

**From:** Karinne Taylor [REDACTED]  
**Sent:** Thursday, 4 February 2021 9:37 AM  
**To:** Staltari, Danielle <[Danielle.Staltari@acc.gov.au](mailto:Danielle.Staltari@acc.gov.au)>  
**Cc:** Black, Susie <[Susie.Black@acc.gov.au](mailto:Susie.Black@acc.gov.au)>; [REDACTED] Mike Ritchie  
**Subject:** RE: Charitable Recycling Australia - Collective Bargaining Notification [SEC=OFFICIAL]

Hi Danielle,

Our answers to your questions are in red text below.

Kind Regards,  
Karinne

Karinne Taylor / Principal Environmental Consultant

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Coronavirus " It is business as usual for MRA but with most staff working remotely and most meetings conducted via Zoom/Skype. The health and safety of our people, our clients and the community are paramount.

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**From:** Staltari, Danielle <[Danielle.Staltari@acc.gov.au](mailto:Danielle.Staltari@acc.gov.au)>  
**Sent:** Wednesday, 3 February 2021 12:26 PM  
**To:** Karinne Taylor [REDACTED]  
**Cc:** Black, Susie <[Susie.Black@acc.gov.au](mailto:Susie.Black@acc.gov.au)>; [REDACTED] Mike Ritchie  
**Subject:** RE: Charitable Recycling Australia - Collective Bargaining Notification [SEC=OFFICIAL]

**OFFICIAL**

Hi Karinne

Thank you for your response to my email below. We are also seeking the following information to clarify our understanding of the Proposed Conduct:

1. In paragraph 3.1 it states that the '*Notifying Parties intend to engage in a joint tender for the collection and disposal of general waste and commingled recycling under a weight-based billing (WBB) system*'. Could you please explain what services the notifying parties are seeking to include in the collection and disposal of general waste and commingled recycling?

**The collection of waste arising from charity sites that has been sorted into general waste (usually associated with a red-lidded bin, of varying industry standardised sizes), and commingled waste (usually associated with a yellow-lidded bin, of varying industry standardised sizes, by a truck with NMI registered on-board scales, which is then driven to a waste facility licenced to receive the specific contents of those bins.**

2. Please explain what is meant by charity site? For example, is the collection of waste and commingled recycling from a store of a charity, a charity bin or both? For the number of sites listed at paragraph 8 of the notification is this across NSW or Australia?

**We mean a retail store, sorting facility or warehouse owned and managed by a registered charity. The notification is for NSW only.**

3. Please outline what each of the charities do now in terms of acquiring collection of waste and commingled recycling services? For example, who do charities engage services from, how are the services engaged (for example, are standard contracts used by waste management providers, what billing is used).

**Charities currently engage services individually, as per standard contracting practiced by all companies in Australia. This may be on a state-wide basis, or individual stores may contract a local provider, or may make use of local Council services. By using this method they are being over-charged under NSW legislation as the NSW waste levy is applied to their operations. The purpose of this notification is to enable charities in NSW to apply for the NSW EPA's waste levy exemption, via a method agreed with the NSW EPA. This method requires accurate weighing of waste arising from charity sites.**

4. At paragraph 3.4 it states that contract term will comprise a term of 3 years with two options to extend the term for 1 year. Under the collective bargaining notification process the legal protection provided by a notification continues for three years beginning on the day a notification is validly lodged. However, the ACCC can extend the period for which the notification is in effect up to 10 years. What period of time are you seeking for the notification to be in effect?

**Please have the notification in effect for 6 years to cover the contract extension options and the time to release the tender and assess responses**

We would propose that your response to these questions (subject to any claims for confidentiality) would be placed on the ACCC's public register as it will assist interested parties when we consult on the notification. We would be grateful if you could please provide a response to these questions by the end of tomorrow (4 February 2020).

[REDACTED]

[REDACTED]

If you have any questions please contact me or Susie Black on 02 6243 1055.

Regards

Danielle

**Danielle Staltari**

Director | Competition Exemptions

**Australian Competition & Consumer Commission**

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Working Mon (finishing at 2.30pm), Tues, Wed (finishing at 12pm) and Thurs

On the days I am not at work please contact Susie Black on 02 6243 1055



The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

**Please Note: If you received this message outside your business hours it is because it was a convenient time for me to send it. Please do not feel obliged to respond until your normal work hours.**