



Australian  
Competition &  
Consumer  
Commission

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Our Ref: C2012/120  
Contact Officer: Luke Griffin  
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2 March 2012

Nathan Lowenstein  
Maddocks Lawyers  
140 William Street  
Melbourne Victoria 3000

*Sent via email: [Nathan.lowenstien@maddocks.com.au](mailto:Nathan.lowenstien@maddocks.com.au)*

Dear Mr Lowenstein

**Third line forcing notification N95730 lodged by Ascot Vale (Victoria) Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 20 February 2012. The notification has been placed on the ACCC's public register.

Ascot Vale (Victoria) Pty Ltd (Ascot Vale) proposes to develop and sell or offer for sale some or all of the 300 lots in stages in its Ascot Chase development at Ascot Vale, Victoria, on the condition that each purchaser concurrently enters into a building contract (that is, a major domestic building contract within the meaning of the Domestic Building Contracts Act 1995 (Vic)) with a builder nominated by Ascot Vale for that particular lot.

Legal immunity conferred by the notification will commence on 5 March 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 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 Ascot Vale and the nominated builders 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 Luke Griffin on (02) 6243 1114.

Yours sincerely

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch