

Early bird expires 6th May*

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Convenient
one day
format

4th Annual Commercial & Retail Leasing Conference

Essential sessions for the
premium leasing practitioner

17 June 2008
Sydney

18 June 2008
Brisbane

19 June 2008
Melbourne

Don't miss this opportunity to:

DISCOVER how to maintain green ratings
through enforceable lease provisions

AVOID common traps in leasing documentation
- your ultimate guide

MINIMISE RISK through effective insurance
provisions

PREVENT lease breaches by unconscionable
conduct or misleading and deceptive conduct

Expert speakers include:

Dr Clyde Croft QC

Stephen Jones, Partner, McCullough Robertson

Derry Davine, Partner, Dibbs Abbott Stillman

David Rohr, Partner, Mallesons Stephen Jaques

Michael Redfern, Consultant, Russell Kennedy

Register Today

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Presented by



LexisNexis®
Professional Development



4th Annual Commercial & Retail L

Essential sessions for the premium leasing

8:30 **Registration and coffee**

8:50 **Meet your chair**

Peter McMahon, Partner, **Clayton Utz** (Sydney)

Bruce McGregor, Partner, **Nicol Robinson Halletts**
(Brisbane)

Max Cameron, Partner, **MinterEllison Lawyers**
(Melbourne)

9:00 **Maintaining green ratings through enforceable lease provisions**

Leasing practitioners now need to understand the impact of Ecologically Sustainable Development (ESD) on their clients' businesses and how this phenomena affects leasing arrangements.

Part one - considering green buildings framework

- ESD implementation phases and rating systems
 - Green Star Rating
 - Australian Building Greenhouse Rating
 - National Australian Built Environment Ratings System

David Craven, Principal Consultant, **Woods Bagot Consulting** (Sydney, Brisbane and Melbourne)

Part two - commercial and legal aspects of ESD

The practitioner's challenge is to ensure that lease provisions are practical and able to be implemented.

- Examining builders', operators' and tenants' obligations
- Looking at incidents of ESD in leases, including -
 - Energy, water and waste requirements
 - Floor layout
 - Occupancy use
 - Performance measurements and incentives
- Who pays for it?

Lily Mitchell, Senior Associate, **Baker & McKenzie** (Sydney)

Stephen Jones, Partner, **McCullough Robertson** (Brisbane)

Dora Stilianos, Senior Associate, **Baker & McKenzie**
(Melbourne)

10:30 **Morning tea**

11:00 **Avoiding common traps in leasing documentation – your ultimate checklist**

This session offers the practitioner a methodical approach to ensure the lease documentation is aligned with your client's instructions, the client's business and regulatory requirements.

- Examining regulatory time frames, notice and disclosure requirements and rent reviews
- Aligning your client's needs with lease terms
- Being up to date with standard conditions
- Avoiding misconceptions and pitfalls

Anthony Herro, Principal, **Herro Solicitors** (Sydney)

John Nicolas, Senior Associate, **Dibbs Abbott Stillman**
(Brisbane)

Derry Davine, Special Counsel, **Dibbs Abbott Stillman**
(Melbourne)

12:00 **Decreasing risk through effective insurance provisions**

- Who bears the risk for what events?
- Drafting carve outs for landlords
- Advising your clients about subrogation and under insurance provisions

Mark Radford, Partner, **Blake Dawson Waldron** (Sydney)

Brad Russell, Partner, **McCullough Robertson** (Brisbane)

Fred Hawke, Partner, **Clayton Utz** (Melbourne)

12:50 **Networking lunch for speakers and delegates**

1:50 **Helping clients comply with disclosure requirements and avoid engaging in unconscionable, misleading or deceptive conduct**

- Disclosure obligations required by the Trade Practices Act
- Landlord's obligations during lease negotiations and term of lease
- Considering the best time to bind tenants
- Tenant's disclosure obligations on assignment
- Timing – when the obligation to disclose crystallises
- Binding representations and warranties

Natasha Goulden, Senior Associate, **Clayton Utz** (Sydney)

1:50 Helping clients comply with disclosure requirements and avoid engaging in unconscionable, misleading or deceptive conduct

- Mandatory provision of disclosure statements – content according to premises use and procedure
- Landlord's obligations in lease negotiations and during term of lease
- Considering the best time to bind tenants
- Tenant's obligations on assignment
- Timing is everything – when the obligation to disclose crystallises

Cameron Graham, Partner, Barry & Nilsson (Brisbane)

1:50 Preventing lease breaches through proper disclosure

- Mandatory provision of disclosure statements and when the obligation to disclose crystallises
- Landlord's obligations in lease negotiations and during term of lease
- Tenant's obligations on assignment

Vanessa Flax, Senior Associate, Blake Dawson (Melbourne)

2:30 Achieving clarity in rent review provisions

- Regulatory issues
- Review mechanisms and provisions
- Commercial issues

Catherine Hallgath, Partner, Swaab Attorneys (Sydney)

Matthew Allen, Senior Associate, McMahon Clarke Legal (Brisbane)

Michael Redfern, Consultant, Russell Kennedy (Melbourne)

3:10 Afternoon tea

What your colleagues said about previous Commercial and Retail Leasing Conferences:

“Easy to follow and interesting”

“Handouts were excellent and informative”

“Very informative and good speakers”

3:30 Resolving your client's issues with struggling tenants

- Identifying potential default situations
- Considering options available to a landlord
- Managing the struggling tenant for the best commercial outcome

Gary Ulman, Partner, MinterEllison Lawyers (Sydney)

Ken Petty, Partner, MinterEllison Lawyers (Brisbane)

Michelle Power, Partner, MinterEllison Lawyers (Melbourne)

4:15 Negotiating the impacts on the landlord/tenant relationship – assignment, subletting, mortgaging, renewing and terminating

- Requisite notices
- Effective cessation of outgoing assignor liability
- Consents
- Subrogation of rights
- Auditing incoming lessee

David Rohr, Legal Consultant, Mallesons Stephen Jaques (Sydney)

Scott Argles, Senior Associate, Deacons (Brisbane)

Dr Clyde Croft QC, Melbourne Bar (Melbourne)

5:00 Closing remarks from the chair

5:10 Close of conference

Future events:

Commercial Litigation & ADR Conference

7-9 May 2008 Sydney

12-14 May 2008 Melbourne

14-16 May 2008 Brisbane

5th Annual Family Law Conference

16 June 2008 Sydney

17 June 2008 Brisbane

18 June 2008 Melbourne

Indemnities, Good Faith and Termination for Convenience Workshop

16 June 2008 Melbourne

19 June 2008 Sydney

Visit www.lexisnexis.com.au/pd for brochures

Priority registration form

4th Annual Retail & Commercial Leasing Conference

17 June 2008 • Sir Stamford at Circular Quay
93 Macquarie Street Sydney, NSW 2000
Tel: (02) 9252 4600 • Fax: (02) 9252 4286

18 June 2008 • Stamford Plaza Brisbane
Cnr Edward & Margaret Streets Brisbane, QLD 4000
Tel: (07) 3221 1999 • Fax: (07) 3221 6895

19 June 2008 • The Langham Melbourne
One Southgate Avenue, Southbank Melbourne
VIC 3006
Tel: (03) 8696-8888 • Fax: (03) 9690 5889

Please complete sections A, B and C

Conference code: **PD5208 SYDNEY PD5308 BRISBANE PD5408 MELBOURNE** 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: _____

Email (required**): _____

Delegate 4 details (for additional delegates please photocopy form)

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

Email (required**): _____

** to send conference confirmation

4th Delegate FREE!

B Venue & date selection

- ☐ **Venue:** Sydney • **Date:** 17 June 2008 • **Location:** Sir Stamford Circular Quay
- ☐ **Venue:** Brisbane • **Date:** 18 June 2008 • **Location:** Sir Stamford
- ☐ **Venue:** Melbourne • **Date:** 19 June 2008 • **Location:** The Langham

Event Pricing Sydney, Brisbane, Melbourne

Early Bird* (expires 6 May 2008)

☐ One Day Conference \$849.00 + GST = \$933.90

Standard Price

☐ One Day Conference \$949.00 + GST = \$1043.90

C Payment details Payment is due upon registration

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

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Name of Approving Manager: _____

CONFERENCE RESOURCES

- ☐ I am unable to attend but would like to purchase a set of conference papers for the 4th Annual Commercial & Retail Leasing conference Sydney, Brisbane or Melbourne \$270.00 + GST = \$297.00

TEAM DISCOUNTS

- ☐ Register a team of 3 for the 4th Annual Commercial & Retail Leasing conference 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

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

- | | |
|---|---|
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Family Law |
| <input type="checkbox"/> Commercial litigation & ADR | <input type="checkbox"/> Insolvency & restructuring |
| <input type="checkbox"/> Corporate and commercial law | <input type="checkbox"/> Insurance and risk |
| <input type="checkbox"/> Criminal Law | <input type="checkbox"/> Property |
| <input type="checkbox"/> Energy and resources | <input type="checkbox"/> Wills & Estates |
| <input type="checkbox"/> Environment and planning | <input type="checkbox"/> Workplace relations, employment & safety |
| | <input type="checkbox"/> Other: _____ |

This will help us keep you informed about topics relevant to your business needs.

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 20 May 2008. If we receive written notification between 21 May 2008 and 3 June 2008 you will receive a 50% refund and conference documents. No cancellation requests will be accepted after 3 June 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