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Our ref: AA1000587  
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10 February 2022

Dear Interested Party

### **Eastern Metropolitan Regional Council & Ors – application for authorisation AA1000587 – draft determination**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for authorisation lodged by the Eastern Metropolitan Regional Council (**EMRC**), the City of Bayswater, the Town of Bassendean and the Shire of Mundaring on 1 November 2021.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation until 30 June 2033.

A copy of the ACCC's draft determination is attached and also available on the ACCC's [authorisation 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 **25 February 2022**. Submissions should be emailed to [exemptions@accc.gov.au](mailto:exemptions@accc.gov.au) with the subject 'AA1000587 – EMRC & Ors – Submission'. If you prefer to make an oral submission, please contact Andrew Ng 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 **25 February 2022** by email to [exemptions@accc.gov.au](mailto:exemptions@accc.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
<b>1 November 2021</b>	Lodgement of application and supporting submission.
<b>5 November 2021</b>	Public consultation process begins.
<b>19 November 2021</b>	Closing date for submissions from interested parties on the application.
<b>6 December 2021</b>	EMRC responds to issues raised in the public consultation process.
<b>10 February 2022</b>	Draft determination.
<b>February 2022</b>	Public consultation on draft determination including any conference if called.
<b>25 February 2022</b>	Closing date for submissions from interested parties on the draft determination.
<b>March/April 2022</b>	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 Andrew Ng on 03 9290 1414 or [exemptions@accc.gov.au](mailto:exemptions@accc.gov.au).

Yours sincerely



Susie Black  
Director  
Competition Exemptions