

Commonwealth of Australia
Competition and Consumer Act 2010

In the Australian Competition Tribunal

File No: ACT 1 of 2026

RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the *Competition and Consumer Act 2010* (MN-01068)

**APPLICATION BY METCASH TRADING LIMITED
FOR FURTHER DIRECTIONS REGARDING CONFIDENTIAL INFORMATION**

1 Pursuant to paragraph 8(b) of the directions made by Justice O'Bryan on 21 July 2026 (**Directions**), Metcash Trading Limited (**Metcash**) applies for the following further directions concerning confidential information contained in documents Metcash produced to the Australian Competition and Consumer Commission (**ACCC**) during the ACCC's review of the proposed acquisition by Coles Supermarkets Australia Pty Limited (**Coles**) of a supermarket and liquor site in Kalgoorlie, WA (MN-01068) (**Coles Acquisition**):

- (a) That no internal solicitor employed by a Participant (as defined in paragraph 1 of the Annexure to the Directions) have access to the documents described in rows 2, 2(a), 2(b) and 2(c) of the table in the attached Annexure A.
- (b) That no person described in paragraph 3(a) to (e) of the Annexure to the Directions have access to the documents described in rows 1(a) and 1(b) of the table in the attached Annexure A.

In the alternative to paragraph (b):

- (c) That no internal solicitor employed by a Participant (as defined in paragraph 1 of the Annexure to the Directions) have access to the documents described in rows 1(a) and 1(b) of the table in the attached Annexure A.

- 2 Metcash's address for service for the purpose of regulation 21 of the *Competition and Consumer Regulations* 2010 (Cth) is:

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Date: 3 August 2026



.....
Ben Davis, Partner

Norton Rose Fulbright
Signed on behalf of Metcash Trading Limited

ANNEXURE A

In this Annexure A, “Documentary Index” refers to the documentary index filed by the ACCC on 28 July 2026.

	Document Title in Documentary Index	Document ID	Page reference to Documentary Index
1(a)	Attachment 1 - Frontier Economics Report - 23 February 2023.pdf	01068.001.005.0011	218
1(b)	Attachment 2 - CRA Report for Metcash re supermarkets inquiry - 3 December 2024.pdf	01068.001.005.0042	218
2	Letter - ACCC - Metcash response to s 155(1)(a) and (b) Notice dated 17 April 2026 - 1 May 2026 signed.pdf	01068.001.020.1915	243
2(a)	Max Endorsed Thresholds by State.pptx	01068.001.020.1928	243
2(b)	Response to Schedule 1, questions 1(a), 1(b), 2(b) & 2(e).xlsx	01068.001.020.1929	243
2(c)	WA Price Book.xlsx	01068.001.020.1930	243