

Examples of matters in which Edmund Robinson has appeared since being called to the Bar in May 2017

Practice and procedure

1. *Cairns Airport Pty Ltd v Ampol Australia Petroleum Pty Ltd* [2026] QSC 69 (leading Rachel Liang)

Acted for Ampol, BP and Viva Energy in resisting the plaintiff's application under UCPR rr 182 and 173 to exclude their counterclaim and equitable set-off defence from the proceeding

2. *Adani Mining Pty Ltd v Pennings* [2025] QSC 264 (led by Dominic O'Sullivan KC)

Privilege against self-incrimination; application for defendant to answer questions on oath or affirmation about the deletion of electronic documents after proceedings had been commenced

Court's inherent power to deal with abuses of process / interrogatories / UCPR r 223(2)(b)

3. *Madan v Mineralogy Pty Ltd [No 3]* [2023] WASC 227 (led by Peter Dunning KC)

Application for separate liability and quantum trials

4. *Re Northern Energy Corp Ltd* [2023] NSWSC 126 (led by Adam Pomerence KC)

Costs of an application for leave to amend a pleading shortly before trial

5. *Madan v Mineralogy Pty Ltd [No 2]* [2022] WASC 470 (led by Peter Dunning KC)

Discovery; confidentiality protocols

6. *Mineralogy Pty Ltd v BGP Geosplorer Pte Ltd* [2019] 2 Qd R 336; [2018] QCA 256 (unled)

And at first instance: [2018] QSC 42; [2018] 11 QLR (led by Dominic O'Sullivan KC)

And High Court special leave application (on the papers): [2019] HCASL 43

Post-judgment interest: Whether delivery and acceptance of a cheque to the plaintiff to secure the benefit of a stay of the primary judgment pending appeal constituted payment of the judgment debt so as to stop interest accruing

7. *Parbery v QNI Metals Pty Ltd* [2018] QSC 276

Disclosure

8. *Parbery v QNI Metals Pty Ltd* [2018] QSC 83

Application by plaintiffs for leave to be represented by two sets of solicitors

9. *China First Pty Ltd & Anor v Mount Isa Mines & Ors* [2019] 3 Qd R 173; [2018] QCA 350 (unled)

And at first instance: [2018] QSC 163; [2018] 31 QLR (unled)

Whether final orders following a substantive hearing should be set aside because an equitable chargee had been a necessary party to the proceeding but had not been joined

10. *Byerwen Coal Pty Ltd v Colinta Holdings Pty Ltd (No 3)* [2019] QLC 20 (unled; on the papers)

Costs

11. *Melbourne IT (Arq Group) v Maverick HR Pty Ltd* [2018] QDC 229 (unled)

Summary judgment and strike-out application

12. *Mineralogy Pty Ltd v BGP Geosplorer Pte Ltd* [2017] QCA 275 (led by Thomas Bradley QC as his Honour then was)

Application for stay of enforcement of judgment pending appeal

Corporations and insolvency

13. *Destination Brisbane Consortium Integrated Resort Operations Pty Ltd as Trustee v PCA (Qld) Pty Ltd (subject to a Deed of Company Arrangement)* [2024] QSC 178 (led by Philip O’Higgins KC)

Acted for DBC (the developer of the Queen’s Wharf casino development) in application to amend a DOCA which extinguished the claims of insured creditors including DBC

14. *Hutson & Ors v New Hope Corporation Limited & Ors* [2023] NSWSC (led by Liam Kelly KC; led earlier in the proceeding by Adam Pomerence KC)

8 week trial before Hammerschlag CJ in Eq – settled after 2 weeks

Acted for the former CEO and the former CFO of the New Hope Group in defending a \$300 million (approx.) claims for alleged breaches of the general law duty of care and diligence, the duties imposed by sections 180-182 of the *Corporations Act*, and fiduciary duties, and claims for alleged insolvent trading of two subsidiaries of New Hope

15. *The Presbyterian Church of Queensland Incorporated by Letters Patent v Attorney-General for State of Queensland* – Acted for the receivers and managers of The Presbyterian Church of Queensland Incorporated in successful applications for directions

(a) [2021] QSC (ex tempore, Freeburn J) (with Stewart Webster, both led by Adam Pomerence KC); and

(b) [2022] QSC 38 (unled).

16. *Parbery v QNI Metals Pty Ltd* [2020] QSC 143; [2020] 24 QLR (unled)

5 week trial arising from the liquidation of Queensland Nickel Pty Ltd

17. *In the matter of G-Star Australia Pty Ltd* (Supreme Court proceeding no. 5415/20) before Flanagan J

Acted for the administrators of G-Star Australia Pty Ltd (the Australian arm of Dutch clothing brand “G-Star Raw”) in a successful application to extend the time for convening the second meeting of creditors to allow the administrators sufficient time to sell stock, close physical stores, and vacate leased premises

Building and construction law

18. *Santos Limited v Fluor Australia Pty Ltd & Anor* (Supreme Court of Queensland proceeding no. 12939/16)

Acting since 2021 for the Fluor defendants in defending Santos Limited's \$1.5 billion (approx.) claim in respect of engineering and construction work in an upstream LNG facility. Included:

- (a) Appearing in trial conducted between November 2021 and August 2022 before a panel of referees (in team led by Simon Couper KC, Liam Kelly KC and Dominic O'Sullivan KC).
- (b) *Santos Limited v Fluor Australia Pty Ltd* [2025] QSC 184 per Freeburn J. Nine week hearing regarding *inter alia* whether the referees' report should be adopted or rejected by the Cour. Currently acting in appeal.

19. *Destination Brisbane Consortium v Multiplex* – Supreme Court proceeding no. 9023/23

Acted in 2023 for DBC in defending Multiplex's \$500m (approx.) claim regarding construction of the Queen's Wharf Integrated Resort (critical path delay, acceleration, extension of time claims etc). Settled.

20. *JLOC Super Pty Ltd v Nev Paterson & Son Pty Ltd & Anor* [2023] QSC 270; [2023] 49 QLR (unled)

Strike out application (principles relevant to a pure economic loss claim brought by a subsequent owner of trust property where the subsequent owner was a new trustee of a trust)

Property and equity

21. *Cairns Airport Pty Ltd v Ampol Australia Petroleum Pty Ltd & Ors* – Supreme Court of Queensland proceeding no. 2474 of 2024 (2024 -)

Dispute re ownership of the jet fuel facility at the Cairns Airport, including issues re the sale of fixtures separate from the balance of the real property and indefeasibility of title. Claims for

compensation in the event of loss of ownership of the facility (restitution / unjust enrichment; liability of volunteer; breach of trust and *Barnes v Addy* liability; breach of contractual implied terms).

22. Acting in *Chen & Ors v Bespoke Rochedale Pty Ltd* (Supreme Court proceeding no. BS10005/24) (2024 - 2025) (led by Simon Couper KC)

Claim by 22 buyers of off the plan houses for specific performance of sale contracts; counterclaim seeking permission to terminate the contracts under the newly introduced s 19F of the *Land Sales Act 1984* (Qld) on the basis that the sunset dates had passed. Settled.

23. *Lainor Investments Pty Ltd v SunBuster Solar Shades Pty Ltd* [2020] QDC 59 (unled)

Trial; whether a commercial lease was validly terminated and, if so, whether the tenant should be granted relief against forfeiture

24. *CFMMEU v One Key Workforce Pty Ltd* [2020] FCAFC 27 (led by Brian O'Donnell KC)
And at first instance: [2019] FCA 153 (unled)

Successfully contended at first instance and on appeal that \$1 million held on trust should be paid to One Key Workforce

25. *Waratah Coal Pty Ltd v Port of Townsville Limited & Ors* – Supreme Court of Queensland proceeding no. 8563/18

Acted unled in 2018 in claim by chargee of leases and licences to relief against forfeiture of the leases and licences at the Port of Townsville

Public law

26. *ASIC v Daly (Penalty Hearing)* [2024] FCA 3 (with Lee Clark, both led by Matthew Brady KC)

And: *ASIC v Daly (Liability Hearing)* [2023] FCA 290 (with Lee Clark, both led by Melanie Hindman QC as her Honour then was)

Acted for ASIC in liability and penalty phases of successful civil penalty proceeding against officers of the responsible entity of a managed investment scheme

27. *McDonald & Ors v State of Queensland* – Supreme Court of Queensland proceeding no. 13378/20 (led by Peter Dunning KC) (2020 – 2021)

Challenge to the validity of notices issued under the *Work Health and Safety Act 2011* (Qld) (settled)

28. *Smeltz v Electoral Commission of Queensland* [2020] QSC (ex tempore, Brown J) (leading Paddy Williams)

Whether on the proper construction of provisions of the *Electoral Act 1992* (Qld) the cap on electoral expenditure is inclusive or exclusive of GST

29. Acted unled for the Board of Racing Queensland in QCAT proceedings successfully resisting a challenge to its decision not to renew the Cairns Greyhound Racing Club's licence (2020)

30. *S A M Management (NQ) Pty Ltd v Director General of the Department of Education* [2020] QCAT (unled)

Successfully applied for a stay of the Director General's decision to cancel a service approval in respect of a childcare centre

31. *BA v Director-General, Department of Justice and Attorney General* [2019] QCAT (pro bono) (unled)

Successful review of departmental decision

32. *Training Management Pty Ltd v The State of Queensland* (Supreme Court of Queensland proceeding no. 1357181/18)

Acted for the State (through the Department of Employment, Small Business and Training) in defending a proceeding challenging its decision to suspend funding to a provider of vocational

education and training and suspend its ability to enrol new students. Appeared in interlocutory injunction application against Matthew Brady KC before Bond J. Proceeding settled

Professional negligence

33. Acting for plaintiffs in Supreme Court of Queensland proceeding regarding alleged professional negligence by firm of solicitors and counsel (approx. \$21 million claim) and alleged breaches of duty by company directors (2023 - 2025)
34. Acted unled in claim against firm of solicitors for professional negligence in the drafting of a loan deed (2021). Settled.
35. *Quigg Holdings Pty Ltd & Anor v Puzzle Financial Advice Pty Ltd & Anor* – Supreme Court proceeding (led by Damien O’Brien KC) (2020)

Acted for the plaintiffs in a proceeding against a financial advisor for negligence, breach of contract, and breach of duties under the *Corporations Act* and *ASIC Act*. Settled.

General commercial / contract

36. *Madan v Mineralogy Pty Ltd* [2022] WASC 33 – successful strike-out application

Implied contractual terms; money had and received; equitable fraud; pre-incorporation contracts
37. *In the Matter of E-Computing Pty Ltd and Tech-E Pty Ltd* (no. 4329/20) and *E-Computing Pty Ltd v Meyer* (no. 6005/20) (2019 – 2022) (unled)

Members’ derivative proceeding for recovery of \$1.7. million in funds allegedly misappropriated over 15 years. Related oppression proceeding.
38. Acted unled in a Supreme Court of Western Australia proceeding for a plaintiff seeking to recover approximately AU\$1 million in exchange rate fluctuation damages resulting from a late payment of a sum owed in US dollars (2021 – 2022)

39. *Hamilton Tyre & Rubber Company Pty Ltd v BR International Logistics Pty Ltd* [2020] QDC (unled)

Trial (settled after close of trial but before judgment); restitutionary claim for moneys paid under duress

40. *Gailey Projects Pty Ltd v McCartney & Anor* [2017] QSC before Daubney J (led by Damien O'Brien KC)

Trial (settled after commencement); whether consultancy contract had been formed by words and conduct; alternative quantum meruit claim for services provided

41. Acted in 2017 as junior counsel in three long-running Supreme Court proceedings between Anglo American Australia Limited (and related companies) and the Callide C power station concerning a long-term coal supply agreement. Ultimately settled.

Criminal

42. *Coeur de Lion Investments Pty Ltd v Lewis* (2020) 4 QR 455; [2020] QCA 111 (led by Chris Ward SC)

And below: [2019] QDC 90

Whether private prosecutions may be brought for offences under the *Corporations Act 2001* (Cth)

43. *Palmer v Magistrates Court* (2020) 3 QR 546; [2020] QCA 47

And below: [2019] QSC 8

Application to permanently stay criminal proceeding as abuse of process

44. *Thornbury v The Queen* [2020] HCASL 10 (with Anthony Kimmins and Martin Longhurst)

Application for special leave in respect of criminal sentencing (on the papers)

Permanent stays of proceedings

45. *Challis v Ford Motor Company of Australia Pty Ltd* (2023) 3 QDCR 226; [2023] QDC 193 (unled)

Acted for Ford in a successful application to permanently stay the proceedings as an abuse of process because the plaintiffs' insurers had disposed of relevant physical evidence after the proceeding had commenced

And [2023] QDC 215 (costs)

Also [2021] QDC 177 – earlier successful application to compel the plaintiffs' insurer to file and serve affidavits explaining the circumstances of the disposal of physical evidence

46. *Parbery v QNI Metals Pty Ltd* [2019] QSC 207; [2019] 35 QLR
Application for stay of proceedings

Arbitration and expert determination

47. UNCITRAL arbitration in Singapore
48. Two related confidential expert determinations before Damien O'Brien KC concerning a proposed solar project (unled) (2024). Settled.
49. *Mineralogy Pty Ltd v The State of Western Australia* [2020] QSC 344; [2020] 49 QLR (led by Dominic O'Sullivan KC)

Whether declaratory arbitral awards are enforceable and whether enforcement had been properly effected; principles applicable to setting aside of orders obtained *ex parte*

Miscellaneous

50. *Waller Family Lawyers Pty Ltd v McAuley* [2025] QCA 25; [2025] 12 QLR (unled)

And below: [2024] QCATA 58

Principles applicable to costs agreements and costs disclosure

51. *Folau v Queensland Rugby League Limited* (Supreme Court of Queensland proceeding no. BS6367/2021)

Acted (led by Peter Dunning KC) in dispute between Israel Folau and Queensland Rugby League Limited regarding whether particular provisions of the QRL Rules were void as a restraint of trade. Settled.

52. Six day breach of copyright trial in 2021 (leading Alexander Choy)

53. *Holdfast Palms Pty Ltd & Ors v Dight & Anor* (NSW Supreme Court proceeding no. 2020/00259758) and *Dight v Lambert* (NSW Supreme Court proceeding no. 2020/00202740) (2020 – 2021) (unled)

Dispute regarding Canary Island Date Palm plantation. Claim for \$3 million damages for breach of contract; specific performance; related application to wind up the joint venture vehicle on just and equitable grounds

Interlocutory injunctions

54. Various applications for interlocutory and interim injunctions, including *Next Generation Advice Pty Ltd (in liq) v Doumani* [2024] FCA 1129 and *Mangosteen Orchard Pty Ltd v Zieth* [2021] QDC 20