



**Australian
Competition &
Consumer
Commission**

Our Ref: 50440
Contact Officer: David Hatfield
Contact Number: 02 6243 1266

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

21 December 2012

Matthew Bull
Herbert Smith Freehills
Level 38
345 Queen Street
Brisbane QLD 4000

Dear Mr Bull

Third line forcing notifications N96488-89 lodged by SH Coolum and SH Coolum Western

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 18 December 2012. The notifications have been placed on the ACCC's public register.

SH Coolum and SH Coolum Western propose to sell lots within Beachside, Central and Vantage developments on condition that the purchaser enter into a resort facilities licence with Coeur De Lion Investments to use the facilities of the Palmer Coolum resort.

Legal protection conferred by the notifications will commence on 1 January 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 SH Coolum and SH Coolum Western 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 David Hatfield on 02 6243 1266.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch