



Australian
Competition &
Consumer
Commission

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Mr Stephen Kroker
Partner
Corrs Chambers Westgarth
600 Bourke Street
Melbourne VIC 3000

Dear Mr Kroker

Third line forcing notification N93404 lodged by Mirvac (Docklands) Pty Limited

I refer to the above notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 1 May 2008. The notification has been placed on the ACCC's public register.

Mirvac (Docklands) Pty Limited (Mirvac) has described the notified conduct as follows:

Mirvac proposes to:

- *supply and offer to supply medium density residential dwellings at Yarra's Edge on the condition that the purchaser will enter into a marina berth lease with VicUrban to acquire a leasehold interest in a marina berth; and/or*
- *refuse to supply medium density residential dwellings at Yarra's Edge for the reason that the purchaser has not entered into, or agreed to enter into, a marina berth lease with VicUrban to acquire a leasehold interest in a marina berth .*

Legal immunity conferred by notification came into force on **15 May 2008**.

On the basis of the information that you have provided, including that Mirvac will fully disclose the condition to potential acquirers, 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 David Hatfield on (02) 6243 1266.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch

19 May 2008