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EDITORIAL – *Editor: Michael Christie SC*

The Growth in Commercial Arbitration and Opportunities for Construction Lawyers	341
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CASE NOTE

Requirements for Compensation Orders and the Rescissionary Analogue: Jonval Builders Pty Ltd v Commissioner for Fair Trading (NSW) – <i>Nuala Simpson and Stephen Puttick</i>	343
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ARTICLE

Cardinal Change and the Decision in Wegan Constructions Pty Ltd v Wodonga Sewerage Authority – *Dr Richard Manly QC*

A close examination of the facts in the unreported decision of Lush J in the Supreme Court of Victoria in 1976 which is the subject matter of this article supports the conclusion that the cardinal change doctrine has application to construction contracts in Australia. A determination to this effect will very much depend on the proper construction of the relevant variation or change order provisions in a contract and will require a granular analysis of the facts. This article considers these matters having regard to his Honour's reasons for decision. 346

REPORTS

Hub Street Equipment Pty Ltd v Energy City Qatar Holding Co	363
Lahey Constructions Pty Ltd v The State of New South Wales	387
Bandelle Pty Ltd v Sydney Capitol Hotels Pty Ltd	402
Oikos Constructions Pty Ltd v Ostin (No 2)	424

