

Our Ref: C2012/332
Contact Officer: Shane Chisholm
Contact Number: (02) 6243 1036



**Australian
Competition &
Consumer
Commission**

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11 May 2012

Nick Holuigue
Partner
Maddocks
140 William St
MELBOURNE VIC 3000

Dear Mr Holuigue

Third line forcing notification N95828 lodged by Evolve No. 10 Pty Ltd

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

Evolve No. 10 Pty Ltd proposes to supply 10 subdivided lots of land in Wollert, Victoria to purchasers on condition that they concurrently enter into an industry standard domestic building contract with Burbank Australia Pty Ltd.

Legal immunity conferred by the notification commenced on 4 May 2012.

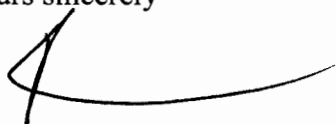
On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

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 Evolve No. 10 Pty Ltd and Burbank Australia 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 Shane Chisholm on (02) 6243 1036.

Yours sincerely


Dr Richard Chadwick
General Manager
Adjudication Branch