



## **Lindsey Alford**

B.A J.D LLM. ProfCertArb

### **Barrister-at-Law & Probity Auditor**

## **Resume**

### **Qualifications**

- Master of Laws from the University of Queensland
- Post-graduate degree of Juris Doctor from the University of Queensland
- Bachelor Degree in Arts from the University of Sydney
- Professional Certificate in Arbitration from the University of Adelaide
- Accredited Mediator (Supreme Court of Queensland, and Queensland Bar Association)

### **Barrister-at-Law**

Admitted to the Bar of the Supreme Court of Queensland on 28 April 2003. Barrister of the Supreme Court of Queensland, the High Court of Australia, and a registered legal practitioner of the Supreme Court of the Australian Capital Territory.

### **Practice & Legal Expertise**

Focused on matters related to land, property and commerce: planning and environment, building disputes, contractors security of payments, contract law (purchase, construction, commercial and retail leases), land title and valuation, corporations law, and body corporates.

Provided advices and appeared concerning planning and development applications, environmental challenges, retail leases, commercial leases, franchise disputes, body corporate disputes, business contracts, and both commercial and residential building disputes (including *Building & Construction Industry Payments Act* (BCIPA) applications, trials and appeals - now the *Building Industry Fairness (Security of Payments) Act 2017*).

Conducted trials/hearings before the Magistrates Court, Commercial and Consumer Tribunal (CCT), the Queensland Commercial and Administration Tribunal (QCAT), the Administrative Appeals Tribunal, the District and Supreme Courts, the Federal Magistrates Court and the NSW Industrial Relations Commission

In the appellate jurisdictions appeared before the Court of Appeal of the Supreme Court, Supreme Court, District Court, and the Land and Resources Tribunal. The successful appearance before the Court of Appeal in the matter of *RJ Neller Building Pty Ltd v Ainsworth [2008] QCA 397* was reported in The Queensland Reports [2009] 1 QDR 390.

Concluded negotiations and mediations relating to matters before the Supreme Court, the Planning and Environment Court, the District Court and QCAT.

### **Probity Auditing & Advice**

Since 2004, separately from the legal practice, has successfully undertaken over 220 probity projects for a range of state government departments, local government, government owned corporations and public companies and federal government agencies. A schedule of Clients and Projects is available.

These services include preparation of tender documents, probity plans, evaluation plans, advising on procurement/tender practices, divestment of government assets, major 'alliances', public/private partnerships, conducting audit reviews of process, attending government tender assessment panels, and final audit. Detailed specific audits on process or issues raised are a speciality.

Argus Probity and Procurement Pty Ltd, a separate consultancy, is a panel member to the Standing Offer Arrangement for the provision of External Probity Advisors and Probity Auditors for Procurement QGP0050-18, for the Whole of Government in Queensland, and to the NSW Government SCM0005 - Performance and Management Services Panel for Probity Advisory and Audit Services.

### *Probity Seminars and Workshops*

Are presented to government and private clients, and consultancy companies, for detailed discussion of the specific probity requirements and challenges of a project. Workshops have been delivered to Evans Peck; Brisbane City Council; Resource Co-ordination Partnership Pty Ltd; the Gold Coast 2018 Commonwealth Games Corporation; Queensland Health; the Department of Transport and Main Roads; Department of Natural Resources and Mines; the Department of State Development, Infrastructure and Planning; Queensland Urban Utilities; and GoldLinQ Pty Ltd Operator/Franchisee of the Gold Coast Light Rail; and NRT Pty Ltd, likewise, of Sydney Metro City and South West Rail.

The workshops highlight the difference between a legal and a probity decision methodology for the preparation of tender (EOI, ITO, RFP, RFT) documents, and the probity principles in relationship to tendering and evaluation criteria and processes.

### **An Authority, Articles & Papers**

Considered an authority on probity, government procurement and tendering. Published in the Australian Law Journal, Australian Property Law Journal and Journal of the Queensland Planning Profession and presented papers on behalf of the Queensland Law Society, the Queensland Environmental Law Association, the Television Education Network and LegalWise Seminars.

A demonstrated in-depth knowledge of the applicable law, and client policies, and a comprehensive knowledge of judicial decisions relating to government tendering, and, State and Federal statutes and subordinate legislation which governs probity in procurement of goods and services and disposal of assets.

### **Articles:**

*Australian Law Journal*, October 2011, (2011) 85 ALJ 678: co-authored "Tendering for government business: process contracts, good faith, fair dealing and probity".

*Australian Property Law Journal*, Vol 14, Number 3, September 2007 – "The Law, the Rules and Mechanisms to Consider when Dealing in the Property Right of Water; Comparing the Regulation of an Emerging Water Market in Queensland with New South Wales, Victoria and South Australia. (This was the theme for his address as a speaker in symposium at the International River Symposium & Environmental Flows Conference on 3-6 September 2007, in Brisbane).

*Journal of the Queensland Planning Profession "Queensland Planner"*, September 2006: "Does the Declaratory Power of the Planning and Environment Court Make It Better?"

*Australian Property Law Journal*, Vol 11, Number 2, January 2005 co-authored -"Protection of minority owners in a Body Corporate".

*Queensland Environmental Law Association ("QELA") Seminar July 2005 paper "Key Issues – the Regulatory Provisions of the South East Queensland Regional Plan".*