

1 6 OCT 2015

Form G

Commonwealth of Australia
Competition and Consumer Act 2010 — subsection 93 (1)
NOTIFICATION OF EXCLUSIVE DEALING

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93 (1) of the *Competition and Consumer Act 2010*, of particulars of conduct or of proposed conduct of a kind referred to subsections 47 (2), (3), (4), (5), (6), (7), (8) or (9) of that Act in which the person giving notice engages or proposes to engage.

PLEASE FOLLOW DIRECTIONS ON BACK OF THIS FORM

1. Applicant

- (a) Name of person giving notice:
(Refer to direction 2)

N98636

N98637

Villa World Rochedale Pty Ltd A.C.N 605 523 055 and Ausin Rochedale Pty Ltd A.C.N 608 720 538 as trustee for Ausin Rochedale Trust. ("Joint Venturers")

- (b) Short description of business carried on by that person:
(Refer to direction 3)

The Joint Venturers have the rights to develop and sell house and land packages under a development agreement with the land owner, for approximately 149 to 160 lots at Gardner Road, Rochedale, Queensland. ("Rochedale Development")

- (c) Address in Australia for service of documents on that person:

C/- Kirrilly Gordon

Villa World

Level 1

Oracle West, 19 Elizabeth Ave,

Broadbeach, QLD 4218

2. Notified arrangement

- (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

The sale of approximately 149 to 160 house and land packages in the Rochedale Development.

- (b) Description of the conduct or proposed conduct:

The Joint Venturers propose to procure the sale of residential lots of land in the Rochedale Development on the condition that a buyer who wishes to build must enter into a contract to construct a dwelling on the lot with the land owner, Villa World Developments Pty Ltd (“the Builder”).

(Refer to direction 4)

3. Persons, or classes of persons, affected or likely to be affected by the notified conduct

- (a) Class or classes of persons to which the conduct relates:
(Refer to direction 5)

Purchasers of house and land packages in the Rochedale Development.

- (b) Number of those persons:

- (i) At present time:

Nil

- (ii) Estimated within the next year:
(Refer to direction 6)

The Joint Venturers estimate that between 149-160 customers will be affected by the notified conduct within the next year. The estimate is based on the number of lots that will be sold within the Rochedale Development.

- (c) Where number of persons stated in item 3 (b) (i) is less than 50, their names and addresses:

N/A.

4. Public benefit claims

- (a) Arguments in support of notification:
(Refer to direction 7)

The purpose of requiring potential buyers to engage the selected Builder is to ensure that all homes are constructed in accordance with the same criteria and standards set by the Joint Venturers so as to create consistency of design and quality throughout the Rochedale Development.

The Builder was considered to be the most suitable based on necessary skills, capabilities and capacity to create a consistent and aesthetically pleasing development by the Joint Venturers. The Joint Venturers will be

able to control the environmental and social objectives of the Rochedale Development to create a high quality development.

Further benefits to the public include:

- (a) a reduction in the search and transaction costs for potential buyers when trying to find a builder;*
- (b) lower stamp duty costs for buyers given that the buyers will only be required to pay for stamp duty on the land as opposed to paying for a turnkey product which would be of greater value and thus trigger a higher rate of stamp duty;*
- (c) lower building costs for buyers due to economies of scale generated by the Builder acquiring building supplies and labour for building all homes in the Rochedale Development; and*
- (d) ensures consistency throughout the Rochedale Development which may result in a higher resale value for each residential home.*

- (b) Facts and evidence relied upon in support of these claims:

Annexure A – Draft plan of subdivision

5. Market definition

Provide a description of the market(s) in which the goods or services described at 2 (a) are supplied or acquired and other affected markets including: significant suppliers and acquirers; substitutes available for the relevant goods or services; any restriction on the supply or acquisition of the relevant goods or services (for example geographic or legal restrictions):
(Refer to direction 8)

Residential real estate and the home building markets within South East Queensland.

6. Public detriments

- (a) Detriments to the public resulting or likely to result from the notification, in particular the likely effect of the notified conduct on the prices of the goods or services described at 2 (a) above and the prices of goods or services in other affected markets:
(Refer to direction 9)

The Joint Venturers consider that there is little or no detriment to the public as a result of the proposed conduct. The Joint Venturers consider that the overall effect of the notified behaviour will be to provide the buyer with construction of a home at a lower cost. This proposed conduct will not lessen competition in the market for the relevant products and services as the property market in South East Queensland is highly competitive and the

land subject to house and land build contracts will compete with a large number of alternative residential developments in the surrounding areas. The notified behaviour will not limit the extensive choices available to buyers based on quality and price and buyers having a choice whether or not to purchase the house and land package offered by the Joint Venturers.

(b) Facts and evidence relevant to these detriments:

In the South East Queensland region where the Rochedale Development is situated there are a number of competing residential subdivisions and developments currently selling house and land packages.

7. Further information

(a) Name, postal address and contact telephone details of the person authorised to provide additional information in relation to this notification:

Kirrilly Gordon

Villa World

Level 1, Oracle West

19 Elizabeth Avenue

Broadbeach QLD 4218.

Dated..... *15.10.15*

Signed by/on behalf of the applicant

.....
(Signature)

KIRRILLY GORDON
.....
(Full Name)

ROCHEDALE DEVELOPMENT PTY LTD
.....
(Organisation) & *ASIN ROCHEDALE PTY LTD*

CONTRACTING CONSULTANT
.....
(Position in Organisation)



DIRECTIONS

1. In lodging this form, applicants must include all information, including supporting evidence that they wish the Commission to take into account in assessing their notification.

Where there is insufficient space on this form to furnish the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the applicant.

2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1 (a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
3. Describe that part of the business of the person giving the notice in the course of the which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in section 47 of the *Competition and Consumer Act 2010* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. Describe the business or consumers likely to be affected by the conduct.
6. State an estimate of the highest number of persons with whom the entity giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.
7. Provide details of those public benefits claimed to result or to be likely to result from the proposed conduct including quantification of those benefits where possible.
8. Provide details of the market(s) likely to be affected by the notified conduct, in particular having regard to goods or services that may be substitutes for the good or service that is the subject matter of the notification.
9. Provide details of the detriments to the public which may result from the proposed conduct including quantification of those detriments where possible.

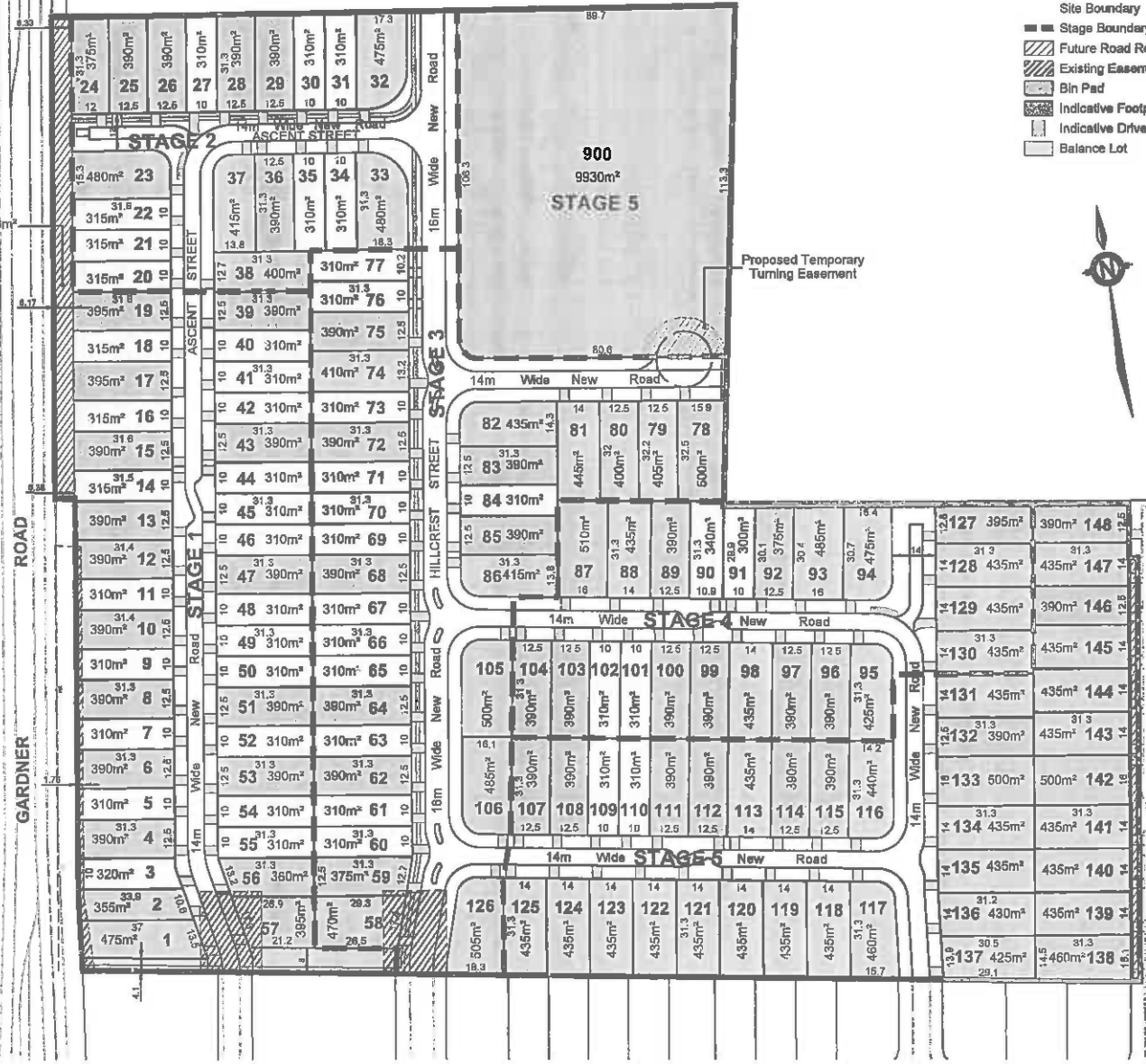
Amelia A

DEVELOPMENT STATISTICS

	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Overall
	Area	Area	Area	Area	Area	Area
Total Stage Area	1,798 ha	1,048 ha	1,761 ha	1,138 ha	2,915 ha	8,658 ha
Area of Residential Allotments	1,336 ha	0,711 ha	1,216 ha	0,866 ha	1,570 ha	5,721 ha
Area of Balance Allotment	—	—	—	—	0,993 ha	0,993 ha
Area of Open Space	0,054 ha	—	—	—	—	0,054 ha
Area of Road	0,310 ha	0,337 ha	0,543 ha	0,250 ha	0,315 ha	1,755 ha
Road Resumption	0,098 ha	—	—	—	0,037 ha	0,135 ha
Road Lengths						
Road Type	Length	Length	Length	Length	Length	Length
Shared Access Driveway	—	32m	—	—	—	32m
14.0m Wide New Road (6.5m Pavement)	221m	120m	117m	177m	223m	858m
18.0m Wide New Road (7.5m Pavement)	—	77m	234m	—	—	311m
Total Length of New Road	221m	229m	351m	177m	223m	1201m

Legend

- Site Boundary
- Stage Boundary
- Future Road Resumption
- Existing Easement
- Bin Pad
- Indicative Footpath Location
- Indicative Driveway
- Balance Lot



YIELD BREAKDOWN

Allotment Type	Typical Size	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Overall
Villa Allotment	300 – 350m ²	20	8	13	4	2	47
Premium Villa Allotment	351 – 399m ²	17	6	8	9	9	49
Courtyard Allotment	400 – 449m ²	—	2	6	6	22	36
Premium Courtyard Allotment	450m ² +	1	3	5	3	4	16
Balance Allotment	—	—	—	—	—	1	1
Total		38	19	32	22	38	149

Note:

All Lot Numbers, Dimensions and Areas are approximate only, and are subject to survey and Council approval.
 Dimensions have been rounded to the nearest 0.1 metres.
 Areas have been rounded down to the nearest 5m².
 The boundaries shown on this plan should not be used for final detailed engineers design.
Source Information:
 Site boundaries: Registered Survey Plans.
 Adjoining information: DCDD.



PROJECT		CLIENT	
PROPOSED SUBDIVISION		VILLAWORLD	
Job Ref. 122409	Date 27 JULY 2015	PLAN OF SUBDIVISION OVERALL LAYOUT OVER 1/SP248325, 2/SP248326, 491/SP254176 & 1-2/RP82232	
Comp By. JLS	DWG Name. 122409-09 PRO		
Checked By. FK	Locality ROCHEDALE		
Local Authority BRISBANE CITY COUNCIL			



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Scale 1 : 1500	Sheet A3	Plan Ref 122409 - 09	Rev N
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