



Our ref: AA1000543
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1/02/2021

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Dear Sir/Madam

Gippsland Waste and Resource Recovery Group application for authorisation AA1000543 – interested party consultation

On 15 January 2021, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from the Gippsland Waste and Resource Recovery Group (**GWRRG**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

GWRRG is seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth) on behalf of itself and six Victorian Councils (the **Applicants**). The six Councils are: Bass Coast Shire Council, Baw Baw Shire Council, East Gippsland Shire Council, Latrobe City Council, South Gippsland Shire Council and Wellington Shire Council.

Authorisation would give the Applicants legal protection to jointly investigate and the councils to jointly procure the provision of organic waste processing services. The Councils will sign individual contracts with the successful tenderer/s but are also seeking authorisation to cover the potential for their ongoing joint management of the contracts. The Applicants are seeking authorisation until 1 July 2042, in order to allow for the required return on investment to support investment in new processing infrastructure and construction or upgrade of new facilities. A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

The Applicants have also requested interim in order to progress the tender process, with a view to then identifying appropriate suppliers and commencing the process of preparing contractual documentation. No supplier will be selected, or contract entered into, unless or until a final determination by the ACCC to grant authorisation.

Making a submission

The ACCC invites you to make a submission on the application for authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission, please do so by **12 February 2021**. If you wish to request an extension, please contact us on the details below as early as possible.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

Submissions after the due date (or after any extension granted) may not be taken into account. Submissions in relation to interim authorisation should be provided by **12 February 2021**. Extensions are not normally granted for submissions on interim authorisation.

Please use the coversheet that accompanied this letter and email your submission to adjudication@acc.gov.au, with the subject 'AA1000543 –GWRRG– submission'. Alternatively, if you would like to provide comments orally, please contact Tanya Hobbs via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up to date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
15 January 2021	Lodgement of application and supporting submission.
1 February 2021	Public consultation process begins.
12 February 2021	Closing date for submissions from interested parties.
February 2021	Applicant responds to issues raised in the public consultation process.
End February 2021	Draft determination and decision on interim authorisation.
March 2021	Public consultation on draft determination including any conference if called.
May 2021	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Tanya Hobbs on 02 6243 1029 or adjudication@acc.gov.au.

Yours sincerely



Gavin Jones
Director
Competition Exemptions

Interested Party List

Australian Council of Recycling
Australian Organics Recycling Association
Biomix Compost Co
Cleanaway Ltd
Department of Environment, Land, Water and Planning (VIC)
Department of the Environment and Energy (AUS)
EPA Victoria
Gippsland Water (Dutson Downs)
Green Care Environmental Solutions
JJ Richards & Sons
JR Richards
National Waste and Recycling Industry Council
Pinegro
Remondis Australia
Repurpose It
Sacyr Environment Australia
SOLO
SUEZ
Sustainability Victoria
Tambo Waste
Towards Zero
Van Schaik's Bio Gro Pty Ltd
Veolia Environmental Services (Aust) Pty Ltd
Victorian Waste Management Association
Waste Contractors & Recyclers Association
Waste Management and Resource Recovery Association of Australia
Western Composting Technology
Wonthaggi Recyclers