



23 Marcus Clarke Street  
Canberra ACT 2601

Our ref: AA1000431  
Contact officer: Hannah Ransom  
Contact phone: (02) 6243 1255

GPO Box 3131  
Canberra ACT 2601

tel: (02) 6243 1111  
adjudication@acc.gov.au

19/12/2018

www.acc.gov.au

*By email*

Dear Sir/Madam

### **Southern Sydney Regional Organisation of Councils - application for authorisation AA1000431—draft determination & interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Southern Sydney Regional Organisation of Councils (SSROC) on 16 November 2018.

Southern Sydney Regional Organisation of Councils (SSROC) is seeking authorisation on behalf of a group of seven councils to invite tenders for the processing of hard waste (otherwise known as clean up materials or kerbside clean up). SSROC has also requested interim authorisation to allow it to proceed with the tender process including inviting, receiving, analysing and evaluating tenders, while the ACCC considers its substantive application for authorisation.

#### **Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 14 years.

The ACCC has also granted interim authorisation to allow SSROC to proceed with the tender process while the ACCC considers the substantive application. Interim authorisation will remain in place until the date the ACCC's final determination comes into effect or until interim authorisation is revoked.

#### **Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

#### **Making a submission**

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **31 January 2019**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "AA100431 – SSROC – submission".

The ACCC will consider any submissions it receives, and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

### Optional pre-decision conference

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to the draft determination. If a conference is called in this matter it will be open to the applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **10 January 2019**.

### Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
16 November 2018	Lodgement of application
21 November 2018	Public consultation process begins.
7 December 2018	Closing date for submissions from interested parties.
19 December 2018	Draft determination.
January 2019	Public consultation on draft determination including any conference if called.
February 2019	Final Determination

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 Hannah Ransom on (02) 6243 1255.

Yours sincerely



David Hatfield  
Director  
Adjudication