SQUIRE PATTON BOGGS

# Melissa Koo

**Partner**

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## About Melissa

Melissa Koo is a specialist construction lawyer with extensive experience across both contentious and noncontentious matters, in representing clients on major Australian and international construction, energy and infrastructure projects.

She has advised on high value disputes involving complex legal, engineering and construction issues. She has experience acting for Australian and international clients in all dispute resolution forums, including international arbitration, litigation, mediation and adjudication.

On the project side, Melissa advises developers, owners and contractors on all phases of construction and infrastructure developments, including procurement, contract negotiation, risk management and project delivery, on bespoke as well as Australian and international standard form contracts. Her expertise spans various sectors, including energy and resources, transport and infrastructure, commercial real estate, residential and urban development, and hospitality and leisure.

Melissa was described in *Legal 500 Asia Pacific* 2026 as "a skilled litigator specialising in engineering and construction issues" and was recognised by *Best Lawyers in Australia 2027* for Construction/Infrastructure Law and Litigation. Melissa was recognised in *Doyle's Guide* 2026, 2025, 2024 and 2023 as a recommended WA Construction & Infrastructure Litigation lawyer and in *Doyle's Guide* 2025 as a recommended WA Front End Construction & Infrastructure lawyer. She was also recognised by both *Australasian Lawyer* and *Doyle's Guide* as a Rising Star in Construction and Infrastructure in Australia in 2016.

Melissa also currently serves as a member of the Law Council of Australia's Business Law Section Construction and Infrastructure Committee, and on the Education Committee of the National Association of Women in Construction.

## Experience

**International Arbitration**

- Acted for a Chinese subcontractor on a dispute with the Spanish head contractor arising out of an equipment supply contract for the Roy Hill project. The dispute involved a claim of CN¥120 million and counterclaims of AU$32million and CN¥180 million, and was heard in Singapore under the United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules.
- Acted for the owners of a lithium carbonate processing plant in China and assisted in arbitration proceedings under the International Chamber of Commerce (ICC) Rules in Singapore and the China International Economic and Trade Arbitration Commission (CIETAC) Rules in the People's Republic of China.
- Acted for the joint venture subcontractor against the lower-tier subcontractor in arbitration proceedings under the Australian Centre for International Commercial Arbitration (ACICA) Arbitration Rules for claims arising out of the combined cycle power plant package on the onshore Ichthys liquefied natural gas (LNG) project.
- Acted for an international contractor on a dispute with its consortium partner arising out of the cryogenic tanks package on the onshore Ichthys LNG facilities project; the dispute resolution forum was ICC arbitration in Singapore.
- Acted for the head contractor on variation, delay and disruption claims arising out of the AU$700 million SMP contract on the Ichthys LNG project; the dispute resolution forum was ICC arbitration in Singapore.
- Acted for the world's largest dredging company in a dispute arising between the owner and developer of an LNG project in Northwest Australia; the dispute resolution forum was ICC arbitration in Perth.

**General Disputes**

- Acted for the head contractor in relation to claims and disputes concerning Rio Tinto's Western Turner Syncline 2 iron ore project, including pursuing claims against the owner and defending subcontractor claims on the concrete and earthworks packages.
- Advised a global service company on contractual issues concerning dredging and related works concerning the Darwin Marine Supply Base, including on its position as regards to the owner and defending subcontractor claims.
- Acted for the head contractor in a dispute against the subcontractor arising out of the Perth Children's Hospital project, which included defending claims and formulating counterclaims, strategic advice and negotiations, working in-house from the client's office.
- Acted for a subcontractor in a dispute with the head contractor arising out of the Perth Stadium project.
- Acted for a contractor in a dispute with the owner arising out of a construction contract for the Gorgon project.
- Acted for a contractor in a dispute with a supplier arising out of a services agreement for the Gorgon project.
- Acted for a contractor in a dispute with the engineering, procurement, and construction (EPC) contractor arising out of the onshore Ichthys LNG facilities project, including providing extensive advice on contractual rights and obligations.
- Acted for an international contractor in a dispute arising out of the Domgas Custody Transfer Meter Station on the Gorgon project.
- Acted for the subcontractor in Supreme Court proceedings against the head contractor in a dispute arising out of an iron ore project in the Pilbara region.
- Acted for a large developer in Supreme Court proceedings against the Water Corporation and an engineering consultancy in relation to a Perth development.

- Acted for a contractor client in relation to a Supreme Court injunction to restrain the call on bank guarantees arising out of the Central Law Courts refurbishment project.

**Adjudication and Security of Payment Disputes**

- Acted for the head contractor in relation to claims and disputes concerning Rio Tinto's Western Turner Syncline 2 iron ore project in successfully defending an adjudication application under the Construction Contracts Act 2004 (WA) by a subcontractor.
- Acted for an international contractor on a dispute under the Construction Contracts Act 2004 (WA) with its consortium partner arising out of the cryogenic tanks package on the onshore Ichthys LNG facilities project.
- Acted for a contractor client in adjudication proceedings under the Construction Contracts Act 2004 (WA) arising out of the Beenyup Advanced Water Recycling Plant in Craigie, Western Australia.
- Acted for the head contractor against a subcontractor in initiating and responding to periodic adjudication applications under the Construction Contracts Act 2004 (WA) arising out of the Perth Children's Hospital project, including judicial review proceedings in the Supreme Court of Western Australia.
- Acted for a subcontractor, against the head contractor, in adjudication proceedings under the Construction Contracts Act 2004 (WA) arising out of the Perth Stadium project, including enforcement proceedings in the Supreme Court of Western Australia.
- Acted for a contractor in responding to adjudication proceedings under the Construction Contracts Act 2004 (WA), initiated by a subcontractor, arising out of the Roy Hill project in Western Australia.
- Acted for a contractor client in responding to adjudication proceedings under the Construction Contracts (Security of Payments) Act (NT), initiated by a subcontractor, arising out of the combined cycle power plant package of the Ichthys onshore LNG facilities project, Northern Territory.

**Commercial and Contracting Experience**

- Acted for a multinational investment and financial services company in preparing a suite of construction and services contracts for use on Australian and international projects. Work included drafting an early contractor involvement (ECI) contract and an AS4902 design and construction (D&C) contract for engagement of consultant for office fit-out works at Martin Place, Sydney.
- Acted for an entertainment company in preparing a supply contract, works contract and purchase order terms and conditions for the Palais Theatre upgrade in Melbourne.
- Acted for a luxury retailer in preparing a bespoke fit-out contract for a retail store in Westfield Sydney.
- Acted for a lithium owner in preparing a suite of supply and works contracts for the upgrade of its mine and lithium processing facility at Kemerton, WA.
- Undertook a remote secondment for a global financial services company and, in that role, prepared and negotiated a variety of procurement contracts, including consultancy agreements, minor works and major works contracts, goods supply contracts and preparing templates for the same, as well as providing construction law training to the in-house legal team.
- Undertook a remote "team secondment" to advise a global green energy company on a variety of procurement contracts, including subscription agreements, security services agreements, strategic framework agreements for the procurement of solar panels for green energy projects, and assisting in preparing services, works and goods contract templates for future use.

- Advised a lithium owner on the expansion of the Greenbushes lithium processing plant. We advised on the planning, delivery method and procurement strategy and drafted and negotiated the construction, mining services and related project documents for Chemical Grade Plant 3 (CGP3); the technical grade plant (TGP); the tailings retreatment plant; new tailing storage dams; a new 132kV power project and substation contracts; and construction of a new mine services area to accommodate an expansion of the mining fleet.
- Acted for an international hotel group in preparing the lead design consultant contract for the Rydges Hotel redevelopment project in Perth.
- Representation and advice on the following contracts and projects:
  - Energy from waste (amended FIDIC silver) EPC contract for the Maryvale Mill project in Victoria
  - Major works (design, construct, commission) contract for the Delamere Works project, Northern Territory
  - Master services contract for the Gorgon project, Barrow Island
  - D&C contract for the Sydney Airport B4A terminal expansion project
  - EPC contract for the Mugga Lane Solar Farm project, Australian Capital Territory
  - Head contract with the Commonwealth of Australia for the Fleet Base West low level bridge repairs project in Garden Island, Western Australia
  - Construction contract for the T1 forecourt plaza redevelopment and drop-off facility at Perth Airport
  - Major works subcontract for the New Royal Adelaide Hospital project
  - Services contract for a BHP Billiton Nickel West project
  - D&C subcontract for the Ichthys GEP project in Darwin
- Drafted suites of contracts, including D&C contracts, engineering services/consultancy contracts, equipment supply contracts, and major and minor subcontract agreements.
- Provided review and advice in relation to EPC, D&C and construct-only contracts, including allocation of risk, consequential loss, caps on liability, indemnity provisions, variations and liquidated damages.

# Credentials

## Education

- College of Law Western Australia, Graduate Diploma, Legal Practice, 2011
- The University of Western Australia, LL.B., 2010
- The University of Western Australia, B.Comm., 2010

## Courts

- Supreme Court of Western Australia, 2011

## Memberships & Affiliations

- Member, Law Society of Western Australia
- Member, Law Council of Australia's Business Law Section Construction and Infrastructure Committee
- Committee member, National Association of Women in Construction
- Board member, Penrhos College Foundation, Western Australia

# Recognitions

- Recognised by *Best Lawyers in Australia* 2027 for Construction/Infrastructure Law and Litigation
- Recognised as a recommended WA Construction & Infrastructure Litigation lawyer in *Doyle's Guide* 2026, 2025, 2024 and 2023
- Recognised as a recommended WA Front End Construction & Infrastructure lawyer in *Doyle's Guide* 2025
- Named Senior Practitioner of the Year 2024 by the Asian Australian Lawyers Association
- Recognised in *Australasian Lawyer* – Rising Stars 2016
- Recognised in *Doyle's Guide Rising Stars* – Construction & Infrastructure – Australia 2016

# Expertise

## Services

- International Dispute Resolution

## Industries

- Construction & Engineering
- Infrastructure

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.