



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 3131  
Canberra ACT 2601  
23 Marcus Clarke Street  
Canberra ACT 2601  
tel: (02) 6243 1111  
fax: (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

Our Ref: N93539  
Contact Officer: Monica Bourke  
Contact Phone: 02 6243 1351

2 July 2010

Mr Richard Payne  
Principal  
Richard Payne & Associates  
Commercial Solicitors  
PO Box 1275  
West Perth WA 6872

*By email: rapayne@iinet.net.au*

Dear Mr Payne

**Third line forcing notification N93539 lodged by Greenvalley Asset Pty Ltd**

Thank you for your letter dated 24 June 2010 about of notification N93539 which was lodged with the Australian Competition and Consumer Commission (ACCC) on 8 August 2008 by Greenvalley Asset Pty Ltd (Greenvalley).

Under notification N93539, the ACCC understood the conduct to be:

Greenvalley will offer for sale apartments in “The Ranges Karratha” complex on condition that purchasers agree to acquire the property management services of a property management services provider to be nominated by Greenvalley.

In your letter you confirm that the development did not proceed in 2008 and that Greenvalley has now obtained a new development approval for a slightly different survey-strata title development on the same property.

You advise that Greenvalley will proceed with the sale of lots in the proposed new complex on the basis that it is protected by notification N93539. In particular you advise that the proposed new development concerns the same conduct that purchasers agree to acquire property management services of a property management services provider nominated by Greenvalley.

Based on your advice that the notified conduct has not changed I will place your letter on the public register for the existing notification and treat it as an update on the status of the notified conduct.

However the ACCC cannot give legal advice, if you are concerned that the proposal is not covered by the existing notification you can lodge a new notification.

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 Monica Bourke on (02) 6243 1351 or via email at [monica.bourke@accc.gov.au](mailto:monica.bourke@accc.gov.au).

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch

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27/1/10  
2010