



Our ref: AA1000437
Contact officer: Hannah Ransom
Contact phone: (02) 6243 1255

27/03/2019

www.accc.gov.au

Mr Paul Muscat
Partner
Minter Ellison

By email: Paul.Muscat@minterellison.com
CC: Carla.Mazibuko@minterellison.com

Dear Mr Muscat

Logan City Council & Ors Application for authorisation AA1000437—request for information

I refer to the above mentioned application for authorisation lodged by the Australian Competition and Consumer Commission (the ACCC) on 13 February 2019.

The ACCC has received two public submissions in response to its invitation to potentially interested parties. The purpose of this letter is to invite the Councils' response to the issues raised in these submissions, and to request some additional information in relation to this matter.

Specifically, please respond to the following:

1. Inclusion of Commercial and Industrial waste

The Councils' application refers to the volume of municipal waste generated by each of them (and, as a total, as a proportion of that municipal waste generated in South East Queensland).

However, interested parties have raised concerns that the Councils may, at some future date, use their powers to collect rates to provide waste collection services in relation to commercial and industrial (C&I) waste, in addition to municipal waste.

Could you please indicate whether the Councils intend for the proposed arrangements to relate only to municipal waste, or if the Councils consider C&I may be included in future?

Are any of the applicant Councils currently collecting C&I waste, or considering doing so?

2. Length of time and volumes of waste

Your letter dated 7 March 2019 explains that the Councils are seeking authorisation until the end of 2050, as most waste management infrastructure projects, including Energy-from-Waste (EfW) plants, require a long term contract. The Councils have provided a number of examples to support this.

I am aware that Shoalhaven City Council has contracted with Biolektra for the construction of a resource recovery facility including recycling and resource recovery. The contract is for a

period of 20 years. I understand the Shoalhaven produces 55,000 tonnes of waste per year where the capacity of the planned plant is around 150,000 tonnes per year.

In light of this, the Councils may like to provide more information regarding why they consider that the types of waste management infrastructure projects such as EfW and recycling plants may require the support of long term contracts up to 30 years in length and securing the waste volume of up to five councils.

Please provide the requested information (along with any other response the Applicants wish to provide in relation to public submissions) as soon as possible and no later than **COB 12 April 2019**.

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 Hannah Ransom on (02) 6243 1255.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Hatfield', is positioned above the printed name and title.

David Hatfield
Director
Adjudication