



Australian
Competition &
Consumer
Commission

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Our Ref: C2010/948
Contact Officer: Marie Monforte
Contact Number: 02 6243 1280

8 November 2010

Michael Ferguson
Minter Ellison Lawyers
Level 49
152-158 St Georges Terrace
Perth WA 6000

Dear Mr Ferguson

Third line forcing notification N95063 lodged by Peet Brigadoon Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 19 October 2010. The notification has been placed on the ACCC's public register.

Peet Brigadoon Pty Ltd proposes to offer 214 residential lots of rural land within the Avon Ridge Estate (WA) to prospective purchasers on condition that any purchaser of a lot also enters into a contract with Earthcare Recycling Pty Ltd for the management and recycling of at least 70% of waste generated from the construction of the purchaser's dwelling and any other approved structures on the land.

This arrangement will extend to any dwelling or approved structure constructed on the land prior to 31 December 2014.

Legal immunity conferred by the notification will commence on 2 November 2010.

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 Peet Brigadoon Pty Ltd 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 Marie Monforte on (02) 6243 1280.

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