

Michael Rudge SC

Barrister-at-law, Nigel Bowen Chambers

Background and Qualifications

Michael was called to the Bar in 1982 and took silk in 1998. His litigation expertise is almost exclusively in the fields of Building and Construction and General Commercial law. Michael is one of the leading specialists in Construction & Infrastructure at the Australian Bar as recognised in Doyles Guide.

Michael is regularly appointed by the New South Wales Supreme Court and District Court as a referee in building disputes. He has conducted numerous Arbitrations, Mediations and Expert Determinations over the years holding the titles of both Grade 1 and 2 Arbitrator.

Following graduation in law, Michael practiced as a solicitor with Allen Allen & Hemsley from 1973 until 1982 when he was called to the Bar. During his time with Allens, Michael practiced in general commercial litigation.

Experience at the Bar and Notable Cases

Michael's practice involves large scale construction litigation for both principals and builders, and very often the insurers where the amount in issue involves multimillions of dollars. He is also regularly briefed in Civil Works claims.

Typically the cases in which Michael is briefed are in the Supreme Court of New South Wales, although he has conducted cases in other jurisdictions including Victoria and Queensland.

Michael has conducted, many hundreds of cases and many of these have been reported in the NSW Law Reports, the Building and Construction Law Reports, and the Commonwealth Law Reports. In particular, Michael has in the last 17 years or so, developed a particular interest in cases to do with the Building & Construction Industry Security of Payment legislation appearing in numerous reported cases arising under this legislation.

Michael was previously appointed in an ICC Arbitration as Chairman of a three person panel consisting of Michael (as chairman) Morton Rolfe QC and Noel Hutley SC as the other members. He has vast expertise in energy matters including electricity as he was appointed as chairman of a long running, high value and complex dispute involving Ausgrid and separately relating to Wind Farms and Wind Energy.

Michael's Cases, Arbitrations, Mediation and Expert Determinations include:

- Re: M4-M5 link
- Re: Ausgrid
- Re: Wind Energy
- *Keller Pty Limited and Fulton Hogan Constructions Pty Limited – Grafton Crossing*
- *Owners Corporation 80609 v Paragon, Glenvine and Alexander*
- *Arconic Australia Rolled Products Pty Ltd v McMahon Services Pty Limited*
- *Owners SP 80877 v J & B Elias Pty Ltd & Ors*
- *Pentair Water Operations Australia Pty Ltd v Seghers-Applied Pty Ltd*
- *Owners SP 81382 v Meriton Property Management Pty Limited & Karimbla Constructions*
- *Laing O'Rourke Australia Constructions Pty Limited ats Downer EDI Ltd*
- *Denham Constructions Pty Limited and Illawarra Retirement Trust*
- *Meriton Apartments Pty Ltd v Owners of Strata Plan No 72, 381 (No 3) - BC201608215 - 23/09/2016*
- *Owners - Strata Plan No 77475 v Walker Group Constructions Pty Ltd - BC201606838 - 16/08/2016*
- *Owners Strata Plan No 64970 v Austruc Constructions Ltd (No 3) - BC201000614 - 18/02/2010*
- *Eko Investments Pty Ltd v Austruc Constructions Ltd - BC200902006 - 31/03/2009*
- *Taylor Projects Group Pty Ltd v Brick Dept Pty Ltd - BC200504615 - 17/06/2005*
- *Pavey & Mathews Pty Ltd v Paul (1987) 162 CLR 221*

Michael regularly presents papers to industry groups in relation to the building and construction industry.

Memberships and Recommendations

- New South Wales Bar Association
- Doyles Guide 2020 – Recommended as “leading Senior Counsel” – Construction & Infrastructure