

BRENDON GREEN

Barrister | Sixth Floor Selborne Wentworth Chambers

Level 6, 174 Phillip Street, Sydney

(02) 8915 2663 | bgreen@sixthfloor.com.au

Brendon accepts briefs in all areas of law, with a particular focus on commercial disputes, regulatory proceedings, and public law matters.

He has experience acting in a broad range of complex commercial and public law matters, including regulatory proceedings, for both corporate and government clients. Prior to being called to the Bar, he was a Senior Associate in the Commercial Litigation group at Norton Rose Fulbright and a solicitor at Henry Davis York.

Brendon has acted for clients in the High Court of Australia, the Federal Court of Australia, the Supreme Court of NSW (including the Court of Appeal and Court of Criminal Appeal), the Land and Environment Court of NSW, the District Court of NSW, the Local Court of NSW, and a range of tribunals.

PROFESSIONAL EXPERIENCE

Barrister – Sixth Floor Selborne Wentworth Chambers

2024 – present

- Admitted to the Supreme Court of NSW in 2015. Called to the NSW Bar in 2024.
- Recognised in *Best Lawyers: Ones to Watch in Australia* for Litigation (2023 – 2027 editions).
- Selected commercial matters as counsel:
 - *La Mancha Africa S.A.R.L. v Commissioner of Taxation* (Federal Court of Australia, finalised) – taxation appeal concerning taxable Australian real property. Instructed by Australian Government Solicitor. Led by M O’Meara SC, D Lewis and N Li.
 - *Fortius Broadway No 1 Pty Ltd v ACN 103 211 141 Pty Ltd and Ors; The Owners – Strata Plan No. 87881 v ACN 103 211 141 Pty Ltd and Ors; The Owners – Strata Plan No. 88765 v ACN 103 211 141 Pty Ltd and Ors; The Owners – Strata Plan No. 89262 v ACN 103 211 141 Pty Ltd and Ors* (NSW Supreme Court, ongoing matters) – alleged misleading or deceptive conduct, negligence, breaches of the *Design and Building Practitioners Act 2020* (NSW). Instructed by Kennedys. Led by D Mitchell.
 - *Grand Rozelle Pty Ltd v Transport for NSW* (NSW Supreme Court, ongoing) – preliminary discovery application. Instructed by Norton Rose Fulbright. Led by J Steele SC.
 - *GPT RE Limited as trustee for General Property Trust v Chief Commissioner of State Revenue* (NSW Supreme Court, finalised) – taxation appeal regarding Part 4 of the *Duties Act 1997* (NSW). Instructed by the NSW Crown Solicitor’s Office. Led by T Wong SC, T Phillips and J Birrell.
 - *Parkins & Anor v The Secretary, Department of Customer Service* (NSW Land and Environment Court, finalised) – Class 3 application under the *Coal Mine Subsidence Compensation Act 2017* (NSW). Instructed by RMB Lawyers. Unled.
 - *Carstens v Wray & Anor* (NSW Land and Environment Court proceeding, finalised) – application under the *Trees (Disputes Between Neighbours) Act 2006* (NSW). Instructed by Dunstan Legal. Unled.
 - *Dennis & Anor v Stratco (NSW) Pty Ltd* (NSW District Court, finalised) – contractual claim in relation to commercial lease. Instructed by DMAW Lawyers. Unled.
 - *Oh!Media Operations Pty Limited v 360 Degree Media Group Pty Ltd and Anor* (NSW District Court, finalised) – contract/debt claim. Instructed by Malcolm Murray & Associates. Led by S Keizer.
 - *Philips v National Australia Bank Ltd* (NSW Local Court, finalised) – alleged misleading or deceptive conduct etc. Instructed by Norton Rose Fulbright. Unled.

- *Fangdation Pty Ltd v Xie* (NSW Local Court, finalised) – claims for damages, restitution and under the *Building and Construction Industry Security of Payment Act 1999* (NSW). Instructed by EXC Law. Unled.
- *Vera Blue Pty Ltd v Falcona Pty Ltd & Anor* (NSW Local Court, finalised) – misleading or deceptive conduct, contractual claims. Instructed by Herman Legal. Unled.
- Selected public law matters as counsel:
 - *Lahoud v Willoughby City Council* [2024] HCASL 287 – special leave application re. planning, administrative law. Instructed by McLachlan Thorpe Partners. Led by J Lazarus SC and N Wootton.
 - *Mason & Ors v State of NSW* (Federal Court of Australia, ongoing) – representative proceedings concerning alleged racial discrimination. Instructed by the NSW Crown Solicitor’s Office. Led by S Lloyd SC, J Davidson SC, M Sherman and B Byrnes.
 - *Aljasser Group Pty Ltd as Trustee for Aljasser Group Family Trust v Commissioner of Taxation* (Federal Court of Australia, finalised) – judicial review application seeking declaration for remission of general interest charge. Instructed by Norton Rose Fulbright for the Commissioner. Unled.
 - *Registrar appointed under the Aboriginal Land Rights Act 1983 v Grace Toomey & Anor* [2024] NSWLEC 92 – judicial review, challenge to the election of an Aboriginal Land Council councillor. Led by J Davidson.
 - *Merits review proceeding* (ongoing) – appearing on behalf of the relevant Minister. Unled.
 - *R v T* (NSW Local Court) – defended criminal hearing, defence of honest and reasonable mistake of fact successfully established. Instructed by Residency Legal. Unled.
 - *R v K* (NSW Local Court) – sentencing hearing. Instructed by Herman Legal. Unled.
 - *Confidential academic appeal* – appeal against decision made by a NSW-based university. Instructed by Navado Lawyers & Solicitors. Unled.
 - *Courts Martial and Defence Force Magistrate proceedings* (various) – appeared as counsel in various criminal and disciplinary Australian Defence Force proceedings.
- Advisory work (both led and unled) in various matters for corporate, public sector and individual clients.
- Current panel and list memberships include:
 - Commonwealth Director of Public Prosecutions’ *Counsel List*.
 - Legal Aid NSW’s *Indictable Crime Panel*.

Solicitor (Associate, Senior Associate) – Norton Rose Fulbright Australia

2017 – 2024

- Litigation, dispute resolution and advisory work for commercial and public sector clients, in areas including corporate, commercial, civil penalty proceedings, taxation, statutory inquiries, equity, contract, crime, and administrative law.
- Selected matters as a solicitor:
 - *Ben Roberts-Smith v Fairfax Media Publications Pty Ltd (No. 41)* [2023] FCA 555 – appeared unled as a Sensitive Witness Representative/solicitor advocate.
 - *Secretary, Department of Health and Aged Care v Vapor Kings Pty Ltd* [2023] FCA 1297 – acted for the Secretary of the Department of Health and Aged Care in civil penalty proceedings.
 - *Secretary, Department of Health v Evolution Supplements Australia Pty Ltd* [2021] FCA 74 & *Secretary, Department of Health v Evolution Supplements Australia Pty Ltd (No. 2)* [2021] FCA 872 – acted for the Secretary of the Department of Health in civil penalty proceedings.

- *Independent Liquor and Gaming Authority NSW Casino Inquiry ('Bergin Inquiry')* – assisted the *Bergin Inquiry* under the *Casino Control Act 1992* (NSW) into Crown Resorts Limited.
- *In the matter of Gearhouse BSI Pty Ltd* [2021] NSWSC 98 & *In the matter of Gearhouse BSI Pty Ltd (No. 2)* [2021] NSWSC 136 – winding-up application on the 'just and equitable' ground.
- *Council of the NSW Bar Association v Siggins* [2021] NSWCA 40 – acted for the NSW Bar Association in disciplinary proceedings.
- *Deputy Commissioner of Taxation v Chemical Overseas Limited* [2021] FCA 602 – acted for the taxpayer.
- *Peter Harris v WaterNSW* [2021] HCASL 252 & *Jane Harris v WaterNSW* [2021] HCASL 253 – acted for the respondent in High Court of Australia special leave applications.
- *Peter Harris and Jane Harris v WaterNSW* [2021] NSWCCA 184 – acted for the prosecutor in appeals in the NSW Court of Criminal Appeal.
- *WaterNSW v Harris (No 3)* [2020] NSWLEC 18 – acted for the prosecutor in Class 5 criminal proceedings under the *Water Management Act 2000* (NSW).
- *Leagou Pty Limited v Commissioner of Taxation* [2020] FCA 1162 – appeared as solicitor advocate in release from *Harman* undertaking application.
- *EIFY Systems Pty Ltd v 3D Safety Services Pty Ltd* [2017] NSWSC 1310; *EIFY Systems Pty Ltd v 3D Safety Services Pty Ltd (No. 2)* [2018] NSWSC 339 & *EIFY Pty Ltd v 3D Safety Services Pty Ltd* [2018] FCA 1017 – breach of confidence, copyright claims.
- *Investigation by the Australian Securities and Investments Commission (ASIC)* – represented corporate client in ASIC investigation.

Solicitor (Graduate, Lawyer) – Henry Davis York

2014 – 2017

- Practised in the Commercial Disputes & Investigations Group, Workplace Relations & Safety Group.
- Selected matters as a solicitor:
 - *Bywater Investments Limited v Commissioner of Taxation; Hua Wang Bank Berhad v Commissioner of Taxation* (2016) 260 CLR 169; [2016] HCA 45 – acted for the taxpayers.
 - *Towers Watson Superannuation Pty Ltd v IBM Superlife Services Pty Ltd & Ors* (Federal Court of Australia, finalised) – alleged fraud, vicarious liability, deceit and misrepresentations.
 - *eInduct Systems Pty Ltd v 3D Safety Services Pty Ltd* (2015) 90 NSWLR 451; [2015] NSWCA 284 (NSW Court of Appeal) – acted for the respondents in judicial review proceedings.
 - *Thomas v Laundry (Exhibition) Pty Ltd* [2016] NSWSC 1395 – acted for the second defendant in alleged tortious assault proceedings.

Paralegal & Summer Clerk – Henry Davis York

2012 – 2014

Intern – Attorney General's Legislation, Policy & Criminal Law Review Division

2013

Intern – Local Court of New South Wales

2012

Tutor in postgraduate criminal law subjects – University of New South Wales

2011

MILITARY EXPERIENCE

Reserve Legal Officer – Australian Army **2017 – present**

- Appears as counsel in Superior Service Tribunal matters, namely Court Martial and Defence Force Magistrate proceedings. Also appears in statutory inquiries.
- Advisory work in matters of administrative, disciplinary (including criminal) and operational (including international) law.
- Completed the Judge Advocate General’s Superior Tribunal Advocacy Workshop in 2022.

Reserve Officer – Australian Army **2009 to 2017**

QUALIFICATIONS

AMDRAS Nationally Accredited Mediator **2026**

Master of Laws – Adelaide University (in progress) **2024 – present**

Graduate Diploma of Military Law – University of Adelaide **2022 – 2023**

Graduate Certificate of Military Law – Australian National University **2018 – 2022**

Graduate Diploma of Legal Practice – The College of Law **2014 – 2015**

Bachelor of Laws (Honours Class 1) – University of New South Wales **2009 – 2014**

- First Class Honours and *Order of Merit Certificate* (placed in the top 10 graduating students).
- UNSW Academic Achievement Award scholarship.
- Represented UNSW at the Jean-Pictet International Humanitarian Law Competition in Portugal (2014).

Bachelor of Commerce (with Distinction) – University of New South Wales **2009 – 2014**

Graduate – Royal Military College, Duntroon **2009 – 2013**

Certificate IV in Leadership & Management **2022**

Certificate IV in Government (Investigation) **2015**

Certificate IV in Training & Assessment **2015**

July 2026