



27 June 2022

Mr Darrell Channing
Director, Competition Exemptions
Australian Competition and Consumer Commission
23 Marcus Clarke Street
Canberra ACT 2601

By Email: exemptions@accc.gov.au

Dear Mr Channing

AA1000616 – Metropolitan Resource and Recovery Group & Ors – submission

We refer to the above application for authorisation and your letter dated 21 June 2022 inviting submissions from interested parties in relation thereto.

Sacyr Environment Australia Pty Ltd (**Sacyr**) and Plenary Origination Pty Ltd (**Plenary**) are currently participating in the procurement process for advanced waste processing (**AWP**) services in the South Eastern Melbourne metropolitan region which is being managed by the Metropolitan Waste and Resource Recovery Group (**MWRRG**). We understand:

- this process is currently the subject of Authorisation number AA1000448 (**Existing Authorisation**); and
- MWRRG, along with the Participating Councils (**the Applicants**) are now seeking re-authorisation under the Competition and Consumer Act 2010 (Cth) to extend the authorisation for an additional 24 months (to 2054) under new Authorisation AA1000616 (**New Authorisation**).

We would like to formally submit our support for the New Authorisation to allow the Applicants to continue to engage in a joint competitive tender process to investigate and potentially procure the provision of AWP services with the shortlisted bidders.

We, along with other shortlisted bidders, have invested significant funding, time and resources into the current procurement process which has been ongoing over the past 2 years. If the application to extend was not granted, it would result in significant loss of an opportunity that we have invested material time and resource into.

We agree with the positions put forward by the Applicants in sections 7.1 - 7.3 of the application for the New Authorisation, including that:

- the proposed revocation of the Existing Authorisation and substitution with the New Authorisation should not affect competition in the market for processing of residual waste, where existing suppliers can continue to provide services as they have now, for a slightly longer period;
- the public benefits identified in the Existing Authorisation are still applicable and should all still be realised; and
- the construction of an AWP facility remains viable on the basis of the participation of the councils whose commitment has been formalised.

We remain committed to continuing to participate in a procurement process with other short-listed bidders which is focused on maximising market contestability.

Yours sincerely,



Warwick Taylor
Executive Director
Plenary



Miguel Heras Anguera
Country Manager, Australia
Sacyr