GREENS LIST

BARRISTERS



DAVID LLOYD

BAR ROLL: 1997 | ADMITTED: 1980

David has a well-established practice in the field of property law. He has undertaken work for the State and Federal Governments, the Registrar of Titles and the ANZ Bank.

PHONE: +61 3 9225 6958

EMAIL: dplloyd@vicbar.com.au

CHAMBERS: Douglas Menzies Chambers

EXPERTISE

Commercial Law | Environmental Law & Planning Law | Equity & Trusts Law | Property Law | Wills & Estates Law

PROFILE

David has a well-established practice in the field of property law. He has undertaken work for the State and Federal Governments, the Registrar of Titles and the ANZ Bank.

He now has close to 45 years' experience in property law, about a third of them as a solicitor. He has been a member of the Property Committee of the Law Institute of Victoria for over 20 years and has spoken at numerous seminars organised by the Law Institute of Victoria and the Leo Cussen Institute, amongst others. He has written many articles for the Law Institute Journal and has been an author of the Contract of sale of land co-published by the Law Institute of Victoria and the Real Estate Institute of Victoria since 2008.

David and William Rimmer are the authors of *Sale of Land Act Victoria*, published by Thompson Reuters in October 2015 and *Victorian Land Contracts*, published by Thompson Reuters in July 2020. They are currently writing the second edition of *Sale of Land Act Victoria* with a view to publication in late 2023, and a new work on the *Transfer of Land Act 1958* in conjunction with Robert Hay KC. In addition, David is engaged in writing his own work on the *Property Law Act 1958*.

RECENT CASES



Barfly's Nominees Pty Ltd v Manthos [2003]
VCAT 1941 – lease repair covenant and setoff against rent

V K & M R Leong Nominees Pty Ltd v Batur [2003] VSC 17 – equitable set-off under leases

Bretair Pty Ltd v Lenro Properties Pty Ltd
[2004] VCAT 1141 – rental valuation and
disregard of improvements

- Apriaden Pty Ltd v Seacrest Pty Ltd (2005)

 12 VR 319 application of the doctrine of repudiation to leases
- Graham v Gameday Enterprises Pty Ltd
 [2008] VSC 140 caveat removal
- AAMR Hospitality Group Pty Ltd v Goodpar
 Pty Ltd [2009] VCAT 2782 assignment of
 retail lease
- Holland v Roperti [2009] VSC 378 specific performance of sale of land contract
- Histon Pty Ltd v. Thurau Pty Ltd [2010] VCC 2014 construction of lease
- Johnson v Surf Coast Shire Council [2011]

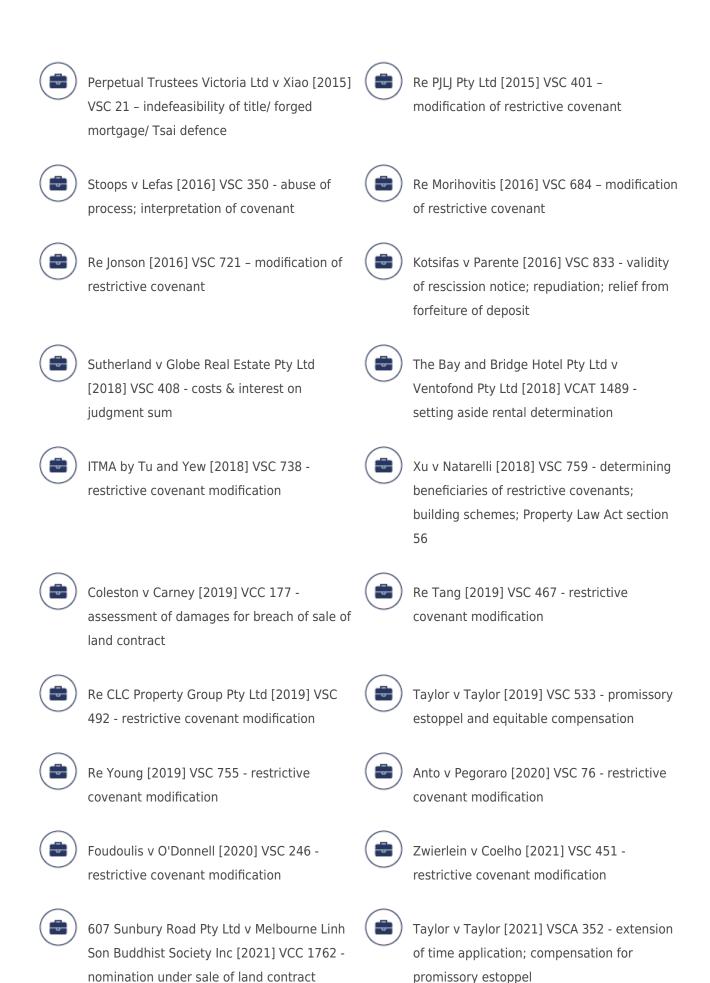
 VCAT 495 valuation of land
- Ottedin Investments Pty Ltd v Portbury

 Developments Co Pty Ltd (2011) 35 VR 1
 terms contracts for the sale of land waiver

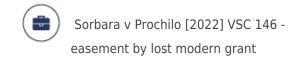
 of statutory avoidance rights & summary

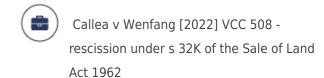
 judgment
- Perpetual Trustees Victoria Limited v Xiao [2011] VSC 680 adjournment of trial

- McDonald v Bowen & Pomeroy Pty Ltd
 [2011] VCC 979 priority of competing
 equitable interests
- Perpetual Trustees Victoria Limited v Xiao
 [2012] VSC 65 application to set aside
 judgment
- Putt v Perfect Builders Pty Ltd [2013] VSC 442 subject to finance condition
- Freilich v Wharton [2013] VSC 533 modification of restrictive covenant
- Putt v Perfect Builders Pty Ltd [2013] VSC 600 abuse of process/ res judicata & issue estoppel
- De Amicis v Mattiuzzo [2013] VSC 733 time of the essence of a contract; time period in notice of default



amounting to terms contract





Memberships & Committees

Victorian Bar

To get in touch with David Lloyd | or for more information please contact the Clerk on:



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