

NOTICE OF LODGMENT
AUSTRALIAN COMPETITION TRIBUNAL

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL and has been accepted for lodgment pursuant to the Practice Direction dated 13 July 2026. Filing details follow and important additional information about these are set out below.

Lodgment and Details

Document Lodged:	Application
File Number:	ACT 1 of 2026
File Title:	APPLICATION BY COLES SUPERMARKETS AUSTRALIA PTY LTD
Registry:	VICTORIA – AUSTRALIAN COMPETITION TRIBUNAL



REGISTRAR

Dated: 4/09/2026 3:58 PM

Important information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

**COLES SUPERMARKETS AUSTRALIA PTY LIMITED APPLICATION FOR REVIEW OF
AUSTRALIAN COMPETITION AND CONSUMER COMMISSION MERGER
AUTHORISATION DETERMINATION (MN-01068)**

**Commonwealth of Australia
*Competition and Consumer Act 2010***

In the Australian Competition Tribunal

File No. ACT 1 of 2026

Re: Application for review of a determination made by the Australian Competition and Consumer Commission under subsection 51ABZE(1) of the *Competition and Consumer Act 2010*

Application

- 1 Coles Supermarkets Australia Pty Limited (**Coles Supermarkets**) applies to the Australian Competition Tribunal (**Tribunal**) pursuant to s 100S(2)(b) of the *Competition and Consumer Act 2010* (Cth) (**CCA**) to be allowed to provide new information, documents and evidence for the purposes of the Tribunal's review of the Phase 2 Determination of the Australian Competition and Consumer Commission (**ACCC**) dated 30 June 2026 (**Determination**) in relation to Coles' proposed acquisition of a leasehold interest in Lots 95-106 Great Eastern Highway, Somerville, Kalgoorlie to develop a supermarket and liquor store.
- 2 The Application is supported by:
 - a) the affidavit of Liza Windel Carver sworn 27 August 2026;
 - b) the affidavit of Andrew Eastwood sworn 4 September 2026;
 - c) the affidavit of Linda Catherine Evans sworn 4 September 2026; and
 - d) Coles Supermarkets' written submissions dated 4 September 2026.

Proposed orders

- 3 By October 2026, Coles Supermarkets may file and serve the following information, documents and/or evidence for the purposes of the Tribunal's review of the Determination:
 - a) an expert report from Dr Mike Walker (Frontier Economics UK) which addresses, and responds to, the expert report prepared by Professor Patrick Rey dated 25 June 2026 and the ACCC's Statement of Reasons dated 30 June 2026;

- b) any evidence of a person or persons with working knowledge of Coles' CAR Model addressing the following worksheets prepared by the ACCC in respect of Coles' business case, as referenced in the Determination, and provided to Coles Supermarkets on 11 August 2026:
- i) a worksheet titled "COL.0009.0001.0001 (ACCC Adjusted - calc issues) - CONFIDENTIAL AND HIGHLY COMMERCIALY SENSITIVE - Please see notes about sensitivity in iM doc #31,534,082 (1)" and which has the document ID number 01068.022.038.0002; and
 - ii) a worksheet titled "COL.0009.0001.0001 (ACCC Adjusted - revenue sensitivity) - CONFIDENTIAL AND HIGHLY COMMERCIALY SENSITIVE – please see notes about sensitivity .xlsx" and which has the document ID number 01068.022.038.0003.

Dated 4 September 2026

Signed on behalf of the applicant, Coles Supermarkets

A handwritten signature in black ink, appearing to read 'Ade Eastwood', written over a dotted line.

(Signature)

Andrew Eastwood