



**Australian
Competition &
Consumer
Commission**

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3 July 2014

Dear Sir/Madam

Cities of Wanneroo, Joondalup and Swan - application for authorisation A91431 – 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 lodged by the Cities of Wanneroo, Joondalup and Swan (the Applicants) on 22 May 2014.

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

The Applicants seek authorisation to jointly procure, negotiate and contract services for the processing of dry commingled recyclables collected by them through their yellow lid recycling bin domestic kerbside collection service.

The ACCC has also decided to grant interim authorisation in respect of the application for the Applicants to jointly evaluate tenders and to negotiate terms of the standard agreement that each will enter into with the successful tenderer, but not to enter into the contracts.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers and evaluates the merits of the application.

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 six years.

Next steps

Once the ACCC issues a draft determination, the Applicants 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 **18 July 2014**. Submissions should be emailed to

adjudication@acc.gov.au with the subject "A91431 – Cities of Wanneroo, Joondalup and Swan – 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 **18 July 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 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](#).

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
22 May 2014	Lodgement of application and supporting submission.
3 July 2014	Draft determination and granting of interim authorisation
July/August 2014	Public consultation on draft determination including any conference if called.
August 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 Sam Campbell on (03) 9290 1870 or adjudication@acc.gov.au.

Yours sincerely



Darrell Channing
Director
Adjudication Branch

Interested parties list

All Earth Group
Perthwaste
South Metropolitan Regional Council
Poly Trade
Recycling Design & Technologies (Aust)
Transpacific Cleanaway