

ROGER TRAVES QC

YEAR OF CALL: 1985 | YEAR OF SILK: 2003

Roger is a leading Queensland silk with a wide-ranging commercial and public law practice.

He is adept conducting stringent cross-examination in a trial setting, in advancing legal arguments before appellate courts, and in the provision of specialist advice. Sought by clients for his ability to give strong strategic direction and for being calm under pressure, he leads teams in large and complex litigation where effective cross-examination and presentation of technical expert evidence is critical.

Recent instructions include appearances and specialist advisory work spanning a diverse range of areas including regulatory matters under Australian Consumer Law, commercial equity, native title and mining rights, the construction of infrastructure for significant community developments, judicial review, private international law, vegetation management, the compulsory acquisition of land and the valuation of land for taxation purposes.

The breadth of Roger's professional recognition reflects the extensive range of matters on which he is briefed. He is recognised in Doyle's Guide and the Australian Financial Review's *Best Lawyers*® for practice areas including Commercial Law and Litigation, Insurance Law, Planning and Environment Law, Dispute Resolution and Wills and Estates.

He is a keen proponent of alternative dispute resolution. Roger's extensive experience, combined with his personable, adaptable and user-friendly approach, enables him to identify the issues incisively and successfully mediate commercial disputes of all types. Applying the specialist knowledge of the fields in which he practices, Roger acts as expert by agreement between parties to determine commercial disputes informally, efficiently and cost effectively.

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Building & Construction, Commercial Equity, Contract, Corporations, Inquiries & Coronial Inquests, Insurance, Judicial Review & Administrative, Land Law & Property, Native Title & Cultural Heritage, Planning & Environment, Professional Discipline & Regulatory, Professional Negligence, Resources & Energy, Sport, Succession, Tax.

LEVEL

TWENTY
SEVEN

CHAMBERS



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SELECTED CASES

Australian Competition and Consumer Commission v Lorna Jane Pty Ltd[2021] FCA 852

July 2021, Competition & Consumer

State of Queensland v Masson[2020] HCA 28

August 2020, Professional Negligence, Appellate

BWP Management Limited & Anor v Ipswich City Council[2020] QCA 104

May 2020, Land Law & Property

State of Queensland v The Estate of the Late Jennifer Leanne Masson[2019] HCATrans

November 2019, Judicial Review & Administrative, Professional Negligence

Traspunt No 4 Pty Ltd v Moreton Bay Regional Council[2019] QCA 51

March 2019, Planning & Environment

Queensland Nickel Sales Pty Ltd & Ors v Mount Isa Mines Limited[2019] QCA 32

February 2019, Appellate, Commercial Equity, Contract, Corporate Insolvency & Bankruptcy

China First Pty Ltd & Anor v Mount Isa Mines Limited & Ors[2018] QCA 350

December 2018, Appellate, Contract

Geoscience Resource Recovery LLC v Central Petroleum Ltd[2018] QCA 216

September 2018, Contract, International

Bowyer Group Pty Ltd v Cook Shire Council[2018] QCA 159

July 2018, Appellate, Planning & Environment

Matton Developments Pty Ltd v CGU Insurance Ltd[2016] QCA 208

August 2016, Appellate, Insurance

Lee v Crime and Corruption Commission & Commissioner of Police[2016] QCA 145

June 2016, Appellate, Judicial Review & Administrative, Professional Discipline & Regulatory

Boon v Summs of Qld Pty Ltd[2016] QCA 038

February 2016, Insurance, Appellate

Yolla Holdings Pty Ltd v Aion Co Pty Ltd[2014] QCA 137

June 2014, Appellate, Land Law & Property, Planning & Environment

Agripower Australia Limited v J & D Rigging Pty Ltd[2014] HCATrans 106

May 2014, Appellate, Building & Construction

Wright and Anor v The Minister for Employment, Skills & Mining for the State of Queensland and Ors
[2014] HCATrans 18

February 2014, Judicial Review & Administrative, Resources & Energy, Appellate

Wright and Anor v Minister for Employment, Skills and Mining for the State of Queensland and Ors
[2013] QCA 141

May 2013, Appellate, Judicial Review & Administrative, Resources & Energy

Herrod v Johnston [2012] QCA 360

December 2012, Commercial Equity, Appellate

Paroz v Paroz [2011] HCATrans 205

August 2011, Appellate, Commercial Equity

Board of Trustees of the State Public Sector Superannuation Scheme v Edington (includes Corrigendum dated 10 February 2011) [2011] FCAFC 8

November 2010, Appellate, Employment & Industrial

Pingel v Toowoomba Newspapers Pty Ltd [2010] QCA 175

July 2010, Appellate, Media & Defamation

Chief Executive, Department of Natural Resources and Mines v Kent Street Pty Ltd [2010] QCA 56

March 2010, Appellate, Land Law & Property

China First Pty Ltd v Mount Isa Mines Ltd [2018] QSC 163

July 2018, Commercial Equity, Contract, Land Law & Property

Mount Isa Mines Ltd v Queensland Nickel Sales Pty Ltd [2017] QSC 285

November 2017, Land Law & Property

Inkerman Station Pty Ltd as trustee for the Inkerman Station Trust v Allan & Ors (No 2) [2017] QSC 243

October 2017, Judicial Review & Administrative, Land Law & Property

Inkerman Station Pty Ltd as trustee for the Inkerman Trust v Allen [2017] QSC 147

July 2017, Judicial Review & Administrative

Aklia Holdings Pty Ltd v The Carter Group Pty Ltd (in liq) [2017] QSC 75

May 2017, Commercial Equity, Corporate Insolvency & Bankruptcy, Corporations

Bauer Equipment Australia Pty Ltd v ACN 153 866 114 Pty Ltd [2016] QSC 76

April 2016, Corporations, Corporate Insolvency & Bankruptcy

APT Petroleum Pipelines Pty Ltd v Western Downs Regional Council [2014] QLC 18

August 2014, Land Law & Property

Aion Corporation Pty Ltd v Yolla Holdings Pty Ltd and Anor [2013] QSC 191

July 2013, Commercial Equity

Agripower Australia Ltd v J and D Rigging Pty Ltd and Ors [2013] QSC 164

June 2013, Building & Construction, Judicial Review & Administrative

***Barnet, in the matter of Fulkoto Pty Ltd (in Liquidation)*[2013] FCA 595**

June 2013, Corporate Insolvency & Bankruptcy, Appellate

***Mark Joseph O'Donnell v Colleen Mary Gillespie and Anor*[2010] QSC 22**

February 2013, Succession

***McPherson v Byrne and Ors* [2012] QSC 394**

December 2012, Succession

***Hansen Yuncken Pty Ltd v Ian James Ericson trading as Flea's Concreting*[2012] QSC 51**

March 2012, Commercial Equity, Tax

***Hyatt of Australia Ltd v Coolum Resort Pty Ltd*[2012] QSC 49**

March 2012, Contract, Corporations

***Chesney v Tognola* [2011] QSC 340**

November 2011, Succession

***Deng v Q-Comp* [2011] QSC 191**

June 2011, Judicial Review & Administrative

***Hansen v President of the Industrial Court of Queensland*[2011] QSC 130**

May 2011, Appellate, Employment & Industrial

***Heslop v Secretary, Department of Families, Housing, Community Services and Indigenous Affairs*[2010] FCA 1345**

November 2010, Appellate, Judicial Review & Administrative

***Babcock & Brown Pty Ltd v Arthur Andersen* [2010] QSC 287**

August 2010, Professional Negligence

***Hack v Kettering Pty Ltd and Ors* [2009] QSC 27**

February 2009, Commercial Equity

***Eumundi Group Hotels Pty Ltd v Valuer-General*[2021] QLAC 2**

September 2021, Land Law & Property

***Ipswich City Council v BWP Management Limited & Anor*[2019] QLAC 1**

June 2019, Appellate, Land Law & Property

***Deleje Pty Ltd & Anor v Butterworth*[2021] QDC 328**

December 2021, Planning & Environment

Odna Group Pty Ltd v Logan City Council[2021] QPEC 41

August 2021, Planning & Environment

Shun Pty Ltd v Logan City Council & Anor[2020] QPEC 31

June 2020, Planning & Environment

The Trust Company Limited v Valuer-General; El Camino Priority I Pty Ltd v Valuer-General; Body Corporate for "Admiralty Quays" CTS 24592 v Valuer-General[2020] QLC 38

November 2020, Land Law & Property

Goldicott House Pty Ltd v Brisbane City Council & Ors[2020] QPEC 11

April 2020, Planning & Environment

MRV Metals Pty Ltd v Chief Executive, Department of Environment and Science[2020] QLC 9

March 2020, Judicial Review & Administrative

JRD No 2 Pty Ltd v Brisbane City Council & Ors[2020] QPEC 4

February 2020, Planning & Environment

Drivas Lakes Pty Limited as Tte v Valuer-General[2019] QLC 42*

November 2019, Land Law & Property

F A Pidgeon & Son Pty Ltd v Valuer-General; 310 Ann Street Nominees Pty Ltd v Valuer-General (No 2)
[2019] QLC 25

May 2019, Appellate, Land Law & Property

F A Pidgeon & Son Pty Ltd v Valuer-General[2019] QLC 26

May 2019, Land Law & Property

Singh Properties Pty Ltd v Scenic Rim Regional Council[2018] QPEC 27

May 2018, Planning & Environment

Cox v Brisbane City Council[2013] QPEC 44

December 2013, Planning & Environment

McDonalds Australia Ltd v Logan City Council(BC20125011)

December 2012, Planning & Environment, Appellate

ING Management Limited (as responsible entity) v Department of Natural Resources and Water [2009]
QLC 0094

July 2009, Land Law & Property

GPT RE Limited (as responsible entity) and Anor v Department of Natural Resources and Water [2009]
QLC 78

June 2009, Land Law & Property

RECOMMENDATIONS

Doyle's Guide to the Australian Legal Profession

- 2022 – Recommended Leading Counsel for Planning & Environment (Queensland)
- 2020 – Recommended Leading Counsel for Wills & Estates (Queensland)
- 2020 – Recommended Leading Counsel for Planning & Environment (Queensland)
- 2019 – Recommended Leading Counsel for Insurance (Queensland)
- 2019 – Recommended Leading Counsel for Planning & Environment (Queensland)
- 2018 – Recommended Leading Counsel for Commercial Litigation & Dispute Resolution (Queensland)
- 2018 – Recommended Leading Counsel for Planning & Environment (Queensland)
- 2018 – Recommended Leading Counsel for Wills & Estates (Queensland)
- 2018 – Recommended as a Leading Mediator (Queensland)
- 2017 – Recommended Leading Counsel for Planning & Environment (Queensland)
- 2016 – Recommended Leading Counsel for Insurance (Queensland)

Australian Financial Review's Best Lawyers

- 2023 – Brisbane Alternative Dispute Resolution 'Lawyer of the Year'
- 2021-23 – Recognised in Alternative Dispute Resolution, Commercial Law, Insurance Law, Planning and Environmental Law
- 2019 – Recognised in Commercial Law, Insurance, Planning & Environment
- 2018 – Recognised in for Planning & Environment

APPOINTMENTS

Professional Leadership and Public Life

2014–current Chairman, Bar Association of Queensland Ethics Committee

2014 Australian Bar Association, Advanced Trial Advocacy Course

2011–2012, 2012–2013 President, Bar Association of Queensland

2010–2011 Vice-President, Bar Association of Queensland

2011–2012 Director, Law Council of Australia

2011–2012 Member, Council of the Australian Bar Association

2010–2011 Chair, Professional Discipline and Conduct Committee, Bar Association of Queensland

2007–2009 Honorary Secretary, Bar Association of Queensland

2003–2013 Member, Bar Council

Community Involvement and Leadership and Public Life

2011–present Director, Cancer Council of Queensland & Member, Management and Finance Committee, Cancer Council of Queensland.

2002–2014 President, Breast and Prostate Cancer Association of Queensland (previously Breast Cancer Association of Queensland)

1993–1994 President, University of Queensland Cricket Club

CAREER

2013 Appointed Queen's Counsel

2003 Appointed Senior Counsel

1985 Barrister at Law, admitted

1985 Associate to the Honourable the Chief Justice, Sir Walter Campbell

1981–1982 Queensland Sheffield Shield Cricket

EDUCATION

1997 Master of Laws, Queensland University of Technology

1985 Bachelor of Laws (Hons), University of Queensland

1983 Bachelor of Arts, University of Queensland

PUBLICATIONS

Appeals: When is a Trial Judge "Wrong"?

October 2020, Appellate

Does a Stitch in Time Really Save Nine? Issues Surrounding Mitigation Costs Under a Policy of Liability Insurance

December 2018, Insurance, Contract

Directors' Liability for the Execution of Corporate Guarantees

November 2015, Corporate Insolvency & Bankruptcy, Corporations

Guarantees and Assignments of Leases

November 2015, Judicial Review & Administrative, Land Law & Property

Conditions Precedent and Promissory Obligations in the Context of Guarantees

November 2015, Judicial Review & Administrative, Commercial Equity, Contract, Corporate Insolvency & Bankruptcy, Corporations

Testamentary Promises, Estoppel and Remedies

September 2015, Commercial Equity

Establishing a claim against liability insurers

May 2015, Insurance

Chasing the (w)right decision

November 2014, Judicial Review & Administrative

Recent Developments in Respect of Section 54 and Section 48 of the Insurance Contracts Act

November 2014, Insurance

Liability Insurance and Defence Costs

November 2014, Insurance

The Future of the Bar

November 2013

Professional Ethics 2013

February 2013

The extent to which an insurer is bound by a judgment or settlement against the insured

November 2012, Insurance, Judicial Review & Administrative

Equitable interests in estates and equitable remedies

November 2012, Succession

Breaches of trust, negligence of trustees and the exercise of discretion by trustees of discretionary trusts

September 2012, Commercial Equity

Misleading or deceptive conduct and circumstances relevant to the interpretation of contracts

May 2012, Contract

Professional Ethics 2012

February 2012

Constructive Trusts and Unconscionable Conduct

September 2011, Commercial Equity

Common Challenges for the Legal and Medical Professions

August 2009

Professional Ethics 2009

March 2009

Ethics In Mediation

July 2008, Insurance

Defence Costs Clauses in Insurance Policies

July 2008, Insurance

Legal Responsibility for the Poorly Performing Surgeon and Organizational Responses to Minimize Risk and Improve Performance

May 2008

Defence Costs Clauses in Liability Insurance Policies

November 2007, Insurance

Liability limited by a scheme approved under professional standards legislation