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Form G

Commonwealth of Australia
Trade Practices Act 1974 — subsection 93 (1)
NOTIFICATION OF EXCLUSIVE DEALING

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

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

(a) Name of person giving notice:

Bellevalle Homes Pty Limited (ACN 057 547 350) 'Bellevalle' N93084

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

Bellevalle is the owner of land at Parklea which has been subdivided and will be sold for residential housing.

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

Ground Floor, 'Norwest Quay', 21 Solent Circuit, Baulkham Hills NSW 2153

2. Notified arrangement

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

This notice relates to the sale of parcels of land by Bellevalle in association with home building packages at Parklea, New South Wales.

(b) Description of the conduct or proposed conduct:

Bellevale is offering land to the public for sale as part of a house and land package. The customer will acquire land from Bellevale on the condition that the customer enters into a contract to acquire building services directly from Clarendon Homes (NSW) Pty Limited.

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

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

The conduct relates to actual and potential house and land purchasers, purchasing land from Bellevale in the Parklea subdivision.

(b) Number of those persons:

(I) At present time:

The offer is open to the general public.

(II) Estimated within the next year:

Not known.

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

Not applicable.

4. Public benefit claims

Arguments in support of notification:

- (i) Purchasers will have better information and certainty about the development as it is totally under the control of Clarendon Homes (NSW) Pty Limited.
- (ii) Purchasers will not have to bear the cost of 'double' stamp duty as there is a single transfer of land from Vendor to Purchaser, avoiding an intermediate transfer to the building company. If an intermediate transfer took place the resulting stamp duty would be passed onto the ultimate purchaser.
- (iii) As the transfer of title is effected prior to the commencement of the building services, stamp duty is payable only on the land value.
- (iv) As a consequent, new house and land packages will be available to purchasers at more affordable prices.

5. Market definition

The market to which the proposed conduct relates to is the residential real estate market in Western Sydney.

6. Public detriments

- (a) The conduct described in this Form is exclusive within section 47(6) and 47(7) of the Trade Practices Act 1974 (Cth). Bellevale submits there is no likely detriment to the public resulting from that conduct.
- (b) The subject Parklea subdivision of 26 lots, of which only 9 lots are to be sold in accordance with item 2(b), represents an extremely small proportion of residential real estate available for development in the Western Sydney area.

7. Conclusion

For the reasons stated above, Bellevale submits that the proposed conduct provides benefits to the public and will have no anti-competitive effect and therefore no public detriment.

Dated..... 27 July 2007

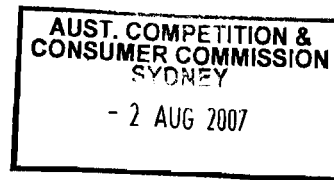
Signed by/on behalf of the applicant

.....
(Signature)

Mark Driscoll
.....
(Full Name)

.....
(Organisation)

Company Secretary
.....
(Position in Organisation)



DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the 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. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 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. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.