



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2008/1225
Contact Officer: Ilona Balint
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18 August 2008

Mr Paul Evans
Partner
Freehills
GPO Box U1942
PERTH WA 6845

Dear Mr Evans

**Third line forcing notifications N93523-N93526 lodged by
Multiplex Energy Pty Ltd and others**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 28 July 2008 and 1 August 2008. The notifications have been placed on the ACCC's public register.

The conduct has been described as follows:

Multiplex proposes to offer for sale residential lots in the Vale development on condition that purchasers will enter into a contract with a builder nominated by Multiplex to construct a house on the lots.

Legal immunity conferred by notifications N93523 – N93525 lodged by Multiplex Energy Pty Ltd (N93523), Brookfield Multiplex Limited (N93524) and Brookfield Multiplex Vale Landowner Pty Ltd (N93525) commenced on 11 August 2008. Legal immunity conferred by notification N93526 lodged by Brookfield Multiplex Developments commenced on 15 August 2008.

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 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 assessment has been made on the basis that Multiplex will disclose all relevant terms and conditions to prospective clients.

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 Ilona Balint on (02) 6243 1113.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'R' followed by a long horizontal flourish.

Dr Richard Chadwick
General Manager
Adjudication Branch