Queensland Law Society

SPECIALIST PRACTICE CONFERENCE 26

7-9 OCTOBER 2026 • BRISBANE

# Program – Property Law

1hr

## Keynote Address: AML Pain Points

AML compliance is an operational pain point for Australian property law practitioners. They face strict AUSTRAC oversight. In this practical fireside chat, Lee Bailie (InfoTrack) and Matt Dunn (QLS) look past theoretical rules to address these pain points, offering a roadmap for onboarding and compliant transaction workflows.

Key areas covered include:

- The Regulatory Reality: How firms are navigating AUSTRAC enforcement, s.167 notices, and the 'Suspicious Matter' test.
- Myth-Busting: Who must enrol and when checks are required.
- Pain points: Addressing operational issues in AML compliance from both a regulatory perspective and day-to-day work.

Presenters:

**Lee Bailie**, COO, InfoTrack

**Matt Dunn**, CEO, Queensland Law Society

Chair: **Kristan Conlon**, Member Queensland Law Society Property Law Committee

**Sponsored by InfoTrack**

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1hr

## Tales from the trenches – Tax and duty risks for property lawyers

Any property transaction involves various risks that need to be appropriately managed for the client, including duty and tax risks. In practice, property law and taxation intersect in a variety of ways that may not always be apparent on the surface of transactions.

In this panel session, hear the perspectives of property, tax and duty lawyers regarding the complexity of duty, GST and land tax as applicable to property transactions including:

**Impacts of the 2026/27 Federal Budget**

- How acquisition structures may change once budget changes take effect and downstream effects
- How a development qualifies as a "new build" and why that is important

**Duty**

- Duty issues arising in the context of option agreements
- Exemptions for transfers of land within corporate groups
- The importance of consideration in determining duty outcomes
- Additional foreign acquirer duty and ex gratia relief

GST

- Correctly identifying the GST treatment of property transactions and the factors that should be considered
- GST withholding requirements
- Drafting effective GST clauses in contracts

**Land Tax**

- Issues to consider when drafting apportionment and outgoing clauses in contracts

Property practitioners should have a working awareness of these issues to identify when specialist advice may be required.

Presenters:

**Lyndon Garbutt**, Principal, West Garbutt

**Alex Whitney**, Principal, WestGarbutt

**Richard Waring**, Director, O'Sullivan Sneddon Law

Facilitator: **David Marks KC**, Barrister, Queensland Bar

1hr

## Queensland retail shop leasing: What's happened and what's next?

A decade on from the reforms of 2016, Queensland's retail shop leasing environment has a level of maturity about it but continues to present tensions for practitioners.

To set the scene, this presentation will re-visit the objectives of the retail shop leasing legislation, outline key legislative amendments, and comment on a selection of noteworthy cases since 2016.

The role of the Queensland Small Business Commissioner since 2022 and its impact on dispute resolution will be discussed along with cases where the usual dispute resolution process was bypassed (or bypass attempted) in favour of urgent interlocutory relief.

The widely publicised "Krazy Dessert & Cocktail Bar" saga of 2026 in Brisbane will be examined, in light of the Retail Shop Leases Act 1994 and the new Property Law Act 2023, and the consequences (theoretical and practical) for the parties' respective rights and remedies will be explored.

Finally, as the Retail Shop Leases Regulation 2016 will reach its 10-year expiry on 1 September 2027, the presentation will conclude by inviting specialists (current and aspiring) to share their views on the retail leasing legislation's effectiveness and suggestions for future amendments that would better serve the interests of landlords, tenants and/or practitioners. The roving microphone will be at the ready!

Presenter:

**Joshua Fox**, Director, Foxlaw

**Chair: Gary Lee, Business Development Manager, First Title**

**Sponsored by Major Partner, First Title**

1hr

## Challenges in advising buyers in off the plan transactions

Managing risks for buyers in developments, including:

- navigating sunset clause restrictions and sunset date extensions, including a brief look at recent cases
- navigating unexpected / unanticipated risks, including change of buyer, use of deposit bonds, on-selling process, the speculative buyer, and further disclosure statements

Presenters:

**Despina Priala**, Director, Priala Legal

**Tracy Skellern**, Risk Counsel, Lexon Insurance Pte Ltd

Chair: **Sheila Kushe**, General Manager – Practitioners, PEXA

1hr

## Tips and traps - the hydra which is body corporate disputes

This session will provide practical guidance on identifying the correct decision-maker/forum and avoiding common procedural and jurisdictional pitfalls in body corporate disputes.

The body corporate corporation is the "hydra" that cannot be wound up for insolvency or on “just and equitable” grounds. The nuances of when a committee and its members will not have authority to instruct a lawyer is just one example of how they differ greatly from normal corporate entities. The presenters will provide their own “war stories” of when these can cause major challenges.

With a focus on the Body Corporate and Community Management Act 1997 (Qld) (BCCM), its associated modules, when committee and general meetings of owners are required to instruct lawyers in litigation, and the jurisdictional interplay between the BCCM Commissioner’s Office, QCAT and the courts, topics will include:

- The BCCM Act and other strata law legislation that continue to apply;
- Changes in committee composition and differing views;
- Ratification of decisions at general meetings;
- Body corporate managers and their role as the professional secretaries of strata corporations;
- Strata building management and letting companies;
- Ensuring proper resolutions are obtained when appointing legal representatives for a body corporate;
- The role and jurisdiction of BCCM Adjudicators;
- Conciliation applications;
- QCAT jurisdiction;
- District Court jurisdiction;
- Supreme Court jurisdiction; and
- Competing judicial and administrative views regarding the appropriate forum for determining disputes under the statutory scheme.

Presenters:

**Mitchell Downes**, Barrister, Queensland Bar

**Peter Mills**, Consulting Principal, Keypoint Law

Chair: **Sonia Smith**, Policy Solicitor, Queensland Law Society

1hr

## Beyond compliance: Ethical implications of regulatory change

In recent years property lawyers have been required to navigate an unprecedented period of regulatory change. E-conveyancing, Seller disclosure, the introduction of AML/CTF obligations, Privacy Act changes and growing cybersecurity risks are reshaping the way legal services are delivered.

Many of these changes place tension on the obligation to pursue the interest of our clients.

This session examines the professional responsibilities that arise when regulatory requirements intersect with duties owed to clients, third parties and the administration of justice.

Participants will explore issues including conflict of interest, suspicious matter reporting, confidentiality, cyber risk management and handling identity information.

Presenter: **David Bowles**, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

Chair: **Sheila Kushe**, General Manager – Practitioners, PEXA



# Presenters



## Lee Bailie

As Chief Operating Officer, Lee Bailie is focused on ensuring InfoTrack delivers innovative, market-leading technology solutions that enhance property transactions. With more than 15 years' experience across Australia's legal and technology sectors, and an early career at the London Stock Exchange, Lee brings deep industry expertise and a strong track record in business transformation.

Since joining InfoTrack seven years ago as Head of Products and Innovation, Lee has played a key role in driving growth and innovation. Previously, as CEO of Conveyancing Works, he led the business to become Australia's largest conveyancing operator, gaining extensive knowledge of property markets, client needs, and workflow efficiencies.

A proven leader, Lee is passionate about building high-performing teams, fostering innovation, and delivering sustainable growth across the Australian property industry. His commitment to transformation continues to shape the solutions and services championed at InfoTrack.



## David Bowles

David was admitted as a solicitor in 1996 and was in private practice from that time until joining Queensland Law Society's QLS Ethics and Practice Centre in November 2012.

David's experience, initially as an employee and then as a sole practitioner includes crime, property, litigation and estate planning. As an ethics solicitor he is responsible for providing ethical guidance to members, and continuing legal education.

He holds postgraduate certificates in Artificial Intelligence from the Said Business School at Oxford University, in Cybersecurity from Harvard University Extension School, in Project Management from the University of Adelaide EdX program and is a director of the Australasian Computer Law Institute.



## Kristan Conlon

With over 25 years of property law experience, Kristan drives a market-leading practice specialising in structuring, development, leasing, acquisition and disposal of all asset classes and tenures.

Kristan holds a number of positions on leading industry boards in addition to her role as Chair of McCullough Robertson Lawyers, including Chair of the Community Housing Industry Association (Qld), Member of Property Council of Australia's Residential Committee and Chair of its Social and Affordable Housing Round Table and Member of Queensland Law Society's Property and Development Law Committee.



## Mitchell Downes

Mitchell Downes has a busy court-work commercial litigation practice in the Federal, Supreme, and District Courts, particularly in matters concerning insolvency, commercial equity and trusts, property (including bodies corporate and strata), corporations, commercial torts (including statutory misrepresentation), and appeals. He also accepts briefs to act as a mediator. Mitchell has been recognised as a leading barrister in the Doyle's Guides 2025 and 2026 in the fields of commercial litigation and insolvency.



## CEO Matt Dunn

Matt is the Chief Executive Officer of Queensland Law Society (QLS).

Appointed in March 2024, Matt was previously General Manager – Advocacy, Guidance and Governance for QLS. Originally joining QLS in 2005, he departed to take up a national policy leadership role with the Law Council of Australia in 2014, before returning to raise his family in Brisbane.

Matt's extensive industry experience places him in the unique position of having a strong understanding and insight into the issues affecting the modern profession. An advocate for ensuring practitioners have affordable and accessible resources to build and maintain their practice, Matt is proud to be in such a position of trust to guide and enable the profession.



## Joshua Fox

Josh Fox is the founder, Sole Director, and Solicitor at Foxlaw, a Queensland-based law firm focused on property law, business law, estate planning and estate administration.

With degrees in Law (including a Master of Laws) and Commerce from the University, Josh has also completed two semesters of study abroad, one at the University of British Columbia in Canada and one at the University of Nottingham in the United Kingdom.

A passionate speaker and problem-solver, Josh infuses optimism and empathy into discussions on law, business, innovation, travel, psychology, personal development, life, and the future.

His adventures include summiting Mount Kilimanjaro and reaching Everest Base Camp as part of his '100 Things' List.



## Lyndon Garbutt

Lyndon is a qualified lawyer, chartered accountant and chartered tax adviser who advises on various taxes including GST and land tax.

Lyndon acts for family businesses and high wealth private groups with interests in a wide range of industries. Lyndon also acts for religious and non-profit organisations, particularly those providing services in the health, retirement villages and aged care sector.

Lyndon regularly advises clients on the availability of exemptions and concessions, including for the purposes of GST and land tax. For landholding clients, Lyndon provides assistance not only with GST and land tax, but also with local government general rates.



## Sheila Kushe

A former practising lawyer in both the UK and Australia, Sheila Kushe brings extensive executive leadership experience across the legal and property sectors. With a career spanning government, regulation and industry, she has led complex product, commercial and operational portfolios.

As PEXA's General Manager, Practitioners, Sheila is focused on supporting practitioners, enhancing engagement across the sector and continuing to work constructively with industry to ensure the ongoing resilience, security and efficiency of the digital property ecosystem.



## Gary Lee

Gary Lee is a Business Development Manager with First Title and has been a valued member of the team for over 10 years. Throughout his tenure, Gary has played a key role in driving business growth by developing strong relationships with legal professionals, conveyancers, and industry stakeholders. His extensive knowledge of the property and conveyancing sectors, combined with his customer-focused approach, enables him to identify opportunities, build strategic partnerships, and deliver tailored solutions that support clients' success. Passionate about helping businesses grow, Gary is committed to providing exceptional service and navigating clients through the evolving property landscape. His industry expertise, dedication, and proven ability to foster long-term partnerships have made him a trusted and respected professional within the property industry.



## David Marks KC

David is a commercial silk principally with interests in tax and revenue law as well as an established general Chancery practice.

David also regularly appears for parties in commercial and administrative law disputes involving issues ranging from commercial contracts to professional negligence; and company disputes to reviewing tax posture of large corporations.

David also appears in private client matters, about trusts and estates.

He is a member of STEP’s disciplinary panel, based out of London.



## Peter Mills

Peter Mills is a Consulting Principal. His area of expertise for the last 25 years has been in Personal Property Securities, Creditor Recoveries and Insolvency. Peter advises bodies corporate and their committees on disputes and recoveries under the Qld strata laws. He has been involved in some of the largest litigation, where in relation to solely a single strata scheme, some 40 disputes were litigated in a 2 year period.

Peter is also a long time member of the Qld Law Society’s Banking & Financial Services Committee which examines the strata laws from time to time.



## Despina Priala

Despina Priala has been practising property law in Queensland for over 31 years. She began her career as a lawyer at the Gold Coast's largest law firm in the early 90s, where she worked with leading Qld property players of that era; she then progressed to the position of in-house counsel for the Sunland Group in the early 2000s, during their golden era when they developed Palazzo Versace and Q1 on the Gold Coast.

In 2007 Despina established Priala Legal, a boutique property law firm providing clients with her high-level expertise delivered in a prompt, accessible, and personalised manner.

She holds a Bachelor of Laws from Bond University graduating as an inaugural law graduate from the Class of '89 and is a member of the Qld Law Society's Property and Development Law Committee, the Southport Chamber of Commerce, and the Gold Coast District Law Association. She was admitted as a Solicitor to the Supreme Court of Qld in 1994, and to the High Court of Australia in 2016.

In 2016, Despina became a finalist in the National Lawyers Weekly Annual Awards for Sole Practitioner of the Year. This was a very hotly contested category in 2016 with only 5 finalists Australia wide. Despina also became a Sole Practitioner of the Year Finalist in 2016, 2018, 2019 and 2021.

In 2021 Despina was recognised as reaching the milestone achievement of 25 years of membership with the QLS. Reaching a quarter of a century in a professional career is, by any measure, a considerable and notable achievement. In recognition of her dedication and loyalty to the profession and the Society, Despina was presented with a 25-year pin by the President of the QLS.

In 2022 Despina was invited to join the Qld Law Society's Property and Development Law Committee, an honorary role advising on law reform in Qld for property and other associated areas of law. Despina's role with this Committee continues in 2026. Despina values this role and views this as an avenue to give back to the legal industry, which she sees as her duty and privilege to do so. In 2025 Despina became a Council Member of the PEXA Advisory Council Qld for 2025-2026.

In 2023 to 2025 Despina was invited to become an author for LexisNexis, a leading provider of legal research & technology solutions to law firms, governments & universities and in-house corporate lawyers in Australia and overseas for the Qld Property Modules Practical Guidance for all things property related in Qld, including the seller disclosure regime that commenced in Qld on 1 August 2025 and off the plan sales: www.lexisnexis.com/authorcenter/au/p/author/despina-priala

Despina is also a member of the Southport Chamber of Commerce and the Gold Coast District Law Association.



## Tracy Skellern

Tracy is Risk Counsel at Lexon Insurance. Tracy has worked at Lexon since 2007 including co-developing the risk program and has principal responsibility for a number of key projects, including the suite of risk tools Lexon provides free of charge to its insureds. For 19 years, Tracy has conducted risk management workshops with insured practices as well as presented at a range of conference events regarding Lexon's claims experience, neuroscience research and risk management strategies. Prior to Lexon, Tracy worked in various positions in the legal industry including private practice, a legal software consultant, precedent lawyer and as general manager of a specialist law firm.



## Sonia Smith

Sonia works closely with the Queensland Law Society's Legal Policy Committees to address legal and policy reform issues to further the Society's purpose of good law, good lawyers and the public good.

Prior to joining Queensland Law Society, Sonia worked as a solicitor in Brisbane, Dubai and regional Queensland. She has worked in private practice, government and the community sector with experience in property law, commercial law, local government law, infrastructure projects and elder abuse.

Sonia holds tertiary qualifications in law, arts and psychology including a Master of Commercial Law from the University of Melbourne.



## Richard Waring

Richard is a director in the O'Sullivan Sneddon Law Property and Commercial Team. He has a broad range of experience in all types of property and commercial transactions. Richard acts for some national retail brands, developers, and property owners as well several large, well known, not-for-profit organisations providing advice in relation to their day to day operations as well as specific transactions.



## Alex Whitney

Alex Whitney, CTA is a qualified lawyer and chartered tax advisor and advises in respect of income tax, GST, stamp duty and other state taxes.

Alex acts for a broad range of clients, including family businesses, high wealth private groups, national non-profit organisations, deceased estates and corporate groups. He has acted on large transactions which required significant tax involvement, provided tax advice on complex structures and transactions, and has represented clients in complex audits, objections, Administrative Tribunal matters and appeals to the Federal Court.