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property law and conveyancing conference

19 – 20 February 2008

Hilton Regency

Perth

A sophisticated one-stop-shop of
property and conveyancing needs
for the discerning professional

Jam packed informative sessions on:

- Revenue Ruling 36.0
- Duties Bill 2007
- GST, Caveats and Planning Projects
- Contractual Remedies

PLUS!

Don't miss the exclusive in
conference workshop on
Drafting Off the Plan Contracts!

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conference program

8:30
Conference Registration

9:00
Opening Remarks from the Chair

MEET YOUR
CHAIR

Mal Harford, Partner, **Michael Whyte & Co.** is a graduate of the University of Western Australia admitted to practice in 1981. He has been a partner and principal since 1985 and practices primarily in the property and commercial areas acting for a number of property developers and property investors.

9:10
Duties Bill 2007 (WA) and its Implications for WA

An exposure draft of the *Duties Bill 2007 (WA)* was released on 9 August 2007 and is intended to rewrite the *Stamp Act 1921 (WA)*. The legislation is proposed to be in operation by 1 July 2008.

- Examining significant changes for this bill and what it means for WA

Phillip Bisset, Partner, **Clayton Utz**

10:00
Determining Rights and Remedies When Commercial Conveyances Go Wrong

- Summarising common grounds of dispute in commercial property sales
- Considering the common law and equitable remedies available
- Determining which remedies are best suited to particular circumstances
- Reviewing a party's right to enforce completion and understanding what will entitle the other party to refuse to complete
- Reviewing recent litigation activity and case law arising from transfers of commercial property and identifying lessons for practitioners

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

10:50
Morning Tea

11:20
Revenue Ruling SD 36.0 – Transfer Under Agency Relationship

The use of nominee clauses in offer and acceptance contracts has been re-examined in light of Revenue Ruling SD 36.0, which will come into effect on 1 October 2007. This session will examine:

- Overview of the Revenue Ruling SD 36.0
- Practical applications of the ruling and the treatment of nominee clauses and substituted purchasers

Andrew Davy, Senior Education Officer, **Office of State Revenue**

12:10
Networking Lunch for Speakers and Delegates

1:10
Acting for the Buyer of Undeveloped Land

- An overview of the subdivision application and approval process
- Drafting special conditions to protect the buyer of land yet to be subdivided
- Obtaining and analysing relevant searches and other land information for undeveloped land

Brenda Hogg, Associate Principal, **Pullinger Readhead Lucas**

2:00
Afternoon Tea

2:20
General Conditions to the Sale of Land

This session breaks down the barriers in relation to offer and acceptance with specific emphasis on the following key topics:

- Conditions to the contract
- Settlement dates
- Finance conditions on contracts
- Waivers
- 2002 Joint Form of General Conditions including latest developments

Matthew Ellis, Partner, **Hammond Worthington**

3:10

WORKSHOP

Drafting and Enforcing Off the Plan Contracts

This mid-conference interactive workshop leads delegates step by step through the confusing minefield of Off the Plan Contracts. Focusing on practical considerations when drafting contracts, your learnings include:

- Drafting Off the Plan Contracts – things to consider and common clauses
- Making effective disclosure
- Dealing with variations and your client's instructions and expectations
- Identifying common mistakes made by practitioners when advising clients who are purchasing off the plan properties
- Resolving off the plan disputes and identifying remedies

Martin Tuohy, Partner, **Wojtowicz Kelly Legal**

4:30
Closing Remarks from the Chair

4:40
Close of Day 1

Official publication



WHO SHOULD ATTEND?

- Property Lawyers of all levels
- Settlement Agents
- Conveyancers
- Real Estate Professionals
- Property Planners
- Property Developers

conference program

8:30
Conference Registration

9:00
Opening Remarks from the Chair

MEET YOUR
CHAIR

Laurence (Larry) Iffla, Partner, **Mallesons Stephen Jacques** and his team's recent projects include the acquisition of a major property portfolio and several land development agreements. He is a member of the Mallesons Sustainable Enterprises Group which focuses on Green Building issues in both development and leasing.

9:10
The Latest Developments in Property Law

This session provides an essential overview detailing recent case law in relation to property law and conveyancing practise in WA including:

- Recent case law updates
- Recent legislation updates and amendments
- Topical issues under the spotlight

Mark Atkinson, Director, **Atkinson Legal**

10:00
Update on Recent Planning Projects and Case Law In WA

- Reviewing recent planning decisions in WA and other states
- Analysing practical implications for property law professionals
- Recent case law decisions and their implications

Denis McLeod, Principal Partner, **McLeods**

10:50
Morning Tea

11:20
Navigating the GST Minefield

This session focuses on expanding and improving knowledge and competency in the complex area of GST in practise. It will make use of case scenario's to clearly illustrate current developments.

- Margin scheme
- New residential premises
- Going concern exemption and how it applies to the property industry
- Compliance issues in connection with the above
- Latest GST rulings and cases impacting on the property industry

Phil Renshaw, Partner, **KPMG**

12:10
Recent Developments in the Law of Caveats

This session delves into the buyers evidentiary requirements in relation to lodging caveats together with an in-depth analysis of the following legal issues:

- The scope and effect of caveats
- The registration and protection of leases by caveat
- Recent case law and legislation updates

Anthony Aristei, Litigation Consultant, **Council House**

1:00
Networking Lunch for Speakers and Delegates

2:10
Examining the Impact of Contaminated Sites Act 2003 (WA) on Land Transactions

Discussing the impact of the Contaminated Sites regime on land owners including:

- An overview of the Contaminated Sites Act and what it requires of landowners
- The practical application of the Act and its impact on land transactions
- Travels in uncharted territory - what we still don't know about the Act

John O'Hara, Senior Associate, **Minter Ellison**

3:00
Afternoon Tea

3:20
Update on Landgate's Products and Services

This session is an informative update on the National Electronic Conveyancing System and its future implementation, as well as a snapshot and update on Landgate's latest products and services, including:

- National Electronic Conveyancing (NECS)
- Interest Enquiry
- Other new products and services

Craig Mariano, Manager Product Development and Delivery, **Landgate**

4:00
Closing Remarks from the Chair

4:10
Close of Conference

What your colleagues had to say about Property and Conveyancing 2007:

"Very good – immense, practical, useful information. I can take this information and use it in my day to day work".

"Discussion of cases relevant to day to day operations".

"Interesting. I appreciated the update".

"Important for my area of practice"

"Have attended previous seminars, have considered these of value"

"Great conference, very informative"

property law and conveyancing conference

ABOUT THE PRESENTERS

Anthony (Tony) Aristei, Litigation consultant, **Council House** has practiced in the areas of commercial and property litigation for over 21 years and was a Chevening Scholar to Oxford University. Tony was the author of the first students' Nutshell on real property law¹ and has written an annotated commentary on retail shops law in WA.

Mark Atkinson, Director, **Atkinson Legal** specialises in property law, particularly strata title matters. Mark and his team provide legal services to property clients and consult to other lawyers. He has been a councilor of the Strata Titles Institute of Western Australia for 7 years.

Phillip Bisset, Partner, **Clayton Utz** has extensive experience in revenue law and taxation. Prior to joining Clayton Utz, Phillip was a partner in a "big four" accounting firm and has held senior tax and legal positions with Exxon and Rio Tinto. Phillip has worked extensively with various industry bodies to assist with submissions in response to the ongoing Australian tax reform process.

Andrew Davy, Senior Education Officer, **Office of State Revenue (OSR)** taught politics and legal studies at a secondary college in Perth for 15 years before venturing into adult education with the Office of State Revenue. Andrew is an exceptional presenter and the leader of the Customer Education Team.

Matthew Ellis, Partner, **Hammond Worthington** has extensive experience in all property matters. Matthew is currently supervisor of the conveyancing section of Hammond Worthington and routinely advises a number of settlement agents, conveyancers and financiers in relation to all types of conveyancing matters.

Brenda Hogg, Associate Principal, **Pullinger Readhead Lucas** practices in property law and has significant experience in advising and acting for land developers in the sale and purchase of land to be used for residential and industrial developments. Brenda is a Board Member of the Inner City Housing Developers Association Inc.

Craig Mariano, Manager Product Development and Delivery, **Landgate** has been part of numerous web delivery projects that have primarily focused on the provision of land information and services to the business community of WA. He is the Business Sponsor for the Interest Enquiry Project and is responsible for the delivery of this new initiative meets its customer's expectations.

Denis McLeod, Principal Partner, **McLeods** formed McLeods, Barristers & Solicitors in 1980, which practices exclusively in Local Government Law and Environmental Planning Law. Since 1981, Denis has lectured in Environmental Planning Law to planning students at Curtin University and at UWA since 2007. In 2006 Denis was appointed Adjunct Professor at Curtin University. His memberships include UDIA, AIUS, LGPA, and PIA.

John O'Hara, Senior Associate, **Minter Ellison** practices in the area of administrative and public law generally including advising a range of clients on contaminated sites issues. Prior to coming to Western Australia in 2006, he was a member of a leading planning and public law practice in London for several years.

Phil Renshaw, Partner, **KPMG** is the lead partner of Perth Indirect Tax practice and a key member of the KPMG Australia Indirect Taxation Steering Committee. Phil has extensive experience in managing major GST, Payroll Tax, Research & Development and Customs Duty assignments. His key property clients have included Department of Housing, Multiplex and Finbar.

Eric Ross-Adjie, partner, **Karp Steedman Ross-Adjie** practices in the areas of commercial property, banking and finance, general commercial, corporations and franchising law. Eric's clients include prominent financial institutions, property developers, national and international corporations, charitable institutions and medium to small businesses.

Martin Tuohy, Partner, **Wojtowicz Kelly Legal** specialises in property law. Recently his practice areas have been focusing more on strata title developments with Wojtowicz Kelly having specialist expertise in that area. A current member of the conveyancing sub-committee of The Law Society of Western Australia, Martin has been a guest presenter at a recent Law Society seminar.

CONFERENCE DATE AND VENUE

19 – 20 February 2008
Parmelia Hilton Perth Hotel
14 Mill Street,
Perth, Australia 6000
Tel: 61-8-9215 2000
Fax: 61-8-9215 2001

PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment is received. We will refund your registration in full less a \$165 administration fee if notification is received in writing by 22 January 2008. If we receive written notification between 23 January and 5 February 2008 you will receive a 50% refund and conference documents. No cancellation requests will be accepted after 5 February 2008. You may nominate a replacement, however no refund will be issued.

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Tick here if you DO NOT wish to receive information about upcoming events

Four easy ways to register

Phone 1800 772 772
Fax (02) 9422 2338
Online www.lexisnexis.com.au

Mail Conference Co-ordinator, LexisNexis
Locked Bag 2222,
Chatswood Delivery Centre, Chatswood NSW 2067

Please complete sections A, B and C

Conference code: PD0208

ABN: 70 001 002 357

I would like to register for the Property Law and Conveyancing Conference

A EARLY BIRD PRICE (expires on 18 December 2007)

- Two-day Conference \$1636.36 + GST = \$1800
 Day one \$ 863.64 + GST = \$ 950
 Day two \$ 863.64 + GST = \$ 950

STANDARD PRICE

- Two-day Conference \$1909.09 + GST = \$2100
 Day one \$1000.00 + GST = \$1100
 Day two \$1000.00 + GST = \$1100

B Payment Details (Payment is due upon registration)

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

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Please charge \$ _____ to Mastercard Visa
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CONFERENCE RESOURCES

I am unable to attend but would like to purchase a set of conference papers for property law and conveyancing 2008 (WA) \$270 + GST = \$297

TEAM DISCOUNTS*

Register a team of 3 for the property law and conveyancing 2008 at the same time, from the same organisation and receive a free pass for the 4th delegate.

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

C Delegate details (for additional delegates please photocopy form)

Mr/Ms/Dr _____
first name surname

Position _____

Organisation _____

Postal Address _____

Suburb _____ Postcode _____ State _____

Telephone _____

Fax _____

Email _____