

Liam Kelly KC

Year of call: 1989

Year of silk: 2005

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GERARD BRENNAN
CHAMBERS

Overview

Liam appears predominantly in complex commercial disputes in courts in Australia and in international arbitrations. He has appeared in and worked on arbitrations in Brisbane, Perth, Singapore, Dubai, London and Houston.

He has permanent chambers in Australia and is presently in the process of taking up permanent Chambers in Singapore at Maxwell 42-International Arbitration Chambers Singapore.

Liam has been repeatedly listed in Best Lawyers top lawyers in litigation and in 'Bet the Company in Litigation'.

Areas of practice

- Administrative Law
- Appellate
- International and Domestic Arbitration
- Building & Construction
- Commercial
- Constitutional
- Contract
- Equity
- Insurance
- Mining Energy & Resources
- Professional Negligence
- Property
- Tort
- Trade Practices, & Competition

Education

1983-1988 Student, University of Queensland, St. Lucia

English Literature

1986 Awarded honours degree in English Literature with IIA Honours

1985, 1986 Awarded the Brisbane School of Arts Prizes for Third and Final Year English Honours in 1985 and 1986 for the student having the highest marks in the compulsory subjects of the honours programme

Law

1988 Awarded Bachelor of Laws degree with First Class Honours

Awarded the University Medal for Law

Equity

1985 Walter Harrison Prize and Butterworth Prize

Commercial Law

1987 Chambers McNab Tully and Wilson Prize and Butterworth Prize

Administrative Law

1987 Dr. M.H.M. Kidwai Memorial Prize and Butterworth Prize

Overall Academic Prizes

1988 Ruthning Memorial Scholarship

Morris Fletcher & Cross Prize in Law for achieving the highest grades in the graduating class

Hughes Wilkinson Prize in Law

Virgil Power Prize

1989 Awarded Rhodes Scholarship for Queensland

1989-1991 Student at Magdalen College, Oxford

1991 Graduated with B.C.L

Career summary

1989 Admitted as a barrister for the State of Queensland

1992 Began practice as a barrister in Brisbane

2005 Appointed Senior Counsel. Later appointed Queen's Counsel by Letters Patent

Member of the Legal Practitioners Admissions Board

Sample cases

Litigation / Arbitrations relating to coal, gas and mining infrastructure

An arbitration with respect to a chemical plant.

An international arbitration with respect to a large iron ore mining project.

An arbitration relating to the price at which coal could be transported through a major coal terminal.

Arbitration relating to a further price review relating to the price at which coal should be transported through a major coal terminal.

An ICC arbitration relating to the construction of gas infrastructure (pipeline) connecting upstream to downstream operations at Curtis Island, Gladstone.

An international arbitration with respect to an LNG plant and related facilities.

Acted for the Department of Main Roads in relation to a dispute with a major mining company relating to road maintenance relating to the Barkly Highway.

Acted for an LNG producer in Queensland in relation to a matter concerning a royalty dispute.

Acted in a royalties dispute regarding an LNG project.

Acted for Xstrata in relation to claims brought against it relating to alleged lead poisoning occurring at Mt Isa.

Advised major mining company as to its rights to terminate a mining lease in a foreign jurisdiction.

PT Krakatau Steel v Felix Resources Ltd [2010] SASC 170.

Advised the Asahi interests in relation to insurance claims against groups of underwriters in relation to Asahi's acquisition of a business in Australia. The insurance issues arose out of a matter proceeding in the Federal Court of Australia's Melbourne registry (the matter settled).

Acted in relation to insurance claims in relation to failures of infrastructure in the Gold Coast desalination plant.

Acted for underwriters in relation to claim made by a director under a directors and officers policy arising out of the Storm Financial collapse.

Acted in relation to a subrogated claim against insurers relating to flooding of a development that occurred in the January 2011 floods in Brisbane.

Australasian Medical Insurance Ltd v CGU Insurance Ltd (2010) 271 ALR 142 (Queensland Court of Appeal)

Australasian Medical Insurance Ltd v CGU Insurance Ltd (2009) QSC 235 (Supreme Court trial division)

HTW Valuers (Central Qld) Pty Ltd v Astonland Pty Ltd (2004) 217 CLR 640 (High Court of Australia)

Griffiths v State of Queensland [2012] 2 Qd R 532. (Queensland Court of Appeal)

Patel v R (2012) 247 CLR 531 (High Court of Australia: criminal appeal)

Tabtill Pty Ltd v Creswick [2011] QCA 381 (Queensland Court of Appeal: fraud, undue influence, duress)

Stockland Property Management Pty Ltd v Cairns City Council [2011] 1 Qd R 77 (Queensland Court of Appeal: planning and environment)

SLS Property Group Pty Ltd v Townsville City Council [2011] 2 Qd R 166 (planning and environment)

AKS Investments Pty Ltd v National Australia Bank [2012] QSC 223 (Queensland Supreme Court: banking and finance/ banker and customer)

LPD Holdings (Aust) Pty Ltd v Phillips [2013] QSC 225 (Queensland Supreme Court: corporations, derivative claims, allegations arising out of a mining venture)

LPD Holdings (Aust) Pty Ltd v Phillips [2013] QSC 305 (Queensland Court of Appeal: costs, discretionary judgments)

Australand Corporation (Qld) Pty Ltd v Johnson [2008] 1 Qd R 203 (Queensland Court of Appeal: corporations, managed investment schemes, statutory interpretation)