



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: TRACKIT 46713  
Contact Officer: Susan Philp  
Contact Number: 02 6243 1347

22 August 2011

Ms Donna Bartlett  
Partner  
Holding Redlich  
GPO Box 4118  
Sydney NSW 2001

Dear Ms Bartlett

**Third line forcing notification N95516 lodged by  
DLL Wilton Pty Limited**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 15 August 2011. The notification has been placed on the ACCC's public register.

DLL Wilton proposes to require purchasers of Precinct Development Lots in the Bingara Gorge Residential Scheme to enter into a tri-party customer contract with the Water Industry Competition Act (WICA) licence holder, being Veolia Water Solutions & Technologies (Australia) Pty Ltd, for the provision of sewerage and recycled water services to their Precinct Development Lot. DLL Wilton will not sell a block of land in the Residential Scheme to a prospective purchaser who will not agree to enter into a tri-party customer contract with the WICA licence holder and DLL Wilton.

Legal immunity conferred by the notification will commence on 29 August 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 DLL Wilton and Veolia Water Solutions & Technologies 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 Susan Philp on (02) 6243 1347.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Chadwick', with a long horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch