



Our ref: AA1000566
Contact officer: Nissa Burns
Contact phone: 03 9910 9558

23/09/2021

By email

Dear Sir/Madam

Gippsland Waste and Resource Recovery Group and Ors application for authorisation AA1000566 – draft determination and interim authorisation

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for authorisation, including interim authorisation, lodged by Gippsland Waste and Resource Recovery Group (**GWRRG**), on behalf of itself and six Councils, on 23 August 2021. This application relates to the joint procurement of processing services for glass and mixed recyclables.

The 6 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 (the **Participating Councils**).

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation until 30 December 2037.

The ACCC has also granted interim authorisation to enable GWRRG and the Participating Councils to commence the tender process, but not select suppliers or enter into supply contracts, while the ACCC is considering the substantive application.

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 Applicants 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 **7 October 2021**. Submissions should be emailed to exemptions@acc.gov.au with the subject 'AA1000566 – GWRRG and Ors – submission'. If you prefer to make an oral submission, please contact Nissa Burns 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. See the ACCC's [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 **7 October 2021** by email to exemptions@acc.gov.au.

Timetable

An indicative timetable for the ACCC's assessment is set out below.

Indicative Date	Stage in assessment process
23 August 2021	Lodgement of application and supporting submission.
30 August 2021	Public consultation process begins.
6 September 2021	Closing date for submissions from interested parties.
23 September 2021	Draft determination and interim authorisation.
7 October 2021	Closing date to request pre-decision conference and for submissions in response to the draft determination.
14 October	GWRRG responds to issues raised in the public consultation process.
October/November 2021	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 Nissa Burns on (03) 9910 9558 or via email to exemptions@acc.gov.au.

Yours sincerely



David Hatfield
Director
Competition Exemptions