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www.acc.gov.au

By email

Dear Interested Party

Southern Sydney Regional Organisation of Councils – application for authorisation AA1000651 – 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 on behalf of itself and Bayside Council, Burwood Council, Canterbury-Bankstown Council, City of Canada Bay Council, Georges River Council, Inner West Council, Randwick City Council, Strathfield Council, City of Sydney Council, Sutherland Shire Council, Waverley Council, and Woollahra Municipal Council (together, the **Councils**) on 24 October 2023.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 11 years.

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

Interim authorisation

The ACCC has also granted interim authorisation to enable the Councils to collectively invite tenders, evaluate responses and negotiate contracts, but not to enter into or give effect to any contracts.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the Competition and Consumer Act 2010 while the ACCC considers the substantive application. Interim authorisation remains in place until it is revoked or on the date the ACCC's final determination enters into effect.

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 do so by **12 January 2024**. Submissions should be lodged via the web form accessible on the public register page for this matter. Alternatively, if you would like to provide comments orally, please contact Ben Janover via the details at the end of this letter.

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 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 **12 January 2024** by email to exemptions@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
24 October 2023	Lodgement of application and supporting submission.
17 November 2023	Closing date for submissions on interim authorisation and substantive application
14 December 2023	ACCC decision on interim authorisation and draft determination
12 January 2024	Public consultation closes on draft determination including any conference if called
January/February 2024	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 Ben Janover on (03) 9290 1813.

Yours sincerely



Naomi Menon
Director
Competition Exemptions