



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: 53828  
Contact Officer: Hayley Parkes  
Contact Phone: 03 9290 6926

GPO Box 3131  
Canberra ACT 2601

23 Marcus Clarke Street  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

[www.accc.gov.au](http://www.accc.gov.au)

2 April 2014

BY EMAIL

Dear Sir/Madam

### **Bankstown City Council & Ors – Application for authorisation A91408 – draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Bankstown City Council, Fairfield City Council, Parramatta City Council and Liverpool City Council on 5 February 2014.

Please see the ACCC's publication [Authorisation process – What you need to know](http://www.accc.gov.au/publications/authorisation) (<http://www.accc.gov.au/publications/authorisation>) for a summary of the authorisation process and how to make a submission to the ACCC.

Bankstown City Council & Ors are seeking authorisation to jointly tender for processing services for recyclable materials (with some collection from drop-off centres) and enter into related contracts.

#### **Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 6 years.

#### **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'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **24 April 2014**. "Submissions should be emailed to [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au) with the subject "A91409 – Bankstown City Council & Ors – submission".

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 **17 April 2014**.

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. Please see the ACCC's publication [Guidelines for excluding information from the public register](http://www.accc.gov.au/system/files/Guide%20to%20exclusive%20dealing%20notifications.pdf) (<http://www.accc.gov.au/system/files/Guide%20to%20exclusive%20dealing%20notifications.pdf>).

### **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.

<b>Indicative date</b>	<b>Stage in assessment process</b>
5 February 2014	Lodgement of application and supporting submission.
10 February 2014	Public consultation process begins.
2 April 2014	ACCC decision regarding interim authorisation and draft determination.
April/May 2014	Public consultation on draft determination including any conference if called.
May/June 2014	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 Hayley Parkes on 03 9290 6926 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Marie Dalins  
Director  
Adjudication Branch