



**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)

Our Ref: C2006/2124  
Contact Officer: Isabelle Arnaud  
Contact Number: 02 6243 1049

28 November 2006

Ms Brenda Hogg  
Senior Associate  
Pullinger Readhead Lucas  
Level 2  
50 Kings Park Road  
WEST PERTH WA 6005

Dear Ms Hogg

**Third line forcing notifications lodged by Claymont Land Pty Ltd (N92699) and Joseph Merenda and Domenic Robert Condidorio (N92700 and N92701)**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 16 November 2006 by Claymont Land Pty Ltd, and Joseph Merenda and Domenic Robert Condidorio (trading as 'M.I. Constructions'). The notifications have been placed on the ACCC's public register.

Claymont Land proposes to offer lots in the 'Park Lane Cottage Homes' complex at Southern River on condition that the purchasers enter into a building contract with M.I. Constructions for the construction of a dwelling on the lot based on a choice of floor-plan designs.

Legal immunity conferred by the notifications will come into force on 30 November 2006.

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 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.



In addition, please note that Claymont Land will need to ensure that purchasers are made aware, prior to purchasing the land, of the requirement to use M.I. Constructions and that a project management fee of up to 15 per cent of the total building contract price will apply.

A copy of 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 Isabelle Arnaud on 02 6243 1049.

Yours sincerely

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

**Scott Gregson**  
**General Manager**  
**Adjudication Branch**