



Our ref: AA1000524
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29 July 2020

adjudication@acc.gov.au

Dear Interested Party

www.accc.gov.au

Interested party consultation – Gladstone Regional Council, Rockhampton Regional Council, Livingstone Shire Council and Central Highlands Regional Council - Application for authorisation AA1000524

The Australian Competition and Consumer Commission (the **ACCC**) has received an application for authorisation from Gladstone Regional Council (**GRC**). The ACCC invites you to comment on the application. Included in this letter is a summary of the application and the authorisation process, including how to make a submission to the ACCC.

Application for authorisation

On 22 July 2020, GRC lodged an application for authorisation on behalf of itself, and the local governments of Rockhampton Regional Council, Livingstone Shire Council and Central Highlands Regional Council (the **Participating Councils**) to enable them to engage in the joint/collaborative procurement of recyclables processing services for a period of four years.

GRC seeks authorisation so that the Participating Councils can collaboratively procure the services of Kriaris Transport Pty Ltd and negotiate contractual terms in relation to the following recyclables processing services:

- The collection of all recyclable waste from each Participating Council's nominated transfer location, which may include transfer stations and waste management facilities (excluding Rockhampton Regional Council and Livingstone Shire Council);
- The transport of the recyclable waste from the nominated transfer location to the Material Recovery Facility (excluding Rockhampton Regional Council and Livingstone Shire Council);
- The storage and sorting of all recyclable waste; and
- The subsequent processing, transport, marketing and sale of recyclable waste and disposal of any waste which is not recyclable waste.

A copy of GRC's application for authorisation is enclosed, and available at the [ACCC Public Register](#).

Interim authorisation

GRC has requested interim authorisation to enable collaboration between the Participating Councils before their current contractual arrangements for recyclables processing services end on 31 December 2020.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to GRC's application for authorisation and in relation to interim authorisation, please do so by close of business **14 August 2020**.

Submissions should be emailed to adjudication@acc.gov.au with the subject 'Gladstone Regional Council - AA1000524'.

Alternatively, if you would like to provide comments orally, please contact Simon Bell on 02 6243 1232 to organise a suitable time.

Submissions, including a record of oral submissions, will be placed on the [ACCC Public Register](#) subject to any request for exclusion (see the [ACCC guidelines](#) for more information).

Timetable

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

22 July 2020	Lodgement of application and supporting submission.
29 July 2020	Public consultation process begins.
14 August 2020	Closing date for submissions from interested parties on interim authorisation and the substantive application.
21 August 2020	Applicant responds to issues raised in the public consultation process.
September 2020	ACCC decision regarding interim authorisation and draft determination
September/October 2020	Public consultation on draft determination including any conference if called.
November 2020	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Simon Bell on 02 6243 1232 or adjudication@accc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Staltari'.

Danielle Staltari
Director
Adjudication

List of parties contacted by the ACCC

Kriaris Transport Pty Ltd (ACN 093 090 987)
Office of Resource Recovery, Queensland Department of Environment and Science
Local Government Association of Queensland (LGAQ)
Banana Shire Council
Bundaberg Regional Council – Owner of Bundaberg Material Recovery Facility
Impact Community Service Ltd – Operator of Bundaberg Material Recovery Facility
Re.Group – Owner and Operator of Mackay Material Recovery Facility
Container Exchange
Opal Packaging Pty Ltd
Isaac Regional Council