



Our ref: AA1000503
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25/02/2021

Alistair Newton
Partner, Corrs Chambers Westgarth
By email: [REDACTED]

Dear Mr Newton

Metropolitan Waste and Resource Recovery Group - application for re-authorisation AA1000503 —final determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a determination in respect of the application for re-authorisation lodged by Metropolitan Waste and Resource Recovery Group (**MWRRG**) on 21 April 2020.

The ACCC previously granted Authorisation AA1000458 to Metropolitan Waste Management Group (predecessor of MWRRG) and the Councils of Bayside City, Cardinia Shire, Casey City, Greater Dandenong, Frankston City, Glen Eira City, Kingston City, Monash City, and Mornington Peninsula Shire (together, the **South Eastern Organics Group**) to jointly procure organic waste processing services until 10 July 2032.

MWRRG sought authorisation on behalf of itself and the relevant councils, to add four new councils, Melbourne City, Port Phillip City, Whittlesea City, and Yarra City, to the South Eastern Organics Group. MWRRG did not seek to change the expiry date of the existing Authorisation.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC granted authorisation to MWRRG and 13 metropolitan Melbourne councils to collectively tender for organics procurement services through the South Eastern Organics Group (**SEOG**) until 10 July 2032. This authorisation is subject to the condition that any of the four additional councils which seek to be added to the SEOG will be limited to using SEOG contracts for three 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 for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 18 March 2021. If no application to review is lodged by this date, the ACCC's determination will come into force on 19 March 2021.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition 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 Australian Competition 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 Tanya Hobbs on (02) 6243 1029.

Yours sincerely

A handwritten signature in blue ink that reads "DChanning". The signature is stylized with a large, sweeping loop at the end.

Darrell Channing
Director
Competition Exemptions