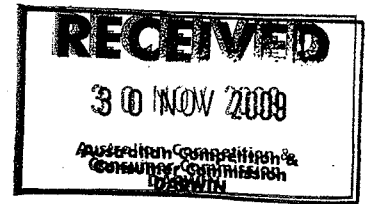




*Where Good Sports Meet!*

Mr Richard Chadwick  
General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
Canberra ACT 2601



Dear Mr Chadwick

**LODGEMENT OF THE CASUARINA BUSINESS PRECINCT STAKEHOLDERS COMMITTEE APPLICATION FOR AUTHORISATION AND REQUEST FOR INTERIM AUTHORISATION**

Please find enclosed an application for authorisation in relation to the proposed Casuarina Business Precinct Liquor Accord. The application is lodged by me on behalf of the members of the Casuarina Business Precinct Stakeholders Committee.

On behalf of the Stakeholders Committee I also request that the ACCC make an interim authorisation to allow Stakeholders to progress development of the accord through continued discussions with Coles and Woolworths and to enable all take-away outlets in the precinct to voluntarily implement the proposed measures in the draft accord until a final determination is made. In requesting an interim authorisation Stakeholders submit that:

- The principal objective of the arrangements documented in the proposed Liquor Accord is to reduce levels of anti-social behaviour in Casuarina Business Precinct including public drinking, drunkenness and alcohol fuelled inappropriate, aggressive and violent behaviour, by reducing the supply of alcohol products that contribute the most to these undesirable behaviours.
- On the basis of initial discussions with Coles and Woolworths, there is no indication that licensees would act immediately to implement any of the proposed measures which would change their current operation.

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- The need for an interim authorisation is to enable development of the proposed Liquor Accord with Coles and Woolworths, as licensees for three of the four take-away liquor outlets within the Casuarina Business Precinct. The Stakeholders Committee has made initial approaches to Coles and Woolworths to discuss the proposed Liquor Accord however representatives of both companies have indicated a very high level of concern with possible Trade Practices Act implications. Specifically both companies have indicated that they are unwilling to discuss an accord unless the Stakeholders Committee obtain authorisation from the ACCC.
- Should the ACCC deny an interim authorisation it is not expected that any increased harms will result however, it will result in significant delays to the process of engaging with Coles and Woolworths.
- Should the ACCC grant an interim authorisation Stakeholders would seek to enter into discussions with Coles and Woolworths as quickly as possible and to seek their cooperation to voluntarily implement the proposed measures in the draft accord until a final determination is made. Stakeholders expect that implementation of the proposed measures would result in a consequential improvement in the safety and amenity of the precinct.

The contact officer for communications regarding the application and request for interim authorisation is Ms Deb Bryan of the Northern Territory Department of the Chief Minister. Please contact Deb on (08)8999 5028 or 0410 119 234 should you require anything further.

I look forward to your response and trust you find the submission in order.

Yours sincerely



ANDREW HAY  
GENERAL MANAGER

Date 27 November 2009