



**Australian
Competition &
Consumer
Commission**

Our Ref: 46435
Contact Officer: Tess Macrae
Contact Number: (03) 9290 1835

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

18 July 2011

Mr Ben Gorjy
c/- Yaran Pty Ltd
19 Lyall Street
South Perth WA 6151

Dear Mr Gorjy

Third line forcing notification N95476 lodged by Nicholson 531 Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 14 July 2011. The notification has been placed on the ACCC's public register.

Nicholson 531 proposes to offer for sale lots of land at 531 Nicholson Court, Canning Vale Western Australia on the condition that the purchaser enters into a contract for the supply of building services directly from a builder to be nominated by Nicholson 531.

Legal immunity conferred by the notification will commence on 28 July 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 Nicholson 531 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 Tess Macrae on (03) 9290 1835.

Yours sincerely

Sue Philp
A/g General Manager
Adjudication Branch