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REGISTRATION
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20TH ANNUAL NSW PROPERTY LAW CONFERENCE

2026 Conveyancing Update

Off-the-Plan Contracts in NSW: Reforming Sunset Clauses, Disclosure & Covenant Cleanup

Strata in Transition: Navigating New Duties, Rights and Risks

Navigating the Duty Maze: Revenue NSW's Updated Guidance on Options and Transfer Duty

Retail Leasing Law Update: Core Duties, Common Traps and What's Next

Tenants, Buyers, and the Balancing Act: Navigating Tenanted Property Sales

Who Really Owns the Land? Trusts, Titles and Property Transactions

A One-day Conference
Thursday 12 March 2026

Sydney Central Hotel, Sydney

Feedback from last year's conference:

Last year's conference scored an overall satisfaction rate of 4.8 out of 5!

- I found that the content was very relevant to my practice. The speakers were well informed and I will certainly attend next year.
- Excellent speakers and relevant, practical content.
- Great setup, kept to timing perfectly, interesting topics, learned a lot, thank you.



Your Trusted CPD Partner for more than 50 Years

1 DAY: THURSDAY 12 MARCH 2026

MORNING THEME: REFORMS UNDER THE SPOTLIGHT
CHAIR: TO BE ADVISED

9.00 - 9.10am

Introduction and welcome

9.10 - 10.00am

Session 1: 2026 Conveyancing Update: The New Contract, New Rules and a New Risk Landscape

2026 marks a major reset for NSW conveyancing, with the NSW Government's new Contract for the Sale of Land landing alongside sweeping legislative reform. This essential update session cuts through what's changed, what really matters in practice, and where the new risk traps are emerging for property lawyers and conveyancers. You'll get a practical, future-focused briefing on how to adapt your workflows, advice and documents for the new regime, including:

- What's new (and what's gone) in the 2026 Contract for the Sale of Land — and how it reshapes everyday transactions
- How the Conveyancing and Real Property Amendment Act is changing transaction procedures under flexible lodgement rules
- The expanded scope of s 88B instrument releases and how to deal with council and utility provider interests
- Updated service of notices requirements and the practical risks of getting them wrong
- The transformation of land title data access and what it means for searches, verification and due diligence
- How to update your conveyancing workflows and client advice to reflect the new contract and new statutory settings
- The redefined concept of "option", capturing both options to purchase and options to compel purchase
- Why cooling-off rights have changed for put and call option purchasers — and how this affects structuring and advice
- Which vendor disclosure obligations now apply across different option arrangements under the revised framework

Speaker: Tony Cahill, Legal Author & Commentator, Paramatta, NSW

10.00 - 10.10am Panel Comments and Questions

10.10 - 11am

Session 2: Off-the-Plan Contracts in NSW: Reforming Sunset Clauses, Disclosure & Covenant Cleanup

Off-the-plan contracts remain a critical, but high-risk, vehicle in the NSW property market. A combination of indefinite sunset clauses, opaque timeframes, and outdated title restrictions has left buyers vulnerable and shaken confidence in new developments. This session unpacks the NSW Government's proposed legislative reforms aimed at restoring balance and boosting market certainty through:

- Sunset clause reform: Making sunset clauses mandatory; expanding what constitutes a valid "sunset event" (e.g., development approval, land ownership)
- Caps and controls on extensions: Restricting the developer's ability to unilaterally extend deadlines— and tying extensions to objectively justifiable reasons, with penalties for delays
- Visibility through milestones: Requiring developers to disclose construction progress and milestone statuses to buyers, improving transparency and enabling informed decision-making
- Caveats to protect purchasers: Proposals for a statutory mechanism to register a purchaser's interest on title via a form of caveat once the contract is signed
- Removing outdated covenants: Streamlining the removal of obsolete restrictive covenants that hinder development—unlocking potential while reducing title burdens
- Accountability through penalties: Introducing financial consequences for developers who fail to meet contract deadlines, shifting the balance of power toward buyers
- Contextual insight on how these reforms may reshape contract drafting, settlement risk, and client advice going forward.

Speaker: Tony Cahill, Legal Author & Commentator, Paramatta, NSW

11am - 11.10am Panel Comments and Questions

11.10 - 11.30am Networking Break and Morning Tea

1 DAY: THURSDAY 12 MARCH 2026

11.30am - 12.20pm

Session 3: Strata in Transition: Navigating New Duties, Rights and Risks

Significant reforms to NSW strata laws have fundamentally transformed how strata schemes operate. This session explores the key changes and what they mean in practice for property lawyers and their clients, including:

- Automatic approval of minor renovations and avoiding unintended approvals.
- Understanding the mandatory sustainability agenda items for AGMs and sustainability issues related to by-laws.
- Unfair contract terms and specific prohibited terms in strata management contracts.
- Changes to accessibility infrastructure requests.
- New fiduciary-style duties for strata committee members requiring honest and fair conduct.
- The extension of damages claims from two to six years and new prohibitions on delaying repairs when legal action is underway.
- Practical implications of increased record inspection fees and enhanced managing agent reporting requirements.
- Changes to embedded network utility agreements.

*Speaker: Laura Dale, Partner,
Chambers Russell Lawyers, Sydney, NSW*

12.20 - 12.30pm Panel Comments and Questions

12.30 - 1.20pm

Session 4: Navigating the Duty Maze: Revenue NSW's Updated Guidance on Options and Transfer Duty

Revenue NSW's comprehensive update to their Practice Note on options to purchase land has introduced crucial clarifications which must be understood to avoid costly duty miscalculations. In this session, attendees will gain an understanding of the updated guidance and its practical implications for structuring and advising on option transactions, including:

- The duty on beneficial ownership and its effect on options.
- Understanding the Commissioner's distinctions between put options, "true" call options, and conditional contracts to transfer.
- How options differ from pre-emptive rights to purchase land under the updated Revenue NSW approach.
- When the grant, assignment, nomination, or novation of options triggers transfer duty obligations.
- Practical examples and scenarios demonstrating Revenue NSW's approach to calculating duty on complex option structures.
- Why NSW's transfer duty treatment of options differs significantly from other Australian jurisdictions.
- Strategies for structuring option agreements to optimise duty outcomes while ensuring compliance with Revenue NSW requirements.

*Speaker: Andrew Rider, Barrister,
Level 22 Chambers, Sydney, NSW*

1.20 - 1.30pm Panel Comments and Questions

1.30 - 2.20pm Luncheon

1 DAY: THURSDAY 12 MARCH 2026

AFTERNOON THEME: PROPERTY LAW TOOLKIT
CHAIR: TO BE ADVISED

2.20 - 3.10pm

Session 5: Retail Leasing Law Update: Core Duties, Common Traps and What's Next

Retail leasing in NSW brings with it a unique set of rules and compliance traps under the Retail Leases Act 1994. With disclosure obligations, assignment procedures, and incentive arrangements all operating differently from standard commercial leases, it's easy for landlords, tenants and advisers to stumble into costly disputes. This session equips practitioners with the knowledge to navigate these complexities confidently, covering:

- All of the soon to come into effect amendments to the Retail Leases Act including changes in relation to Lessor Disclosure Statements.
- Recent cases and key principles including :
 - principles for termination of leases for failure to pay outgoings and considering the recent case of *Kearsley Hotel Hunter Valley Pty. Limited v Iwaszkiewicz* [2025] NSWSC 412
 - Agreements for Lease and the ability of the agent to bind the Landlord : *GPP Arundel Pty Ltd v Basford Pty Ltd* [2025] QSC 165
 - Termination for Landlord's repudiation: *Interslice Pty Ltd v CCA Investments — Bass Hill Pty Ltd* [2025] NSWCA 175

Speaker: Anthony Herro, Principal, Herro Solicitors, Sydney, NSW

3.10 - 3.20pm Panel Comments and Questions

3.20 - 4.10pm

Session 6: Tenants, Buyers, and the Balancing Act: Navigating Tenanted Property Sales

Sales of tenanted properties often pit competing interests against each other: landlords keen to secure maximum value, buyers wary of inheriting problematic tenancies, and tenants asserting their statutory rights under the Residential Tenancies Act 2010. This session goes beyond the basics to examine the legal flashpoints and risk areas for practitioners advising vendors, purchasers and agents, including:

- Fixed-term vs periodic leases: rights of tenants and remedies for vendors if buyers want vacant possession.
- Inspections and access: statutory limits, quiet enjoyment, and dispute scenarios when tenants resist.
- Marketing and disclosure: rules around photography, advertising, and disclosure obligations to prospective buyers.
- Open homes and notice requirements – what's enforceable, and how to handle non-compliance.
- Termination and possession issues, including serving notices, remedies for wrongful termination, and compensation risks.
- Contractual considerations – drafting special conditions for sales with existing tenants.
- Post-settlement transition – practical issues for buyers, including managing disputes with continuing tenants.

Speaker: Andrew Grima, Partner, Bartier Perry, Sydney, NSW

4.10 - 4.20pm Panel Comments and Questions

4.20 - 4.40pm Networking Break and Afternoon Tea

1 DAY: THURSDAY 12 MARCH 2026

4.40 - 5.30pm

Session 7: Who Really Owns the Land? Trusts, Titles and Property Transactions

Ownership isn't always as straightforward as the title register suggests. When property is held through trusts, inconsistencies between legal and beneficial ownership can trigger disputes, complicate transactions, and expose parties to unexpected tax and duty liabilities. This session explores how to identify and resolve these issues in practice, with a focus on risk management in property transactions. Topics include:

- Legal vs beneficial ownership: identifying the true owner in complex arrangements
- Bare, discretionary and unit trusts in property holdings — advantages, limitations, and traps
- Documentation requirements, Land Registry considerations, and dealing with missing or defective records
- Trust declarations: evidentiary value, enforceability, and common pitfalls
- Tax and duty implications of trust structures across jurisdictions
- Disputes involving competing claims of ownership — practical lessons from recent case law
- Practical strategies for advising clients on structuring, documenting, and transferring property in trust scenarios

Speaker: Liam Thomson, Special Counsel, Baker McKenzie, Sydney, NSW

5.30 - 5.40pm Panel Comments and Questions

3 CPD Compulsory Programs for Property Lawyers

In addition to attending the conference (**7 CPD units – substantive law**), delegates will also have access to the 3 CPD compulsory subjects via recorded webinars.

This set of 3 one-hour webinars will be run on Wednesday 25 February and you will receive access to the recordings by end February to give you plenty of time to view them by the 31 March CPD deadline.

1. Professional Skills: Contracting with GST in Mind: Drafting and Risk Management Skills for Property Lawyers
2. Practice Management & Business Skills: Transparency Under the Microscope: Preparing your Property Practice for AML/CTF Transformation
3. Ethics: Ethical Crossroads in Property Law: Managing Conflicts, Confidentiality and Client Pressures

If you would prefer to attend these webinars live, please contact our event manager to organize your complimentary registration.

GENERAL INFORMATION

Conference Registration Fee

The registration fee includes attendance at the conference and conference papers. Refreshment breaks and lunch on both conference days are included for delegates attending the face to face event.

Conference Papers

TEN will not provide printed copies of the conference papers or Powerpoints. Access to the papers & Powerpoints will be available online to all delegates in the lead-up to the conference (as they become available).

CPD

Lawyers: 10 CPD units/points

[7 x substantive law, 1 x ethics, 1 x professional skills and 1 x practice management & business skills].

CPD Certificate

All delegates attending the conference will receive a CPD Certificate confirming attendance.

The Conference Venue

Sydney Central Hotel

169-179 Thomas St, Sydney

Travelling to the Conference Venue

Delegates are advised to make their own travel arrangements.

Conference Dress

Smart casual attire is suitable (note: the temperature in the conference rooms can vary depending on where you are sitting. Short sleeves/summer tops are generally OK, but it is advisable that you bring a jacket/long sleeved top just in case you need it).

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