

## Georgina Costello KC



Georgina Costello KC appears and advises in commercial and property matters, common law cases involving negligence and nuisance claims, regulatory and administrative law matters, and proceeds of crime matters.

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### QUALIFICATIONS

Bachelor of Arts  
Bachelor of Laws (Hons)(Melb)

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Appellate | Building & Construction | Contractual Disputes | Corporations & Securities | Equity & Trusts | Insurance | Real Property | Superannuation

### TORT LAW

Class Actions | Negligence | Professional Negligence

### PUBLIC LAW

Administrative Law | Appellate | Freedom of Information | Immigration | Judicial Review

Georgina Costello KC appears in trials, appeals and judicial review applications in a broad range of areas, including:

- Professional liability, torts and insurance matters
- Property law
- Administrative law and migration cases
- Proceeds of crime matters
- Regulatory proceedings
- Cases about fraud/ forgeries

Georgina did articles at Mallesons Stephen Jaques in 2000 and was a property lawyer there before coming to the Bar in 2003. She was appointed Silk in and for the State of Victoria in 2019.

She is admitted to the New York Bar, and worked as a commercial litigator at US law firm Fried Frank Harris Shriver and Jacobson LLP in 2006-2007.

In 2007-2008, she worked for the World Bank in Washington DC, and then the United Nations Food and Agriculture Organization in Italy, on matters related to fraud, misconduct and corruption investigations.

*Liability limited by a scheme approved under Professional Standards legislation*

## Recent Cases

**Commercial law:** *H & Q Cafe P/L v Melbourne Cafe P/L* [2023] VSCA 200, appeal from judgment concerning misleading and deceptive conduct in the sale of a business (for the appellant).

**Class action:** *Hassan v State of Victoria* [2023] VSC 478 (North Melbourne and Flemington Towers COVID-19 group proceeding (for Victoria) (settlement approved)).

**Tort:** *Catholic Archdiocese of Melbourne v RWX (a pseudonym)* [2023] VSCA 197, case re statutory construction regarding liability for nervous shock claims brought by indirect victims of child sex abuse (for the Archdiocese).

**Commercial law:** *Endless Solar Corporation Limited v ASIC, in the matter of Speedpanel Australia Ltd* [2023] FCA 720 (regarding an application for reinstatement of a company).

**Class action:** *Lombardo v Dermatology and Cosmetic Surgery Services P/L* [2023] VSC 463, group proceeding re cosmetic surgery - allegations include negligence and misleading and deceptive conduct (for the plaintiffs).

**Human rights:** *Tickle v Giggle For Girls Pty Ltd* [2023] FCA 553, applications for extension of time, costs capping orders, security for costs and objections to competency (for Ms Tickle).

**Property law:** *MAPA Pearls P/L v Haliotis Fisheries P/L* [2023] VSCA 108, appeal regarding Crown leases and indefeasibility (for MAPA).

**Common law:** *Russell v City of Melbourne* [2023] VSCA 97, common law appeal re trip and fall claim (for Mr Russell).

**Migration law:** *DGT17 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 552 appeal from judicial review judgement (for the appellant).

**Public law:** *SBI Landfill Pty Ltd v Environment Protection Authority* [2023] VCAT 417, case regarding a landfill licence suspension (for the EPA).

**Public law:** *Minister for Immigration, Citizenship and Multicultural Affairs v Lieu, by her Litigation*

*Representative Nguyen* [2023] FCAFC 57, appeal regarding evidence of parentage in a citizenship case (for Miss Lieu).

**Public law:** *Independent Contractors of Australia Inc v Victorian Workcover Authority* [2022] VSC 743, case about a challenge to WorkSafe's investigation into Victoria's Hotel Quarantine Program (for WorkSafe).

**Property law/ consumer law:** *Century Legend Pty Ltd v Ripani* [2022] FCAFC 191, appeal from a trial about a misleading render of an off the plan luxury apartment (for Century Legend).

**Public law:** *Steiner v Victoria Legal Aid* [2022] VSC 445, judicial review case regarding removal of a legal practitioner from Victoria Legal Aid panels (for Victoria Legal Aid).

**Common law:** *Uren v Bald Hills Wind Farm Pty Ltd* [2022] VSC 145, common law nuisance case regarding sleep disturbance from a wind farm (for the Plaintiffs).

**Property law:** *Heng Yang Developments Pty Ltd v Red Earth Developments (Aust) Pty Ltd* [2022] VSC 231, appeal from VCAT in the context of a building contract dispute (for Heng Yang Developments P/L).

**Public law:** *MNX v TNV* [2022] VSC 592, judicial review case concerning applications for family violence orders (for a respondent).

**Property law:** *BD78 Pty Ltd v FGK3GEN Pty Ltd* [2022] VSC 361, caveat removal matter in the context of a mortgage against real property (for BD78 P/L).

**Public law:** *Chen v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] FCAFC 41, Full Court appeal regarding apprehended bias affecting a Tribunal decision (for Mr Chen).

**Public law:** *Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs v CRS20* [2022] FCA 579, appeal regarding apprehended bias and illogical reasoning in an IAA decision (for the visa applicant).

**Public law:** *Mamatta v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] FCA 637, judicial review from a Tribunal decision regarding character cancellation (for Mr Mamatta).

**Consumer law:** *Director, Consumer Affairs Victoria v Vic Solar Pty Ltd (No 2)* [2021] FCA 26, consumer law case in the context of door to door sales of solar panels and inverters (for the Director of Consumer Affairs).

**Property law:** *C & F Nominees Mortgage Securities Ltd v Karbotli* [2021] VSCA 134, property law appeal involving a fraudulent mortgage and indefeasibility provisions (for the Registrar of Titles).

**Public law:** *Fire Rescue Commissioner v Building Appeals Board* [2021] VSC 217, judicial review of a fire safety decision (for the Commissioner).

**Public law:** *Chetcuti v Commonwealth of Australia* [2021] HCA 25, Constitutional case regarding the aliens power (for Mr Chetcuti).

**Public law:** *DVO16 v Minister for Immigration and Border Protection; BNB17 v Minister for Immigration and Border Protection* [2021] HCA 12, High Court appeal regarding impact of interpreter errors in a migration case (for BNB17).

## Memberships

Victorian Bar - Commercial Bar Association

Victorian Bar - Common Law Bar Association

Victorian Bar - Migration Law Bar Association

Treasurer of the Federal Litigation and Dispute Resolution Section of the Law Council of Australia