



Department of  
Environment and Conservation

FILE No.

LOC:

Our reference:  
Your Reference: C2004/30  
Contact: 02 8837 6060

19 AUG 2004

The General Manager  
Adjudications Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

**Attention: Ms Tania Mayrhofer**

Dear Ms Mayrhofer,

**RE: AUTHORISATION APPLICATION NO. A30231 LODGED BY THE COUNCILS  
OF HORNSBY, HUNTERS HILL, LANE COVE, NORTH SYDNEY, RYDE,  
WILLOUGHBY, MOSMAN AND WARRINGAH**

I refer to your letter of 5 August 2004, which provided a record of the Pre-Decision Conference held on 27 July 2004 in relation to the above application, the Departments participation in the conference and its submission of 19 July 2004.

In terms of the subject application, the Department wishes to reinforce its interested in the environmental outcomes and in particular its potential to contribute to the goals of increased resource recovery and a reduction in the waste disposed of to landfill.

The NSW Waste Avoidance and Resource Recovery Strategy sets ambitious targets for increased recovery of resources from the domestic waste stream and recognises that alternative waste treatment will play an important role in achieving this outcome. The Department therefore wishes to ensure that that any decision to allow an authorisation does not result in a long term landfilling arrangement as this would limit the opportunity for review as alternative waste technology options become increasingly available.

The tender proposed by NSROC Councils will likely put in place contractual arrangements, which will effectively lockup the supply of a significant quantity of waste materials from the participating council areas through a long-term agreement. The Department therefore seeks to ensure that final collective arrangement will make a substantial difference in terms of improved environmental outcomes, and contribute to the increased sustainability of resource

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AUST. COMPETITION &  
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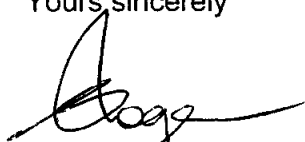
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management in NSW. Given the structure of the tender proposed by the NSROC councils, it is, however, uncertain that the tender process will result in an outcome based on an alternative waste technology solution.

The Department would therefore request that any authorisation, which does not include a requirement for alternative waste treatment as an outcome, be limited to a maximum period of five (5) years. This would allow the option of improved resource recovery to be revisited as technology becomes more established.

Should you require any additional information, or wish to discuss any aspect of this submission, I can be contacted on 02 8837 6060.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Rogers', written over a horizontal line.

**Tim Rogers**  
**Executive Director**