

10 **MAB**

MAB Corporation Pty Ltd

ABN 78 917 049 883
ACN 065 207 230

Level 1, 54 St Kilda Road
St Kilda Victoria 3182 Australia

Telephone 03 8530 2222
Fax 03 8530 2200
www.mabcorp.com.au

FILE No:
DO:
MARS/PRISM

Australian Competition and Consumer Commission
PO Box 1199
Dixon ACT 2602

3rd October 2005

Attention:- General Manager
Adjudication Branch

Dear Sir/Madam;

RE Exclusive Dealing Notification

Pursuant to S93 of the Trade Practices Act, we would wish to lodge the following Exclusive Dealings Notification on behalf of Conder Tower Pty Ltd and Aquavista Tower Pty Ltd. Enclosed is the filing fee of \$200.00.

We have previously lodged Exclusive Dealings Notifications on behalf of Nolan Tower Pty Ltd (N40604), NewQuay Stage 2 Pty Ltd (N40603) and NewQuay Nodal and Marina Pty Ltd (N40602) which cover the same activities within the general same geographical area.

Furthermore, we would wish to notify the Commission that Nolan Tower Pty Ltd has assigned all of its interests in the Nolan Tower site/project to Nolan Property Investments Pty Ltd and consequently Nolan Property Investments Pty Ltd would wish to rely on N40604 as the appropriate notification at the Nolan site.

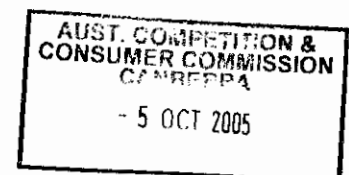
Await your reply.

Yours faithfully,
MAB Corporation Pty Ltd

Anthony Calvi
Group General Counsel & Group Company Secretary

For and on behalf of Conder Tower Pty Ltd and Aquavista Tower Pty Ltd

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FORM G

Regulation 9

COMMONWEALTH OF AUSTRALIA
Trade Practices Act 1974 — subsection 93(1)
EXCLUSIVE DEALING: NOTIFICATION

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in subsection 47(6) or 47(7) of that Act in which the person giving notice engages or proposes to engage.

1. (a) *Name of person giving notice:*

Conder Tower Pty Ltd (ACN 086 482 699) of 54 St Kilda Road, St Kilda, Victoria 3182.

(b) *Short description of business carried on by that person:*

The MAB Group is a Melbourne-based group of companies involved in the development of residential, retail and industrial property. The MAB Group consists of the following related entities:

- MAB Corporation Pty Ltd;
- MAB Docklands Pty Ltd;
- YarraNova Pty Ltd (a joint venture in which MAB Docklands Pty Ltd has a 50% share);
- NewQuay Nodal and Marina Pty Ltd;
- NewQuay Stage 2 Pty Ltd;
- Nolan Tower Pty Ltd;
- Metro Real Estate Services Pty Ltd as trustee for MAB Real Estate Services Trust (ACN 096 688 998) of 54 St Kilda Road, St Kilda, Victoria 3182, trading as Precinct Management Services (“PMS”).
- Conder Tower Pty Ltd and
- Aquavista Tower Pty Ltd

Current projects of the MAB Group include the development of the NewQuay precinct of the Melbourne Docklands area, which when completed will be a major waterfront community comprising residential accommodation, marina facilities, restaurants, cafes, bars and commercial and retail premises.

As the appointed developers and managers of the residential, retail and marina components of NewQuay, the members of the MAB Group have various contractual obligations in relation to the development of the precinct. General contractual obligations arise pursuant to the Precinct Development Agreement between YarraNova Pty Ltd and the Docklands Authority. More specific obligations in relation to the lease, development and management of the Marina and 'nodal' buildings arise pursuant to agreements between NewQuay Nodal and Marina Pty Ltd and the Docklands Authority. Pursuant to these agreements, NewQuay Nodal and Marina Pty Ltd has also been granted the head leases for the nodal buildings.

In addition, various members of the MAB Group have obligations as the registered proprietors and managers of the residential towers that comprise the NewQuay precinct. Relevant for the purposes of this notification, Conder Tower Pty Ltd is the registered proprietor of the Conder Tower, which include less than 13 retail properties.

Conder Tower Pty Ltd is responsible for the sale of these retail properties. The management of the properties will be the responsibility of PMS, a company within the MAB Group involved in property management services. PMS provides services in connection with lease administration, rent collection, rent reviews, new leases, outgoings management, car park management, property marketing and promotion, repairs and maintenance, minor capital works, legal representation of landlords, incentive management and tenant performance analysis.

- (c) *Address in Australia for service of documents on that person:*

C/- Anthony Calvi
MAB Corporation Pty Ltd
Level 1, 54 St Kilda Road
St Kilda Vic 3182

2. (a) *Description of the goods or services in relation to the supply or acquisition of which this notice relates:*

Subdivided retail properties in the Conder Tower of the NewQuay precinct at Melbourne Docklands ("the **Retail Properties**").

- (b) *Description of the conduct or proposed conduct:*

The Docklands Authority was established by the Victorian Government in 1991 to develop and promote the Docklands area in Melbourne. Pursuant to statute, the Docklands Authority is charged with the following functions:

- to oversee and coordinate the development by others of Docklands;
- to encourage and promote the involvement of the private sector in the development of Docklands;
- to ensure that Docklands is developed as a place of character and quality in which to work, live and visit, creating both a tourism asset and a boost to the prosperity of Victoria;

- to ensure that Docklands is an integrated community that is developed in a manner responsive to and complementary with the characteristics of the area and Melbourne; and
- to take or promote measures to create an appealing destination and environment that will encourage people to live and work in the area and that will attract visitors.

Pursuant to the Precinct Development Agreement between Docklands Authority and YarraNova Pty Ltd, these functions also form the general objectives of the MAB Group's development of the NewQuay precinct. The MAB Group generally, and Conder Tower Pty Ltd in relation to the Conder Tower, therefore play an important and continuing role in assisting Docklands Authority to fulfil its statutory functions in relation to the NewQuay precinct.

Conder Tower Pty Ltd intends to sell the freehold of the Retail Properties to enhance the ability of the MAB Group to develop the NewQuay precinct to its full potential. However, in order to comply with the ongoing obligations under the Precinct Development Agreement, it is necessary for Conder Tower Pty Ltd to impose certain quality standards and other controls on the way in which the purchasers of the Retail Properties can lease and sell these properties. These controls include ensuring that NewQuay is well maintained, clean and secure, that there is consistency and integration between the residential, retail and marina components of the development and that there is an appropriate, quality tenancy mix in the restaurants, bars, cafes and retail stores in the NewQuay precinct.

To ensure the objectives of the Precinct Development Agreement are met as well as compliance with other planning laws and precinct controls, Conder Tower Pty Ltd proposes to:

- (A) sell or offer for sale the Retail Properties to purchasers on condition that purchasers:
- comply with various covenants and other obligations relating to the terms on which purchasers lease or operate the Retail Properties;
 - acquire the property management services of PMS in accordance with a Property Management Agreement for a term of 7 years with a further 3 year option (the "**Property Management Agreement**"); and
 - agree that they will novate the Property Management Agreement to any subsequent purchaser for the unexpired term of that agreement (if any), if they sell the Property.
- (B) refuse to sell or offer for sale the Retail Properties for the reason that the purchaser:
- has not agreed to comply with the covenants and other obligations relating to the terms on which the purchaser leases or operates the Property;
 - has not acquired or has not agreed to acquire the property management services of PMS in accordance with the Property Management Agreement; or

- has not agreed to novate the Property Management Agreement to any subsequent purchaser for the unexpired term.

Pursuant to the Property Management Agreement, PMS will provide property management services to all purchasers of the Retail Properties, including:

- lease administration, rent collection, rent reviews and new leases;
- outgoing management promotion and marketing of the NewQuay Retail Properties and the precinct generally;
- repairs, maintenance and minor capital works;
- security and cleaning services;
- legal representation of landlords, incentive management and tenant performance analysis; and
- real estate services on sale of the Property.

In addition to these general property management services, PMS will be responsible for enforcing the covenants and other obligations imposed under the contract of sale or lease (as the case may be).

PMS will also provide services in relation to the retail-area and NewQuay precinct as a whole. For example, PMS will manage the car parks, the retail-area public toilets and waste-disposal, as well as the maintenance of the precinct's public areas for the Docklands Authority.

The MAB Group has sought to match the term of the Property Management Agreement (7 years plus option to renew for 3 years) with the time it expects it will take to complete the construction and development of the NewQuay precinct and to establish the area as a quality waterfront community.

The proposed conduct will be of benefit to the public as it will:

- provide the MAB Group with the ability to control and coordinate the quality and composition of the retail sector of the NewQuay precinct. This will ensure an appropriate tenancy mix and enhance the overall quality of the precinct. It will also ensure consistency of management between the Retail Properties and the residential and marina components of the NewQuay precinct over which the MAB Group also has management responsibilities. It is hoped these measures will encourage visitors and promote tourism to the Docklands area;
- ensure that the NewQuay precinct is developed as an integrated community which complements the greater Docklands area and metropolitan Melbourne. The MAB Group will aim to achieve this through co-ordinated marketing of the NewQuay precinct to encourage visitors to the restaurants, cafes and retail stores;
- ensure compliance with the various planning laws and precinct controls imposed in respect of the NewQuay precinct by the Docklands Authority and/or Melbourne City Council (e.g. waste disposal; loading bay restrictions);

- provide owners and tenants with coordinated property management services, which should produce consistency of service, economies of scale and increased buying power in relation to shared services (eg security, cleaning, marketing, maintenance) and consequently reduced outgoings on the part of tenants and/or owners;
- provide owners and tenants with coordinated security and maintenance, thereby enhancing the safety and appearance of the NewQuay precinct. This will promote NewQuay and the Docklands area as an attractive and safe location to reside, work and visit;
- raise public awareness of the Docklands area and help change the existing negative perception of the area which some of the public may hold; and
- provide a managed approach to the sale of any Retail Property at NewQuay and ensure that new purchasers are provided with consistent and accurate information about their obligations. It will also maintain the quality and consistency of the NewQuay precinct through the ongoing provision of services by PMS to subsequent purchasers for the term of the Property Management Agreement.

The proposed conduct will not substantially lessen competition in the markets for the relevant services as:

- the proposed conduct will only affect the Retail Properties in the Conder Tower of the NewQuay precinct (less than 13 properties) which represent a very small percentage of the retail properties available for purchase and lease in the greater Melbourne area;
- while other property managers and real estate agents will not be able to provide management and related services to the purchasers of the Retail Properties during the term of the Property Management Agreement, there are numerous other owners and vendors of retail properties within retail developments and shopping centres in the greater Melbourne area which require these services.

The applicant considers that the benefits of the proposed conduct, as outlined above, will outweigh any possible detriment considered to arise from the conduct.

3. (a) *Class or classes of persons to which the conduct relates:*

Purchasers (initial and subsequent) of the subdivided retail properties in the Conder Tower of the NewQuay precinct.

(b) *Number of those persons:*

Conder Tower Pty Ltd is selling 13 Retail Properties from January 2005. The proposed conduct will relate to all persons purchasing the Retail Properties.

(c) *Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:*

The Retail Properties Lots 1R, 2R, 3R, 4R, and 11R have not been sold as yet. The sold Retail Properties have the proposed arrangement put in place and a

Property Management Agreement signed by all parties concern. The following are the affected purchasers:-

Lots 5R, 6R, 7R and 8R

Charlie and Anita Pty Ltd, 1946 Hume Highway, Campbellfield Victoria 3047

Lot 9R

Terry Pak Kwai Choe, 815/83 Queensbridge Street, Southgate Victoria 3006

Lot 10R

Saisunee Macfarlane and Tony Andrew Macfarlane, 434 Maroondah Highway Healsville Victoria 3777

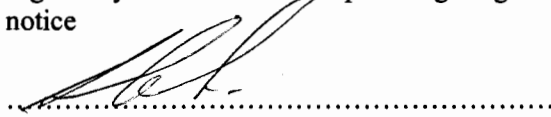
Lot 12R and 13R

Cheong Mun Tuck 12 James Austin Place, Hoppers Crossing Victoria 3029

4. *Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:*

Dated 3rd October 2005

Signed by/on behalf of the person giving this notice



(Signature)

Anthony Calvi

SOLICITOR

DIRECTIONS

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
2. If this notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in subsection 47(2), (3), (4), (5), (6), (7), (8) or (9) of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
6. In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

NOTICE

If this notification is in respect of conduct of a kind referred to in subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act 1974* ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decides not to give a notice under subsection 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8)(a) or (b) or (9)(a), (b) or (c), of the Act, it comes into force when it is given.

FORM G

Regulation 9

COMMONWEALTH OF AUSTRALIA
Trade Practices Act 1974 — subsection 93(1)
EXCLUSIVE DEALING: NOTIFICATION

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in subsection 47(6) or 47(7) of that Act in which the person giving notice engages or proposes to engage.

1. (a) *Name of person giving notice:*

Aquavista Tower Pty Ltd (ACN 086 482 706) of 54 St Kilda Road, St Kilda, Victoria 3182.

(b) *Short description of business carried on by that person:*

The MAB Group is a Melbourne-based group of companies involved in the development of residential, retail and industrial property. The MAB Group consists of the following related entities:

- MAB Corporation Pty Ltd;
- MAB Docklands Pty Ltd;
- YarraNova Pty Ltd (a joint venture in which MAB Docklands Pty Ltd has a 50% share);
- NewQuay Nodal and Marina Pty Ltd;
- NewQuay Stage 2 Pty Ltd;
- Nolan Tower Pty Ltd;
- Metro Real Estate Services Pty Ltd as trustee for MAB Real Estate Services Trust (ACN 096 688 998) of 54 St Kilda Road, St Kilda, Victoria 3182, trading as Precinct Management Services (“PMS”).
- Conder Tower Pty Ltd and
- Aquavista Tower Pty Ltd

Current projects of the MAB Group include the development of the NewQuay precinct of the Melbourne Docklands area, which when completed will be a major waterfront community comprising residential accommodation, marina facilities, restaurants, cafes, bars and commercial and retail premises.

As the appointed developers and managers of the residential, retail and marina components of NewQuay, the members of the MAB Group have various contractual obligations in relation to the development of the precinct. General contractual obligations arise pursuant to the Precinct Development Agreement between YarraNova Pty Ltd and the Docklands Authority. More specific obligations in relation to the lease, development and management of the Marina and 'nodal' buildings arise pursuant to agreements between NewQuay Nodal and Marina Pty Ltd and the Docklands Authority. Pursuant to these agreements, NewQuay Nodal and Marina Pty Ltd has also been granted the head leases for the nodal buildings.

In addition, various members of the MAB Group have obligations as the registered proprietors and managers of the residential towers that comprise the NewQuay precinct. Relevant for the purposes of this notification, Aquavista Tower Pty Ltd is the registered proprietor of the Aquavista Tower, which include less than 13 retail properties.

Aquavista Tower Pty Ltd is responsible for the sale of these retail properties. The management of the properties will be the responsibility of PMS, a company within the MAB Group involved in property management services. PMS provides services in connection with lease administration, rent collection, rent reviews, new leases, outgoing management, car park management, property marketing and promotion, repairs and maintenance, minor capital works, legal representation of landlords, incentive management and tenant performance analysis.

(c) *Address in Australia for service of documents on that person:*

C/- Anthony Calvi
MAB Corporation Pty Ltd
Level 1, 54 St Kilda Road
St Kilda Vic 3182

2. (a) *Description of the goods or services in relation to the supply or acquisition of which this notice relates:*

Subdivided retail properties in the Aquavista Tower of the NewQuay precinct at Melbourne Docklands ("the **Retail Properties**").

(b) *Description of the conduct or proposed conduct:*

The Docklands Authority was established by the Victorian Government in 1991 to develop and promote the Docklands area in Melbourne. Pursuant to statute, the Docklands Authority is charged with the following functions:

- to oversee and coordinate the development by others of Docklands;
- to encourage and promote the involvement of the private sector in the development of Docklands;
- to ensure that Docklands is developed as a place of character and quality in which to work, live and visit, creating both a tourism asset and a boost to the prosperity of Victoria;

- to ensure that Docklands is an integrated community that is developed in a manner responsive to and complementary with the characteristics of the area and Melbourne; and
- to take or promote measures to create an appealing destination and environment that will encourage people to live and work in the area and that will attract visitors.

Pursuant to the Precinct Development Agreement between Docklands Authority and YarraNova Pty Ltd, these functions also form the general objectives of the MAB Group's development of the NewQuay precinct. The MAB Group generally, and Aquavista Tower Pty Ltd in relation to the Aquavista Tower, therefore play an important and continuing role in assisting Docklands Authority to fulfil its statutory functions in relation to the NewQuay precinct.

Aquavista Tower Pty Ltd intends to sell the freehold of the Retail Properties to enhance the ability of the MAB Group to develop the NewQuay precinct to its full potential. However, in order to comply with the ongoing obligations under the Precinct Development Agreement, it is necessary for Aquavista Tower Pty Ltd to impose certain quality standards and other controls on the way in which the purchasers of the Retail Properties can lease and sell these properties. These controls include ensuring that NewQuay is well maintained, clean and secure, that there is consistency and integration between the residential, retail and marina components of the development and that there is an appropriate, quality tenancy mix in the restaurants, bars, cafes and retail stores in the NewQuay precinct.

To ensure the objectives of the Precinct Development Agreement are met as well as compliance with other planning laws and precinct controls, Aquavista Tower Pty Ltd proposes to:

- (A) sell or offer for sale the Retail Properties to purchasers on condition that purchasers:
- comply with various covenants and other obligations relating to the terms on which purchasers lease or operate the Retail Properties;
 - acquire the property management services of PMS in accordance with a Property Management Agreement for a term of 7 years with a further 3 year option (the "Property Management Agreement"); and
 - agree that they will novate the Property Management Agreement to any subsequent purchaser for the unexpired term of that agreement (if any), if they sell the Property.
- (B) refuse to sell or offer for sale the Retail Properties for the reason that the purchaser:
- has not agreed to comply with the covenants and other obligations relating to the terms on which the purchaser leases or operates the Property;
 - has not acquired or has not agreed to acquire the property management services of PMS in accordance with the Property Management Agreement; or

- has not agreed to novate the Property Management Agreement to any subsequent purchaser for the unexpired term.

Pursuant to the Property Management Agreement, PMS will provide property management services to all purchasers of the Retail Properties, including:

- lease administration, rent collection, rent reviews and new leases;
- outgoing management promotion and marketing of the NewQuay Retail Properties and the precinct generally;
- repairs, maintenance and minor capital works;
- security and cleaning services;
- legal representation of landlords, incentive management and tenant performance analysis; and
- real estate services on sale of the Property.

In addition to these general property management services, PMS will be responsible for enforcing the covenants and other obligations imposed under the contract of sale or lease (as the case may be).

PMS will also provide services in relation to the retail-area and NewQuay precinct as a whole. For example, PMS will manage the car parks, the retail-area public toilets and waste-disposal, as well as the maintenance of the precinct's public areas for the Docklands Authority.

The MAB Group has sought to match the term of the Property Management Agreement (7 years plus option to renew for 3 years) with the time it expects it will take to complete the construction and development of the NewQuay precinct and to establish the area as a quality waterfront community.

The proposed conduct will be of benefit to the public as it will:

- provide the MAB Group with the ability to control and coordinate the quality and composition of the retail sector of the NewQuay precinct. This will ensure an appropriate tenancy mix and enhance the overall quality of the precinct. It will also ensure consistency of management between the Retail Properties and the residential and marina components of the NewQuay precinct over which the MAB Group also has management responsibilities. It is hoped these measures will encourage visitors and promote tourism to the Docklands area;
- ensure that the NewQuay precinct is developed as an integrated community which complements the greater Docklands area and metropolitan Melbourne. The MAB Group will aim to achieve this through co-ordinated marketing of the NewQuay precinct to encourage visitors to the restaurants, cafes and retail stores;
- ensure compliance with the various planning laws and precinct controls imposed in respect of the NewQuay precinct by the Docklands Authority and/or Melbourne City Council (e.g. waste disposal; loading bay restrictions);

- provide owners and tenants with coordinated property management services, which should produce consistency of service, economies of scale and increased buying power in relation to shared services (eg security, cleaning, marketing, maintenance) and consequently reduced outgoings on the part of tenants and/or owners;
- provide owners and tenants with coordinated security and maintenance, thereby enhancing the safety and appearance of the NewQuay precinct. This will promote NewQuay and the Docklands area as an attractive and safe location to reside, work and visit;
- raise public awareness of the Docklands area and help change the existing negative perception of the area which some of the public may hold; and
- provide a managed approach to the sale of any Retail Property at NewQuay and ensure that new purchasers are provided with consistent and accurate information about their obligations. It will also maintain the quality and consistency of the NewQuay precinct through the ongoing provision of services by PMS to subsequent purchasers for the term of the Property Management Agreement.

The proposed conduct will not substantially lessen competition in the markets for the relevant services as:

- the proposed conduct will only affect the Retail Properties in the Aquavista Tower of the NewQuay precinct (less than 13 properties) which represent a very small percentage of the retail properties available for purchase and lease in the greater Melbourne area;
- while other property managers and real estate agents will not be able to provide management and related services to the purchasers of the Retail Properties during the term of the Property Management Agreement, there are numerous other owners and vendors of retail properties within retail developments and shopping centres in the greater Melbourne area which require these services.

The applicant considers that the benefits of the proposed conduct, as outlined above, will outweigh any possible detriment considered to arise from the conduct.

3. (a) *Class or classes of persons to which the conduct relates:*

Purchasers (initial and subsequent) of the subdivided retail properties in the Aquavista Tower of the NewQuay precinct.

(b) *Number of those persons:*

Aquavista Tower Pty Ltd is selling 13 Retail Properties from January 2005. The proposed conduct will relate to all persons purchasing the Retail Properties.

(c) *Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:*

The Retail Properties have been offered for sale and sold with the proposed arrangement put in place and a Property Management Agreement signed by all parties concern. The following are the affected purchasers:-

Lots 101 & 102

Peter Chan, C/O Charles Chow Solicitor 10th floor, 258 Little Bourke Street,
Melbourne 3000

Lot 103

Kieng Meng Tan and Buy Hkuch Tan, C/O Nedovic & Co Solicitors 600 Lonsdale
Street, Melbourne Victoria 3000

Lot 104

Flora Basilio, 28 Panorama Way, Sanctuary Lakes Victoria

Lot 105

Jamie Ilog and Luzuiminda Keating, 6 Rudolp Street, Hoppers Crossing Victoria
3029

Lot 106

Thi Lan Le, 97 Ashley Street, Braybrook, Victoria 3019

Lot 107

Ya Kuo, Song Su, Kim Lui Kuo, Kim Hue Su and Des Poon, C/O Kings Solicitors
22 Viewmount Rd, Gen Waverley Victoria 3150

Lot 108

Vinh World Pty Ltd, C/O Oxley Legal Suite 3, 795 Glenferrie Rd, Hawthorn,
Victoria 3122

Lot 109 & 110

Long Bui Le and Anh hu Tru Le, C/O Norris Coates Lawyers Level 10, 99
William Street, Melbourne 3000

Lot 111

Melbourne Investment Group Pty Ltd, C/O Frank Sagara Solicitor, 141 Union Rd,
Ascot Vale Victoria 3032

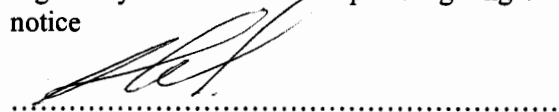
Lot 112 & 113

Zi Cheng Chen, 3 Gourock Street, Reservoir Victoria 3073
and Yu Mei Chen, 7 O'Connor Street, Reservoir Victoria 3073

4. *Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:*

Dated 3rd October 2005

Signed by/on behalf of the person giving this
notice



(Signature)

Anthony Calvi

SOLICITOR

DIRECTIONS

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
2. If this notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in subsection 47(2), (3), (4), (5), (6), (7), (8) or (9) of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
6. In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

NOTICE

If this notification is in respect of conduct of a kind referred to in subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act 1974* ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decides not to give a notice under subsection 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8)(a) or (b) or (9)(a), (b) or (c), of the Act, it comes into force when it is given.