



Cowell Clarke
COMMERCIAL LAWYERS

13 September

AGRIBUSINESS SUMMIT

11 October

2022

Opening Address

Peter Slegers
Agribusiness Team Leader



We are pleased to invite you to Cowell Clarke's third annual Agribusiness Summit.

Cowell Clarke have a long history of acting in the Agribusiness sector and are excited about assisting our clients with the challenges ahead.

We work closely with accountants and other professional advisers to large and small scale producers to support business, families, succession and growth.

This year we have another exciting program including highly topical issues associated with carbon farming, the Commissioner of Taxation's current crackdown on trust structures as well as a workshop on strategies for land owners negotiating with energy project companies.

We look forward to joining you online for our national 2022 Agribusiness Summit.



COWELL CLARKE'S

**AGRIBUSINESS
SUMMIT**

SEPTEMBER / OCTOBER 2022



Summit Overview

Webinar 1

13 September 2022

- 🌿 Hot Topics for Trusts
- 🌿 Carbon Farming: How Can Farmers Benefit?
- 🌿 Testamentary Trusts: Keeping it in the Family
- 🌿 Acquisition Structures for Agribusiness

Webinar 2

11 October 2022

- 🌿 Vacant Land Deduction Issues for Primary Producers
- 🌿 Succession Planning for SMSF Income Streams: Optimising Outcomes for Agribusiness
- 🌿 When the Energy Company Comes Knocking... Part 1 (Presentation)
- 🌿 When the Energy Company Comes Knocking... Part 2 (Workshop)



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Program

Webinar 1 / 13 September 2022

TIME ZONE: AEST

9:30 - 9:35..... **Log into webinar**

9:35 - 9:45..... **Welcome** / by Leah Cowell, Chair

9:45 - 10:30..... **Hot Topics for Trusts** / presented by Peter Slegers



- ✓ Latest position on section 100A and reimbursement agreements
- ✓ Practical implications of division 7A changes
- ✓ Impact on distribution strategies for agribusiness

10:30 - 11:15..... **Carbon Farming - How Can Farmers Benefit?** / presented by Sam Richardson and Deanna Riebolge



- ✓ Carbon farming and the Emissions Reduction Fund – how does it work?
- ✓ Carbon sequestration and emissions avoidance projects
- ✓ Dealing with the carbon developer
- ✓ Getting the balance right and key legal issues for landowners in negotiating agreements

11:15 - 11:30..... **Morning Break**



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TIME ZONE: AEST

11:30 - 12:15..... **Testamentary Trusts: Keeping it in the Family** / presented by *Emily Anderson*



- ✓ Advantages and disadvantages
- ✓ "Bloodline" trusts
- ✓ Restricting capital distributions
- ✓ Vesting issues

12:15 - 1:15..... **Acquisition Structures for Agribusiness** / presented by *Joshua Pascale and Jackson Jury*



- ✓ Equity raising
- ✓ Intergenerational aspects
- ✓ Ease of exit and entry
- ✓ Financing issues



1:15 - 1:30..... **Open Forum**

1:30..... **Close & Thank you**



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Program

Webinar 2 / 11 October 2022

TIME ZONE: AEDT

10:30 - 10:35.... **Log into webinar**

10:35 - 10:45.... **Welcome**
by Anna Lacey, Chair

10:45 - 11:30..... **Vacant Land Deduction Issues for Primary Producers** / *presented by Joshua Pascale and Jackson Jury*



- How does it work and what are the pitfalls?
- Overview of exemptions
- Impact on structuring and succession planning



11:30 - 12:15.... **Succession Planning for SMSF Income Streams: Optimising Outcomes for Agribusiness** / *presented by Daniel Marateo*



- Managing multiple income streams on death - which should be commuted and which retained?
- Reversionary pension planning and interface with the transfer balance cap
- Specialised power of attorney arrangements

12:15 - 12:30..... **Break**



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Webinar 2 / 11 October 2022

TIME ZONE: AEDT

12:30 - 1:15..... **When the Energy Company Comes Knocking... Part 1 (Presentation)**

/ presented by Sam Richardson and Peter Slegers



- Access agreements
- Leases/Option agreements
- Negotiating compensation and payment structures
- Pastoral land issues
- Decommissioning obligations
- Taxation treatment including easements, compulsory acquisitions and royalty agreements



1:15 - 2:15..... **When the Energy Company Comes Knocking... Part 2 (Workshop)**

/ presented by Leah Cowell, Sam Richardson and Peter Slegers



- Case studies
- Practical issues



2:15 - 2:30..... **Open Forum**

2:30..... **Close & Thank you**



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Keynote Speakers



Peter Slegers

Director /
Agribusiness Team Leader

Peter has advised clients on a range of complex tax issues in a wide variety of agribusiness areas including conventional farming, wine and viticulture to fishing and aquaculture. He has delivered the best possible tax outcomes for agribusiness clients through the restructuring and mergers of farm property groups as well as from the sale of assets and machinery.



Sam Richardson

Director /
Property Group

Sam has utilised his expertise in property law to assist clients on a wide spectrum of matters relating to agribusiness. Sam has advised clients across the agribusiness sector including station owners, rural property groups, and parties affected by development and acquisition on issues requiring negotiation, representation, and review of documentation.



Emily Anderson

Senior Associate /
Private Client Group

Emily assists clients with their personal and business succession planning through the drafting and interpretation of Wills and Powers of Attorney, taxation and administration issues, and family provision claims. Emily's experience in personal and corporate Powers of Attorney applies to all jurisdictions of Australia.



Joshua Pascale

Senior Associate /
Tax & Revenue Group

Joshua advises property and business owners on a wide range of Federal and State tax law issues, as well as the pertinent superannuation and commercial law matters specific to their circumstances. Josh has developed a particular interest in group restructures and succession planning (private and business).



Daniel Marateo

Senior Associate /
Tax & Revenue Group

Daniel advises clients on tax law and superannuation. Daniel's knowledge of Federal and State taxation law allows him to assist clients in achieving sound taxation outcomes in discrete advisory matters, transactional matters and in dealing with revenue authorities in rulings and disputes.



Leah Cowell

Senior Associate /
Corporate & Commercial
Group

Leah has broad corporate and commercial expertise coupled with a keen interest and experience in environmental and social matters. Leah has experience in advising on legal issues arising in carbon farming, carbon reduction and offsets, water, waste management, native title and Aboriginal heritage.



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Keynote Speakers



Anna Lacey

Senior Associate /
Corporate & Commercial
Group

Anna practices primarily on the areas of corporate acquisitions, business acquisitions and sales, contract and tender reviews, and matters related to the Personal Property Securities Act 2009 (Cth). Anna has particular expertise advising clients within the food and agribusiness industries.



Jackson Jury

Associate /
Tax & Revenue Group

Jackson advises on Federal and State taxation law. Jackson has assisted clients in various matters including the preparation of advices, effecting private restructures, seeking private binding rulings and lodging objections with State and Federal revenue authorities.



Deanna Riebolge

Lawyer /
Property Group

Deanna assists clients with a variety of matters arising from owning, managing, leasing, acquiring and selling agricultural land. She has particular expertise in assisting clients in the negotiation of carbon farming agreements and advising on the legal issues arising from carbon farming projects.



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Registration

Cost

Both Webinars \$440 (inc GST) | Single Webinars \$220 (inc GST)

Webinar 1 / 13 September 2022: REGISTRATION CLOSES 12PM, 6 SEPTEMBER

Webinar 2 / 11 October 2022: REGISTRATION CLOSES 12PM, 4 OCTOBER

Contact

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Terms & Conditions

These webinars will be live events as workshops are interactive sessions and will not be recorded. Once your registration has been processed, a tax invoice together with workshop papers and materials will be sent to you. Registration is transferable but non-refundable. Please contact Amber Randall if you wish to transfer your registration.



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Major Clients

Cowell Clarke are pleased to have the support of their agribusiness clients including the following market leading organisations:



GLEN PARK
DORPER & WHITE DORPER STUDS



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Major Projects



Below is a list of some of the significant agribusiness projects we have recently been involved in:



Prominent agricultural sales and acquisition matters, including marquee transactions such as "Clifton Hills Station"



Advising and acting on a large scale primary production group restructure of pastoral land with a value of over \$800 million across multiple state jurisdictions to achieve the desired commercial and succession outcomes in a tax and stamp duty effective manner.



Advising on the listing of Australia's only ASX listed entity that provides investors with direct exposure to the Australian water market.



Providing specialist tax advice and implementing the restructure of two large private tuna fishing groups to better streamline structures and minimise risk exposures as well as undertaking sophisticated succession planning post-restructure.



Advising the pastoral landowner of a proposed \$650 million solar thermal power plant.



Advising numerous chartered accounting firms on the application of challenging issues under the Small Business CGT Concessions and Small Business Restructure Roll-Over, as well as the relevant state and territory stamp duty laws in relation to the sale and restructure of numerous agribusiness concerns.



Acting for Australian Independent Rural Retailers Limited, a public company that supplies rural products and related services throughout Australia, on a \$187 million takeover by Elders Limited by way of a scheme of arrangement including obtaining an Australian Taxation Office class ruling on the specific taxation issues relating to the transaction.



www.cowellclarke.com.au/expertise/agribusiness



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Publications & Events

The Australian Agribusiness Advisers' Guide ("Agri-Guide") is the definitive text for accountants and other professional advisers acting for clients in the agribusiness sector.



Cowell Clarke's Tax & Revenue Group holds annual seminars for regional accountants throughout Australia.

For further information please visit our website:

 [**www.cowellclarke.com.au**](http://www.cowellclarke.com.au)

