



**Australian
Competition &
Consumer
Commission**

Our Ref: 49908
Contact Officer: Marie Dalins
Contact Number: (03) 9290 1893

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

30 October 2012

Raquel Pittro
Legal Counsel
Level 6, 30 The Bond
30 Hickson Rd
MILLERS POINT NSW 2000

By email: Raquel.pittro@lendlease.com

Dear Ms Pittro

**Third line forcing notification N96189 lodged by Lend Lease Project
Management & Construction (Australia) Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 10 October 2012. The notification has been placed on the ACCC's public register.

Lend Lease Project Management & Construction (Australia) Pty Ltd proposes to engage E-Induct Systems Pty Ltd to provide site access control, online inductions (including but not limited to safety inductions) and plant management ('Site Access Requirements') for the Barangaroo Project.

All subcontractors, suppliers and consultants engaged by Lend Lease to carry out works and/ or services for Lend Lease (Lend Lease Subcontractors) and who require access to the site will be required to complete all relevant Site Access Requirements. The cost of the Site Access Requirements will be paid directly to E-Induct by Lend Lease's Subcontractors. Any Lend Lease Subcontractor who fails to meet all relevant Site Access Requirements and pay the required fee to E-Induct will be refused access to the Site, unless otherwise waived by an authorised representative of Lend Lease.

For all existing subcontractors already engaged and inducted on site, Lend Lease has agreed to incur all costs associated with this E-Induct Site Access and Plant Management System.

Legal protection conferred by the notification commenced on 24 October 2012.

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 legal protection provided 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 Lend Lease and E-Induct 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 Marie Dalins on (03) 9290 1893.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a long horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch