

BUSHRA TARIQ

Barrister

Tertiary Qualifications - University of Western Australia

- LLB (2012)
- BCom, Corporate Finance and Money & Banking (2012)

Admission

- Supreme Court of Western Australia (2013)
- High Court of Australia (2014)

Practice

Bushra has a broad practice which encompasses most aspects of civil litigation. She has experience in areas including corporations law, trade practices, professional negligence, administrative law, environment, planning and development, property law, equity and tort.

She has litigation experience in all Courts in Western Australia, the State Administrative Tribunal and in the Federal Court.

Selected Cases

- Appeared in legal profession disciplinary proceedings: *Legal Services and Complaints Committee v Butler* [2023] WASAT 124 (led by Steven Penglis SC).
- Appeared in an interlocutory application concerning an application to set aside extensions of the validity of a writ: *Entyr Ltd formerly known as Pearl Global Ltd v Eastman* [2023] WASC 469 (led by Steven Penglis SC).
- Acted on proceedings commenced in the Supreme Court of Western Australia involving alleged unauthorised cheque and online banking withdrawals: *Mercanti v Westpac Banking Corporation* (settled 2023).
- Appeared in a taxation appeal against a decision of the AAT concerning the proper interpretation of section 355-205 of the ITAA97: *Sunlite Australia Pty Ltd v Commissioner of Taxation* [2023] FCAFC 43 (led by Stephen Wright SC).

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- Acted on proceedings commenced in the District Court of Western Australia involving claims for breaches of consumer guarantees and misleading or deceptive conduct in relation to the supply of a solar panel system: ***Saoirse No Bas Pty Ltd v Energy Lease Pty Ltd t/as Energy Ease*** (settled 2023).
- Acted on proceedings commenced in the Supreme Court of Western Australia involving claims for breach of duty of care and misleading or deceptive conduct in relation to the rebuild, installation and commissioning of a drive unit for a shredder system for processing scrap metal: ***AAA Metal Recycling Australia Pty Ltd v North Lincs Engineering Limited (UK Company)*** (settled 2022).
- Acted on proceedings commenced in the District Court of Western Australia involving alleged infringement of copyright in a residential building design: ***Atrium Homes (WA) Pty Ltd v Antonelli Investments Pty Ltd*** (settled 2022).
- Appeared in a contractual dispute involving a joint venture agreement: ***Zuleika Gold Ltd formerly known as Dampier Gold Ltd v Vango Mining Ltd*** [2022] WASC 357 (led by Steven Penglis SC).
- Acted on proceedings commenced in the District Court of Western Australia for recovery of a portion of road costs from a later subdivider pursuant to section 159 of the *Planning and Development Act 2005* (WA): ***Dalyellup Beach Pty Ltd v Piara Landholdings Pty Ltd*** (settled 2022).
- Acted on legal costs proceedings involving the proper construction of the *Legal Profession Act 2008* (WA): ***Mammoth Investments Pty Ltd v Donaldson*** [2021] WASC 175. Also, acted on a related appeal: ***Mammoth Investments Pty Ltd v Donaldson*** [2022] WASCA 144.
- Acted on debt recovery proceedings: ***McMahon v Woodward*** [2022] WADC 29.
- Acted on proceedings commenced in the Supreme Court of Western Australia involving claims for breach of contract and breach of duty of care in relation to the provision of heating, ventilation and air conditioning services: ***NB Modular Pty Ltd v Wave International Pty Ltd*** (settled 2021).
- Acted on proceedings commenced in the Supreme Court of Western Australia seeking declaratory relief as to the existence or otherwise of a wetland, environmentally sensitive area and in relation to proposed clearing under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (WA): ***Fobbing Hall Pty Ltd & Anor v The CEO of the Department of Environment Regulation*** (settled 2021).
- Appeared in a summary judgment application in debt recovery proceedings: ***McMahon v Woodward*** [2020] WADC 49 (unled).
- Acted on proceedings commenced in the Supreme Court of Western Australia involving a misleading or deceptive conduct claim in relation to the sale of a parcel of land: ***Satterley Property Group Pty Ltd v Ironbridge Holdings Pty Ltd & Ors*** (settled 2019).
- Acted on an appeal concerning a contractual dispute involving the proper construction of waste supply agreements: ***DiCOM AWT Operations Pty Ltd v City of Stirling*** [2019] WASCA 117.

- Acted on a contractual dispute involving specific enforcement of an agreement regarding the distribution of a deceased estate: *De Campo v De Campo* [2018] WASC 351. Also, acted on two related proceedings in the Supreme Court of Western Australia involving equitable ademption and a family provision claim (both settled following judgment in the contractual dispute).
- Acted on an application commenced in the State Administrative Tribunal for review of a planning decision involving a subdivision application in a coastal area: *Developments (Sunset Beach) Pty Ltd v Western Australian Planning Commission* (settled 2018).
- Acted on waste landfill levy proceedings: *Eclipse Resources Pty Ltd v The State of Western Australia [No 4]* [2016] WASC 62. Also, acted on a related appeal: *Eclipse Resources Pty Ltd v The Minister for Environment [No 2]* WASC 90. Also, acted on a related application for special leave to appeal to the High Court of Australia: *Eclipse Resources Pty Ltd v The State of Western Australia & Ors* [2017] HCASL 234.
- Acted on an application for special leave to appeal to the High Court of Australia concerning fraud on power: *Mercanti v Mercanti & Ors* [2017] HCASL 59. Also, acted on a related application for interlocutory injunction: *Mercanti v Mercanti* [2017] HCA 1.
- Acted on proceedings commenced in the Federal Court of Australia involving alleged breaches of director's duties and misappropriation of funds: *Citation Resources Ltd v Landau* (settled 2017).
- Acted on an application to set aside a statutory demand: *Citation Resources Ltd v IBT Holdings Pty Ltd* [2016] FCA 1265.
- Appeared in an interlocutory application for dismissal / stay of proceedings: *President Constructions Pty Ltd v Ke* [2015] WADC 104 (unled).
- Acted on proceedings seeking relief against forfeiture: *Western Choice Pty Ltd v Lenz Corp Pty Ltd* [2015] WASC 316.