

MATTHEW DOYLE

YEAR OF CALL: 2014

Matthew undertakes a broad range of civil work, with a particular focus on complex, large-scale commercial, corporate and construction matters. He acts for a range of domestic and international clients, including several ASX 200 and Fortune 500 companies as well as government bodies.

Prior to joining the Bar, Matthew was a solicitor at Corrs Chambers Westgarth and Associate to the Hon I D F Callinan AC in the High Court of Australia.

Matthew holds a Bachelor of Arts and Bachelor of Laws with First Class Honours from the University of Queensland. He also holds a Bachelor of Civil Law with Distinction and a Masters of Philosophy in Law from the University of Oxford. Matthew was awarded a Clarendon Scholarship for his study at the University of Oxford and was also the Gregory Kulkes Scholar in Law at Balliol College.



LEVEL 27, 239 GEORGE ST
BRISBANE QLD, 4000

level27chambers.com.au

T +61 7 3008 3985

M +61 421 632 543

matthew.doyle@level27chambers.com.au

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Building & Construction, Class Actions, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Employment & Industrial, Insurance, Intellectual Property, International, Judicial Review & Administrative, Land Law & Property, Planning & Environment, Professional Negligence, Resources & Energy, Shipping, Succession.

CASES

Mining Standards International Pty Ltd v Atlantic Nickel Mineracao Ltda[2022] FCA 623

May 2022, Corporations

G&S Engineering Services Pty Ltd v MACH Energy Australia Pty Ltd (No 6)[2022] NSWSC 628

May 2022, Building & Construction

2620 Ipswich Road Pty Ltd & Anor v DN Holdings QLD Pty Ltd[2022] QCA 49

April 2022, Contract

Disley v Mount Emerald Wind Farm Pty Ltd & Anor (No 2)[2022] QSC 54

March 2022, Professional Negligence

Parbery (Liquidator), in the matter of Queensland Nickel Pty Ltd (in liquidation) (No 2)[2022] FCA 101
February 2022, Corporate Insolvency & Bankruptcy

Holman v Brisbane Roar Football Club Pty Limited[2021] QDC 300
November 2021, Insurance

DN Holdings Qld Pty Ltd v 2620 Ipswich Road Pty Ltd & Ors[2021] QSC 308
November 2021, Contract

Falkenhagen v West (No 3)[2021] FCA 1176
September 2021, Contract

Re: 53 Rankin Investments Pty Ltd; Australian Securities and Investments Commission v Chester & Anor
[2021] QSC 173
July 2021, Corporations

Falkenhagen v West[2021] FCA 575
May 2021, Contract

Val Eco Homes Pty Ltd (in liq) v Jason Hall t/a JHL Lawyers[2020] QDC 301
November 2020, Corporate Insolvency & Bankruptcy

Val Eco Homes Pty Ltd (in liq) v Jason Hall t/a JHL Lawyers[2020] QSC 301
November 2020, Corporations

Adani Mining Pty Ltd & Anor v Pennings[2020] QCA 169
August 2020, Appellate, Resources & Energy

Adani Mining Pty Ltd & Anor v Pennings[2020] QSC 249
June 2020, Appellate, Resources & Energy

Parbery & Ors v QNI Metals Pty Ltd & Ors[2020] QSC 143
June 2020, Corporate Insolvency & Bankruptcy

Haggar v Qld Metal Recyclers[2019] QDC 263
December 2019, Contract

Surfrider Investments Pty Ltd v Todd & Anor[2019] QDC 167
September 2019, Contract

Parbery v QNI Metals Pty Ltd[2019] QSC 207
August 2019, Corporate Insolvency & Bankruptcy, Corporations

Parbery (Liquidator), in the matter of Queensland Nickel Pty Ltd (in liquidation)[2019] FCA 1219
August 2019, Corporate Insolvency & Bankruptcy, Corporations

Dialog Pty Ltd t/as Dialog Information Technology v Sklar[2019] NSWSC 15

January 2019, Contract

***Parbery & Ors v QNI Metals Pty Ltd & Ors* [2018] QSC 276**

November 2018, Corporate Insolvency & Bankruptcy

***Parbery & Ors v QNI Metals Pty Ltd & Ors* [2018] QSC 249**

November 2018, Corporate Insolvency & Bankruptcy

***Parbery & Ors v QNI Metals & Ors* [2018] QSC 245**

October 2018, Corporate Insolvency & Bankruptcy

***Parbery & Ors v QNI Metals Pty Ltd & Ors* [2018] QSC 213**

September 2018, Corporate Insolvency & Bankruptcy

***Kelsey v Logan City Council* [2018] QIRC 108**

August 2018, Employment & Industrial

***Guo v Austree Enterprise Pty Ltd* [2018] SBCA 1**

August 2018, Appellate, Commercial Equity, Contract, International

***Kelsey v Logan City Council* [2018] QIRC 099**

July 2018, Employment & Industrial

***Harper Property Builders Pty Ltd v Queensland Building & Construction Commission* [2018] QCATA 70**

May 2018, Building & Construction

***Kozionas & Anor v Kozionas & Anor* [2017] QDC 320**

December 2017, Commercial Equity

***Key Logic Pty Ltd v Blue Groper Investments Pty Ltd* [2017] FCA 774**

May 2017, Intellectual Property

***Zhou v Gou* [2017] SBHC 1**

May 2017, Commercial Equity, Contract, International

***Drane v Aqualyng Holdings* [2016] QSC 139**

June 2016, Commercial Equity

EXPERIENCE

Matthew's experience includes the following significant cases:

> appearing in a high-profile trial against Clive Palmer and his companies, arising from the collapse of Queensland Nickel (led by Gibson QC, Doyle QC, Sullivan QC and Moore QC);

- > appearing for Adani Mining and Carmichael Rail Network in various proceedings arising from protestor action against the development of the Carmichael Mine and Rail Project (led by Doyle QC and L Kelly QC);
- > acting for the Government of Oman in arbitral proceedings in Muscat, in a dispute relating to the construction of a major infrastructure project (led by Andreatidis QC);
- > appearing in the High Court and the Court of Appeal of the Solomon Islands, in a dispute concerning a joint venture for the development of a shopping complex (led by C Johnstone);
- > appearing in Supreme Court proceedings for the enforcement of agreements and trusts made in Bahrain and the United Kingdom of Saudi Arabia in connection with development of gold mines (led by Bell QC);
- > advising a leading global coal company in connection with its proposed petition for relief under Chapter 11 of the United State Bankruptcy Code (led by Stewart QC);
- > acting for the former Mayor of Logan City Council in proceedings brought by the former CEO of the Logan City Council for relief under the *Public Interest Disclosure Act 2010* (Qld) and *Industrial Relations Act 2016* (Qld) (led by M Trim);
- > acting for Precise Air Group in Supreme Court of New South Wales (Commercial List) proceedings in respect of claims by Qantas and JLL for loss caused by a substantial release of AFFF at Brisbane Airport in April 2017 (led by Doyle QC);
- > acting in Supreme Court proceedings for various underwriters at Lloyd's in respect of claims for negligent advice by Lehman Brothers Australia and others;
- > acting against the organiser of the Gold Coast Caravan and Camping Show in respect of the flooding of the Mudgeeraba Showgrounds in March 2014.

APPELLATE

- > Acting (led by Doyle QC and Pomerence QC; leading N Derrington) for the General Purpose Liquidators of Queensland Nickel in the high profile appeal from the Supreme Court of Queensland in respect of the recovery of over \$100m (*Queensland Nickel Pty Ltd (in liq) v QNI Metal Pty Ltd & Ors*, Queensland Court of Appeal, Proceeding CA7119/20).
- > Appearing (led by Doyle QC and D Pyle; leading M Eade) for Adani Mining Pty Ltd and Carmichael Rail Network Pty Ltd in an appeal against the refusal of *ex parte* Anton Pillar orders (*Adani Mining & Anor v Pennings*, Queensland Court of Appeal, Proceedings CA6931/20).
- > Appearing (unled) in the Supreme Court of New South Wales in an appeal against a decision awarding sums due under, and for damages for breach of, certain employment contracts (*Dialog Information Technology v Sklar*, Supreme Court of New South Wales, Proceeding 2017/16892).
- > Appearing (led by C Johnstone) in an appeal against the decision of Commissioner Mildren, sitting as a Justice

of the High Court of the Solomon Islands, ordering specific performance of a joint venture contract for the development of a major shopping complex in Honiara (*Guo & Ors v Austree Enterprise Pty Ltd & Ors*, Court of Appeal of Solomon Islands, Proceeding 23/2017).

BUILDING, CONSTRUCTION & INFRASTRUCTURE

> Acting (led by Andreatidis QC; leading M Barnes) for the Government of Oman in arbitral proceedings in Muscat, in connection with the construction of a major infrastructure project, for variations, delays, disruption and other contract sums.

> Acting (leading M J Hafeez-Baig) for Rohrig (Qld) Pty Ltd in respect of claims for building work (*Rohrig (QLD) Pty Ltd v Henley*, Supreme Court of Queensland, BS709/20).

> Acting for Zammit Earthmoving Pty Ltd in a claim against iPipe services Pty Ltd and Arrow Energy Pty Ltd under a contract for the construction of gas well pads, pipelines and related infrastructure at various coal seam gas sites in the Bowen and Surat Basins in Queensland (*Southern Cross Electrical Engineering Limited & Ors v iPipe & Anor*, Supreme Court of Queensland, BS9260/19).

> Acting for FK Gardner & Sons Pty Limited in a claim against the Cairns Aquarium & Reef Research Centre Pty Ltd for sums due under a construction contract (*FK Gardner & Sons Pty Ltd v Cairns Aquarium & Reef Centre*, Supreme Court of Queensland, BS8777/17).

> Acting (led by Franco QC) for BHP Billiton Mitsui Coal Pty Ltd in a claim brought in respect of civil works at the South Walker Creek Mine for variations, delays, disruption and other contract sums (*York Civil Pty Ltd v BHP Billiton Mitsui Coal Pty Ltd & Anor*, Federal Court of Australia, SAD170/2014).

> Advising Santos in connection with the GLNG Project, a leading project internationally in the conversion of coal seam gas.

> Advising CPB Contractors Pty Ltd in connection with the construction of a major infrastructure project in Queensland.

> Advising a major construction company in connection with its licencing obligations.

COMMERCIAL EQUITY

> Acting (led by McQuade QC) in Supreme Court proceedings for the recovery of sums advanced in connection with the development of a retirement village (*Montessori v 1202 Creek Road TDG Pty Ltd*, Supreme Court of Queensland, BS1486/20).

> Acting (unled) for the defendant in proceedings for restitution, constructive trusts and equitable compensation arising out of the termination of a joint venture (*View Legal Pty Ltd v NowInfinity*, Supreme Court of Queensland, BS1486/20).

- > Acting (unled) for the defendant trustees in Supreme Court proceedings for breach of trusts, accounts, equitable damages and the removal of the trustees (*Creswick v Forsyth & Anor*, Supreme Court of Queensland, BS5270/18).
- > Acting (led by Bell QC and T Pincus; leading P Williams) in Supreme Court proceedings for the enforcement of agreements and trusts made in Bahrain and the Kingdom of Saudi Arabia in connection with the development of gold mines (*Quinn & Anor v Scotland & Ors*, Supreme Court of Queensland, BS11432/13).
- > Appearing (led by C Johnstone) in the High Court of the Solomon Islands in proceedings for the enforcement of a joint venture for the development of a major shopping complex in Honiara (*Guo & Ors v Austree Enterprise Pty Ltd & Ors*, High Court of Solomon Islands, HCSI-CC 322/12).
- > Appearing (led by Doyle QC) in Supreme Court Proceedings for the appointment of statutory trustees for sale of certain property and declarations for the dissolution of a partnership (*Grace Bunckle Pty Ltd v Ralph Lauren No 57*, Supreme Court of Queensland, BS4589/15).
- > Acting (led by M Amereena) for plaintiff trustees in Supreme Court proceedings claiming restitution of trust funds (*Benjamin and Stephens v Acebeck Pty Ltd & Ors*, Supreme Court of Queensland, BS6181/15).
- > Acting (led by Doyle QC) for the defendants in Supreme Court proceedings claiming breaches of a partnership agreement, trust and fiduciary obligations (*Cifuentes v O'Reilly & Ors*, Supreme Court of Queensland, BS13469/2016).
- > Appearing for the defendant Norwegian and Singaporean companies in Supreme Court proceedings for specific performance of certain share sale agreements and the appointment of receivers (*Drane v Aqualyng Holdings AS & Anor*, Supreme Court of Queensland, CS282/15).
- > Acting (led by Doyle QC) for Sentinel Property Group Sentinel against Stockland and related companies for specific performance contracts for the sale of land (*Sentinel Property Pty Ltd v The Trust Company Limited & Anor*, Supreme Court of Queensland, BS787/2016).

CONTRACT & CONSUMER LAW

- > Acting for Nestlé Australia in Supreme Court proceedings for misleading and deceptive conduct in connection with certain franchising agreements (*Om Business Group Pty Ltd & Ors v Nestlé Australia Pty Ltd & Anor*, Supreme Court of Queensland, BS7109/2020).
- > Acting (unled) for Surfrider Investments in Supreme Court proceedings for the recovery of sums pursuant to guarantees of leases of commercial premises (*Surfrider Investments Pty Ltd v Tiger Lillies (Coolangatta) Pty Ltd & Ors*, Supreme Court of Queensland, BS10063/18).
- > Acting (unled) for the defendants in Supreme Court proceedings for the enforcement of agreements for the sale of a business (*Bence & Ors v Leggett & Ors*, Supreme Court of Queensland, BS11828/18).
- > Acting for the defendant in proceedings for damages for misleading and deceptive conduct in connection with the sale of a business (*Car Mojo Pty Ltd v Lin*, Supreme Court of Queensland, BS10739/17).

> Acting (unled) for the defendant in proceedings for injunctive relief to restrain the enforcement of security, arising out of a joint venture for the development of land (*Lien & Ors v Clontarf Residential Pty Ltd*, Supreme Court of Queensland, BS6244/17).

> Acting (unled) for the defendant and third party in proceedings for misleading and deceptive conduct in connection with the purchase of real estate (*La Costa Pty Ltd v Kollosche Enterprises & Anor*, Supreme Court of Queensland, BS4806/16).

> Acting (led by L Kelly QC) for the plaintiff in multiple proceedings in the Supreme Court for the recovery of sums due under contracts for the sale of land (*Sandview Nominees Pty Ltd v Hill & Anor*, Supreme Court of Queensland, BS1912/16; *Sandview Nominees Pty Ltd v Manassera*, Supreme Court of Queensland, BS1914/16).

CORPORATIONS AND CORPORATE INSOLVENCY

> Appearing (led by Gibson QC, Doyle QC, Sullivan QC and Moore QC) for the Special Purpose Liquidators and (subsequently) General Purpose Liquidators of Queensland Nickel, in high-profile proceedings against Clive Palmer and various of his companies (*Parbery & Ors v QNI Metals & Ors*, Supreme Court of Queensland Proceedings, BS6593/17).

> Appearing for the Special and General Purpose Liquidators of Queensland Nickel, the liquidators of Palmer Aviation and for Vannin Capital Operations in various proceedings arising out of the liquidation of Queensland Nickel (Supreme Court of Queensland Proceedings BS6216/16, BS13947 and BS5366/19). Judgments here and here.

> Appearing (led by Stewart QC) a leading global coal company in connection with its propose petition for relief under Chapter 11 of the United State Bankruptcy Code.

> Appearing (leading M J Hafeez-Baig) for the liquidator of Val Eco Homes in various proceedings for assessment of legal costs as third party payer (*Val Eco Homes Pty Ltd (in liq) v Hall*, District Court of Queensland, BD2625/20).

> Appearing (unled) for the liquidator of V Marketing Australia in proceedings by the Australian Communication and Media Authority for breachers of the *Do Not Call Register Act 2006* (Cth) (*Australian Communications and Media Authority v Marketing Australia Pty Ltd & Ors*, Federal Court Australia, QUD326/2018).

> Appearing for Macquarie Bank to successfully resist the winding up of a company (*Deputy Commission of Taxation v A Martini Pty Ltd*, Federal Court of Australia, QUD326/2018).

> Acting (unled) for CuDeco Limited on an application for substitution as creditor in winding up proceedings (*Flinder TBSH Pty Ltd v CuDeco Limited*, Federal Court of Australia, QUD802/218).

> Appearing (unled) for CuDeco Limited in an application to set aside a statutory demand (*CuDeco Limited v PT Kemala Shipping*, Supreme Court of Queensland BS11799/18).

> Acting for the respondents in an application to bring derivative proceedings on behalf of a company (*Ramsamy & Ors v Ramsamy Group Pty Ltd & Ors*, Supreme Court Proceedings BS2211/18).

> Acting (led by Stewart QC) for a major property development company in an action to restrain the filing of a winding up application.

EMPLOYMENT & INDUSTRIAL LAW

> Appearing (led by M Trim) for the Mayor of Logan City in proceedings brought by the former CEO of Logan City Council for injunctive relief under the *Public Interest Disclosure Act 2010* (Qld), declarations, damages, orders for the payment of penalties under the *Industrial Relations Act 2016* (Qld) and orders for reinstatement (*Kelsey v Logan City Council & Ors*, Queensland Industrial Relations Commission, PID/2017/3).

> Appearing (unled) for the defendants in District Court proceedings brought by WorkPac against former employees for injunctions, delivery up of confidential information, damages for breach of contract and compensation for breach of the *Corporations Act 2001* (Cth) (*WorkPac Pty Ltd v Burns & Ors*, District Court of Queensland, BD984/18).

INSURANCE AND NEGLIGENCE

> Acting (led by Doyle QC) for Precise Air Group in Supreme Court of New South Wales (Commercial List) proceedings in respect of claims by Qantas and JLL for loss caused by a substantial release of AFFF at Brisbane Airport in 2017 (*Qantas Airways Limited v Jones Lang LaSalle (NSW) Pty Limited & Ors*, Supreme Court of New South Wales, 2019/86013).

> Acting (unled) in Supreme Court proceedings for the various underwriters at Lloyd's in respect of claims for negligent investment advice by Lehman Brothers Australia and others (*Arenare Pty Ltd v Smith & Ors*, Supreme Court of Queensland, BS2338/2012).

> Acting (unled) against the organiser of the Gold Coast Caravan and Camping Show in respect of the flooding of the Mudgeeraba Showgrounds in March 2014 (*Gold Coast Caravan Sales Pty Ltd v Rural Scene Promotions Pty Ltd*, Supreme Court of Queensland, BS3406/20).

> Advising a major superannuation fund in connections with its insured death and permanent incapacity benefit arrangements.

INTELLECTUAL PROPERTY

> Acting (unled) for the defendant in proceedings for declarations concerning the registration of patents under the *Patents Act 1990* (Cth) and for orders setting aside contracts for the assignment of intellectual property rights (*Falkenhagen v West & Anor*, Federal Court of Australia, QUD508/2019).

> Appearing (unled) for the defendants in Federal Court proceedings for infringement of copyright and misleading and deceptive conduct (*Key Logic & Anor v Blue Groper Investments Pty Ltd & Ors*, Federal Court of Australia, QUD508/2016).

LAND AND PROPERTY LAW

> Acting (unled) for the plaintiff in Supreme Court proceedings concerning the enforcement and extinguishment of register easements (*TJ O'Neil Super Pty Ltd v Gibson & Anor*, Supreme Court of Queensland, BS12357/20).

> Acting (led by Andreatidis QC) for the owner of residential lots in 'The Beacons' at Airlie Beach to restrain breaches of building covenants (*Hounsell & Ors v Airlie Foreshore Pty Ltd & Ors*, Supreme Court of Queensland, BS1578/19).

> Acting (led by D Kelly QC) for Surfrider Investments in proceedings for rectification of deeds, declarations of invalidity pursuant to the *Retail Shop Leases Act 1994* (Qld) and *Property Law Act 1974* (Qld), and damages for misleading and deceptive conduct and unconscionable conduct in contravention of the *Australian Consumer Law* (*Alyhunt Pty Ltd & Ors v Surfrider Pty Ltd*, Supreme Court of Queensland, BS6588/17).

> Acting (unled) for the applicant in Supreme Court proceedings for the specific performance of a contract for the sale of land (*Orr v NGU Corp Luxury Developments Pty Ltd*, Supreme Court of Queensland, BS7194/18).

> Advising Vinta Group in connection with the purchase of the Kingaroy Hotel.

RESOURCES & ENERGY

> Acting (led by Doyle QC) for Australia Pacific LNG in proceedings against Gladstone Regional Council for a review of certain rating decisions (*Australia Pacific LNG (Share Facilities) Pty Ltd v Gladstone Regional Council*, Supreme Court of Queensland, BS9208/15).

> Acting (led by Doyle QC and L Kelly QC) for Adani Mining Pty Ltd, Carmichael Rail Network Pty Ltd and Abbot Point Bulkcoal Pty Ltd in various proceedings in connection with protestor activities associated with the construction of the Carmichael Mine and Rail Project (*Adani Mining & Anor v Pennings*, Supreme Court of Queensland, BS6666/20; *Adani Mining & Anor v Pennings*, Supreme Court of Queensland, BS9186; *Adani Mining & Anor v Pennings*, Queensland Court of Appeal, 6931/20).

SUCCESSION

> Acting for the respondent executors in a family provision application made under Part IV of the *Succession Act 1981* (Act) (*Teulan v Teulan*, Supreme Court of Queensland, BS1311/19).

> Acting (led by Doyle QC) for the respondent executors and revoking the grant of probate (*Warren v Loekow & Ors*, Supreme Court of Queensland, BS11844/17).

RECOMMENDATIONS

Doyle's Guide to the Australian Legal Profession

2022 – 'Recommended' Insolvency & Restructuring Junior Counsel (QLD)

2021-22 – 'Recommended' Commercial Litigation & Dispute Resolution Junior Counsel (QLD)

2017 – Emerging Construction & Infrastructure Junior Counsel (QLD)

MEMBER

Bar Association of Queensland

CAREER

2014 Barrister, Queensland

2010 Lawyer, Corrs Chambers Westgarth

2007 Associate to the Hon I D F Callinan AC, High Court of Australia

EDUCATION

2015 University of Oxford, Master of Philosophy in Law

2013 University of Oxford, Bachelor of Civil Law (Distinction)

2009 University of Queensland, Bachelor of Laws (Hons I)

2009 University of Queensland, Bachelor of Arts (Hons I)

AWARDS

2014 Gregory Kulkes Scholarship, Balliol College, University of Oxford

2013 Clarendon Scholarship, University of Oxford

PUBLICATIONS

Corrective Justice and Unjust Enrichment

April 2012, Contract, Commercial Equity

Liability limited by a scheme approved under professional standards legislation