



Our ref: AA1000448  
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## By email

Dear Sir/Madam

### **Metropolitan Waste and Resource Recovery Group application for authorisation AA1000448 – interested party consultation**

The Australian Competition and Consumer Commission (the **ACCC**) is currently conducting a consultation process on an application for authorisation, received from the Metropolitan Waste and Resource Recovery Group (**MWRRG**) and a group of sixteen councils located in the south-east of metropolitan Melbourne (together, **the Applicants**), on 23 July 2019.

The purpose of this letter is to invite you, as a potentially interested party, to comment on the application.

### **Application for authorisation**

The Applicants are proposing to conduct a joint competitive tender process to investigate, and potentially procure, the provision of advanced waste processing services. This may include the construction and operation of one or more facilities for the recovery of value from residual waste.

A copy of the application is available on the ACCC website:

[www.acc.gov.au/AuthorisationsRegister](http://www.acc.gov.au/AuthorisationsRegister)

In August 2018, the ACCC granted authorisation to MWRRG and a group of six different Melbourne councils to jointly procure waste management services until 31 July 2027.

### **Interim authorisation**

The Applicants have also requested interim authorisation to enable them to approach the market place and seek expressions of interest as the first step of the tender process. MWRRG is not proposing to enter into any contracts for waste processing services before the ACCC issues a final determination in relation to its application.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including:

- harm to the applicant and other parties if interim is or is not granted

- possible benefit and detriment to the public
- the urgency of the matter and
- whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

## Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to the applicants' request for interim authorisation or their substantive application for authorisation, please do so by 16 August 2019. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "AA1000448 – Metropolitan Waste and Resource Recovery Group 2019 – submission".

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

Alternatively, if you would like to provide comments orally, please contact Hayley Munro-Smith on 03 9910 9481 or via email [hayley.munro-smith@acc.gov.au](mailto:hayley.munro-smith@acc.gov.au) to organise a suitable time.

Submissions, including oral 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 progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
<b>23 July 2019</b>	Lodgement of application and supporting submission, including request for interim authorisation.
<b>01 August 2019</b>	Public consultation process begins.
<b>16 August 2019</b>	Closing date for submissions.
<b>September 2019</b>	Applicant responds to issues raised in the public consultation process.
<b>September/October 2019</b>	Draft determination including decision regarding interim authorisation.
<b>October 2019</b>	Public consultation on draft determination including any conference if called.
<b>November 2019</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Munro-Smith on 03 9910 9481 or via email [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a stylized flourish extending to the right.

Gavin Jones  
Director  
Adjudication

## List of interested parties consulted

Australian Paper  
Alex Fraser Group  
Alpine Waste Services  
Apex waste collection  
Australian Council of Recycling  
Australian Organics Recycling Association  
Australian Landfill Owners Association  
Australian Packing Covenant Organisation  
Barkking  
Beaver Bricks  
Benfield Recycle  
Bingo Industries  
Biomix  
Branin  
Broad Spectrum  
Calleja Transport  
Camperdown Compost Co  
Carbon Mate Organics Recycling  
Casings Australia  
Central Recyclers  
China Tianying Inc. / Yangzhou T. Y. Environmental Energy Co. Ltd.  
CIP Copenhagen Infrastructure Partners  
CityWide Service Solutions Pty Ltd  
Cleanaway  
CMA Ecocycle  
Concorde Blue Energy Australia  
Corio Waste (western composting)  
Delta Group  
Docu-Story  
Drive in Salvage Centre  
Eco Logs  
Ecobricks  
Ecocycle Australia  
Endeavour Foundation (Vatmi Recycling - Wangaratta)  
Enerbi  
Environment Protection Authority Victoria  
Enviromix  
Ferrovia Services International  
Garden State Mulching Services  
GCL Intelligent Energy  
Gippsland concrete recycling  
Gippsland Water (Dutson Downs)  
Great Southern Waste Technologies  
Greater Shepparton Resource Recovery Centre  
Greenchip (ILEOWL PTD LTD)  
Hunt Environmental  
IMMIX integrated metal management  
J J Richards and Sons  
JR Richards  
Keppel Prince Engineering  
Keppel Seghers  
Latrobe Waste/Drouin Waste Recyclers  
Macquarie Group

Mansfield Bins and Skips  
Martin GmbH  
Mattress Gator  
Mossrock Australia Ltd Pty  
MRCB Australia Holding Company  
MRI (Aust) Pty Ltd  
Murphy's salvage and demolition  
Naish Waste JJ Richards  
National Waste and Recycling Industry Council  
Norstar Steel Recyclers  
North East Skip Hire  
OneSteel  
Orora Group (Amcor Limited)  
Owens Illinois  
Oztek Holdings  
Paddy's Bricks  
Pinegro Products Pty Ltd  
Plain Pallet Sales  
Potters Industries  
Recovered Energy Australia  
Regional Recycle  
Remondis Australia  
Resource Resolution  
Rivcow Environmental  
Sacyr Industrial  
Shoalhaven Recycling  
Sims Metal  
SITA C&D  
SITA Organics  
SOLO Resource and Recovery  
Southern Cross Recycling  
Statewide Waste (Austral Waste)  
Steinert Australia  
SUEZ Environment (partnered with SITA)  
Sunshine Groupe  
Sustainability Victoria  
The CIE  
The Local Government Association  
The Victorian Local Governance Association  
TIC Group  
Transpacific Cleanaway  
Transpacific Industries Group Ltd - garden organics  
Transpacific Industries Group Ltd - paper/other organics/steel  
Tyre Crumb Australia  
Tyrecycle  
VATMI  
Veolia  
Veolia Bulla  
Victorian Waste Management Association  
Visy Board  
Visy Paper  
Visy Recycling  
Viva Energy Australia  
Vortex Innovations  
Waste Contractors & Recyclers Association

Waste Management and Resource Recovery Association of Australia  
Waste Smart/Waste Converters  
Wyndham city