



CHRIS PEADON

*Bachelor of Laws/Bachelor of Science - University of Technology Sydney
Master of Laws - University of Sydney*

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in [chrispeadon](#)

Admitted to the legal profession

2001

Admitted as a barrister in NSW

2011

Also entitled to practise in

Australian jurisdictions (Commonwealth, State and Territory)

Chris has over 20 years' tax law experience.

In Chambers Asia Pacific 2025 Chris is ranked Band 1 (Tax). He is acknowledged as a "very experienced junior' who combines a hands-on approach with 'a similar level of experience and expertise to, and a lot of the softer skills of, a QC'" - Chambers Asia Pacific 2022.

His experience is reflected in his regular appearances unled against Silks, including for the Commissioner in a ("TARP") dispute with Newmont concerning a \$320 million capital gain resulting from a corporate restructure. He is regularly instructed by the Big 4, large international and domestic law firms, and boutique legal and accounting practices.

Clients say he commands "respect as on one of those barristers 'who live and breathe their profession'" and are comfortable calling him on difficult matters "since he's done it all" - Chambers Asia Pacific 2021.

He is known for his "practical, clear, proactive advice" and for being "extremely responsive" - Chambers Global 2024.

Chris's tax advisory practice encompasses corporate and HNW group restructures, and one-off transactions. He has experience across the full gamut of transactional taxes from stamp duty to taxation of gains by foreign residents and cross-border financing arrangements.

His advisory work is informed by his experience in appearing in leading cases in areas targeted by Revenue authorities, including transfer pricing (SingTel), taxation of gains made by foreign residents (Resource Capital Fund IV and Newmont), the revenue / capital distinction (Healius), residency (Harding - special leave), fringe benefits (Virgin, John Holland and Bechtel), tax incentives for R&D (Lakes Oil) and film production (Fragmentary), use of taxpayer information (La Mancha), and stamp duty exemptions for charities (Salvation Army, YWCA and RSL (Qld)). He is currently involved in several high value audits and appeals concerning transfer pricing, Tax Treaties, R&D and film production tax incentives, Div 7A, PSI, withholding tax, Part IVA, superannuation, residency and stamp duty.

Chris' career highlights also include acting for:

- Singtel in its transfer pricing dispute concerning \$894 million of interest deductions
- News Corporation in its successful claim for an \$850 million refund for foreign exchange losses
- Aurizon in its successful application for a declaration that the character of a \$2.4 billion equity contribution was “share capital”
- The Bell Group (in liq) in its appeal from a \$260 million assessment following the successful multi-billion claim against its banking syndicate
- John Holland in its successful appeal to the Full Federal Court for deductibility of travel costs for “Fly-in Fly-out” (FIFO) workers

Independent client surveys:-

Chris is ranked as a leading tax practitioner in all major client surveys: Chambers and Partners (Band 1), Legal 500 (Band 1), Best Lawyers, World Tax (in association with the International Tax Review), Lexology Index (formerly Who's Who Legal), Doyle's Guide (Preeminent).

In Chambers Global 2024, one client stated: "Chris.. is diligent in preparation of the case and readily understands the issues involved. He has a good relationship with clients and is able to explain the issues in layman's language." Another commented that: "I value Chris' practical, clear, proactive advice. His judgement generally and particularly in relation to court matters is good, and he is extremely responsive."

Chris is '[v]ery personable, great relationships with all sides including revenue authorities, able to explain complex technical issues to clients succinctly. Very good at explaining commercial risks of approaches to non-tax technical people. In court has a very confident demeanor and comes across as authoritative on his technical arguments to support his cases' - Legal 500 (2024)

Chris' "broad tax law practice embraces mandates both for taxpayers and for the ATO and incorporates noted expertise in transfer pricing and the taxation of capital and revenue and foreign investments. Interviewees rate him, not only as 'a good sort of person to have on the team for large matters,' but also as a 'very experienced junior barrister' who combines a hands-on approach with 'a similar level of experience and expertise to, and a lot of the softer skills of, a QC.'" - Chambers Asia Pacific 2022.

“One of the best senior-juniors in the tax space at the Sydney bar... approachable and does [a mix of] work for taxpayers and the Commissioner". ... 'an excellent junior, is willing to pull out all the stops' when tackling tax cases.” - The Legal 500 Asia Pacific 2021 (Tax Bar).

"Chris [commands] respect as one of those barristers 'who live and breathe their profession' and for his versatility in acting for both taxpayers and the ATO. Able 'to deliver a really good product on really complex matters within the time needed,' he inspires one interviewee to observe: 'If I have a difficult matter, I feel comfortable calling him since he's done it all.'" - Chambers Asia Pacific 2021.

“Chris .. is an increasingly prominent senior junior at the tax Bar who is also accomplished in commercial and insurance law. ‘[He] is a standout in terms of engaging in current issues in the tax space, including ethics in tax’ ” – Chambers Asia Pacific 2020 .

“Chris .. is a sought after advocate, with experience appearing at all levels of the Australian court system” – Chambers Asia Pacific 2019.

"Chris ... is considered an 'excellent tax barrister' by clients and wins praise for 'fighting for his clients while providing objective advice' " - Chambers Asia Pacific 2018

PROFESSIONAL EXPERIENCE

2001 -2011: Solicitor/Senior Associate, Allens + Linklaters.

AWARDS OR PROFESSIONAL RECOGNITION

Chambers & Partners – Asia-Pacific Guide: Australian Tax Bar (2017 - present) (Band 1)

Legal 500 Asia Pacific - The Bar (Tax) (2021 - present)

Best Lawyers in Australia: Tax Law (2017 - present)

World Tax (in association with the International Tax Review): Tax Controversy Leaders (2017 - present)

Lexology Index (formerly Who’s Who Legal): Australia (Tax) (2017 - present)

Doyle’s Guide: Leading Tax Barristers (2016 - present) (‘Preeminent’)

PROFESSIONAL MEMBERSHIPS

2011 – present: NSW Bar Association (Practice Development Committee member 2019-2021)

2011 – present: Law Council of Australia, Business Law Section, Tax Committee (Sydney) (LCA Tax Committee representative on Administrative Review Tribunal Liaison Committee (2018 to present))

2015 – present: Tax Institute of Australia (Fellow)

PUBLICATIONS

Chris regularly presents papers to professional associations such as the Tax Institute. Previous presentations have included the follows:

- Presentation, Tax Institute National Infrastructure Conference (27 May 2016), “**Division 6C Property Funds: land in the context of infrastructure**”. Paper presented subsequently published in The Tax Specialist, Vol 20(1) August 2016, p11.
- Presentation (Ethical obligations of tax advisors), NSW Law Society Continuing Education Program, “**Practising the Dark Arts in the Age of Enlightenment**” (September 2016).
- “**Scope for Future Development of Constitutional and Administrative Law Aspects of Tax Appeals**”, paper presented to NSW Bar Association Constitutional and Administrative Law Section (27 February 2014) (Chair: Neil Williams SC) (notable for the central tenet of the paper subsequently being roundly rejected by the Full Federal Court)
- “**‘Shareholder’ lost in Cross City Tunnel**” (2014) 32 Companies & Securities LJ 145.
- “**The importance of being earnest ... when recording oral advice**” (2013) 48(3) Taxation in Australia 143 (paper presented in March 2014 at Tax Institute seminar).
- Presentation, “**The Importance of Credibility in Regulatory Proceedings**” (2013) (presented at NSW Law Society CLE session with Jacqueline Gleeson SC (now Hon. Justice Gleeson)); subsequently published in 2 parts in Taxation in Australia, Vol 50(7), p388 (Feb 2016) and Vol 50(8), p467 (March 2016)
- “**Part IVA and loss of privilege**” (2011) 46(4) Taxation in Australia 142
- “**Withholding tax on partial assignments of copyright**” (2011) 15(2) The Tax Specialist 88.
- “**Dividend stripping: the life and times of s177E**” (2011) 26(1) Aust. Tax Forum 51.
- “**NSW stamp duty anti-avoidance measure**” (2011) 40 Aust. Tax Review 52.

SELECTED CASES

Tax

(*) denotes unled

(**) denotes unled against named Silk

High Court

- High Court special leave application (2024): *Singtel*: transfer pricing (led by John de Wijn AM KC - instructed by PWC)
- High Court special leave application (2023): *Hedges*: CGT -taxation of proceeds of disposal of interest in partnership goodwill (*)
- High Court special leave application (2021): *Healius*: capital / revenue: successfully resisted taxpayer's special leave application (led by Greg Davies QC – instructed by AGS)
- High Court special leave application (2019): *Harding's case*: residency: successfully resisted Commissioner's application (led by Brendan Sullivan SC – instructed by PWC)
- High Court special leave application (2019): *RCF IV*: TARP - Tax Treaty (led by Mark Richmond SC – instructed by Minter Ellison)

Full Federal Court

- **Bechtel Australia Pty Ltd v FCT (2024) 302 FCR 44**; [2024] FCAFC 33: FBT – deductibility of air travel costs for “fly-in fly-out” (FIFO) employees (led by Brendan Sullivan SC – instructed by PWC)
- **Singapore Telecom Australia Investments Pty Ltd v Commissioner of Taxation** (2024) 302 FCR 192; [2024] FCAFC 29: transfer pricing (led by John de Wijn AM KC - instructed by PWC)
- **Hedges v Commissioner of Taxation** [2023] FCAFC 105: CGT -taxation of proceeds of disposal of interest in partnership goodwill (*) (appeared for the taxpayer)
- **FCT v Virgin Australia Regional Airlines Pty Ltd** [2021] FCAFC 209: FBT - successful appeal - meaning of “primary place of employment” (led by Brendan Sullivan SC – instructed by ATO Review and Dispute Resolution)
- **FCT v Healius Ltd** (2020) 281 FCR 57; [2020] FCAFC 173: successful appeal by Commissioner on basis that payments made by medical centre operator to medical practitioners to acquire practices and obtain exclusive rights to provide support services were on capital account (led by Greg Davies QC – instructed by AGS)
- **FCT v Resource Capital Fund IV LP** (2019) 266 FCR 1; [2019] FCAFC 51: (5-member bench): TARP – US Tax Treaty; income / capital; source (led by Mark Richmond SC – instructed by Minter Ellison)

- **MNWA Pty Ltd v DFCT** (2016) 250 FCR 381; [2016] FCAFC 154: setting aside statutory demand for tax debt (led by Mark Robertson QC)
- **John Holland v FCT** (2015) 232 FCR 59; [2015] FCAFC 82: deductibility of travel costs for “fly-in fly-out” (FIFO) employees (led by Brendan Sullivan SC – instructed by PWC)
- **Atkinson v FCT** (2015) 318 ALR 585; [2015] FCAFC 18: bills of exchange – payment of tax debt (instructed by AGS) (*)
- **News Corp FX case (Messenger Press)** (2013) 212 FCR 298: foreign exchange losses (\$2.2 billion) - \$850 million refund (led by Neil Young QC and Mark Richmond SC – instructed by Allens + Linklaters).

State Courts of Appeal

- **Winston-Smith v Chief Commissioner of State Revenue** (2019) ATC 20-693; [2019] NSWCA 75: landholder duty - “just and reasonable” exemption led by B Sullivan SC – instructed by Piper Alderman).
- **CCSR (Vic) v Snowy Hydro** (2012) 43 VR 109; [2012] VSCA 145: acquisition of shares in power station owning entity - land rich stamp duty (led by John de Wijn QC and M Richmond SC – instructed by Allens + Linklaters).

Federal Court

- **Newmont Canada FN Holdings LLC v FCT (2024)** (decision reserved): foreign investment – corporate reorganization – US / Canadian Tax Treaties – TARP (instructed by AGS) (** Mr John de Wijn AM KC) (see decision on interlocutory applications re strike-out and stay [2018] FCA 958)
- **Bechtel Australia Pty Ltd v FCT** [2023] FCA 676: FBT – deductibility of air travel costs for “fly-in fly-out” (FIFO) employees (led by Brendan Sullivan SC – instructed by PWC)
- **Sage v Commissioner of Taxation** [2023] FCA 1247 (ongoing): Personal Services Income (PSI) and Part IVA – appeal from interlocutory Tribunal decision concerning disclosure of legal advice relied on by Commissioner (** Mr Alain Musikanth SC) (instructed by PWC)
- **Aurizon Holdings Ltd v Commissioner of Taxation** [2022] FCA 368: successful application for declaration that \$2.4 billion equity contribution (without issue of shares) was “share capital” for the purposes of the tax legislation (led by Mark Richmond SC – instructed by King & Wood Mallesons)
- **Singapore Telecom Australia Investments Pty Ltd v FCT** [2021] FCA 1597: \$230 million transfer pricing dispute concerning disallowance of \$894 million of interest deductions on

\$5.2 billion intra-group loan used to fund acquisition of Optus in June 2002 (led by Mr John de Wijn AM KC – instructed by PWC)

- **La Mancha Africa S.A.R.L v FCT** [2021] FCA 1564: decision confirming the “*Harman* obligation” in respect of documents produced on subpoena yields to the Commissioner’s statutory functions (led by Tim Begbie QC – instructed by AGS for the Commissioner).
- **FCT v Virgin Australia Regional Airlines Pty Ltd** 2021 ATC 20-793; [2021] FCA 523: FBT exemption on car parking for airline flight crew – meaning of “*primary place of employment*” for employees working at multiple business premises each day (reversed on appeal) (led by Mr Brendan Sullivan SC – instructed by HWL Ebsworth)
- **Healius Ltd v FCT** 2019 ATC 20-722; [2019] FCA 2011: capital / revenue (led by G Davies QC – instructed by AGS) (reversed on appeal).
- **Resource Capital Fund IV LP v FCT** (2018) 355 ALR 273; [2018] FCA 41: TARP – corporate limited partnerships (Div 5A) – income/capital – source – application of US Tax Treaty (led by Mark Richmond SC – instructed by Minter Ellison)
- **News Australia Holdings Pty Ltd v FCT** (2017) 105 ATR 874; [2017] FCA 645 – derivation of interest income on receipts or accruals basis (Carden’s case) (led by M Richmond SC – instructed by Allens + Linklaters)
- **Whitby Land Company P/L v DFCT** (2017) 104 ATR 784; [2017] FCA 28: application to quash assessments as tentative or provisional (“Stokes”) (led by M Robertson QC)
- **DFCT v King** [2016] FCA 1281: personal tax debts – bankruptcy – setting aside personal insolvency agreement (instructed by Hunt & Hunt) (*)
- **Bell Group Ltd (in liq.) v DFCT** (2015) 339 ALR 348: successful application to set aside garnishee notice (\$298 million) (led by Mark Richmond SC – instructed by Ashurst)
- **Davies v FCT** (2015) 234 FCR 93; [2015] FCA 773: taxation of employee share schemes – transitional provisions (led by Mark Richmond SC – instructed by McCullough Robertson).
- **News Corp FX case (Messenger Press)** (2012) 90 ATR 69: foreign exchange losses (\$2.2 billion) (led by Neil Young QC and Mark Richmond SC – instructed by Allens + Linklaters).
- **Macquarie Bank v FCT** (2011) 85 ATR 409; [2011] FCA 1076: income tax – consolidation – Part IVA (led by A Slater QC and J Hmelnitsky – instructed by Clayton Utz).

State & Territory Supreme Courts

- **Leppington Pastoral Co Pty Ltd v Chief Commissioner of State Revenue** [2023] NSWSC 463: successful appeal from \$26.9 million duties assessment (declaration of trust) (led by David Thomas SC – instructed by Marsdens)
- **YWCA v Chief Commissioner of State Revenue** 2020 ATC 20-774; [2020] NSWSC 1798: successful appeal for application of charitable exemption to YWCA merger of regional organisations (led by M Richmond SC - instructed by Norton Rose Fulbright)
- **Deputy Commissioner of Taxation v Malone** [2020] ACTSC 44: Directors Penalty Notice – privilege against exposure to penalties (*)
- **Salvation Army (NSW) Property Trust v Chief Commissioner of State Revenue** (2018) 96 NSWLR 119; [2018] NSWSC 128: charitable exemption from duty – relief of poverty (led by M Richmond SC - instructed by Dentons).
- **Winston-Smith v Chief Commissioner of State Revenue** [2018] NSWSC 773: landholder duty – “just and reasonable” exemption (led by B Sullivan SC at hearing (previously T Thawley SC) – instructed by Piper Alderman).
- **Tay v CCSR** (2017) 105 ATR 583; [2017] NSWSC 338: landholder duty (\$30 million) – deceased estate exemption (led by Mark Richmond SC – instructed by Allens + Linklaters)
- **DFCT v Caudle** [2017] ACTSC 216: directors’ penalty notices for unremitted withheld amounts (instructed by McInnes Wilson) (*)
- **Milstern Nominees Pty Ltd v CCSR (NSW)** (2015) 89 NSWLR 43: landholder duty – “just and reasonable” exemption (led by James Hmelnitsky SC - instructed by JMA Legal)
- **CTI Joint Venture Company Pty Ltd v CCSR (NSW)** (2013) 87 ATR 709; [2013] NSWSC 20: stamp duty – whether options to acquire land were dutiable transfers or non-dutiable novations (led by Mark Richmond SC – instructed by King & Wood Mallesons)

Tribunals

- **Lakes Oil Ltd v Innovation Australia** [2023] AATA 811: R&D claim for activities to develop fracking technologies to exploit tight gas reserves in Victoria (instructed by Piper Alderman) (** Ms Tiffany Wong SC)
- **BSRJ v FCT** [2021] AATA 333: GST – attribution of input tax credits; remission of penalties (** Kristen Deards SC)
- **Ariss v FCT** [2019] AAT 2958: personal services income – Part IVA (instructed by AGS) (*)
- **Racing NSW v Chief Commissioner of State Revenue** [2019] NSWCATAD 172: charitable exemption for land acquisitions (*)

- **GST Gold Case (ACN 154 520 199)** [2018] AATA 2404: Interlocutory application – Summons to Produce Documents – instructed by Minter Ellison for WA State-owned Gold Corporation) (*)
- **Mall v FCT** [2018] AATA 1621: unexplained income (instructed by ATO Review and Dispute Resolution) (*)
- **Fowler (dec'd) v FCT** (2016) 103 ATR 243; [2016] AATA 416: income / capital – profit making purpose - small business capital gains tax concessions – active assets – rent (instructed by ATO Legal) (*)

PRINCIPAL AREAS OF PRACTICE

TAXATION AND REVENUE

Alternative Dispute Resolution	Goods and services tax	Land tax
Appellate	Income tax	Payroll tax
Capital Gains tax	International tax	Stamp duty and other state taxes

SECTORS

Agribusiness	Government	Power and Utilities
Banks and Financial Institutions	Healthcare	Real Estate
Defence	Industrials	Technology, Media and
Funds	Primary Resources	Telecommunications
		Transport and Infrastructure