



**Australian  
Competition &  
Consumer  
Commission**

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602  
ph (02) 6243 1111  
fax (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

*Faxed  
W.I.  
18/10/06*

Our Ref: C2006/1829  
Contact Officer: Woodrow Inman  
Contact Number: (02) 6243 1088

18 October 2006

Mr Peter Young  
Young & Connell Lawyers  
Level 10, 111 St Georges Terrace,  
Perth WA 6000

By facsimile: (08) 9422 8900

Dear Mr Young

**Third line forcing notifications lodged by Arian Investments Pty Ltd (Arian) - N70477  
and Lorndell Nominees Pty Ltd (Lorndell) – N70478**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 27 September 2006. The notifications have been placed on the ACCC's public register.

I understand the notified conduct to be as follows:

Under the terms of each contract of sale, each buyer of one of the 21 vacant survey-strata lots within the residential estate (Graceland Executive Villas) will be required to enter into a separate building contract with a nominated builder pursuant to which the nominated builder shall construct a dwelling on the lot purchased.

Legal immunity conferred by the notifications came into force on 11 October 2006.

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

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notifications 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 Woodrow Inman on (02) 6243 1088.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a long horizontal flourish extending to the right.

Scott Gregson  
General Manager  
Adjudication Branch