

SHANE DOYLE QC

YEAR OF CALL: 1987 | YEAR OF SILK: 1995

Shane Doyle has a large commercial practice covering a wide range of advisory work and appeal and trial work in all courts, in arbitrations and in various Commissions. His practice includes advising on and appearing in a variety of competition law matters and in regulatory pricing reviews.

He practices from Level Twenty Seven Chambers (Brisbane), 5th Floor Selborne Chambers (Sydney) and Essex Court Chambers (London). He is a former President of the Bar Association of Queensland.

He is selected as a leading QC for Dispute Resolution, Construction & Infrastructure (Band 1) and Restructuring/Insolvency (Band 1) by the 2017-2020 editions of Chambers & Partners Asia Pacific. He is also recommended as a leading QC for Dispute Resolution by Chambers & Partners Global 2017-2020. Shane has been nominated as a leading arbitration barrister in Australia by Who's Who Legal: Arbitration 2017 and 2018, and is listed in eight individual practice areas by the latest edition of Doyle's Guide (for further details see the recommendations section below). In 2014 and 2017, he was chosen as the Brisbane Competition Law 'Lawyer of the Year' by Australian Financial Review's Best Lawyers, in 2016 as 'Lawyer of the Year' for Bet-the-Company Litigation and in 2019 as Brisbane Commercial Law 'Lawyer of the Year'.

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Building & Construction, Class Actions, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Insurance, International, Native Title & Cultural Heritage, Professional Negligence, Resources & Energy, Succession, Tax.

CASES

Cherwell Creek Coal Pty Ltd v BHP Queensland Coal Investments Pty Ltd & Ors[2019] QCLA 5

November 2019, Appellate, Judicial Review & Administrative

Brisbane City Council v Amos[2019] HCA 27

September 2019, Appellate, Land Law & Property

LEVEL

TWENTY
SEVEN

CHAMBERS



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***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

***Gold Coast City Council v Sunland Group Limited & Anor* [2019] QCA 118**

June 2019, Appellate, Land Law & Property, Planning & Environment

***Fairmont Group Pty Ltd v Moreton Bay Regional Council* [2019] QCA 81**

May 2019, Planning & Environment

***Sunland Group Limited & Anor v Gold Coast City Council* [2019] QPEC 14**

April 2019, Planning & Environment

***Talbot v Boyd Legal (A Firm) & Anor* [2019] QSC 80**

March 2019, Professional Negligence

***Civil Mining & Construction Pty Ltd v Wiggins Island Coal Export Terminal Pty Limited; Wiggins Island Coal Export Terminal Pty Limited v Civil Mining & Construction Pty Ltd* [2019] QCA 12**

February 2019, Contract, Building & Construction, Judicial Review & Administrative

***Gambaro Pty Ltd v Rohrig (Qld) Ltd* [2018] QCA 327**

November 2018, Appellate, Judicial Review & Administrative, Contract

***Aurizon Network Pty Ltd v Queensland Competition Authority & Ors* [2018] QSC 246**

October 2018, Judicial Review & Administrative, Competition & Consumer

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

September 2018, Corporate Insolvency & Bankruptcy

Railway Royal Commission of Inquiry

September 2018, Inquiries & Coronial Inquests

***Parbery v QNI Metals Pty Ltd & Ors* (2018) 358 ALR 88; (2018) 127 ACSR 582; [2018] QSC 107**

May 2018, Commercial Equity, Corporate Insolvency & Bankruptcy, Contract, Corporations

***Sunland Group Ltd v Gold Coast City Council* [2018] QPELR 826; [2018] QPEC 22**

May 2018, Planning & Environment

***Carmody v Information Commissioner* [2018] QCATA 14**

March 2018, Judicial Review & Administrative

***Saipem Australia Pty Ltd v GLNG Operations Pty Ltd* [2017] QSC 294**

December 2017, Building & Construction, Contract, Resources & Energy

***Principal Properties Pty Ltd v Brisbane Broncos Leagues Club Ltd* [2017] QCA 254**

October 2017, Contract, Land Law & Property

Brisbane Airport Corporation Pty Ltd v Arup Pty Ltd[2017] QSC 232

October 2017, Building & Construction

Berhane v Woolworths Ltd[2017] QCA 166

August 2017, Appellate, Professional Negligence

Credit Suisse AG, Sydney Branch v Springsure Property Holdings Pty Ltd (in liquidation)[2017] QSC 142

June 2017, Contract, Land Law & Property

Trina Solar (US), Inc v Jasmin Solar Pty Ltd[2017] FCAFC 6

March 2017, Arbitration, Corporations, International

Westpac Banking Corporation v Zilzie Pty Ltd[2016] QSC 238

October 2016, Corporate Insolvency & Bankruptcy, Corporations

Callide Power Management Pty Ltd v Callide Coalfields (Sales) Pty Ltd; CS Energy Ltd v Callide Coalfields (Sales) Pty Ltd (No5) [2016] QSC 199

August 2016, Contract, Resources & Energy

Robinson Helicopter Company Incorporated v McDermott(2016) 331 ALR 550; (2016) 90 ALJR 679; [2016] HCA 22

June 2016, Appellate, Professional Negligence, Competition & Consumer

Lee v Abedian [2017] 1 Qd R 549; [2016] QSC 92

April 2016, Professional Negligence

Commissioner of Taxation v Australian Building Systems Pty Ltd[2015] HCA 48

December 2015, Appellate, Corporate Insolvency & Bankruptcy, Tax

IBM Australia Ltd v State of Queensland[2015] QSC 342

December 2015, Commercial Equity, Contract, Competition & Consumer

Robinson Helicopter Company Incorporated v McDermott[2015] HCATrans 274

October 2015, Appellate, Professional Negligence, Competition & Consumer

Ferguson v Mules [2015] HCATrans 272

October 2015, Appellate, Professional Negligence

LM Investment Management Ltd) v Whyte (receiver of the LM First Mortgage Investment Fund) [2015] QSC 283

October 2015, Corporate Insolvency & Bankruptcy, Corporations

Commissioner of Taxation v Australian Building Systems Pty Ltd (in liq)[2015] HCA Trans 82

April 2015, Tax, Corporate Insolvency & Bankruptcy

***Westpac Banking Corporation v Jamieson & Ors* [2015] QCA 500**

April 2015, Banking, Appellate

***AGL Sales (Qld) Pty Ltd v Westside Corporation Ltd* [2015] QSC 70**

April 2015, Contract, Resources & Energy

***Mackay Sugar Ltd v Quadrio* [2015] QCA 41**

March 2015, Contract

***Mules v Ferguson* [2015] QCA 5**

February 2015, Professional Negligence, Appellate

***Gladstone Area Water Board v AJ Lucas Operations P/L* [2014] QSC 311**

December 2014, Contract

***Re RiverCity Motorway Pty Limited (Administrators Appointed) (Receivers and Managers Appointed)* (2014) 225 FCR 541**

September 2014, Corporations, Corporate Insolvency & Bankruptcy

***Mid Brisbane River Irrigators Inc v The Treasurer and Minister for Trade of the State of Qld & Ors* [2014] QSC 196**

August 2014, Judicial Review & Administrative, Competition & Consumer

***Siemens Limited v Forge Group Power Pty Ltd (in liq)* [2014] QSC 184**

August 2014, Building & Construction

***ATS Pacific Pty Ltd v Commissioner of Taxation* [2014] FCAFC 33**

March 2014, Tax, Appellate

***Meijer (Executors, Estate of Hendrik van Leeuwen Dec'd) v Zabusky* [2014] QCA 40**

March 2014, Commercial Equity, Contract

***Australian Building Systems Pty Ltd v Commissioner of Taxation* [2014] FCA 116**

February 2014, Tax, Appellate

***Papale & Ors v Sucrogen Ltd & Anor* [2015] QSC 21**

February 2014, Competition & Consumer

***Remondis Australia Pty Ltd v Ipswich City Council* [2014] QSC 27**

February 2014, Judicial Review & Administrative, Land Law & Property

Australian Competition and Consumer Commission v Flight Centre Limited (No 2) (2014) 307 ALR 209; (No 3) [2014] FCA 292

December 2013, Competition & Consumer

Queensland North Australia Pty Ltd v Takeovers Panel[2014] FCA 591

July 2013, Corporations, Judicial Review & Administrative, Appellate

Queensland Health Payroll System Commission of Inquiry(2013)

July 2013, Contract, Intellectual Property, Inquiries & Coronial Inquests

Australian International Islamic College Board Inc IA 30976 v Kingdom of Saudi Arabia & Anor [2013] QCA 129

May 2013, Appellate, Contract, International

Knott Investments Pty Ltd & Ors v Fulcher & Ors [2013] QCA 67

April 2013, Competition & Consumer, Appellate

Waratah Coal Pty Ltd v Nicholls [2013] QSC 68

March 2013, Corporations, Judicial Review & Administrative

LPD Holdings (Aust) Pty Ltd & Anor v Phillips, Hickey and Toigo & Ors[2013] QSC 30

February 2013, Corporations

Origin Energy Electricity Ltd & Anor v Queensland Competition Authority & Anor[2012] QSC 414

December 2012, Judicial Review & Administrative, Resources & Energy, Competition & Consumer

AET SPV Management Pty Limited v Wildfire Amusements Pty Ltd[2012] QSC 402

December 2012, Land Law & Property, Contract, Corporate Insolvency & Bankruptcy

Commissioner of Taxation v Clark (No 2)[2011] FCAFC 140

November 2012, Tax, Appellate

Tonto Home Loans Australia Pty Limited v Tavares; Firstmac Limited v Di Benedetto; Firstmac Limited v O'Donnell [2012] HCATrans 165

June 2012, Contract

Gough v South Sky Investments Pty Ltd[2012] QCA 161

June 2012, Contract, Appellate, Land Law & Property

ATS Pacific Pty Ltd v Commissioner of Taxation[2013] FCA 341

June 2012, Tax, Appellate

Re Alinta Sales Pty Ltd (No 2)[2012] ACOMPT 13

June 2012, Competition & Consumer

Application by WA Gas Networks Pty Ltd (No.3)[2012] ACompT 12

May 2012, Competition & Consumer

Application by Energex Ltd (Gamma) (No5)[2011] ACompT 9

May 2012, Competition & Consumer

Sucrogen Australia Pty Ltd v. Westpac Banking Corporation & Anor[2011] QSC 393

December 2011, Land Law & Property, Banking

Commissioner of Taxation v Clark[2011] HCATrans 236

September 2011, Tax

BHP Coal Pty Ltd v Minister for Natural Resources, Mines, Energy and Minister for Trade[2011] QSC 246

August 2011, Judicial Review & Administrative, Resources & Energy

Advance Traders Pty Ltd v McNab Constructions Pty Ltd & Anor[2011] QSC 212

August 2011, Building & Construction

Australian Energy Regulator v Stanwell Corporation Limited[2011] FCA 991

August 2011, Resources & Energy, Competition & Consumer, Appellate

Application by Energex Ltd (Distribution (Gamma)) (No3) [2010] ACompT9

December 2010, Competition & Consumer

Application by Energex Ltd (No2) [2010] ACompT 7

October 2010, Competition & Consumer

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

March 2010, Appellate, Land Law & Property

Cassels & Anor v Brisbane City Council [2009] QSC 124

May 2009, Land Law & Property, Judicial Review & Administrative

Callide Coalfields (Sales) P/L v CS Energy Ltd [2008] QCA 408

December 2008, Contract, Resources & Energy, Appellate

PT Limited & Westfield Management Limited v Department of Natural Resources and Mines [2007] QLAC 0077

October 2007, Land Law & Property

Westfield Management Ltd v Brisbane Airport Corporation Ltd [2005] FCA 32

February 2005, Land Law & Property, Judicial Review & Administrative

Wik Peoples v State of Queensland & Ors B8/1996[1996] 187 CLR 1

June 1996, Appellate, Land Law & Property

EXPERIENCE

Arbitration

He has acted in numerous commercial arbitration cases over a wide range of fields, both national and

international. Issues raised have included insurance, public and private international issues, banking, commodities and energy, power supply projects and general contractual matters.

Commercial litigation

Shane has advised and appeared in key cases in all areas of insurance, general contractual litigation, banking, and corporate disputes including oppression proceedings, claims for director's breach of fiduciary and duties and majority/ minority shareholder disputes of all kinds. He is also experienced in matters concerning professional negligence of all kinds (solicitors, engineers, valuers, and accountants).

Constitutional

Shane has been called on to advise upon the validity or otherwise of legislative and administrative acts, both federal and state, and to appear in matters which involve constitutional issues at various levels.

Equity & Trusts

Shane lectured in Equity prior to commencing practice at the Bar, and has since advised and appeared in large numbers of matters involving claims under: express trusts (against trustees, proceedings for the administration of trusts, the removal of trustees or directions); for the imposition of constructive trusts in a wide range of circumstances (including arising from breaches of fiduciary duties by directors, agents, joint ventures or other contracting parties, family or similar relationships); and for other forms of equitable relief (including accounts and enquiries, compensation, injunctions).

Energy/ commodities/ construction/ infrastructure

He has advised and appeared in a raft of cases dealing with issues of energy and commodities supply, for example, gas price fixing, coal mines ownership and management, electricity and concrete supply and regulation, and important cases dealing with freight and passenger transport infrastructure.

Taxation and banking litigation

Shane has advised and appeared both for individuals, companies and the Australian Commissioner of Taxation in a range of cases concerning income, stamp duties, GST and indirect taxation matters.

Takeovers and mergers and corporate litigation

He has advised and appeared in many cases involving takeovers, schemes of arrangement and mergers of listed Australian and international companies.

RECOMMENDATIONS

Nominated as a leading arbitration barrister in Australia by **Who's Who Legal: Arbitration**

- 2018 *"a widely recognised name in the Australian market where he stands out for his expert handling of complex construction and infrastructure-related disputes"*

“

- 2017: listed as one of only four leading arbitration barristers in Australia.

Recommended for Dispute Resolution in **Chambers & Partners Asia-Pacific:**

- 2020 “*overpowering intellect*”, “*calm under pressure, practical and easy to work with and finds a way to deliver the client an outcome*” and “*ability to narrow a case down to what actually matters*”.
- 2019 “*the undisputed leader of the Queensland Bar*” and “*powerful and persuasive arguments which command the attention and respect of a tribunal*” and “*very strong intellect, quick grasp of issues and readiness to make a call and not sit on the fence*”.
- 2018 “*quite clearly head and shoulders above everyone else at the Queensland Bar*”.
- 2017 “*the clear leader of the Queensland Bar*” and “*confidence that he will do an exceptional job every time*”.
- 2016 “*pre-eminent in the Brisbane market – the first name on every solicitor’s lips*”.
- 2015 “*extraordinary intellect, outstanding knowledge of the law and extraordinary work ethic*” and “*extremely strong in cases involving complex economic issues*”.

Recommended (Band 1) for Construction & Infrastructure in **Chambers & Partners Asia-Pacific:**

- 2020 “*He’s very persuasive, he exercises very good judgement, he’s got real gravitas and he’s very efficient with his use of time*” and “*the go-to silk in Brisbane for bet-the-company litigation, or where highly proficient technical advice is required*”.
- 2019 “*the most pre-eminent QC in Queensland and one of the best silks in Australia*” and “*he’s at the top of his game*”.
- 2018 “*one of the most talented barristers in the country*” and “*one of the best advocates in the Australian market*”.
- 2017 “*a world-class commercial practice*” and “*his advocacy is widely regarded as the best in the country, the best in Queensland for sure and, clearly, he has a fine legal brain and is good on strategy – a go-to for extremely hard or complex matters*”.

Recommended (Band 1) for Restructuring/Insolvency in **Chambers & Partners Asia-Pacific:**

- 2020 – “*head and shoulders above everyone else in the insolvency space*” and “*his quality of client service is rare to see in barristers at his level*”.
- 2019 “*if there is a major insolvency matter which requires counsel, Shane is always the first choice*” and “*he has no peer*” and “*truly a colossus in the area*”.
- 2018 “*considered to be a leader of the Queensland Bar*” and “*he stands alone as the top one in Queensland*”.
- 2017 “*a brilliant and exceptional advocate who has a great sense of authority and is very knowledgeable*”.

Recommended for Dispute Resolution in **Chambers & Partners Global:**

- 2020 “*leader of the Queensland Bar*”.
- 2019 “*very strong intellect, quick grasp of issues and readiness to make a call and not sit on the fence*”.
- 2018 “*very skilled in presentation and can cut to the chase in the way that judges like*”.
- 2017 “*a go-to for extremely hard or complex matters*”.
- 2016 “*formidable advocate*”.

- 2015 “*very experienced in a broad range of areas, particularly large commercial disputes*”.
- 2014 “*pre-eminent senior counsel*”.

Recommended for Arbitration in **Doyle’s Guide**:

- 2019 (Australia) – Leading
- 2018 (Australia) – Leading
- 2017 (Australia) – Leading

Recommended for Commercial Litigation & Disputes in **Doyle’s Guide**:

- 2018 & 2019 (Queensland) – Market Leader
- 2017 & 2019 (Australia) – Leading
- 2017 (Queensland) – Market Leader
- 2016 (Queensland) – Market Leader
- 2015 (Queensland) – Preeminent
- 2015 (Australia) – Preeminent

Recommended for Competition in **Doyle’s Guide**:

- 2019 (Australia) – Recommended

Recommended for Construction & Infrastructure in **Doyle’s Guide**:

- 2020 (Queensland) – Preeminent
- 2019 (Queensland) – Preeminent
- 2018 (Australia) – Leading
- 2018 (Queensland) – Preeminent
- 2017 (Queensland) – Preeminent
- 2017 (Australia) – Leading
- 2016 (Queensland) – Preeminent
- 2015 (Queensland) “*the unquestioned first choice*”
- 2015 (Australia) – Preeminent
- 2014 (Queensland)

Recommended for Insolvency & Reconstruction in **Doyle’s Guide**:

- 2019 (Queensland) – Preeminent
- 2018 (Queensland) – Preeminent
- 2017 & 2019 (Australia) – Leading
- 2017 (Queensland) – Market Leader
- 2016 (Australia) – Leading
- 2016 (Queensland) – Market Leader
- 2015 (Queensland) – Market Leader
- 2015 (Australia) – Preeminent

Recommended for Insurance in **Doyle's Guide**:

- 2018 (Queensland) – Recommended
- 2017 (Queensland) – Recommended
- 2016 (Queensland) – Recommended

Recommended for IP & TMT in **Doyle's Guide**:

- 2016 (Queensland)

Recommended for Planning & Environment in **Doyle's Guide**:

- 2017 (Queensland) – Recommended

Recommended for Wills & Estates in **Doyle's Guide**:

- 2016 (Queensland)

Recommended in **Australian Financial Review's Best Lawyers** since 2013.

- 2020 (Bet-the-Company Litigation, Commercial Law, Competition Law, Construction & Infrastructure, International Arbitration, Litigation and Oil & Gas)
- 2019 (Bet-the-Company Litigation, Commercial Law, Competition Law, Construction & Infrastructure, Litigation and Oil & Gas)
- 2018 (Bet-the-Company Litigation, Commercial Law, Competition Law, Construction & Infrastructure, Litigation and Oil & Gas)
- 2017 (Bet-the-Company Litigation, Commercial Law, Competition Law, Construction & Infrastructure, Litigation)

APPOINTMENTS

2014–2015 President, Bar Association of Queensland

2002–2008, 2011–Nov 2015 Member of the Bar Council in Queensland

2013–2014 Vice President, Bar Association of Queensland

1996–2014 Chairman, Bar Association Commercial Law Committee

MEMBER

IBA Council Member (International Bar Association Council Member) (2014-2015)

The Australasian Institute of Judicial Administration Incorporated

Member Bar Association of Queensland Committee for Commercial Law (Chairman)

Bar Council (Queensland)

Commercial Bar Association (COMBAR)

CAREER

2001 Call to the Bar of England & Wales

1995 Senior Counsel, Queensland

1987 Barrister, Queensland

1985 Clayton Utz Solicitors

1982 Partner, Power & Power Solicitors, Brisbane

EDUCATION

1985 BCL, Magdalen College, Oxford University

1980 LLB (First Class Honours), University of Queensland

1977 BEcon, University of Queensland

AWARDS

2017 Australian Financial Review's Best Lawyers 2017 Brisbane Competition Law Lawyer of the Year.

2016 Australian Financial Review's Best Lawyers 2015-2016 Brisbane 'Bet-the-Company' Lawyer of the Year.

2014–2015 Australian Financial Review's Best Lawyers 2014-2015 Brisbane Competition Law Lawyer of the Year.

1985 Dr Morris Award (Oxford University).

1984 British Council Commonwealth Scholarship.

1981 University of Queensland Medal (Law).

PUBLICATIONS

International Arbitration - Trends, Developments and Opportunities for Future Growth

November 2018, Arbitration

International Arbitration: trends, developments and opportunities for future growth

April 2018, Arbitration, International

Estoppels in a Commercial Setting

October 2016, Contract

Emerging Trends in Arbitration in Europe and Lessons for Arbitration in Australia

August 2014, Arbitration, International

Aspects of the Application of the Civil Liability

July 2014, Building & Construction

Formation and Interpretation of Contracts

November 2012, Contract

Contractual Damages and Penalties

November 2012, Contract

Liability limited by a scheme approved under professional standards legislation