

# GREENS LIST

## BARRISTERS



**ROBERT HAY**  
**QC**

BARRISTER - VICTORIAN BAR

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SILK: 2014 | BAR ROLL: 1992 | ADMITTED: 1988

CONTACT INFORMATION

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SOCIAL NETWORK

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## PROFILE

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Blog: <http://roberthaypropertybarrister.wordpress.com/>

Robert practices mainly in Property law including sale of land, owners corporation, mortgages and leasing.

### Recent Cases:

High Court of Australia

*IMCC Group Pty Ltd v CB Cold Storage* (High Court of Australia, Melbourne No. M104 of 2017) (opposing application for leave to appeal)

*Crown Melbourne Limited v Cosmopolitan Hotel (Vic) Pty Ltd* (2016) 333 ALR 384 (High Court)(retail lease dispute)

#### Court of Appeal

*Advisory Services Pty Ltd v Augustin* [2018] VSCA 95 (real estate agent's commission)

*Lo v Russell* [2016] VSCA 323 (sale of land dispute)

*IMCC Group Pty Ltd v CB Cold Storage* [2017] VSCA 178 (retail lease dispute)

#### Supreme Court

*CB Cold Storage v IMCC Group Pty Ltd* [2017] VSC 23 (appeal from VCAT, retail lease dispute)

*Tan v Russell* (2016) VSC 323 (sale of land dispute)

*Higgins Nine Group Pty Ltd v Ladro Greville St Pty Ltd* [2016] VSC 244 (appeal from VCAT, retail lease dispute)

*De Bruyn v Victorian Institute of Forensic Mental Health* (2016) 48 VR 647(challenge to the State government's ban on smoking)

*Bisognin v Hera Project Pty Ltd* [2016] VSC 75 (sale of land dispute)

#### County Court

*Meteorite Property (Bourke Street) Pty Ltd v New Concept Investment Pty Ltd* [2017] VCC 119 (lease dispute)

#### VCAT

*Versus (Aus) Pty Ltd v ANH Nominees Pty Ltd* [2017] VCAT 859 (retail lease dispute)

*CB Cold Storage Pty Ltd v IMCC Group (Australia) Pty Ltd* [2016] VCAT 1866

(retail lease dispute)

*Luchio Nominees Pty Ltd v Epping Fresh Food Market Pty Ltd* [2016] VCAT 969

(retail lease dispute)

#### Other notable cases

Robert was junior counsel in the “Reference on Women Bishops (31 March 2007)”, a decision of the highest legal body in the Anglican Church, the Appellate Tribunal. Robert and Dr Croft SC (now Justice Croft) appeared for the members of the General Synod who wanted women to have the right to be consecrated as bishops. The Tribunal held that there was nothing in the Constitution that precluded the consecration of women as bishops with the consequence that the Anglican Church now has several female bishops.

Robert also acts as a mediator in property law disputes and provides advice to government bodies about legislation and property law issues. Robert is a co-author of:

- (a) *Commercial Tenancy Law* (4rd ed), 2018, LexisNexis;
- (b) *The Mortgagee’s Power of Sale* (3rd ed), 2012, LexisNexis;
- (c) *Retail Leases Victoria* (looseleaf), LexisNexis.
- (d) *Transfer of Land Act (Vic)* Thomsons Reuters (expected publication date late 2018).

Robert is a member of the Law Institute of Victoria’s Leasing Committee and Property Law Committee and is casenotes editor of the “Property Law Journal”. He regularly presents seminars and papers on property law issues. Before joining the Bar Robert was a solicitor employed by Arthur Robinson & Hedderwicks and a journalist with “The Mercury” newspaper in Hobart.

To get in touch with Robert Hay QC | or for more information  
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