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AA1000648
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By email

Dear Interested Party

Hunter Resource Recovery - applications for authorisation [AA1000647 & AA1000648]—draft determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the applications for authorisation lodged by Hunter Resource Recovery on 10 & 18 August 2023.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to Hunter Resource Recovery:

- a) to enable Hunter Resource Recovery, its member councils, Cessnock City Council, Lake Macquarie City Council, Maitland City Council and Singleton Shire Council, and each of the regional councils of Dungog Shire Council, Muswellbrook Shire Council and Upper Hunter Shire Council to jointly procure and contract for the establishment of a recycling processing and sorting facility, for 23 years; and
- b) to enable Hunter Resource Recovery, and its member councils, Cessnock City Council, Lake Macquarie City Council, Maitland City Council and Singleton Shire Council, to jointly procure and contract for kerbside dry recycle collection in each Council's Local Government Area, for 12 years.

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 **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 Anna Pound 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 these applications.

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 **21 December 2023** by email to exemptions@acc.gov.au.

Timetable

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

| Indicative date | Stage in assessment process |
|-----------------|--|
| 10 August 2023 | Lodgement of application AA1000647. |
| 18 August 2023 | Lodgement of application AA1000648. |
| 5 September | Public consultation process begins. |
| 6 December 2023 | Draft determination. |
| 12 January 2024 | Public consultation on draft determination including any conference if called. |
| Jan/Feb 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 Anna Pound on (03) 9290 6920.

Yours sincerely



David Hatfield
Director
Competition Exemptions