



Michelle Meares

Barrister
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Commercial Law	Insolvency & Bankruptcy	Building & Construction	Equity & Real Property
Contract Disputes	Corporate Insolvency	Insurance Disputes	Succession & Trusts
Consumer Law	Appointment of Receivers & Managers	Building Defect Disputes	Family Law Complex Property Disputes

Michelle Meares is a barrister at 2 Selborne Chambers practising in commercial litigation, insolvency and bankruptcy, building and construction, building defect disputes, and complex property proceedings. She was called to the NSW Bar in 2023 bringing to chambers over nine years of experience as a commercial litigator and litigation principal prior to being called to the bar.

Michelle holds First Class Honours in Law from the University of New England — where she received the A Rose Memorial Prize for first place in Corporations Law — and is currently completing a Master of Construction Law at the University of Melbourne. Her technical grounding in corporations and construction law underpins a practice focused on complex, document-heavy disputes.

Michelle appears in the Federal Court of Australia, the Federal Circuit and Family Court of Australia, Supreme Court of NSW, District Court of NSW, NCAT, and specialist tribunals. Solicitors briefing Michelle can expect thorough preparation, clear advice on prospects, and strong advocacy at all stages of a matter.

COMMERCIAL LAW & INSOLVENCY

- Michelle accepts briefs across the full range of commercial and insolvency matters, including:
- Bankruptcy proceedings — creditor petitions, sequestration orders, and annulments
 - Appointment of receivers and managers
 - Corporate insolvency — winding up, administration, and statutory derivative actions
 - Enforcement proceedings including setting aside transfers made to defeat creditors
 - Commercial contracts, misleading and deceptive conduct, and ACL claims
 - Restraint of trade, interlocutory injunctions, and freezing orders

Recent Federal Court appearance — *Gleeson (Trustee) v Eades, in the matter of Eades (Bankrupt)* [2026] FCA 477 (Stellios J)

Michelle appeared unled for the applicant trustee in bankruptcy. She successfully obtained orders appointing the trustee as receiver and manager over a commercial property held by the bankrupts on trust in their SMSF, with authority to sell and apply proceeds to satisfy creditor debts and annul the bankruptcies. The matter required analysis of the complex interplay between SMSF trust deed provisions, the SIS Act disqualification regime, and the Bankruptcy Act — including the vesting of beneficial interests arising from the right of indemnity confirmed in *Boensch v Pascoe* [2019] HCA 49.

Recent Supreme Court appearance — *Westpac Banking Corporation; Applications of Rightquip Pty Ltd (in liq) and Gleeson* [2026] NSWSC 585 (Kunc J)

Michelle appeared unled for the trustee in bankruptcy in the Supreme Court of NSW Equity Expedition List, successfully resisting a liquidator's competing claim to \$164,961.31 paid into Court, being the surplus proceeds of a mortgagee sale of the bankrupt's property. The liquidator contended the funds were impressed with a constructive trust arising from an alleged breach of fiduciary duty by the bankrupt as director in drawing on company funds. Michelle persuaded the Court that the liquidator had failed to discharge his onus of proof under r 55.11 of the UCPR, the Court accepting her submission that a personal loan to a director is not, without more, a breach of fiduciary duty, and that the bankrupt's explanation that the advances were repayments of earlier loans he had made to the company was corroborated by contemporaneous documents. The Court ordered the funds (with interest) be paid out to the trustee, dismissed the liquidator's motion, and ordered the liquidator to personally pay the trustee's costs until the date of hearing.

BUILDING & CONSTRUCTION

Michelle is currently completing a Master of Construction Law at the University of Melbourne, adding specialist academic depth to her experience in construction and building defect disputes. She accepts briefs in:

- Security of payment — adjudication determinations and appeals under the Building and Construction Industry Security of Payment Act 1999 (NSW)
- Statutory warranties and defects under the Home Building Act 1989 (NSW)
- Australian Consumer Law — breach of consumer guarantees in residential and commercial building contracts
- Design and Building Practitioners Act 2020 (NSW) — s 37 duty of care claims
- Delay, variation, and quantum meruit disputes
- Proportionate liability, contribution, and subrogation claims
- Building defect proceedings in NCAT, District Court, and Supreme Court — including money orders, work orders, and costs

Recent NCAT appearance — *Deady v LPC Group Pty Ltd* [2026] NSWCATCD

Michelle appeared unled for the homeowners in a two-day contested NCAT hearing involving 12 defect items across a newly constructed Northbridge residence. She successfully obtained a money order of \$142,110 (plus costs) against the builder, having persuaded the Tribunal to depart from the preferred work order outcome under s 48MA HB Act on grounds of lost confidence following repeated failed rectification attempts. The hearing involved concurrent expert evidence from builders, a structural engineer, and a quantity surveyor, as well as contested issues of quantum, mitigation, balustrade load testing to AS 1170, waterproofing membrane failure, and the s 37 DBPA duty of care.

EQUITY, REAL PROPERTY & COMPLEX FAMILY LAW PROPERTY

Michelle has extensive experience in property law and accepts briefs in complex property proceedings, including matters with intersecting insolvency, trust, or family law dimensions:

- Complex property proceedings in family law — including matters involving companies, trusts, and bankruptcy and third party interests and reversing transactions to defeat orders
- Urgent injunctive relief in property and family law proceedings — including s 114 injunctions and freezing orders to protect assets
- Equity and trusts disputes — beneficial interests, constructive trusts, resulting trusts, and tracing
- Real property — caveats, easements, adverse possession, and co-ownership disputes; adverse possession and primary applications
- Bankruptcy and family law — intersection of the Bankruptcy Act and the Family Law Act acting for both trustee in bankruptcy, non-bankrupt spouse and third parties.
- Corporations Act claims — intersection of the Corporations Act and the Family Law Act – s471B/s500(2) applications — acting for both parties and liquidators
- Family provision claims, testamentary capacity challenges, and breach of executor duties
- Joint venture and partnership disputes in property development contexts
- Enforcement of property orders and setting aside transactions made to defeat creditors or claimants

SELECTED CASES

Led appearances

<i>Servo Australia Pty Ltd v 7-Eleven Stores Pty Ltd (SC)</i> led by M Friedgut	Franchise dispute — termination of franchise agreement — repudiation — allegations of fraud and unconscionable conduct.
<i>Owners v Bouwer Group Pty Ltd (SC)</i> led by L Chan	Building & construction — implied terms — statutory warranties under s 18B Home Building Act 1989 (NSW).
<i>Agrigrain Pty Ltd v Rindfleish (NSWCA)</i> led by M Friedgut	Negligence — work-related injury — identification of employer — limitation issues.
<i>Proietti v Proietti (NSWCA)</i> led by L Chan	Appeared as amicus curiae — vexatious proceedings order.
<i>Wyllie v Fisher (NSW SC, ongoing)</i> led by M Friedgut	Joint venture/partnership dispute — property development.
<i>Diakovasili v Order of AHEPA NSW Inc (NSW SC)</i> led by M Friedgut	General law derivative action — entitlement to commence derivative proceedings.
<i>Quader v Nguyen (NSW SC)</i> led by L Chan	Right of appeal — leave to appeal NCAT Appeal Panel decision under s 83 Civil and Administrative Tribunal Act 2013 (NSW).
<i>Rindfleish v Agrigrain Pty Ltd (NSW DC)</i> led by M Friedgut	Negligence — personal injury — grain auger.

Unled appearances

<i>Gleeson (Trustee) v Eades [2026] FCA 477 (Federal Court — unled)</i>	Bankruptcy & insolvency — SMSF commercial property — trustee in bankruptcy appointed receiver and manager — SIS Act disqualification — Bankruptcy Act / Federal Court of Australia Act s 57.
<i>Westpac Banking Corporation; Applications of Rightquip Pty Ltd (in liq) and Gleeson [2026] NSWSC 585 (unled)</i>	Payment out of funds in Court under UCPR r 55.11 — competing claims of liquidator and trustee in bankruptcy — constructive trust and director's fiduciary duty — funds ordered paid to trustee with costs against the liquidator personally
<i>Gleeson (Trustee) v Jones</i>	Bankrupt Executor — revocation grant of probate — letters of administration
<i>Deady v LPC Group Pty Ltd [2026] NSWCATCD (NCAT)</i>	Building defects — Home Building Act 1989 (NSW) statutory warranties — Design and Building Practitioners Act 2020 (NSW) — 12 defect items — two-day contested hearing — concurrent expert evidence — money order of \$142,110 plus costs awarded — departure from preferred work order outcome under s 48MA HB Act.
<i>Willard & Attic Group (NCAT)</i>	Building defects — ACL breach of consumer guarantees.
<i>Pauwels v Radu (FCFCOA Div 1)</i>	Complex family law property — interim costs — husband ordered to pay wife \$300,000 — injunction restraining use of matrimonial property to fund \$5,000,000 investment.
<i>Enforcement — unpaid school fees</i>	Enforcement of over \$350,000 in unpaid private school fees — application to set aside property transfer for nil consideration.
<i>Sanket & Zain (FCFCOA Div 1)</i>	Complex family law — husband found to have waived legal professional privilege — disclosure ordered. S106B — application to reverse transfer of matrimonial home by husband to first wife for less than market value after commencement of property proceedings — appointment of second wife as trustee for sale of property by consent
<i>Diamantidis Group v Agarwak Group Real Estate (DC)</i>	Restraint of trade — subpoena objection.
<i>Williams v Dr Aranov (DC)</i>	Medical negligence — cosmetic surgery.
<i>Burston v Burston (DC)</i>	Historical sexual assault — negligence.

QUALIFICATIONS & ADMISSIONS

Master of Construction Law (in progress)

University of Melbourne

Bachelor of Laws — First Class Honours

University of New England

A Rose Memorial Prize — 1st in Corporations Law

Graduate Diploma of Legal Practice

Australian National University

Master of Arts (Creative Writing)

University of Technology Sydney

Bachelor of Arts

(Communications/Anthropology)

University of Southern Queensland

Admissions

Called to the New South Wales Bar — 2023

Admitted to the High Court of Australia — 2014

Admitted to the NSW Supreme Court — 2014

Memberships

Society of Construction Law Australia

Commercial Law Association of Australia

NSW Bar Association

Women Lawyers NSW

Family Law Section — Law Council of Australia

PROFESSIONAL EXPERIENCE

2023 – present	Barrister — 2 Selborne Chambers, Sydney
2022 – 2025	President & Founding Member — NSW Regional Women Lawyers
2021 – 2023	Principal — Meares Law (commercial litigation and family law, Terrigal)
2020 – 2021	Practice Leader — Brazel Moore Lawyers
2017 – 2020	Associate — Watts McCray Lawyers
2014 – 2017	Associate — CBD Law
2014	Legal Intern — Australian Law Reform Commission (statutory tort for serious invasions of privacy inquiry)

APPOINTMENTS & COMMITTEE ROLES

2023 – present	NSW Bar Association — Legal Aid Committee
2023 – present	NSW Bar Association — Media, Information Law & Technology Committee
2022 – 2023	Council Member — Council for NSW Law Reporting
2021 – 2023	Council Member — Law Society of NSW (Deputy Chair, Ethics Committee)
2019 – 2023	NSW Law Society — Privacy & Data Law, Ethics & Family Law Committees
2019	Finalist — Regional Lawyer of the Year, Women Lawyers Association of NSW

SELECTED PUBLICATIONS & PRESENTATIONS

- Design Building Practitioners Act – 2 Selborne Property, Planning & Family Law Conference, February 2026
- Bankruptcy and Family Law — 2 Selborne Property & Family Law Conference, March 2025
- Cybersecurity Guidelines — Marbury Chambers, March 2025
- s 138 Evidence Act and Surveillance Laws — Legalwise Seminars (recording), September 2024
- Technology Facilitated Abuse — NSW Bar Association BarNews, Autumn 2024
- Setting Aside Transactions to Defeat Claims in Family Law Proceedings — 2 Selborne Property & Family Law Conference, March 2024
- Women in Law Forum — Lawyers Weekly, Melbourne, November 2023
- Cybersecurity, Privacy and Technology — NSW Bar Association Women Barristers Forum
- Mass Surveillance & Data Retention in Australia: Balancing Rights & Freedoms — Journal of Internet Law, April 2018
- Privacy Law: Mass Surveillance and Data Retention — Law Society Journal, December 2017
- Lawfulness of Sea Dumping of Former Naval Vessels — IUCN Academy of Environmental Law Annual Colloquium, New Zealand, 2013