

**DAVID LLOYD**  
BARRISTER

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David maintains an Australia-wide practice and practises principally in employment and industrial law, public and administrative law, equity, and discrimination / human rights law. His specialisation also extends to workplace investigations and inquiries. He is briefed to act for corporations, federal and NSW government departments and agencies, as well as individuals and appears in a wide range of federal and NSW Courts and Tribunals at trial and appellate level, both led and unled.

David has been consistently recognised in the Labour and Employment law list of *The Best Lawyers in Australia* published annually in the *Australian Financial Review*. He brings with him over 25 years' experience as a solicitor specialising in employment and industrial law, and prior to being called to the Bar was a Partner at Blake Dawson Waldron (now, Ashurst). Prior to his experience in private practice, David worked as an industrial relations officer with BHP.

David has acted across a broad range of industry sectors, including transport (road and logistics, rail – passenger and freight, airline and shipping), government services, health and policing, manufacturing and steel, mining, food and beverage, finance and insurance, and higher education.

David brings a wealth of experience to his clients' disputes when furnishing legal advice, particularly in highly confidential and sensitive matters that have the potential for major reputational repercussions to his clients. He is commercial in his approach to litigated matters, and is experienced in appearing on behalf of clients in conciliations and mediations. David holds a Master of Laws, a Bachelor of Economics and a Bachelor of Laws all from the University of Sydney.

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**ADMISSIONS TO PRACTICE**

- 2019 Admitted to the Bar of New South Wales
- 2002 Admitted as a Barrister and Solicitor of the Supreme Court of Western Australia
- 1991 Entered in the Registrar of Practitioners of the High Court of Australia
- 1990 Admitted as a Solicitor of the Supreme Court of New South Wales

**PROFESSIONAL QUALIFICATIONS**

- 2006 Master of Laws: University of Sydney
- 1991 Graduate Diploma in Legal Practice: University of Technology Sydney
- 1990 Bachelor of Laws: University of Sydney
- 1988 Bachelor of Economics: University of Sydney

## ACCOLADES

- 2019 – 2024: named in the list of *The Best Lawyers in Australia* (Labour and Employment Law category), published annually in the *Australian Financial Review*

## PRINCIPAL AREAS OF PRACTICE

### Industrial and Employment Law

- Appellate
- Statutory Employment Rights
- Discrimination
- Employment Contracts and Restraint of Trade
- Industrial Disputes
- Public Sector Appeals
- Workplace investigations and inquiries

### Public and Administrative Law

- Appellate
- Civil and Human Rights
- Disciplinary Proceedings
- Discrimination
- Judicial Review and Administration Law
- Merits Review
- Privacy and Freedom of Information

## PROFESSIONAL EXPERIENCE

- 2019 – present Barrister, State Chambers
- 1991 – 2019 Ashurst (previously Blake Dawson Waldron), Industrial Relations and Employment Law Practice Group  
*2011 – 2019: Legal Consultant*  
*2000 – 2011: Partner*  
*1995 – 2000: Senior Associate*  
*1991 – 1995: Lawyer*
- 1988 – 1989 Industrial Relations Officer, BHP

## PROFESSIONAL APPOINTMENTS

- 2024 – Part time Senior Member (Legal), NSW Civil and Administrative Tribunal

## PROFESSIONAL MEMBERSHIPS

- NSW Bar Association
- Australian Bar Association
- Law Council of Australia – Federal Dispute Resolution Section

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## SELECT MATTERS (Led) - client in bold

- [\*Soukhodoev v \*\*SG Fleet Australia Pty Ltd\*\*\* \[2023\] FCA 1672](#), Federal Court of Australia, interlocutory applications for summary dismissal of claims under the *Fair Work Act 2009* (Cth) against an individual respondent. Led by Mr S Meehan SC
- [\*Mills v \*\*University of New England\*\*\* \[2023\] FCA 1409](#), Federal Court of Australia, interlocutory injunction under *Fair Work Act 2009* (Cth). Led by Mr S Meehan SC
- [\*\*\*National Tertiary Education Industry Union v University of Sydney \(Relief\)\*\*\* \[2023\] FCA 537](#), Federal Court of Australia, relief and penalty hearing. Led Mr R Newlinds SC

- [CDD18 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs \[2022\] FCA 1283](#), Federal Court of Australia, appeal under *Migration Act 1958 (Cth)*. Led by Mr S Prince SC
- [National Tertiary Education Industry Union v University of Sydney \[2022\] FCA 1265](#), (2022) 318 IR 460, Federal Court of Australia, remittal following appeal. Led by Ms K Eastman AM SC
- [Australian Rail, Tram and Bus Industry Union v Busways Northern Beaches Pty Ltd \(No 2\) \[2022\] FCAFC 55](#), (2022) 291 FCR 93, Full Court of the Federal Court of Australia, application for judicial review against decisions of the Fair Work Commission. Led by Mr H Dixon SC
- [National Tertiary Education Industry Union v University of Sydney \(No 2\) \[2021\] FCAFC 184](#), Full Court of the Federal Court of Australia, basis of remittal. Led by Ms K Eastman AM SC
- [National Tertiary Education Industry Union v University of Sydney \[2021\] FCAFC 159](#), (2021) 309 IR 159, Full Court of the Federal Court of Australia, appeal, intellectual freedom, alleged contraventions of an enterprise agreement under the *Fair Work Act 2009 (Cth)*. Led by Ms K Eastman AM SC
- [Collins v Dux Manufacturing Limited \[2021\] NSWSC 193](#), Supreme Court of New South Wales, application for judicial review of decision of Registrar of the Workers Compensation Commission under the *Workplace Injury Management and Workers Compensation Act 1998 (NSW)*. Led by Ms B Tronson
- [Australian Rail, Tram and Bus Industry Union v Busways Northern Beaches Pty Ltd \[2021\] FWCFB 591](#), Full Bench of the Fair Work Commission, appeal against approval of a greenfields enterprise agreement under the *Fair Work Act 2009 (Cth)*. Led by Mr H Dixon SC
- **Hedset Solutions Pty Ltd v Higgins and Just Hedsets Pty Ltd**, Supreme Court of New South Wales 2020/197192, application for injunction and damages for alleged misuse of confidential information. Interlocutory orders made. Led by Mr R Goot AO SC
- **United Workers Union v TNT Australia Pty Ltd & Ors**, Federal Court of Australia VID240/2020, application for declaratory relief and penalties for alleged contravention of *Fair Work Act 2009 (Cth)* and cross-claim for declaratory relief. Led by Mr A Moses SC
- **Whitlam & Anor v Teneo Strategy Australia Pty Ltd & Anor**, Federal Court of Australia, NSD 1049/2023, general protections application under the *Fair Work Act 2009 (Cth)* and other claims in the accrued jurisdiction. Led by Mr S Meehan SC
- **Cook v Roper Gulf Regional Council**, Federal Court of Australia NTD22/2021, general protections application under the *Fair Work Act 2009 (Cth)* and other claims in the accrued jurisdiction. Led by Mr S Meehan

#### SELECT MATTERS (Unled) - client in bold

- [Fletcher v Eastern Australia Airlines Pty Ltd t/a QantasLink & Ors \[2022\] FWCFB 56](#), Full Bench of the Fair Work Commission, appeal of stop-bullying application under the *Fair Work Act 2009 (Cth)*.
- [Fletcher v Eastern Australia Airlines Pty Ltd t/a QantasLink & Ors \[2021\] FWC 6670](#), Fair Work Commission, stop bullying application under the *Fair Work Act 2009 (Cth)*.

- [\*Golowenko v Clime Investment Management Ltd\* \[2021\] FedCFamC2G 241](#), Federal Circuit and Family Court of Australia (Division 2), application for costs under s 570 of the *Fair Work Act 2009* (Cth).
- [\*Hickey v Secretary, Department of Education\* \[2021\] NSWCATAD 306](#), NSW Civil and Administrative Tribunal – Administrative and Equal Opportunity Division, application for administrative review under the *Government Information (Public Access) Act 2009* (NSW).
- [\*Australian Rail, Tram and Bus Industry Union v Aurizon Operations Limited\* \[2021\] FWC 4809](#), Fair Work Commission, arbitration under the *Fair Work Act 2009* (Cth) of a dispute arising under an enterprise agreement.
- [\*Sofat v Berkshire Hathaway Specialty Insurance Company\* \[2021\] FWC 957](#), Fair Work Commission, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- [\*Shop, Distributive and Allied Employees Association v Woolworths Group Limited\* \[2021\] FWC 617](#), Fair Work Commission, arbitration under the *Fair Work Act 2009* (Cth) of a dispute arising under an enterprise agreement.
- [\*Richmond v APS Group \(Placements\) Pty Ltd\* \[2020\] FWC 4710](#), Fair Work Commission, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- *Potts v Commissioner of Police*, Industrial Relations Commission of New South Wales 2019/355695 & 2020/350286, applications under s 174 of the *Police Act 1990* (NSW).
- *Hall v Commonwealth of Australia* (as represented by the Department of Home Affairs), Fair Work Commission U2021/11370, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- *Swan v Commonwealth of Australia* (as represented by the National Emergency Management Agency), C2022/6425, Fair Work Commission, general protections application under the *Fair Work Act 2009* (Cth).
- [\*Najmitdinov v Woolworths Group Limited\* \[2020\] NSWCATAD 88](#), NSW Civil and Administrative Tribunal – Administrative and Equal Opportunity Division, application for leave for discrimination complaint to proceed under the *Anti-Discrimination Act 1977* (NSW).
- [\*Najmitdinov v Woolworths Group Limited\* \[2020\] NSWCATAP 15](#), NSW Civil and Administrative Tribunal - Appeal Panel, appeal under the *Civil and Administrative Tribunal Act 2013* (NSW) against a refusal of an application for an interim order under the *Anti-Discrimination Act 1977* (NSW).
- *Robertshaw Australia v Tian*, Supreme Court of New South Wales 2021/283145, equity.
- *Olsson v Qantas Airways Limited*, Fair Work Commission U2021/10916, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- *Tripathi v Globalization Partners Pty Ltd*, Federal Court of Australia NSD756/2023, general protections application under the *Fair Work Act 2009* (Cth).
- *Soukhodoev & Anor v SG Fleet Australia Pty Ltd & Ors*, Federal Court of Australia, NSD758/2022 and NSD759/2022, general protections applications under the *Fair Work Act 2009* (Cth).
- *IFM (Securities) Pty Ltd v Pfister*, District Court of New South Wales 2022/379493.
- *Hancock v Elafent Labs Pty Ltd and Ors*, Federal Circuit and Family Court of Australia (Division 2) SYG2696/2020, general protections application under the *Fair Work Act 2009* (Cth).

- Clayton v **Broadspectrum (Australia) Pty Ltd**, Federal Circuit Court of Australia MLG1444/2020, general protections application under the *Fair Work Act 2009* (Cth).
- **Goryachev** v Colour Room Tuggerah Pty Ltd, Federal Circuit and Family Court of Australia (Division 2) SYG268/2022, application for contraventions of general protections provisions and industrial instrument under the *Fair Work Act 2009* (Cth).
- Malak v **Dehasabzi Lawyers Pty Ltd**, Federal Circuit Court of Australia SYG1001/2019.
- Australian Services Union v **Qantas Airways Limited**, Fair Work Commission C2019/3211, arbitration under the *Fair Work Act 2009* (Cth) of a dispute arising under an enterprise agreement.
- **Klimova** v Horizon Solsolutions Australia Pty Ltd, U2023/7037, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- Zraika v **The Australian Federation of Islamic Councils and another**, Fair Work Commission C2020/4623, general protections application under the *Fair Work Act 2009* (Cth).
- Relf v **TAL Services Limited**, Fair Work Commission C2019/7391, arbitration under the *Fair Work Act 2009* (Cth) of a dispute arising under an enterprise agreement.
- Abbott v **Broadspectrum (Australia) Pty Ltd**, Fair Work Commission U2020/1367, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- **El Kheir** v Upright Builders Pty Ltd, Fair Work Commission U2019/11411, unfair dismissal application under the *Fair Work Act 2009* (Cth).
- Super Start Batteries Pty Ltd v **Adlard**, 2020/52739 and The Battery Store Australia Pty Ltd v **Adlard**, 2019/348826, District Court of New South Wales.