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By email

Dear Madam or Sir

Albury City Council & Ors - application for re-authorisation AA1000612 - draft determination & interim authorisation

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for re-authorisation lodged by the Albury City Council, Wodonga City Council, Indigo Shire Council, Greater Hume Council, Federation Council, Leeton Shire Council, Berrigan Shire Council and Edward River Council (the **Applicants**) on 16 May 2022.

The Applicants are seeking re-authorisation¹ under the *Competition and Consumer Act 2010* (Cth) to collectively tender and contract for waste and recycling collection, transport, sorting, and processing services.

For the reasons set out in its draft determination, the ACCC proposes to grant re-authorisation until **30 June 2034**.

The ACCC has also granted interim authorisation to allow the parties to proceed with an Industry Engagement process. Interim authorisation is not sought for execution of contracts, which will only occur if the ACCC issues a final determination authorising the Proposed Conduct.

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 **22 June 2022**. Submissions should be emailed to exemptions@accc.gov.au with the subject "AA1000612 – Albury City Council & Ors – submission". If you prefer to make an oral submission, please contact Alex Cicchini via the details at the end of this letter.

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

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. Due to the ongoing impact of the COVID-19 Pandemic, any conference would likely be held on-line.

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 **22 June 2022** by email to 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
16 May 2022	Lodgement of application and supporting submission.
23 May 2022	Public consultation begins
1 June 2022	Closing date for submissions from interested parties
15 June 2022	Draft determination and interim authorisation decision
22 June 2022	Public consultation on draft determination including any conference if called.
July 2022	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 Alex Cicchini on (03) 9910 9552 or exemptions@accc.gov.au.

Yours sincerely



Darrell Channing
Director
Competition Exemptions