



**Australian
Competition &
Consumer
Commission**

GPO Box 520
Melbourne VIC 3001

Level 35 The Tower
360 Elizabeth Street
Melbourne VIC 3000

ph: (03) 9290 1800
fax: (03) 9663 3699

www.accc.gov.au

Our Ref: A91019
Contact Officer: Nadia Cooke
Contact Phone: (03) 9290 1478

2 November 2006

Garry Dickens
Manager – Environmental Solutions
Hurstville City Council
PO Box 205
HURSTVILLE BC NSW 1481

Dear Mr Dickens

**Application for authorisation A91019
lodged by St. George (Sydney) Region of Councils
- interested party consultation**

I refer to the above application for authorisation lodged with the Australian Competition and Consumer Commission (ACCC) on 27 October.

Interim authorisation – request for further information

I note that the application includes an application for interim authorisation to:

- prepare documentation to invite tenders from parties wishing to provide waste collection services
- evaluate tender submissions
- prepare tender recommendations to the councils' executives
- allow the councils' executives to endorse recommendations to seek to enter into contractual arrangements pending the final decision of the ACCC.

The ACCC has previously stated that it is unlikely to grant interim authorisation where doing so would permanently alter the competitive dynamics of the market or inhibit the market from returning to its pre-interim state if authorisation is later denied, unless there are special circumstances.

To assist it in considering the application for interim authorisation, the ACCC requires further information from you. The St. George (Sydney) Region of Councils seeks to commence a joint waste collection contract following the expiration of the individual councils' current



agreements. I note that the earliest existing contract for waste and recycling collection services does not expire until February 2008. The ACCC is seeking further information regarding the urgency of the request for interim authorisation. In particular, please outline:

- the timeline proposed by the councils for the preparation of tender documents and the tender process
- reasons why the process has to commence before a final decision is reached by the ACCC.

Please provide this information by close of business **Wednesday 15 November 2006**.

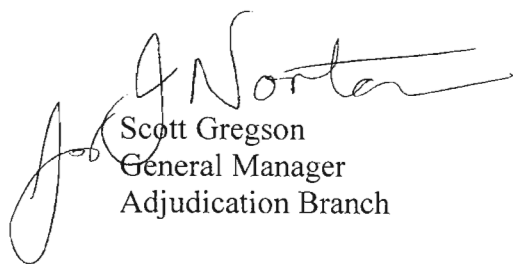
Interested party consultation

Please also find enclosed, for your information, a copy of the letter that the ACCC sent today to potentially interested parties as part of its public consultation process. Interested parties have been invited to provide submission regarding the request for interim authorisation by 9 November 2006 and regarding the substantive application by 1 December 2006.

All public submissions will be made available on the ACCC website at www.accc.gov.au under the links 'Public registers', 'Authorisations and notifications registers' and 'Authorisations register'. At the end of the consultation period for the substantive application, the ACCC will provide you with a copy of all publicly available submissions received in relation to the application.

This letter has been placed on the ACCC's public register and website. If you wish to discuss any aspect of this matter, please contact Nadia Cooke on (03) 9290 1478 or at nadia.cooke@acc.gov.au.

Yours sincerely



Scott Gregson
General Manager
Adjudication Branch