

Final Panel Membership Effective 1 July 2021 for 3+3+3 years	ABORIGINAL LAW FIRM	SME	SIZE	Sub Panel 1   Construction				Sub Panel 2   Commercial						Sub Panel 3   Planning, Property and Environmental					Sub Panel 4   Employment, Work Health and Safety					Sub Panel 5   Government Regulatory and Administrative Law			Sub Panel 6   Litigation and Inquiries			Sub Panel 7   Legal Support Services				Areas of Law	
				(a) Construction	(b) Major Infrastructure Projects	(c) PPP's and Associated Transactions	(d) Construction related dispute resolution and arbitration	(a) Commercial and Contractual Matters	(b) Financial Services	(c) Intellectual Property	(d) Information Technology	(e) Competition Law	(f) Taxation Law	(a) Complex Property, Transactions and Accreditation	(b) Routine Property Advice and Transactions	(c) Planning, Environmental, Heritage and Natural Resources Law	(d) Statutory Land Acquisition	(e) Crown Land and Local Government	(a) Employment and Industrial Relations	(b) Visiting Practitioner Contract and Appointment Disputes and Appeals (Health only)	(c) NSW Police Specific Matters	(d) Work Health and Safety	(e) Discrimination	(a) Administrative Law, Statutory Interpretation and Governance Advice	(b) Statutory Applications	(c) Enforcement, Regulation and Prosecutions	(a) Liability and Litigation	(b) General Litigation and Dispute Resolution and Debt Recovery	(c) Inquiries	(a) Document Discovery	(b) Document Production Services	(c) Automation Services	(d) Digital Forensics		
Addisons		SME	M					R																											2
Allen & Overy			L	R		R		R																											3
Allens			L	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	13
Ashurst Australia			L	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	24
Baker & McKenzie			L					R																											1
Bartier Perry		SME	M	R				R																											10
Bick & Steele		SME	S																																1
Bird & Bird			L							R	R																								2
Chalk & Behrendt	YES	SME	S																																1
Christine Lithgow & Associates			S	R				R																											3
Clayton Utz			L	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	25
Colin Biggers & Paisley			M	R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	6
Corrs Chambers Westgarth			L	R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	12
Epiq			NON																																2
EY			L																																4
Fielding Robinson		SME	S	R			R																												2
Gadens			M	R			R																												2
Gilbert + Tobin			M	R	R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	12
Hall & Wilcox			M	R	R		R																												12
Harmers		SME	S																																3
Herbert Smith Freehills			L	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	15
Hicksons		SME	M					R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	11
Holding Redlich			M	R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	12
Hunt & Hunt Lawyers		SME	M					R																											5
HWL Ebsworth Lawyers			L	R	R		R			R	R																								12
Infralegal		SME	S	R																															1
Kells		SME	S																																3
Keypoint		SME	M					R																											1
King & Wood Mallesons			L	R	R	R	R	R																											6
Kingston Reid		SME	S																																5
KPMG			L																																2
Lander & Rogers			M	R				R																											10
Law In Order		SME	NON																																2
Lindsay Taylor Lawyers		SME	S																																4
Maddocks			M	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	23
Makinson d'Apice Lawyers		SME	M																																8
McCabes			M					R																											4
McCullough Robertson			M	R			R																												9
McGrathNicol			M																																1
Mills Oakley			L																																2
Minter Ellison			L	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	27
Moray & Agnew			M	R			R	R																											8
Norton Rose Fulbright			L	R	R	R		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	20
Piper Alderman			M	R			R																												4

Final Panel Membership Effective 1 July 2021 for 3+3+3 years				Sub Panel 1   Construction				Sub Panel 2   Commercial				Sub Panel 3   Planning, Property and Environmental				Sub Panel 4   Employment, Work Health and Safety				Sub Panel 5   Government Regulatory and Administrative Law			Sub Panel 6   Litigation and Inquiries			Sub Panel 7   Legal Support Services				Areas of Law				
				(a) Construction	(b) Major Infrastructure Projects	(c) PPP's and Associated Transactions	(d) Construction related dispute resolution and arbitration	(a) Commercial and Contractual Matters	(b) Financial Services	(c) Intellectual Property	(d) Information Technology	(e) Competition Law	(f) Taxation Law	(a) Complex Property, Transactions and Accreditation	(b) Routine Property Advice and Transactions	(c) Planning, Environmental, Heritage and Natural Resources Law	(d) Statutory Land Acquisition	(e) Crown Land and Local Government	(a) Employment and Industrial Relations	(b) Visiting Practitioner Contract and Appointment Disputes and Appeals (Health only)	(c) NSW Police Specific Matters	(d) Work Health and Safety	(e) Discrimination	(a) Administrative Law, Statutory Interpretation and Governance Advice	(b) Statutory Applications	(c) Enforcement, Regulation and Prosecutions	(a) Liability and Litigation	(b) General Litigation and Dispute Resolution and Debt Recovery	(c) Inquiries		(a) Document Discovery	(b) Document Production Services	(c) Automation Services	(d) Digital Forensics
ABORIGINAL LAW FIRM	SME	SIZE																																
PricewaterhouseCoopers		L	R					R	R	R																	R	R				6		
Rankin Ellison Lawyers		SME	M														R															1		
Smythe Wozniak Lawyers		SME	S																		R	R	R									2		
Sparke Helmore			M	R		R		R		R					R	R	R	R	R		R		R									11		
Stacks Champion		SME	S																					R								1		
Thomson Geer			L	R	R	R	R	R	R	R	R	R	R	R	R	R					R			R								15		
TIMG			NON																								R	R				2		
TransPerfect			NON																							R	R					2		
White & Case			L	R		R																										2		
53				28	15	11	20	29	10	16	19	8	6	10	16	13	9	9	16	4	9	10	14	22	8	9	10	13	8	13	11	6	5	378

- Note:**
1. R = recommended
  2. NSW Government Agencies / Entities have the discretion to engage the Crown Solicitor's Office for legal services across any Sub Panel or Area of Law at any time. (Refer section 5.1 of the Panel Rules for more information). CSO has provided fees in the same format for ease of engagement.
  3. Threshold for at least 3 quotes is \$250k (ex GST), apart from Sub-Panel 1 and Area of Law 3(d) which are \$400k (ex GST). For further details refer to the Panel Rules

## EXPLANATION OF AREAS OF LAW

Some Areas of Law are self-explanatory. However, other Areas of Law will incorporate numerous matters, as described below.

### Sub Panel 1 – Construction

- (a) **Construction**
- (b) **Major infrastructure projects**
- (c) **PPPs and associated transactions**, including review and advice on debt and equity project funding, construction and operational matters.
- (d) **Construction related dispute resolution and arbitration**, which may include:
  - SOPA claims/adjudications
  - Expert determination
  - Arbitration and other forms of alternative dispute resolution
  - Litigation

### Sub Panel 2 – Commercial

- (a) **Commercial and contractual matters** including:
  - Tendering and procurement
  - Professional services and consultancy agreements
  - MoUs and inter-agency agreements
  - Licences
  - Funding agreements and grants
  - Asset divestments
  - General commercial drafting
  - General commercial advice
  - Media law, defamation advice and production agreements
  - Major commercial and strategic projects and transactions
- (b) **Financial Services law** including:
  - General financial services (including insurance, superannuation, investment and banking) and regulatory legal advice
  - General financial services (including insurance, superannuation, investment and banking) documentation drafting
  - Financial services product development documentation and advice
  - Investment, superannuation, insurance and banking transactional advice
- (c) **Intellectual Property**
- (d) **Information Technology**
- (e) **Competition law** in the context of state legislation, including IPART and SOC legislation and advice in relation to government monopoly services and directions to SOCs
- (f) **Taxation law** – direct and indirect taxes

### Sub Panel 3 – Property, planning, environmental

- (a) **Complex property advice, transactions and accreditation** including:
- General property law advice and transactional work on complex property issues or major transactions, and strata and community title.
  - Complex commercial and residential leasing and licensing, including in relation to dry and wet lands
  - Property development and disposal strategies
  - Conveyancing of multiple or major parcels of land/ parcels with complex issues
  - Property dealings, including easements, land access agreements, and covenants
  - Corridor/infrastructure access and accreditation requirements.
- (b) **Routine/standard property advice and transactions**
- Commercial and residential leasing and licensing
  - Routine acquisitions and disposals
  - Conveyancing
  - Land access agreements
  - General property dealings, including easements and covenants
- (c) **Planning, environmental, heritage, and natural resources law** including:
- Advice on planning law generally, including plan-making processes, developer contributions, planning agreements, consents and concurrences under the *Environmental Planning and Assessment Act 1979*
  - Environmental planning assessments and approvals/certifications under Parts 4, Part 5 (including Divisions 5.1 and 5.2)(and the former Part 3A) and crown development of the *Environmental Planning and Assessment Act 1979*
  - Advice on Commonwealth legislation relating to planning and environment, including *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*, and airports Acts
  - Advice on heritage, local government law and natural resources law, including national parks and reserves, Crown land, forestry, coastal protection, water, fisheries, biosecurity, mining and energy, biodiversity
  - Energy, including state and national / cooperative energy (electricity and gas) legislation and regulation, National Electricity Rules, National Energy Retail Rules, National Gas Rules, wholesale and retail energy markets, energy transport (transmission and distribution) and energy projects.
  - Environmental compliance, environmental protection licenses, contaminated land, and environmental due diligence
  - Litigation, including prosecutions, merits appeals and judicial review proceedings relating to matters covered by this Area of Law\*  
 \* Note: Government prosecution Agencies will only use this Panel when prosecuting non-Government entities.
- (d) **Statutory land acquisition** processes – Compulsory acquisition law, processes, valuations, negotiations and associated litigation
- Advice and litigation concerning acquisition of special statutory categories of land including Crown Land, national parks, reserves and state forests, cemeteries (Note substantive advice on native title and Aboriginal land acquisitions is reserved for the Crown Solicitor’s Office under Premier’s Memorandum M2016-04)

- (e) **Crown Land and local government** including:
- Advice on the *Local Government Act 1993* including the functions exercised by the Minister for Local Government and Chief Executive of the Office of Local Government, litigation investigations and issues relating to governance and conduct
  - Advice and litigation on management of Crown land under the *Crown Land Management Act 2016*, including dedications, vestings, dealings and regulation of Crown land, Crown land managers and reserves

#### Sub Panel 4 – Employment, work health and safety

- (a) **Employment and industrial relations** advice and representation including:
- Unfair dismissals (for non iCare matters)
  - Workplace investigations, grievances and disciplinary advice
  - Claims
- (b) **Visiting practitioner contract and appointment disputes and appeals** (Health cluster only)
- (c) **NSW Police specific matters** including:
- Disciplinary advice and representation
  - Police injury claims including under the *Police Act 1990* (including Part 9B) and the *Police Regulation (Superannuation) Act 1906*
- (d) **Work health and safety** including:
- Regulatory compliance (whether as regulator or respondent)
  - Enforcement and litigation, including Mine safety prosecutions\*  
\* *Note: Government prosecution Agencies will only use this Panel when prosecuting non-Government entities.*
  - Industry safety schemes, including construction safety, rail safety, rail safety regulation and accreditation and heavy vehicle safety
- (e) **Discrimination** (for non iCare matters) advice and representation including:
- in employment
  - in the provision of goods and services
  - generally, where neither of the above apply but a response is required

#### Sub Panel 5 – Administrative law, Government and Regulatory

- (a) **Administrative law, statutory interpretation and governance advice**, including:
- Judicial review (for matters not covered by another Panel)
  - Merits reviews and related appeals or applications (for matters not covered by another Panel)
  - Privacy (including personal and health information), data protection, privacy impact assessments and data breaches
  - *Government Information (Public Access) Act* advice and representation
  - Preparation and/or review of policy and/or procedures
  - Statutory interpretation and advice for non-core matters not covered by another panel
  - General legal and/or policy advice on statutory and regulatory schemes (including aviation)
  - Firearms, security and other licensing matters conducted for NSW Police Force
- (b) **Statutory Applications** including liquor, gaming, restricted premises, serious crime prevention orders and public assembly advice and representation.

- (c) **Enforcement, regulation and prosecution** including:
- Road Transport law (including the Heavy Vehicle National Law)
  - Passenger Transport and Point to Point Transport law
  - Marine Safety and Marine Pollution law

### Sub Panel 6 – Litigation and Inquiries

- (a) **Liability litigation** (non iCare matters only)
- (b) **General Litigation, Dispute Resolution and Debt Recovery**
- (c) **Inquiries** including:
- ICAC and LECC investigations
  - Royal Commissions and Special Commissions not reserved to the NSW Crown Solicitor
  - Ombudsman investigations
  - Inquests (for non iCare matters)

### Sub Panel 7 – Legal Support Services

- (a) **Document discovery** in support of inquiries or Standing Order 52 information requests and including some or all of:
- document digitisation and production
  - process design and advice
  - project management
  - technology assisted review (support in the use of attended machine learning to reduce price and increase accuracy of document discovery and subsequent review)
- (b) **Document production services** including copying, scanning, coding, electronic document storage, court book preparation
- (c) **Automation services** including document automation, invoice processing
- (d) **Digital forensics** in analysis of cyber, fraud, health, privacy or other incidents