

Lucas Shipway

Solicitor 1999

Barrister 2009

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Lucas Shipway specialises in complex infrastructure and engineering disputes. He regularly appears for private and public clients in disputes in the transportation and resources sectors. He also acts in international arbitrations and general commercial matters, especially product-liability and professional-negligence disputes. He is also regularly briefed in class actions with a construction or infrastructure dimension.

Lucas is recognised as a preeminent junior in construction and infrastructure Australia-wide in Doyle's Guide and consistently ranked by guides such as the Legal 500 ("Tier 1"), Chambers & Partners and Best Lawyers guides to the bar. Prior to joining the Bar, Lucas was a litigator at Allens in Sydney and at Freshfields Bruckhaus Deringer in London. His wide-ranging experience as a solicitor gives him a useful familiarity with the challenges and priorities for instructors, and an ability to identify quickly how he can best be of assistance.

Lucas is a regular contributor to the Building

and Construction Law Journal published by Thomson Reuters and presents seminars as part of Greenway's CPD programme.

Outside chambers, Lucas enjoys music and long-distance running. He has participated in marathons in Australia and overseas, and trail-running events including the North Face 100 (100km), the Oxfam Trailwalker (100km) and the Tasmanian Overland Track (80km). He is a proud member of the Greenway Chambers band, The Smoking Guns.

QUALIFICATIONS

- Bachelor of Arts and Bachelor of Laws (Hons) - University of Tasmania 1997
- LLM - University of Sydney 2016

SPECIALISATIONS

- Construction and infrastructure law
- Commercial law and equity
- Product liability
- Insurance law
- Professional negligence
- Arbitration and alternative dispute resolution

Selected Decisions

BSA Advanced Property Solutions (Fire) Pty Ltd v Ventia Australia Pty Ltd [2022] NSWCA 82 - applicability of Security of Payment Act to a claim under more than one contract (bench of five judges of appeal, unled)

Forte Sydney Construction Pty Ltd v N Moit & Sons (NSW) Pty Ltd [2022] NSWCA 186 - successful appeal on principles governing formation of contracts (unled)

Crown Green Square Pty Ltd v Transport for NSW [2021] NSWSC 1557 - dispute as to scope of work under contract to upgrade train station (unled)

Fitz Jersey Pty Ltd v Atlas Construction Group Pty Ltd (in liq) [2021] NSWSC 1692 - liability for payment of dividend from adjudication under Security of Payment Act where contractual entitlement in dispute (led by M Christie SC)

Williamson v Sydney Olympic Park Authority - class action regarding defective building work at Opal Tower (led by R Cheney SC; settled immediately prior to hearing)

Cadia Holdings Pty Ltd v Downer EDI Mining Pty Ltd [2020] NSWSC 1588 - application of Security of Payment Act to mining operations (unled).

Selected Current Matters

Hunt Leather Pty Ltd v Transport for NSW (heard by Cavanagh J in November/December 2022; currently reserved) - class action arising from the Sydney Light Rail project (led by A Bannon SC)

The Owners - Strata Plan No 87231 v 3A Composites GmbH - class action relating to the sale and marketing of combustible cladding to be heard in 2024 (led by M Darke SC)

LCT-MRE Nominees Pty Ltd v Thiess Pty Ltd - multi-party proceedings regarding alleged defects in the Lane Cove tunnel (led by T Breakspear SC)

Queensland Motorways Pty Limited v CPB Contractors Pty Limited - multi-party dispute in Supreme Court of Queensland arising from alleged motorway defects (led by S Doyle KC)

ACICA arbitration (Sydney) - acting for Transport for New South Wales in dispute arising from the Sydney Metro Northwest Project (led by R Higgins SC)

ICC arbitration (Singapore) - acting for Kawasaki Heavy Industries Ltd (Japan) in a dispute arising from the Ichthys offshore gas project (led by M Christie SC and T Mehigan SC).

Selected Publications

"Single Apportionable Claims Under the Civil Liability Act 2002" (2018, CPD paper)

"Negligence in Design and Construction: The Impact of the Contractual Matrix" (2016) 32 BCL 289

Professional Recognition

Doyles Guide Leading Construction & Infrastructure Junior Counsel (Australia) - Preeminent 2022 - 2024

Doyles Guide Leading Construction & Infrastructure Junior Counsel (NSW) - Preeminent 2022 - 2025

Chambers & Partners - Construction & Infrastructure Band 2, 2022 - 2024

Legal 500 Rankings Leading Juniors - Construction, Infrastructure and Property, 2022 - 2024

Recognised in Best Lawyers in Australia since 2020 under the category of Construction/Infrastructure Law