

Table of Cases

| | |
|---|------------------------------|
| AC Hatrik (NZ) Ltd v Nelson Carlton Construction Co Ltd [1965] NZLR 144 | 75 |
| ACR Trading Pty Ltd v Fat-sel Pty Ltd (No 3) (1987) 11 NSWLR 67 | 24 |
| AWA Ltd v Daniels (1992) 7 ACSR 759 | 182, 185, 186 |
| Abrahams v Federal Commissioner of Taxation (1944) 70 CLR 23 .. | 514, 515, 583 |
| Adams v ETA Foods (1987) 78 ALR 611 | 204 |
| Alexander v Cambridge Credit Corporation Ltd (1987) 9 NSWLR 310 .. | 66, 67 |
| Alghussein Establishment v Eton College [1991] 1 All ER 267 | 109 |
| Allen v United Carpet Mills Pty Ltd [1989] VR 323 .. | 194, 205, 225, 226, 227, 231 |
| Alliance Petroleum NL v Australian Gas Light Co (unreported, SA Sup Ct, Lander J, 23 December 1994) | 256 |
| Amalgamated Building Contractors Ltd v Waltham Holy Cross Urban District Council [1952] 2 All ER 452 | 109, 110 |
| Amalgamated Society of Engineers v Adelaide Steamship Co Ltd (1923) 28 CLR 129 | 551 |
| Arenson v Casson Beckman Rutley & Co [1975] 3 All ER 901 | 73 |
| Arnold and Co Ltd v Attorney-General (Hong Kong) (unreported, High Court of Hong Kong, Sears J, 3 March 1989) | 104 |
| Associated Provincial Picture House Ltd v Wednesbury Corporation [1948] 1 KB 233 | 14, 24, 31 |
| Attorney-General v McLeod (1893) 14 LR (NSW) 246 | 79, 80, 81, 83 |
| Aurel Forras Pty Ltd v Graham Karp Developments Pty Ltd [1975] VR 202 | 108 |
| Austotel Pty Ltd v Franklins Selfserve Pty Ltd (1989) 16 NSWLR 582 .. | 84 |
| Australian Consolidated Investments Ltd v Rossington Holdings Ltd (1992) 7 ACSR 341 | 580 |
| Australian Paper Manufacturers Ltd v American International Underwriters (Australia) Pty Ltd [1994] 1 VR 685 | 214 |
| | |
| BFI Group v DCB Integration Systems Ltd [1987] CILL 348 | 103 |
| Bacal Construction (Midlands) Ltd v The Northampton Development Corporation (1975) 8 BLR 88 | 95 |
| Balfour Beatty Power Construction Australia Pty Ltd v Kidston Goldmines Ltd [1989] Qd R 105 | 113 |
| Barry v Minister for Environment and Planning (unreported, Land & Environment Ct, 7 December 1983) | 32 |
| Baskett v Bendigo Gold Dredging Co Ltd (1902) 21 NZLR 166 | 105 |
| Bedford v Borough of Cudgegong (1900) 16 WN (NSW) 142 | 80 |
| Bevan Investments Ltd v Blackhall & Struthers (No 2) [1973] NZLR 45; [1978] 2 NZLR 97 | 74 |
| Bevanere Pty Ltd v Lubidineuse (1985) 59 ALR 334 | 96 |
| Biljabu v Western Australia (1995) 128 ALR 1 | 451 |

| | |
|---|-----------------|
| Blackford & Sons (Calne) Ltd v Christchurch Corporation (1962) 60 LGR 214 | 98 |
| Blunn v Cleaver, Re (1993) 119 ALR 65 | 403, 404 |
| Bonette v Woolworths Ltd (1937) 37 SR (NSW) 132 | 222 |
| Bottoms v Lord Mayor etc City of York (1892) Hudson's Building Contracts (4th ed), 1892, p 208 | 80 |
| Bramall & Ogden Ltd v Sheffield City Council (1983) 29 BLR 73 | 104 |
| Brandy v Human Rights and Equal Opportunity Commission (1995) 127 ALR 1 | 505 |
| Briggs v James Hardie & Co Pty Ltd (1989) 16 NSWLR 549 | 234 |
| Brimblecombe v Duncan; Ex parte Duncan [1958] Qd R 8 | 231 |
| Brodie v Cardiff Corporation [1919] AC 337 | 80 |
| Bryan v Maloney (1995) 182 CLR 609 | 95 |
| Bugge v Brown (1919) 26 CLR 10 | 222 |
| Bysouth v Shire of Blackburn and Mitcham (No 2) [1928] VLR 562 .. | 82, 83 |
| | |
| CSR Ltd (t/a CSR Readymix) v Wingebarriebee Shire Council (unreported, NSW Land & Environment Ct, 17 December 1990) | 33 |
| Cairns-Mulgrave Water Supply Board v Watts Construction Division Pty Ltd (unreported, Qld Sup Ct, Connolly J, 29 April 1983) | 93 |
| Canadian Dredge & Dock Co Ltd v The Queen (1985) 19 CCC (3d) 1 .. | 190, 222 |
| | |
| Canterbury Pipelines Ltd v Christchurch Drainage Board [1979] 2 NZLR 347 | 75, 76 |
| Carr v JA Berriman Pty Ltd (1953) 89 CLR 327 | 100 |
| Carter and Calgaro v Amatek Ltd (1992) 77 LGRA | 303 |
| Caughey; Re, Ex parte Ford (1876) 1 Ch D 521 | 186, 205 |
| Chadmax Plastics Pty Ltd v Hansen and Yuncken (SA) Pty Ltd (1984) 1 BCL 52 | 85 |
| Chambers v Goldthorpe, Restell v Nye [1901] 1 KB 624 | 73 |
| Chapman v Tickner (1995) 55 FCR | 316 |
| Chas Drew Pty Ltd v JF & P Consulting Engineers Pty Ltd (1989) 10 BCL 48 | 66 |
| Citicorp v Hendry (unreported, NSW Sup Ct, Clarke J) | 102 |
| City Equitable Fire Insurance Co Ltd, Re [1925] 1 Ch 407 | 181, 202 |
| Collins v State Railway Authority of New South Wales (1986) 5 NSWLR 209 | 222 |
| Commissioner for Main Roads v Reed and Stuart Pty Ltd (1974) 131 CLR 378; 48 ALJR 461 | 86, 108 |
| Commissioner of Corporate Affairs v Bracht [1989] VR 811 | 184 |
| Commissioners of State Bank (Vic) v Costain Australia Ltd (1983) 2 ACLR 1 | 109 |
| Commonwealth v Citra (unreported, Qld Sup Ct) | 96 |
| Commonwealth v Grunseit (1943) 67 CLR 58 | 553 |
| Commonwealth v Hooper (unreported, NSW Sup Ct, Court of Appeal, No 40754 of 1990) | 332 |
| Commonwealth v Jennings Construction Ltd (1985) A Const LR, Vol 4, No 2, p 19 | 93 |
| Commonwealth v Queensland (1920) 29 CLR 1 | 550 |
| Commonwealth v Verwayen (1990) 170 CLR 394 | 66 |
| Cooling v Federal Commissioner of Taxation (1990) 90 ATC 4,472 | 395 |
| Cooper v ICI Australia Operations Pty Ltd (1987) 31 A Crim R 267 | 194 |
| Corben v Hayes (unreported, NSW Sup Ct (FC), 27 April 1964) | 68 |
| Corona Resources Ltd v Lac Mineral Ltd (1988) 44 DLR (4th) 592 | 563 |

TABLE OF CASES

xiii

| | |
|--|---------------|
| Crickitt v Kursaal Casino [1968] 1 All ER 139 | 186 |
| Crondace Ltd v London Borough of Lambeth (1986) 33 BLR 20 | 112 |
| Cross v Leeds Corporation (1902) Hudson's Building Contracts (4th ed) 1902, Vol 2, p 339 | 75 |
| Council of the Shire of Sutherland v Heyman (1985) 157 CLR 424 | 72 |
| Cullen v Corporate Affairs Commission (1989) 7 ACLC 121 | 184 |
| | |
| Delgamuukw v British Columbia (1993) 104 DLR (4th) 470 | 500 |
| Demers v Dufresne Eng Co Ltd [1979] 1 SCR 146 | 78 |
| Denham and Co, Re (1883) 25 Ch D 752 | 181 |
| District Road Board etc of Broadmeadows v Mitchell (1867) 4 WW & a'B (L) 101 | 79, 81 |
| Diversified Mineral Resources v CRA Exploration Pty Ltd (unreported, Fed Ct of Aust, Whitlam J, 3 February 1995) | 558 |
| Dixon v South Australian Railways Commission (1923) 34 CLR 71 | 75 |
| Dodd v Churton [1897] 1 QB 562 | 108 |
| Dunlop Pneumatic Tyre Co Ltd v New Garage & Motor Co Ltd [1915] AC 79 | 105 |
| | |
| EC Ernst Inc v Manhattan Construction Co 551 F 2d 1026 (1977) | 78 |
| EC Ernst Inc v Manhattan Construction Co of Texas 387 F Supp 1001 (1974) | 106 |
| Earl of Rutland's Case (1608) 8 Co Rep 55a; 77 ER 555 | 543 |
| Electronic Industries Ltd v David Jones Ltd (1954) 91 CLR 288 | 70 |
| Ellis-Don Ltd v Parking Authority (Toronto) (1978) 28 BLR 99 | 108 |
| Emson Eastern Ltd (in receivership) v EME Developments Ltd [1991] CILL 696; (1991) 55 BLR 117 | 100 |
| Engineers' case—see Amalgamated Society of Engineers v Adelaide Steamship Co Ltd | |
| Esanda Finance Corporation v Plessnig (1989) 63 ALJR 238 | 103 |
| Esso Australia Resources Ltd v Plowman (1995) 128 ALR 391 | 346 |
| | |
| FG Minter Ltd v Welsh Health Technical Services Organisation (1980) 13 BLR 1 | 113 |
| F Koo v E Kelly Pty Ltd (unreported, NSW Land & Environment Ct, 21 June 1991) | |
| Farley & Lewers (Qld) Pty Ltd v Tweed Shire Council (unreported, NSW Land & Environment Ct, 12 March 1985) | 26 |
| Florida Hotels Pty Ltd v Mayo (1965) 113 CLR 588 | 76 |
| Ford & Co and Bemrose & Sons, Re (1902) Hudson's Building Contracts (4th ed), p 324 | 86 |
| Forman & Co Pty Ltd v The Ship Liddesdale [1990] AC 190 | 79, 81 |
| Fraser v NRMA Holdings Ltd (1995) 15 ACSR 590 | 574 |
| | |
| G J Coles & Co Ltd v Goldsworthy [1985] WAR 183 | 222 |
| Gala v Preston (1991) 132 CLR 243 | 72 |
| Gantry Acquisition Corporation v Parker & Parsley Petroleum Australia Pty Ltd (1994) 14 ACSR 11 | 570, 576, 577 |
| Geraldton's Fisherman's Co-operative Ltd v Munro [1963] WAR 129 ... | 231 |
| Goodes v General Motors Holden Pty Ltd [1972] VR 386 | 225 |

| | |
|--|----------|
| Greaves and Co (Contractors) Ltd v Baynham Meikle & Partners [1975] | 74 |
| 1 WLR 1095 | 74 |
| Greenpeace Australia Ltd v Redbank Power Co Pty Ltd (unreported, Land & Environment Ct, Pearlman CJ, 10217 of 1994) | 36 |
| | |
| H & S Alexander v Housing Commission (Vic) (1985) 4 ACLR 85 | 108 |
| Hadley v Baxendale (1854) 9 Ex 341; 156 ER 145 | 113 |
| Hale v Parramatta City Council (1982) 47 LGRA 269 | 14, 24 |
| Hamilton v Whitehead (1988) 82 ALR 626 | 222 |
| Harmer v Cornelius (1858) 5 CB (NS) 236 | 94 |
| Harris v Caladine (1991) 172 CLR 84 | 484 |
| Hawkins v Clayton (1988) 164 CLR 539 | 73 |
| Hepples v Federal Commissioner of Taxation (1992) 173 CLR 492 | 395 |
| Hortico Australia Pty Ltd v Energy Equipment Co (Australia) Pty Ltd (1985) | |
| 1 NSWLR 545 | 62 |
| Hospital Products Ltd v United States Surgical Corporation (1984) 156 | |
| CLR 1 | 561 |
| Humber Oils Terminal Trustees Ltd v Hersistent Offshore Ltd (1981) | |
| 20 BLR 22 | 99 |
| Hungerfords v Walker (1989) 84 ALR 119 | 113 |
| Hunt v Maloney [1959] Qd R 164 | 231 |
| Hydraulic Engineering Co Ltd v McHaffie Goslett & Co (1878) 4 QBD | |
| 670 | 74 |
| | |
| Imperial Tobacco Co v Parslay [1936] 2 All ER 515 | 102 |
| | |
| Jackson v Barry Railway Co [1893] 1 Ch 238 | 75, 76 |
| Jet Corporation of Australia Pty Ltd v Petres Pty Ltd (1983) 50 ALR 122 .. | 96 |
| Jobson v Johnson [1989] 1 WLR 1026; [1989] 1 All ER 621 | 103, 104 |
| John Holland (Constructions) Pty Ltd v Bell Bros Pty Ltd (unreported, | |
| WA Sup Ct, 31 July 1980) | 86 |
| Johnstone v Frazer [1990] ATPR 81-056 | 73 |
| Jungar Holdings Pty Ltd v Eurobodalla Shire Council and Dublee Holdings | |
| Pty Ltd (1989) 70 LGRA 79 | 26 |
| | |
| Kanak v National Native Title Tribunal (1995) 132 ALR 329 | 435 |
| Kemp v Rose (1858) 1 Giff 258; 65 ER 910 | 105 |
| Kenneth McMahon & Partners Pty Ltd v Domain Investments Pty Ltd | |
| (1973) 47 ALJR 240 | 101, 102 |
| Kensington Chelsea & Westminster Area Health Authority v Adams Holden & Partners (1985) 1 Con LR 114 | 78 |
| | |
| LR Beilharz Investments Pty Ltd v Darling Harbour Authority (unreported, NSW Land & Environment Ct, Bignold J, 23 April 1991) | 33 |
| Lamb v Wright & Co [1924] All ER Rep 220 | 186, 205 |
| Lax v Glenmore Pty Ltd (1969) 90 WN (Pt 1) (NSW) 703 | 103 |
| Liebe v Molloy (1906) 4 CLR 347 | 81, 83 |
| Lipatora v United States (1985) 471 US 1208 | 193 |

| | |
|--|--|
| London Borough of Merton v Leach (1985) 32 BLR 51 | 71 |
| Lowa v Akipe [1991] PNGLR 265; [1992] PNGLR 399 | 139 |
| Lubenham Fidelities v South Pembrokeshire District Council (1986) 33 BLR 39 | 77 |
| Luff v Oakey (1986) 82 FLR 91 | 222 |
| | |
| Mabo v Queensland (No 1) (1988) 166 CLR 186 | 538, 539, 543 |
| Mabo v Queensland (No 2) (1992) 175 CLR 1; 66 ALJR 408 .. | 273, 275, 459, 460, 487, 492, 497, 498, 500, 502, 503, 537, 538, 540, 541, 544, 548 |
| MacKay v Dick (1881) 6 App Cas 251 | 69, 70 |
| MacMahon Construction Pty Ltd v Crestwood Estates [1971] WAR 162 .. | 107, 110 |
| Mallesons v KPMG Peat Marwick (1990) 4 WAR 357 | 367 |
| March v E & MH Stramare Pty Ltd (1990) 171 CLR 506 | 67 |
| Martin v McGinnis (1894) 20 VLR 556 | 226 |
| McAlpine Humeroak v McDermott International Inc [1992] CILL 747 .. | 106 |
| McCathie v Federal Commissioner of Taxation (1944) 69 CLR 1 | 583 |
| McCawley v The King [1920] AC 691 | 491 |
| McKenzie v G J Coles & Co Ltd [1986] WAR 224 | 231 |
| McKone v Johnson [1966] 2 NSW 471 | 68 |
| Melbourne Harbour Trust Commissioners v Hancock (1927) 39 CLR 570 | 83 |
| Metal Manufacturers Pty Ltd v Lewis (1988) 13 NSWLR 315 | 203 |
| Meyer v Gilmer (1899) 17 NZLR 771 | 83 |
| Midalco Pty Ltd v Robenalt [1989] VR 461 | 212 |
| Miller v London County Council (1934) 50 TLR 479 | 109 |
| Monmouthshire County Council v Costelloe & Kemple Ltd (1964) 63 LGR 131 | 99 |
| Monmouthshire County Council v Costelloe & Kemple Ltd (1965) 63 LGR 429 | 93, 99 |
| Morgan v S & S Constructions Pty Ltd [1967] VR 149 | 101 |
| Mousell Brothers Ltd v London & North-Western Railway Co [1917] 2 KB 836 | 221, 222, 226, 227, 228, 230 |
| Myers v Sarl (1860) 30 LJQB 9; 121 ER 457 | 80 |
| | |
| Newman, Ex parte Caffer, Re (1876) 4 Ch D 724 | 104 |
| Newton v Warden etc of Municipality of Deloraine (1909) 5 Tas LR 22 .. | 79, 81 |
| New Zealand Structures & Investments Ltd v McKenzie [1979] 1 NZLR 515 | 109 |
| Noranda Australia Ltd v Lachlan Resources NL (1988) 14 NSWLR 1 | 561 |
| Northern Territory v Lane Miriuwung Gajerrong (unreported, Fed Ct of Aust, O'Loughlin J, No 6001 of 1994, 24 August 1995) | 435 |
| North Flinders Mine Ltd v Conn (unreported, NT Sup Ct, Mildren J, 30 January 1995) | 508, 509, 511, 514, 516, 519 |
| North Ganalanja Aboriginal Corporation v Queensland (1995) 132 ALR 565 | 434 |
| Nuttall and Lynton and Barnstaple Railway Co, Re (1899) Hudson's Building Contracts (4th ed), p 279 | 86 |
| | |
| O'Keefe v Williams (1910) 11 CLR 1 71 | 494 |

| | |
|---|---------------------|
| P & E Phontos Pty Ltd v McConnel Smith & Johnson Pty Ltd (1993) 9 BCL 259 | 71 |
| Pacific Associates Inc v Baxter [1990] 1 QB 993 | 72 |
| Pacific Coal Pty Ltd v Idemitsu (Qld) Pty Ltd (unreported, Qld Sup Ct, 21 February 1992) | 563 |
| Palos Verdes Estates Pty Ltd v Carbon (1991) 72 LGRA 414 | 231 |
| Pancontinental Mining Ltd v Goldfields Ltd (unreported, Fed Ct of Aust, Tamberlin J, 31 March 1995) | 565 |
| Parramatta City Council v Hale (1982) 47 LGRA 319 | 14, 24 |
| Parramatta City Council v Pestell (1972) 128 CLR 305 | 14, 24 |
| Patham Construction Co v Highway Electric Co 382 NE 2nd 453 (1979) .. | 106 |
| Peak Construction (Liverpool) Ltd v McKinney Foundations Ltd [1970] 1 BLR 111; (1971) 69 LGR 1 | 105, 107 |
| Pearson Bridge v State Rail Authority of New South Wales (unreported, NSW Sup Ct, 28 June 1982) | 62 |
| Penrith City Council v Waste Management Authority of New South Wales (1990) 71 LGRA 108 | 26 |
| Perini Corporation v Commonwealth (the Redfern Mail Exchange case) 1 BCLRS 9; [1969] 2 NSWWR 530 | 70, 71, 102, 108 |
| Perpetual Trustee Co (Canberra) Ltd v Pennygown Pty Ltd (unreported, Vic Sup Ct, Nathan J, 18 June 1990) | 101 |
| Philips Hong Kong Ltd v Attorney-General (Hong Kong) (1990) 50 BLR 122 | 104 |
| Philips Hong Kong Ltd v Attorney-General (Hong Kong) (1991) 7 Con LJ 340 | 104, 105 |
| Phillip & Anton Homes Pty Ltd v Commonwealth (1988) 7 ACLR 39 .. | 94, 96 |
| Pioneer Clough Pty Ltd v Council of the City of the Gold Coast (unreported, Qld Sup Ct, Connolly J, 5 March 1986) | 93, 98 |
| Prineas v Forestry Commission of New South Wales (1983) 49 LGRA 402 | 26 |
| Proudman v Dayman (1943) 67 CLR 536 | 205 |
| | |
| QIW Retailers Ltd v Davids Holdings Pty Ltd (No 1) (1992) 8 ACSR 245 .. | 569, |
| | 570 |
| Queensland Electricity Commission v Commonwealth (1985) 159 CLR 192 | 551 |
| | |
| R v Australasian Films Ltd (1921) 29 CLR 195 | 228 |
| R v Bata Industries (1992) 9 OR (3d) 329 | 529 |
| R v Bata Industries (1993) 14 OR (3d) 354 | 199, 200, 201, 202, |
| R v City of Sault Ste Marie (1978) 85 DLR (3d) 161 | 204 |
| R v Credit Tribunal; Ex parte General Motors Acceptance Corporation (1977) 137 CLR 545 | 549 |
| R v Denbo Pty Ltd (unreported, Vic Sup Ct, 14 June 1994) | |
| R v He Kaw Teh (1985) 157 CLR 523 | 193 |
| R v Huggins (1730) 2 Ld Ray 1574; 92 ER 518 | 221 |
| R v Shepperd [1980] 3 All ER 899 | 205 |
| Radaich v Smith (1959) 101 CLR 209 | 494 |
| Rapid Building Group Ltd v Ealing Family Housing Association Ltd (noted in (1986) 2 BCL 3) | 106 |
| Rees and Kirby Ltd v Swansea City Council (1985) 30 BLR 1 | 113 |
| Renard Constructions (ME) Pty Ltd v Minister for Public Works (1992) 26 NSWLR 234 | 117 |

| | |
|--|------------------------------|
| Rogers v Rogers (1830) 3 Hag Ecc 57 | 205 |
| Rosemount Estates Pty Ltd v Cleland, Minister for Planning and Bengalla Mining Co Pty Ltd (unreported, NSW Land & Environment Ct, 24 January 1995) | 14, 24, 25, 31, 50 |
| Russell v Sa da Bandeira (1862) 13 CB (NS) 149; 143 ER 59 | 79, 81 |
| SC Taverner & Co Ltd v Glamorgan County Council (1941) 164 LT 537 .. | 79, |
| | 81 |
| SMK Cabinets v Hill Modern Electrics [1984] VR 391 | 106 |
| SPCC v Australian Iron and Steel Ltd (1992) 74 LGRA 387 | 205 |
| SPCC v Blue Mountains City Council (No 1) (1991) 72 LGRA 345 .. | 190, 192, |
| | 193, 226, 229 |
| SPCC v Blue Mountains City Council (No 2) (1991) 73 LGRA 337 .. | 226, 227, |
| | 229 |
| SPCC v Hunt (1990) 72 LGRA 316 | 190, 192, 226 |
| SPCC v Kelly (1991) 5 ACSR 607 | 201, 203, 204, 235, 529 |
| SPCC v New South Wales Sugar Milling Co-operative Ltd (1991) 73 LGRA 86 | 192 |
| SPCC v Tiger Nominees Pty Ltd (1991) 72 LGRA 337 | 190, 226 |
| Salomon v Salomon & Co Ltd [1897] AC 22 | 234 |
| Samic Ltd v Metals Exploration Ltd (1993) 11 ACSR 84 | 570, 575 |
| Santalucia Earth Moving Contractors v Zandonadi (unreported, Qld Sup Ct, Williams AJ, No 86, 1978) | 108 |
| Save Lake Washington v Frank 641 F 2d 1330 | 26 |
| Shakespeare v Taylor (1890) 24 SALR 51 | 226 |
| Silovi Pty Ltd v Barbaro (1988) 13 NSWLR 466 | 84 |
| Sist Constructions Pty Ltd v State Electricity Commission (Vic) [1982] VR 597 | 86 |
| Smyth v Caralis (unreported, 31 August 1987) | 194 |
| Sopel v Renkas cob Arm Constructions (1983) 3 CLR 50 | 101 |
| Southern Foundries (1926) Ltd v Shirlaw [1940] AC 701 | 108 |
| State Bank of Victoria v Parry (1980) 2 ACSR 15 | 234 |
| State Pollution Control Commission—see SPCC | |
| State Rail Authority of New South Wales v Baulderstone Hornibrook Pty Ltd (1989) 5 BCL 117 | 80 |
| Sutcliffe v Thackrah 2 BCLRS 176; [1974] AC 727 | 73, 77 |
| Tamarc Development Co Inc v Delamater Co Freund & Associates PA 675 P 2d 361 (1984) | 78 |
| Target Petroleum NL v Petroz NL (1987) 12 ACLR 11 | 576 |
| Tasmanian Conservation Trust v Minister for Resources (unreported, Fed Ct of Aust, Sackville J, 10 January 1995) | 47 |
| Taylor-Woodrow International Ltd and Minister for Health, Re an Arbitration between (1978) 19 SASR 1 | 100, 111, 112, 113, 114 |
| Tesco Supermarkets Ltd v Nattrass [1972] AC 153 .. | 190, 195, 221, 222, 224, |
| | 225, 227, 229, 230, 231, 237 |
| Texas Gas Transmission Corporation 65 FERC 61,275 (1993) | 340 |
| Tharsis Sulphur and Copper Co v M'Elroy & Sons (1878) 3 AC 1040 .. | 79, |
| | 80, 81 |
| Theophanous v Herald and Weekly Times (1994) 124 ALR 1 | 501 |

| | |
|--|--|
| Thiess Watkins White Constructions Ltd (receivers and managers appointed) (in liq) v Commonwealth (unreported, NSW Sup Ct, Giles J, 23 April 1992) | 112 |
| Thorn v London Corporation (1876) 1 App Cas 20 | 85 |
| Tiger Nominees Pty Ltd v State Pollution Control Commission (1992) 25 NSWLR 715 | 222, 226, 227 |
| Toscano v Holland Securities Pty Ltd (1985) 1 BCL 264 | 94 |
| Trident Construction Co Ltd v WL Wardrop & Associates Ltd [1979] 6 WWR 481 | 78 |
| Trollope & Colls v North West Metropolitan Regional Hospital Board [1973] 2 All ER 260 | 108 |
| Turnbull, Ex parte (1900) 17 WN 155 | 226 |
| Turquand v Marshall (1869) LR 4 Ch App 376 | 181 |
| Tuta Products Pty Ltd v Hutcherson Bros Pty Ltd (1972) 46 ALJR 549 .. | 102 |
| | |
| United Dominions Corporation Ltd v Brian Pty Ltd (1985) 157 CLR 1 .. | 563 |
| United States v Johnson and Towers Inc 741 F 2d 662 (1984) | 196 |
| United States v MacDonald & Watson Waste Oil Co 933 F 2d 35 (1991) | 193, 196 |
| Universal Telecasters (Qld) v Guthrie (1978) 18 ALR 531 | 225 |
| Update Constructions Pty Ltd v Rozelle Child Care Centre Ltd (1990) 7 BCL 122 | 85 |
| | |
| Valley Watch Inc v Minister for Planning (1994) 82 LGRA 209 | 31 |
| Vaughan-Taylor v David Mitchell-Melcann Pty Ltd (1991) 25 NSWLR 580 | 23, 47 |
| Victoria University, Manchester v Hugh Wilson and Lewis Womersley (a firm) [1984] CILL 126 | 77 |
| Victorian Stevedoring & General Contracting Co Pty Ltd v Dignan (1931) 46 CLR 73 | 553 |
| Voli v Inglewood Shire Council (1983) 110 CLR 74 | 73 |
| | |
| Waanyi Peoples' Application, Re (1994) 129 ALR 100 | 434, 487, 489 |
| Waanyi Peoples' Native Title Application, Re (1995) 129 ALR 118 .. | 434, 487, 489, 493, 495, 496, 497, 498, 499, 502, 503 |
| Wadi Wadi Peoples' Native Title Application, Re (1995) 129 ALR 167 .. | 435, 487, 493, 499, 500 |
| Walton Stores (Interstate) Ltd v Maher (1988) 164 CLR 387 | 84 |
| Wegan Constructions Pty Ltd v Wodonga Sewerage Authority [1978] VR 67 | 85 |
| Wellfare (t/a Sylvania Marina) v Sutherland Shire Council (1983) 49 LGRA 394 | 26 |
| Western Australia v Commonwealth (1995) 69 ALJR 309; 128 ALR 1 .. | 486, 503, 536, 539, 540, 541, 542, 544, 545, 546, 547, 549, 550, 551 |
| Westham Dredging Co Pty Ltd v Woodside Petroleum Development Pty Ltd (1983) 46 ALR 287 | 94, 96 |
| Wik Peoples v Queensland (unreported, Fed Ct of Aust, Drummond J, QG104/1993, 29 January 1996) | 434, 486, 487, 489, 491, 492, 493, 495, 496, 498, 500, 502, 506, 507 |

TABLE OF CASES

xix

| | |
|---|-----|
| Woodhall Ltd v Pipeline Authority (1979) 141 CLR 443 | 62 |
| Wraight Ltd v PH & T (Holdings) Ltd (1968) 13 BLR 29 | 113 |
| Wren v Emmett Contractors Pty Ltd (1969) 43 ALJR 213 | 82 |
| Young v Ballarat Water Commissioners (1879) 5 VLR (L) 503 | 80 |
| Zamperoni Decorators Pty Ltd v Lo Presti [1983] VR 338 | 101 |