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Competency area 3: Legal knowledge

2008 prices before 9 January 2009*

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Western Australia: 4th Annual Property Law & Conveyancing Conference

Enhancing legal expertise in
a changing environment

19-20 March 2009
Rydges Hotel
Perth

Don't miss this opportunity to:

- Examine the significant changes to **landholder duty**
- Define **green building issues** in leasing
- Avoid common pitfalls when advising on **mortgagee sales**
- Identify and resolve potential conflicts in **mixed use developments**
- Resolve commercial disputes through **ADR**
- Eliminate common mistakes when drafting **commercial leases**
- Successfully navigate **complex settlement scenarios**
- Develop your own **legal risk management strategies**

Expert speakers include:

Laurence Iffla, Partner, **Mallesons Stephen Jacques**
Brad Wylynko, Partner, **Clayton Utz**
Valerie Haskins, Partner, **Haskins Settlements**
Mark Atkinson, Director, **Atkinson Legal**
Gary Thomas, Partner, **Tottle Legal**
Denis McLeod, Principal Partner, **McLeods Barristers & Solicitors**
Brent Scafidas, Partner, **Galilee Solicitors**
Eric Ross-Adjie, Partner, **Karp Steedman Ross-Adjie Lawyers**
Ian Tait, Partner, **Tait & Co**
Greg Mohen, Consultant, **Wojtowicz Kelly Legal**
Zoran Vukoyevic, Senior Associate, **Lavan Legal**
Robert Corboy, Senior Associate, **Jackson McDonald**
Nathan Thomson, Senior Associate, **Butcher Paull & Calder Lawyers**

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Professional Development

Western Australia: 4th Annual Property Law Conference

Enhancing legal expertise in a changing environment

Day one: Thursday, 19 March 2009

8.15 **Conference registration**

8.50 **Opening remarks from the Chairperson**

Greg Mohen, Consultant, Wojtowicz Kelly Legal

9.00 **Examining the post-July 2008 Duties Act 2008 (WA)**

- Summarising essential changes under the new Act
- Incorporating the new rates, concessions and thresholds into your calculations
- Examining the significant changes to landholder duty
- Chapter 6 - utilising the corporate reconstruction exemption
- Making applications for a pre-determination of exemption eligibility

Zoran Vukoyevic, Senior Associate, Lavan Legal

10.00 **Analysing the regime of green buildings and rating systems**

- Understanding green building rating systems: ABGR and the Green Star rating
- Meeting the mandatory obligations for new developments
- Defining green building issues in leasing
- Implications for property practitioners

Laurence Iffla, Partner, Mallesons Stephen Jacques

11.00 **Morning tea**

11.30 **Avoiding common pitfalls when advising on mortgagee sales**

- Examining the decision in *Fortson Pty Ltd v Commonwealth Bank of Australia* [2008] SASC 49
- Determining rights and responsibilities under section 420A(1)(a) of the *Corporations Act 2001* (Cth)
- Discussing why mortgagee sales are inherently problematic and strategies to minimise these problems

Brent Scafidas, Partner, Galilee Solicitors

12.30 **Identifying and resolving potential conflicts in mixed use developments**

- Assessing the potential conflicts between commercial and residential owners
- Creating the most appropriate method to manage and administer by-laws
- Future developments – will separate strata schemes become available in WA?

Mark Atkinson, Director, Atkinson Legal

1.30 **Networking lunch for delegates and speakers**

2.30 **Resolving commercial disputes through ADR**

Many businesses now put ADR processes to the top of their list in strategies to resolve and avoid costly disputes and litigation. It is important to understand ADR processes, including how they can be best used to resolve existing disputes and incorporated into systems in reducing the costs of disputes in business:

- The different ADR options available and their advantages and disadvantages
- When should you consider ADR as an alternative to court?
- Effectively preparing for specific ADR methods

Eric Ross-Adjie, Partner, Karp Steedman Ross-Adjie Lawyers

3.30 **Simplifying the complexities of retail leasing**

- Updates to the *Commercial Tenancy (Retail Shops) Agreements Act 1985*
- Traps for the unwary
- Compliance issues
- Current developments affecting retail leases
- Best practice in drafting retail and commercial leases

Gary Thomas, Partner, Tottle Legal

4.30 **Closing remarks from the Chairperson**

4.40 **Close of day one**



Hot Topic



Hot Topic

Who should attend?

- **Property Lawyers**
- **Conveyancers**
- **Property Professionals**
- **Real Estate Professionals**
- **Corporate lawyers**
- **Developers**
- **Commercial Lawyers**

Day two: Friday, 20 March 2009

8.15 **Conference registration**

8.50 **Opening remarks from the Chairperson**

Greg Mohen, Consultant, Wojtowicz Kelly Legal

9.00 **Navigating complex settlement scenarios**

- Preparing settlements on strata properties
- Understanding the nuances of off-the-plan settlements
- Tackling GST in commercial property settlements
- Minimising delays in finance- best practice in dealing with banks
- Mapping out procedures for when the other party is not ready to settle

Valerie Haskins, Partner, Haskins Settlements

10.00 **Reducing your risk of professional complaints through legal risk management**

- Understanding your professional indemnity policy
- Managing your client's expectations
- Recognising a potential problem before it escalates
- Developing your own risk management strategies

Robert Corboy, Senior Associate, Jackson McDonald

11.00 **Morning tea**

11.30 **Clarifying changes in CGT and structuring aspects of property developments**

- Defining 'property development'
- Analysing TR92/3- does a business exist?
- Calculating the apportionment of purchase and development costs between units

Nathan Thomson, Senior Associate, Butcher Paull & Calder Lawyers



Tax Update

12.30 **Minimising delays when dealing with land affected by the Contaminated Sites Act 2003**

- Implications of the Act for land owners wanting to sell
- Digging down to the real issues and obligations in land transactions
- Getting to grips with contaminated land issues for developers

Brad Wylynko, Partner, Clayton Utz

1.30 **Networking lunch for delegates and speakers**

2.30 **Critical updates on cases and legislation to keep you ahead of the game**

- Implications of *Walker and the Minister of Planning* [2007] NSWLEC 741 for developers in WA coastal regions
- Recent Court decisions
- Legislative amendments and how they affect your practice

Denis McLeod, Principal Partner, McLeods



Legislation Update

3.30 **Discovering the key drafting techniques to manage contract variations in off-the-plan contracts**

- Common clauses in off-the-plan contracts
- Ensuring effective disclosure to avoid future problems
- Variations - how to negotiate them effectively to minimise the potential problems
- Managing delays in the current economic climate
- What happens when buyers want out?

Ian Tait, Partner, Tait & Co

4.30 **Closing remarks from the Chairperson**

4.40 **Close of conference**

Who is LexisNexis Professional Development?

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Priority registration form Western Australia: 4th Annual Property Law & Conveyancing Conference

**4 easy ways
to register**

Phone: 1800 772 772
Fax: (02) 9422 2338
Online: www.lexisnexis.com.au/pd
Mail: Conference Co-ordinator, LexisNexis
Locked Bag 2222,
Chatswood Delivery Centre, Chatswood NSW 2067

Please complete sections A, B, C, D, E

Conference code: **PD1009** ABN: 70 001 002 357

A Delegate 1 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Organisation: _____

Postal address: _____

Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 2 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 3 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

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** to send conference confirmation

3rd Delegate FREE!

B Please tick as many practice areas you work in which apply:

- | | |
|---|---|
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| <input type="checkbox"/> Corporate and commercial law | <input type="checkbox"/> Insurance and risk |
| <input type="checkbox"/> Criminal law | <input type="checkbox"/> Property |
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| | <input type="checkbox"/> Other: _____ |

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CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis will refund your registration fee in full less a \$165.00 administration cost if a request to cancel the registration is received in writing up to but not including 1 month prior to the event. If written notification is received any time up to but not including 2 weeks prior to the event, you will receive a 50% refund of your registration fee and seminar documents. No cancellation requests will be accepted after this time. You may nominate a replacement; however, no refund will be issued.

C Event Pricing (please tick your selection)

Advance price* (register and pay before 9 January 2009)

- | | |
|---|--------------------------|
| <input type="checkbox"/> Two day conference | \$1850 + GST = \$2035.00 |
| <input type="checkbox"/> One day conference only# | \$950 + GST = \$1045.00 |

Early bird price* (register and pay after 9 January and before 29 January 2009)

- | | |
|---|--------------------------|
| <input type="checkbox"/> Two day conference | \$1950 + GST = \$2145.00 |
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- | | |
|---|--------------------------|
| <input type="checkbox"/> Two day conference | \$2050 + GST = \$2255.00 |
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Please indicate which day: Day one Day two

D TEAM DISCOUNTS*

- Register a team of 2 to the conference at the same time, from the same organisation and receive a free pass for the 3rd delegate.*

* Early Bird, team discounts and any other discount cannot be taken concurrently

CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of conference papers for Western Australian: 4th Annual Property Law & Conveyancing Conference
\$360 + GST = \$396.00

E Payment details Payment is due upon registration

- Enclosed is my cheque for: \$ _____ made payable to LexisNexis

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