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Our ref: AA1000451
Contact officer: Hayley Munro-Smith
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5/12/2019

By email

Dear Madam/Sir

Metropolitan Waste and Resource Recovery Group (MWRRG) & Ors (recycling sorting) – application for authorisation AA1000451 – draft determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the above-mentioned application for authorisation lodged by MWRRG on behalf of itself and 30 councils in metropolitan Melbourne (the **Applicants**) on 22 August 2019. The Applicants are seeking authorisation to jointly procure sorting services for commingled recyclable waste collected from residents' kerbsides.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 12 months to complete the tender process, negotiate and execute contract(s), and a further 20 years to give effect to the contract(s) for the supply of recyclable waste sorting services to the councils (including ongoing contract(s) administration).

A copy of the ACCC's draft determination is attached and also available on the ACCC's [authorisations public register](#).

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 **20 December 2019**. Submissions should be emailed to adjudication@acc.gov.au with the subject "AA1000451 – Metropolitan Waste and Resource Recovery Group (recycling sorting) – submission".

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), 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 confidential 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 its draft determination. If a conference is called 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 **20 December 2019** by email to adjudication@acc.gov.au.

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
22 August 2019	Lodgement of application and supporting submission.
28 August 2019	Public consultation process begins.
9 September 2019	Closing date for submissions on interim authorisation.
23 September 2019	Closing date for submissions from interested parties.
25 September 2019	ACCC decision regarding interim authorisation.
September/October 2019	Applicant responds to issues raised in the public consultation process.
5 December 2019	Draft determination.
December 2019	Public consultation on draft determination including any conference if called.
January/February 2020	Final determination.

If you wish to discuss any aspect of this matter please do not hesitate to contact Hayley Munro-Smith on (03) 9910 9481.

Yours sincerely



Darrell Channing
Director
Adjudication