

## DOMINIC DELANY

Alinea Chambers  
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Dominic commenced practice at the bar in 2018. He accepts briefs in commercial law, equity, insolvency, insurance, public and administrative law, planning and environment law, white-collar crime, and real property.

Since coming to the bar Dominic has acted led and unled in a broad range of areas and jurisdictions. In each year he has been at the bar, Dominic has been named by *Best Lawyers* in the area of litigation. The Legal 500 has ranked Dominic as one of the Rising Stars at the Australian Bar in 2021 and 2022. The publication noted feedback that Dominic ‘*displays a level of ability well in excess of his seniority – and indeed uncommon at any level of the junior bar; ‘I would place Dominic in the company of other exceptional junior barristers at the commercial bar. He is smart, sensible, responsive and commercial.*’ In the 2023 and 2024 editions of the Legal 500, Dominic was recognised as a Leading Junior in Commercial Disputes.

Prior to coming to the bar, Dominic practiced as a commercial litigator in Sydney for 7 years, initially at Baker & McKenzie, and then for 6 years at Arnold Bloch Leibler, including as a senior associate. Before then, Dominic worked as an associate to Drummond AJA working on *Westpac Banking Corporation v Bell Group Ltd (in liq) (No 3)* (2012) 44 WAR 1; (2012) 270 FLR 1; (2012) 89 ACSR 1; [2012] WASCA 157.

Dominic speaks Chinese (Mandarin) to a professional working proficiency, having spent two years studying in China, including one year at Tsinghua University studying Chinese law and literature as part of his undergraduate degree.

### EDUCATION

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<b>2010</b>	Bachelor of Laws (Honours) / Bachelor of Asian Studies (Specialist) (Chinese), ANU
<b>2004</b>	Diploma of Chinese Language, Liaoning University
<b>2002</b>	Associate Diploma of Music (Piano Performance), Australian Music Examination Board, University of Melbourne

## PROFESSIONAL EXPERIENCE

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**2018 to date**

**Barrister**

Alinea Chambers

June 2019 to date

5<sup>th</sup> Floor St James Hall

May 2018 to May 2019

Selected cases:

*Commercial law, equity, insolvency, insurance, tort*

- *Yan v Won Capital Pty Ltd* [2024] NSWSC 758 (unled) (debt claim, operation of illegality defence under the laws of the People's Republic of China, application to set aside deed of company arrangement)
- *Yan v Spyraakis (Trustee), Bankrupt Estate of Liu* [2024] FCA 768 (unled) (application to replace trustee of bankrupt estate)
- *Yang ats Goldmate Group Pty Ltd*, Federal Court (led by S Lawrance SC) (breach of fiduciary duties, breach of contract) (ongoing matter)
- *Manboom Pty Ltd v Jemena Gas Networks*, NSW Supreme Court (led by M Henry SC) (trespass, statutory authority) (ongoing matter)
- *Guo v Yufeng Investment Group (Australia) Pty Ltd*, NSW Supreme Court (led by M Henry SC) (breach of contract, joint venture, breach of fiduciary duties)
- *Mao v Bao* (2023) 113 NSWLR 26; [2023] NSWCA 278 (led by P Knowles SC) (equitable set-off)
- *Elanor Funds Management Ltd v Alceon Group Pty Ltd* [2023] FCA 1291 (led by M Henry SC) (misleading or deceptive conduct); (appeal reserved)
- *Wright Prospecting Pty Ltd Pty Ltd v Hancock Prospecting Pty Ltd*, Supreme Court of Western Australia (led by C Withers SC, A Hochroth, and with C Ernst) (trusts, breach of fiduciary duties, contractual construction) (reserved)
- *Chief Disruption Officer Pty Ltd atf McDonald Family Trust v Michel (No 3)* (2022) 164 ACSR 476 (led by M Condon SC) (expedited hearing concerning the conduct of a technology company involving oppression, breach of contract, unconscionable conduct)
- *Alto Pty Ltd v GM Holden Ltd & Ors* (NSW Supreme Court) (led by M Henry SC) (breach of contract, misleading or deceptive conduct) (ongoing matter)
- *In the matter of ACN 004 410 833 Ltd (formerly Arrium Limited)* (NSW Supreme Court) (led by P Crutchfield KC, M Borsky KC, P Holmes, and D Snyder, and with B Ng) (administrators' examinations, acting for the deed administrators including unled; then insolvent trading claim for the liquidators against former officers; settled prior to the conclusion of the final hearing, and see *In the matter of ACN 004 410 833 Ltd (formerly Arrium Limited) (in Liquidation)* [2021] NSWSC 799)
- *Cherwell Creek Coal Pty Ltd v BHP Queensland Coal Investments & Ors* (QLD Land Court) (Led by B Walker SC, J Gleeson SC, N Owens SC, D De Jersey QC, J Redwood SC, L Sheptooha and ors) (dispute in the QLD Land Court concerning loss of an opportunity; settled prior to final hearing, and see *Cherwell Creek Coal Pty Ltd v BHP Queensland Coal Investments Pty Ltd & Ors (No 27)* [2020] QLC 32)
- *In the matter of Equada Pty Ltd* (NSW Supreme Court) (led by R Foreman SC) (proceedings concerning liquidator's conduct; settled prior to final hearing)

- *Techfront Australia Pty Ltd v QMS Media Ltd & Ors* (NSW Supreme Court) (unled) (breach of contract claim, settled before final hearing)
- *Carol Mei Hui & Ors v Dale Champion & Ors* [2019] FCA 1111 (led by D Sulan) (expedited proceedings concerning alleged breaches of directors' duties)
- *Citystar International Pty Ltd v Elite 100 Australia Pty Ltd* [2019] NSWDC 454 (unled) (proceedings concerning oral contracts, misleading or deceptive conduct)
- Appearances at ASIC examinations
- Appearances at ICAC investigations
- Appearances at liquidators and administrators examinations

#### *Public law*

- Prosecutions under the *Water Management Act 2000* for the Natural Resources Access Regulator (NSW Land and Environment Court) (Led variously by S Callan SC and subsequently D Tynan (ongoing), R Beasley SC and R White (resolved))
- *BEB16 v Minister for Home Affairs* [2019] FCA 2097 (unled for the Minister) (judicial review application)
- *CJS17 v Minister for Immigration & Border Protection & Anor* [2019] FCCA 440 (unled for the Minister) (judicial review application); [2019] FCA 1870 (on appeal, unled for the Minister)
- *FQD18 & Ors v Minister for Immigration & Border Protection & Anor* [2019] FCCA 648 (unled for the Minister) (judicial review application)
- *Ghumaan v Minister for Home Affairs (Citizenship)* [2019] AATA 200 (unled for the Minister) (appeal against revocation of citizenship)
- *Harris v Mathieson* [2019] NSWSC 1064 (led by C Lenehan SC) (application for judicial review of notices issued under the *Water Management Act 2000*)

**2013 to 2018**

**Solicitor / Senior Associate, Arnold Bloch Leibler**

Selected cases:

- *Adani Abbot Point Terminal Pty Ltd v Lake Vermont Resources Pty Limited & Ors*, [2020] QSC 260; [2021] QCA 187 (contractual construction, breach of contract, unconscionable conduct) (Dominic acted during the commencement of the matter before leaving for the bar)
- *Woolworths Ltd v About Life Ltd* [2017] NSWSC 1117; (2017) 18 BPR 36,983 (contractual construction, equity - priority, notice)
- *Australia Capital Financial Management Pty Ltd v Linfield Developments Pty Ltd* [2017] NSWCA 99; (2017) 18 BPR 36,683 (equity – priority, notice)
- *Akea Ltd & Ors v Paltar Petroleum Ltd & Ors*, NSW Supreme Court Proceeding no 250753 of 2014 (misleading and deceptive conduct, unconscionable conduct)
- *Guo & Anor v Song & Ors*, NSW Supreme Court Proceeding no 92649 of 2015 (ongoing) (breach of contract, fiduciary duties, oppression)
- *Ellimark v Calvo Pty Ltd*, [2016] HCASL 238; *Calvo v Ellimark Pty Ltd* [2016] NSWCA 136 (construction of notice issued under a deed, Contracts Review Act); *Ellimark Pty Ltd v Calvo* [2015] NSWSC 1240 (construction of notice issued under a deed, unconscionable conduct, Contracts Review Act)
- *Investec Australia Finance Pty Limited v Naude* [2016] FCA 731 (bankruptcy)

