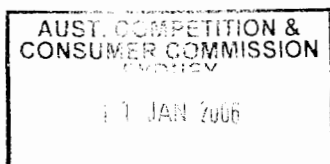


MALLESONS STEPHEN JAQUES



Mr Scott Gregson
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
470 Northbourne Avenue
DICKSON ACT 2602

11 January 2006

c/o: Sydney office
Level 7, Angel Place
123 Pitt Street,
Sydney NSW 2000

Dear Mr Gregson

Medallist Schofields Developments Pty Limited - Exclusive dealing notification

In this matter, we act for Medallist Schofields Developments Pty Limited.

We enclose for your attention:

- a copy of an exclusive dealing notification for lodgment; and
- the applicable lodgment fee of \$100.

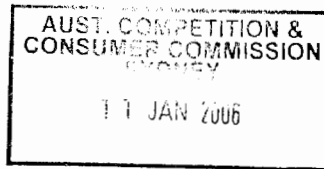
We would be grateful for your confirmation of receipt. If you have any questions in relation to this matter, please do not hesitate to contact myself or Trish Henry on (02) 9296 2181.

Yours sincerely



Andrew Floro
Senior Associate
Direct line +61 2 9296 2953
Direct fax +61 2 9296 3999
Email andrew.floro@malleasons.com

Trish Henry
Partner



FORM G

N31502

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(2), (3), (4), (5), (6) or (7), or paragraph 47(8)(a), (b) or (c) or (9)(a), (b), (c) or (d), of that Act in which the person giving notice engages or proposes to engage.

1 (a) Name of person giving notice

Medallist Schofields Developments Pty Limited ACN 105 652 766 of Level 16, 45 Clarence Street, Sydney NSW 2000 (“**Medallist**”).

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

Medallist provides golf course and residential development services and the marketing and sale of residential lots for residential and investment purposes.

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

Amanda Pattison
Legal Counsel
Medallist Schofields Developments Pty Limited
Level 16, 45 Clarence Street, Sydney NSW 2000
Phone: (02) 8916 5300

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

The goods and services to be supplied in the future by Medallist, being the supply of approximately 1000 new residential housing lots in its Schofields development at Colebee in Western Sydney (“**Schofields**”).

(b) Description of the conduct or proposed conduct

Medallist proposes to supply residential lots located in Schofields to customers on condition that the customers acquire and maintain membership of a community club to be built in association with Schofields (“**Club**”).

Medallist proposes to refuse to supply residential lots in Schofields to customers for the reason that the customer has not acquired, or has not agreed to acquire a membership of the Club.

Customers will be given the choice of two membership types:

- a “Leisure Membership” which will confer rights to use the leisure facilities with limited rights to use the golf course;
- a “Golf Membership” which will confer rights to use the leisure facilities including more extensive rights to use the golf course.

The Club will be owned and operated by a not for profit company limited by guarantee.

The Club may sub-contract the operation of the facilities to a third party service provider.

Initially the directors of the Club will be appointed by Medallist. Once all lots have been sold at Schofields a vote will be held to appoint directors of the Club and all members of the Club will be entitled to vote.

Reason why the benefit to the public from the proposed conduct will outweigh any detriment to the public from the proposed conduct:

Medallist considers that a number of benefits arise out of the proposed conduct.

The leisure facilities to be built at Schofields will include the following facilities:

- a clubhouse;
- two swimming pools;
- a gymnasium;
- tennis courts;
- parks and gardens; and
- a golf course.

These facilities will be available to be enjoyed by all lot owners and residents in the future. Additionally, the community club currently intends to extend Golf Membership to the wider public. Therefore, these facilities may be used by residents, lot owners and the public at large in the future. Without a guaranteed membership, a leisure centre at Schofields will not be viable. Therefore, the conduct will have the following public benefits:

- residents of Schofield will have high quality leisure facilities available to them that are easily accessible from their new homes. It is highly unlikely that facilities of this nature, would otherwise be available at such time or at all by reason that it is highly unlikely that a private developer or Government would provide and maintain equivalent facilities independently of this development;
- lot owners will have high quality leisure facilities and a golf course available to them in Colebee, Western Sydney;

- members of the public will also have a high quality golf course available to them in Colebee, Western Sydney;
- the facilities will be provided through a not for profit company limited by guarantee, whose aims are to provide these facilities for the benefit of the residents and members. The conduct will reduce the financial risk faced by this not for profit company incumbent in providing these facilities;
- the structure of the development means that the community club will be maintained and operated to a consistent high standard by the Club or its sub-contractor.

The proposed conduct will take place in the highly competitive building, real estate, fitness and leisure markets. Consumers in these markets are able to acquire residential lots and services from a range of developers and leisure club operators.

For the reasons set out above, the proposed conduct will not decrease competition in the relevant markets and will give rise to a net benefit to the community.

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

Members of the public who acquire or would like to acquire a residential lot in the Schofield's development.

(b) Number of those persons —

(i) At present time

Nil

(ii) Estimated within the next year

Approximately 76.

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

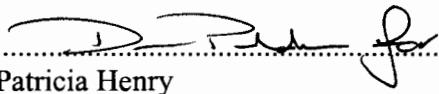
N/A

4 Name and address of person authorized by the person giving this notice to provide additional information in relation to this notice

Patricia Henry
Mallesons Stephen Jaques
Level 60, Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000
Phone: (02) 9296 2181

Dated: 11 January 2006

Signed on behalf of the person giving this notice


.....
Patricia Henry
Partner
Mallesons Stephen Jaques

