



Our ref: AA1000670
Contact officer: Anna Pound
Contact phone: (03) 9290 6920

Land of the Ngunnawal people
23 Marcus Clarke Street
Canberra ACT 2601
GPO Box 3131
Canberra ACT 2601
Tel 02 6243 1111
exemptions@accc.gov.au
www.accc.gov.au

31 July 2024

By email

Dear Interested Party

Hunter Resource Recovery - applications for authorisation AA1000670 –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 AA1000670 lodged by Hunter Resource Recovery on 26 April 2024.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to Hunter Resource Recovery to enable Hunter Resource Recovery and its member Councils to jointly enter and give effect to a contract for recyclate collection, processing and distribution services with Solo Resource Recovery, in each Member Council's Local Government Area for up to 3 years.

The ACCC has also granted interim authorisation to enable the Applicants to jointly negotiate and potentially make an 18 month-3 year contract for recyclate collection, processing and distribution services with Solo Resource Recovery. Interim authorisation does not extend to the Applicants giving effect to any such contract while the ACCC completes its assessment of 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 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 **21 August 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 **14 August 2024** 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
26 April 2024	Lodgement of application.
31 July 2024	Draft determination and interim authorisation decision
21 August 2024	Submissions on draft determination due.
August/September	Applicant responds to interested party submissions.
September/October 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