

Macrossan & Amiet Solicitors: news update

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A proud history

We are entering a new era at Macrossan & Amiet (see article by Stuart Naylor, Partner). When looking at the path ahead, it is often intriguing to also look down the path behind. We thought it opportune to take you for a trip down memory lane to discover how Macrossan & Amiet has evolved throughout the last century.

This month's historical review starts at the beginning; how and when our firm was formed. Next month we'll reminisce about some of the colourful characters who helped breathe life into what is now one of the most thriving law firms in the region.

Macrossan & Amiet first came to being as a fledgling legal practice named Fred C. MacNish. Fred MacNish opened the practice on 1 July 1895 after relocating to Mackay from Townsville. Our first offices were in Wood Street and were shared with the Australian Stock Bank.

Fred MacNish was joined by a solicitor from what was and still



By Sarah Robertson

is one of the most well-known and respected legal families in Queensland. In 1904 Vince Macrossan and Fred MacNish formed the partnership F.C. MacNish & V.E.J. Macrossan and moved into new premises on Sydney Street. Vince's father, John Macrossan, was a member of the Queensland Parliament and a pioneer supporter of Federation. In 1890 he attended the first Federation conference as a Queensland delegate alongside Samuel Griffith.

Vince's two brothers, Hugh and Neal, were both Chief Justices of the Supreme Court of Queensland, a post that was

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News



Phishing is the use of fake emails and phoney websites to extract sensitive information from internet users. The information sought is usually login details such as user names and passwords for websites containing financial information of the user.

By Greg Smart

Gone phishing

Recently I was the subject of two separate phishing expeditions. The first was an alert that a foreign IP address had attempted to login to PayPal. A link was provided along with a request to verify the correct login details. Failing to do so would lead to account suspension. PayPal is an online payment system that allows users to credit their account using their credit card and then pay for online transactions, principally via e-Bay.

The second phishing expedition was an e-mail, apparently from e-Bay, advising that the copyright holder had objected to an item listed for auction. As a result of the objection, the account had been suspended and a link was provided to unlock the account if correct login details were provided.

Not being a great fan of phish, I did not click on either link. However, you may rest assured that if I had taken the bait and followed the link, I would have been taken to websites greatly resembling those of PayPal and e-Bay. Upon logging into those sites, the username and password would have been stored in the phisher's tackle box (or database), granting unlimited access to those accounts.

As you can see, the whole business smells a bit phishy.

The advent of net banking as an everyday convenience for the large majority of civilised society has seen phishing become a widespread past time. It is not

uncommon to find an e-mail in one's inbox requesting you to click a link and verify your details.

The temptation is that we are a society constantly looking for shortcuts, better efficiency and time-savers. The temptation to click the link is real. It presents an immediate solution.

Unfortunately, it also provides the unscrupulous phisher with access to your financial information and the ability to carry out transactions. Daily transfer limits exist on most on-line banking accounts, but the damage could still be crippling. Even if a phisher could only transfer \$5000 per day, most banks would allow unlimited payments to a credit card, the numbers of which are normally accessible through net banking. That leads to the potential for an internet spending spree only limited by the cash in your account.

How do you avoid being taken hook, line and sinker? The answer is remarkably straightforward – never go to a website containing any valuable information through a link in an e-mail. Take the time to open your browser and type the address. The few seconds of productivity it costs may save you thousands of dollars.

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Feature

Macrossan & Amiet changes

On 1 September the partnership operating as Macrossan & Amiet will be incorporated and will commence operations as Macrossan & Amiet Pty Ltd.

There will be no change to the services offered by our business and there will be no noticeable differences to our clients. The partners of Macrossan & Amiet will be the directors of Macrossan & Amiet Pty Ltd and it will be business as usual from that date.

There has been a recent shift in trends for law firms in Queensland to incorporate and a number of firms have already done so. The directors of Macrossan & Amiet believe operating as a company will improve efficiency by reducing the operational “red tape” that previously regulated the partnership.

Director Stuart Naylor said he looks forward to the transition and to continuing to provide the Legal Services that have made Macrossan & Amiet your preferred law firm in Mackay & the Whitsundays.

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A proud history

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later filled by Vince’s son, John Murtagh Macrossan, from 1989 until his retirement in 1998 when the current Chief Justice of the Supreme Court, Chief Justice Paul de Jersey, took office. Chief Justice John Macrossan recently passed away this August, leaving behind a shining legal legacy in the Court of Appeal, which he was instrumental in establishing following the Fitzgerald Inquiry.

In 1906, the firm’s founder, Fred MacNish, left the partnership. It wasn’t until the end of the Great War that Vince Macrossan found a new partner in young William A. Amiet, who had returned home after serving as an intelligence officer in World War I.

The firm’s name of Macrossan & Amiet was established. An esteemed scholar, poet, linguist and astronomer, Bill Amiet was a gifted man who served again as an intelligence officer in World War II.

Bill provided support to local ethnic groups in the region during a time when our Italian community suffered from the intolerance born of the tensions of war. James Cook University’s Mackay campus houses the W. A. Amiet Library, named in honour of Bill, and Macrossan & Amiet has been proud to continue this tribute with substantial contributions to the buildings.

The 1920s saw Macrossan & Amiet move to new offices on Victoria Street above Carrolls Newsagency. The decade brought further developments in the constitution of the firm, with the departure of Vince Macrossan to Brisbane and the addition of Bill Amiet’s brother, John Stanley Amiet, to the partnership until 1929.

Macrossan & Amiet has come a long way since its inauguration as Fred C. MacNish on Wood Street.

After more than one hundred years of growth in Mackay, it isn’t surprising to discover that Fred MacNish’s office no longer exists and its location is a Council laneway today. The comparisons between that 1895 office and our 2008 offices are innumerable but one thing has never changed – our dedication to serving our local region and its communities, with a focus on meeting the range of specific needs of Central and North Queensland residents and businesses.

We are proud to be in this part of Queensland, to have shared in its history and to be a part of its story.

Stay tuned next month as the journey through our history continues!

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Feature

Clifford Hill (“Cliff”) started in the building industry by acquiring two blocks of land at Mermaid Beach in 1969.

From humble beginnings, Cliff went on to build 3200 homes on the Gold Coast over a 20 year period. In addition to houses, Cliff built 600 units in medium and high rise buildings as well as being involved in commercial, industrial and residential developments.

Clifford Hill: A true survivor

Cliff’s vivid imagination led him to design and build an Australiana themed restaurant on the Gold Coast called “Crooked House”.

The restaurant displayed the country’s largest collection of Australian memorabilia. The memorabilia included a bat signed by all of the members of Bradman’s 1948 invincible cricket team.

It also included Australia’s largest collection of Ned Kelly memorabilia, including the original telegram sent from the Glenrowan Police Station to Sydney headquarters, giving vivid details of the shoot out and subsequent capture of Ned Kelly.

Many items owned in the collection have been acquired by various museums and governments throughout Australia.

One interesting item, still owned by Cliff, is an original movie poster for the world’s first feature film which was made in Australia in the early 1900’s. The movie featured the Ned Kelly story.

Cliff is a survivor in more ways than one. On a personal level, Cliff has survived two plane crashes and two serious car accidents.

After surviving the first plane

crash Cliff says he took his eye off the ball and made some poor financial decisions.

Outside of his usual good judgment, Cliff went outside his core business and invested heavily in thoroughbred race horses. At the time Cliff mistakenly thought it would be a way to make money without having to work hard.

Becoming a victim of the excess of the 80’s, Cliff had no choice but to start over again.

His instincts identified the Whitsundays as the place to do just that.

Cliff’s company, Colony Building Group, has since built 700 houses in Mackay and the Whitsundays. In addition to his building company, Cliff has been involved in land developments including Whitsunday Acres, Whitsunday Valley Views, Adelaide Point near Bowen and a subdivision at Hydeaway Bay.

Cliff has established a finance company, Merchant Property Bank, which provides funding for property purchases throughout Queensland.

Cliff is nearing completion of the third stage of his development known as Mount Whitsunday, which is a \$70 million land development overlooking the Port of Airlie

Marina and comprises a number of unit sites as well as 59 exclusive home sites.

Cliff is already moving on to his next project called the Cannonvale Town Centre adjacent to the Centro Shopping Centre. This development has received Council approval and features a four stage development comprising 12,000 square metres of ground floor retail space, 180 residential units and 6000 square metres of office space.

When asked about his core business, Colony Building Group, Cliff commented the recent correction in the property market has meant his company has been left with stock that has been reduced to cost or below cost in order to meet the current market.

Cliff accepts that the boom could not last forever but he remains confident. So much so, Colony Building Group is planning a new design range and plans to double production of its house and land packages over the next three months.

Cliff believes the market will remain stable and the price range for affordable housing in the Whitsunday region will remain between \$438,000 and \$490,000.

Cliff also remains confident more expensive land, such as in his Mount Whitsunday development, will continue to sell because of the uniqueness of the product, the spectacular views and proximity to the Port of Airlie development.

Taking over the family building business from his father Eric, it is Cliff's turn to look to the future. He is grooming his son Jason to take over the business.

All three generations (Eric, Cliff and Jason) hope that the Hill name will remain synonymous with the building industry well into the future. Jason realises that he has big shoes to fill (quite literally) but he is looking forward to the challenge when (and if) Cliff is willing to hand over the reins.

Cliff believes there is no substitute for hard work. This is advice Cliff gives with the benefit of his own experience after his past failed speculative investments. Having that experience has put Cliff, through persistence and hard work, in a position where he can now start thinking about spending more time with his beautiful wife Freya, fishing, drinking red wine and travelling the world. Cliff knows how to work hard. But he also knows how to have fun!



Cliff Hill has plenty to smile about these days

News



As Airlie Beach gets ready for the Annual Meridien Race Week, I thought it would be a good opportunity to have a look across the Whitsunday passage and update our clients about the recent developments that have been transforming Hamilton Island.

By Michele Falconieri

Luxury property market not slowing down

The past two years has seen more than \$180 million invested into Hamilton Island by owner Bob Oatley, with multiple new developments to broaden the Island's domestic and international appeal.

Stage 1 of qualia, an exclusive luxury resort constructed on the northern tip of Hamilton Island, was completed and opened its doors for the first time in October 2007. The development included 27 Pavilions, two swimming pools, a gym located on the waters' edge, two private restaurants, a library and a six room spa. Stage 2 of the resort has recently opened in time for Audi Hamilton Island Race Week. This second stage includes 33 more Pavilions, an exclusive jetty, helipad and boutique.

A world-class resort would not be complete without a nearby world-class golf course. Construction of the 18-hole championship golf course on Dent Island, designed by Peter Thomson is well underway. The course has been designed to be a 6083m, par 71 course, with beautiful views of the Whitsundays from all holes giving golfers a truly unique experience. The completion date is scheduled for 2009.

For the yachties, the Great Barrier Reef Yacht Club is set to open in the first quarter of 2009. With its architecturally sail-like roof design, construction of the Yacht Club can be seen at the entrance to the harbour which will provide the 38 villa owners with views of the marina and Dent Passage. The villa-style resort will have its own dining, bar and conference facilities.

As part of this development new marina berths will be constructed,

a boardwalk will extend around the marina village and the mouth in the harbour will be dredged to allow access for larger vessels.

Existing developments on the island have also received an overhaul during the last few years with the Reef View Hotel completing major refurbishment, including a new 35 metre pool, revamped restaurant, bar and reception area and upgrades to the rooms and suites.

Although the property market throughout Queensland has slowed somewhat, top end investors seem to be approving of the capital expenditure that owners have been contributing to Hamilton Island. Both real estate agencies on Hamilton Island have reported while the total number of transactions may have decreased recently, the island is achieving record sale prices never before seen for transactions of land, units and villas.

Investors seem confident Hamilton Island will continue to enjoy capital growth as the new developments are completed. There is no disputing considerable money is being spent to ensure the Whitsundays is being promoted as a world-class luxury tourist destination.

Macrossan & Amiet has had close ties with the Hamilton Island in-house legal team and often act for development companies, bodies corporate and concessionaires on the island in various matters from conveyancing, 'off-the-plan' developments and business transactions.

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News



The Queensland government's 2008-09 budget included a number of changes to the rates of duty applied to the purchase of property.

The table right, taken from the Office of State Revenue's budget website, shows the rate of duty as it applied before and after July 1 2008.

By Dane Lang

Rate of stamp duty changes

Transfer duty rates for 2008-09 from 1 July 2008 – standard rates ¹			
DUTIABLE VALUE	CURRENT	DUTIABLE VALUE	NEW
up to \$20,000	1.50%	up to \$5,000	Nil
\$20,001–\$50,000	\$300 + 2.25%	\$5,001–\$75,000	1.50%
\$50,001–\$100,000	\$975 + 2.75%		
\$100,001–\$250,000	\$2,350 + 3.25%	\$540,000–\$75,001–	+ 3.50% \$1,050
\$250,001–\$500,000	\$7,225 + 3.50%		
\$500,001–\$700,000	\$15,975 + 4.00%	\$540,001–\$980,000	\$17,325 + 4.50%
above \$700,000	\$23,975 + 4.50%	above \$980,000	\$37,125 + 5.25%

Note 1. Rates are marginal rates unless otherwise specified.

The effect of these changes means duty has been reduced for all purchases up to a value of \$590,000. The trade off is that for purchases in excess of this value, there have been increases.

In addition to changes to rates of duty, the state government has made the following further changes to the Duties Act:

- The duty exemption for first homebuyers has been raised from \$320,000 to \$350,000 from 1 July 2008 and will be further extended up to a value of \$500,000 after 1 September 2008;
- The principal place of residence concession has been extended to apply to all purchases up to a value of \$320,000 from 1 July 2008;
- Mortgage duty has been abolished as of 1 July 2008.

If you have any queries about the new stamp duty measures introduced in the 2008-09 budget, or you have a question regarding stamp duty on a proposed transaction, Macrossan & Amiet Solicitors will be able to assist you.

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Last word



Kylie Davies

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Growing new legal youth

On 12 August I had the privilege of attending the Proserpine State High School Careers Fair. It was a great experience to relate to students the transition from school to university, and from university to the working world. I was fielding questions not only about practising as a lawyer, but also about the roles of support staff such as secretaries, receptionists and traineeships in these areas.

It was interesting to note however, that most of the inquiries came from female students, which is further confirmation of the changing trend in the profession. It was also interesting to notice that university is not the only option for students these days (sounding old aren't I?). There are so many options available such as school-based apprenticeships where a student can already have completed certain requirements of an apprenticeship even before leaving school, as well as traineeships which open doors for those students who may not consider university.

A major concern to most students interested in studying law was the cost of a degree. Study is certainly not an appealing option knowing that at the end of your degree, you'll owe the Federal Government anywhere up to \$40,000. It has to be said though that the earning potential and the career

opportunities are far greater when you hold that little bit of paper that is your law degree.

I would encourage all parents to expose your child to as many different types of career options as possible and to gain experience in as many areas as possible to make the best decision for their future.

Until next month,

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