

# NUALA SIMPSON SC

## INTRODUCTION

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I accept briefs in all areas of commercial law but I have special expertise in complex, high-value engineering and construction disputes. I regularly appear in the Federal Court of Australia, the Court of Appeal New South Wales, the Supreme Court of New South Wales and in private arbitrations and mediations.

I am rated as a “leading” Senior Counsel in the area of Construction and Infrastructure Law – Australia (Doyle's Guide, 2025 – 2016) and recognised as a Leading Arbitration Barrister - Australia (Doyle's Guide 2025 - 2023). I am also recognised as one of Australia’s best lawyers in the areas of Construction and Infrastructure (Best Lawyers Australia, 2025 – 2013), Litigation (Best Lawyers Australia, 2025 – 2016), International Arbitration (Best Lawyers Australia 2025 -2022).

Finally, I am ranked a “thought leader” in the area of Construction Law (Lexology (formerly Who’s Who Legal) (2025)).

## QUALIFICATIONS

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2007	Masters of International Law	University of Sydney
2000	Bachelor of Science majoring in Psychology	University of New South Wales
2000	Bachelor of Laws	University of New South Wales

## ADMISSION

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October 2024	Appointed Silk
October 2010	Admitted to the New South Wales Bar
May 2002	Admitted as a solicitor of the Supreme Court of New South Wales

## EXPERIENCE PRIOR TO ADMISSION TO THE BAR

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Oct 2006 – June 2010	Mallesons Stephen Jaques <i>Solicitor and then Senior Associate sitting in the construction and engineering law team</i>	Sydney
Sept 2004 – Sept 2006	Freshfields Bruckhaus Deringer <i>Associate sitting in the dispute resolution (engineering, procurement &amp; construction) and international arbitration teams</i>	London
Oct 2001 – August 2004	Mallesons Stephen Jaques	Sydney

*Solicitor sitting in the dispute resolution  
and then construction and engineering law teams*

## **SELECTED MATTERS**

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Acting for Neoen Australia Pty Ltd at Elecnor Australia Pty Ltd in Supreme Court Proceedings concerning the construction of a \$900 million windfarm in South Australia. Instructed by White & Case, Sydney.

Acting for WSP in proceedings in the Supreme Court concerning a claim for defective cladding in connection with the Australia Towers development in Home Bush, Australia. Instructed by Johnson Winter and Slatery Lawyers, Sydney.

Acting for Fortius Broadway No 1 in proceedings in the Supreme Court concerning claims for defects, including defective cladding, in the connection with the One Central development in Ultimo. Instructed by Pinsent Masons, Sydney.

Acting for the head contractor in an ICC arbitration concerning the design and construction of a Battery Energy Storage System in Victoria. Instructed by Baker McKenzie, Sydney

Acting for a major Australian contractor in an arbitration under the ACICA Arbitration Rules concerning the design and construction of rail infrastructure. Instructed by HWL Ebsworth, Sydney.

Acting for CPB Contractors in an arbitration under the ACICA Arbitration Rules seated in Sydney concerning the construction of rail infrastructure. Instructed by Clifford Chance, Sydney and Perth.

Acted for a major Asian contractor in an arbitration under the 2018 Hong Kong International Arbitration Centre Administered Arbitration Rules seated in Hong Kong and concerning the design and construction of a major hotel and casino in China. Instructed by King & Wood Mallesons, Sydney.

Acted for Kawasaki Heavy Industries in an international arbitration under the ACICA Arbitration Rules seated in Singapore concerning the construction of elements of an LNG plant in Australia. Instructed by CDI Lawyers, Brisbane.

Acted for CPB Contractors in an arbitration under the ACICA Arbitration Rules seated in Adelaide concerning the design and construction of the new Royal Adelaide Hospital. Instructed by King & Wood Mallesons, Sydney.

Acted for a major Australian contractor in an arbitration under the Resolution Institute Rules concerning the design of an aircraft pavement in Australia. Instructed by Lander & Rogers, Sydney and Corrs Chambers Westgarth, Brisbane.

Acted for a major Australian contractor in an arbitration under the ACICA Rules concerning the construction of road infrastructure. Instructed by Allens, Brisbane.

Acted for Halifax Vogel Group in representative proceedings brought in the Federal Court of Australia concerning the distribution of cladding products in Australia. Instructed by Sparke Helmore, Sydney.

Acted for the owner of a solar farm under the ACICA Arbitration Rules seated in Sydney concerning the design and construction of a solar farm in New South Wales. Instructed by Ashurst, Sydney.

Acted for the owner of a solar farm in Australia under the Resolution Institute Rules concerning the design and construction of a solar farm in Australia. Instructed by Allens, Sydney.

Acted for TfNSW in representative proceedings brought in the Supreme Court of New South Wales concerning the Sydney Light Rail Project. Instructed by Lander & Rogers, Sydney.

Acted for Thiess Pty Ltd, John Holland Pty Ltd and CIMIC Group Ltd in proceedings in the Supreme Court of New South Wales concerning road infrastructure in New South Wales. Instructed by Corrs Chambers Westgarth, Sydney.

Acted for Lloyds of London in proceedings brought in the Supreme Court of New South Wales by Tushita Technologies Ltd. Unled, against a silk. Instructed by DLA Piper, Sydney. [Tushita Technologies Ltd v MJ Protective Services Group Pty Ltd \[2022\] NSWSC 413.](#)

Acted for CMOC Mining Pty Ltd in proceedings brought in the Supreme Court of New South Wales by MGW Engineering Pty Ltd arising out of the *Building and Construction Security of Payment Act 1999* (NSW). Instructed by King & Wood Mallesons, Perth. [MGW Engineering Pty Ltd t/a Forefront Services v CMOC Mining Pty Ltd \[2021\] NSWSC 514](#)

Acted for Joye Group Pty Ltd against Cemco Projects Pty Ltd in an appeal heard in the Court of Appeal of New South Wales. [Joye Group Pty Ltd v Cemco Projects Pty Ltd \[2021\] NSWCA 2011.](#)

Acted for the former CEO of Dick Smith Holdings in multiple proceedings brought in the Supreme Court of New South Wales including two representative proceedings. Instructed by Clayton Utz, Sydney.

Acted for the plaintiff in representative proceedings brought in the Supreme Court of New South Wales concerning defects in the Opal Tower. Instructed by Corrs Chambers Westgarth, Sydney.

Acted for SunWater Limited in representative (class-action) proceedings brought in the Supreme Court of New South Wales by Rodriguez and Sons Pty Limited (as a member of the class) concerning flooding in Brisbane, Queensland in 2011. Instructed by Norton Rose Fulbright, Sydney.

Acted for CPB Contractors Pty Ltd and Hansen Yuncken Pty Ltd in an arbitration under the ACICA Arbitration Rules concerning the new Royal Adelaide Hospital. Instructed by King & Wood Mallesons, Sydney.

Acted for Transport for NSW on the Sydney Light Rail Project. Instructed by Ashurst, Sydney.

Acted for Fluor Australia Pty Ltd against Santos Limited in proceedings in the Supreme Court of Queensland in a dispute concerning the construction of LNG infrastructure in Australia. Instructed by Jones Day, Brisbane.

Acted in arbitral proceedings brought by the owner of a rare-earths mine against a large international EPC Contractor under the SIAC Arbitration Rules and pursuant to the *International Arbitration Act (2002 Rev Ed)* (Singapore). Instructed by Jones Day, Brisbane.

Acted in arbitral proceedings brought by a head contractor against the owner of LNG infrastructure in Australia under the UNCITRAL Arbitration Rules and pursuant to the *International Arbitration Act (2002 Rev Ed)* (Singapore). Instructed by Clayton Utz, Brisbane.

Acted for Port Waratah Coal Services Limited (PWCS) in proceedings in the Supreme Court of New South Wales against Avopiling (NSW) Pty Ltd and others concerning the construction of a (rail) dump station for a coal terminal operated by PWCS in Newcastle. Instructed by Herbert Smith Freehills, Sydney.

Acted for Adani Abbot Point Terminal Pty Ltd against John Holland Pty Ltd in an arbitration concerning the construction and commissioning of coal loading infrastructure at Abbot Point in Queensland. Instructed by McCullough Robertson, Brisbane.

Acted for Monadelphous Group Limited in proceedings in the Supreme Court of Queensland brought by Wiggins Island Coal Export Terminal Pty Ltd concerning the construction of coal loading infrastructure in Queensland. Instructed by Jones Day, Brisbane.

Acted for Downer Utilities Australia Pty Ltd (Formerly Tenix Australia Pty Ltd) in proceedings in the Supreme Court of Queensland against Pipeline Drillers Group Pty Ltd concerning the construction of water infrastructure in Queensland. Instructed by Clayton Utz, Brisbane.

Acted for Morgan Stanley Capital Group Inc in proceedings in the Supreme Court of New South Wales against Blue Oil Energy Pty Ltd and others concerning the construction of a diesel storage facility in MacKay, Queensland. Instructed by King & Wood Mallesons, Sydney.

Acted for ACCC in proceedings brought by the ACCC against various airlines including Air New Zealand and P T Garuda under s 45 of the *Trade Practices Act 1974* (Cth); including in *Australian Competition and Consumer Commission v Air New Zealand Ltd* [2014] FCA 1157; (2014) 319 ALR 388; [2014] ATPR 42-490. Instructed by the Australian Government Solicitor.

Appeared for Lend Lease Project Management & Construction (Australia) in *Lend Lease Project Management & Construction (Australia) Pty Ltd v Kellogg Brown and Root Pty Ltd* [2013] NSWSC 1142. Instructed by King & Wood Mallesons, Sydney.