



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2008/1171
Contact Officer: Jasmine Tan
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25 September 2008

Mr Tony Khoury
Executive Director
Waste Contractors and Recyclers Association of NSW
PO Box 6643
WETHERILL PARK BC NSW 2164

Dear Mr Khoury

**Inner Sydney Waste Management Group of Councils application for authorisation
A91096 - 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 Inner Sydney Waste Management Group of Councils (ISWMG) on 23 July 2008. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

ISWMG is seeking authorisation to “jointly tender and contract for the services of a contractor or contractors deemed suitable to provide regional transfer, processing and disposal of food and garden organics, and the marketing and sale of any material or products derived from that transfer or processing to the respective local government areas”.

Draft determination

A copy of the ACCC’s draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation until 31 January 2020.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a ‘pre-decision conference’. A pre-decision conference provides the opportunity for interested parties to 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 **9 October 2008**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **16 October 2008**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, 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 (guidelines are attached).

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.

23 July 2008	Lodgement of application and supporting submission.
28 July 2008	Public consultation process begins.
25 September 2008	Draft determination.
September/October 2008	Public consultation on draft determination including any conference if called.
October/November 2008	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 Jasmine Tan on (02) 6243 1363.

Yours sincerely



for Dr Richard Chadwick
General Manager
Adjudication Branch