Notification Waiver Determination

Australian Venue Co – assets of 318 Little Collins Street, Melbourne (also known as The Carson)

Acquisition	AVC Operations Pty Limited (**Australian Venue Co**) applied for a notification waiver in respect of its proposed acquisition of substantially all of the assets of the licensed hospitality business intending to trade as The Carson at 318 Little Collins Street, Melbourne (including the exclusive right to carry on the business in succession of the vendor under the benefit of a new lease) from Datre Pty Ltd, as described in the transaction documents provided as part of the application (the **Acquisition**).
Determination	The Australian Competition and Consumer Commission has determined under section 51ABV(1)(b) of the *Competition and Consumer Act 2010* (Cth) not to make the notification waiver determination applied for.
Date of determination	10 November 2026

Parties to the Acquisition	The acquirer, Australian Venue Co, operates over 200 licensed venues throughout Australia and New Zealand, primarily pubs, as well as bars, clubs and licensed restaurants. Its venues are individually branded and are mostly located in inner-city and metro areas, offering a range of products and services including food, alcoholic and non-alcoholic beverages, function rooms, live entertainment and gaming facilities. The Carson is proposed as a contemporary, beverage-led rooftop bar and restaurant operating under a Late Night On-Premises Licence. It is expected to open and commence trading in December 2026 following a major redevelopment of the existing late 1960s building at 318 Little Collins St.
Explanation for determination	In making this notification waiver determination, the Australian Competition and Consumer Commission (**ACCC**) has considered the information provided with the notification waiver application and had regard to the factors in section 51ABV(2)(b) of the Act. Based on the information provided in the application, the ACCC considers that, if the Acquisition were put into effect, the notification thresholds would likely be met. The ACCC is unable to reach a view that the Acquisition would not be likely to raise competition issues in any market, based on the information provided. It considers that the Acquisition warrants consideration through the notification process, including via further information gathering and consultation with third parties. This may include a focus on:

	a. the extent of horizontal overlap in the Melbourne CBD once The Carson is operational, noting Australian Venue Co owns several similar venues in the Melbourne CBD area b. the extent to which Australian Venue Co is likely to be constrained by alternative suppliers of dining, function and on-premises liquor services, particularly at large-format retail hospitality venues, in the Melbourne CBD area post-acquisition c. the extent to which Australian Venue Co's competitors could acquire similar assets. Given the above, the ACCC has determined not to make the notification waiver determination applied for. The ACCC considers that the determination is consistent with the object of the Act and the interests of consumers in promoting competition. For more information about the ACCC's approach to considering notification waiver applications and to assessing competition effects more generally, see the ACCC's guidance on notification waivers and merger assessment guidelines.

Determination made by a division of the Commission constituted by a direction issued pursuant to section 19 of the Act