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By email

Dear Interested Party

Barwon South West Waste and Resource Recovery Group & Ors - application for authorisation AA1000600 - draft determination & interim authorisation

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation AA1000600 lodged by Barwon South West Waste and Resource Recovery Group (**Barwon SW WRRG**) and 6 Barwon region local councils on 22 December 2021.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for nine years and six months years to enable Moyne Shire Council, Corangamite Shire Council, Borough of Queenscliffe, City of Greater Geelong, Surf Coast Shire Council and Glenelg Shire Council to engage in collaborative tendering managed by Barwon SW WRRG for e-waste collection services.

The ACCC has also granted interim authorisation to enable the Councils to finalise the request for tender documentation, issue the request for tender and commence the evaluation and negotiations with preferred tenderers while the ACCC is considering the substantive application. Interim authorisation does not extend to the Councils entering into contracts with suppliers of e-waste collection services.

A copy of the ACCC's draft determination and interim authorisation is attached and also available on the ACCC's [authorisations public register](#).

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'.

Making a submission

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **3 March 2022**. Submissions should be emailed to exemptions@acc.gov.au with the subject "AA1000600 – Barwon SW WRRG – submission". If you prefer to make an oral submission, please contact Tanya Hobbs via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), 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](#).

Optional pre-decision conference

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called it will be open to the applicant and interested parties to attend and 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 **3 March 2022** by email to exemptions@acc.gov.au.

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 December 2021	Lodgement of application and supporting submission.
14 January 2022	Public consultation process begins.
17 February 2022	Draft determination and interim Authorisation Decision
3 March 2022	Closing date for submissions about the draft determination.
February/March 2022	Public consultation on draft determination including any conference if called.
April 2022	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 Tanya Hobbs on 02 6243 1029.

Yours sincerely



Gavin Jones
Director
Competition Exemptions