



**Australian
Competition &
Consumer
Commission**

Our Ref: 52123
Contact Officer: Tess Macrae
Contact Number: (03) 9290 1835

GPO Box 3131
Canberra ACT 2601

9 September 2013

23 Marcus Clarke Street
Canberra ACT 2601

Mr Malcolm Osborne
Chief Executive Officer
Town of Port Hedland

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

c/o Ms Lorraine Mathieson

By email: ea@porthedland.wa.gov.au

Dear Mr Osborne

Third line forcing notification N96932 lodged by Town of Port Hedland

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 4 September 2013. The notification has been placed on the ACCC's public register.

Town of Port Hedland proposes to offer lots 13-22 at Traine Court and Catamore Court, South Hedland, to the public on the condition that the buyer(s) enters into a building contract for the supply of building services with Megara Construction Pty Ltd.

Legal protection conferred by the notification will commence on 18 September 2013.

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 Town of Port Hedland 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 do not hesitate to contact Tess Macrae on (03) 9290 1835.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch