

FIONA CAMERON

PROFILE

Fiona Cameron is a Melbourne-based barrister practising in international and domestic commercial and administrative disputes, with a particular focus on building and construction, complex commercial and taxation matters. In addition to representing clients in litigious and arbitral matters, Fiona has experience in relation to the conduct of investigative processes. Fiona is a Member of the Chartered Institute of Arbitrators.

EXPERIENCE

BARRISTER / VICTORIAN BAR

Signed Victorian Bar Roll on 30 April 2015

A selection of Fiona's recent cases include:

Construction and Energy

- *In the matter of an arbitration (Confidential)* (with Jeff Gleeson QC and Katie Stynes) - Fiona recently assisted in advising as to international arbitral proceedings under Singaporean and Australian law in relation to a LNG project.
- *TEDRA Australia Pty Ltd v City West Water Corporation* (ongoing, with Nick Hopkins QC and Kieren Naish) – Fiona is currently instructed on behalf of the respondent Principal in relation to a substantial dispute concerning the design and construction of a recycled water treatment plant.
- *SWAT Building Systems Pty Ltd v 14 Eleanor St Footscray Pty Ltd* (with Michael Whitten QC and Andrew Downie) - Fiona was briefed to advise and draw documents on behalf of a respondent Principal for the purposes of an adjudication pursuant to Security of Payment legislation in relation to a large mixed commercial and residential development.
- *Allmore Constructions Pty Ltd v K7 Property Group* [2016] VCAT 1770 (with Jeremy Twigg QC) - Fiona appeared before the Victorian Civil and Administrative Tribunal on behalf of the Applicant seeking extensions of time and variations to a major domestic building contract, and in relation to a successful application for costs: [2017] VCAT 671.

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📍 c/o Young's List Barristers
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QUALIFICATIONS

MASTER OF PUBLIC & INTERNATIONAL LAW

University of Melbourne
(in progress)

MEMBER

Chartered Institute of Arbitrators
2018 (International Arbitration)

ADMITTED TO PRACTICE AS AN AUSTRALIAN LEGAL PRACTITIONER Supreme Court of Victoria

10 December 2013

GRADUATE DIPLOMA OF LEGAL PRACTICE

Australian National University
2013

BACHELOR OF LAWS (HONS)

University of Adelaide
2013

AREAS OF PRACTICE

- Administrative Law
- Arbitration
- Building and Construction
- Commercial Litigation
- Energy
- Regulatory
- Shipping and Transport
- Taxation

EXPERIENCE CONTINUED

Commercial

- *Adaz Nominees Pty Ltd & Ors v Castleway Pty Ltd & Anor* [2017] VSC 578 (with Rodney Garratt QC, and Philip Solomon QC during interlocutory proceedings) - Fiona acted on behalf of the Plaintiff in a contractual dispute also raising issues of estoppel, alleged breaches of directors' duties and conspiracy, and in a subsequent reference to an accounting Special Referee.
- *Bolem Investments Pty Ltd v Settlers Investment Management Ltd & Ors* (with Helen Symon QC) - Fiona was briefed to act on behalf of the Applicants in a group proceeding before the Federal Court of Australia regarding a failed managed investment scheme.
- *Motors Pty Ltd & Anor v Australia and New Zealand Banking Corporation Ltd* (resolved prior to hearing, with Rodney Garratt QC) - Fiona was engaged to draw pleadings and to appear in relation to a dispute before the Supreme Court of Victoria concerning fraudulent international transactions.

Shipping

- *BHPB Freight Pty Ltd v Wilhelmsen Ships Service Pty Ltd* (ongoing) - Fiona is currently instructed on behalf of the Defendant in relation to domestic litigation arising out of an international cargo dispute.

Taxation

- *Sandini Pty Ltd & Ors v Ellison & Ors* [2018] HCATrans 190 (with Helen Symon QC) - Fiona was instructed to draw the response of the First Respondent to Special Leave proceedings before the High Court of Australia.
- *Andrew Watson atf the Murrindindi and Kilmore - East Kinglake Bushfire Settlement Funds v Commissioner of Taxation* [2019] FCA 228 (with David Bloom QC and Daniel McInerney) - Fiona acted on behalf of the trustee of the Murrindindi and Kilmore - East Kinglake Bushfire Settlement Funds in relation to proceedings before the Federal Court of Australia.
- *BHP Biliton Ltd v Commissioner of Taxation* (resolved prior to hearing, with Greg Davies QC, Diana Harding QC, Andrew de Wijn and Melanie Baker) - Fiona was engaged to assist the Commissioner in relation to an extensive audit and objection process regarding BHP's transfer pricing arrangements with its Singapore-based marketing office, extending over thirteen income years and involving over AUD\$1 billion of revenue.
- *Living and Leisure Australia Pty Ltd v Commissioner of State Revenue* [2017] VSC 675, [2018] VSCA 237 (with Chris Horan QC) - Fiona appeared on behalf of the Commissioner in relation to an application for judicial review of assessments for land tax, raising issues as to the legal status of statutory leases over crown land reserved as alpine resorts. The matter is currently pending before the High Court of Australia.

PRESENTATIONS AND PUBLICATIONS

Australia's Regulatory Framework for the Decommissioning of Offshore Petroleum Projects: Reforms for a Low-Carbon Future

Published in the *Oil Gas and Energy Law Journal* (2019, Volume 1, available [online](#))

Income tax, CGT and GST on judgments and settlements

'CPD In Session' filmed March 2018 for the Victorian Bar's continuing professional development program (with Michael Bearman)

Thomas v Commissioner of Taxation - What are the implications for trustees?

Presented to solicitors, accountants and the Victorian Bar, May 2017 (with Terry Murphy QC and Michael Bearman), to the Australian Taxation Office, June 2017, and to the Tax Institute of Australia's Litigation Masterclass, September 2017.

Loss Minimisation Strategies in Fraud Claims

Presented to AIG Insurance claims teams across the Asia Pacific Region, March 2017 (with Patrick McGrath and Brendan Charles of Sparke Helmore, and Craig Macaulay and David Lehmann of Korda Mentha)

Don't bank on it: the rule against penalties following the decision in *Paciocco v ANZ*

Published in the *Law Institute Journal* December 2016 (with John Eldridge) (available [online](#))

EXPERIENCE CONTINUED

Other

- *MZAPJ v Minister for Immigration and Citizenship* (reserved) - Fiona was recently requested to appear as *amicus curiae* by the Federal Circuit Court of Australia in relation to a test case seeking to determine the impact of a ruling by the Full Federal Court of Australia regarding Registrars' powers. The resolution of the test case is estimated to impact approximately 400-500 other proceedings.
- *DPP v Brosnan & Dailakis* [2017] VCC 688 - Fiona appeared unled on behalf of the first-named accused, a former financial controller of an insurance company, in a criminal jury trial before the County Court of Victoria involving multiple charges of theft (approximate quantum \$2m).
- *ACCC v Clinica Internationale Pty Ltd (No 2)* [2016] FCA 62 - Fiona appeared unled on behalf of the Respondents at the mediation and subsequent trial of an action by the Australian Competition and Consumer Commission for misleading and deceptive and unconscionable conduct (decision reversed in favour of Respondents on appeal: [2017] FCAFC 45).

ASSOCIATE / FEDERAL COURT OF AUSTRALIA

February 2014 to February 2015

As Associate to the Honourable Justice Pagone, Fiona's key responsibilities included assisting his Honour in the judgment writing process, preparing for and assisting his Honour during hearings including interstate Full Court sittings, legal research and diary management. In this role Fiona assisted in proceedings across the full range of the Federal Court's jurisdiction, including admiralty and maritime matters, judicial review of administrative action, and taxation disputes.

ASSOCIATE / SUPREME COURT OF VICTORIA

February 2013 to February 2014

Fiona provided assistance to their Honours Justice Davies (February to July 2013), Justice Bongiorno (August/September 2013) and Justice Hargrave (June 2013 to February 2014) in respect of the preparation and conduct of proceedings in the trial division and in civil and criminal appeals.

OTHER EXPERIENCE

2015-Present

Updating author (Victorian Courts Civil Procedure Commentary) and Reporter (Federal Court Reports), Thomson Reuters

2015-2016

Sessional Tutor, Monash University (Administrative Law, Public Law and Statutory Interpretation, Torts)

SPECIALIST SKILLS AND TRAINING

- Experienced counsel, with high level **advocacy** skills following appearances both led and unled in multiple fora, and in alternative dispute resolution processes
- Familiarity with common rules and procedural issues in **international arbitral proceedings** following completion of the CI Arb Advanced Certificate in International Arbitration and ICC Institute Training for Tribunal Secretaries
- High level of written and spoken **French** (including technical legal) following study at Université de Poitiers, France (2012)