

Our Ref: 53855
Contact Officer: Tess Macrae
Contact Number: (03) 9290 1835



**Australian
Competition &
Consumer
Commission**

18 February 2014

Mr Ray Kearns
Senior Development Manager
Galaway Holdings Pty Ltd

Mr Jaryd Collins
Assistant Development Officer
Galaway Holdings Pty Ltd

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Dear Mr Kearns & Mr Collins

Third line forcing notifications N97239 & N97240 lodged by Galaway Holdings Pty Ltd

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 13 February 2014. The notifications have been placed on the ACCC's public register.

Galaway proposes to supply up to 150 developed residential lots to purchasers at Williams Landing, Victoria, contingent on such purchasers concurrently entering into an industry standard domestic building contract with a registered builder nominated by Galaway for the supply of construction services relating to the dwelling design approved by Galaway.

Galaway also proposes to supply 150 subdivided lots of residential land at Williams Landing, Victoria, on the condition the purchasers enter into an industry standard residential building contract with a registered builder (from approximately 15 registered builders nominated by Galaway) for the supply of construction services relating to a dwelling design approved by Galaway.

Legal immunity conferred by the notifications will commence on 27 February 2014.

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 notifications 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 Galaway 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

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

Dr Richard Chadwick
General Manager
Adjudication Branch