

Waste & Recycling Association of South Australia Inc.

11 September 2018

Submission by WRASA regarding the ACCC's categorisation of submissions

Dear Ms Cramond,

Re: Council Solutions Application AA1000414

WRASA would like to reiterate its previous submission with regards to the submissions received by interested parties and their categorisation. WRASA believe this categorisation inadvertently misrepresents the level of objection to Council Solutions proposed conduct.

The ACCC note in the Draft Determination;

48. *The ACCC received submissions from 19 interested parties in response to Council Solutions' application for authorisation:*
- *Seven in support of the application (including one from each of the four Participating Councils)*
 - *10 opposing the application, and*
 - *Two which did not express a view about whether authorisation should be granted.*

Aside from the update provided by WRASA on August 24, we would like to bring the ACCC's attention to the level of support in the submissions by GISA, EPA SA and LGA SA, all of which have been categorised and counted as letters of support.

The letters from these State Government agencies use language such as "consistent with the role and functions of Councils," "may offer benefits," "consistent with strategy" and "do not object." The thrust of these submissions is that they do not object to the stated outcomes of Council Solutions however they do not provide an opinion that the stated outcomes will be achieved.

[REDACTED]

There were four (4) genuine letters of support from the participating Councils but we respectfully suggest the submissions from the three (3) Government Agencies be classified as neutral.

We also request the ACCC consider the fact that letters from WRISA, WRASA, NWRIC and others actually represent a number of entities that are members of those organisations. For example, WRASA has 24 members, WRISA has 13 members and NWRIC has 9 members totaling 46 members; virtually representing the entire waste industry.

It is clear from submissions made to the ACCC that the waste industry is unanimous in its objection to Council Solutions proposed conduct. As such, we believe it is representative and equitable for the ACCC to include the total membership numbers of WRISA, NWRIC and WRASA when summarising the number of submissions for and opposed to the application.

As was the case in 2016, there is little support for the proposed conduct [REDACTED]
[REDACTED] and that remains, [REDACTED]
[REDACTED] Meanwhile there remains unanimous
objection through the waste industry, a view backed by other organisations [REDACTED]
[REDACTED]
[REDACTED]

We ask the ACCC to consider the depth and commitment of this opposition to the proposed conduct who are seeking primarily to retain a market with maximum opportunity, a level playing field and a local waste industry that can continue to be innovative and agile.

Yours sincerely

John Fitzpatrick
Public Officer