

Waste & Recycling Association of South Australia Inc.

11 April 2018
Mr Gavin Jones
Director - Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

By e-mail: adjudication@accc.gov.au

Dear Mr Jones

Council Solutions & Ors Authorisation Application Your reference: AA10000414-1

We are writing in regards to the above Council Solutions Application to the ACCC seeking approval to be immune from the Competition and Consumer Act requirements.

We note that Council Solutions has had 64 weeks since its previous Application was rejected by the ACCC. Since it has lodged another Application on 14 March, the ACCC have written to interested parties on 27 March to seek comment, for which we are grateful for the opportunity.

Given the complexity of the Application we respectfully request the 3 week response period, which includes the Easter break, to be extended to the end of June to allow for consultation with our members and an informed submission by all interested parties.

Aside from requiring a sufficient amount of time to provide a fair response, the main reason for a thorough consultation period is the recent introduction of the Chinese Sword Policy, the most serious threat to kerbside waste and recycling collection services in 30 years. This policy is having fundamental consequences to all Australian municipal contracts. As a result, industry participants would appreciate additional time for a response during an extremely busy and stressful period.

We suggest our member consultation and submission process could be as follows:

27 March	ACCC advise WRASA re Council Solutions Application
30 March	confirmation all WRASA Members advised of Application (following Easter)
10 April	preliminary feedback received from Members including need for additional time to respond
11 April	request for additional time submitted to ACCC
17 April	formal survey of Members released to all Members with 24 April due date
17 April	commence review of Chinese Sword Policy on South Australian municipal contracts
24 April	suppliers engaged to analyse new Application for economic and industry modelling
4 May	survey results and submissions from Members received
11 May	reports from economic modellers and industry experts received
1 June	review of Chinese Sword Policy impacts complete and reviewed



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15 June draft response completed for review with Members
29 June final response completed incorporating feedback and submitted to the ACCC

Given the size and complexity of the Application, and apparent absence of supporting data for many claims, we believe this timeframe is reasonable for all interested parties to provide the ACCC with a substantive submission that presents an industry view on the impact of the new Application on competition and assess it against the final ACCC determination that rejected the prior Application.

If you require any additional information, please do not hesitate to contact me.

Yours sincerely

John Fitzpatrick
Public Officer



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