



Our ref: AA1000647/ AA1000648
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5 September 2023

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Dear Interested Party

Hunter Resource Recovery applications for authorisation (AA1000647 & AA1000648) - interested party consultation

On 10 and 18 August 2023, the Australian Competition and Consumer Commission (the **ACCC**) received two applications for authorisation from Hunter Resource Recovery (HRR). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

HRR, on behalf of itself, its Member Councils, (Cessnock City Council, Lake Macquarie City Council, Maitland City Council and Singleton Shire Council), and each of Dungog Shire Council, Muswellbrook Shire Council and Upper Hunter Shire Council, is seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth), for 25 years to jointly procure (through a tender process) and contract for the establishment of a recycling processing and sorting facility.

HRR, on behalf of itself and its Member Councils, (Cessnock City Council, Lake Macquarie City Council, Maitland City Council and Singleton Shire Council), has also sought authorisation² under the *Competition and Consumer Act 2010* (Cth), for 12 years to jointly procure (through a tender process) and contract for kerbside dry recyclate collection in each Member Council's Local Government Area.

HRR has sought interim authorisation with respect to both above applications.

Given the two applications are closely related, the ACCC intends to assess them both at the same time.

Full copies of the applications for authorisation are available on the ACCC's authorisations public register: [AA1000647](#) and [AA1000648](#)

Making a submission

The ACCC invites you to make a submission on the applications for authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

² For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

If you intend to provide a submission, please do so by **22 September 2023**. If you wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Submissions should be lodged via the web form accessible on the [public register](#) page for these applications. Alternatively, if you would like to provide comments orally, please contact Anna Pound via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

Timetable

The ACCC will progress its assessment of these applications in a timely manner. An indicative timetable is set out below for your information, and an up to date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
10 & 18 August 2023	Lodgement of applications and supporting submissions.
22 September 2023	Closing date for submissions from interested parties.
13 October 2023	Applicant responds to issues raised in the public consultation process.
November 2023	Draft determination.
December 2023	Public consultation on draft determination including any conference if called.
Jan/Feb 2024	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Anna Pound on 03 9290 9620 or exemptions@acc.gov.au.

Yours sincerely



David Hatfield
Director
Competition Exemptions