

5 November 2021

**Competition Exemptions: Mergers, Exemptions & Digital
Australian Competition & Consumer Commission**

For the attention of:

Ms Susie Black, Director

Mr Tom Whitby, Analyst

By email:

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Tom.Whitby@acc.gov.au

cc: Ms Kathryn Speed

Page Seager Lawyers


Dear Ms Black and Mr Whitby

***Re: AA1000584 – City of Hobart & Ors – application for authorisation
regarding joint waste management of recyclables***

I refer to recent discussions and correspondence concerning the above application for authorisation.

In response to Ms Black's email of 2 November, please regard City of Hobart as the Applicant, with the other Participating Councils being parties to the arrangement.

Further to Mr Whitby's email of 28 October, I advise as follows:

1. ***Regarding the arrangements reached upon the placement of SKM Industries into administration:*** the City of Hobart, Glenorchy City Council and Clarence City Council each signed separate interim two-year contracts, commencing 1 December 2019, with Cleanaway to operate the processing/sorting of recycling materials at the MRF facility in Derwent Park.
2. ***Regarding Authorisation A91408:*** the parties advise that contracts for the collection of recyclables from drop off centres were *not* entered into by the City of Hobart of Glenorchy City Council.

3. ***Further regarding Authorisation A91408:*** should AA1000584 be granted, the City of Hobart, Glenorchy City Council and Clarence City Council would *not* engage in conduct under the auspices of A91408. Rather, they would act in accordance with the conduct that is authorised pursuant to AA1000584.

Please let me know if you have any further questions.

Kind regards,



Alexandra Merrett

Independent Competition Counsel

*An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Vic).
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