LIST G
BARRISTERS

David Yarrow SC



David Yarrow SC has a general public law and commercial law practice, with a special interest in the area of native title

QUALIFICATIONS

Bachelor of Science
Bachelor of Laws
Master of Laws
Master of Science (Environmental Management)

CORRESPONDENCE

P 03 9225 8558
E dyarrow@vicbar.com.au

CHAMBERS

Lonsdale Chambers
Level 29 Room 7
140 William Street
Melbourne VIC 3000

COMMERCIAL LAW

Bankruptcy | Consumer Law | Contractual Disputes | Corporate Insolvency | Equity & Trusts | Real Property | Superannuation | Wills & Probate | Taxation

PUBLIC LAW

Taxation | Administrative Law | Aged Care | Appellate | Commissions & Inquiries | Constitutional Law | Environment | Guardianship & Administration | Immigration | Judicial Review | Native Title

Prior to coming to the Bar David was a lecturer in the Faculty of Law at Monash University where he taught property law and trusts law. He has also held other academic posts including as an adjunct professor at the Osgoode Hall Law School at York University.

David has been a legal advisor for numerous Aboriginal organisations and has also been Principal Policy Officer in the Legal Branch of the Queensland Department of Premier and Cabinet. He has published a great number of academic articles and authored a number of book chapters concerning the area of native title, both in Australia and Canada, and is undertaking his doctoral thesis in this area.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

COMMERCIAL LAW

VCAT – owners corporation dispute – acting for owners corporation to recover unpaid lot owner fees

VCAT – owners corporation dispute – installation of facilities in common areas, disputed licence to use common area

VCAT – residential tenancies – opposing application for possession order – *Director of Housing v KJ (Residential Tenancies)* [2010] VCAT 2026

Magistrates Court – recovery of payment under mistake

Magistrates Court – rehearing applications under *Magistrates' Court Act 1989* (Vic) s.110

County Court – recovery of estate agent's unpaid commission – *Boss Partners Estate Agents Pty Ltd v Rivacourt Pty Ltd* [2012] VCC 1884

Supreme Court of Victoria – appearance in numerous winding up applications

Supreme Court of Victoria – breach of contract and tortious inducement of breach of contract (with R van de Wiel QC and M Goldblatt)

Supreme Court of Victoria – opposing security for costs – *Bodycorp Repairers Pty Ltd v Maisano* [2013] VSC 220 and *Bodycorp Repairers Pty Ltd v Maisano (No. 4)* [2013] VSC 247 (with R van de Wiel QC and M Goldblatt)

Federal Circuit Court of Australia – appearance in bankruptcy matters

Federal Court of Australia – appearance before a registrar in bankruptcy matters

PUBLIC LAW

VCAT – administrative law, freedom of information merits review application

VCAT – guardianship list, revocation of power of attorney and appointment of administrator

Supreme Court of Victoria – judicial review, determination of medical panel under part VBA of the *Wrongs Act 1958* (Vic) - *Hatswell v State of Victoria* [2013] VSC 262

Federal Court – opposing asset preservation order (with A Neal SC)

Federal Court – native title, *Native Title Act 1993* (Cth) s.66B applications – *Weribone v State of Queensland* [2013] FCA 255 (with A Neal SC)

Federal Court – judicial review of legislative instrument, live import list under *Environment Protection and Biodiversity Conservation Act 1999* (Cth) – *Parker v Minister for Sustainability, Environment, Water, Population and Communities* [2011] FCA 1325 (with S Wilson KC), *Parker v Minister for Sustainability, Environment, Water, Population and Communities* [2012] FCAFC 94 (with A Neal SC)

Federal Court – native title, opposing injunction to restrain authorisation meeting – *Bonner on behalf of the Jagera People #2 v State of Queensland (No 3)* [2012] FCA 214

Federal Court – application for declaratory relief, construction of *Native Title Act 1993* (Cth), future act notice – *Bullen v State of Western Australia* [2010] FCA 900 (alone), *FQM Australia Nickel Pty Ltd v Bullen* (2011) 191 FCR 261 (with V Hughston SC)

Federal Court – opposing application for joinder under *Native Title Act 1993* (Cth) s.84(5) – *Bonner on behalf of the Jagera People #2 v State of Queensland* [2011] FCA 321

Land Court of Queensland – merits review of water licence – *Stockman v Chief Executive Department of Natural Resources and Mines* [2012] QLC 72

Land Court of Queensland – submitter appeal on grant of water licence

Planning and Environment Court of Queensland – application for declaratory relief, validity of declaration of protected area

Supreme Court of Queensland – judicial review of decision to transfer land and make ex gratia payment – *Gibson v The Minister for Finance, Natural Resources and the Arts* [2012] QSC 132

Supreme Court of Queensland – opposing application for stay of administrative decision and injunction – *Gibson v The Minister for Finance, Natural Resources and the Arts* [2011] QSC 401

National Native Title Tribunal – *Australian Manganese Pty Ltd v Western Australia* (2008) 218 FLR 387

Memberships

Victorian Bar - Commercial Bar Association

Library Committee

Australian and New Zealand Law and History Society

Canadian Law and Society Association

American Society for Legal History