

PROPERTY LAW CONFERENCE

1 September • 7 CPD • Brisbane

PRINCIPAL PARTNER



Recorded: 1 September 2023
11 hours | 1 CPD point per hour viewed



Program

10 min **Acknowledgement of Country and opening remarks**

Presenter:

Matthew Raven, Partner, Gadens; Chair, Queensland Law Society Property and Development Law Committee

1 hr 8 min **The year in review**



Find out what's new and what's changed in the property space. Keep up to date with the most important legislative changes including the new Property Law Bill 2023 (Qld) and how these affect your practice.

Presenters:

Professor Sharon Christensen, Head of Law School, Queensland University of Technology; Consultant, Gadens; Member, Queensland Law Society Property and Development Law Committee

Simon LaBlack, Legal Practitioner Director, LaBlack Lawyers Pty Ltd; Accredited Specialist (Property Law) – Qld

Chair: **Rukshana Sashankan**, General Manager – Practitioners, Property Exchange Australia Ltd (PEXA)

Chaired by Principal Partner PEXA

45 min **Current trends in claims risks**



Discover the latest insights from Lexon Insurance as they offer an informative update on the prominent claims risks affecting legal practitioners in Queensland. Gain understanding of the nature, magnitude, and impact of current risk issues seen in residential and off-the-plan conveyancing.

Through scenario-based discussions, our experts will cover several other issues including:

- Conditions and finance scenarios
- Off-the-plan scenarios (buyer and developer)
- Searching issues

Explore practical strategies to effectively mitigate common risks encountered in Property Law practice, including searching, timing and cybersecurity concerns.

Presenters:

Emma-Jane McNicol, Senior Risk Solicitor, Lexon Insurance Pte Ltd

Anthony Boge, Special Counsel, HWL Ebsworth Lawyers; Accredited Specialist (Property Law) – Qld

Chair: **Robert Mackay**, Senior Risk Solicitor, Lexon Insurance Pte Ltd

1 hr 2 min

TRACK 1A



Back to basics: off-the-plan contracts



Designed specifically for early career lawyers, this practical session focuses on providing expert pre-contract advice to buyers regarding off-the-plan contracts. Learn the right way to approach this process through a template checklist and a step-by-step procedure.

Refresh your skills in this session, which will cover critical elements that should be discussed with buyer clients prior to signing an off-the-plan contract. You will learn how to effectively guide clients, provide appropriate advice, ask essential questions, interpret plans, identify crucial issues, and document the entire process for optimal results.

**Ahead of this session, some basic knowledge of the Land Sales Act 1984 and the Body Corporate Community Management Act 1997 is recommended.*

Presenter: **Despina Priala**, Director and Legal Practitioner, Priala Legal; Member, Queensland Law Society Property and Development Law Committee

Chair: **Kim Teague**, Special Counsel, Cooper Grace Ward

60 min

TRACK 1B



Easements

This session explores successors in title and how the recent provisions from the Property Law Bill 2023 (Qld) regarding easement covenants with the land are going to operate.

Using the new legislation's general provision and specific examples, our expert will take you through what they mean and what covenant they apply to.

Presenters:

Stephen Jones, Property lawyer; Member, Queensland Law Society Property and Development Law Committee

Peter Nugent, Partner, Piper Alderman

Chair: **Mitchell Burge**, National Sales Manager, triSearch

Chaired by Major Partner triSearch

1 hr 1 min

TRACK 2A



Building and construction law update

A groundbreaking decision with profound implications for domestic building contracts has recently been delivered, finding that industry association residential building contracts are not compliant in a significant aspect, including the QBCC's residential contract.

This ruling carries substantial consequences for the construction sector. Hear about the ramifications of this case and get a short refresher on key legislative requirements and contract issues.

Presenters:

Simon Taylor, Barrister, Queensland Bar

Tracey Wood, Principal, Wood L&M Solutions; Member, Queensland Law Society Construction and Infrastructure Law Committee

Chair: **Melanie Gebbels**, Principal Lawyer – Property & Construction, Macpherson Kelley; Member, Queensland Law Society Property and Development Law Committee

45 min

TRACK 2B



What's new in leasing?

With the recent proposed changes to the leasing process from the Property Law Bill 2003 (Qld), get up to date on all things leasing including:

- transfer of reversion
- assignment
- consent to assignment
- default notice
- options to renew

Presenter: **Tanya Sciasci**, Partner, MinterEllison

Chair: **Adam Rodwell**, Client Renewal Manager, LEAP

Chaired by Major Partner LEAP

55 min

TRACK 3A



Making your e-conveyancing practice fraud resistant

All e-conveyancing subscriber agreements contain a suite of security obligations. These make your practice safer but can lead to contractual liability if you do not understand or comply with them.



Join our expert for a discussion on e-conveyancing security and how small additional measures can protect your clients and your firm from the evolving threat of cyber criminals. Learn more about emerging threats such as AI-enabled deepfakes & phishing, password forcing and session token theft.

Presenter: **David Bowles**, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

Chair: **Rukshana Sashankan**, General Manager – Practitioners, Property Exchange Australia Ltd (PEXA)

Chaired by Principal Partner PEXA

57 min

TRACK 3B



Strata law update

The Office of the Commissioner for Body Corporate and Community Management provide insights into adjudication services and the challenges faced by adjudicators in an environment of sector growth and reform.

Presenters:

Jane Wilson, Commissioner for Body Corporate and Community Management

David Sutherland, A/Principal Adjudicator, Office of the Commissioner for Body Corporate and Community Management

Chair: **Frank Higginson**, Partner, Hynes Legal

55 min

TRACK 4A



Tax hotshots

This session is designed to equip you with an understanding of current tax issues relating to Property Law including the 'build-to-rent' tax concessions changes which were introduced with the Queensland budget changes in June 2023 and New South Wales' decision to exempt particular countries from its foreign duty and land tax surcharges.

Hear commentary and implications of the new build-to-rent provisions and let our experts help you tackle tax intricacies like duty and land tax.

Presenters:

Duncan Bedford, Partner, McCullough Robertson

Dr Craig Bowie, Special Counsel, MinterEllison

Liam Cooke, Assistant Commissioner, Queensland Revenue Office

Chair: **Wendy Devine**, Principal Policy Solicitor, Queensland Law Society

56 min

TRACK 4B



Title defects – risk management strategies for property lawyers

This session takes you through:

- analysing the risk framework for property buyers
- unveiling council enforcement powers
- current claims landscape and emerging risk areas in QLD

Presenter: **Paul Watkins**, General Counsel, Stewart Title Limited

Chair: **Bill Purcell**, Special Counsel, Bennett Philp Lawyers; Member, Queensland Law Society Property and Development Law Committee; Accredited Specialist (Property Law) – Qld

Presented by Stewart Title

49 min

Ethical and professional responsibility considerations for property lawyers



The presenters will discuss ethical issues encountered during property transactions and practical solutions to help you navigate these issues including:

- referral fees
- rebates
- issues of conflict in conveyancing matters

Presenters:

Shane Budden, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

Matthew Raven, Partner, Gadens; Chair, Queensland Law Society Property and Development Law Committee

Chair: **Kristan Conlon**, Chair of Partners, McCullough Robertson; Member, Queensland Law Society Property and Development Law Committee

48 min

Anti-money laundering and counter-terrorism financing comes to real estate



The Australian Government has made clear its intention to bring Tranche 2 reforms to Australia's anti-money laundering and counter-terrorism financing (AML/CTF) regulation to include lawyers, accountants, real estate agents and others considered high risk. Government is presently consulting on ways to simplify and modernise the AML/CTF system, bringing it into alignment with international best practice and implement Tranche 2 in an effective way.

Hear from leading experts as they unpack the current developments and discuss:

- Contemporary Australian challenges and processes
- Implications of the reforms for Property Law practitioners
- Responsibilities and ethical challenges for legal practitioners the new regime may bring.

Presenters:

Matt Dunn, General Manager – Advocacy, Guidance and Governance, Queensland Law Society

Lana Nadj, Nadj Advisory for the Law Council of Australia

Neil Russ, Director, Russ + Associates

Chair: **Kristan Conlon**, Chair of Partners, McCullough Robertson; Member, Queensland Law Society Property and Development Law Committee