



Our ref: AA1000426
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By email

Dear Sir or Madam

SA Housing Authority and Renewal SA application for authorisation AA1000426—Determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by the South Australian Housing Trust trading as the SA Housing Authority and the Urban Renewal Authority trading as Renewal SA (together the Applicants) on 12 July 2018.

The Applicants own land and/or existing housing developments in the greater metropolitan region of Adelaide, which they sell to developers who construct buildings on the land or upgrade the existing structures.

The Applicants sought authorisation because, in purchasing land or existing structures, developers may be asked to agree to conditions, which have the effect of capping prices, agreeing to rent or sell to specified tenants or purchasers, agreeing to cap building costs, or SA Housing Authority or Renewal SA and developers agreeing not to compete during a defined period. These arrangements are intended to increase the stock of affordable housing in the greater metropolitan region of Adelaide, however they may be considered to include cartel provisions.

A copy of the ACCC's determination is attached. For the reasons set out in its determination, the ACCC has decided to grant authorisation for 10 years.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal (the Tribunal) for its review of the determination. An application for review must be made within 21 days of the date of this determination; that is, on or before 14 December 2018. If no application to review is lodged by this date, the ACCC's determination will come into force on 15 December 2018.

An application for review of the ACCC's determination should be lodged directly with the Tribunal. The Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Tribunal please refer to the Tribunal's website located at <http://www.competitiontribunal.gov.au/>.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Simon Bell on (02) 6243 1232 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Hatfield', is positioned above the typed name.

David Hatfield
Director
Adjudication Branch