



**Australian
Competition &
Consumer
Commission**

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4 April 2011

Mr Brendan Maier
Partner
Colin Biggers & Paisley
Level 42, 2 Park Street
SYDNEY NSW 2000

Dear Mr Maier

Third line forcing notifications N95335 & N95336 lodged by Delfin Greystanes Pty Limited & Boral Resources (NSW) Pty Limited

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 28 March 2011. The notifications have been placed on the ACCC's public register.

Boral Resources (NSW) Pty Limited (Boral) is the owner of a property estate called Nelson's Ridge in NSW. Delfin Greystanes Pty Limited (Delfin) is the property developer and marketer. Delfin has identified a number of residential lots in Nelson's Ridge which have been allocated for duplex homes. A duplex on two adjoining residential lots can only be built by one builder.

Boral and Delfin each propose to offer for sale a number of residential lots at Nelson's Ridge on condition that purchasers enter into a contract with Boral to acquire a vacant residential lot and enter into a building contract with a preferred builder for the construction of a duplex home on the residential lot.

Legal immunity conferred by the notifications will commence on 11 April 2011.

On the basis of the information that you have provided, it is not intended that further action be taken in these matters at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notifications 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.

These assessments have been made on the basis that Boral and Delfin 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 these matters, please do not hesitate to contact Jasmine Tan on (02) 6243 1363.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', written over a horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch