



**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: 46068  
Contact Officer: Mark Basile  
Contact Number: (03) 9290 1855

7 June 2011

Mr H Kalus  
Kalus Kenny Lawyers  
Suite 3, Level 3 The Como Centre  
299 Toorak Road  
South Yarra, VIC 3141

Dear Mr Kalus

**Third line forcing notification N95416 lodged by Gadd Street Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 31 May 2011. The notification has been placed on the ACCC's public register.

Gadd Street Pty Ltd proposes to offer vacant lots to buyers on the condition that buyers enter a contract with a builder nominated by Gadd Street Pty Ltd to construct a house on the lot.

Legal immunity conferred by the notification will commence on 14 June 2011.

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 Gadd Street Pty Ltd, and any builders nominated by Gadd Street Pty Ltd, will disclose all relevant terms and conditions to prospective customers.

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 Mark Basile on (03) 9290 1855.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a long horizontal line that tapers to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch