



Our ref: 63502
Contact officer: Miriam Kolacz
Contact phone: 03 9658 6476

4 January 2018

Shaun McNaught
Senior Associate
Clayton Utz

By email: smcnaught@claytonutz.com, jhartford@claytonutz.com, julian.munrowd-harris@housing.wa.gov.au

Dear Mr McNaught

Exclusive dealing notification N100062 – Housing Authority

I refer to the third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) by Housing Authority on 21 December 2017.

The protection from legal action provided by the notification commenced automatically 14 days after the lodgement date.

On the basis of the information that you have provided, the ACCC does not object to the notification at this time.

The ACCC considers that the notified conduct is not likely to have the purpose or effect of substantially lessening competition – particularly as purchasers can choose to purchase lots within the Development area that are not offered as part of a house and land package, or new or existing houses within the broader area (including house and land packages from surrounding developments) and purchasers can currently choose between six nominated builders within the Development area.

If at any time circumstances change, or the ACCC receives further information, such that it is satisfied that the notified conduct:

- has the purpose, effect or likely effect of substantially lessening competition, and
- in all the circumstances, will not result in likely public benefit which would outweigh the likely public detriment.

the ACCC may remove the protection provided by the notification.

A copy of this letter has been placed on the ACCC's public register.

Please contact Miriam Kolacz on 03 9658 6476 or by email to adjudication@acc.gov.au if you have any questions about this matter.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Acting General Manager
Adjudication