

What's News in Property & Projects? - 11 December 2012

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In the media – Victoria

First Victorian offsets projects declared eligible

The Clean Energy Regulator has approved the first Victorian offsets project under the Carbon Farming Initiative. The Hallam Landfill Gas Project uses the Capture and combustion of methane in landfill gas from legacy waste methodology, and is located in the Port Phillip local government area (29 November 2012) [More...](http://www.cleanenergyregulator.gov.au/Carbon-Farming-Initiative/News-and-updates/Pages/Default.aspx#29November2012) (<http://www.cleanenergyregulator.gov.au/Carbon-Farming-Initiative/News-and-updates/Pages/Default.aspx#29November2012>)

Builders Hand Back 1 in 3 Blocks of Land

Latest research from the National Land Survey Program (NLSP) Melbourne chapter shows that thirty percent of new land activities for the September quarter were cancellations. The current level of cancellations is put into perspective when during the property boom (June 2009 - December 2010) the cancellation rate averaged four percent (28 November 2012) [More...](http://medialaunch.com.au/media-releases/63-udia-vic-and-research4/496-builders-hand-back-i-in-3-blocks-of-land) (<http://medialaunch.com.au/media-releases/63-udia-vic-and-research4/496-builders-hand-back-i-in-3-blocks-of-land>)

UDIA Releases 10 Point Plan for Vic Affordable Housing

The Urban Development Institute of Australia (Victoria) called for the establishment of a Housing Affordability Commission to review all proposals from government affecting land and housing costs as part of a ten point plan to restore affordable housing in Victoria (28 November 2012) [More...](http://medialaunch.com.au/media-releases/53-udia-vic/495-udia-releases-10-point-plan-for-victorian-housing-recovery) (<http://medialaunch.com.au/media-releases/53-udia-vic/495-udia-releases-10-point-plan-for-victorian-housing-recovery>)

New guidelines for development in Victoria's water catchments

The Victorian Coalition Government has introduced new guidelines that will allow sensible development in potable water catchment areas (22 November 2012) [New guidelines for development in Victoria's water catchments](http://www.premier.vic.gov.au/media-centre/media-releases/5447-new-guidelines-for-development-in-victorias-water-catchments.html) (<http://www.premier.vic.gov.au/media-centre/media-releases/5447-new-guidelines-for-development-in-victorias-water-catchments.html>)

In the media – New South Wales

Urban Taskforce backs NSW council reform calls

The head of property development lobby group Urban Taskforce Australia has come out in support of the Independent Local Government Review Panel's (ILGRP) call for improvements in local government regional collaboration through its proposal to establish Regional Planning Boards and Joint Regional Planning Panels (30 November 2012) [More...](http://www.governmentnews.com.au/2012/11/27/article/Urban-Taskforce-backs-NSW-council-reform-calls/JVWWXGOBPP.html) (<http://www.governmentnews.com.au/2012/11/27/article/Urban-Taskforce-backs-NSW-council-reform-calls/JVWWXGOBPP.html>)

Rail corridor development essential to house Sydney's growing population

The recent report by the NSW Parliament on the utilisation of rail corridors makes good planning sense for managing population growth, says the Urban Taskforce. Sydney has grown outwards from its CBD with a series of radial road and rail corridors but many of these corridors are underdeveloped and lacking in a good urban character (29 November 2012) [More...](http://www.urbantaskforce.com.au/index.php?option=com_content&view=article&id=1631:rail-corridor-development-essential-to-house-sydneys-growing-population&catid=71:media-releases&Itemid=17) (http://www.urbantaskforce.com.au/index.php?option=com_content&view=article&id=1631:rail-corridor-development-essential-to-house-sydneys-growing-population&catid=71:media-releases&Itemid=17)

NSW Government announces new property management body

NSW Minister for Finance and Services Greg Pearce has announced changes to the way the Government manages its property portfolio, including the establishment of a new property management body to replace the State Property Authority (21 November 2012) [More...](http://www.propertyoz.com.au/Article/NewsDetail.aspx?p=16&id=6821) (<http://www.propertyoz.com.au/Article/NewsDetail.aspx?p=16&id=6821>)

In the media – Queensland

AEMC issues final Power of Choice recommendations

The Australian Energy Market Commission has released its final report providing recommendations from their Power of Choice inquiry. The Power of Choice inquiry sought to identify ways to make the National Electricity Market more efficient through encouraging end-consumers to play a greater role in adjusting their demand and generating electricity (30 November 2012) [More...](http://www.climatespectator.com.au/news/aemc-issues-final-power-choice-recommendations) (<http://www.climatespectator.com.au/news/aemc-issues-final-power-choice-recommendations>)

Report confirms record spending in major resources and energy projects

A report released by the Bureau of Resources and Energy Economics has confirmed that the Australian resources industry has many years of impressive activity ahead. The Resources and Energy Major Projects October 2012 report, details 87 major projects which have committed investment of \$268.4 billion and also identifies 277 projects in the planning stages (28 November 2012) [More...](http://minister.ret.gov.au/mediacentre/mediareleases/pages/recordspendinginmajorresourcesandenergyprojects.aspx) (<http://minister.ret.gov.au/mediacentre/mediareleases/pages/recordspendinginmajorresourcesandenergyprojects.aspx>)

Native Title Tax Treatment clarified by Government

Amendments to the Tax Laws Amendment (2012 Measures No. 6) Bill 2012 introduced into Parliament clarifies the income tax treatment of native title benefits and confirm that certain capital gains from native title rights are not taxable. This change will help improve native title agreement-making and ensure Indigenous Australians are able to unlock the economic potential of their native title (29 November 2012) [More \(http://assistant.treasurer.gov.au/DisplayDocs.aspx?doc=pressreleases/2012/149.htm&pageID=003&min=djba&Year=&DocType=0\)](http://assistant.treasurer.gov.au/DisplayDocs.aspx?doc=pressreleases/2012/149.htm&pageID=003&min=djba&Year=&DocType=0)

Legislation ensures Australian ETS to link up with European ETS

Legislation passed by Senate last night will enable Australia and Europe to begin linking their emissions trading systems. Businesses can now purchase permits under the European Union Emissions Trading System to use for compliance under Australia's system from 2015 (27 November 2012) [More...](http://www.climatechange.gov.au/~/_media/Files/minister/combet/2012/media/November/Combet-MediaRelease-314-12.pdf)

http://www.climatechange.gov.au/~/_media/Files/minister/combet/2012/media/November/Combet-MediaRelease-314-12.pdf

Australian's water consumption decreases yet prices rise

Household water prices have risen 17 per cent in the last year while total household water consumption dropped by eight per cent, according to the Australian Bureau of Statistics (ABS) publication released today. The average price of water for households increased to \$2.44 per kilolitre in 2010-11 from \$2.10 per kilolitre in 2009-10 (27 November 2012) [More...](http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4610.0Media%20Release12010-11?opendocument&tabname=Summary&prodno=4610.0&issue=2010-11&num=&view=)

<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4610.0Media%20Release12010-11?opendocument&tabname=Summary&prodno=4610.0&issue=2010-11&num=&view=>

Public comment open on New Acland expansion

The Newman Government is calling for public comment on new draft terms of reference for a proposal to expand the New Acland Coal Mine in the Darling Downs. The revised proposal significantly reduce its impact on agricultural land, and moved it further away from local communities (30 November 2012) [Call for comment on New Acland expansion](http://statements.qld.gov.au/Statement/2012/11/30/call-for-comment-on-new-acland-expansion)

<http://statements.qld.gov.au/Statement/2012/11/30/call-for-comment-on-new-acland-expansion>

Interest groups have their say in Nature Conservation Act review

The Newman Government is undertaking wide-ranging consultation with industry groups from across the state, as a review of Queensland's Nature Conservation Act gets underway with representatives of conservation groups and industry bodies from the tourism and resources sectors (29 November 2012) [Interest groups have their say in Nature Conservation Act review](http://statements.qld.gov.au/Statement/2012/11/29/interest-groups-have-their-say-in-nature-conservation-act-review)

<http://statements.qld.gov.au/Statement/2012/11/29/interest-groups-have-their-say-in-nature-conservation-act-review>

New Legislation Reforms SEQ Bulk Water Industry

The South East Queensland Water (Restructuring) and Other Legislation Amendment Act 2012 passed by Parliament provides for the merger of the SEQ bulk water businesses into a new bulk water supply authority. It also abolishes the Queensland Water Commission (QWC) on 1 January 2013 (29 November 2012) [Newman Government's Legislation Reforms SEQ Bulk Water Industry](http://statements.qld.gov.au/Statement/2012/11/29/newman-governments-legislation-reforms-seq-bulk-water-industry)

<http://statements.qld.gov.au/Statement/2012/11/29/newman-governments-legislation-reforms-seq-bulk-water-industry>

Queensland Infrastructure Authority to oversee Games construction

The delivery of major infrastructure for the Gold Coast 2018 Commonwealth Games is one step closer with the passage of the Economic Development Bill 2012, creating the Commonwealth Games Infrastructure Authority (CGIA) for a coordinated approach to developing infrastructure for the Gold Coast 2018 Commonwealth Games (29 November 2012) [Infrastructure Authority to oversee Games construction](http://statements.qld.gov.au/Statement/2012/11/29/infrastructure-authority-to-oversee-games-construction)

<http://statements.qld.gov.au/Statement/2012/11/29/infrastructure-authority-to-oversee-games-construction>

Newman Government reforms assist small miner operators

Queensland's smallest mining operators will benefit from a raft of regulatory reforms designed to cut red tape for opal, sapphire, ruby and other gem stone operations. Key reforms proposed through the Mines and Other Legislation Amendment Bill 2012 mean eligible small scale miners currently on a mining lease for gemstones can transition to a mining claim of up to 20 hectares for a 10 year term (28 November 2012) [Newman Government pitches in to help small miners](http://statements.qld.gov.au/Statement/2012/11/28/newman-government-pitches-in-to-help-small-miners)

<http://statements.qld.gov.au/Statement/2012/11/28/newman-government-pitches-in-to-help-small-miners>

New Gasfields Commission powers established

The Newman Government steps towards improved co-existence between resource companies, landholders and communities with the introduction of the Gasfields Commission Bill 2012 to the Queensland Parliament, formalising the powers of the Gasfields Commission (27 November 2012) [Gasfields Commission powers established](http://statements.qld.gov.au/Statement/2012/11/27/gasfields-commission-powers-established)

<http://statements.qld.gov.au/Statement/2012/11/27/gasfields-commission-powers-established>

e-conveyancing Bill introduced in Queensland

The Electronic Conveyancing National Law (Queensland) Bill 2012 has been introduced into parliament to provide the legislative framework in Queensland for the implementation and operation of the national electronic conveyancing system. The Bill mirrors legislation recently assented to in New South Wales (27 November 2012) [Bill to pave way for cheaper conveyancing for Queenslanders](http://statements.qld.gov.au/Statement/2012/11/27/bill-to-pave-way-for-cheaper-conveyancing-for-queenslanders)

<http://statements.qld.gov.au/Statement/2012/11/27/bill-to-pave-way-for-cheaper-conveyancing-for-queenslanders>

Government cuts red tape for graziers on Leasehold Land

Queensland landholders seeking to renew their grazing lease will benefit from simpler processes and greater certainty through a streamlined State Rural Leasehold Land Strategy (22 November 2012) [Newman cuts red tape for graziers on Leasehold Land](http://statements.qld.gov.au/Statement/2012/11/22/newman-cuts-red-tape-for-graziers-on-leasehold-land)

<http://statements.qld.gov.au/Statement/2012/11/22/newman-cuts-red-tape-for-graziers-on-leasehold-land>

Queensland's biggest tourism project given green light

Queensland's biggest-ever tourism development, a \$1.4 billion integrated tourism and residential community at Ella Bay, in far north Queensland. has been given the green light to proceed. The project proposes the creation of three resort precincts. four

residential precincts, a retail village, an 18-hole golf course and a cassowary research and education centre (20 November 2012) [Green light for Queensland's biggest ever tourism project](http://statements.qld.gov.au/Statement/2012/11/20/green-light-for-queenslands-biggest-ever-tourism-project) (<http://statements.qld.gov.au/Statement/2012/11/20/green-light-for-queenslands-biggest-ever-tourism-project>)

In practice and courts – Victoria

Victorian Building Authority

Planning Minister Matthew Guy has announced that a new [Victorian Building Authority](http://www.dpcd.vic.gov.au/planning/news-and-events/news/a-new-victorian-building-authority) (<http://www.dpcd.vic.gov.au/planning/news-and-events/news/a-new-victorian-building-authority>) will be established to oversee building industry regulation (29 November 2012)

Planning Permit applications

[New Guidelines](http://www.water.vic.gov.au/governance/planning-permits-in-potable-water-catchments) (<http://www.water.vic.gov.au/governance/planning-permits-in-potable-water-catchments>) for assessing planning permit applications in open, potable water supply catchment areas have been released by the Department of Sustainability and Environment (29 November 2012)

Vic: commencement of retail leasing amendments

The Retail Leases Amendment Act 2012 (Vic) has recently commenced. The purpose of the Act is to amend the Retail Leases Act 2003 to reduce red tape and improve the operation of that Act [More...](http://www.cch.com.au/au/News/ShowNews.aspx?ID=39097&Type=F&TopicIDNews=8&CategoryIDNews=34&u_i=153490) (http://www.cch.com.au/au/News/ShowNews.aspx?ID=39097&Type=F&TopicIDNews=8&CategoryIDNews=34&u_i=153490)

Electronic conveyancing one step closer, 21 November 2012

Legislation to adopt the Law has also been introduced in: Victoria: Electronic Conveyancing (Adoption of National Law) Bill 2012 (Vic) (excluding s 39, relating to liability and compensation) www.legislation.vic.gov.au (<http://www.legislation.vic.gov.au/>).

In practice and courts – New South Wales

Electronic conveyancing one step closer, 21 November 2012

The [Electronic Conveyancing \(Adoption of National Law\) Act 2012](http://www.parliament.nsw.gov.au/prod/parlment/nswbills.nsf/0/A843B43E984F7EA8CA257A99001EA2C1) (<http://www.parliament.nsw.gov.au/prod/parlment/nswbills.nsf/0/A843B43E984F7EA8CA257A99001EA2C1>) (NSW), hosting the (proposed) model [Electronic Conveyancing National Law](#) (Appendix to the Act), was assented to 20 November 2012 (to commence on proclamation).

In practice and courts – Queensland

Adoption of Amendments to the Brisbane City Plan 2000

Council has adopted amendments to the Brisbane City Plan 2000, to replace the Mt Gravatt Central Local Plan and the Upper Mt Gravatt Major Centre Local Plan, with the Mt Gravatt Corridor Neighbourhood Plan. and associated consequential amendments. The new Neighbourhood Plan is to become effective on and from 23 November 2012. View on Council's website under 'Mt Gravatt Corridor Neighbourhood Plan' at www.brisbane.qld.gov.au (<http://www.brisbane.qld.gov.au/>) (23 November 2012)

Consultation: City Centre Master Plan details

The updated City Centre Master Plan will provide a strategy to meet the growing demands of the Brisbane CBD to 2031. Focusing on transport, the economy, built form, culture and the public realm, consultation will continue in 2013, with a statutory review of the City Centre Neighbourhood Plan in 2014 (22 November 2012) [More...](http://www.brisbane.qld.gov.au/downloads/planning_building/current_planning_projects/city_centre_master_plan_2012_vision.pdf) (http://www.brisbane.qld.gov.au/downloads/planning_building/current_planning_projects/city_centre_master_plan_2012_vision.pdf)

Published – articles, papers, reports – Queensland

Resources and Energy Major Projects October 2012 Report

Source: Bureau of Resources and Energy Economics

Details 87 major projects which have committed investment of \$268.4 billion. The 87 projects are made up of 51 minerals projects, 18 gas and petroleum projects and 18 infrastructure projects, and include 11 'mega projects' which cost more than \$5 billion each (released 28 November 2012) [Resources and energy major projects—October 2012](http://www.bree.gov.au/publications/mimp.html) (<http://www.bree.gov.au/publications/mimp.html>)

Cases – Victoria

Hoult & Anor trading as Red Door Cafe v Leonello Service Centre Pty Ltd (Retail Tenancies) [2012] VCAT 1737

Retail tenancies, dispute between landlord under the head lease and sub-tenant, landlord a party to the sub-lease, jurisdiction of the Tribunal under the Retail Leases Act 2003 and/or the Australian Consumer Law and Fair Trading Act 2012 [More...](http://www.austlii.edu.au/au/cases/vic/VCAT/2012/1737.html) (<http://www.austlii.edu.au/au/cases/vic/VCAT/2012/1737.html>)

Legal Services Commissioner v McGregor (Legal Practice) [2012] VCAT 1742

Legal Profession Act 2004; disciplinary charges; deficiency in solicitors' trust account; deficiency subsequently remedied; 'round robin' transaction intended to avoid client incurring a liability to pay stamp duty; alleged dishonesty; whether professional misconduct or unsatisfactory professional conduct [More...](http://www.austlii.edu.au/au/cases/vic/VCAT/2012/1742.html) (<http://www.austlii.edu.au/au/cases/vic/VCAT/2012/1742.html>)

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