


Friday 19 September 2014

Construction

A Daily Bulletin listing Decisions of Superior Courts of Australia

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Executive Summary (1 minute read)

WQube Port of Dampier Pty Ltd v Philip Loots of Kahlia Nominees Ltd (WASC) - application for judicial review of adjudicators' decisions under *Construction Contracts Act 2004* (WA) - alleged errors either not jurisdictional or not made out (C G)

Summaries with links (5 minute read)

WQube Port of Dampier Pty Ltd v Philip Loots of Kahlia Nominees Ltd [2014] WASC 331

Supreme Court of Western Australia

Construction contracts - WQube sought prerogative relief against adjudicators' determinations under *Construction Contracts Act 2004* (WA) - held: test for whether adjudicator's error of law is *jurisdictional error* is the same as for an inferior court - to be jurisdictional error, arbitrator must be in error as to whether jurisdiction exists, or regarding nature or limits of that jurisdiction - two grounds of review involved allegations of mere errors of law - even if established, would not be jurisdictional errors - two other grounds did involve allegations of jurisdictional error - these grounds not made out - applications for review dismissed.

[WQube Port of Dampier Pty Ltd](#) (C G)

From: **'Spring Day'**

by Amy Lowell

Midday and Afternoon

Swirl of crowded streets. Shock and recoil of traffic. The stock-still brick façade of an old church, against which the waves of people lurch and withdraw. Flare of sunshine down side-streets. Eddies of light in the windows of chemists' shops, with their blue, gold, purple jars, darting colours far into the crowd. Loud bangs and tremors, murmurings out of high windows, whirring of machine belts, blurring of horses and motors. A quick spin and shudder of brakes on an electric car, and the jar of a church-bell knocking against the metal blue of the sky. I am a piece of the town, a bit of blown dust, thrust along with the crowd. Proud to feel the pavement under me, reeling with feet. Feet tripping, skipping, lagging, dragging, plodding doggedly, or springing up and advancing on firm elastic insteps. A boy is selling papers, I smell them clean and new from the press. They are fresh like the air, and pungent as tulips and narcissus.

The blue sky pales to lemon, and great tongues of gold blind the shop-windows, putting out their contents in a flood of flame.

[Amy Lowell](#)

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