

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)

N99589 Coinsea Pty Ltd atft Coinsea Trust

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

Property developer, in this case creating a residential sub division of 20 lots at Lot 500 Jeffrey Road, Glen Iris WA

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

C/-Questus Limited
Attn: Colin Jackson
PO Box 1533
SUBIACO WA 6904

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2. Notified arrangement

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

The proposed arrangement relates to the sale of 20 house and land packages.

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- (b) Description of the conduct or proposed conduct:
20 house and land packages for sale located at Lots 1 to 6, No. 106 Jeffrey Road, Glen Iris WA.
The purchasers are required to enter into a building contract with an exclusive builder.

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(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)
Individual and company/entity property purchasers.

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- (b) Number of those persons:

- (i) At present time:

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- (ii) Estimated within the next year:

(Refer to direction 6)

20 being the number of Lots available in the subdivision

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

Purchaser	Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

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4. Public benefit claims

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

Using one builder for all 20 lots enables the following:-

- Consistency with design and concept
- Time efficient in regard to build time
- Cost-effective

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

Purchasers can approach comparable builders and compare with proposed arrangement.

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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)

There is a large and varied choice of house and land packages in the market place. There is enough independent research and expertise available to purchasers to enable them to make an informed decision.

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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)

No detriment, the purchaser is able to compare the combined value of a land lot and building contract with many other supplies and competitors.

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- (b) Facts and evidence relevant to these detriments:

The purchaser needs only to search various internet sites such as realestate.com.au to find alternate and diverse choices in the property house and land package market.

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7. Further information

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

Colin Jackson
C/- Questus Limited PO Box 1533
SUBIACO WA 6904

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Dated.....28 February 2017.....

Signed by/on behalf of the applicant

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(Signature)

..... Colin Jackson.....
(Full Name)

.....Questus Limited.....
(Organisation)

.....Project Manager.....
(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.

~ Coinsea Pty Ltd ~

ACN 130 227 333

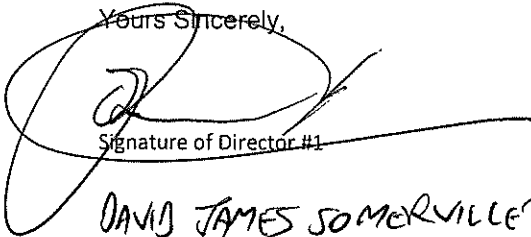
1 March 2017

Ms Elizabeth Batten
ACCC
12 Marcus Clarke St
Canberra
ACT 2601

Dear Ms Batten,

I, hereby authorise Questus Ltd, a company representative, to act on behalf of Coinsea Pty Ltd Pty Ltd as trustee for The Coinsea Trust ABN: 31 179 979 810 for the purpose of submission of Exclusive Dealing Notification -Form G .

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'DAVID JAMES SOMERVILLE', written over a horizontal line.

Signature of Director #1

DAVID JAMES SOMERVILLE
Full name of Director #1