

Curriculum Vitae

BRIAN O'DONNELL KC



Overview

Brian is one of the leading commercial silks in Australia. He has successfully practiced as a leading commercial KC for over 20 years. His practice covers a wide range of advisory, appeal and trial work in State Supreme Courts and the Federal Court, in arbitrations and in various commissions. Brian is regularly briefed to appear in complex corporate, commercial and insolvency matters.

Areas of Practice

Administrative law, appeals, banking, class actions, equity and trusts, commercial disputes, contract, corporate insolvency and bankruptcy, corporations, insolvency, insurance, gas industry, leasing, mining industry, professional negligence, rail and port services, resources and energy, schemes of arrangement, trade practices and competition, taxation.

Recommendations

Awarded “Commercial Law Expert of the Year in Australia – 2026” in Corporate INTL’s Annual Awards.

Doyles Guide - Commercial Litigation & Dispute Resolution

- 2025 – Leading (Queensland)
- 2024 – Leading (Queensland)
- 2023 – Leading (Queensland)
- 2022 – Pre-eminent (Queensland) and Leading (Australia)
- 2021 – Leading (Australia)
- 2020 – Pre-eminent (Queensland) and Recommended (Australia)
- 2019 – Preeminent (Queensland) and Recommended (Australia)
- 2018 – Preeminent (Queensland)
- 2017 – Preeminent (Queensland) and Recommended (Australia)
- 2016 – Preeminent (Queensland) and Recommended (Australia)
- 2015 – Leading (Queensland)

Doyles Guide - Construction and Infrastructure

- 2025 – Leading (Queensland)
- 2024 – Leading (Queensland)
- 2023 – Leading (Queensland) and Recommended (Australia)
- 2022 – Leading (Queensland) and Leading (Australia)
- 2021 – Leading (Queensland)
- 2020 – Leading (Queensland) and Recommended (Australia)
- 2019 - Recommended (Queensland)
- 2018 – Leading (Queensland) and Recommended (Australia)
- 2017 – Recommended (Queensland)
- 2016 – Recommended (Queensland)
- 2015 – Leading (Queensland)

Doyles Guide - Insolvency and Reconstruction

2025 – Leading (Queensland)
 2023 – Leading (Queensland)
 2022 – Leading (Queensland) and Recommended (Australia)
 2021 – Leading (Queensland) and Recommended (Australia)
 2020 – Leading (Queensland)
 2019 – Leading (Queensland)
 2018 – Preeminent (Queensland)
 2017 – Recommended (Australia)
 2016 – Preeminent (Queensland) and Recommended (Australia)
 2015 – Preeminent (Queensland) and Leading (Australia)

Cases

2026

[*Antai Solar Australia Pty Ltd v Towers* \[2026\] QSC 10](#)

2025

[*Impact Healthcare Pty Ltd v St Vincent's Private Hospitals Ltd* \[2025\] QSC 117](#)

[*Haggarty v RX Plastics Pty Ltd* \[2025\] FCA 536](#)

[*Brisbane Airport Corp Pty Ltd v Airservices Australia & Anor \[No 2\]* \[2025\] QSC 081](#)

[*Brisbane Airport Corp Pty Ltd v Airservices Australia & Anor \[No 3\]* \[2025\] QSC 234](#)

[*Brisbane Airport Corp Pty Ltd v Airservices Australia & Anor \[No 4\]* \[2025\] QSC 291](#)

[*Seafarms Group Ltd v McKinnon* \[2025\] QSC 045](#)

[*GPP Arundel Pty Ltd v Basford Pty Ltd* \[2025\] QSC 165](#)

2024

[*Canstruct Pty Ltd v Project Sea Dragon Pty Ltd \(Subject to a Deed of Co Arrangement\) \(No 4\)* \(2024\) 172 ACSR 73](#)

[*Canstruct Pty Ltd v Project Sea Dragon Pty Ltd \(Subject to a Deed of Company Arrangement\) \(No 5\)* \[2024\] FCA 479](#)

[*Project Sea Dragon Pty Ltd and Another v Canstruct Pty Ltd* \(2024\) 305 FCR 465 and \[2024\] FCAFC 141](#)

[*Civil Mining & Construction Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd* \[2024\] QSC 28](#)

[*Civil Mining & Construction Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd \(No 2\)* \[2024\] QSC 64](#)

[*IG Power \(Callide\) Ltd \(Admins Apptd\), Re* \[2024\] FCA 1012](#)

[*Great Barrier Reef Yacht Club Villas Pty Ltd v Insurance Australia Ltd* \[2024\] QSC 320](#)

[*Destination Brisbane Consortium Integrated Resort Operations Pty Ltd as Trustee v PCA \(Old\) Pty Ltd \(subject to a Deed of Company Arrangement\)* \[2024\] QSC 178](#)

[*Brightman & Ors v Royal Pines Projects Pty Ltd \(No 2\)* \[2024\] QSC 150](#)

[*Wadren Pty Ltd v Algeri* \[2024\] QSC 109](#)

[*McComiskie v Smith* \[2024\] QSC 77](#)

2023

[*Canstruct Pty Ltd v Project Sea Dragon Pty Ltd \(Subject to a Deed of Co Arrangement\)* \[2023\] FCA 637](#)

[*Civil Mining & Constructions Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd* \(2023\) 14 QR 323](#)

[*Kitchen v Director of Professional Services Review* \[2023\] FCAFC 160](#)

[Merchant v Ernst & Young \(2022\) QSC 259](#)

2022

[Smith v National Australia Bank Ltd \[2022\] FCA 1186](#)

[Sentinel Property Group Pty Ltd v ABH Hotel Pty Ltd & Anor \[2022\] QSC 165](#)

[Kitchen v Director of Professional Services \(2022\) FCA 780](#)

2021

[Wiggins Island Coal Export Terminal Pty Ltd v Civil Mining & Construction Pty Ltd \[2021\] QCA 008](#)

[Compass Group Education Hospitality Services Pty Ltd v Commissioner of State Revenue \(2021\) 8 QR 1](#) and [\[2021\] QCA 098](#)

[Hutson v Nerang Subdivision Pty Ltd & Ors \[2021\] QSC 323](#)

2020

[Compass Group Education Hospitality Services Pty Ltd v Commissioner of State Revenue \[2020\] QSC 261](#) and [\[2020\] QSC 184](#)

[DMS Maritime Pty Ltd v Navigators Corporate Underwriters Ltd \[2020\] QSC 382](#)

[Construction, Forestry, Maritime, Mining & Energy Union v One Key Workforce Pty Ltd \[2020\] FCAFC 27](#)

[Civil Mining & Construction Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd \[2020\] QSC 1](#)

2019

[McConnell Dowell Constructors \(Aust\) Pty Ltd v Cardno \(Old\) Pty Ltd \[2019\] QSC 320](#)

[Prime Constructions \(Old\) Pty Ltd v HPS \(Old\) Pty Ltd & Ors \[2019\] QSC 301](#)

[Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority trading as Seqwater \[2019\] NSWSC 294](#)

2018

[Civil Mining & Construction Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd \(No 3\) \(2018\) QSC 060](#)

[Longley v Chief Executive, Dept of Environment and Heritage Protection \[2018\] QCA 32](#) and [\[2018\] 3 Qd R 459](#)

[Burrabungba v State of Queensland \(No 2\) \(2018\) FCAFC 65](#)

2017

[W.B. Rural v Commissioner of State Revenue \(2017\) 322 FLR 13](#) and [\(2018\) 1 Qd R 526](#)

[Re Linc Energy Ltd \(in liq\) \[2017\] 2 Qd R 720](#)

[Beenleigh Housing & Devt Company Ltd v Isaiah Jumeirah Kahrter Pty Ltd as Trustee for Isjuka Trust \[2017\] QSC 170](#)

[Burrabungba v Queensland \(2017\) 254 FCR 175](#)

[CMC v Wiggins Island \[2017\] QSC 085](#)

[Linville Holdings Pty Ltd v Fraser Coast Regional Council \[2017\] QSC 252](#)

[Central Petroleum Ltd v Geoscience Resource Recovery LLC \[2017\] QSC 223](#)

2016

[ASIC v Managed Investments Ltd and Ors \(No 9\) \(2016\) 308 FLR 216](#)

[Mt Isa Mines v Port of Townsville \[2016\] QSC 112](#)

[Re Palmer v Parbery; Old Nickel Pty Ltd \(in liq\) \(2016\) 153 ALD 475](#)

Wilmar Sugar Australia Ltd v Queensland Sugar Ltd (2016) 335 ALR 72 (FCA)

2015

Old North Australia Pty Ltd v Takeovers Panel [2015] 320 ALR 726

Old North Australia Pty Ltd v Takeovers Panel (No 2) (2015) 236 FCR 370

2014

Westpac Banking Corp v Lomas [2014] QSC 117

2013

Anderson v ASIC [2013] 2 Qd R 401 (CA)

7 Eleven Stores v United Petroleum [2013] 1 Qd R 272 (CA)

Aquila Coal v Bowen Central (2013) QSC 082

Federal Commissioner of Taxation v Unit Trend Services (2013) 250 CLR 253 (HCA)

Filmana Pty Ltd and Ors v Tynan and Anor [2013] QCA 256

Groves v Groves [2013] QSC 277

Stepping Stones Childcare Centre (ACT) Pty Ltd v Early Learning Services Ltd (2013) 95 ACSR 179 (ACTSC)

2012

BG International v 400 George Street (2012) 2 Qd.R. 302 (CA)

Commissioner of Taxation v Crown Insurance Services Ltd (2012) 207 FCR 247

Hillam v Ample Source International Pty Ltd (2012) 202 FCR 336

Hogno v Racing Qld Limited [2012] QSC 303 and [2013] QCA 139

McIvor v Westpac Banking Corporation [2012] QSC 404

Proprietors Cathedral Village Building Units Plan No. 106957 v Cathedral Place Community Body Corporate [2012] QSC 301 and [2013] QCA 264

Petroleum Nominees Pty Ltd v Central Petroleum (2012) 90 ACSR 611

2011

Ample Source International Ltd v Bonython Metals Group Pty Ltd (No.6) (2011) 285 ALR 488

CVC Private Equity v Suncorp Metway; Drapac Management Ltd v Glennington [2011] 1 Qd.R. 101

Mulherin Rigging & Cranes Australia Pty Ltd v Roberts & Schaefer Australia Pty Ltd [2011] 1 Qd R 139

Re CMI Ltd (2011) 87 ACSR 144

Vale Belvedere v B.D. Coal (2011) 2 Qd.R. 285 (CA)

2010

AA Shi Pty Ltd v Avbar Pty Ltd (No 2) (2010) 186 FCR 148

Body Corporate for Sun City Resort CTS 24674 v Sunland Constructions Pty Ltd [2010] QSC 463

Boss v Hamilton Island Enterprises (2010) 2 Qd.R. 115 (CA)

Lerinda Pty Ltd v Laertes Investments [2010] 2 Qd.R 312

Raschilla and Anor v Westpac Banking Corporation [2010] QCA 255

Wright and Ors v Westpac Banking Corporation [2010] QCA 190

Yara Nipro Pty Ltd v Interfert Australia Pty Ltd [2010] QCA 128 (CA)

2009

Beach Retreat Pty Ltd v Mooloolaba Marina Ltd [2009] Qd R 356

[Re City Pacific Ltd; City Pacific v Bacon \(No.2\) \(2009\) 178 FCR 81](#)

2008

[Lee v Surfers Paradise Beach Resort \[2008\] 2 Qd.R. 249 \(CA\)](#)

[Westpac Banking Corp v McMillan in his Capacity as Trustee for the CSA - Melbas Unit Trust and Melbas On The Park Pty Ltd \[2008\] QSC 206](#)

2007

[AMCI \(IO\) Pty Ltd v Aquila Steel Pty Ltd \(2007\) 64 ASCR 427](#)

[Cannon St v Karedis \[2007\] 1 Qd.R. 505 \(CA\)](#)

[Lanepoint Enterprises Pty Ltd \(recs and mgrs apptd\), Re; Fraser v Australian Securities and Investments Commission \(2007\) 159 FCR 424](#)

[Mincom Ltd v EAM Software Finance Pty Ltd \(No 3\) \(2007\) 213 FLR 364](#)

2006

[David Jones Ltd v Perpetual Ltd \[2006\] QSC 337](#)

[Expectation Pty Ltd v PRD Realty Pty Ltd \[2006\] FCA 360](#)

[Expectation Pty Ltd v PRD Realty Pty Ltd \(No.2\) \(2006\) 151 FCR 160](#)

[Lifetime Investments Pty Ltd v Commercial \(Worldwide\) Financial Services Pty Ltd \[2006\] FCA 495](#)

[Peppercorn Holdings No 1 Pty Ltd v DDH Graham Ltd and Ors \[2006\] QSC 156](#)

2005

[Pacific National \(ACT\) Pty Ltd v Queensland Railways \(2005\) 215 ALR 544 and \[2006\] FCA 91](#)

2004

[Denham Bros v Freestone Leasing \[2004\] 1 Qd.R. 500 \(CA\)](#)

[Emanuel Management Pty Ltd \(in liq\) v Foster's Brewing Group Ltd \[2004\] 2 Qd R 11](#)

2003

[Elfic Ltd v Macks \[2003\] 2 Qd.R. 125](#)

2002

[Charter Pacific Corporation v Coventry \[2002\] QSC 301 and \(2003\) 179 FLR 438](#)

[Charter Pacific Corporate v Belrida \[2002\] QSC 254 and \(2003\) 2 Qd.R. 619](#)

1999

[Naomi Marble & Granite Pty Ltd v FAI General Insurance Company Limited \(No.1\) \(1999\) 1 Qd.R. 507](#)

[Naomi Marble & Granite PTY Ltd v FAI General Insurance Company Limited \(No. 2\) \(1999\) 1 Qd.R. 518](#)

1995

[Gore v Octahim Wise Limited \[1995\] 2 Qd R 242](#)

1992

[Deputy Commissioner of Taxation v State Bank NSW \(1992\) 174 CLR 219 \(HCA\)](#)

Qualifications

Batchelor of Laws (with Honours), University of Queensland

Batchelor of Arts, University of Queensland

1993 - Appointed Queen's Counsel

Current member of the Bar Association of Queensland (Member ID 50)

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