Notification Waiver Determination

Hall & McLean – Freehold interest in commercial land in Wellcamp, QLD

Acquisition	Hall & McLean Pty Ltd (**Hall & McLean**) applied for a notification waiver in respect of its proposed acquisition of a 100% freehold interest in commercial land comprising Lot 8 on SP296133, known as 2 Foundation Street, Wellcamp QLD 4350 (the **Property**), from Vision Street Property Pty Ltd (the **Vendor**), as described in the transaction documents provided as part of the application (the **Acquisition**).
Determination	The Australian Competition and Consumer Commission has determined under section 51ABV(1)(a) of the *Competition and Consumer Act 2010* (Cth) that the Acquisition is not required to be notified.
Date of determination	23 March 2026

Parties to the Acquisition	The acquirer, Hall & McLean, is a 50:50 joint venture between Ellerslie Free Range Farms Pty Ltd (**Ellerslie**) and the McLean family (through Alpair Pty Ltd). Alpair Pty Ltd, is an egg producer based in the Darling Downs region in Queensland. Ellerslie is an agribusiness entity operating principally in the chicken egg production sector. Ellerslie layer farms produce caged, cage free, free range, pasture raised and organic shell eggs. Ellerslie is 60% owned by PSP Investments, with the remaining 40% held by DHP Consolidated Pty Ltd on behalf of the Hall family. Ellerslie and Alpair Pty Ltd each have a 50% interest in Sunny Queen, an egg distributor. Ellerslie has been renting the Property from the Vendor under a 5-year lease for the purposes of egg grading and cold storage for its egg production business. The Vendor does not operate any egg farming or production business in Australia. The Property would be an input into the operations of Ellerslie.
Explanation for determination	In making this notification waiver determination, the Australian Competition and Consumer Commission (the **ACCC**) has considered the information provided with the notification waiver application and certain publicly available information, and had regard to the factors in section 51ABV(2)(b) of the *Competition and Consumer Act 2010* (Cth) (the **Act**). Based on the information currently before it, the ACCC considers that the Acquisition is unlikely to give rise to any material lessening of competition. In particular:

	a. the Acquisition is an acquisition of land by an egg producer from a party who is not an egg producer b. Ellerslie has been using the land as a lessee for 5 years and intends to continue using the land for the same purposes, but as an owner c. there appear to be alternative sites available for Ellerslie's and the McLean family's competitors In these circumstances, the ACCC does not consider it necessary to reach a concluded view on the likelihood of the notification thresholds being met. Given that material competition concerns are unlikely to arise, the ACCC has determined that the Acquisition is not required to be notified. The ACCC considers that the determination is consistent with the object of the Act and the interests of consumers in promoting competition. For more information about the ACCC's approach to considering notification waiver applications and to assessing competition effects more generally, see the ACCC's interim guidance on notification waivers and merger assessment guidelines.

Determination made by Commissioner Williams pursuant to a delegation under section 25(1) of the Act