

Property Law Conference 2016

**DVD Program
Both Days**

8-9 September 2016
Pullman Brisbane King George Square

1 CPD point per hour viewed



Disc 1
1hr 4mins

Welcome

Presenter: **Matthew Raven**, Partner, Gadens and Chair of Queensland Law Society Property and Development Law Committee



Digital disruption and the impact on the legal profession

By 2017, it is predicted that 65 percent of the economy will be facing digital disruption. Disruption in the industry is changing not only the traditional law firm model, but also how firms deliver legal services. In this session you will learn about changes in the industry and what clients are expecting, as well as what you should be thinking about to ensure you meet your clients' needs.

Presenter: **Patrick Ellwood**, Director, View Legal

Chair: **Matthew Raven**, Partner, Gadens and Chair of Queensland Law Society Property and Development Law Committee

Disc 2
1hr 3mins



Electronic land contracts – formation and disputes

Electronic contracting is increasing in popularity, particularly for the sale of units in large developments. While there are cost and efficiency benefits to 'going digital', this session will examine potential traps for unwary sellers and provide guidance on evidentiary issues that may arise in the event of a dispute. The session will include examination of compliance with statutory requirements, digital signing and issues with electronic evidence generally.

Presenters: **Professor Sharon Christensen**, Queensland University of Technology, Consultant, Gadens and member of Queensland Law Society Property and Development Law Committee
Dr Allison Stanfield, Special Counsel, Moisson Lawyers

Chair: **Matthew Raven**, Partner, Gadens and Chair of Queensland Law Society Property and Development Law Committee

Disc 3
1hr 3mins



E-Conveyancing in practice – 12 months on

PEXA went online in Queensland last year, but many practices are yet to jump on board. Hear from Queensland practitioners who are early adopters of PEXA, and about the benefits as well as the challenges of using an online conveyancing system. The session will answer some burning questions, such as:

- How has moving to PEXA benefited your practice?
- What are the current challenges you are experiencing with an online system?
- What prompted the firm to adopt PEXA?
- How do you utilise team members and support staff?
- What do you think the online conveyancing landscape will look like in 12 months?

Panellists: **Max Williams**, Associate, HPL Lawyers
Nathan Hardman, Director, McCarthy Durie Lawyers
Cheryl Dixon, Executive Manager, Practitioner Services, Property Exchange Australia Limited (PEXA)

Chair: **Matthew Raven**, Partner, Gadens and Chair of Queensland Law Society Property and Development Law Committee

Disc 4
1hr 55mins



Hidden risks in strata – old and new

This session will highlight important risk issues to consider from a purchaser's perspective as well as a body corporate perspective, in particular:

- duplex and sometimes larger plots
- disclosure obligations (existing lots)
- re-disclosure for proposed lots
- what needs to be considered to collapse a scheme.

Presenter: **Frank Higginson**, Director, Hynes Legal

Chair: **Leone Costigan**, Executive Counsel, Herbert Smith Freehills and Accredited Specialist (Property Law) – Qld



SMSF and property transactions

An ever increasing number of Australians are electing to assume greater control over how their superannuation is invested and purchase property through their self-managed superannuation funds (SMSF). This shift has increased the need for property lawyers to gain an understanding of the SMSF regime. This session will introduce the special rules that apply to SMSF owned property, particularly residential property and borrowing restrictions. Topics include:

- buying and selling through a SMSF
- borrowing through a SMSF
- lending to a SMSF
- recent developments
- common mistakes and practical tips.

Presenter: **Scott Hay-Bartlem**, Partner, Cooper Grace Ward

Chair: **Leone Costigan**, Executive Counsel, Herbert Smith Freehills and Accredited Specialist (Property Law) – Qld

Disc 5
1hr 31mins



Hypothetical: “The minefield of multi-use development sites”

Dynamic and vibrant multi-use developments are becoming more commonplace in our communities. This entertaining and informative panel discussion – with audience participation – will examine complex legal issues, considerations and risks for the client, including titling; leasing and community/building management statements; outgoings in mixed use schemes and GST.

Panellists: **Peter Nugent**, Partner, Holding Redlich
Tanya Sciasci, Senior Associate, McCullough Robertson
Stephen Jones, Legal Consultant and member of Queensland Law Society Property and Development Law Committee

Moderator: **Matt Dunn**, Government Relations Principal Advisor, Queensland Law Society

Closing remarks

Presenter: **Matt Dunn**, Government Relations Principal Advisor, Queensland Law Society

END OF DAY 1 FILMED SESSIONS

Day 2

Disc 6
55mins

Welcome

Presenter: **Christopher Blue**, Partner, Herbert Smith Freehills



Ethical issues in property law

This session will explore key areas of property law practice where ethical issues may arise. This session will also include a refresher on rebates.

Presenter: **David Bowles**, Ethics Solicitor, Queensland Law Society

Chair: **Christopher Blue**, Partner, Herbert Smith Freehills

Disc 7
1hr 4mins



Town planning and environment law for property lawyers

This session will cover:

- environmental laws that should be considered by property lawyers
- key changes in the new *Planning Act 2016*
- how to determine if a development approval is still current.

Presenters: **Michael Leong**, Partner, Corrs Chambers Westgarth
Carolyn Salam, Partner, Minter Ellison – Gold Coast

Chair: **Christopher Blue**, Partner, Herbert Smith Freehills

Disc 8
57mins



Property transactions with foreign investors

Effective 1 July 2016, the new tax legislation comes into effect. This session will give a succinct overview of what the *Tax and Superannuation Laws Amendment (2015 Measures No 6) Act 2016* will mean for buyers and sellers of Australian property including:

- what changes will be made to the REIQ contract
- how to make the payment to the ATO
- how to obtain a clearance certificate or variation notice when acting for a seller.

Presenters: **Warren Denny**, Partner, K&L Gates and Accredited Specialist (Property Law) – Qld
Hayley Stephens, Senior Associate, K&L Gates
David Castelino, Senior Associate, Herbert Smith Freehills

Chair: **Christopher Blue**, Partner, Herbert Smith Freehills



Leasing – what’s new?

This session will provide an industry overview of commercial leasing and an update on recent amendments to the *Retail Shop Leases Act 1994* (Qld).

Presenter: **Tracy Skellern**, Legal Risk Solicitor, Lexon Insurance

Chair/Presenter: **Aaron Webb**, Partner, Thynne & Macartney and Accredited Specialist (Property Law) – Qld

Disc 9
1hr 6mins

Pubs, clubs and gaming



This session will address key considerations to be aware of when dealing with licensed premises, as well as advising in relation to poker machine entitlements.

Presenter: **Jacob Duane**, Director, Bennett & Philp Lawyers



Chair: **Michael Byrom**, Director, Byroms



Off the Plan – five things to watch out for

With over 8000 units expected to settle this year and thousands more in the pipeline, this interview style session will discuss key points and red flags to keep top of mind such as:



- preparation for settlement: managing the process, organising steps and paperwork
- further disclosure: timing issues and compliance requirements
- certification for financiers for lawyers: standard form certifications; liability and responsibility and ethical issues
- material change: what does this cover? how should this be handled? ramifications for development if not handled correctly?
- trends, recent and historical claims scenarios and stress test findings.



Presenters: **Anthony Boge**, Special Counsel, HWL Ebsworth Lawyers and Accredited Specialist (Property Law) – Qld
Tracy Skellern, Legal Risk Solicitor, Lexon Insurance

Chair: **Michael Byrom**, Director, Byroms

Closing remarks

Presenter: **Michael Byrom**, Director, Byroms

END OF DAY 2 FILMED SESSIONS

Silver sponsor



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