

PROPERTY AND DEVELOPMENT

“They say **Rome wasn’t built in a day**, but I wasn’t on that particular job.”

Brian Clough, *Soccer legend*

They also say time is money, and nowhere is that more true than in the property and development business. That is why Middletons’ Property and Development Group has already taken the time to understand your industry.

When a coach puts a football team on the pitch, the last thing he wants is a rookie outfit. It was by rallying a blend of youth and experience that Brian Clough took his teams to English Championships.

Our team is similarly well blended. It is well grounded with a strong commercial sense and it is ready to perform.

Its members know that just as Rome wasn’t built in a day, neither did it happen by chance. Urban planners determined its needs and mapped out a city of flowing aqueducts and elegant squares. They turned their dreams into stone and surrounded the *Eternal City* with thick walls for protection against invaders.

Today, we rarely start from scratch. But we create new urban pockets in our cities and build skyscrapers that are as complex as a suburb. We trade these items as products. We create leases, we sublet and we set up owners’ corporations to look after the collective good.

The property, construction and development industry in this millennium is more complex than it was in the first. This means part of your foundations should be top-quality legal advice.

Whatever the size of your business or the scope of your project you can rely on our advice and support. Our experience in the sector means we know the kind of advice you need: timely, informed, practical, innovative and always grounded in the realities of business. It’s the only kind of advice we provide.

Our team of lawyers has been hand-picked for the way its members combine their experience in all facets of property, construction and development with appropriate legal qualifications.

Partner-led focus groups stay abreast of industry issues and integrate in a way that guarantees we are continually on top of the myriad of legal challenges and opportunities inherent in property and development.

With offices in both Melbourne and Sydney, we offer you a full suite of legal services. We know your turf, we speak your language, we share your vision while sometimes challenging your thinking. We’ll join you in working hard to build your business – brick by brick by brick.

Because anything worth building should be built to last.

Property and Development

Middletons' property lawyers work intimately with clients to provide a full range of property and related services. We advise on all aspects of property and development transactions including due diligence, leasing, sale and acquisition, project structuring, risk and reward analysis, drafting, interpretation and negotiation of building and engineering tender and contract documents, along with joint venturing and other 'partnering' arrangements.

Sales and acquisitions

We have extensive experience in the sale and acquisition of property in all sectors and are equally at home with commercial, industrial or retail properties. We understand the commercial aspects of your business and we pride ourselves on the timeliness and quality of our advice.

Planning and environment

Our planning lawyers offer knowledge in all matters affecting Local Government, including planning and development, water law, the sale, leasing and licensing of municipal land, covenants, subdivisions, environmental issues and compulsory land acquisition and compensation.

Our environmental lawyers help clients comply with relevant environmental and pollution control laws. We draft and negotiate trade waste contracts and work to shape environmental policies that limit exposure. We have advised on oil and chemical spills, water pollution, contaminated sites and the infringement of State and Commonwealth environmental legislation.

The way in which our clients deal with environmental issues is not only important to their commercial relationships with regulators and customers – it is crucial to their public image.

We understand that in the event of an environmental incident, clients need an immediate response.

Building, development and construction

We have acted on residential, commercial, retail and industrial developments, including joint venture agreements and other 'partnering' arrangements. Our comprehensive advice on construction and development takes in building contracts, planning, financing, construction management and industrial relations.

Private developers, contractors and government bodies can find the kind of support they need – advice that is as general or as sharply focused as the situation demands.

Our experience in innovation led a major public hospital to choose us to advise on implementing modern car parking arrangements, including private investment funding in a substantial new facility.

Leasing

The Property and Development Group has extensive experience in negotiating commercial, retail and industrial leases for landlords and tenants and with drafting lease documentation. We act for listed and unlisted property trusts and other professional investors.

We have been at the forefront of redrafting all forms of commercial leases using plain English, which leads to simpler negotiation of terms and shortening the time for tenants to sign individual leases.

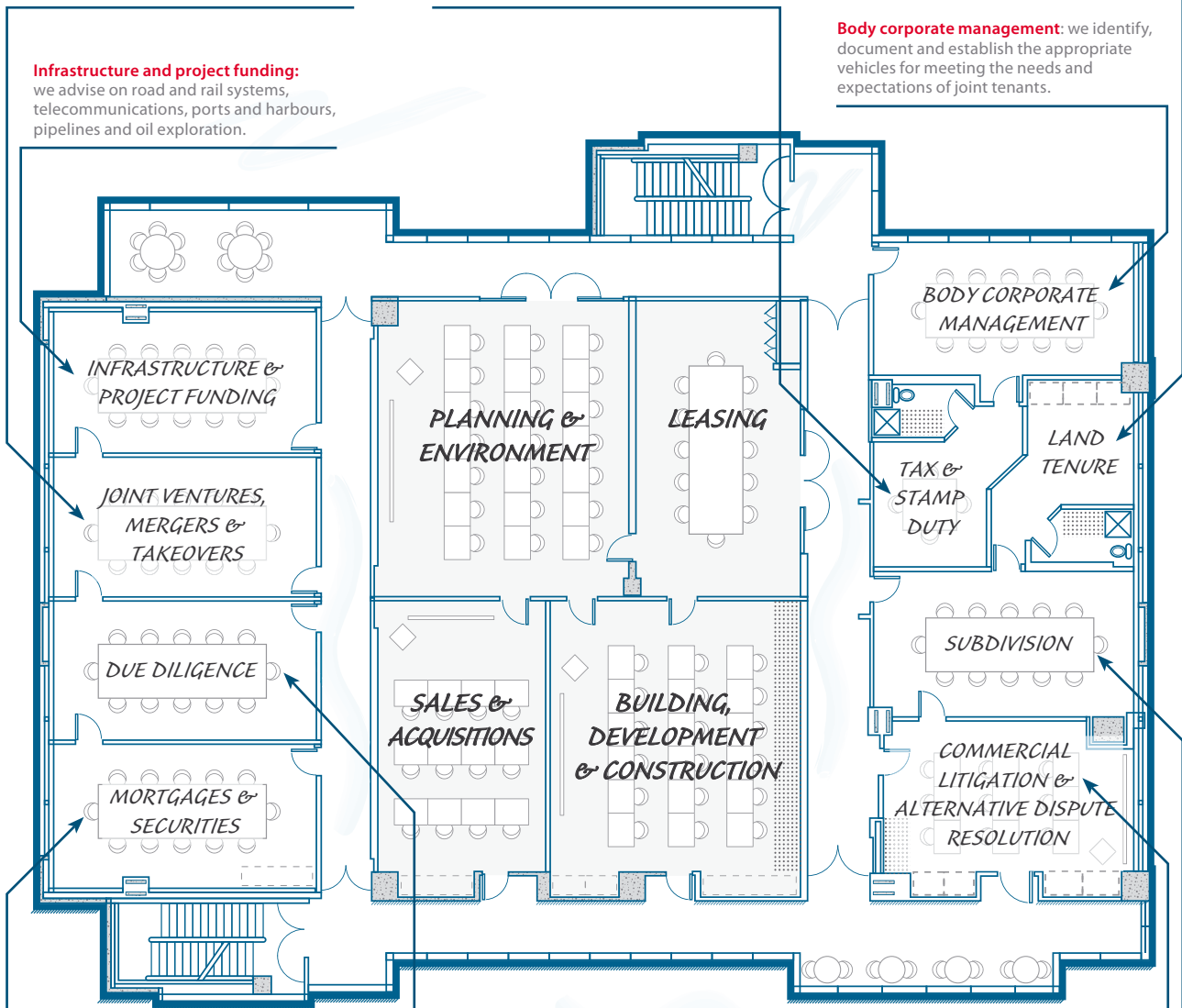
Joint ventures, mergers and takeovers: working closely with our commercial lawyers, our team helps guide clients through corporate reconstruction, structured finance in joint ventures and on- and off-market takeovers.

Tax and stamp duty: the Taxation and Revenue Group has experience in business restructures, mergers and acquisitions, stamp duty, taxation litigation and liaising with the ATO and State revenue offices.

Land tenure: we act regularly for developers, offering innovative solutions to overcoming site-specific contingencies.

Infrastructure and project funding: we advise on road and rail systems, telecommunications, ports and harbours, pipelines and oil exploration.

Body corporate management: we identify, document and establish the appropriate vehicles for meeting the needs and expectations of joint tenants.



Mortgages and securities: our Banking and Finance team handles loan facility agreements, the processing of mortgages, new loans, discharge work and refinancing.

Commercial litigation and alternative dispute resolution: Middletons has handled some of the largest cases in Australian history. We have specialist expertise in handling significant arbitration proceedings.

Due diligence: we work with our clients' commercial and financial advisers in assessing investment proposals, with marketing agents in coordinating the acquisition or disposal of properties and with project management and engineering consultants on large-scale projects.

Subdivision: clients benefit from our multi-disciplinary approach to site identification, negotiating planning obstacles, issues management and government liaison.

About Middletons

Middletons is a leading Australian law firm with offices in Melbourne and Sydney with around 65 partners, a further 190 lawyers and a total staff of more than 440.

We have extensive experience in acting for major corporates and industry leaders, and working on ground breaking transactions. Clients have chosen our firm because of our comprehensive skills, industry knowledge and approach to service.

Clients seek firms with industry knowledge and depth of experience to match. As a single service supplier of legal expertise, we offer our clients a broad range of legal services, including:

- » banking and finance
- » biotechnology
- » capital markets
- » commercial and corporate advisory
- » commercial litigation
- » commercial property
- » competition and regulatory
- » construction
- » corporate recovery
- » dispute resolution
- » energy
- » financial services
- » industrial relations
- » information technology
- » insurance
- » intellectual property
- » maritime
- » media and entertainment

- » mergers and acquisitions
- » project finance and infrastructure
- » resources
- » taxation and revenue
- » transport and international trade
- » workplace relations.

Middletons has expertise and knowledge in specific industries we see as integral to the Australian and world economies to ensure we understand our clients' businesses. Industries such as:

- » energy and resources
- » finance and insurance
- » health and leisure
- » manufacturing and retail
- » property and development
- » technology
- » telecommunications
- » transport, distribution and logistics.

Middletons breaks the mould when it comes to big law firms. Size, like expertise and geographical reach, is a given for our clients. Our lawyers talk our clients' language but challenge their thinking. Our approach is different to others – we offer advice and services built on intellect, inspiration, influence, involvement, integrity and individuality.

Middletons is large enough to provide detailed business advice, yet small enough to ensure cost effectiveness and guaranteed partner access.

Further Information



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