



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: N92133  
Your Ref: GJMcC: PD  
Contact Officer: Fiona Grant  
Contact Phone: (02) 9230 9177

*Faxed 28/9/05  
SC*

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28 September 2005

Mr Gerard McCarty  
Heinz & Partners Lawyers  
PO Box 722  
BALLARAT VIC 3353

By facsimile: (03) 5331 7657

Dear Mr McCarty

**Third line forcing notification N92133 lodged by The Forest Resort Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (ACCC) on 14 September 2005. The notification has been placed on the ACCC's public register.

The Forest Resort has described the conduct as follows:

Requirement to enter into a Building Contract with Boutique Homes Melbourne Pty Ltd for construction of a dwelling on Lot sold.

Legal immunity conferred by the notification will come into force on 29 September 2005. On the basis of the information 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 ACCC 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 ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Fiona Grant on (02) 9230 9177.

Yours sincerely

Scott Gregson  
General Manager  
Adjudication Branch

