



Re: Zero Waste Victoria Submission for Soft Plastic Stewardship Australia – Application for Authorisation AA1000695

Zero Waste Victoria (ZWV) wishes to draw the ACCC's attention to the Queensland Parliamentary Inquiry into [Improving Queensland's Container Refund Scheme](#) (October 2025).

We raise this for consideration because it provides a current case study of governance, transparency, and accountability challenges within a producer responsibility organisation. Many of the Committee's findings are directly relevant to the SPSA authorisation assessment.

The committee reviewed Container Exchange (COEX), a public company limited by guarantee with private members, which undertakes significant public functions. The committee observed that a company composed primarily of private commercial interests, operating a public scheme, inherently places commercial and public interests in conflict. The committee further noted that the potential for anti-competitive or unfair behaviour will always exist where commercial participants control key governance functions, and that the requirement to operate as a not-for-profit entity does not neutralise the inherently commercial motives of its members.

These findings closely reflect concerns raised by ZWV and other interested parties regarding SPSA's governance structure, levy control, and potential member reimbursements, and also highlights additional risks such as insufficient financial transparency and procurement integrity, demonstrating how commercial influence can compromise public accountability. Importantly, the COEX operates under a regulated framework yet still experienced significant governance failures, highlighting that the risks under SPSA's voluntary scheme, without equivalent oversight, may be even greater.

While some issues examined in the COEX inquiry were specific to that scheme, governance structure is a central issue. The Parliamentary report also identified broader weaknesses in transparency, procurement, compliance with not-for-profit/charity governance standards under the ACNC framework, and prioritisation of members' interests over public interests. These are concerns that present comparable risks in the SPSA application.

ZWV recommends that the ACCC consider the relevant aspects of the Parliamentary report when finalising the scope of governance and disclosure conditions to be applied. The report provides clear and relevant evidence of systemic risks in industry-led producer responsibility schemes and reinforces the importance of enforceable safeguards. Its findings are directly relevant to the SPSA proposal and demonstrate why strong governance and accountability measures are essential to ensure scheme integrity and maintain public confidence in any authorisation.

ZWV would be happy to elaborate on these points if this would assist the ACCC's consideration.