



**Australian
Competition &
Consumer
Commission**

Our Ref: C2004/1784
Contact Officer: Ursula Everett
Contact Number: (02) 6243 1271

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602

ph (02) 6243 1111
fax (02) 6243 1199

www.accc.gov.au

3 December 2004

Mr Peter Young
Peter Young & Associates
PO Box Z5583
St George's Terrace
Perth WA 6831

Dear Mr Young

Re: Third line forcing notification No: N70403 lodged by Esplanade (Mandurah) Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (ACCC) on 19 November 2004. The notification has been placed on the ACCC's public register.

Legal immunity provided by the notification commenced on 3 December 2004.

The notification details a proposed arrangement whereby Esplanade (Mandurah) Pty Ltd will offer 26 lots of land for sale in Stage 9 of its Mariners Cove development in Mandurah, WA, on the condition that each purchaser of land enters into a building contract with a nominated builder, to construct a dwelling on the land.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the Commission may act to remove the immunity afforded by this notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This letter has been placed on the Commission's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Ursula Everett on (02) 6243 1271.

Yours sincerely

Scott Gregson
Acting General Manager
Adjudication Branch

