



Property Law 2011 – VIC

Refining professional practice and legal acumen
17 November 2011, Stamford Plaza Melbourne

Program highlights

- Understand how the carbon pricing scheme impacts on the property industry
- Learn how the *Domestic Buildings Contracts Act* affects larger scale developments
- Hear the latest amendments to the GAIC regime and its applications
- Be educated on recent cases and updates regarding stamp duty and CGT

Speakers

- Michael Lanyon, Partner, Logie-Smith Lanyon Lawyers
- Meredith Gibbs, Special Counsel, Blake Dawson
- Nathan Abbott, Partner, Middletons
- Helen Scott, Partner, Holding Redlich
- David Lloyd, Barrister, Douglas Menzies Chambers
- David Wood, Partner, Mallesons Stephen Jaques

Who should attend?

- Property solicitors
- In-house counsel
- Barristers
- Real estate professionals

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Product of:



Construction Law 2011 – VIC

Enhancing legal expertise in an evolving landscape
18 November 2011, Stamford Plaza Melbourne

Program highlights

- Listen to crucial updates and critical cases in construction law
- Grasp the influences of the current financial market on the construction industry
- Analyse the relevance of alliancing in the contemporary construction environment
- Examine the various methods in resolving construction disputes

Speakers

- Francis Tiernan SC, Barrister, Owen Dixon Chambers West
- Caroline Kirton, Barrister & Mediator, Chair of Construction Law Section, Commercial Bar Association, Victorian Bar
- Nick Rudge, Partner, Allens Arthur Robinson
- Phillip Greenham, Partner, Minter Ellison
- Donald Charrett, Barrister, Arbitrator & Mediator, Chairman, Melbourne TEC Chambers

Who should attend?

- Construction law specialists
- Developers
- Construction project managers
- Contractors

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Property Law 2011 – VIC

Refining professional practice and legal acumen

Thursday, 17 November 2011

8:30	Conference registration	12:45	Networking lunch for speakers and delegates
8:50	Introduction from the Chair Michael Lanyon, Partner, Logie-Smith Lanyon Lawyers	1:45	Latest case laws and updates on stamp duty and CGT <ul style="list-style-type: none">Update on recent Victorian stamp duty cases<ul style="list-style-type: none"><i>Urban Consolidation and Development Pty Ltd and Ors v Commissioner of State Revenue (Taxation)</i> [2011] VCAT 593<i>Commissioner of State Revenue v Lend Lease Funds Management Pty Ltd</i> [2011] VSCA 182<i>Commissioner of State Revenue v Frost & Anor</i> [2011] VSC 232<i>Charles Lloyd Property Group Pty Ltd v Commissioner of State Revenue (Taxation)</i> [2011] VCAT 1461Managed investment trust regime and CGT – experiences and impact Stuart Courtney, Senior Associate, Mallesons Stephen Jaques Darren McClafferty, Senior Associate, Mallesons Stephen Jaques 1 CPD point in substantive law
9:00	Recent and crucial case laws in Property <ul style="list-style-type: none">Mortgagee's duties in exercising a power of sale – <i>MFB Investments Pty Ltd v Nolan</i> [2011] VSCA 114Construction: security of payment claims – <i>Seabay Properties Pty Ltd v Galvin Constructions Pty Ltd</i> [2011] VSC 183Enforceability of guarantees – <i>Tebb V Filsee Pty Ltd</i> [2011] V Conv R 54-784Transfer of land to defraud creditors – <i>Marcolongo v Chen</i> [2011] V Conv R 54-787GST on premises to "be used predominantly for residential accommodation" – <i>Sunchen Pty Ltd v FC of T</i> [2010] 78 ATR 197 Michael Lanyon, Partner, Logie-Smith Lanyon Lawyers 1 CPD point in substantive law		
10:00	The Carbon Pricing Mechanism: what it means for the Property industry <ul style="list-style-type: none">Overview of the Carbon Pricing Mechanism<ul style="list-style-type: none">Fixed and flexible price periodsWho will be liable?Coverage of the schemeWhat are the expected impacts on the property sector?Cost pass through and allocation mechanisms<ul style="list-style-type: none">Transfer of statutory liabilityCost pass through under existing leasesStrategies to manage risk in new leasesWhat does it mean for existing carbon and energy reporting requirements?Energy efficiency incentives and other issues for the industry Meredith Gibbs, Special Counsel, Blake Dawson 0.75 CPD point in substantive law	2:45	The Personal Property Securities Act and real estate transactions <ul style="list-style-type: none">Land and the definition of security interestSpecific inclusionsDeemed security interests and mortgage-backed securitiesWater rights, licenses and fixturesPriority rulesEnforcement Helen Scott, Partner, Holding Redlich William Khong, Partner, Holding Redlich 0.75 CPD point in substantive law
		3:30	Afternoon tea
		3:45	Rescission of sale of land contracts <ul style="list-style-type: none">Rescission and terminationNecessity for noticeFormal requirementsValidity of noticesRepudiation and rescissionRemedies following rescission David Lloyd, Barrister, Douglas Menzies Chambers 1 CPD point in substantive law
10:45	The Domestic Buildings Contracts Act <ul style="list-style-type: none">Does it apply to larger developments?Implications for warranties, sales contracts and building contractsPricing foundations for domestic building workLarge developments – <i>Glenrich Builders Pty Ltd v 1-5 Grantham Street Pty Ltd & 415 Brunswick Road Pty Ltd</i> [2008] VCC 1170Foundations data – <i>Schultz trading as Panther Designer Homes and Ors v Duncombe (Domestic Building)</i> [2011] VCAT 1165 Nathan Abbott, Partner, Middletons 1 CPD point in substantive law	4:45	Property finance and exploring new opportunities <ul style="list-style-type: none">Presale agreements and their tax implicationsLease arrangements and their tax implicationsOpportunities under the new TOFA rulesOpportunities under the new MIT rules David Wood, Partner, Mallesons Stephen Jaques 0.75 CPD point in substantive law
11:45	Morning tea	5:30	Closing remarks from the Chair
12:00	Recent amendments to the GAIC regime and its applications <ul style="list-style-type: none">Overview of amended provisionsWork-in-kind agreementsDiscrepancies between the Duties Act exemptions and the GAIC exemptions Sally Macindoe, Partner, Norton Rose 0.75 CPD point in substantive law	5:35	Close of conference

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Construction Law 2011 – VIC

Enhancing legal expertise in an evolving landscape

Friday, 18 November 2011

8:30	Conference registration	11:45	Morning tea
8:50	Introduction from the Chair Francis Tiernan SC, Barrister, Owen Dixon Chambers West	12:00	Impact of current financial market conditions on PPPs and the construction industry <ul style="list-style-type: none">Recent market experienceRisk allocation for construction/PPPs given bank requirementsNegotiation stumbling blocks for construction industry when dealing with large bank groupsBridge to capital markets? Josh Sgro, Partner, Freehills 1 CPD point in substantive law
9:00	Recent cases in construction law <ul style="list-style-type: none">Economic Loss: Commercial Buildings – <i>Project Company No. 2 Pty Ltd v Cushway Blackford & Associates Pty Ltd & Anor</i> [2011] QCA 102Unjust Enrichment – <i>Henderson’s Automotive Technologies Pty Ltd (in Liquidation) v Flaton Management Pty Ltd</i> [2011] VSCA 167Liquidated Damages Claims – <i>Novawest Contracting Pty Ltd v Altona Industrial Centre Pty Ltd</i> [2011] VSCA] VSCA 104‘Supervision’ of Domestic Building Work – <i>Mroki & Anor v Mountview Prestige Homes Pty Ltd</i> [2011] VSCA 73Restraining Recourse to Security – <i>Ceresola TLS AG v Thiess Pty Ltd & John Holland Pty Ltd</i> [2011] QSC 115Surrounding Circumstances in the Construction and Interpretation of Contracts – <i>The Movie Network Channels Pty Ltd v Optus Vision Pty Ltd</i> [2010] NSWCA 111, <i>QBE Insurance Australia Ltd v Vasic</i> [2010] NSWCA 166Pre Contract Statements and Promissory Estoppel – <i>Saleh v Romanous</i> [2010] NSWCA 274 Caroline Kirton, Barrister & Mediator, Chair of Construction Law Section, Commercial Bar Association, Victorian Bar 1 CPD point in substantive law	1:00	Networking lunch for speakers and delegates
10:00	The Carbon Pricing Mechanism: what it means for the construction industry <ul style="list-style-type: none">Overview of the Carbon Pricing Mechanism<ul style="list-style-type: none">Fixed and flexible price periodsWho will be liable?Coverage of the schemeImpacts on the construction industryAllocating liability within a corporate group or unincorporated joint venture<ul style="list-style-type: none">Transfer of statutory liabilityCost pass through and allocation mechanisms<ul style="list-style-type: none">Reviewing existing contractsStrategies to manage risk in new contractsOther issues for the industry Jeff Lynn, Partner, Blake Dawson 0.75 CPD point in substantive law	2:00	Alliancing – gone but not forgotten <ul style="list-style-type: none">The history and future of alliancingThe increased use of other collaborative contracting models in recent yearsIs the alliancing delivery model still relevant?Recent cases Stewart Nankervis, Partner, Minter Ellison 1 CPD point in substantive law
10:45	Security of payment legislation – amendments and latest case law <ul style="list-style-type: none">Understanding the rationale behind security for payment laws – protecting vulnerable subcontractorsRecent cases and their impact on the application of the legislation in Victoria Nick Rudge, Partner, Allens Arthur Robinson 1 CPD point in substantive law	3:00	Managing delay and disruption claims <ul style="list-style-type: none">Substantiating and assessing time extension claimsUnderstanding the importance of early quantification of delaysDrafting effective clausesProof of causationLiquidated damages Phillip Greenham, Partner, Minter Ellison 1 CPD point in substantive law
		4:00	Afternoon tea
		4:15	Resolving construction disputes – mediate, arbitrate or litigate? <ul style="list-style-type: none">Different methods of dispute resolution and their characteristics: ADR compared with binding determination of rightsNegotiationFacilitative methods of ADREvaluative methods of ADRBinding determination of rights according to law: arbitration and litigation Donald Charrett, Barrister, Arbitrator & Mediator, Chairman, Melbourne TEC Chambers 1 CPD point in substantive law
		5:15	Closing remarks from the Chair
		5:20	Close of conference

Priority registration form Property Law 2011 – VIC Construction Law 2011 – VIC

4 easy ways
to register

Online: www.lexisnexis.com.au/pd
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Mail: Conference Co-ordinator, LexisNexis
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or: DX 29590 Chatswood

Please complete sections A, B, C, D

TAX INVOICE

Conference code: PD8011

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**): _____

** to send conference confirmation

B

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- Australian Construction Law Bulletin
- Building Contracts Australia – Looseleaf or Online
- Building Regulation Australia – Looseleaf or Online
- Brooking on Building Contracts – Book
- Australian Property Journal
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Lawyers can earn up to 13.75 CPD points

Where did you hear about this event? _____

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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 has been received. LexisNexis' cancellation policy applies as follows. If cancellation is notified in writing:

1. One calendar month or more prior to the first day of event: LexisNexis will refund your registration fee less \$165.00 administration cost.
2. Between one calendar month plus one day and 14 days prior to the first day of event: LexisNexis will refund 50% of the fee paid by you and provide you with a copy of event papers.
3. 13 days or less prior to the first day of the event: LexisNexis will not refund any part of your fee. However, you may nominate a replacement delegate to attend in your place.

C

Event pricing (please tick your selection)

GROUP BOOKING

Register 3 or more people from the same organisation at the same time and book at the early bird price per person.

EXAMPLE

<input checked="" type="checkbox"/>	One day conference	1	\$900 + GST = \$990	\$990
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Advanced price (register and pay before 9 September 2011)

Please Select	Options	Qty	Price	Subtotal
	Two day conference		\$1800 + GST = \$1980	
	One day conference*		\$ 900 + GST = \$990	

Early bird price (register and pay before 9 September 2011 and before 7 October 2011)

Please Select	Options	Qty	Price	Subtotal
	Two day conference		\$1950 + GST = \$2145	
	One day conference*		\$1050 + GST = \$1155	

Standard price (register and pay after 7 October 2011)

Please Select	Options	Qty	Price	Subtotal
	Two day conference		\$2050 + GST = \$2255	
	One day conference*		\$1150 + GST = \$1265	

Conference Resources (I am unable to attend but please send me conference papers)

Please Select	Options	Qty	Price	Subtotal
	Property Law 2011 – VIC conference papers		\$180 + GST = \$198	
	Construction Law 2011 – VIC conference papers		\$180 + GST = \$198	

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

TOTAL

* I would like to attend:

Property Law 2011 Construction Law 2011

I am a member of the Society of Construction Law Australia, please apply my 10% discount

D

Payment details

Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

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

Pay by credit card: Please charge \$ _____ to

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