

MinterEllison

13 February 2019

Attention Mr David Jones
General Manager, Adjudication
Australia Competition and Consumer Commission
By email: adjudication@accc.gov.au

Dear Mr Jones

Application for Authorisation for proposed conduct: South East Queensland Sub-Regional Waste Alliance

Logan City Council (**LCC**) together with other South East Queensland local governments – Ipswich City Council, Redland City Council, Lockyer Valley Regional Council and Somerset Regional Council – have formed an unincorporated sub-regional alliance for the purposes of collaboratively identifying and potentially sourcing medium to long term resource recovery and/or waste disposal services on a regional scale.

LCC is applying for authorisation on behalf of itself and the other Councils of the sub-regional alliance for this purpose.

Enclosed are the following documents in support of the application:

- (a) Application for Authorisation (public);
- (b) Application for Authorisation (confidential);
- (c) signed declaration from LCC (included in Application for authorisation);
- (d) letter from Australian Competition & Consumer Commission to LCC dated 14 November 2018 granting the Councils a partial application fee waiver; and
- (e) confirmation of EFT transfer made 8 February 2019 for payment of the reduced application fee of \$2,500.

Interim authorisation

Further to the enclosed application, LCC seeks interim authorisation to allow it to continue with the planned release of the invitation for expressions of interest in late March 2019. Any delay to advertising the invitation will have a flow-on effect to the planned procurement timing and potentially put pressure on procurement processes going forward.

With a number of key waste and recycling related contracts due to expire in mid to late 2019 for the larger Councils, it is imperative that the invitation be released to the market as planned to ensure that adequate time is available to progress the expression of interest stage and



subsequently undertake the next stage of the procurement process. This will ensure Councils maintain continuity of services to their communities.

Specifically, the following table details the key contract expiry dates:

| | Residual Waste Disposal | Recyclables Processing | Organics/Green Waste Disposal |
|-----------------------------|-------------------------------------|-------------------------------|--------------------------------------|
| Logan City Council | | July 2021 | June 2019* |
| Ipswich City Council | November 2019* (non-putrescible) | April 2019* | March 2020* |
| Redland City Council | June 2020* | June 2020* | June 2021 |

*Note: There are some contracts which will expire during the planned procurement process which Councils will seek separate interim arrangements for. These arrangements will be on a temporary basis while the procurement process is being undertaken and will be consistent with the planned procurement timing.

No tenderer will be selected, nor contract negotiations undertaken, until a final determination is issued by the ACCC in response to the application for authorisation. The request for interim authorisation is only to allow LCC to undertake the expression of interest process in accordance with the planned timeframes.

Confidentiality

LCC has provided the confidential version of the Application for Authorisation to the ACCC in confidence and requests that only the public version of the Application for Authorisation is published on the public register. The information redacted from the public version is:

- (a) Annexure A – the Heads of Agreement between the Councils which is considered confidential as it is a private agreement between the parties; and
- (b) Annexure B – the Procurement Plan which, if published, could have a detrimental effect on the planned procurement.

Should you have any queries in relation to this application, please contact Paul Muscat on 07 5553 9485.

Yours faithfully
MINTER ELLISON – GOLD COAST



Partner: Paul Muscat T: +61 7 5553 9485
OUR REF: PXM CDT 371027

enclosures

Application for Authorisation

South East Queensland Sub-Regional
Waste Alliance

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Application for Authorisation

South East Queensland Sub-Regional Waste Alliance

| | |
|--|-----------|
| Declaration by Applicant | 4 |
| Parties to the proposed conduct | 5 |
| 1. Applicants for authorisation | 5 |
| 2. Other parties to the application for authorisation | 5 |
| The proposed conduct | 7 |
| 3. Details of the proposed conduct | 7 |
| 3.1 Description | 7 |
| 3.2 Relevant provisions of the Competition and Consumer Act 2010 (Cth) | 9 |
| 3.3 Rationale | 9 |
| 3.4 Term | 10 |
| 4. Relevant documents for assessing or making decision | 10 |
| 5. Names or classes of persons directly impacted | 10 |
| Market information and concentration | 11 |
| 6. Services, geographic areas and any overlaps | 11 |
| 6.1 Geographic areas | 11 |
| 6.2 Services | 11 |
| 7. Relevant industry | 12 |
| 8. Estimated market shares of overlapping services | 12 |
| 9. Competitive restraints | 13 |
| 9.1 Existing or potential competitors | 13 |
| 9.2 Likelihood of entry by new competitors | 13 |
| 9.3 Countervailing power of service providers | 13 |
| 9.4 Other relevant factors | 14 |
| Public benefit | 15 |
| 10. Benefit to the public | 15 |
| 10.1 Procurement process and contract management efficiencies | 15 |
| 10.2 Environmental benefits | 15 |
| 10.3 Increase in competition | 15 |
| 10.4 Securing long-term investment in the region | 16 |
| Public detriment | 17 |
| 11. Detriment to the public (including likely competitive effects) | 17 |
| 11.1 No exclusion or limitation | 17 |

| | | |
|------------|--|-----------|
| 11.2 | Creation of new markets | 17 |
| | Contact details of relevant market participants | 18 |
| 12. | Key contacts | 18 |
| 12.1 | Current service providers | 18 |
| 12.2 | Industry groups and Government departments | 19 |
| 12.3 | Potential participants in the procurement | 20 |
| 12.4 | Adjacent councils | 20 |

Annexure A

Executed Heads of Agreement

Annexure B

Procurement Plan

Annexure C

Council Resolutions

Annexure D

2018 Local Government Area Boundaries

Annexure E

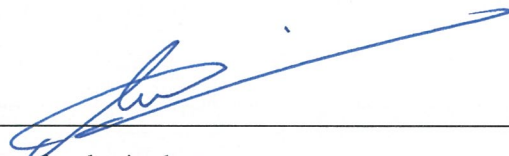
Current Service Providers

Declaration by Applicant

The undersigned declares that, to the best of his knowledge and belief, the information given in response to questions in this form is true, correct and complete, that complete copies of documents required by this form have been supplied, that all estimates are identified as such and are his best estimates of the underlying facts, and that all the opinions expressed are sincere.

The undersigned undertakes to advise the ACCC immediately of any material change in circumstances relating to the application.

The undersigned is aware of the provisions of sections 137.1 and 149.1 of the *Criminal Code* (Cth).



Signature of authorised person

Health, Environment & Waste Manager, Logan City Council

Office held

Michael Asnicar

(Print) Name of authorised person

This 13th day of February 2019.

Parties to the proposed conduct

1. Applicants for authorisation

| | |
|------------------------------------|---|
| Name | Logan City Council ABN 21 627 796 435 (LCC) |
| Address | 150 Wembley Road, Logan Central QLD 4114 |
| Telephone | 07 3412 3412 |
| Contact person | Michael Asnicar Health, Environment and Waste Manager Tel: 07 3412 5052 Email: michaelasnicar@logan.qld.gov.au |
| Description of business activities | An elected body constituted under the Local Government Act 2009 (Qld) responsible for the good rule and local government of Logan City. Local Governments are responsible for making decisions on community matters including, but not limited to, traffic control, street signage, recreation facilities, town planning and waste management. |
| Email address for service | paul.muscat@minterellison.com Attention: Paul Muscat, Partner – Construction, Infrastructure and Procurement MinterEllison Gold Coast |

2. Other parties to the application for authorisation

| | |
|------------------------------------|--|
| Name | Ipswich City Council ABN 61 461 981 077 (ICC) |
| Address | 45 Roderick Street, Ipswich QLD 4305 |
| Telephone | 07 3810 6666 |
| Contact person | Bryce Hines Chief Operating Officer (Works, Parks and Recreation) Tel: 07 3810 6558 Email: bryce.hines@ipswich.qld.gov.au |
| Description of business activities | An elected body constituted under the <i>Local Government Act 2009</i> (Qld) responsible for the good rule and local government of Ipswich City. Local Governments are responsible for making decisions on community matters including, but not limited to, traffic control, street signage, recreation facilities, town planning and waste management. |
| Name | Redland City Council ABN 86 058 929 428 |
| Address | Cnr Bloomfield & Middle Streets, Cleveland QLD 4163 |
| Telephone | 07 3829 8999 |
| Contact person | Paula Kemplay Principal Waste Planner Tel: 07 3829 8597 Email: Paula.Kemplay@redland.qld.gov.au |
| Description of business activities | An elected body constituted under the <i>Local Government Act 2009</i> (Qld) responsible for the good rule and local government of Redland City. Local Governments are responsible for making decisions on community |

matters including, but not limited to, traffic control, street signage, recreation facilities, town planning and waste management.

Name **Lockyer Valley Regional Council** ABN 52 673 165 312
Address 26 Railway Street, Gatton QLD 4343
Telephone 1300 005 872
Contact person Peter Driemel
Manager Health, Waste and Regulatory Services
Tel: 07 5462 0385
Email: PDriemel@lvrc.qld.gov.au

Description of business activities An elected body constituted under the *Local Government Act 2009* (Qld) responsible for the good rule and local government of Lockyer Valley Region.

Local Governments are responsible for making decisions on community matters including, but not limited to, traffic control, street signage, recreation facilities, town planning and waste management.

Name **Somerset Regional Council** ABN 50 138 958 249
Address 2 Redbank Street, Esk QLD 4312
Telephone 07 5424 4000
Contact person Andrew Johnson
Director Operations
Tel: 07 5424 4000
Email: AJohnson@somerset.qld.gov.au

Description of business activities An elected body constituted under the *Local Government Act 2009* (Qld) responsible for the good rule and local government of Somerset Region.

Local Governments are responsible for making decisions on community matters including, but not limited to, traffic control, street signage, recreation facilities, town planning and waste management.

The proposed conduct

3. Details of the proposed conduct

3.1 Description

The parties to this Application for Authorisation (the **Councils**) wish to jointly investigate, and potentially procure, a regional approach to resource recovery and/or waste disposal services through a competitive 2-stage procurement process. Offering combined waste volumes to the market may attract a service that may otherwise not be available to each individual Council.

The services being sought

Councils are seeking resource recovery and/or waste disposal services for the various resources and wastes that the Councils collect through collection services or receive at waste and recycling facilities. The services will be limited to the processing or disposal of resources and/or waste and will not include kerbside waste and recycling collection services, or the operation of existing waste transfer stations and tip shops.

Types of waste

The resources and waste collected and received can be broadly categorised into the following streams:

- (a) *Residual waste* – being waste that has not been sorted for recycling or beneficial reuse;
- (b) *Recyclable waste* – being items and materials that have been collected for the purposes of recycling or other form of beneficial reuse;
- (c) *Organic waste* – being garden and/or food waste collected for the purposes of beneficial reuse;
- (d) *Regulated waste* – wastes as defined in Schedule 7 of the *Environmental Protection Regulation 2008* (Qld) of primarily domestic origin; and
- (e) *Problematic waste* – being items that are currently not recovered that have a potential resource value for recycling or beneficial reuse.

The procurement process

The Councils plan to undertake the procurement by firstly testing the market through a public invitation for Expressions of Interest (**EOI**), then if suitable responses are identified Councils may:

- (a) invite shortlisted EOI respondents to engage in an Early Tenderer Involvement (**ETI**) process;
- (b) request written tenders through a Request for Tenders (**RFT**) to those shortlisted EOI respondents who participated in the ETI process; and
- (c) negotiate and enter into a contract with the successful tenderer/s.

The Councils have formed an unincorporated sub-regional alliance through a binding Heads of Agreement (see Annexure A). If some or all the Councils decide to proceed with the procurement following the EOI process, those Councils must negotiate a further agreement to govern their conduct.

LCC will undertake the EOI process on behalf of the sub-regional alliance. LCC will invite EOIs in accordance with the requirements of the *Local Government Act 2009 (Qld)*, *Local Government Regulation 2012 (Qld)* and LCC's procurement policies and procedures.

The invitation for EOIs will seek responses for a broad range of resource recovery and/or waste disposal services:

- (a) for any one or more resources and/or waste types; and
- (b) for either regional services for all the Councils, or services for one or more of the Councils.

Respondents will be required to submit responses addressing weighted criteria at a sub-regional level (i.e. for all Councils), for any grouping of two or more Councils and for any individual Council, dependant on the scope of the respondent's service offering. Any mandatory criteria will only need to be completed once by each respondent.

The EOIs will be evaluated by an evaluation committee comprising a representative from each Council, and in accordance with LCC's Evaluation and Probity Plan.

Following the EOI process, the Councils will decide whether to:

- (a) invite written tenders from shortlisted EOI respondents to provide regional services for all the Councils;
- (b) invite written tenders from shortlisted EOI respondents to provide regional services for more than one of the Councils;
- (c) proceed to investigate and procure services for their individual local government area; or
- (d) have no further participation in the procurement.

If no viable joint procurement services are identified and the Councils either decide to procure services for their local government areas individually, or simply not to proceed with the procurement, LCC would apply to ACCC for the revocation of any authorisation that has been granted. If joint procurement options are identified for only some of the Councils, LCC (or another Council) would apply to ACCC for a revocation and substitution of any authorisation that had been granted.

If the EOI process identifies one or more resource recovery and/or waste disposal services which will be of benefit to the Councils and in-line with the key objectives and requirements of the Councils, some or all the Councils may first invite shortlisted respondents whose EOIs contained such services to engage in an ETI process.

Through the ETI process, shortlisted respondents will be invited to become familiar with the Councils' requirements and logistical visions for the resource recovery and/or waste disposal services, allowing those shortlisted respondents to provide more detail on their proposal with a view to allowing the Councils to refine their objectives and requirements for the project before proceeding to the tender stage of procurement. Participation in the ETI process will be a condition precedent to submission of a tender.

The contract

The parties will determine the contracting method to be implemented for the services following the ETI process depending on the services that the parties determine to proceed with. A bespoke, performance-based contract will be prepared for the delivery of the chosen services.

If some or all Councils decide to invite written tenders, any RFT will contain:

- (a) details of the proposed resource recovery and/or waste disposal services;
- (b) the terms and conditions of the bespoke contract to be entered into with the successful tenderer/s for the implementation and delivery of the services;
- (c) the specification and other plans and documentation generated through the ETI process (if any); and
- (d) pre-determined evaluation criteria.

Tenders will be evaluated by an evaluation committee comprising a representative from each participating Council against pre-determined evaluation criteria included within the RFT and based on sound contracting principles.

The participating Councils will together negotiate and enter into a contract(s) with the successful tenderer(s).

3.2 Relevant provisions of the Competition and Consumer Act 2010 (Cth)

The relevant provisions of the *Competition and Consumer Act 2010* (Cth) which might apply to the proposed conduct are:

- (a) sections 45AF, 45AG, 45AJ and 45AK in relation to cartels;
- (b) sections 45(1)(a) and (b) in relation to anticompetitive agreements; and
- (c) section 45(1)(c) in relation to concerted practices.

3.3 Rationale

The Councils are each involved in the management of waste in their respective local government areas and recognise that some existing methods of waste processing and disposal including landfill disposal may not be sustainable in the long term. Each Council is currently utilising a combination of landfill, recyclable processing and materials recovery facilities for resource recovery and disposal.

At the Council of Mayors Waste Working Group on 22 June 2018 it was identified that both LCC and ICC had resolved to embark on a similar procurement process for future resource recovery and waste disposal services.

Subsequently, several other South East Queensland Councils were identified based on geographical location (neighbouring Logan) which were interested in a joint approach to waste management solutions. As a result, the sub-regional waste alliance was formed to investigate joint procurement options. Each Council recognises and accepts that to encourage potentially innovative and viable waste management solutions for the future, long-term secured access to volumes of waste that are greater than that available from a single Council is necessary for commercial investment, and a regional procurement approach provides such an opportunity.

The Councils wish to:

- (a) identify and potentially procure medium to long term treatment and/or disposal services for waste; and
- (b) be positioned to benefit from and respond to developments in Queensland's new resource recovery and waste strategy (announced March 2018) and associated regulatory frameworks and local industry developments. Notably, the recently announced landfill levy (to be introduced from 1 July 2019) may provide direct or indirect incentives for resource recovery projects.

The Councils believe that it is in their interests and their communities' interests to investigate a regional approach to waste treatment and disposal, consider alternative waste treatment

technologies and solutions, including energy from waste solutions, and derive the benefits from collective waste volumes.

The invitation for EOIs will offer combined resource and/or waste volumes from more than one Council to determine whether any resource recovery and/or waste disposal services exist in the market which will be sustainable, affordable and beneficial to the Councils as a sub-region, which may not otherwise be accessible to individual Councils. Notwithstanding that, the invitation for EOIs will also include the option for proponents to submit an EOI for resource recovery and/or waste disposal services for individual Councils.

3.4 Term

As currently planned, Councils intend on finalising the procurement process and entering into a contract(s) with the successful tenderer(s) by the end of 2020. A potential contract term of up to 30 years may be required for any larger accepted solution to attain the level of investment required from a service provider. Therefore, LCC seeks authorisation be granted to 31 December 2050.

4. Relevant documents for assessing or making decision

The relevant documents which evidence the rationale behind the decision to engage in the joint procurement are listed below and annexed at the annexure indicated below.

| Document | Annexure |
|--|----------|
| Heads of Agreement between Councils | A |
| Procurement Plan (timings subject to change) | B |
| Council Resolutions | C |

5. Names or classes of persons directly impacted

The persons who will be directly impacted by the proposed joint procurement are the current resource recovery and/or waste disposal service providers of each Council. However, any current provider to any of the Councils will not be precluded from participating in the joint procurement exercise.

The joint procurement is likely to bring an increased interest from national and/or international service providers with experience and capacity in delivering alternative waste solutions.

The current service providers are listed at section 12.1.

Market information and concentration

6. Services, geographic areas and any overlaps

6.1 Geographic areas

The Councils are responsible for and deliver waste management services within their local government areas – there is no overlap with any other Council in terms of the area in which the services are provided.

Each Council is within the South East Queensland region and is adjacent to one or more of the participating Councils.

Annexure D contains a map of the 2018 Local Government Area Boundaries, with each of the participating Councils highlighted for ease of reference.

6.2 Services

The types of resource recovery and waste disposal services would be similar, if not the same, for each Council. In most cases, the Councils outsource the services to service providers.

The specific composition and components of the broad categories of resources and wastes identified in Section 3.1 include the following:

- (a) *Residual waste* –
 - (i) kerbside collected domestic;
 - (ii) domestic self-haul; and
 - (iii) commercial self-haul.
- (b) *Recyclable waste* –
 - (i) kerbside collected co-mingled recyclables inclusive of paper, cardboard, plastic containers and bottles, glass bottles and jars, aluminium cans and steel cans;
 - (ii) paper/cardboard;
 - (iii) HDPE;
 - (iv) PET;
 - (v) mixed plastics;
 - (vi) ferrous metals/steel;
 - (vii) non-ferrous metals/aluminium;
 - (viii) e-waste;
 - (ix) gas bottles;
 - (x) concrete/bricks;
 - (xi) reusable household items (e.g. items typically able to be sold as second-hand goods but that are not on-sold at existing tip shops).
- (c) *Organic waste* –
 - (i) garden waste;
 - (ii) food waste; and

- (iii) untreated timber.
- (d) *Regulated waste* –
 - (i) treated timber;
 - (ii) tyres;
 - (iii) batteries;
 - (iv) vegetable oil;
 - (v) mineral Oil;
 - (vi) asbestos;
 - (vii) hazardous waste chemicals; and
 - (viii) fluorescent tubes.
- (e) *Problematic waste* –
 - (i) polystyrene;
 - (ii) mattresses;
 - (iii) solar panels; and
 - (iv) Agricultural plastic sheeting.

Types of waste specifically excluded from the services being sought are paint and clinical waste.

Annexure E contains a table identifying each Council's current waste streams and who provides the resource recovery or waste disposal service.

7. Relevant industry

The relevant industry is the resource recovery and/or waste disposal services industry in the South East Queensland region. Usually Councils outsource delivery of services to service providers, as outlined in section 6. The delivery of these services is multifaceted in terms of supply chain and may include:

- (a) subcontractors of the service providers who may deliver certain aspects of the services;
- (b) consultants engaged for design of resource recovery and waste disposal services;
- (c) manufacturers of the products and equipment used in resource recovery and waste disposal services;
- (d) construction contractors for any potential resource recovery and waste services facilities; and
- (e) the service providers for the collection and/or transport of waste, and the operators of waste transfer stations (which will feed into the resource recovery and/or waste disposal services).

8. Estimated market shares of overlapping services

In South East Queensland (SEQ), the total amount of municipal solid waste generated in 2016-17 was 2,128,666 tonnes. This SEQ total was calculated from the Recycling and Waste in Queensland 2017 report (available at <https://environment.des.qld.gov.au/waste/pdf/recycling-waste-qld-2017-report.pdf>) using the following volumes in tonnes:

| | |
|--|------------------|
| “Amount of headline waste landfilled or incinerated” | 1,361,314 |
| “Paper and packaging collected by local governments” | 251,860 |
| “Amounts of other selected wastes sent for recovery by local governments (excl. asphalt and tip shop sales)” | 515,492 |
| Total | 2,128,666 |

The combined amount of municipal solid waste generated in the Councils participating in this procurement is 448,781* tonnes which represents approximately 21% of the total SEQ amount. This is broken down for each participating Council area as follows:

| Council | Tonnes (2016/17)* | Approx. % of SEQ waste |
|------------------------------------|--------------------------|-------------------------------|
| Ipswich City Council | 108,546 | 5.10% |
| Logan City Council | 188,490 | 8.85% |
| Redland City Council | 109,967 | 5.17% |
| Lockyer Valley Regional Council | 26,690 | 1.25% |
| Somerset Regional Council | 15,088 | 0.71% |
| Total sub-regional alliance | 448,781 | 21.08% |

*These figures are collated from waste data provided by each of the Councils.

9. Competitive restraints

9.1 Existing or potential competitors

The Councils that form the sub-regional alliance, as well as the other Councils in the South East Queensland area, and/or more broadly within Queensland, may be considered to be each other’s competitors in the procurement of resources recovery and/or waste disposal services.

9.2 Likelihood of entry by new competitors

There is very limited likelihood of entry to the market by new local governments, given the local government areas are stipulated by legislation.

There is a strong likelihood that the proposed joint procurement may result in invigorated interest in provision of the resource recovery and/or waste disposal services by existing and new service providers. This interest will be aided by the Queensland State Government incentives currently available via the Resource Recovery Industry Development Program.

9.3 Countervailing power of service providers

As local governments, the Councils are responsible for the delivery of resource recovery and/or waste disposal services as part of the ‘good rule and local government’ for their respective local government areas and waste management is considered an essential service delivered by Councils. Therefore, the Councils are constrained by:

- (a) the nature of the services they procure - being essential services to their communities; and
- (b) the nature of the organisations they are - being government bodies constituted and governed by legislation, and subject to intense public scrutiny.

In these circumstances, the service providers generally hold the power in tendering for and negotiating contracts for the delivery of resource recovery and/or waste disposal services.

9.4 Other relevant factors

In seeking the delivery of resource recovery and waste disposal services, the Councils are mindful that opportunities to identify innovative and technologically advanced options are most likely to be available if the services are procured jointly. Jointly procuring the services offers combined waste volumes to the market which would not be available at an individual Council level. Innovative and technologically advanced options would likely provide environmental and community benefits and align with the objectives of the Queensland Government's proposed new resource recovery and waste strategy.

Public benefit

10. Benefit to the public

The joint procurement of resource recovery and/or waste disposal services are likely to result in many benefits to the public, the most important of those are set out below. Any cost savings or efficiencies realised by Councils would have a direct public benefit given that the Councils act in the best interests of and to the benefit of their communities.

10.1 Procurement process and contract management efficiencies

By conducting a joint procurement for resource recovery and/or waste disposal services, there may be cost savings in the procurement process and ongoing through contract management of any eventual contract(s). If the procurement of these services was conducted by each individual Council, each Council would incur the costs of:

- (a) preparing and advertising the invitation for EOIs (and eventual tenders);
- (b) negotiating any eventual contract; and
- (c) managing the delivery of the contract over the life of the contract,

rather than sharing those costs in a joint procurement.

These costs can be significant, particularly due to the time and resources required by Councils, and the costs of expert advice that is usually required for probity, legal and technical issues. Further, the Councils bring a combined knowledge base to the joint procurement which would not otherwise be accessible individually.

10.2 Environmental benefits

The Councils are hopeful that the joint procurement will elicit responses that include innovative alternate solutions for resource recovery and waste disposal. One of the key drivers in the EOI process is to derive greater regional environmental benefits for the respective Council communities including a reduction in waste to landfill and an increase in materials being recovered and reused (and therefore a reduction in the use of virgin and new materials in manufacturing). The Councils have developed evaluation criteria for the invitation for EOIs, both mandatory and weighted, whereby environmental benefits will be carefully considered and accounted for in the decision-making.

The joint procurement and any eventual contract could also result in a market led project in Queensland for innovative waste disposal. This would align with developments in Queensland's waste strategy where there is a strong and clear policy direction for landfill diversion and incentivising alternative and innovative waste solutions including exploring developments in waste to energy options (see 'Transforming Queensland's Recycling and Waste Industry, Directions Paper' available at:

https://www.qld.gov.au/_data/assets/pdf_file/0021/69060/transforming-qls-recycling-waste-industry-directions-paper.pdf).

10.3 Increase in competition

The waste volumes, contract size and contract length are likely to bring new interest from service providers who would not have otherwise been in the market, and create more competition between prospective service providers. The volumes of waste that each Council produces individually are insufficient to attract the broadest range of competitive service offerings that require relatively large volumes of waste to make them viable. With the combined waste volumes,

Councils will have an increased bargaining power which should drive more quality service offerings, and at the same time, provide more confidence and certainty to the market to deliver competitive price offerings.

Notwithstanding that, the invitation for EOIs is planned to be as broad as possible, and will invite submissions for any one or more resources and/or waste types for any one or more Councils in a way that no service providers will be excluded from responding regardless of their size or capacity. The responses will be evaluated on their merit and in accordance with the evaluation criteria regardless of the size of the service offering.

10.4 Securing long-term investment in the region

The Councils' collective volumes of waste coupled with the expected long-term contract(s) should result in genuine long-term investment in the South East Queensland region. As Councils are required to provide waste management services to their communities, the Councils are in a position to offer long-term security of waste feedstock volumes with relatively low risk of supply issues, to commercial investors. As such, the Councils are able to send a clear market signal to long-term investors, that that will stimulate new infrastructure development and a new resource recovery market that has beneficial flow-on effects for the wider economy.

Public detriment

11. Detriment to the public (including likely competitive effects)

The perceived detriment of the proposed joint procurement may be a decrease in supplier competition by excluding or limiting the potential suppliers of resource recovery and/or waste disposal services to the Councils and more broadly in the South East Queensland area where a regional solution was selected. However, the Councils do not foresee any actual detriment to the public from the proposed joint procurement of services, or if there was detriment that it would be negligible or off-set by the public benefit.

The Councils consider it in the public's interest that there be a joint procurement for these services due to the likely benefits to the public as outlined in section 10 above. Further, the Councils consider that there is no real risk of a decrease in competition as the purpose of jointly procuring is not to exclude or limit competition (see section 11.1), but rather to increase the competition for the service delivery and in doing so, creating new markets (see section 11.2).

It is the Councils' intention, responsibility and motivation to ensure that the result of the joint procurement has a net public benefit in terms of stimulating the market for competitive outcomes, rather than inhibit and limit the options for the Councils.

11.1 No exclusion or limitation

The Councils have developed a flexible and non-prescriptive invitation for EOIs whereby service providers may select the Council areas to service, whether it be subregional (to all Councils) or any number of the Council areas. In doing so, there are no expected preclusions for service providers in the joint procurement process owing to the ability to provide services for one or more waste stream for one or more Council areas.

The Councils' procurement may result in more than one service provider being procured and will most likely result in contracts that are of different contract periods. As such, there will be many opportunities available to resolve some of the waste management issues that Councils are currently facing, such as the highly limited options for comingled recycling processing services in South East Queensland.

Further, given the Councils only make up approximately 21% of the South East Queensland local government waste services market, there are still adequate avenues for service providers to continue to deliver usual services for resource recovery and/or waste disposal even if not successful in tendering through the joint procurement.

11.2 Creation of new markets

The Councils are optimistic that the joint procurement will stimulate new markets in South East Queensland, particularly in the resource recovery sector, whereby new businesses will be able to be established and potentially expand into other areas in the Australian market.

The current waste market in Queensland is in a process of transformation with the State Government legislation and strategy changing and a waste levy to be introduced from July 2019. It is expected that whilst the Councils are inviting potentially large-scale regional waste solution/s, there are still opportunities for other micro solutions that can be duplicated across the region that provide both economic, social and environmental benefit. The Councils consider this procurement as a first step in being able to transform the way councils currently manage waste which is proving to be unsustainable as it stands.

Contact details of relevant market participants

12. Key contacts

12.1 Current service providers

| | |
|--|--|
| Cleanaway Level 4, 441 St Kilda Road, Melbourne, Metro Vic (South East) VIC 3004 Tel: 13 13 39 | Wood Mulching Industries PO Box 671, Mudgeeraba QLD 4213 Tel: 07 5596 2648 |
| Visy Level 11, 2 Southbank Boulevard, Southbank VIC 3006 Tel: 13 84 79 | McKenzie Bulk Haulage 18 Chetwynd St Loganholme QLD 4129 Tel: 3801 2333 Email: admin@scraphaul.net.au |
| S & J Australian Scrap Tyre Disposals PO Box 43, Beenleigh QLD 4207 Tel: 07 3200 3800 or 0418 788 249 | Action Metal Recyclers 2145 Ipswich Road, Oxley QLD 4075 Tel: 07 3379 3444 Email: sales@actionmetal.com.au |
| MRI (Aust) Pty Ltd PO Box 433, Somerton Business Centre VIC 3061 Tel: 1300 439 278 Email: mri@mri.com.au | Anuha 10 East Street, Gatton QLD 4343 Tel: 07 5462 3272 Email: admin@anuha.com.au |
| Veolia Level 21, 127 Creek St, Brisbane QLD 4000 Tel: 07 3275 0111 | Remondis 69 Grindle Road, Rocklea QLD 4106 info@remondis.com.au Ph 07 3715 1500 |
| Orora 109 Burwood Road, Hawthorn VIC 3122 Tel: 03 9811 7111 | NuGrow Building 5, 22 Magnolia Drive, Brookwater QLD 4300 Tel: 07 3294 1371 Email: sustainability@nugrow.com.au |
| Sims Group Holdings Level 2, 32-34 Lord Street, Botany NSW 2019 Tel: 02 8113 1600 | Shelldust Pty Ltd (T/A My Local Recycler) 41-43 Beaudesert Rd Morrooka QLD 4105 Tel: 0417 752 711 Email: mylocalrecycler@gmail.com |
| Brisbane City Council GPO Box 1434, Brisbane QLD 4001 Tel: 07 3403 888 | Lockyer Bins 65 Jensens Swamp Rd, Tarampa QLD 4311 Tel: 07 5426 1256 |
| Toxfree Australia Tel: 1300 869 373 | Iolar 6/37 Veronica Street, Capalaba QLD 4157 Tel: 0417 246 969 |

| | |
|--|---|
| Email: info@toxfree.com.au | Email: contact@iolar.com.au |
| Polystyrene Recycling Queensland 105B Colebard St West, Acacia Ridge QLD 4110 Tel: 07 3216 7764 | Nationwide Oil Pty Ltd Potassim Street, Narangba QLD 4504 Tel: 07 3204 0822 |
| ARG Trees Unit 1, 32 Enterprise Street, Cleveland QLD Tel: 07 3286 1500 Email: admin@argtrees.com.au | BMI Group PO Box 2117, Fortitude Valley QLD 4006 Tel: 07 3254 2933 Email: info@bmigroup.com.au |
| CDS Recycling PO Box 1171, Eagle Farm QLD 4009 Tel: 07 3268 1828 Email: info@cds.com.au | Aarjay Cylinder Testing & LPG Recycling 6 Saleyard Road, Gatton QLD 4343 Tel: 0413 830 803 or 0408 602 262 Email: aarjay@7mail.com |
| Carbon Collectors Tel: 0400 832 469 Email: jonmorgan@carboncollectors.com.au | Sunstate Recycling 33 Vaux Street, Laidley QLD 4341 Tel: 07 5465 1006 |
| Planet Ark | |

12.2 Industry groups and Government departments

| | |
|--|--|
| Waste & Recycling Industry of Queensland PO Box 1335, Oxley QLD 4075 Email: admin@wriq.com.au | Waste Management and Resource Recovery Association of Australia Suite 4.08, 10 Century Cct, Baulkham Hills NSW 2153 Tel: 02 8746 5000 Email: info@wmrr.asn.au |
| National Waste and Recycling Industry Council | Local Government Association of Queensland PO Box 2230, Fortitude Valley BC QLD 4006 Tel: 07 3252 4473 Email: ask@lgaq.asn.au |
| Queensland Government Department of Local Government, Racing and Multicultural Affairs PO Box 15009, City East QLD 4002 Tel: 07 3452 6762 Email: southern@dlgrma.qld.gov.au | Queensland Government Department of Environment and Science GPO Box 2454, Brisbane QLD 4001 Tel: 13 74 68 Email: info@des.qld.gov.au |
| Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning PO Box 15009, City East QLD 4002 Tel: 0734527100 Email: info@dsmip.qld.gov.au | Council of Mayors – South-East Queensland Suncorp Plaza, 12/143 Turbot St, Brisbane City QLD 4000 Tel: (07) 3040 3460 |

12.3 Potential participants in the procurement

All of the current service providers listed in section 12.1, as well as potentially the organisations listed below and other social enterprise businesses:

| | |
|--|---|
| <p>SKM 94 Maffra Street, Coolaroo VIC 3048 info@skmrecycling.com Tel: 03 9309 8244</p> | <p>SUEZ PO Box 3500, Rhodes NSW 2138 corporateaffairs@suez.env.com.au Tel: 02 8754 0000</p> |
| <p>Polytrade Recycling Tel: 03 8792 0600 Email: ptmrf@polytrade.com.au</p> | <p>Veolia Tel: 132 955</p> |
| <p>Hitachi Zosen Inova Tel: +41 44 277 11 11 Email: info@hz-inova.com</p> | <p>Martin GmbH Tel: +49 89 356 17-0 Email: mail@martingmbh.de</p> |
| <p>Substation 33 31 Mary Street, Kingston QLD 4114 Tel: 07 3826 1533 Email: info@substation33.com.au</p> | |

12.4 Adjacent councils

The councils adjacent to the participating Councils (listed below) are aware of this proposed joint procurement process. The Councils which are parties to this application are those who expressed interest in participating in the sub-regional alliance.

| | |
|---|---|
| <p>Brisbane City Council GPO Box 1434, Brisbane QLD 4001 Tel: 07 3403 888</p> | <p>Gold Coast City Council PO Box 5042, GCMC QLD 9726 Tel: 07 5582 8211 Email: mail@goldcoast.qld.gov.au</p> |
| <p>Scenic Rim Regional Council PO Box 25, Beaudesert QLD 4285 Tel: 07 5540 5111 Email: mail@scenicrim.qld.gov.au</p> | |

Annexure A

Executed Heads of Agreement

Annexure to Application for Authorisation

South East Queensland Sub-Regional Waste Alliance

PUBLIC

Restriction of Publication of Part Claimed

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A handwritten signature or mark, possibly a stylized 'R' or 'L', is written in black ink over the word 'Publication' in the red text above.

Annexure B

Procurement Plan

Annexure to Application for Authorisation

South East Queensland Sub-Regional Waste Alliance

PUBLIC

Restriction of Publication of Part Claimed

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Annexure C

Council Resolutions

Annexure to Application for Authorisation

South East Queensland Sub-Regional Waste Alliance

Logan City Council

Memorandum of Council Decision

To: ➤ Health, Environment & Waste Manager
Corporate Governance Manager

Copy to: ➤ (For your information)
Manager's Support Officer

From: ➤ Acting Chief Executive Officer

Date: ➤ 15 November 2018

File: ➤ 1079087-1

Subject: ➤ **WASTE DISPOSAL**
➤ City Parks, Animals, Environment & Waste Committee, Item No PA3 of
7 November 2018

The following resolution was adopted by Council at its meeting of 13 November 2018, Minute No 354/2018:

1. ***That Council resolves in accordance with section 228 2(b) of the Local Government Regulation 2012 to invite Expressions of Interest for the provision of waste disposal services, including the use of alternative waste disposal and recycling technologies, to service the needs of the Logan City Council area, or as part of a regional arrangement, joint government entity or joint local government with other Councils in South East Queensland.***
2. ***That Council records its reasons for making the resolution, as detailed in Clause 1 above, as follows:***
 - (a) ***A regional waste management solution may make alternative waste technologies feasible and economical where those technologies would not otherwise be viable options for Council due to the volume of waste disposed of by Council each year;***
 - (b) ***A regional waste management solution may enable Council to implement an advanced solution to waste disposal not seen before in Queensland or Australia and be at the forefront of advanced alternative waste technology in Australia;***
 - (c) ***Logan City Council and the SEQ-West region of councils are each involved in the management of residual waste in their respective local government area;***
 - (d) ***Logan City Council recognises that some existing methods of waste treatment and disposal including landfill disposal may not be sustainable in the long term;***
 - (e) ***Logan City Council wishes to identify and potentially procure medium to long term treatment and/or disposal solution(s) for residual waste under their management;***
 - (f) ***Logan City Council wishes to be positioned to benefit from and respond to developments in Queensland's new Waste Strategy and associated regulatory frameworks and local industry developments. Notably, the recently announced landfill levy (to be introduced in March 2019) may provide direct or indirect incentives for resource recovery projects; and***

-
- (g) *Logan City Council believes that it is in its interests and its community's interests to investigate a regional approach to waste treatment and disposal, consider alternative waste treatment technologies and solutions, including energy from waste solutions, and derive the benefits from greater waste volumes.*
3. *That the Health, Environment & Waste Manager be delegated the authority to execute any agreements between councils participating in the Expression of Interest process, as detailed in Clause 1 above.*
 4. *That the Health, Environment & Waste Manager be requested to submit a report to a future Parks, Animals, Environment & Waste Committee meeting detailing the outcomes of the Expressions of Interest, as detailed in Clause 1 above.*
 5. *That, at the discretion of the Health, Environment & Waste Manager, the Corporate Governance Manager be requested to place the confidential report of the Health, Environment & Waste Manager dated 21 September 2018 (Id: 12297839) and associated background papers into the public records.*

ACTION TO BE UNDERTAKEN

Health, Environment & Waste Manager

Would you please take appropriate action in accordance with Clauses 1 to 3 and prepare a report in accordance with Clause 4 of Council's resolution.

Corporate Governance Manager

Would you please take appropriate action in accordance with Clause 5 of Council's resolution.

for Silvio Trinca
ACTING CHIEF EXECUTIVE OFFICER

Ipswich City Council

ENVIRONMENT COMMITTEE NO. 2018(02)

27 NOVEMBER 2018

REPORT

MEMBER'S ATTENDANCE:

Greg Chemello (Interim Administrator)

**INTERIM MANAGEMENT
COMMITTEE ATTENDANCE:**

Jan Taylor, Simone Webbe, Stan Gallo, Robert Jones and
Steve Greenwood

RECOMMENDATION

6. EXPRESSION OF INTEREST WASTE MANAGEMENT AND RECYCLING SERVICES

With reference to a report by the Chief Operating Officer (Works Parks and Recreation) dated 11 November 2018 concerning the preparation of a tender consideration plan (TCP) under section 230 of the *Local Government Regulation 2012*.

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

- A. That a Tender Consideration Plan be prepared, in accordance with 230(1)(a) of the *Local Government Regulation 2012*, for the purpose of accessing shortlisted submissions received via a statutory expression of interest within a sub-regional alliance arrangement using a Single Council Approach and led by another Local Government within the alliance.
- B. That the Tender Consideration Plan set out in Confidential Attachment A to the report by the Chief Operating Officer (Works Parks and Recreation) dated 11 November 2018, in accordance with section 230(1)(b) of the *Local Government Regulation 2012*, for the purpose of accessing shortlisted submissions received via a statutory expression of interest within a sub-regional alliance arrangement using a Single Council Approach and led by another Local Government within the alliance, be adopted.

The Interim Management Committee commented that the report didn't reflect the verbal presentation made to the committee in dealing with the various waste streams; the officer's verbal advice would have been useful to also have been included in the written report.

The Interim Administrator requested the Council media team to prepare a media release to accurately convey the context of the proposal to the community, as per the officer's verbal advice.

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting opened at 10.35 am.

The meeting closed at 11.06 am.

PUBLIC
27 NOVEMBER 2018

ENVIRONMENT COMMITTEE NO. 2018(02)

NOTES

WORKS, PARKS AND SPORT COMMITTEE NO. 2018(10)

9 OCTOBER 2018

REPORT

MEMBER'S ATTENDANCE: Greg Chemello (Interim Administrator)

**INTERIM MANAGEMENT
COMMITTEE ATTENDANCE:** Jan Taylor, Simone Webbe, Stan Gallo, Robert Jones,
Steve Greenwood and Nicholas Wilson (Observer)

PUBLIC
9 OCTOBER 2018

WORKS, PARKS AND SPORT COMMITTEE NO. 2018(10)

RECOMMENDATION

| | |
|--|--|
| | |
| | |
| | |
| | |
| | |
| | |

5. SOUTH-EAST QUEENSLAND SUB-REGIONAL WASTE AND RESOURCE RECOVERY ALLIANCE – HEADS OF AGREEMENT

With reference to a report by the Coordinator (Sustainability) dated 21 September 2018 concerning Ipswich City Council coordinating and leading the formation of a South-East Queensland sub-regional waste and resource recovery alliance ('the sub-regional alliance') for the purpose of undertaking an expression of interest (EOI).

RECOMMENDATION

That the Interim Administrator of Ipswich City Council resolve:

- A. That Council enter into a sub-regional alliance Heads of Agreement generally as outlined in Attachment B to the report of the Coordinator (Sustainability) dated 21 September 2018.
- B. That the Chief Executive Officer be authorised to finalise and execute the Heads of Agreement, noting that the finalisation involves negotiation of the final wording amongst participating Councils.

The Interim Administrator and Interim Management Committee members discussed that the final wording of the Heads of Agreement would be subject to negotiation with other councils, and the need to allow some flexibility for council in negotiations.

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting opened at 9.08 am.

The meeting closed at 9.34 am.

Redland City Council

19.8 OPPORTUNITY TO PARTICIPATE IN A JOINT LOCAL GOVERNMENT ACTIVITY - REGIONAL APPROACH TO WASTE AND RESOURCE MANAGEMENT**COUNCIL RESOLUTION 2018/266**

Moved by: Cr Peter Mitchell

Seconded by: Cr Mark Edwards

That Council resolves as follows:

1. In accordance with section 228 2(b) of the *Local Government Regulation 2012* to invite Expressions of Interest for the provision of waste disposal services, including the use of alternative waste disposal and recycling technologies, to service the needs of the Redland City Council (Council) Local Government Area, or as part of a regional arrangement, joint government entity or joint local government with other Councils in South East Queensland.
2. To record its reasons for making the resolution, as detailed in Clause 1 above, as follows:
 - a) A regional waste management solution may make alternative waste technologies feasible and economical where those technologies would not otherwise be viable options for Council due to the relatively small volume of waste disposed of by Council each year;
 - b) A regional waste management solution may enable Council to implement an advanced solution to waste disposal not seen before in Queensland or Australia and be at the forefront of advanced alternative waste technology in Australia;
 - c) Redland City Council and the SEQ-West region of councils are each involved in the management of recyclables and residual waste in their respective local government area;
 - d) Redland City Council recognises that some existing methods of waste treatment and disposal including landfill disposal may not be sustainable in the long term;
 - e) Redland City Council wishes to understand and compare all available options for long term treatment and/or disposal solution(s) for residual waste under their management;
 - f) Redland City Council wishes to be positioned to benefit from and respond to developments in Queensland's new Waste Strategy and associated regulatory frameworks and local industry developments. Notably, the recently announced landfill levy (to be introduced in July 2019) may provide direct or indirect incentives for resource recovery projects; and
 - g) Redland City Council believes that it is in its interests and its community's interests to investigate a regional approach to waste treatment and disposal, consider alternative waste treatment technologies and solutions, including energy from waste solutions, and derive the benefits from greater waste volumes. Noting that this investigation opportunity does not preclude RCC from pursuing or participating in other market based waste collection and disposal service delivery options and/or maintaining an active engagement with BCC, to understand future waste disposal contract opportunities and costs that may be offered by BCC.

3. To delegate to the Chief Executive Officer under s.257 (1)(b) of the *Local Government Act 2009*, the authority to prepare and adopt a Tender Consideration Plan in accordance with section 230 of the Local Government Regulation 2012 outlining how Redland City Council can proceed to implement a local solution if required following the EOI process;
4. To delegate to the Chief Executive Officer under s.257 (1)(b) of the *Local Government Act 2009*, the authority to execute any agreements between councils participating in the Expression of Interest process, as detailed in Clauses 1 and 3 above; and
5. The Group Manager Water and Waste Infrastructure be requested to submit a report to a future meeting detailing the outcomes of the Expressions of Interest, as detailed in Clause 1 and 3 above.

CARRIED 10/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Cr Paul Gleeson was not present when the motion was put.

19.8 OPPORTUNITY TO PARTICIPATE IN A JOINT LOCAL GOVERNMENT ACTIVITY - REGIONAL APPROACH TO WASTE AND RESOURCE MANAGEMENT**COUNCIL RESOLUTION 2018/266**

Moved by: Cr Peter Mitchell

Seconded by: Cr Mark Edwards

That Council resolves as follows:

1. In accordance with section 228 2(b) of the *Local Government Regulation 2012* to invite Expressions of Interest for the provision of waste disposal services, including the use of alternative waste disposal and recycling technologies, to service the needs of the Redland City Council (Council) Local Government Area, or as part of a regional arrangement, joint government entity or joint local government with other Councils in South East Queensland.
2. To record its reasons for making the resolution, as detailed in Clause 1 above, as follows:
 - a) A regional waste management solution may make alternative waste technologies feasible and economical where those technologies would not otherwise be viable options for Council due to the relatively small volume of waste disposed of by Council each year;
 - b) A regional waste management solution may enable Council to implement an advanced solution to waste disposal not seen before in Queensland or Australia and be at the forefront of advanced alternative waste technology in Australia;
 - c) Redland City Council and the SEQ-West region of councils are each involved in the management of recyclables and residual waste in their respective local government area;
 - d) Redland City Council recognises that some existing methods of waste treatment and disposal including landfill disposal may not be sustainable in the long term;
 - e) Redland City Council wishes to understand and compare all available options for long term treatment and/or disposal solution(s) for residual waste under their management;
 - f) Redland City Council wishes to be positioned to benefit from and respond to developments in Queensland's new Waste Strategy and associated regulatory frameworks and local industry developments. Notably, the recently announced landfill levy (to be introduced in July 2019) may provide direct or indirect incentives for resource recovery projects; and
 - g) Redland City Council believes that it is in its interests and its community's interests to investigate a regional approach to waste treatment and disposal, consider alternative waste treatment technologies and solutions, including energy from waste solutions, and derive the benefits from greater waste volumes. Noting that this investigation opportunity does not preclude RCC from pursuing or participating in other market based waste collection and disposal service delivery options and/or maintaining an active engagement with BCC, to understand future waste disposal contract opportunities and costs that may be offered by BCC.

3. To delegate to the Chief Executive Officer under s.257 (1)(b) of the *Local Government Act 2009*, the authority to prepare and adopt a Tender Consideration Plan in accordance with section 230 of the Local Government Regulation 2012 outlining how Redland City Council can proceed to implement a local solution if required following the EOI process;
4. To delegate to the Chief Executive Officer under s.257 (1)(b) of the *Local Government Act 2009*, the authority to execute any agreements between councils participating in the Expression of Interest process, as detailed in Clauses 1 and 3 above; and
5. The Group Manager Water and Waste Infrastructure be requested to submit a report to a future meeting detailing the outcomes of the Expressions of Interest, as detailed in Clause 1 and 3 above.

CARRIED 10/0

Crs Karen Williams, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Mark Edwards, Julie Talty, Murray Elliott, Tracey Huges and Paul Bishop voted FOR the motion.

Cr Paul Gleeson was not present when the motion was put.

Lockyer Valley Regional Council

TO: MANAGER HEALTH, WASTE AND REGULATORY SERVICES (PETER DRIEMEL)

FOR ACTION

RESOLUTION ITEM 1

12.5 EXPRESSION OF INTEREST – WASTE DISPOSAL AND RESOURCE RECOVERY SERVICES - SOUTH EAST QUEENSLAND – WEST WASTE ALLIANCE GROUP

Target Date: 26/12/2018

Notes:

File Number:

RESOLUTION

THAT Council endorse the actions of the Chief Executive Officer to continue to participate in a regional waste alliance with other Councils in South East Queensland to enable a regional procurement process for waste management and resource recovery services.

Further;

THAT Council invite Expressions of Interest for the provision of waste disposal services, including the use of alternative waste disposal and recycling technologies, to service the needs of the Lockyer Valley Regional Council area, or as part of a joint government activity, joint government entity or joint local government with other Councils in South East Queensland in accordance with Section 228 2(b) of *the Local Government Regulation 2012*.

Further;

THAT Council resolve to prepare a tender consideration plan in accordance with Section 230 (1) and (2) of *the Local Government Regulation 2012*.

And Further;

THAT Council confirm the Manager Health, Waste and Regulatory Services as Council’s representative for the South East Queensland – West Waste Alliance Group.

Moved By: Cr Cook

Seconded By: Cr Hagan

Resolution Number: 16-20/1185

CARRIED

7/0

[Open Item in Minutes](#) [Open Report](#)

ACTION TAKEN BY OFFICER



Somerset Regional Council



**Decision of the
Ordinary Meeting
Wednesday 12 September 2018**

| | |
|------------------------|---|
| Subject: | Participation in South East Queensland (SEQ) West Waste Alliance |
| File Ref: | Waste management - planning - waste reduction strategies |
| Action Officer: | DOPER |

Background/Summary

The Council of Mayors (CoM SEQ) formed the Waste Working Group in June 2018 as a direct result of the impending implementation of the State Waste Levy and the China recycling decision. The Waste Working Group purpose is to develop a collaborative role concerning waste issues facing the region. At the first meeting of the CoM SEQ Waste Working Group the realisation that some member Council's need to respond quickly to waste matters due to the expiry of pending contracts was discussed. Affected Councils proposed to collaborate with neighbouring Council's to determine if efficiencies in waste management might be achievable.

Council has now received a letter from Ipswich City Council (refer to attached) with reference to participating in a regional alliance for waste management, recycling and resource recovery. It is proposed that the Councils of Ipswich, Logan, Lockyer Valley, Somerset and Scenic Rim join forces to participate in a SEQ West Waste Alliance to explore waste management options that could have significant benefit for the South East Regional Councils, particularly leveraging off the current work that each Council is undertaking in waste management and recycling.

The first step of the proposal is for a non-binding heads of agreement document to be prepared for participating Councils. It is expected that the heads of agreement will address items such as; Intent for participation, agreement regarding market testing, the contribution of waste data and agreement on any financial contributions.

Should Council agree in principle to participate in the SEQ West Waste Alliance, representatives from each Council will work together in drafting the heads of agreement by the end of September 2018. In the case of Somerset Regional Council, Council's Director Operations will participate in this working group.

Once the heads of agreement is prepared, Council will be updated on the content of the agreement before moving to the next phase.

Attachments

Letter from Ipswich City Council (to be distributed at Council meeting due to confidential content)

Recommendation

THAT Council agree in principle to participate in the SEQ West Waste Alliance.

| | | |
|------------------|--|-------------------------|
| Decision: | Moved - Cr Hall | Seconded - Cr Brieschke |
| | "THAT Council agree in principle to participate in the SEQ West Waste Alliance." | |

Carried



**Decision of the
Ordinary Meeting
Wednesday 12 December 2018**

| | |
|------------------------|---|
| Subject: | South East Queensland (SEQ) West Waste Alliance - Heads of Agreement |
| File Ref: | Waste management - planning - waste reduction strategies |
| Action Officer: | DOPER |

Background/Summary

At Council Ordinary Meeting on 12 September 2018, the below decision was carried.

“THAT Council agree in principle to participate in the SEQ West Waste Alliance.”

As advised in September, the first step was the preparation of a heads of agreement (HOA) document which has now been prepared for participating Councils. Once this HOA is agreed, the next phase is the calling of an expression of interest (EOI) to investigate and identify possible opportunities for regional waste management solutions. Should Council agree to the HOA, Council is made aware that a financial contribution for legal and technical advice associated with the management of the HOA and the EOI will be incurred. As per the HOA, Somerset contribution is 3% and based on forecast estimates, likely to be in the range of \$6,000 to \$10,000.

Once an assessment of the EOI is complete, a report to Council will be prepared to advise of waste management solutions that Council may wish to consider. Under the HOA, Council is not bound to participate in any potential solutions.

Attachments

Proposed Heads of Agreement (to be distributed to Council separately due to confidential content)

Recommendation

THAT Council authorises the Chief Executive Officer to execute the SEQ West Waste Alliance, Heads of Agreement.

| | | |
|------------------|------------------|-------------------|
| Decision: | Moved - Cr Choat | Seconded - Cr Ogg |
|------------------|------------------|-------------------|

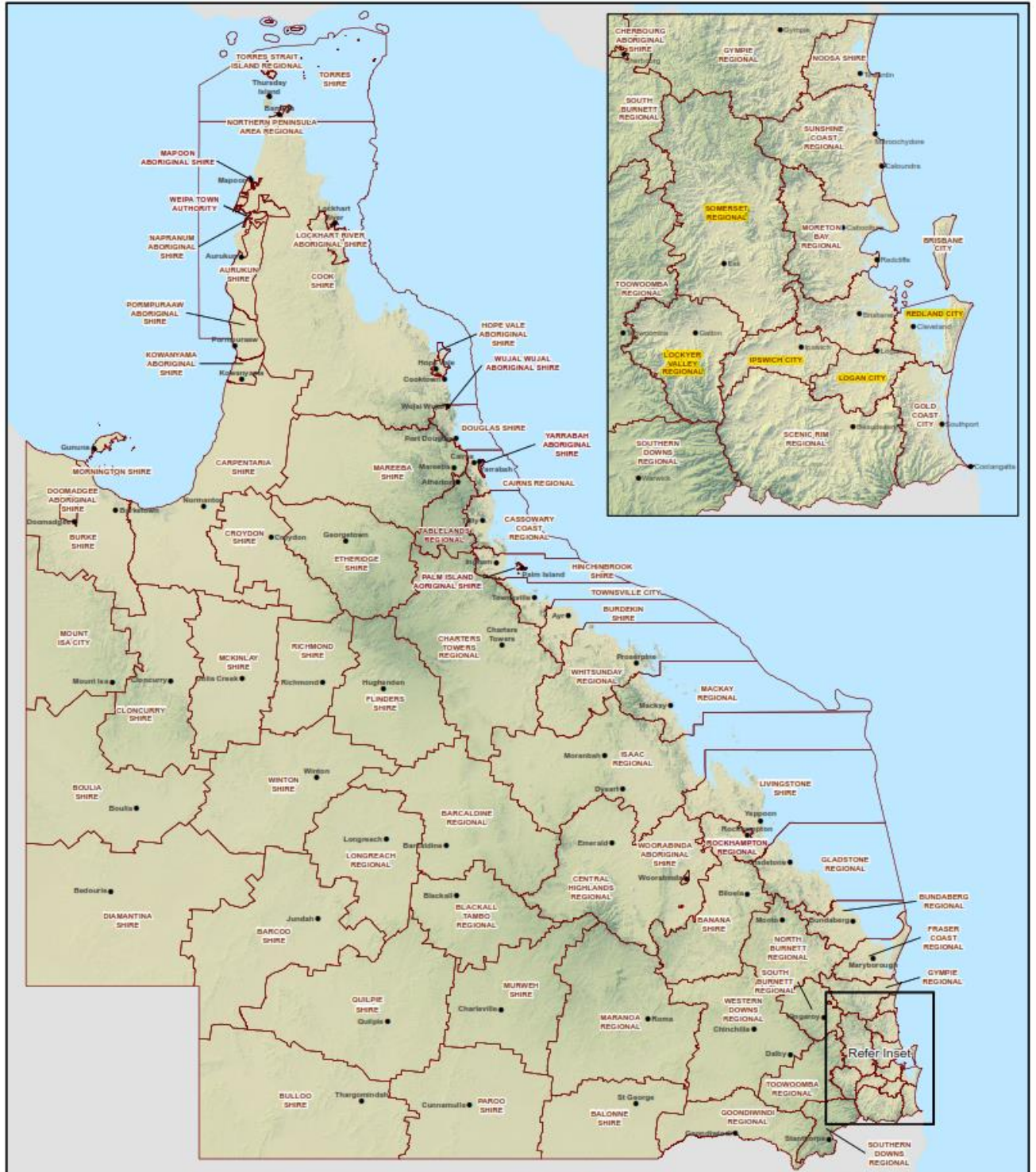
“THAT Council authorises the Chief Executive Officer to execute the SEQ West Waste Alliance, Heads of Agreement.”

Carried

Annexure D

2018 Local Government Area Boundaries

Annexure to Application for Authorisation
South East Queensland Sub-Regional Waste Alliance



Legend
● Population Centres
□ LGA Boundary



2018 Local Government Area Boundaries
Map produced by the Department of State Development, Manufacturing, Infrastructure and Planning
Spatial Services Unit, 29/05/2018

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Map produced by the Department of State Development, Manufacturing, Infrastructure and Planning Spatial Services Unit, 29/05/2018

Queensland Government

Annexure E

Current Service Providers

Annexure to Application for Authorisation

South East Queensland Sub-Regional Waste Alliance

Current service providers of resource recovery and waste disposal services for each Council

| | Service | Service Provider |
|-----------------------------|--|---|
| Logan City Council | Waste disposal (landfill) | [Logan City Council – owns and operates landfill] |
| | Processing commingled recyclables for recycling | Visy |
| | Paper and cardboard recycling | Visy |
| | Removal and processing of green waste for recycling/ reuse | McKenzie Bulk Haulage |
| | Household hazardous waste services (recovered and recycled where possible) | Cleanaway |
| | Removal and processing of scrap tyres for recycling where possible | S&J Australian Scrap Tyre Disposals |
| | Bulk ferrous and non-ferrous metal removal and recycling | Action Metal Recycling |
| | Processing e-waste for recycling where possible | MRI (Aust) Pty Ltd |
| | Processing disposable and rechargeable batteries, fluoros, printer cartridges for recycling where possible | MRI (Aust) Pty Ltd |
| Ipswich City Council | Waste disposal (landfill) | Remondis Cleanaway Veolia |
| | Processing commingled recyclables for recycling | Visy |
| | Paper and cardboard recycling | Orora |
| | Removal and processing of green waste for recycling/ reuse | NuGrow |
| | Removal and processing of scrap tyres for recycling where possible | S&J Australian Scrap Tyre Disposal |
| | Bulk ferrous and non-ferrous metal removal and recycling | Sims Group Holdings |
| | Processing e-waste for recycling where possible | Shelldust |

| | Service | Service Provider |
|--|--|--|
| Redland City Council | Waste disposal (landfill) | Brisbane City Council |
| | Processing commingled recyclables for recycling | Visy Recycling |
| | Paper and cardboard Recycling | Visy Recycling Iolar Services Pty Ltd |
| | Removal and processing of green waste for recycling/ reuse | Wood Mulching Industries Pty Ltd |
| | Household hazardous waste services (recovered and recycled where possible) | Toxfree Australia Pty Ltd |
| | Removal and processing of scrap tyres for recycling where possible | S&J Australian Scrap Tyre Disposals |
| | Bulk ferrous and non-ferrous metal removal and recycling | Sims Group Australia Holdings Ltd |
| | Processing e-waste for recycling where possible | MRI (Aust) Pty Ltd |
| | Collection, Transport and Recycling of Expanded Polystyrene | Polystyrene Recycling Queensland |
| | Collect, Transport and Recycle Waste Mineral Oil and Vegetable Oil | Nationwide Oil Pty Ltd (Cleanaway) |
| Lockyer Valley Regional Council | Waste disposal (landfill) | [Lockyer Valley Regional Council owns landfill] Anuha [operates landfill] |
| | Processing commingled recyclables | Anuha |
| | Relocation and grinding of green waste | ARG Trees |
| | Concrete crushing | BMI Group (trading as BCC) |
| | Bulk ferrous and non-ferrous metal removal and recycling | Sims Scrap Metal |
| | Removal and recycling of scrap tyres | S & J Australian Scrap Tyre |
| | Processing E-waste | CDS Recycling (Certified destruction services) |
| | Removal of gas cylinders | Aarjay Cylinder testing |
| | Removal and recycling of refrigerant gas | Carbon Collectors |

| | Service | Service Provider |
|--|--|--|
| | Removal of batteries | Anuha Sunstate Recycling |
| | Processing of drum muster | Anuha |
| | Collection and recycling waste motor oil | Cleanaway |
| | Processing printer cartridges | Planet Ark |
| | Agricultural tape | Anuha |
| Somerset Regional Council | Waste disposal (landfill) | [Somerset Regional Council – owns and operates landfill] |
| | Processing commingled recyclables | Kaine Diverse Group Pty Ltd (Lockyer Bins) |



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Contact officer: Luke Griffin
Contact phone: 02 6243 1114

14/11/2018

adjudication@acc.gov.au

www.acc.gov.au

Michael Asnicar
Health Environment and Waste Manager
Logan City Council

By email: michaelasnicar@logan.qld.gov.au

Dear Mr Asnicar

Fee waiver request

I refer to your letter of 7 November 2018 to the Australian Competition and Consumer Commission (ACCC) in respect of a proposed application for authorisation. In your letter you have requested that the ACCC grant a fee waiver in respect of the proposed arrangements.

In particular, you have requested that the fee to be paid in relation to an application for authorisation to be lodged by Logan City Council on behalf of itself and a number of councils in South East Queensland (the Councils) be waived.

In support of your request, among other things, you submitted that:

- (a) the proposed conduct is geared towards maximising community benefit
- (b) the Councils seek to achieve best practice environmental outcomes and cost-effectiveness for ratepayers.

We note that the Councils operate on a not-for-profit basis.

Having regard to the above, as a person authorised to assess fee waiver requests for and on behalf of the ACCC, I wish to advise that an application fee of \$2500 will apply with respect to the application for authorisation to be lodged by the Councils.

This decision will remain in force for a period of three months. The three month period will expire on 14 February 2019.

A copy of this letter should accompany the application for authorisation to be lodged by the Councils. The cover letter to the application should mention that a letter from the ACCC regarding a fee waiver is enclosed with the application. The application together with this letter will be placed on the public register at that time.

If the application for authorisation is lodged by the Councils after 14 February 2019, a full application fee of \$7500 will apply, unless you make, and the ACCC approves, another fee waiver.

Should you have any queries in relation to this matter, please do not hesitate to contact Luke Griffin on 02 6243 1114.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Jones', with a stylized flourish above the name.

David Jones
General Manager
Adjudication