



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: Trackit 47217  
Contact Officer: John Rouw  
Contact Number: (03) 9290 1402

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3 November 2011

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**By email: [david.martin@finlaysons.com.au](mailto:david.martin@finlaysons.com.au)**

Dear Mr Martin

**Third line forcing notification N95593 lodged by Land Management Corporation**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 7 October 2011. The notification has been placed on the ACCC's public register.

Land Management Corporation intends to supply lots at the Bowden Project to developers on the condition that a body corporate related to each developer (being the relevant community corporation) enters into an arrangement with the operator of a tri-generation plant for the supply of space heating/ cooling and domestic hot water.

Legal immunity conferred by the notification commenced on 21 October 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.

I confirm that you have agreed to tell the ACCC who the tri-generation provider will be when that party is appointed.

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 the Corporation and all other relevant parties 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 contact John Rouw on (03) 9290 1402.

Yours sincerely



David Hatfield  
General Manager (Acting)  
Adjudication Branch