



SUCCESSION LAW CONFERENCE



29 MARCH 2025

LOCATION

Banksia Orange, 4929 Mitchell Highway, Orange

TIME: 9.00am to 5.30pm

COST: \$400 + GST

6 CLE/CPD POINTS

SPEAKERS

THE HON JUSTICE LINDSAY AM		THE HON JUSTICE PIKE
THE HON IAN COLEMAN ADCJ		THE HON PHILIP HALLEN SC
MICHAEL TURNELL GENERAL MANAGER MURRUMBIDGEE IRRIGATION		
JUSTIN BROWN - BARRISTER AT LAW		CAITLIN ANGUS - BARRISTER AT LAW

SUCCESSION PANEL

JOE DALZELL AM - BARRISTER AT LAW		HEYDON MILLER - TAX CONSULTANT
WESTON RYAN FCA - TAX EXPERT		PLACIDO COSTA - SOLICITOR
DANNIELLE FORD - SOLICITOR		ANDREW KELLY - SOLICITOR

TIMETABLE

6 CLE/CPD POINTS including:

5 points Substantive Law
1 point Practice & Procedure



Chairperson – Linda Clarke: Barrister at law

8:45am – 9:00am	The Hon Andrew Gee MP – Federal Member for Calare - Opening address
9:00am – 10:15am	The Hon Philip Hallen SC <i>Sections 13 and 95 Succession Act 2006 (NSW) - Preparation for mediation</i>
10:15am – 11:00am	Michael Turnell General Manager Legal & Regulatory Services Murrumbidgee Irrigation <i>Navigating water rights in the current regulatory market</i>
11:00am – 11:30am	MORNING TEA
11:30am – 12:15pm	The Hon Justice Lindsay AM <i>Coping with Incapacity for Self-Management in a Legal Setting</i>
12:15pm – 1:00pm	The Hon Justice Pike SC <i>Recent Developments in Proprietary Estoppel</i>
1:00pm – 2:00pm	LUNCH
2:00pm – 2:45pm	The Hon Ian Coleman SC ADCJ <i>Who really owns the farm?</i>
2:45pm – 3:30pm	Justin Brown - Barrister at law & Caitlin Angus - Barrister at law <i>The Intersection between Family law and Succession law</i>
3:30pm – 4:00pm	AFTERNOON TEA
4:00pm – 5:30pm	An interactive session with delegates discussing succession planning for De-facto, Divorce & Death Joe Dalzell AM Barrister at law Heydon Miller Tax Consultant Weston Ryan FCA Tax expert Placido Costa Solicitor LCI Legal Dannielle Ford Solicitor / Director Cheney Suthers Lawyers Andrew Kelly Solicitor/Director Kenny Spring Solicitors
5:30pm – 6:30pm	WINE & CANAPES

CONFERENCE INFORMATION

CONFERENCE REGISTRATION FEE: \$400 + GST

Discounts offered for group bookings

Registration Fee includes:

- In-person attendance at the conference
- Bound conference papers
- Morning and afternoon tea
- Lunch by Union Bank Hotel hatted restaurant
- All day barista tea and coffee
- Canapes and wine at end of day

Parking is available



TO REGISTER:

Bookings: <https://www.orangechambers.com.au/booking-form.html>

OR tbarrie@twowentworth.com.au



SPEAKERS

OPENING ADDRESS:

The Hon Andrew Gee MP – Federal Member for Calare

CHAIR:

Linda Clarke - Barrister at Law

Called to the Bar in 2015, **Linda Clarke** is a prominent practitioner in the area of Equity and Succession Law, including probate, family provision, contested estates and equity claims. A sought after speaker and practitioner, Linda presents regularly at Continuing Professional Development seminars on the topic of Succession Law. Linda is the founder of the Succession Law Conference, a premier annual CPD event delivered by high-calibre speakers to the RRR legal practitioners of New South Wales.

THE HON. JUSTICE GEOFF LINDSAY AM

Paper: Coping with Incapacity for Self-Management in a Legal Setting

Paper Summary: This topic explores the concept of “incapacity for self-management” in a family setting and outlines legal procedures for dealing with it. Reference will be made to the work of the Supreme Court of NSW upon the exercise of its protective jurisdiction (and incidentally the work of NCAT’s Guardianship Division) and to the benefits and risk management profiles of enduring powers of attorney, enduring guardianship appointments, financial management orders, guardianship orders, statutory wills and family settlements.

Geoff Lindsay AM is a Justice of the NSW Supreme Court sitting in the Equity Division of the Court, a Fellow of the Australian Academy of Law, the Foundation Secretary (and currently the Senior Vice President) of the Francis Forbes Society for Australian Legal History, Co-Patron of STEP NSW and the Editor of the Australian Bar Review.

THE HON. JUSTICE IAN PIKE

Paper: Developments in Proprietary Estoppel

Paper Summary: An exploration of the High Court decision of *Kramer v Stone* and other recent cases.

The Hon Ian Pike SC is a Justice of the NSW Supreme Court sitting in the Equity Division of the Court. Prior to His Honour’s admission to the bench, he was a member of Eleven Wentworth Chambers. He was an associate to the Honourable Justice D G Hill of the Federal Court of Australia, before joining Mallesons Stephen Jaques Solicitors (Now King & Wood Mallesons). His Honour joined the bar in 1998 and was appointed Senior Counsel in 2011. His Honour had a broad national practice which included Equity, Commercial law, Insolvency and Bankruptcy, Insurance Law, Professional liability, Real property, Class actions, Trade Practices and Competition law and White collar crime.

THE HON. IAN COLEMAN SC ADCJ

Paper: Who Really Owns the Farm?

Paper Summary: This topic explores the conflict of the farmer (often asset rich but income poor) and:

- Gifts, intergenerational transfers and inheritances
- Discretionary trusts, constructive trusts and estoppel
- Family provision claims, family law property settlements and s106B of the FLA

The Hon Ian Coleman SC is an Acting Judge of the NSW District Court, sitting in NCAT as a Principal Member. His Honour was appointed to the trial division of the Family Court of Australia in 1991, to the appeal division of the Family Court of Australia in 1999 and sat as a Western Plains Judge between 2009 and 2013.

His Honour has held a lifelong interest in farming and a love of working with the land. He has a long connection with the Central West, both with the law and the land. His Honour was one of the three barristers instrumental in founding the inaugural barristers chambers in Orange, which were the first regional chambers in NSW.

Mr Coleman SC is a member of the NSW Bar and the Victorian Bar. He is an accredited mediator and continues to appear in family law related matters.



SPEAKERS

THE HON. PHILIP HALLEN SC

Paper: Discussion on sections 13 and 95 of the Succession Act 2006 (NSW) and how to prepare for mediation

Paper Summary: This topic explores the effect of divorce or annulment on a will, section 95 releases, and how to best prepare for mediation.

The Hon **Philip Hallen SC** was appointed as an Associate Justice of the Supreme Court in July 2010 and then as a Justice of the Supreme Court in November 2012. He was the Family Provision List Judge from March 2013 until February 2020, and then the Succession List Judge until his retirement in August 2023. Prior to Mr Hallen SC's appointment to the Supreme Court, he practised in Equity, Succession, Trusts, Commercial & Property Law, and Family Law. Mr Hallen SC is an accredited mediator, facilitator and a Farm Debt Mediator with the Rural Assistance Authority.

MICHAEL TURNELL

Paper: Navigating water rights in the current regulatory market

Paper Summary: We are currently in a time of rapidly changing and complex laws in respect of water rights. Ever since the unbundling of land and water, water has become one of the most contentious rights in this country. An overview of the evolution of water rights, from pre-2000s to the current day

- Water access and other water related challenges in NSW
- Current regulatory frameworks and anticipated policy shifts in the Murray Darling Basin
- Tips and pitfalls to consider when water rights become part of succession planning

Michael Turnell is the General Manager, Legal & Regulatory Services for Murrumbidgee Irrigation (MI).

MI is an irrigation corporation regulated under the Water Management Act 2000 (NSW) that owns and operates the infrastructure system used to provide water delivery and drainage services to primary producers in the Murrumbidgee Irrigation Area (MIA). MI's network comprises over 1,740 kilometres of supply channels and 1,547 kilometres of drainage channels, serving 3,124 landholdings. MI has over 2,300 shareholders who are also its customers. Almost all these customers own water entitlements that are held on Water Access Licences owned and managed by MI, with MI processing approximately 2,000 to 3,000 water trades on behalf of its customers each year. As the Senior Legal Counsel for MI, Michael manages a number of practices areas but has a particular focus on all things water. Michael completed his studies at the Australian National University in 2012. Michael moved back to Griffith to commence his career as a private practitioner, where he represented numerous clients with water-related transactions or disputes. In 2017 and after 5 years in private practice, Michael commenced as an in-house solicitor for MI. Since then, Michael was appointed as a General Manager and has also taken on the position of Company Secretary.

JUSTIN BROWN AND CAITLIN ANGUS

Paper: The Intersection between Family Law and Succession Law

Paper Summary: This topic explores the practicalities and legal consequences when a party dies before the resolution of family law property proceedings and the interaction with, or any real or potential impact of the Succession Act 2006 (NSW).

Justin Brown: Justin is a barrister at law who regularly appears for executors, trustees and beneficiaries of deceased estates. Justin holds a Bachelor of Laws from the University of Western Sydney and a Masters of Applied Laws specialising in wills and estate. Justin has a rural background and owns a farm in the Central West. He has a good understanding of issues affecting rural communities and is a supporter of the Rural, Regional and Remote legal community.

Caitlin Angus: Caitlin is a barrister at law who practises in both Succession and Family Law. Caitlin holds a combined Bachelor of Laws and Bachelor of International Studies (International Relations) from the University of Wollongong. Caitlin hails from a rural background and has a particular interest in the Northern Rivers Region.

INTERACTIVE SESSION - PANEL

Panel Summary: An interactive session where members of the succession panel discuss succession planning for de-facto relationships, divorce and death. The panel will explore succession planning options and discuss questions posed from delegates.

Succession Planning Panel:

Joseph (Joe) Dalzell AM is a barrister who practises in family law, crime and succession law. A high achiever (!) Joe was the former Head of Orthoptics at the Prince of Wales Hospital and worked closely with Fred Hollows AC. In 1992 Joe was appointed a Member of the Order of Australia for service to public health, particularly in the field of orthoptics.

Heydon Miller is a former barrister and now tax consultant. Heydon has acted for the ATO and for taxpayers in the Administrative Appeals Tribunal and the Federal Court. He previously presented the GST Law subject at the University of NSW.

Weston Ryan FCA is a tax expert at pmw.Plus in Orange. He was a tax partner and principal in Sydney-based firms for over 30 years. Weston now advises a principally regional client base. During this time, he has become familiar with the challenges and issues confronting clients and regional practitioners.

Placido (Pat) Costa, solicitor, was formerly a Director Solicitor of LCI Legal in Parramatta. Pat loves to tell people that he has been a solicitor before dinosaurs inhabited the planet. Pat has a wealth of legal knowledge over a broad area of law. He uses his knowledge, expertise and experience to provide practical solutions.

Dannielle Ford is a Director Solicitor of Cheney Suthers Lawyers and the President of the Central West Regional Law Society. Dannielle practises predominantly in the areas of wills and estates, family law and property law. In 2024 Dannielle was recognised by the New South Wales Law Society as a co-winner of NSW's Rural or Regional Practitioner of the year of 2024 for her tireless community engagement.

Andrew Kelly is a Director Solicitor of Kenny Spring Lawyers. Andrew is an experienced solicitor providing business legal solutions. He has a broad practice that encompasses industries including agribusiness, family and SME businesses, and practice areas including property, taxation, commercial contracts, estate planning and superannuation.