

Tamara Phillips

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PRINCIPAL AREAS OF PRACTICE

Administrative Law	Environment and Planning
Commercial Law	Equity
Competition Law	Property
Appellate	Tax

ADMISSIONS

Barrister, New South Wales	2013
Solicitor, Supreme Court of New South Wales and High Court of Australia	2010

EDUCATION

University of Oxford	2011
Bachelor of Civil Law (Distinction)	

University of New South Wales	2008
Bachelor of Laws (Hons Class 1)	
Bachelor of Arts (English)	

PRIOR EXPERIENCE

Allens	2010-2013
Lawyer, Environment and Planning and Tax practice groups	

NSW Court of Appeal	2009
Tipstaff to the Hon Justice Tobias AM RFD	

Allens Arthur Robinson	2007-2008
Paralegal, Commercial Litigation practice group	

ACHIEVEMENTS

Clifford Chance Prize for first in Civil Procedure (Oxford)	2011
Editor, UNSW Law Journal, Volume 31(3)	2008
Winner, Manfred Lachs International Space Law Moot Court Competition	2008
Dean's List for Academic Excellence (UNSW)	2008
Prize for first in Property, Equity and Trusts (UNSW)	2006

SELECTED CASES

Federal Courts

Macoun v Commissioner of Taxation (2015) 90 ALJR 93; *Commissioner of Taxation v Macoun* (2014) 227 FCR 265: income tax – international organisations – treaty interpretation; appeared for Commissioner; led by J O Hmelnitsky SC and (in HCA) J T Gleeson SC.

Chevron Australia Pty Ltd v Commissioner of Taxation (No 4) [2015] FCA 1092: taxation – transfer pricing; appeared for Commissioner; led by J W De Wijn QC, G R Kennett SC, T M Thawley SC and C A Burnett.

12 Years Juice Foods Australia Pty Ltd v Commissioner of Taxation [2015] FCA 741: taxation – privileged and confidential information; appeared for taxpayer; led by N J Williams SC.

Australian Maritime Officers' Union v Assistant Minister for Immigration and Border Protection (2015) 230 FCR 523; *Australian Maritime Officers' Union v Assistant Minister for Immigration and Border Protection* [2014] FCA 993: administrative law – migration – statutory construction; appeared for applicant; led by N J Williams SC.

Commissioner of Taxation v The Hunger Project Australia (2014) 221 FCR 302: taxation – fringe benefits tax; appeared for taxpayer; led by J O Hmelnitsky SC.

SZTIF v Minister for Immigration and Border Protection (2014) 285 FLR 251: migration – judicial review; appeared for applicant; unled.

NSW Courts

Wollongong Coal Pty Ltd v Minister for Planning and Environment [2016] NSWLEC 154: Environment and planning – judicial review of report of Planning Assessment Commission; appeared for Minister; led by A Shearer

Woollahra Municipal Council v Minister for Local Government [2016] NSWLEC 44; [2016] NSWCA 380: statutory construction – *Local Government Act 1993* (NSW) – proposal to amalgamate local government areas; appeared for Council; led by C Birch SC

Anderson v State of New South Wales [2016] NSWCA 86: criminal law – high risk sex offender; appeared for State of NSW; led by D Kell

White v Johnston (2015) 87 NSWLR 779: tort – assault and battery, damages – exemplary damages, evidence – tendency evidence; appeared for appellant; unled.

Attorney General (NSW) v XY [2014] NSWCA 466: mental health legislation – forensic patient – statutory construction; appeared for Attorney General; led by D Kell.

Warkworth Mining Limited v Bulga Milbrodale Progress Association Inc (2014) 86 NSWLR 527: environment and planning – administrative law – major infrastructure development; appeared for appellant; led by N J Williams SC and R Scruby.

Chapel Road Pty Ltd v Australian Securities and Investments Commission (No 10) (2014) 285 FLR 14: tort – misfeasance in public office; appeared for ASIC; led by N J Williams SC and J R Clarke SC.

State of New South Wales v Williamson [2014] NSWSC 519: extended supervision order application; appeared for State of NSW; led by D Kell.

Rich v Attorney General (NSW) [2013] NSWCA 419: judicial review – coroners – statutory construction; appeared for intervener; led by J Sheller.

Attorney General (NSW) v X (2013) 235 A Crim R 17: Mental Health Review Tribunal – jurisdiction and powers; appeared for Attorney General; led by D Kell.

Tribunals

Prasad and Australian Securities and Investments Commission [2016] AATA 547: practice and procedure – application for extension of time; appeared for ASIC; unled.

O'Sullivan v Australian Securities and Investments Commission [2015] AATA (judgment reserved): financial services – directors' duties – banning and disqualification orders; appeared for ASIC; led by K A Stern SC.

Applications by Ausgrid and others, ActewAGL Distribution [2015] ACompT 2, 3; [2016] ACompT 2 to 5: consumer law – energy pricing; appeared for Australian Energy Regulator; led by S B Lloyd SC.

Jayasinghe v Commissioner of Taxation [2015] AATA 456: taxation – international organisations – statutory construction; appeared for Commissioner; unled.

De Tarle v Australian Securities and Investments Commission [2015] AATA 770: freedom of information; appeared for ASIC; unled.

ADVICE WORK

In addition to appearance work, I have an extensive advisory practice. I am briefed, both led and unled, to advise on: prospects of appeal; prospects of judicial review proceedings (for applicants and government agencies); the legality of development activity (for planning/environmental authorities and developers/proponents); the operation of taxation legislation (for the Commissioner and taxpayers); the operation of complex statutory schemes (eg, energy pricing law, mental health legislation, anti-dumping law); and the preparation of complex commercial cases.