

# Facsimile

# City of Ryde

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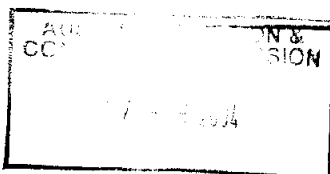
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**APPLICATION TO**

**THE AUSTRALIAN COMPETITION &  
CONSUMER COMMISSION**

**FOR AUTHORISATION UNDER  
SECTION 88 OF THE  
TRADE PRACTICES ACT 1974**

**FOR AN AGREEMENT AFFECTING  
COMPETITION.**

## Form B

Commonwealth of Australia  
*Trade Practices Act 1974 --- Sub-section 88(1)*

**AGREEMENTS AFFECTING COMPETITION:  
 APPLICATION FOR AUTHORISATION**

To the Australian Competition and Consumer Commission:

Application is hereby made under sub-section 88(1) of the *Trade Practices Act 1974* for an authorisation under that sub-section to make a contract or arrangement, or arrive at an understanding, a provision of which would have the purpose, or would have or might have the effect, of substantially lessening competition within the meaning of Section 45 of the Act.

1. (a) Name of Applicant :

The following eight (8) Councils are joint applicants under the auspice of the Northern Sydney Region of Councils (NSROC). Hornsby Shire Council, Hunters Hill Municipal Council, Lane Cove Council, North Sydney Council, the City of Ryde, Willoughby City Council, Mosman Municipal Council and Warringah Council.

(b) Short description of business carried on by applicant :

The Applicants are all Local Councils as defined by the Local Government Act (1993) acting in accordance with the Council's Charter s(8). One of the service functions of the Council is the provision, management and/or operation of waste removal, transfer, processing and disposal.

(c) Address in Australia for service of documents on the applicant:

c/o - Attention: Mr. Anthony Reed, Group Manager - Public Works & Services, Locked Bag Box 2069, North Ryde, NSW, 1670

2. (a) Brief description of contract, arrangement or understanding and, where already made, its date:

It is proposed that the Councils will jointly tender for the services of qualified contractors to provide waste transfer, processing and disposal services to the respective Local Government areas. The Tender will be in the form of a Joint Tender where, dependent upon the Tender evaluation, Councils may decide to independently commission a contractor to service their Local Government area under a separate contract or, a number of Councils may agree to combine their service areas under the one contract, or all eleven (11) Councils may decide to enter into the one contract.

(b) Names and addresses of other parties or proposed parties to contract, arrangement or understanding.

It is assumed that three (3) additional Councils, namely - Ku-ring-gai Municipal Council, Manly Council and Pittwater Council will participate in the Joint Tender process, subject to ACCC authorisation. For the purpose of approval to process the Joint Tender, these three (3) Councils are included as possible participants.

Further details are contained in ATTACHMENT A.

3. Names and addresses (where known) of parties and other persons on whose behalf application is made:

Not Applicable.

4. (a) Grounds for grant of authorisation:

Refer ATTACHMENT A.

(b) Facts and contentions relied upon in support of those grounds:

Refer ATTACHMENT A.

5. This application for authorisation may be expressed to be made also in relation to other contracts, arrangements or understandings or proposed contracts, arrangements or understandings, that are or will be in similar terms to the abovementioned contract, arrangement or understanding.

(a) Is this application to be so expressed?  
NO

(b) If so, the following information is to be furnished:

(i) the names of the parties to each other contract, arrangement or understanding:

Not Applicable.

(ii) the names of the parties to each other proposed contract, arrangement or understanding which names are known at the date of this application:

Not Applicable.

6. (a) Does this application deal with a matter relating to a joint venture (See section 4J of the *Trade Practices Act 1974*)

Not Applicable.

(b) If so, are any other applications being made simultaneously with this application in relation to that joint venture

Not Applicable.

(c) If so, by whom or on whose behalf are those other applications being made

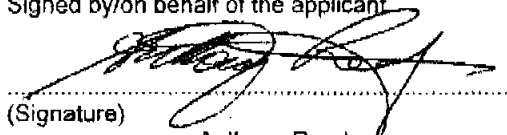
Not Applicable.

7. Name and address of person authorised by the applicant to provide additional information in relation to this application

Mr Anthony Reed, Group Manager – Public Works & Services,  
City of Ryde, Locked Bag 2069,  
North Ryde, NSW 1670.  
Phone No. (02) 9952 8102  
Fax (02) 9952 8110  
Email: [treed@ryde.nsw.gov.au](mailto:treed@ryde.nsw.gov.au)

Dated...5 December 2003.

Signed by/on behalf of the applicant

  
.....  
(Signature)

Anthony Reed  
Group Manager – Public Works & Services, City of Ryde.