

AMCOR
AUSTRALASIA

10 November 2003

FILE No:
DOC:
MARS/PRISM:

Mr T Grimwade
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
PO Box 1199
Dickson ACT 2602

Dear Mr Grimwade,

Application for Authorisation No A90886

I refer to your letter of 21 October 2003 to Peter Brown inviting us to comment on the authorisation application lodged by Councils to collectively tender for kerbside waste collection services. Please be advised that I have recently assumed the position of Managing Director Amcor Australasia following Peter Brown's retirement.

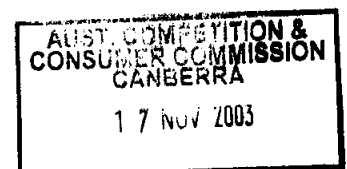
NSW is currently leading Australia in the recovery of dry recyclable materials from residential waste streams. This achievement has been contingent on free market principles that encourage diverse and broadly based systems promoting competitive options for Municipal Councils.

Proposed recovery systems that require considerable capital investment compromise the participation of many small to medium enterprises who have engendered past enthusiasm, innovation, and enhanced competitiveness to the dry recoverable materials market. The potential implication of the proposed authorisation promotes capital intensive systems dominated by fewer, larger enterprises who may have direct interest across collection, sorting, processing, selling, and re-manufacturing market segments resulting in a less competitive environment.

Notwithstanding the above comments, in this instance Amcor Australasia has no objection to the proposed authorisation A90886. We do not believe this particular authorisation being sought by five councils will adversely impact competition or the public interest.

Amcor will find it necessary however, to object should it become a precedence for future similar Applications for Authorisation that potentially contract the number of viable participants, undermine free market principles, and subsequently stifle competitive behaviour.

Amcor Australasia
a Division of Amcor Packaging (Australia) Pty Ltd
ABN 55 004 275 165
Head Office 971-973 Burke Road Camberwell Victoria 3124 Australia
Private Bag 34 Camberwell Victoria 3124 Australia
Tel: 61 3 9811 7111 Fax: 61 3 9811 7171



We would appreciate the opportunity of being consulted on any future applications for collective tender arrangements by local councils. Thank you for the opportunity to comment on this occasion.

Please contact David Brookes on 03 98117150 if you wish to further discuss Amcor's response to the application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Sutton'.

Peter Sutton
Managing Director