



22 April 2025

Submitted via [online portal](#)

AMCS response to *Soft Plastics Stewardship Australia Application for Authorisation AA1000695*

Dear ACCC applications team,

The Australian Marine Conservation Society (AMCS) welcomes the opportunity to make a submission to the application by the Soft Plastics Stewardship Australia (SPSA), submitted to the ACCC on 18 March 2025.

Plastic pollution is harming the health of our wildlife and marine environment, and is increasingly being linked to human health issues. The need for plastic packaging reduction is more urgent than ever. AMCS provides responses to the application by the Soft Plastics Stewardship Australia in the following pages. We urge the ACCC to consider the environmental impacts of the production and use of soft plastic packaging in Australia, and to fully consider the impact this application would have on the environment and to the broader public if the application is approved in current form.

Please don't hesitate to contact me via email (ciphamilton@amcs.org.au) or phone (07) 3846 6777 if AMCS can provide any further information in relation to this submission or the impacts of plastics on the marine environment.

Kind regards,

Cip Hamilton
Plastics Campaign Manager
Australian Marine Conservation Society

Australian Marine Conservation Society (AMCS)

AMCS is Australia's leading environmental organisation devoted solely to caring for Australia's coasts, oceans and their wildlife. AMCS has over 300,000 members and supporters in Australia who we represent and work with on key marine issues. We work with science and conservation centres to support solutions that use best available science to deliver healthier outcomes for our oceans. One of our core areas of advocacy is addressing the waste crisis that is leading to rising debris and plastic pollution in the marine environment.

Introduction

Australia enjoys the reputation of pristine beaches, which are a source of enjoyment and pride among residents and visitors alike. However, Australia is not immune to the global plastic pollution crisis, and historically has not had sufficient options for dealing with waste domestically.

Soft plastic packaging has been under public scrutiny since the collapse of REDcycle in November 2022. While operational, REDcycle captured only a small proportion of business-to-consumer (B2C) soft plastic packaging; estimates put REDcycle's collection rates at around 2% of all household soft plastics per year at its peak.¹ In November 2022, it was reported that REDcycle had been stockpiling soft plastics collected through the scheme, due in part to limited domestic processing capacity and lack of end markets.

Since this time, the lack of action from brand owners and businesses to reduce their plastic packaging has become increasingly evident. Soft plastic packaging continues to increase at a rate well above population growth.² Numerous government policies have aimed to address low recycling rates and increasing waste generation, and industry has historically lobbied for voluntary industry-led action as the solution. However, neither of these have made meaningful changes to the ever-increasing volume of plastic packaging used in Australia. APCO's review of the National Packaging Targets prompted the Environment Ministers announcement that the federal government intended to reform packaging legislation in Australia.³

AMCS recognises the critical role of recycling in a circular economy. However, AMCS holds concerns that the environmental benefits of this scheme have been overstated, and the potential negative environmental impacts have not been fully explored.

This application and the scheme details contained within it do not adequately address the necessary removal and reduction of packaging in the first instance, nor does it require any evidence that brand owners have explored reuse and refill options for essential packaging prior to signing on to this scheme. AMCS is concerned that in its current proposed form, this scheme will not be successful in driving down the overall use of plastic packaging among members, and will have no meaningful impact on reducing plastic pollution.

¹ Wheeler, M. (2023). *Liz Kassell on why REDcycle failed - the lessons learned*. Inside Waste.

² APCO (2024). *Flexible plastic consumption and recovery 2022-2023 Factsheet*.

³ APCO (2023). *Review of the 2025 National Packaging Targets Final Report*.

Feedback on SPSA Application

1. Environmental impacts

AMCS is concerned that the **environmental benefits in this application have been overstated**, and there has not been due consideration for alternative options.

Issue	Details	AMCS position
Soft plastics make up around a third of litter in Australia	<p>Soft plastics pose a significant threat to marine environments and wildlife, yet there is no evidence to suggest that this scheme will reduce the amount of plastic pollution entering our environment.</p> <p>The applications' assessment of the current state of the market (Figure 3) and desired state of the market (Figure 4), fail to include plastic pollution, a significant omission considering 145,000 tonnes of Australia's plastic waste is estimated to leak into the environment each year.⁴</p> <p>In Australia, soft plastics make up 32% of all litter by material type, and consistently rate as the most frequently collected litter item.⁵ Research shows a direct relationship between plastic production and plastic pollution.⁶ It is widely acknowledged that recycling in the absence of overall plastic reduction will not solve the plastic pollution crisis, and is not conducive to the development of a circular economy.⁷</p> <p>Many of the items within the scope of this scheme include packaging designed for on-the-go or away-from-home consumption. The proposal does not sufficiently consider away from home disposal options, implications for public</p>	AMCS urges SPSA to fully incorporate all environmental impacts into this scheme, participants design and use packaging following the waste hierarchy and circular economy principles, and levy fees reflect the true environmental cost of packaging across the full life cycle (including pollution potential).

⁴ O'Farrell, K., Harney, F., & Chakma, P. (2021). Australian Plastics Flows and Fates Study 2019-20 - National Report. Prepared for the Department of Agriculture, Water and the Environment.

⁵ Clean Up Australia (2024). *Litter Report FY24*.

⁶ Cowger, W. et al (2024). *Global producer responsibility for plastic pollution*.

⁷ The Pew Charitable Trusts and SYSTEMIQ. (2019). *Breaking the Plastic Wave*.

Issue	Details	AMCS position
	<p>recycling bins if people are under the impression that soft plastics can be collected in this stream, nor the overall reduction in packaging.</p>	
<p>The plastic pollution assumptions in this assessment are untested</p>	<p>Section 8.1 introduces the argument that this scheme will result in improved environmental outcomes due to reduced litter from bins being emptied into garbage trucks. This source of plastic pollution is under-investigated in Australia, and varies significantly depending on disposal behaviours (such as bagging general waste, overflowing bins, correct source-separation) and collection vehicles. The potential litter reduction from introducing kerbside soft plastic collections relies heavily on correct disposal methods.</p> <p>Incorrect disposal methods, such as households placing soft plastic loose in their commingled recycling bins or not securely closing bags, could increase plastic pollution from bins being emptied into trucks.</p>	<p>AMCS recommends SPSA investigate sources of plastic pollution and implements effective mitigation strategies to ensure the system reduces, and not contributes to plastic pollution.</p>
<p>Not all packaging is essential</p>	<p>Whilst packaging can be essential for storage, preservation and transportation of goods, not all packaging outlined in the scheme is necessary, and can often be avoided or replaced by reusable or refillable formats.</p> <p>The proposed system provides no incentive for brand owners to remove excessive and unnecessary packaging - ie. any soft plastics that are not the minimum required to protect, transport or make a product safe to handle, or to move to reusable and refillable packaging systems.</p>	<p>AMCS recommends SPSA consider the framing of disposable soft plastic packaging in public-facing communications to avoid overgeneralised statements around it being essential, particularly in instances where it can be avoided.</p> <p>AMCS recommends that the scheme supports members to redesign soft plastic packaging to prevent excessive overheads, and participants commit to removing unnecessary packaging from the market.</p>

2. Community impacts

AMCS considers that **this scheme will deliver a much-anticipated soft plastics collection service**, however sees the **potential for some unintended negative impacts on customers**, and the broader community.

Issue	Details	AMCS position
Kerbside collection may not be suitable for soft plastics	<p>AMCS shares concerns held by some local councils and members of the waste industry with the efficacy of collecting soft plastics via the comingled kerbside recycling bin, as proposed disposal behaviours for kerbside are inconsistent with decades of waste education.⁸ It is unclear how SPSA will achieve what no government to date has succeeded in. Despite significant investment in waste education, households are still struggling to correctly sort and dispose of packaging in the correct bin, and commonly bag recyclable materials rather than placing items in loose.</p> <p>Further detail is required on how the scheme will appropriately educate customers on the correct disposal methods, whilst ensuring that households do not bag other recyclable items in kerbside bins. The development of the Australasian Recycling Label (ARL) was touted to increase recycling by decreasing customer confusion about kerbside recyclability acceptability, but despite measures such as the ARL, waste audits found that just 62% of packaging was disposed according to directions on the packaging.⁹</p>	<p>AMCS has concerns regarding kerbside collection, and encourages additional trials, research, and education messaging prior to extensive roll-out - particularly for multi-unit dwellings and culturally and linguistically diverse communities.</p> <p>AMCS recommends SPSA fully explores concerns raised about kerbside collections by the waste industry and local councils, and SPSA prioritises in-store and community drop off for soft plastics, ahead of proceeding with a kerbside collection scheme.</p>
Further information required on collection bags	<p>The requirement for special, easily-identifiable bags for customers to place soft plastics inside of creates new soft plastic items, and may lead to confusion or poor compliance if bags are not freely and readily available to households.</p> <p>Further detail is required on how these bags will be distributed, if there will be a cost to participate, and whether the bags will be made from 100%</p>	<p>AMCS encourages SPSA to explore options that do not require the manufacture and distribution of additional plastic items.</p> <p>AMCS recommends that details of how the bags will be distributed, alongside potential costs to households are clearly outlined to</p>

⁸ WMMR (2023). *On World Environment Day, WMMR calls for a comprehensive mandated EPR scheme for soft plastics in Australia.*

⁹ APCO (2023). *Australasian Recycling Label Impact Framework Report 2023.*

Issue	Details	AMCS position
	recycled soft plastic. AMCS urges these details to be included in the application and associated scheme details to ensure no unintended environmental impacts arise from this method of collection.	prevent contamination due to use of non-compliant bags in recycling bins.

3. Levy fees

AMCS is concerned with the potential **for brand owners to pass the levy cost onto customers**. There is the potential for **public and environmental detriment** associated with this stipulation.

Issue	Details	AMCS position
Scheme should follow 'polluter pays' product stewardship model	<p>The application states that the levy cost may be passed on to the customer, and that levy costs applied to consumer goods would be minimal. The application later states that brand owners passing the levy costs onto customers will "lead to greater efficiency as consumers will pay closer attention to the full social cost of products supplied with soft plastic packaging". By allowing brand owners to pass the levy costs onto customers, there will be no financial incentive for brand owners to reduce their amount of packaging overall.</p> <p>The application states that "consumers wishing to recycle their soft plastics" may be "directly impacted" by the approval of the application. However, if scheme participants are allowed to pass on costs to customers, all customers have the potential to be negatively impacted financially, regardless of their intent or ability to collect and recycle soft plastics. In many instances, customers are unable to avoid soft plastic packaging due to lack of options available. Passing the cost on to customers can cost households more, and businesses are not incentivised to reduce soft plastic packaging, or to redesign to alternative formats.</p>	AMCS does not support brand owners passing on the cost of levy fees to customers and instead recommends that brand owners are financially liable and responsible for soft plastics placed on the market.

4. Stakeholder engagement, data, and reporting

AMCS supports some of the reporting proposed within this application, but **urges greater transparency on the volume of packaging generated and collected**, and the end products being created from recycled materials.

Issue	Details	AMCS position
Stakeholders advocating for the environment must be consulted	SPSA intends to consult with a wide range of stakeholders, including environmental NGOs. This will help ensure that environmental impacts will be consistently considered as part of the engagement process.	AMCS encourages this engagement, recommends this continues, and is expanded to ensure the scheme captures all environmental benefits and is adapted to minimise environmental harm.
The scheme should increase transparency	<p>The application proposes that SPSA will carefully manage confidential information, including reports on soft plastic volumes placed on market by scheme participants.</p> <p>AMCS advocates for greater transparency to keep brand owners accountable for the amount of plastic packaging they generate through their operations. Businesses should be required to publish their overall plastic packaging footprint publicly on an annual basis, including use of virgin and recycled materials.</p>	AMCS recommends that businesses are required to publicly report on the volumes of soft plastics placed on the market, collected and recycled through the scheme.