

DAVID TALINTYRE

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AUSTRALIA

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CURRICULUM VITAE

Academic Qualifications:

- Diploma in Law (Dip Law) – awarded by Legal Practitioners Admission Board (NSW)
- Professional Certificate in Arbitration – awarded by Adelaide University (SA)
- Practitioner's Certificate in Mediation and Conciliation – awarded by the Institute of Arbitrators and Mediators Australia (IAMA)

Professional Qualifications/Memberships:

- Member – New South Wales Bar Association
- Member – Commercial Law Association (CLA)
- Member – Institute of Arbitrators and Mediators Australia (IAMA)
- Member – Society of Construction Law Australia (SoCLA)
- Member – Building Dispute Practitioners Society (BDPS)
- Member – Australian Insurance Law Association (AILA)
- Member – NSW Claims Discussion Group (NSW CDG)
- Member – NSW Engineering Discussion Group (NSW EDG)
- Member – Women in Insurance
- Accredited Mediator – Institute of Arbitrators and Mediators Australia (IAMA)
- Admitted to practice as a barrister in New South Wales and all federal jurisdictions.

Professional Experience:

1998 – Present

Practice as a barrister at the Sydney Bar in the fields of Building, Engineering, Mining and Construction; Commercial/Equity; Insurance and Personal Injury Law; with a particular interest in Alternate Dispute Resolution.

- Briefed in a wide range of building, engineering, mining and construction disputes from minor residential developments to multi-million dollar commercial projects. Examples of larger projects include the Osborne Co-Generation Project (SA), the Conservatorium of Music Redevelopment (NSW) and the West Camden Sewage Treatment Plant (NSW). Appeared in the Local, District and Supreme Courts (NSW), the Consumer Trader & Tenancy Tribunal (NSW), the Civil and Administrative Tribunal (NSW) and in numerous mediations, conciliations, references and arbitrations.
- From 2003 to date briefed by various NSW government departments and statutory corporations to prepare and appear in large scale, complex building, engineering and construction disputes.
- Briefed in a wide range of commercial/equity matters largely involving contractual disputes, managed investment schemes, the sale of businesses and/or property. Appeared in the Local, District and Supreme Courts, the Court of Appeal (NSW), the Federal Court and the High Court (Cth).
- Briefed in a wide range of insurance matters, often involving questions of indemnity and the proper construction of insurance contracts. Appeared in the District and Supreme Courts, the Court of Appeal (NSW), the Dust Diseases Tribunal (NSW) and the High Court (Cth).
- Briefed in a wide range of personal injury matters running the full gamut of available rights and obligations, including industrial accidents, dust diseases, motor accidents, public liability, medical negligence, victim's compensation and statutory prosecutions. Appeared in the Local, District and Supreme Courts (NSW), the Dust Diseases Tribunal (NSW), the Court of Appeal (NSW), the High Court (Cth), the Compensation Court and Workers Compensation Commission (NSW), Administrative Appeals Tribunal of Australia (Cth), Federal Court (Cth), Industrial Relations Commission (NSW & Cth), Industrial Court (NSW) and Victims Compensation Tribunal (NSW).
- From 2003 to date involved in the mediation and conciliation of hundreds of disputes in various fields of law as Counsel or Mediator. Familiar with mediation and conciliation processes and pro-active in their use as a flexible and cost-effective alternative to the judicial determination of disputes.

1990 – 1998

Employment as a para-legal and solicitor in various NSW law firms. Responsible for the advising of clients and the preparation and conduct of a wide range of litigation in the fields of Personal Injury, Commercial, Industrial, Family and Criminal Law. Some experience also gained in the fields of Conveyancing, Wills and Estates and the costing of legal work.

Professional Activities:

- Contributed a number of Case Notes to *The Arbitrator and Mediator*, a professional journal published by IAMA.
- Active in professional association events including attendance at annual conferences and NSW Chapter forums.
- Participated in IAMA Expert Witness training courses, usually with participants from the building and construction industry.
- Speaker at CLE/CPD seminars on various topics.
- Previous Director and Secretary of 14th Floor Wardell Chambers.
- Previous Director of Level 22 Chambers.
- Participated in the education of law students at the College of Law (NSW).
- Active in the mentoring of several junior lawyers.
- Coached teams from Manly Selective High School and St Luke's Grammar School in the Mock Trial Competition run by the Law Society of NSW from 2001 to 2007.
- Provided temporary intern positions to a number of German law students.

Past Cases:

South 32 Ltd v Allfab Constructions Pty Ltd [2019] NSWCA 132 (11 June 2019)

Leslie Corbett v South 32 Limited (No 3) [2018] NSWDC 394 (21 November 2018)

Leslie Corbett v South 32 Limited (No 2) [2018] NSWDC 232 (3 August 2018)

Zaya v Manidis Roberts Pty Ltd and UGL Infrastructure Pty Ltd and Anor [2018] NSWSC 388 (20 March 2018)

Leslie Corbett v South 32 Limited [2018] NSWDC 179 (15 March 2018)

Addison v BHP Billiton Iron Ore Pty Ltd [2017] NSWSC 1407 (11 October 2017)

Ryan v Thales Australia Limited [2017] NSWSC 1014 (1 August 2017)

Knibbs v Sheteh, Sheteh, George Koolbanis t/as Lancelot Plumbing & Vlahos; George Koolbanis t/as Lancelot Plumbing v Vlahos [2017] NSWDC 119 (25 May 2017)

Leman v HV Operations Pty Limited [2017] NSWDC 113 (24 May 2017)

Simic v New South Wales Land and Housing Corporation [2016] HCA 47 (7 December 2016)

Simic v New South Wales Land and Housing Corporation [2015] NSWCA 413 (18 December 2015)

Patrick Stevedores Operations (No 2) Pty Ltd v Hennessy; FBIS International Protective Services (Aust) Pty Ltd v Hennessy [2015] NSWCA 253 (27 August 2015)

BlueScope Steel Ltd v Cartwright (No 2) [2015] NSWCA 96 (14 April 2015)

New South Wales Land and Housing Corporation v Australia and New Zealand Banking Group Limited [2015] NSWSC 176 (9 March 2015)

BlueScope Steel Ltd v Cartwright [2015] NSWCA 25 (23 February 2015)

Hennessy v Patrick Stevedores Operations & Anor (No 2) [2014] NSWSC 1850 (20 December 2014)

Hennessy v Patrick Stevedores Operations & Anor [2014] NSWSC 1716 (2 December 2014)

Dunning v BHP Billiton Limited [2014] NSWDDT 3 (31 July 2014)

Alfonso Russo v BHP Billiton Nickel West Pty Limited & Power Step (Australia) Pty Limited [2014] NSWSC 794 (16 June 2014)

Bauen Constructions Pty Limited v New South Wales Land and Housing Corporation [2014] NSWSC 684 (29 May 2014)

BHP Billiton Ltd v Dunning [2013] NSWCA 421 (10 December 2013)

Perry & Bell v ARTC & Ors (No 3) [2013] NSWSC 1049 (26 July 2013)

Cartwright v Bluescope Steel Ltd [2013] NSWSC 900 (9 July 2013)

Perry and Bell v Australian Rail Track Corporation Ltd & Ors [2013] NSWSC 714 (7 June 2013)

Bradshaw v Sydney Airport Corporation [2013] NSWDC 53 (30 April 2013)

CH2M Hill v State of NSW [2012] NSWSC 1343 (8 November 2012)

Quinn v Coal Mine Services Pty Limited [2012] NSWSC 1158 (27 September 2012)

CH2M Hill v State of NSW [2012] NSWSC 963 (24 August 2012)

CH2M Hill Australia v State of NSW [2012] NSWSC 808 (16 July 2012)

Rebecca Nemeth v Westfield Limited & P T Limited [2012] NSWDC 77 (25 May 2012)

Lend Lease Property Management and Construction Pty Limited, formerly Bovis Lend Lease Pty Limited v National Fire Solutions Pty Ltd [2011] NSWSC 739 (15 July 2011)

Insight Vacations Pty Ltd v Young [2011] HCA 16 (11 May 2011)

Insight Vacations Pty Ltd T/as Insight Vacations v Young [2010] HCATrans 305 (12 November 2010)

(Re Ross Lloyd Barlow) Power Technologies Pty Ltd v Vero Insurance Ltd (No. 2) [2010] NSWDDT 15 (17 September 2010)

Insight Vacations Pty Ltd v Young [2010] NSWCA 137 (11 June 2010)

Global Security Pty Ltd v John Oxley Building Services Pty Ltd (Home Building) [2010] NSWCTTT 189 (7 May 2010)

Strata Plan 39743 v Linknarf Management Services; Alan J Crowley v Linknarf Managements Services [2010] NSWSC 225 (26 March 2010)

Power Technologies Pty Ltd v Vero Insurance Ltd [2009] NSWDDT 21 (8 September 2009)

Hans Pet Constructions Pty Limited v Cassar [2009] NSWCA 230 (31 July 2009)

Stephanie Young v Insight Vacations Pty Limited [2009] NSWDC 122 (4 June 2009)

Workers Compensation Nominal Insurer v McIntyre and Anor [2009] NSWWCCPD 36 (31 March 2009)

Cassar v Hans Pet Constructions Pty Ltd [2008] NSWSC 1386 (23 December 2008)

Tosich v Tasman Investment Management Limited [2008] FCA 377 (20 March 2008)

Vero Insurance Limited v Power Technologies Pty Ltd [2008] HCATrans 134 (7 March 2008)

Vero Insurance Limited v Power Technologies Pty Ltd [2007] NSWCA 226 (29 August 2007)

(Re Barlow) Power Technologies Pty Ltd v Vero Insurance Ltd [2006] NSWDDT 6 (22 March 2006)

Sim v Australian Postal Corporation [2004] AATA 376 (14 April 2004)

Buckwell v Andre Porebski & Associates Pty Ltd [2003] NSWCC 13 (26 February 2003)

Inspector Colin West v Parsons Bus Service Pty Ltd [2002] NSWIRComm 148 (12 July 2002)

Grzechnik v Algraz [2001] NSWCC 58 (27 February 2001)

Davidson v Intertan Australia Ltd t/as Tandy Electronics [2001] NSWCC 8 (22 February 2001)

Treloar and Telstra Corporation Ltd [1999] AATA 443 (21 June 1999)

Maria De Oliveira Antonio v Portuguese Welfare Centre [1999] NSWIRComm 153 (20 April 1999)

Briefed by:

A.O. Ellison & Co.
Barry Nilsson
Bartier Perry
Beilby Poulden Costello
Blackstone Waterhouse
Blake Dawson Waldron
Blomfields
Bridges
Burridge Harris & Flynn
Carter Newell
Church & Grace
Clayton Utz
Clyde & Co
Colin Biggers & Paisley
Corrs Chambers Westgarth
Curwoods
Cutler Hughes & Harris
Dexter Healey
Dibbs Abbott Stillman
Dibbs Barker Gosling
DLA Phillips Fox
DLA Piper
Dormer Stanhope
Ebsworth & Ebsworth
Eddy & Moloney
Eden King
Edwards Michael Moroney
Ellison Tillyard Callanan
Gadens
G. B. Fernie & Co.
Gillis Delaney
Hamer & Hamer
HBM
Hicksons
Holding Redlich
HWL Ebsworth

Kemp Strang
Kennedys
Lander & Rogers
Lee & Lyons
Leitch Hasson Dent
Linton Pitt
McCabes
McCabe Curwood
McCabe Terrill
McCulloch & Buggy
Mallesons Stephen Jaques
Mark Stenberg & Associates
Marsdens
Mason Black
Meridian
Mills Oakley
Moray & Agnew
Nevill & Edwards
Piper Alderman
Robertson Saxton Primrose Dunn
Shaw McDonald
Slater & Gordon
Sparke Helmore
Stacks
Summit Law
Teakle Ormsby Conn
Thompson Cooper
Tillyard & Callanan
TressCox
Truman Hoyle
Walkom
Watkins Tapsell
Wotton + Kearney
Yeldham Price O'Brien Lusk
YPOL

Corporate and Government Clients:

Allfab Constructions Pty Ltd

All State Electrical Services Pty Ltd

Amcor Packaging Australia Pty Ltd

American Express Australia Limited

ARA Fire Protection Services Pty Ltd

Asciano Pty Ltd

Assetlink Services Pty Ltd

Austagencies Pty Ltd

Austin Australia Pty Ltd

Australian Consulting Engineers Pty Ltd

Australian Leisure & Hospitality Group Pty Ltd

Australian Rail Track Corporation Ltd

Barclay Mowlem Construction Limited

Beltana Highwall Mining Pty Ltd

Berkeley Challenge Pty Ltd

BHP Billiton Limited

BHP Billiton Iron Ore Pty Ltd

BHP Billiton Nickel West Pty Ltd

Big Switch Projects Pty Ltd

Billbergia Group Pty Ltd

Bovis Lend Lease Pty Ltd

BlueScope Steel (AIS) Pty Ltd

Built NSW Pty Ltd

Bunnings Group Limited

Burwell Technologies Pty Ltd

Capral Aluminium Limited

Clean Domain Pty Ltd

Cleaning Edge Solutions Pty Ltd

Coal & Allied Operations Pty Ltd

Coles Supermarkets Australia Pty Ltd

Crane Enfield Metals Pty Ltd

Crown Equipment Pty Ltd

Defence Maintenance Management Pty Ltd

Denton Corker Marshall Pty Ltd

Department of Public Works & Services (NSW)

DHL Supply Chain (Australia) Pty Ltd

Downer Engineering Pty Ltd

Elderton Engineering Services Pty Ltd

FMP Group (Australia) Pty Ltd

Full View Plastics Pty Ltd

Gemco Rail Pty Ltd

Gil Mathew Steel Pty Ltd

Glad Cleaning Service Pty Ltd

Glavcom Pty Ltd

Global Security Pty Ltd

Government Property NSW

Graincorp Limited

Grow Choice Pty Ltd

Healthscope Limited t/as Campbelltown Private Hospital

Hungry Jack's Pty Ltd

Hurricane Earthworks & Demolition Pty Ltd

ING Real Estate Investment Management Australia Pty Ltd

Inner West Council

Insight Vacations Pty Ltd

Institute of Chartered Accountants in Australia

K & H Ainsworth Engineering Pty Ltd

Kentucky Fried Chicken Pty Ltd

Kmart Australia Limited

Land & Housing Corporation of New South Wales

Lend Lease Project Management & Construction Pty Ltd

Lend Lease Real Estate Investments Limited

Liberty International Underwriters

Lumino Limited

McAlpine Hussman Pty Ltd

Mannion Drilling Pty Ltd

Mascot Concrete Services Pty Ltd

Meinhardt (NSW) Pty Ltd

Metalcorp Recyclers Pty Ltd

Metwest Engineering Pty Ltd

Monarch Group Pty Ltd

Multispan Australia Pty Ltd

Northern Beaches Council

NSW Health Service t/as Westmead Hospital

Onesteel Recycling Pty Ltd

Origin Energy Limited

Pacific National Pty Ltd

Pacific Underwriting Corporation Pty Ltd

Patrick Stevedoring Pty Ltd

Pennings Enterprises Pty Ltd

Penrith City Council

Persepolis Developments Pty Ltd

Priority Fuel Management Pty Ltd

Prosight Lloyd Syndicates 1110

Quickstep Technologies Pty Ltd

Rail Corporation NSW

Rapid Construction Pty Ltd

RDM Bega Pty Ltd

Red Lea Chickens Pty Ltd

Remedial Building Services Pty Ltd

Richard Crookes Constructions Pty Ltd

Roads & Maritime Services

RPS Manidis Roberts Pty Ltd

Scentre Shopping Centre Management Pty Ltd

Sharp Corporation of Australia Pty Ltd

Southern Cross Constructions Pty Ltd

Splendour In The Grass Pty Ltd

Spotless Facility Services Pty Ltd

State of New South Wales

Steinhoff Asia Pacific Pty Ltd t/as Freedom Furniture

Sunshine Coast Regional Council

Sydney Airport Corporation Limited

Sydney Olympic Park Authority

Sydney Ship Repairs & Engineering Pty Ltd

Sydney Water Corporation

Taggart Global Australia Pty Ltd

Target Australia Pty Ltd

Tekno Tiles Australia Pty Ltd

The Hopetoun Group Pty Ltd

Transfield Corporate Pty Ltd

Transpacific Cleanaway Pty Ltd

Transport Infrastructure Development Corporation

Trustees of the Roman Catholic Church (various dioceses)

UGL Engineering Pty Ltd

Ulan Coal Mines Limited

Ulan West Operations Pty Ltd

United Collieries Pty Ltd

Vaughan Constructions Pty Ltd

Vero Insurance Limited

VIP Plastic Packaging Pty Ltd

Visy Paper Pty Ltd

Wade Civil Engineering Pty Ltd

Wardrobe & Carroll Engineering Pty Ltd

Waterway Constructions Pty Ltd

Watpac Constructions (NSW) Pty Ltd

Waverley Municipal Council

Westfield Limited

Westfield Shopping Centre Management Co Pty Ltd

Westpac Limited

Woolworths Limited