

GREENS LIST

BARRISTERS



TIPHANIE ACREMAN

BAR ROLL: 2011 | ADMITTED: 2008

Tiphane practises in civil and administrative law. Her practice encompasses a diverse range of matters relating to the use and development of land.

PHONE: +61 3 9225 7222

MOBILE: 0439 309 951

EMAIL: tacreman@vicbar.com.au

CHAMBERS: [Greens List Barristers](#)

EXPERTISE

Alternative Dispute Resolution | Building Law & Construction Law | Commercial Law | Criminal Law | Environmental Law & Planning Law | Equity & Trusts Law | Government Law | Inquests, Inquiries, Tribunals & Commissions | Property Law | Public Law & Administrative Law | Wills & Estates Law

PROFILE

Tiphane's practice encompasses a diverse range of matters relating to real property. She has advised and appeared in town planning, building and construction, adverse possession, compulsory acquisition, roads, easements, covenants, utilities, owners corporations, Water Act and regulatory matters (planning, environment and building). Her environmental law expertise encompasses administrative and quasi-criminal matters under State and Commonwealth legislation.

Tiphane is recognised in Doyle's Guide to the Australian Legal Profession as a recommended Victorian planning & environment barrister (annually from 2018 to 2024). She has been a Board member of the National Environmental Law Association since 2019 and National Treasurer since 2023.

Selected Cases:

ADMINISTRATIVE LAW

- [***Patrick v Australian Information Commissioner \(No 2\) \[2023\] FCA 530***](#) - Application for relief in relation to review requests under the Freedom of Information Act 1982 (Cth).

PROPERTY LAW

- [***196 Hawthorn Road Pty Ltd v Duszniak & Ors \(2020\) 61 VR 539***](#) - Interpretation of a restrictive covenant.
- [***Hivance Pty Ltd v Moscatiello & Ors \[2020\] VSC 183***](#) - Modification of a restrictive covenant pursuant to s84 Property Law Act 1958.
- [***PropertyShares Holdings Pty Ltd v 8 Hopetoun Rd Pty Ltd & Ors \(2020\) 61 VR 194***](#) - For the Registrar of Titles in an application for rectification of a mortgage instrument.
- ***Firkin and anor v Pease & anor (2020, VSC, settled prior to trial)*** - For the plaintiffs seeking declarations in relation to an easement arising by prescription (long use).
- [***Ringwood JV Pty Ltd v Maroondah CC \[2020\] VCAT 1393***](#) - Compulsory acquisition of an easement under s 36 Subdivision Act 1988.

CONSTRUCTION LAW

- ***E A Negri Pty Ltd v Lend Lease Services Pty Ltd (2020, VSC, settled prior to trial)*** - For the defendant in claims relating to civil construction works for the Mortlake Power Station. Led by John Gurr.
- ***Biovision 2020 Pty Ltd and anor v CGU Insurance Ltd and ors (2014, VSC, settled prior to completion of trial)*** - Contract/negligence action and associated insurance claims in relation to the design and construction of composters for the Mindarie Resource Recovery Facility in Perth. Led by Jeff Gleeson QC and John Gurr.

TOWN PLANNING

- [***Stefanetti v Manningham CC \[2020\] VCAT 1060***](#) - For the applicant seeking a permit to construct a four-storey apartment building containing 76 dwellings.
- [***Metro Pol Investment Pty Ltd v Melbourne CC \[2019\] VCAT 128***](#) - For the responsible authority in an application for a permit for a mixed use tower in the Melbourne CBD.
- [***Shepparton Solar Farms Permit Applications \(PCI\) \[2018\] PPV 72***](#) - For the applicant seeking a permit for a solar panel farm in Tatura East, Victoria.
- [***Briar Doon Pty Ltd v Banyule CC \[2018\] VCAT 1364***](#) - For the applicant seeking a permit to construct 14 dwellings, and partial demolition and alterations to a heritage building. Led by Chris Townshend QC.
- [***DEXUS Property Group Ltd v Minister for Planning \[2017\] VCAT 619***](#) - For the Minister for Planning in an application for review of permit conditions relating to a proposed tower development in the Melbourne CBD.
- [***478 St Kilda Road Land Pty Ltd v Port Phillip CC \[2016\] VCAT 445***](#) - Amendment of a permit for a multi-storey mixed-use development on St Kilda Road. Led by Jeremy Gobbo QC.

ENVIRONMENT AND REGULATORY

- [***Madiklumi Pty Ltd v Environment Protection Authority \[2019\] VCAT 1092***](#) - For the Environment Protection Authority on a review of a Pollution Abatement Notice issued in relation to the release of industrial waste to the atmosphere.
- [***ZY Property Pty Ltd v Melbourne City Council \(unreported, County Court, December 2017\)***](#) - For the Prosecution on an appeal against conviction and sentence under the Building Act 1993.

- [**Tasmanian Aboriginal Centre Inc v Secretary, Department of Primary Industries, Parks, Water and Environment \[2014\] FCA 1443**](#) - The “Tasmanian Tracks” case interlocutory injunction led by Richard Niall QC (as his Honour then was).
- [**Tasmanian Aboriginal Centre Inc v Secretary, Department of Primary Industries, Parks, Water, and Environment \(No 2\)\(2016\) 337 ALR 96**](#) Tasmanian Tracks case trial led by Brian Walters QC. For the Tasmanian Aboriginal Centre Inc seeking declarations under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) to restrain the opening of three 4 wheel drive tracks in the Western Tasmanian Aboriginal Cultural Landscape. The first judicial consideration of the protection of “National Heritage values” in the context of “indigenous heritage values”.
- [**Secretary, Department of Primary Industries, Parks, Water and Environment v Tasmanian Aboriginal Centre Inc \(2016\) 244 FCR 21 and \(No 2\) \[2016\] FCAFC 137**](#) Tasmanian Tracks case appeal and costs decision led by Brian Walters QC.

OWNERS CORPORATIONS

- [**Owners Corporation 446158A v Dunn \[2017\] VCAT 1892**](#) - For the owners corporation in a dispute over waterproofing of a terrace and water entry to a lot.
- [**J & G Knowles & Associates Pty Ltd v Owners Corporation RP12247 \[2014\] VCAT 98**](#) - Application under s34D Subdivision Act 1988 for a unanimous decision of the Owners Corporation. Led by Nick Pane QC.

Publications


‘The long road to a wide ambiguity gateway’ (2016) 42(1) Australian Bar Review 12. Referenced in Siemens Gamesa Renewable Energy Pty Limited v Bulgana Wind Farm Pty Ltd [2020] VSC 126, [90]. ‘Seafish Tasmania Pelagic Pty Ltd v Burke, Minister for Sustainability, Environment, Water, Population and Communities (No 2) Case Note’ (2014) 29(3) Australian Environment Review 88. ‘Tarkine National Coalition Incorporated v Minister for Sustainability, Environment, Water, Population and Communities [2013] FCA 694 Case Note’ (2013) 3 National Environmental Law Review 30.

Memberships & Committees

- [Victorian Bar](#)

Board member of the National Environmental Law Association since 2019.

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

 +61 3 9225 7222

 clerkb@greenslist.com.au

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