

# Property Law

**Thursday 15 August 2024**

**Session 4 – 1:45pm - 2:45pm**

## **Panel: Reflections and updates on strata law and practice**

For property lawyers advising on strata matters, the legal landscape is complex. Current issues and obstacles include the tension between the rights of owners and of owner corporations, the protection of the contracting interests of both purchasers and developers, and the state government's push for high-density development. This panel discussion will highlight several critical issues for clients, including liability for costs in disputes; the right to access information; and rights in disputes involving neighbours. For solicitors, the panel will explore issues such as managing conflicts of interest in regard to client representation, and managing communication with strata committees. Have the recent legislative changes cleared a path to sustainable home ownership under the strata regime? Hear the panel's insights on this.

## **Meet the speakers**

### **Jane Crittenden, Principal, Jane Crittenden Lawyer (moderator)**

Jane Crittenden was admitted as a solicitor of the Supreme Court of New South Wales in June 1990. She graduated from the University of Sydney with a Bachelor of Economics degree in 1988, a Bachelor of Laws degree in 1990 and a Master of Laws degree in 2005. Jane has practised as a litigation and property lawyer for more than 30 years. Her experience as a litigation lawyer includes a number of years at Mallesons Stephen Jaques specialising in professional indemnity and product liability law. Since 2005, Jane has specialised in strata and community title law, establishing her own firm in 2009. Jane has been a member of the Property Law Committee of the Law Society of New South Wales since 2013.

### **Michael Allen, Partner, Bugden Allen Graham Lawyers Pty Ltd**

Michael Allen specialises in major property projects and developments with an emphasis on mixed use, commercial, infrastructure, tourism, industrial and urban development projects. He is a leading authority on airspace (stratum title) projects, planned communities, strata and cluster titles, community titles and strata leasehold titles. For more than 35 years, Michael has acted for major developers and institutional, finance and government clients on the formation of land laws and the title, subdivision and management structuring of major real estate projects. He has helped develop innovative legal and management solutions for many of Australia's iconic developments. Michael has been nominated numerous times as a leading real estate lawyer in Chambers Global Guides and is recommended in The Legal 500 Asia Pacific. In 2009, the Chambers Global Guide described him as "one of the best titling experts in the country".

### **Anne Fernando, Partner, Sachs Gerace Lawyers**

Anne Fernando commenced her legal career working as a tipstaff to the Honourable Justice Slattery in the Supreme Court of New South Wales. She was admitted as a solicitor in NSW in 2008. Prior to joining Sachs Gerace Lawyers, Anne worked for a top-tier law firm and a specialist strata law firm. She has extensive experience in building and



construction law and strata law, in particular acting in litigated claims under the *Strata Schemes Management Act 2015* (NSW). Anne is also a member of the Litigation Law and Practice Committee of the Law Society of NSW.

### **Professor Cathy Sherry, Macquarie Law School**

Cathy Sherry is a Professor in Macquarie Law School and Executive Member of Smart Green Cities and the Centre for Environmental Law. She is a leading international expert in land law, with a particular focus on high density development. She regularly advises governments in Australia and overseas, and her book *Strata Title Property Rights: Private governance of multi-owned properties* (Routledge, 2017) has been cited by the New South Wales Court of Appeal and the UK Privy Council. Professor Sherry's research focuses on the complex legal, economic and social relationships created by collectively owned land. She also has an interest in urban agriculture as a way to achieve green cities and augment food literacy.