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12/10/2018

Dear Sir/Madam

Council Solutions application for authorisation AA1000414 (collection) – final determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a determination in respect of the application for authorisation lodged by Council Solutions on 14 March 2018.

Council Solutions, on behalf of the Cities of Adelaide, Charles Sturt, Marion and Port Adelaide Enfield (**Participating Councils**), sought authorisation to jointly procure the collection of domestic waste, recyclables and organics through the utilisation of a 3-Bin system, including the supply and maintenance of mobile garbage bins, through a collaborative competitive tender process (**the kerbside collections application**).

For the reasons set out in its determination, the ACCC has decided to grant authorisation until 30 June 2031. A copy of the ACCC decision is attached.

Application for review

Pursuant to section 101 of the Competition and Consumer Act 2010, a person dissatisfied with this determination may apply to the Australian Competition Tribunal (the **Tribunal**) for a review of the determination. An application for review must be made within 21 days of the date of this determination; that is, on or before 2 November 2018. If no application for a review is lodged by this date, the ACCC's determination will come into force on 3 November 2018.

An application for a review of the ACCC's determination should be lodged directly with the Tribunal. The Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the Tribunal's process to hear applications for review of ACCC determinations please refer to the Tribunal's website at www.competitiontribunal.gov.au.

Processing and ancillary services applications for authorisation

This determination relates to kerbside collection services only. As you may be aware, the ACCC released draft determinations proposing to grant authorisation to Council Solutions' Processing Service Streams and the Ancillary Service Streams applications on 14 September 2018. Pre-decision conferences have been requested in relation to both of these

draft determinations, and these conferences will be held back to back in Adelaide on 22 October 2018. The ACCC expects to release final determinations in relation to the Processing Service Streams and the Ancillary Service Streams applications in late November 2018.

The ACCC's final determination about the kerbside collections application should not be taken to indicate its likely view on the Processing Service Streams and Ancillary Service Streams applications for authorisation.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Tessa Cramond on 03 9658 6516.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication