



**Australian  
Competition &  
Consumer  
Commission**

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602  
ph (02) 6243 1111  
fax (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: C2004/1345  
Contact Officer: Scott Gregson  
Contact Phone: (02) 6243 1107

27 September 2004

Maria & James Orr  
Openday Pty Limited  
8451 Pacific Highway  
North Urunga NSW 2455

Dear Mr & Mrs Orr

**Re: Notification of exclusive dealing lodged by  
Openday Pty Limited (N40758)**

I refer to the above notification lodged by Openday Pty Limited (Openday) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Openday to consumers purchasing petroleum products at the BP service station at North Urunga on the condition that consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Coffs Harbour region of New South Wales.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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Yours sincerely



Tim Grimwade  
General Manager  
Adjudication Branch

CC Mr Peter Hede, Foodland Associated Limited



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27 September 2004

Mr Gaurang Parekh  
Passions Petroleum Pty Ltd  
40 Darcy St  
Libcombe NSW 2141

Dear Mr Parekh

**Re: Notification of exclusive dealing lodged by  
Passions Petroleum Pty Ltd (N40759)**

I refer to the above notification lodged by Passions Petroleum Pty Ltd (Passions Petroleum) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Passions Petroleum to consumers purchasing petroleum products at the BP service station at Glenview on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in Beerwah, Queensland.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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Yours sincerely



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27 September 2004

M & H J Webb  
PO Box 323  
Macksville NSW 2447

Dear Mr & Mrs Webb

**Re: Notification of exclusive dealing lodged by  
M. & H.J. Webb Pty Limited (N40760)**

I refer to the above notification lodged by M. & H.J. Webb Pty Limited with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by M & H Webb to consumers purchasing petroleum products at BP Macksville on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Kempsey and Coffs Harbour region of New South Wales.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.

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Yours sincerely



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27 September 2004

Mr William Smith  
BP Landsborough Central  
Corner of Railway St & Caloundra St  
Landsborough QLD 4550

Dear Mr Smith

**Re: Notification of exclusive dealing lodged by  
William R & Cheryl M Smith trading as BP Landsborough Central (N40761)**

I refer to the above notification lodged by William R & Cheryl M Smith trading as BP Landsborough Central (BP Landsborough Central) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as The giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by BP Landsborough Central to consumers purchasing petroleum products at BP Landsborough Central on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in Beerwah, Queensland.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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Yours sincerely

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Tim Grimwade  
General Manager  
Adjudication Branch

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27 September 2004

Mr Garth Dennis  
BP Moss Marine  
Corner of Harbour Road & Hamilton St  
Mackay QLD 4740

Dear Mr Dennis

**Re: Notification of exclusive dealing lodged by  
Dennis Investments Pty ltd as trustee for the Dennis Family Trust trading as BP Moss  
Marine (N40762)**

I refer to the above notification lodged by Dennis Investments Pty ltd as trustee for the Dennis Family Trust trading as BP Moss Marine (Moss Marine) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Moss Marine to consumers purchasing petroleum products on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Mackay region of Queensland.

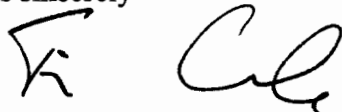
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Yours sincerely

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27 September 2004

Mr Greg Swift  
Lowe's Auto Centre  
76 Marine Parade  
Kingscliff NSW 2487

Dear Mr Swift

**Re: Notification of exclusive dealing lodged by  
J. R. Lowe & G.M. Swift & L.J. Swift trading as Lowe's Auto Centre (N40763)**

I refer to the above notification lodged by J. R. Lowe & G.M. Swift & L.J. Swift trading as Lowe's Auto Centre (Lowe's Auto Centre) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Lowe's Auto Centre to consumers purchasing petroleum products at Lowe's Auto Centre on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Kingscliff region of New South Wales.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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Yours sincerely



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27 September 2004

Tony & Paula Nash  
Kiwi Black Properties Pty Ltd  
Chinderah Bay Drive  
Chinderah NSW 2487

Dear Mr & Mrs Nash

**Re: Notification of exclusive dealing lodged by  
Kiwi Black Properties Pty Ltd (N40764)**

I refer to the above notification lodged by Kiwi Black Properties Pty Ltd (Kiwi Black) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Kiwi Black to consumers purchasing petroleum products at the BP service station at Chinderah on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Kingscliff region of New South Wales.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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Yours sincerely

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27 September 2004

Messers John Keelan & John Squires  
33 Ocean Parade  
Coffs Harbour NSW 2450

Dear Messers Keelan & Squires

**Re: Notification of exclusive dealing lodged by  
JE & DJ Squires Pty Ltd & JJ Keelan & L Keelan (N40765)**

I refer to the above notification lodged by JE & DJ Squires Pty Ltd & JJ Keelan & L Keelan (Squires & Keelan) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Squires & Keeland to consumers purchasing petroleum products at the Park Beach Mini Mart on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Coffs Harbour region of New South Wales.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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27 September 2004

Messrs Phillip Watson and Garry Watson  
Banaland Service Station  
Corner of Pacific Highway and Hurley Drive  
Coffs Harbour South NSW 2450

Dear Messrs Watson & Watson

**Re: Notification of exclusive dealing lodged by  
PB Watson & SJ Watson trading as Banaland Service Station (N40766)**

I refer to the above notification lodged by PB Watson & SJ Watson trading as Banaland Service Station (Banaland Service Station) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by Banaland Service Station to consumers purchasing petroleum products at Banaland Service Station on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Coffs Harbour region of New South Wales.

The ACCC recently consulted a wide variety of interested parties in relation to a number of similar notifications relating to the petrol and grocery sectors. The ACCC has considered the above notification in light of submissions previously put to it by interested parties in relation to similar notifications and its own investigations. The ACCC considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by the notification.



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Yours sincerely

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27 September 2004

M & HJ Webb  
PO Box 323  
Macksville NSW 2447

Dear Mr & Mrs Webb

**Re: Notification of exclusive dealing lodged by  
M & HJ Webb Pty Limited (M & H Webb) (N40767)**

I refer to the above notification lodged by M & HJ Webb Pty Limited (M & H Webb) with the Australian Competition and Consumer Commission (the ACCC) on 10 September 2004. Legal immunity provided by the notification came into effect on 24 September 2004.

The conduct is described in the notification as the giving or allowing, or offering to give or allow, a discount, allowance, rebate or credit in relation to the supply or proposed supply of retail petroleum products by M & H Webb to consumers purchasing petroleum products at BP South West Rocks on the condition that the consumers have acquired goods of a specific value from the participating supermarket owned by Action Supermarkets Pty Ltd in the Kempsey region of New South Wales.

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