



**ACSL**  
Australian College of Strata Lawyers

# 20th Annual ACSL Strata Law Conference

**Wednesday 5 - Friday 7 March 2025**

Brisbane Marriott Hotel, 515 Queen Street, Brisbane QLD Australia



**ACSL**  
Australian College of Strata Lawyers



The 20th Annual ACSL Strata Law Conference will be held in Brisbane in March 2025 at the Brisbane Marriott Hotel, located in the heart of Brisbane's CBD.

The ACSL Conference is the premier event of the strata legal community's calendar, presenting an unequalled opportunity to hear from pre-eminent industry experts.

The ACSL Conference is open to members, aspiring non-members managers and stakeholders. It is an opportunity to hear of the developments, forecasts, and research in this increasingly specialised area of Strata Law.

Take the opportunity to attend to acquire new knowledge, benefit professionally, network with peers and add value to your practice.

I wish to thank the Conference Committee for their commitment to bring to you the 2025 conference.

**Tim Graham**  
ACSL President

See more at:

<https://acsl.net.au/conference-2025-registration>

## 2025 ACSL Conference Committee

- **Amanda Farmer**  
Lawyers Chambers  
NSW (Chair)
- **Michael Allen**  
Bugden Allen NSW
- **Allison Benson**  
Kerin Benson  
Lawyers NSW
- **Gary Bugden, OAM**  
Bugden Allen QLD
- **Thomas Gibbons**  
Thomas Gibbons  
Law NZ
- **Frank Higginson**  
Hynes Legal QLD
- **Pino Monaco**  
GV Lawyers WA
- **Vicki Toan**  
Glaister Ennor NZ

# Day One

Wednesday 5 March 2025

Session	Time	Topic	Presenter
	8.30 am	Registration - Queen Adelaide Room, Level 3, Marriot Hotel Brisbane	
	9.00 am	Welcome	<b>Tim Graham</b> , President, ACSL Chambers Russell Lawyers VIC
		Annual General Meeting	
Session 1	9.30 am	<b>Guest speaker – Legal Services Commissioner for Queensland</b> <b>When is advice “legal advice”?</b> The relevance of – <ul style="list-style-type: none"><li>i. Content</li><li>ii. Legal qualifications</li><li>iii. Background of the provider (e.g. former senior public servant)</li><li>iv. Gratuitous or paid advice</li><li>v. Delivery method (i.e. verbal, letter, article).</li></ul> How effective are disclaimers (e.g. “this is not legal advice,” particularly where it appears clearly to be legal advice).  Very important and timely given the current operation of former solicitors, non-qualified advisors and a barrister effectively operating as a solicitor, not to mention the on-line “publication sites” where most of the contributors are non-lawyers but almost all the content is of a legal nature. E.g. Quills Case from WA.	<b>Megan Mahon</b> Commissioner of the Legal Services Commission Queensland
Session 2	10.30 am	<b>Jurisdiction updates - NSW</b>	<b>Tom Yeoman</b> Yeoman Legal, NSW
	10.50 am	<b>Morning Tea Break</b>	
Session 3	11.15 am	<b>Electric Vehicles &amp; lithium batteries in strata</b> Issues / by-laws / insurance Focus on building/ retrofitting, drafting regulations/bylaws, is there insurance component.	<b>Chair/Moderator: Amanda Farmer</b> Lawyers Chambers, NSW  <b>Builder representative: Debbie Johnson</b> National President, Housing Industry Association, QLD  <b>Insurance broker: Tyrone Shandiman</b> Strata Insurance Solutions, QLD  <b>Superintendent Mark Halverson</b> Executive Manager, State Fire Safety Section, Queensland Fire Department
Session 4	12.15 pm	<b>Common Property Boundaries and the treatment of them in decisions of the State Administrative Tribunal in Western Australia.</b> The recognition of common property boundaries remains a vexed issue in practice and suffers from common misinterpretations and, therefore, misapplication of the Strata Titles Act 1985 (WA). Decisions of the State Administrative Tribunal in Western Australia might not have assisted resolve the “debate.”	<b>John Park</b> Dentons, WA
	12.35 pm	<b>Lunch Break</b>	

# Day One

Wednesday 5 March 2025

Session	Time	Topic	Presenter
Session 5	1.30 pm CPD 1 hour	<b>CPD Presentation</b> <b>Balancing Act: Enhancing Individual Well-being Through Effective Work-Life Balance</b> Summary: In our increasingly demanding professional landscape, maintaining a healthy work-life balance is essential for individual well-being. This presentation explores the critical relationship between work-life balance and personal wellbeing. We will examine how legal frameworks and regulations, such as the right to disconnect, impact what constitutes work-life balance. Attendees will learn practical strategies to achieve a better balance. We will also discuss when and how to seek support, whether from employers, colleagues, or mental health professionals. Through real-life examples, legal insights, and actionable strategies, this presentation aims to equip individuals with the tools they need to thrive both professionally and personally.	<b>Belinda Winter</b> Cooper Grace and Ward Lawyers, QLD  <b>Mishelle Zara</b> Queensland Converge International
Session 6	2.30 pm	<b>Manager Codes of Conduct</b> The issue of body corporate manager regulation and conduct has occupied significant media and public attention in recent times. This session will focus on legislative Codes of Conduct for managers in Queensland, ACT, and New Zealand. Taking a comparative approach, it will examine what these Codes contain, their relationship to other legal duties, and whether they are enforceable or just aspirational.	<b>Thomas Gibbons,</b> Gibbons Law, NZ  <b>Susan Proctor</b> Proctor Legal, ACT  <b>Frank Higginson</b> Hynes Legal, QLD
	3.30 pm	<b>Afternoon Tea Break</b>	
Session 7	3.50 pm	<b>Dealing with leasehold interests in strata property: Comparing NSW and Singapore</b> Any estate of land may be leased. This creates a term held by the leasees or leaseholders, and a reversion held by the person holding the fee simple. Whereas strata or apartment living may be thought of as both a conceptual and spatial form of subdivision, leasehold estates are temporal subdivisions which create ownership for both the 'now' and the 'later'. Dealing with leasehold interests in strata property therefore creates additional layers of complexity because of the need to account for the lessees as well as the reversioner. This is both an economic exercise in valuation as well as a proprietary one in relation to land use control. Using NSW and Singapore as the relevant jurisdictions, this paper considers what additional issues, whether in terms of improvements to the property, compulsory purchase or strata collective sales, arise when the interest in strata property is leasehold rather than fee simple.	<b>Associate Professor Edward TI</b> SNG
Session 8	4.30 pm	<b>Building Management Committee's Identity Crisis: Can we fix it, and how?</b> The paper will look at the legal status of building management committees (BMCs) in New South Wales. It will focus on what a BMC is in New South Wales, the type of problems resulting from a BMC's lack of legal status (specifically in terms of its ability to recover debts from members and issues that arise for creditors), and the solutions that could give BMCs in New South Wales not only legal status but resolve resulting issues experienced by BMCs and creditors alike.	<b>Nancy Torry</b> Bugden Allen Group Legal, NSW
	5.10 pm - 6.10 pm	<b>Welcome Cocktail Party</b> The cocktail party will commence immediately after the final conference session.	Marriot Hotel

# Day Two

Thursday 6 March 2025

Session	Time	Topic	Presenter
Session 9	9.00 am CPD 1 hour 15 mins	<p>CPD Presentation</p> <p><b>Practice Management Technology</b></p> <ol style="list-style-type: none"><li>Based on the results of a survey of members to be undertaken by the College, discussion on:<ol style="list-style-type: none"><li>A brief comparison of the IT systems member firms use.</li><li>The survey results on such things as –<ol style="list-style-type: none"><li>What do you like?</li><li>Types of integrations.</li><li>Transitions, etc.</li><li>Relevant spam laws.</li><li>Customer relationship tools.</li><li>Marketing databases.</li><li>API's.</li><li>Tech stacks.</li><li>Hubspot.</li><li>Artificial Intelligence.</li><li>Etc.</li></ol></li></ol></li><li>The future of AI and the legal profession (with emphasis on some work currently underway in both the Government and Private sectors).</li><li>Relevant privacy and cybersecurity issues</li></ol>	<p><b>Chair and Comment</b></p> <p><b>Gary Bugden, OAM,</b> Bugden Allen Group Legal, QLD</p> <p><b>Professor John Swinson</b> University of Queensland</p>
Session 10	10.15 am	<b>Contesting covenants: planning, policy, and property rights</b>	<b>Thomas Gibbons,</b> Gibbons Law, NZ
	10.35 am	<b>Morning Tea Break</b>	
Session 11	11.05 am	<p><b>Panel discussion – by-law making powers: oppressive or unreasonable? A discussion across jurisdictions</b></p> <p>By-law making powers and enforceability differ between jurisdictions. Some jurisdictions don't even have by-laws, they have rules, which are not the same thing. Our panellists bring their expertise from a variety of jurisdictions, ready to discuss our similarities and differences and how we may learn from each other's experiences, innovations and recent cases.</p>	<p><b>Moderator:</b> <b>Amanda Farmer,</b> Lawyers Chambers, NSW</p> <p><b>Speakers:</b> <b>Tim Graham,</b> Chambers Russell Lawyers, VIC <b>Allison Benson,</b> Kerin Benson Lawyers, NSW <b>Associate Professor Edward TI,</b> SNG <b>Andrew Suttie</b> Stratify Legal, QLD <b>Mark Atkinson</b> Atkinson Legal, WA <b>Clinton Baker,</b> Price Baker Berridge, NZ</p>

# Day Two

Thursday 6 March 2025

Session	Time	Topic	Presenter
	12.05pm	Lunch Break	
Session 12	1.15 pm	<b>The Policy Process – Inside the Sausage Factory</b> Some say it was Bismarck who (in)famously said that there are two things the public should not see made - sausages and laws! In modern Queensland, the ingredients for making public policy are part art and part science. Experienced policy and regulatory professionals, Kate Connors and Victoria Thomson, will take attendees on a journey through the policy development process, examining problem identification and clarification, stakeholder engagement, policy analysis, development of potential policy solutions, decision-making, and implementation. Kate and Victoria will also explore the at times difficult process of balancing legitimate, but often competing, interests and priorities that can make the policy development process incredibly complex, but nonetheless still vitally important for all stakeholders and the public interest.	<b>Victoria Thomson</b> Deputy Director-General, Harm Prevention and Regulation, Department of Justice and Attorney-General, QLD  <b>Kate Connors</b> , BA, LLB (Hons) Deputy Director-General, Justice Policy and Reform, Department of Justice and Attorney-General. QLD
Session 13	2.00 pm	<b>The ethics of unit ownership</b> A consideration of the moral dilemmas faced by unit owners, either as committee members or in general meetings, when individual rights comes up against the common good and choices must be made between short-term and long-term solutions.	<b>Vicki Toan</b> Toan Law, NZ
	2.40 pm	Afternoon Tea Break	
Session 14	3.10 pm	<b>Site Mixed Use Developments in NSW</b>	<b>Michael Allen</b> , Bugden Allen Group Legal, NSW
	3.50pm	End of Day 2 sessions	
	7.00 pm	<b>Conference Dinner</b> Blackbird Restaurant, Ground Floor, Riverside Centre 123 Eagle St, Brisbane City	Walking distance from the Marriott Hotel Via Queen Street, or City Reach Walkway <a href="https://maps.app.goo.gl/jD2YDJ3mTEzV3yMHA">https://maps.app.goo.gl/jD2YDJ3mTEzV3yMHA</a>

# Day Three

Friday 7 March 2025

Session	Time	Topic	Presenter
Session 15	9.00 am	<b>International Guest Speaker</b> <b>Robert M. Diamond joins us to share his insights and experience as a recognised thought leader, having worked for many years to improve the law for community associations across the United States.</b> Robert is a senior counsel in Reed Smith's global real estate group, based in Virginia, U.S. His practice focuses on the development and operation of condominium and homeowner associations and those working with them. With a 50-year record of service, he was recently named to the 2024 class of the Virginia Lawyers Hall of Fame, honoured for his contributions to national and state legislation, real estate transactions and real estate litigation matters, including the creation of new laws regulating condominiums and planned communities across the U.S	<b>Robert M. Diamond</b> Senior Counsel, Real Estate Reed Smith, LLP Virginia, U.S.A.
Session 16	10.00 am	<b>Creating psychologically safe communities</b> Stop bullying in committees, strata managers, lot owners, committees, Addressing issues of nuisance in strata	<b>Chair: Frank Higginson</b> Hynes Legal, QLD  <b>Jane Wilson</b> Queensland's Commissioner for Body Corporate and Community Management  <b>David Sutherland</b> , Principal Adjudicator of BCCM
	10.50 am	<b>Morning Tea Break</b>	
Session 17	11.10 am	<b>Anti-Money Laundering and Counter-Terrorism Financing Reforms</b> The Australian government is in the process of implementing "tranche two" of Australia's anti-money laundering and counter-terrorism financing. Tranche Two will expand the legislation to impose reporting obligations on lawyers and other real estate professionals. The presentation would review the current legislation and what is being proposed for legal professionals as part of the changes and how lawyers will need to change their approach to dealing with property transactions.	<b>Elly Ashley</b> Holding Redlich, NSW
Session 18	11.50 am	<b>The Evolution in Compulsory Manager Appointments</b> This presentation will provide a brief comparison of the major statutory provisions in Australia, and then delve into some emerging trends. Subtopics: <ul style="list-style-type: none"><li>• Not a first line remedy;</li><li>• Different types of appointee;</li><li>• A variety of categories of unsatisfactory performance for which appointments are made;</li><li>• Comparison with Corporations Act powers, such as for resolving deadlock in small schemes; a just and equitable analogy?</li></ul>	<b>David Knoll, AM</b> Barrister-at-Law, NSW
	12.30 pm	<b>Lunch Break</b>	

# Day Three

Friday 7 March 2025

Session	Time	Topic	Presenter
Session 19	1.30 pm	<p><b>Online Presentation</b></p> <p><b>Embedded Network and other Sustainability Contracts as Potential Breaches of Fiduciary Duty</b></p> <p>Developer negotiated contracts have been a consistent feature of strata development for decades, and have equally consistently been the subject of lot owner complaint. Developer negotiated contracts take advantage of lot owners' statutory obligations to pay levies for infrastructure and services, which developers recognise as an ongoing income stream that they or their associates can exploit. However, developer negotiated contracts can also relate to infrastructure and services that flow from good engineering or planning, and/or have been required by development consent. This will increasingly be the case in relation to sustainability infrastructure designed to help us collectively reach net zero.</p> <p>This presentation will consider the ways in which developer negotiated contracts can avoid breaching potential fiduciary duties developers owe bodies corporate.</p>	<p><b>Professor Cathy Sherry</b> Macquarie University, NSW</p> <p><b>Professor Matthew Conaglen</b> Equity and Trusts, University of Sydney Law School</p>
Session 20	2.10 pm	<p><b>Strata/Remedial Construction Reform Update</b></p> <ul style="list-style-type: none"><li>• Update as to ongoing strata-remedial consultation with Government relating to compliance with the DBP Act &amp; associated reform, insurance, planning, performance solutions</li><li>• Emerging case law Part 4: Statutory Duty of Care</li><li>• Is the reform working? What are we seeing?</li><li>• Future reform impacting remedial works in existing strata buildings</li><li>• Tips for guidance for strata managers/owners corporations</li><li>• How can we educate consumers buying into strata?</li></ul>	<p><b>Helen Kowal</b> Swaab, NSW</p>
Session 21	2.50 pm	<p><b>The Perils of Progressive Development – Why was a Queensland developer fined \$125,000 for making a development application?</b></p> <p>On 31 January 2025 the Queensland Court of Appeal handed down its decision in Corella Rd Dev Pty Ltd v Body Corporate for Gympie Pines Fairway Villas CTS 36509 [2025] QCA 3.</p> <p>The developer, Corella Rd, is now liable to pay a fine of \$125,000, half of which must be paid to the Body Corporate, plus Magistrates Court costs of over \$115,000 and costs in the Court of Appeal proceedings.</p> <p>Why? Because Corella Rd had failed to give the Body Corporate proper written notice, in advance, of the developer's intentions to apply to the local government for a development approval which, if given, would change the final stages of the development.</p> <p>This decision is the first judicial exploration of important provisions introduced in 2003, to both provide better consumer protection and to give developers certainty about their rights, in staged subdivisions.</p> <p>The Court of Appeal proceedings came at the end of the Body Corporate's successful private prosecution of the developer in the Magistrate's Court, and successful defence of the developer's appeal to the District Court. Accordingly, this session not only deals with the rationale and key findings of the Court of Appeal, it also offers some practical insights into the private prosecution process and the appeals processes which followed.</p>	<p><b>Michael Kleinschmidt</b> Bugden Allen Group Legal, QLD</p>
	3.15 pm	<p><b>Conference concludes with afternoon tea</b></p>	



# About the Conference

## THE VENUE

**Brisbane Marriott Hotel, 515 Queen Street, Brisbane**

Accommodation – Delegates book their own accommodation. Marriott delegate rate - \$325 per night will be available before and after the conference

[Book your group rate for ACSL Strata Law Conference 2025](#)

## THE COLLEGE (ACSL)

Australian College of Strata Lawyers (ACSL), established in 2005, is an association to promote high standards and a system of specialist accreditation for lawyers skilled in the practice of strata and community titles. Representing all stakeholders in the area including owners, occupiers, owners corporations, community associations, managing agents, consent authorities, developers, financiers and building managers.

## ABOUT THE CONFERENCE

The Conference Committee has worked hard to ensure that expert speakers will share valuable insights into experiences within the Strata sector, and delegates will gain new inspiration, new learnings into the latest industry trends and best practices.

## WHO SHOULD ATTEND?

If you are interested and involved in Strata Law and the way it is changing and evolving, you will not want to miss this opportunity to be part of the commentary and discussion on the current state of knowledge and related issues in this field.

## REGISTRATION DESK

The conference registration desk will be in operation prior to the commencement of the conference and throughout the day on Wednesday, Thursday, and Friday.

## FEES INCLUDE

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to ACSL
- Tea and coffee breaks
- Lunch on Wednesday, Thursday, and Friday
- Wednesday Cocktail party and Thursday evening dinner

## CONFIRMATION

Confirmation of your registration will be forwarded to you by email.

## EARNING CPD POINTS

Attending the ACSL Conference is also a valuable way to earn CPD points. You can earn self-assessed 1 point per hour of education for each State and Territory CPD programs. New Zealand Lawyers – Self-assessment applies. There are two compulsory sessions included in the program for 2025.

## CONFERENCE EVALUATION

A conference evaluation form will be provided to assist ACSL with planning future conference. Please complete the form and return it to the registration desk prior to your departure.

## CANCELLATION POLICY

An administration fee of \$250.00 per registrant will apply for cancellations before 3 February 2025. No refunds will be payable for cancellations made after this date.

- Please note that registrations are transferable

## DRESS

Smart casual is appropriate for conference sessions. A light jacket may be required in air-conditioned seminar rooms and for the cooler weather. Smart casual is also appropriate for the conference dinner.

## DIETARY REQUIREMENTS

If you have any special dietary requirements, please note these on your registration form when registering and follow up with the dinner venue on the evening.

## INSURANCE

Conference registrations fees do not include insurance or cover for loss or personal injury. There is no insurance provided by the conference organiser. Delegates should arrange their own personal and travel insurance.

**The 20th Annual ACSL Strata Law Conference 2025**

# Registration Details

Please complete the Registration Form and return to  
ACSL General Manager  
PO Box 182 Moorooka Qld 4105  
E: [generalmanager@acsl.net.au](mailto:generalmanager@acsl.net.au)

For online registration  
<https://acsl.net.au/conference-2025-registration>

(Transaction fees apply)

## DELEGATE INFORMATION

*Registrant - please use block letters with black ink to avoid illegibility*

Title: \_\_\_\_\_ Given Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Firm Name if applicable: \_\_\_\_\_

Preferred Name label: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Special Requirements: *Please indicate any special needs (including dietary, allergies, medical, other)* \_\_\_\_\_

\_\_\_\_\_

## ACCOMPANYING GUEST:

*Registrant - please use block letters with black ink to avoid illegibility*

Title: \_\_\_\_\_ Given Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Special Requirements: *Please indicate any special needs (including dietary, allergies, medical, other)* \_\_\_\_\_

\_\_\_\_\_

# Registration Details

## REGISTRATION DETAILS – FOR DELEGATES ONLY

Full Registration fee for delegates provides: Three-day registration includes where applicable: Wednesday and Thursday - morning tea, afternoon tea and lunch and conference Dinner. Friday – morning and afternoon tea, lunch and closing refreshments.

Registration inclusive of GST and inclusive of social events	Fees	Qty.	Total
Early Bird <b>Member</b> Delegate (payment on or before 25 January 2025)	AUD \$1,996.50		
Full <b>Member</b> Delegate Registration (payment after 25 January 2025)	AUD \$2,240.00		
Academic <b>Members</b>	AUD \$907.50		
Associate <b>Members</b>	AUD \$825.00		
<b>Non-Member</b> Academic	AUD \$924.00		
<b>Non-Member</b> Registration (Early Bird) (payment before 25 January 2025)	AUD \$2,700.00		
<b>Non-Member</b> Registration (payment after 25 January 2025)	AUD \$2,850.00		

\*\*\* For multiple registrations please contact the ACSL General Manager – [generalmanager@acsl.net.au](mailto:generalmanager@acsl.net.au)

## REGISTRATION DETAILS FOR – ACCOMPANYING PERSONS WEDNESDAY AND THURSDAY NIGHT DINNERS

Accompanying Person Registration ONLY	Fees	Qty.	Total
<b>Social Events for ACCOMPANYING PERSONS Registration</b> (For delegates, this item is included in the registration above. This is for accompanying persons only)			
Wednesday Cocktail Party and Thursday Dinner	AUD \$350.00		

## PAYMENT DETAILS

Online Registration  
<https://acsl.net.au/conference-2025-registration>  
(Transaction fees apply)

## DIRECT DEPOSIT DETAILS

Bank: National Australia Bank BSB: 084-004  
Account Number: 59 984 6415

\* Reference your payment: Conference +  
(Surname of Delegate)

## CREDIT CARD PAYMENTS ATTRACT A TRANSACTION FEE

This form constitutes an Invoice upon  
Receipt of payment.

ABN Number 81 931 647 242