

**NOTICE TO ACCC  
RE: INTERIM AUTHORISATION A91520  
COUNCIL SOLUTIONS  
EXPRESSION OF CONCERN**

To: The Australian Competition and Consumer Commission

Attention: Ms Lyn Camilleri (E-mailto: [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au))

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Contact: ..... IAN LAMB

Dear Ms Camilleri,

My Business is affected by the proposed Authorisation which the ACCC contemplates granting to Council Solutions (A91520). If the Authorisation is granted, it will have a detrimental effect on competition and will not deliver any compensating public benefit.

We strongly urge and request the ACCC to reject the Council Solutions proposal on the following grounds:

- a) The proposal covers over one third of possible municipal work in Adelaide
- b) The savings proposed won't eventuate due to the already highly competitive market
- c) The proposal will lock out small businesses from tendering due to the high barriers to entry including capital costs and financing bank guarantees. This effectively reduces competition.
- d) Severely limiting business opportunities will see business closures and result in job losses
- e) The proposed 14 year term is highly inappropriate for collection in particular

We have the following additional concerns:

1. The ACCC has not submitted the Application for Authorisation to proper scrutiny.
2. There has been no independent economic analysis of the likely impact of the granting of an Authorisation.
3. There has not been adequate consultation with market participants or other stakeholders, such as the recipients of the waste services.

Please, before making a decision, we respectfully request the ACCC:

1. Extend the 26 February 2016 deadline for submissions to the ACCC by at least 1 month to allow stakeholders to provide the ACCC with a comprehensive response;
2. Commission an independent economic analysis of the likely impact of the granting of an Authorisation and evaluation of the claims made in the Council Solutions proposal;
3. Allow Respondents to meet face to face with the ACCC to present their response and discuss concerns with the Council Solutions Proposal;
4. To schedule the pre decision conference in accordance with Section 90A of the Competition and Consumer ACT.


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Notwithstanding the aforementioned actions requested of the ACCC, we strongly urge and request the ACCC reject the Council Solutions Proposal on the following grounds previously mentioned:

- a) The proposal covers over one third of possible municipal work in Adelaide
- b) The savings proposed won't eventuate due to the already highly competitive market
- c) The proposal will lock out small businesses from tendering due to the high barriers to entry including capital costs and financing bank guarantees. This effectively reduces competition.
- d) Severely limiting business opportunities will see business closures and result in job losses
- e) The proposed 14 year term is highly inappropriate for collection in particular

I am authorised to sign this Expression of Concern on behalf of the Business.

Signed:

  
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Date:

26/2/2016