

## 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:

- Property law
- Public law
- Class actions
- Proceeds of crime
- Civil penalties
- Regulatory and integrity matters

Georgina is a graduate of Melbourne University Law School (LLB Hons 1999) and was a property lawyer at Mallesons Stephen Jaques before coming to the Bar in 2003. She was appointed Silk in Victoria in 2019.

Admitted to the New York Bar, she has worked as a commercial litigator at US law firm Fried Frank Harris Shriver and Jacobson LLP in 2006/2007. She has also worked at the World Bank in Washington DC and at the United Nations Food and Agriculture Organization in Italy, on matters related to fraud, misconduct and corruption investigations.

Georgina is Chair of the Migration Bar Association of the Victorian Bar.

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

## Recent Cases

**Class action:** Current *Holmes v Knowmore* class action in the Victorian Supreme Court regarding allegations of negligence by a legal service in acting for clients under-settling historical sex abuse claims (for the representative plaintiff).

**Bankruptcy law:** *Davidson v Official Receiver (No 2)* [2024] FedCFamC2G 429 litigation regarding whether a notice should be set aside (for the Official Receiver).

**Regulatory:** *Clean Energy Regulator v Emerging Energy Solutions Group Pty Ltd* [2024] FCA 1310 (for the Regulator).

**Discrimination law:** *Tickle v Giggle for Girls Pty Ltd (No 2)* [2024] FCA 960 and *Tickle v Giggle For Girls Pty Ltd* [2023] FCA 553 (for Ms Tickle) regarding discrimination on the basis of gender identity.

**Public law:** *Minister for Immigration, Citizenship and Multicultural Affairs v Su* [2024] FCAFC 68 appeal from a Tribunal's citizenship decision (for Ms Su).

**Proceeds of crime:** *Perfect Choice Travel Australia Pty Ltd & Ors v DPP* [2024] VCC 714 application for exclusion from forfeiture (for the asset holders).

**Property law:** *Melbourne Yifang Group Pty Ltd v Guangao A Group Pty Ltd & Ors* (Costs Ruling) [2024] VSC 131, *Melbourne Yifang Group Pty Ltd v Guangao A Group Pty Ltd & Ors* [2023] VSC 428) and *Melbourne Yifang Group Pty Ltd v Guangao A Group Pty Ltd & Ors* [2023] VSC 577 - trial and interlocutory matters regarding a dispute over the sale of land.

**Public law:** *Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs v Nuamoa* [2024] FCAFC 13 judicial review migration case (for Mr Nuamoa).

**Public law:** *Plaintiff M19A/2024 & Ors v Minister for Immigration, Citizenship and Multicultural Affairs* [2024] HCASJ 39 judicial review migration case (for the plaintiffs).

**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