

GREENS LIST

BARRISTERS



KYLIE WESTON-SCHEUBER

BAR ROLL: 2013 | ADMITTED: 2005

Dr Kylie Weston-Scheuber has a broad commercial law practice, with particular experience in the areas of contractual disputes, building and construction, consumer law, banking and finance, insurance, property law and corporations.

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CHAMBERS: [Owen Dixon Chambers West](#)

EXPERTISE

Banking & Finance | Building Law & Construction Law | Commercial Law | Common Law | Corporations Law & Securities Law | Equity & Trusts Law | Property Law | Public Law & Administrative Law

PROFILE

Dr Kylie Weston-Scheuber has a broad commercial law practice, with particular experience in the areas of contractual disputes, building and construction (including Security of Payments), consumer law, insurance, property law and corporations.

Kylie has recently appeared or advised in matters in the Federal Court, Court of Appeal, Supreme and County Courts, involving issues including breach and termination of contract, adverse possession, prescriptive easements, estoppel, damages for delay, building defects (including combustible cladding), proportionate liability, security of payment claims, misleading and deceptive conduct, oppression, insurance indemnities, and unjust enrichment. Matters Kylie has appeared or advised in the past year include:

- Appearing unled in a commercial trial involving a claim for wrongful termination in the County Court (judgment pending);
- Acting as junior counsel in a claim for breach of contract and misleading and deceptive conduct in the Federal Court (ongoing);

- Appearing unled in a commercial building dispute in the County Court involving issues of breach of contract and wrongful termination (judgment pending);
- Appearing unled in the ACT Court of Appeal on a sentencing appeal involving issues of statutory construction;
- Acting for one of a number of defendants in a commercial building dispute in the Supreme Court (matter ongoing);
- Appearing unled in a commercial building dispute in the County Court (matter resolved during trial);
- Acting as junior counsel in environmental litigation in the Supreme Court (ongoing).

Coronial, royal commission and disciplinary proceedings

In addition to her commercial practice, Kylie has experience in coronial and royal commission matters.

She acted as junior counsel in the Victorian Royal Commission into Management of Police Informants in 2020 and appeared as part of a team of counsel appearing for the families in the Bourke Street inquest. She has appeared as counsel assisting the Architects Tribunal and the Building Practitioners Board.

Prior to coming to the Bar

Kylie has a PhD in law from the ANU, and Bachelor Degrees in Music, Arts and Law. She was awarded the University Medal for Music (QUT) and Law (UQ). Prior to coming to the Bar, she was a senior advocate with the ACT Office of the DPP, and before that worked at Allens Arthur Robinson in Brisbane and the Commonwealth DPP in Canberra.

She is the former convenor of the Women Barristers Association (2017-2020) and a current director of the Victorian Homeless Fund, and is a member of the Commercial Bar Association's Civil Procedure Committee. She is a Graduate of the Australian Institute of Company Directors. Kylie also regularly reports for the Victorian Reports.

Kylie is listed in Doyle's Guide as a Recommended Construction and Infrastructure Junior Counsel in Victoria for 2021 and has previously been listed in Doyles Guide nationally and for Victoria.

Kylie read with Matthew Harvey QC.

Kylie is also a member of BottledSnail Productions, which produces musical and theatrical productions involving members of the legal profession.

Kylie participated in the Court of Appeal Advocacy Program in August 2018, coordinated by her Honour Justice Tate of the Court of Appeal in conjunction with Women Barristers Association.

RECENT CASES



Will v The Queen (No 2) [2021] ACTCA 14 (leading K McCann for the respondent in a sentence appeal involving issues of statutory construction)



Rapid Concrete Developments Pty Ltd v Lorem Constructions Pty Ltd [2020] VCC 858 (for the respondent in an application for judgment pursuant to s 16 of the Security of Payment Act)



Spirito Developments Pty Ltd v Sinjen Group Pty Ltd [2020] VCC 1368 (for the applicant in an application for judgment pursuant to s 16 of the Security of Payment Act)



Coronial inquest into the deaths of Matthew Poh Chuan Si/ Thalia Hakin/ Yosuke Kanno/ Jess Mudie/ Zachary Matthew Bryant and Bhavita Patel



Coroners Court of Victoria - 19 November 2020 (part of a team of counsel appearing for the families in the Bourke St inquest)



Hampshire Automotive Pty Ltd v Centre Com Pty Ltd [2019] VSCA 77 (appeared for the respondent on appeal - and also appeared for the plaintiff in a 20 day trial in the County Court (both unled) - issues of trespass - prescriptive easement - exemplary damages)



PRS v Crime and Corruption Commission [2019] QCA 255 (appeared for the appellant (unled) on appeal from decision refusing injunctive relief against the Crime and



Levi v Z&H Building Development [2019] VSC 633 (appeared for the respondent in application for judicial review of adjudication determination)

Corruption Commission)



Shells Venture Management v Agresta [2019] VSC 863 (appeared for the respondent in application for judicial review of adjudication determination and related security for costs application)



Thurin v Krongold Constructions (Aust) Pty Ltd [2019] VCAT 1206 (led by Peter Murdoch QC and Jeremy Twigg QC - appeared for the respondent in application to enforce expert determination in construction dispute - matter involves claims for breach of contract - negligence and consumer law breaches)



Frueauf Services Pty Ltd v Sportscover Australia Pty Ltd [2018] VCC 2105 (appeared unled for the insured at trial involving issues of indemnity under fire and perils risk policy and interpretation of exclusion clause)



Laidlaw Holdings Pty Ltd & Anor v Fieschi & Ors [2016] VCC 1598: claim for restitution in joint venture dispute (led by Jeremy Twigg QC)



D'Aquino & Ors v Trovarello & Ors [2015] VSCA 78: appeal against summary dismissal - involving continuing nuisance and limitation issues in a building and construction context (led by Jeremy Twigg QC)



Curnow v Giles; Giles v Curnow [2015] VSCA 70: appeal in defamation action involving issues of sufficiency of damages and costs (led by John Ribbands)




Daunt v Daunt [2015] VSCA 706: appeal involving claim of property held on constructive trust - standing of disappointed contingent beneficiary (led by Matthew Harvey)

Memberships & Committees

[Victorian Bar](#)

To get in touch with Kylie Weston-Scheuber | or for more information please contact the Clerk on:

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Liability limited by a scheme approved under Professional Standards legislation.

