



**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

Our Ref: C2011/891
Contact Officer: Clare McGinness
Contact Number: (03) 9290 6909

8 November 2011

Mr Paul Clayton Nash
Director
Nash Investments (WA) Pty Ltd
26 Queen Street
Perth W.A. 6000

Dear Mr Nash

Third line forcing notification N95597 lodged by Nash Investments (WA) Pty Ltd

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

Nash Investments (WA) Pty Ltd proposes to offer the subdivided lots at 122 Wanneroo Rd, Yokine, for sale as house and land packages. Under the proposed sale contract, each buyer will be required to engage a third party, Aveling Homes, to construct a dwelling on the subdivided lot.

Legal immunity conferred by the notification commenced on 28 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.

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 Nash Investments (WA) 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 Clare McGinness on (03) 9290 6909.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Hatfield', written in a cursive style.

David Hatfield
A/g General Manager
Adjudication Branch