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Our ref: AA1000426
Contact officer: Simon Bell
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27 September 2018

By email

Dear Sir or Madam

SA Housing Authority and Renewal SA application for authorisation AA1000426—Draft Determination

The ACCC has issued a draft determination in respect of the above application for authorisation lodged by the South Australian Housing Trust trading as the SA Housing Authority and the Urban Renewal Authority trading as Renewal SA (together the Applicants) on 12 July 2018.

The Applicants own land and/or existing housing developments in the greater metropolitan region of Adelaide, which they sell to developers who construct buildings on the land or upgrade the existing structures on the land.

The Applicants are seeking authorisation because, in purchasing land or existing structures, developers may be asked to agree to conditions, which have the effect of capping prices, agreeing to rent or sell to specified tenants or purchasers, agreeing to cap building costs, or SA Housing Authority or Renewal SA and developers agreeing not to compete during a defined period. These arrangements are intended to increase the stock of affordable housing in the greater metropolitan region of Adelaide, however they may be considered to include cartel provisions.

Please see the ACCC's publication [Guidelines for Authorisation of conduct \(non-merger\)](#) for a summary of the authorisation process.

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached. A copy is also available on the ACCC public register - <https://www.accc.gov.au/public-registers/authorisations-and-notifications-registers/authorisations-register/sa-housing-authority-renewal-sa>.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 10 years.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by close of business **15 October 2018**. Submissions should be

emailed to adjudication@acc.gov.au with the subject "AA1000426 – SA Housing Authority and Renewal SA - Submission".

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by close of business **15 October 2018**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to the application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

12 July 2018	Lodgement of application and supporting submission.
25 July 2018	Public consultation process begins.
24 August 2018	Lodgement of amended application and supporting submission.
10 September 2018	Closing date for submissions by interested parties on the amended application.
17 September 2018	Applicant responds to issues raised in the public consultation process.
27 September 2018	Draft determination.
September/October 2018	Public consultation on draft determination including any conference if called.
November 2018	Final determination.

This letter will be placed on the ACCC's public register. If you wish to discuss any aspect of this matter, including if you want request a pre-decision conference, please do not hesitate to contact Simon Bell on (02) 6243 1232 or David Hatfield on (02) 6243 1266 or via email adjudication@acc.gov.au.

Yours sincerely



David Hatfield
Director
Adjudication Branch