



holding
redlich
lawyers

ENERGY AND RESOURCES

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UNDERSTANDING

AT HOLDING REDLICH, WE HAVE DEEP EXPERTISE AND UNDERSTANDING OF MOST ASPECTS OF THE ISSUES AND CHALLENGES CONFRONTING EACH OF THE AREAS COMPRISING THE ENERGY AND RESOURCES SECTORS.

It is part of Holding Redlich's strategy to consolidate its reputation as a leading legal services provider for participants in the energy and resources sectors within Australia and offshore.

Our Energy and Resources practice is led nationally by David Walker. David is supported by a team of partners and solicitors in each of our offices who work with and advise clients across the sectors and across the country on a daily basis.

We have clients in each of the core areas of the energy and resources sectors including oil and gas, coal, hard rock mining, electricity and water. We advise in the renewable sectors of solar, wind, marine and biofuels. We also have clients in the service sectors of drilling services, steel, mining services, logistics, ports and rail. We offer the full range of infrastructure and construction services to support the creation and growth of projects. And we advise as required for both projects and transactions on specialist areas such as competition law, climate change, employment, OH&S, fundraising, M&A, environmental and planning law, FIRB (foreign investment law and regulation), land law and native title.

Our teams have worked on a wide variety of projects and transactions and our advice has ranged from issues arising at project inception and development right through to project end,

be it as a sale or a dispute. We advise on issues arising during the life of projects, including operation, contracts and supply arrangements, as well as on acquisition and sale of projects.

In this way, we truly offer a unique "end to end" service for participants in the energy and resources sectors.



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“PARTICIPANTS IN THE ENERGY AND RESOURCES SECTORS COMPRISE THE MAJOR INDUSTRY LEADERS IN AUSTRALIA’S CORPORATE LANDSCAPE AND ARE RESPONSIBLE FOR PRODUCING A SIGNIFICANT PART OF AUSTRALIA’S ANNUAL GDP”



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CONCISE, COMMERCIAL TRANSACTION ADVICE

HOLDING REDLICH'S ENERGY AND RESOURCES EXPERTS CAN GUIDE YOU IN EACH ASPECT OF YOUR PROJECT, FROM INCEPTION OR ACQUISITION, TO CONSTRUCTION, IMPLEMENTATION, OPERATION AND MAINTENANCE THROUGH TO SALE OR DISPOSAL. WE UNDERSTAND THE ENERGY AND RESOURCES SECTORS. WE ENSURE OUR ADVICE MEETS YOUR SPECIFIC NEEDS. WE TAKE THE TIME TO UNDERSTAND YOUR PROJECTS AND TRANSACTIONS FROM THE GROUND UP AND THIS IS REFLECTED IN OUR SERVICE DELIVERY.

PRECISE AND ACCURATE ANALYSIS AND EXPERTISE

INDUSTRY SECTORS

- GAS
- OIL
- COAL
- HARD ROCK MINING
- ELECTRICITY
- WATER
- STEEL
- COAL-TO-LIQUIDS

RENEWABLES

- SOLAR
- WIND
- MARINE
- BIOFUELS

INDUSTRY ACTIVITIES

- DRILLING SERVICES
- INFRASTRUCTURE
- RAIL
- PORTS

AREAS AFFECTING ALL

- CLIMATE CHANGE AND CARBON TRADING
- COMPETITION
- EMPLOYMENT
- ENVIRONMENTAL ASSESSMENT AND PLANNING
- ENTERPRISE BARGAINING AND INDUSTRIAL RELATIONS MANAGEMENT
- EQUITY AND DEBT FINANCE
- FIRB - FOREIGN INVESTMENT LAW AND REGULATION
- LAND AND SITE ACCESS
- LICENSING AND REGULATORY REGIMES
- MERGERS AND ACQUISITIONS
- NATIVE TITLE AND CULTURAL HERITAGE
- OFFTAKE ARRANGEMENTS
- OH&S



GAS

THE GAS INDUSTRY IN AUSTRALIA IS EXPERIENCING EXPONENTIAL GROWTH AND INCREASING REGULATORY COMPLEXITY

Our lawyers have been active participants in the gas industry in Australia and abroad.

We routinely advise on most aspects of gas exploration, production, transportation and the acquisition and sale of gas assets and project interests.

We have advised on matters such as:

- exploration, development, production and operations:
 - obtaining and maintaining relevant permits and titles
 - negotiating native title arrangements
 - environmental and planning advice
 - regulatory advice
 - land access and compensation issues
 - water rights issues
 - offtake arrangements
- the acquisition and disposal of gas assets project and interests including investments in natural gas, coal seam gas (CSG) and unconventional shale gas plays
- joint operating agreements
- farm-in and farm-out agreements

- drilling contracts
- service agreements
- all aspects of high pressure gas transmission pipeline construction, regulation, operation, contracting and maintenance
- product sales arrangements
- water treatment and disposal in CSG projects

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Relevant experience of our team members includes:

APA GROUP

Advised APA Group for 10 years on a wide range of issues relating to its Australia wide high pressure gas transmission network, including pipeline acquisitions, construction, operation, inspection and maintenance and the drafting and negotiation of major gas transportation agreements. Work has included:

- acquisitions of interests in pipelines such as the Moomba to Sydney, Roma to Brisbane, Goldfields Gas Transmission and Central Ranges Pipelines
- all gas transportation arrangements for Moomba to Sydney and Central West Pipelines
- pigging of the Moomba to Sydney Pipeline
- looping of the Roma to Brisbane Pipeline
- compressor station construction and operation arrangements

AJ LUCAS GROUP

Advised AJ Lucas on all aspects of its coal seam gas investments and projects in Australia, including in New South Wales (including the development and subsequent sale of the Gloucester Basin project), Queensland and Western Australia and in Indonesia, the USA and Europe.

DRILLSEARCH ENERGY LIMITED

Advised on the commercialisation of unconventional gas deposits in South Australia.

ARCELORMITTAL GROUP

Advised on joint venture arrangements concerning gas pipeline projects in Indonesia.

ISK GROUP GAS SALE AGREEMENT - SINGAPORE

Drafted and negotiated a gas sale agreement in Singapore.

EUNGELLA-MORANBAH GAS PIPELINE PROJECT

Advised Leighton Contractors in relation to the preparation and negotiation of claims arising out of the construction of a major gas pipeline project in Queensland.

SYDNEY GAS PROJECT, CAMDEN

Advised the NSW Department of Planning on planning approvals process for the coal seam gas project near Camden, including acting in Land and Environment Court proceedings defending a third party challenge to the approval.

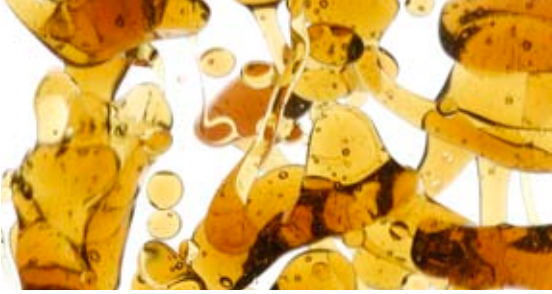
GAS SALES AGREEMENT – EXPERT DETERMINATION

Advising on expert determination proceedings in relation to a dispute concerning a long term gas sales agreement.

GAS SALE AGREEMENT - EGYPT

Advising the bidder for an Egyptian oil and gas concession in relation to proposed gas sales arrangements.





OIL

WHILE THE GAS AND RENEWABLES SECTORS GROW, OUR ECONOMY REMAINS DEPENDENT ON OIL EXPLORATION AND PRODUCTION

We advise on most aspects of oil exploration, production, transportation and the acquisition and sale of interests in oil projects.

We have advised on matters such as:

- the acquisition and disposal of interests in oil projects, permits and titles
- farm-in and farm-out agreements
- joint operating agreements
- service agreements
- drilling contracts
- oil transportation and facilities arrangements
- procurement of structures for oil rig construction
- financing arrangements for oil rig procurement
- a range of procurement, maintenance and construction agreements for oil processing facilities
- disputes arising out of an EPCM contract for the construction of an oil processing facility

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Relevant experience of our team members includes:

DRILLSEARCH ENERGY LIMITED

Advised on oil transportation and storage facilities arrangements for the Naccowlah Block in the Cooper Basin.

Advised on the acquisition and sale of permits interests in Queensland, South Australia, Victoria, Tasmania and PNG.

Advised on offshore seismic arrangements in the Gippsland Basin.

Advised on oil pipeline access arrangements at Port Bonython.

WEST TUNA AND BREAM B OFFSHORE OIL PLATFORMS

Advised Leighton Contractors in relation to all aspects of its tender to Esso Australia Limited for the construction of concrete gravity structures utilised in the construction of the offshore oil platforms owned by Esso, West Tuna and Bream B.

CALTEX AUSTRALIA LIMITED

Developed a model long term facilities maintenance agreement for manufacturing facilities in New South Wales and Queensland, the form of which is now utilised by Caltex and Chevron internationally on their oil processing facilities.

Advised on numerous projects in relation to the upgrade of refining facilities in New South Wales and Queensland, including a clean fuels project.

KUFPEC - INDONESIA

Advised on disputes arising out of the construction of an oil processing facility in Seram, Indonesia.

OIL RIG CONSTRUCTION - SINGAPORE

Advised a consortium of financiers in relation to financing for the construction of 4 jack-up rigs in Singapore.





COAL

POWER GENERATORS OPERATING, BOTH IN AUSTRALIA AND ABROAD CONTINUE TO RELY ON COAL

Our firm has advised coal industry participants across Australia in most of the facets of the business. We have a broad base of expertise in the industry that we apply to solve the particular issues and challenges of each client or project.

We have advised on matters including:

- project supply and logistics arrangements
- farm-in, farm-out and joint venture structuring
- environmental and safety
- construction of mine facilities
- disputes arising from construction and mining operations
- judicial review of project development decisions
- planning approvals and compliance issues
- procurement arrangements
- employment issues, including industrial relations
- occupational health and safety issues
- foreign investment approval
- state agreements
- site access arrangements
- licensing and permit issues, including overlapping CSG and mining tenements

- project structuring and financing
- native title

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Relevant experience of our team members includes:

SEDGMAN LIMITED

Advised on a contract for the design and construction of a coal handling preparation plant at the Middlemount Mine, Queensland.

CHERWELL CREEK COAL

Acted in relation to a coal mining tenement dispute, including a claim for compensation for loss of opportunity to exploit a coal resource.

QCOAL – JUDICIAL REVIEW

Acted for a coal mining company in a judicial review of a government department decision to grant another mining project a “special project of significance” classification under Queensland project development legislation, which would lead to compulsory acquisition of land powers.

DARTBROOK COAL

Advising Shell in relation to claims arising out of the construction of an underground drift at the Dartbrook mine in New South Wales, including latent condition, variation and extension of time claims.

BENGA MINE PLANT - MOZAMBIQUE

Advised on the review and drafting of complex inter-related design and supply contracts to allow for the manufacture of equipment needed in relation to a proposed new coal mine in Mozambique.

MOUNT KEITH MINE, WESTERN AUSTRALIA

Advised on disputes arising out of open pit mining.

MOUNT OWEN MINE, NEW SOUTH WALES

Advised a New Zealand based contractor in a range of projects in relation to the Mount Owen coal mine.

WILPINJONG COAL PROJECT

Advised on planning and environmental processes in relation to obtaining major project approval for a coal mine near Mudgee, New South Wales.

MANGOOLA MINE (FORMERLY ANVIL HILL)

Advised on the major development assessment process for the mine, including conditions requiring acquisition of private land. Advised on post-determination compliance issues.

METROPOLITAN MINE

Advised on environmental assessment processes, including reviews by the NSW Planning Assessment Commission and conditions of project approval.

BENGA COAL MINE

Advisor to Constructor.

MIDDLEMOUNT COAL MINE

Advisor to Constructor.

NEWCASTLE COAL TERMINAL PROJECT

Advisor to Tenderer.

FORCE MAJEUR REVIEW

Completed a review of coal sale agreements for a major coal mining company following recent natural disasters in QLD.





HARD ROCK MINING

DOMESTIC AND OFFSHORE MARKETS CONTINUE TO HAVE INSATIABLE APPETITES FOR THE HIGH QUALITY MINERALS PRODUCED IN AUSTRALIA

Our team has experience in acting in a wide variety of transactions involving metals, including copper, gold and zinc in Australia and overseas.

We have advised on matters including:

- contract mining arrangements
- offtake agreements
- extraction agreements
- contracts for the construction of minerals processing facilities
- disputes arising from extraction and construction of processing facilities agreements
- standard form contract development for the mining industry
- project supply and logistic arrangements
- farm-in, farm-out and joint venture structuring
- project structuring and financing
- native title
- environmental and safety
- employment issues, including industrial relations
- occupational health and safety issues
- planning approvals and compliance issues

- foreign investment approval
- state agreements
- site access arrangements
- licensing and permit issues, including overlapping CSG and mining tenements

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Relevant experience of our team members includes:

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PAN AUSTRALIAN RESOURCES

Advised copper-gold miner Pan Australian Resources on A\$186 million AREO (accelerated renounceable entitlements offer) and offtake agreements.

BEACONSFIELD GOLD

Advised on disputes with a construction contractor in relation to a gold processing plant.

DOWNER EDI MINING (ROCHE)

Development of a suite of supply agreements and consultant agreements.

CADIA-RIDGEWAY MINE

Advised on various proposals to modify and expand the development approvals for the Cadia-Ridgway gold and copper mine.

COWAL GOLD PROJECT

Advised on the various court challenges to the planning approval for the Cowal gold mine and advising on development assessment processes for modification of the approval to enlarge the mine.

PLUTONIC RESOURCES

Acted in relation to a dispute over a gold mine in Kalimantan.

PEGASUS GOLD

Advised a liquidator following the failure of Pegasus Gold.

GUNPOWDER MINE

Advised Leighton Contractors Pty Limited concerning disputes arising out of the construction of a copper processing plant and copper mine in Queensland.

ANACONDA NICKEL (NOW MINARA RESOURCES)

Acted in commercial litigation involving a proposed share acquisition, a joint venture and confidential information prepared as part of a pre-feasibility study.

MURRIN MURRIN NICKEL/COBALT MINING AND PROCESSING PLANT PROJECT

Advised on risk audit and dispute risk management services and conducting commercial negotiations to minimise ultimate liability risk in respect of the design and performance of equipment in a major mineral processing application in Western Australia.

SOUTH AUSTRALIAN ZINC SMELTER

Acted for a contractor in relation to claims arising out of a major mechanical services upgrade project for a major lead and zinc smelting facility in South Australia.



ELECTRICITY

AS AUSTRALIA'S POPULATION GROWS AND TECHNOLOGICAL ADVANCES DEMAND MORE POWER, PARTICIPANTS IN ELECTRICITY GENERATION, TRANSMISSION AND RETAILING FACE EVER MORE CHALLENGES TO ENSURE AFFORDABILITY AND SECURITY OF SUPPLY

The electricity sector is segmented and underpinned by a complex regulatory framework and private – public relationships.

We have advised on matters including:

- environmental and regulatory matters relating to electricity
- the development of electricity generation and transmission infrastructure, including power stations, transmission lines and gas pipelines
- electricity supply arrangements for large industrial electricity users
- gas and coal supply arrangements for power stations (see our separate sections for each of these)
- renewable energy solutions for electricity generation, including wind, solar, bio-mass and marine generation (see the separate sections for each of these)

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Relevant experience of our team members includes:

ENERGYAUSTRALIA

Advised on a range of environmental matters in relation to electricity transmission and distribution infrastructure including substation and cabling projects.

Drafted and negotiating the contractual arrangements with RTA for the provision of an electricity duct line as part of a road upgrade on the Central Coast.

CITY GRID PROJECT

Advised EnergyAustralia in relation to the proposed underground ring tunnel and new zone substations in the Sydney CBD.

NORTH SYDNEY ZONE SUBSTATION

Advised EnergyAustralia in relation to the self determination of a major substation development in North Sydney including acting for EnergyAustralia in New South Wales Land and Environment Court proceedings.

DELTA ELECTRICITY

Advised in relation to the planning approval process for the modification of facilities and the construction of new facilities for the Mount Piper Power Station, New South Wales.

Advised in relation to waste regulations and the scope and conditions of the environment protection licences that apply to the project.

VICTORIAN HOSPITALS COGENERATION PROJECT

Acted for the design and construction contractor in a BOOT scheme which involved the installation of 7 gas fired power stations in 6 Victorian hospitals, including acting in a four way arbitration dispute involving the client, the principal, the power train supplier and the operator.

MARULAN GAS FIRED POWER STATION, NEW SOUTH WALES

Advised in relation to environmental assessment process including the determination of the concept plan. Drafting and negotiating noise agreements with neighbouring property owners.

ERGON ENERGY

Advised in relation to a dispute arising out of the construction of 3 major power stations in New South Wales.

Advised in relation to a dispute arising out of the construction of transmission lines in New South Wales.

NRG GLADSTONE POWER STATION

Advised in respect of a prosecution under the Queensland Electrical Safety Act at the Gladstone Coal Fired Power Station.



WATER

CLEAN AND RELIABLE WATER RESOURCE ACCESS AND QUALITY IS ONE OF THE BIGGEST CHALLENGES AUSTRALIA AND THE REST OF THE WORLD FACES IN THE CENTURY TO COME

We advise on water legislation and regulation throughout Australia to provide legal solutions and advice in this complex and growing area of law to a number of water providers and users.

Competing and varied demands for water has resulted in rapid and complex change in water law and regulation.

We regularly advise on:

- water entitlement transactions and disputes
- water trading
- legal and regulatory regimes
- supply and distribution from regulatory authorities
- water infrastructure project development, including pipelines and desalination plants and all necessary documentation, including contracts, tenders, licences, offtake agreements and leases

We refer you to our Water and Wastewater Projects Expertise brochure which can be found [here](#).

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Relevant experience of our team members includes:

TEMPORARY DESALINATION PLANTS, CENTRAL COAST NEW SOUTH WALES

Advised on how temporary desalination plants could be assessed and approved.

GOLD COAST DESALINATION PLANT

Advised the joint venture contractor on the final negotiations of the alliance contract for the delivery and operation of the desalination plant and the preparation of various subcontract and procurement documents for this A\$1.5bn project.

SYDNEY DESALINATION PLANT

Advised the joint venture contractor on the tender submission and successful negotiation and award of both the design and construct and operation and maintenance contracts with Sydney Water for this A\$1.4bn project.

Advised the NSW Department of Planning on issues relating to the concept and project approvals for the desalination plant including advice on the drafting of conditions of approval and compliance issues.

AQUA 2000 PROJECT

Advised in relation to early contractor involvement and engagement in relation to the BOOT delivery of 3 water filtration plants for Coliban Water.

DELFIN LEND LEASE

Advised on contractual arrangements for the provision of sewerage and recycled water services for the Bingara Gorge residential development, Wilton, New South Wales.

UNLISTED PUBLIC AGRIBUSINESS

Providing advice to an unlisted public company focussed on investments in land and water entitlements in Australia on water legislation across a number of Australian states.

Developing a suite of transaction documentation across a number of Australian states to allow that company to buy and sell, lease and sublease water entitlements as part of its strategic investment in water entitlements throughout Australia.

WATER INFRASTRUCTURE PROVIDER

Drafted documentation including pipeline easements and tenure documents including permits to occupy. Advised on the underlying tenure issues for the project.

Advised in relation to obligations of major water infrastructure provider under Resource Operations Plans.

Prepared submissions to Queensland Competition Authority concerning drainage charges. Advised in connection with arrangements under channel and pipeline water supply contracts.

Drafted tender package documents and terms and conditions in connection with procurement of technical and engineering services for water infrastructure.

Drafted and negotiated services agreement in connection with provision of preliminary design of water pipeline for major mining operator.

Advised in connection with workplace health and safety issues in connection with operation of dams, weirs and other water infrastructure.

QUEENSLAND WATER GOC

Acted in respect of prosecutions and investigations under the Queensland Workplace Health and Safety Act and Queensland Electrical Safety Act.

Acting in Supreme Court Judicial Review Act proceedings concerning imposition of Council special levies.

LINKWATER

Advised on pipe procurement issues associated with construction of the SEQ water grid.

SYDNEY CATCHMENT AUTHORITY

Drafted and settled tender documents for the upgrade of the Warragamba Dam flood gates.



STEEL

STEEL IS A KEY INDUSTRY THAT BOTH USES AUSTRALIA'S RESOURCES OUTPUT AND WHICH SUPPLIES ESSENTIAL PRODUCT TO SUPPORT THE ENERGY AND RESOURCES SECTOR

We advise on all aspects of the steel making process for large steel manufacturers and exporters, offshore steel manufacturers and importers and distribution channels.

We have advised on matters including:

- logistics
- operation and maintenance and infrastructure arrangements
- raw material supply arrangements
- energy supply arrangements
- commercial arrangements
- distribution and logistics
- product sales arrangements

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Relevant experience of our team members includes:

BLUESCOPE STEEL LIMITED

Advised on a wide variety of matters relating to steel production, raw materials, logistics, processing, product sales arrangements, plant operations and maintenance and infrastructure.

Advised on arrangements for the supply of gas in the Short Term Trading Market.

AUSTRALIAN POWER PROJECTS

Advised a Vietnamese company concerning disputes arising out of the supply of structural steel for use in the construction of two power stations in Australia.

ALUMINIUM SMELTER, KURRI KURRI

Advised in relation to the modification of development consents granted by the Minister for Planning in relation to an aluminium smelter facility in Kurri Kurri, New South Wales.

PROTECH STEEL

Advised on the development assessment process and drafting of conditions of development consent in relation to a cold mill facility in Newcastle, New South Wales.



COAL-TO-LIQUIDS

SCARCITY OF OIL HAS SEEN THE DEVELOPMENT OF TECHNOLOGY TO CONVERT COAL VIA GASSIFICATION TO LPG AND UNLEADED PETROL

This is an area that presents challenges that overlap those faced by traditional coal miners and gas producers.

We have advised on:

- land acquisition
- water supply arrangements

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Relevant experience of our team members includes:

AMBRE ENERGY, FELTON PROJECT

Advised Australia's first commercial scale coal-to-liquids project in relation to a proposed water pipeline in the Moonie Pipeline Corridor.

RENEWABLE ENERGY





SOLAR

THE SUN WILL BECOME AN INCREASINGLY IMPORTANT SOURCE OF RENEWABLE ENERGY AS THE CENTURY PROGRESSES

We have advised on matters including:

- investments in solar energy companies
- construction arrangements for solar plants
- regulatory and infrastructure issues
- licence agreements for the exploitation of patented renewable energy technology in international territories
- Representation Agreements with agents and representatives of patented renewable energy technology in international territories
- construction and supply agreements for the sale of marine vessels incorporating renewable energy technology
- joint venture agreements for the exploitation of renewable energy technology

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Relevant experience of our team members includes:

LIDDELL POWER STATION SOLAR STEAM GENERATOR EXPANSION

Advised Transfield Holdings on the contractual arrangements and regulatory requirements for this project.

ERGON ENERGY

Advised on contracts tendering for the design and installation of grid connected photovoltaic solar electrical system and supporting structures in Cairns and Townsville.

I-SOL VENTURES GMBH AND SOLON AG OF GERMANY

Advised on an investment in CBD Energy Limited.

NEW SOUTH WALES SOLAR REBATE SCHEME

Advised participants on the establishment of a solar grid for small scale solar generation that complied with the Solar Rebate scheme requirements.

OTHER

Acting for the purchaser of an Australian renewable energy company.

Acting for the lead investor in an Australian renewable energy company.



WIND

WIND TURBINES ARE A COMMON SIGHT ACROSS AUSTRALIA'S RURAL LANDSCAPE AND ABROAD, TESTAMENT TO WIND ENERGY'S ABILITY TO GENERATE BASE LOAD POWER

We have advised proponents of wind farm projects on most aspects of their project development and delivery.

Our advice has included:

- project tender processes
- contract drafting
- negotiation of documents for wind farm procurement
- drafting of project construction and implementation agreements
- obtaining project approvals under the environment and major project legislation
- land access arrangements

Relevant team members

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Relevant experience of our team members includes:

AGL HALLETT WIND FARM SOUTH AUSTRALIA

Advised on all aspects of construction of wind farm project.

CAPITAL WIND FARM, TARAGO, NEW SOUTH WALES

Advised in relation to the major project approval process for the wind farm and modifications to the approval.

Advised on development contributions including issues relating to the entering into of a planning agreement.

WOODLAWN WIND FARM, NEW SOUTH WALES

Advised in relation to the modification of a legacy approval for the wind farm under the new major projects regime in New South Wales.

GULLEN RANGE WIND FARM, NEW SOUTH WALES

Advised on the environmental assessment process for the project including its status as a critical infrastructure project and the assessment of a modification to the project while court proceedings were pending.



MARINE

THE POWER OF OCEAN, STREAM, ESTUARY AND TIDAL FLOWS CANNOT BE UNDERESTIMATED AS A RELIABLE, GREEN AND CHEAP SOURCE OF AUSTRALIA'S FUTURE POWER NEEDS

Marine and tidal generation technologies are developing rapidly globally. The installation of river or offshore generators and related transmission network link-up infrastructure will produce a myriad of complex legislative challenges and competing interests.

We have advised on the establishment of a marine turbine generation business on all aspects of the road from inception to commercialisation.

Our advice has included:

- capital raisings and investment structures
- commercialisation issues
- licensing and distributor appointments and agreements
- water rights issues
- access and licensing requirements in different environments
- land access arrangements

Relevant team members

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Relevant experience of our team members includes:

ELEMENTAL ENERGY TECHNOLOGIES LIMITED

Advised Elemental Energy Technologies on the development, piloting and commercialisation of its innovative SeaUrchin marine turbine technology and derivative products.



BIOFUELS

DWINDLING OIL RESERVES HAVE FOCUSED ATTENTION ON BIOFUELS AS AN ALTERNATIVE FUEL SOURCE AND A VALUE ADDING BY-PRODUCT OF AGRICULTURAL PRODUCTION

We advise on most aspects of Biofuels projects, including:

- infrastructure, including power station, construction arrangements
- project finance facilities
- fuel supply agreements
- offtake contracts
- hedging arrangements
- fuel processing agreements
- acquisitions of existing power stations

Relevant team members

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Relevant experience of our team members includes:

BABCOCK & BROWN

Conducted an extensive due diligence for a potential purchaser of Babcock & Brown's portfolio of bio-mass power stations, including the Rocky Point Power Bio-mass Station.

DALBY BIO REFINERY LIMITED

Advised in respect of a prosecution under the Queensland Environmental Protection Act.

Advised on the development and project financing of the bio refinery.

INDUSTRY ACTIVITES



DRILLING SERVICES

THE OIL, GAS AND MINING SECTORS DEPEND ON EFFICIENT, DYNAMIC AND INNOVATIVE DRILLING TECHNIQUES

We act for some of the biggest drilling companies in Australia, companies that have invented and innovated drilling techniques that have played a key role in the opening up and commercialisation of many of Australia's world class oil and gas and mineral deposits and the creation of the CSG and CSG to LNG industries.

We have advised on:

- drilling contracts
- licensing and regulatory regimes
- land access and compensation arrangements
- landholder issues
- construction of gas gathering infrastructure and transmission infrastructure

Relevant team members

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Relevant experience of our team members includes:

AJ LUCAS GROUP LIMITED

Drafted standard drilling services agreement.

Acted in relation to a claim for breach of non-competition clause requirements against former employees setting up in competition.

LUCAS MITCHELL

Drafted a precedent rates based drilling services agreement for use with portable drilling rigs.

Acted in relation to a potential claim for breach of a non-competition clause against another company.

EASTERNWELL GROUP / AUSTRALIAN DRILLING SOLUTIONS

Advised in relation to the recovery of fees for drilling services. Drafted drilling hiring and services agreements and in designing procurement and contracting templates.



INFRASTRUCTURE

INFRASTRUCTURE IS THE BACKBONE FOR THE EXPLOITATION AND DELIVERY OF ENERGY AND RESOURCES PROJECTS AND THEIR PRODUCTS

Holding Redlich has a dedicated Construction and Infrastructure Group that works with our Energy & Resources team to deliver excellent and appropriate solutions in support of our Energy & Resources clients needs and projects.

We refer you to our **Construction & Infrastructure Brochure**, which can be found [here](#).



PORTS

THE PORTS OF AUSTRALIA REMAIN THE GATEWAYS THROUGH WHICH AUSTRALIA'S RESOURCES WEALTH PASSES ON THE WAY TO THE CONSUMERS OF THE WORLD AND THROUGH WHICH IMPORTS FROM AROUND THE WORLD ARE DISPATCHED

Our experience includes:

- construction of facilities
- infrastructure arrangements
- procurement
- planning and environmental issues

Relevant team members

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Philip Vickery, Partner

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Relevant experience of our team members includes:

SYDNEY PORTS CORPORATION

Provided contract management assistance to Sydney Ports Corporation in relation to the procurement and commissioning of a new gangway for the Sydney International Passenger Terminal.

Advising the Sydney Ports Corporation in relation to the drafting and negotiation of consultants agreements, international equipment procurement and occupational health and safety issues for Sydney's next major passenger terminal project.

Advised in connection with the new vessel tracking system for Sydney Harbour and Port Botany.

Advised in connection with the proposed Second Bulk Liquids Berth, which is to complement the singular existing 30 year old bulk liquids berth at Port Botany.

PORT OF NEWCASTLE

Advised on the extension of shipping channels in Port of Newcastle to provide adequate deep water access to future berth sites and to achieve removal and remediation of a large quantity of contaminated river sediment with potential to pose a significant ecological and health risks.

DP WORLD

Negotiated long-term rights to manage the DP World Port Botany container terminal operation including transition from traditional port management concepts to a joint venture model.

REZONING OF PORT FACILITIES IN NEW SOUTH WALES

Advised the NSW Department of Planning on the drafting and implementation of a State policy to rezone the Newcastle Port, Sydney Port and Port Kembla Port sites.

PATRICKS FACILITY, PORT BOTANY

Advised the NSW Department of Planning on a staged development proposal for the upgrade of the Patricks facility at Port Botany.

PORT BOTANY EXPANSION

Advised in relation to the development assessment process for the Sydney Ports Corporation proposal to expand Port Botany including advising on the commission of inquiry into the proposal.

PORTS CORPORATIONS QUEENSLAND AND MARITIME SAFETY QUEENSLAND

Advised in relation to a variety of commercial contracts.

DALRYMPLE BAY COAL TERMINAL

Advised on capital dredging required for Stage 7 expansion.

Advised on consultant contracts.

Advised on potential admiralty claims associated with Force Majeur Events.





RAIL

RAIL PLAYS A KEY ROLE IN TRANSPORTING THE MILLIONS OF TONNES OF COAL, IRON ORE AND OTHER MINERALS FROM THE REMOTE RESOURCE LOCATIONS TO THE PORTS AND VALUE-ADD FACILITIES THAT ENABLE THEIR ON-SALE TO THE WORLD

Railways are highly complex pieces of infrastructure that extend for hundreds of kilometres and have a large variety of legislative interactions and control.

Our team has advised on many of these aspects, including:

- haulage agreements
- consignment agreements
- transport services agreements
- statutory obligations in relation to rail transportation operations
- access arrangements
- rail and fleet maintenance arrangements
- land access and easement issues
- planning and environmental issues

Relevant team members

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Relevant experience of our team members includes:

MORANDOO PRIVATE RAIL NETWORK

Advised on the drafting of transfer documentation, funding and repair arrangements surrounding the sale of this private rail network to Australia Rail Track Corporation.

QUEENSLAND RAIL

Advised ARG and CRT (subsidiaries of Queensland Rail) in relation to acquisition of road transportation businesses.

QR FREIGHT

Advised on statutory risks in relation to freight transportation.

BLUESCOPE STEEL LIMITED

Drafted rail maintenance agreements for Port Kembla Steelworks, New South Wales.

JOHN HOLLAND

Negotiation of the maintenance facility design and construct contract for the NSW Rolling Stock public-private partnership.

DOWNER EDI RAIL

Negotiation of the supply and maintenance contracts for new railcars and the design and construct contract for a new railcar maintenance depot, each for the Perth Urban Rail Development



AREAS AFFECTING ALL



...can you
be informed
involved in
of your



CLIMATE CHANGE AND CARBON TRADING

THE WORLD'S CLIMATE IS CHANGING BECAUSE OF HUMANKIND'S EXCESSES, BUT GLOBALLY AND DOMESTICALLY GOVERNMENTS AND ORGANISATIONS ARE REACTING SO THAT OUR PLANET CAN REMAIN A DECENT PLACE FOR GENERATIONS TO COME

Our Climate Change team was established to proactively assist our clients in addressing the rapidly changing legal landscape arising from the regulatory and market response to climate change. We require our lawyers to integrate consideration of Climate Change legal issues arising in client matters with the other advice required.

The legal services which our Climate Change lawyers are able to provide include:

- advising on the impact of the Carbon Pollution Reduction Scheme and other CPRS issues
- advising on compliance with the National Greenhouse and Energy Reporting Scheme and other NGERs issues
- advising on and drafting and negotiating project documentation for renewable energy and water projects
- advising on and drafting and negotiating sales contracts, leases and construction contracts relating to Green Star and National Australian Built Environment Rating Scheme rated buildings
- advising on energy efficiency issues including the recently implemented mandatory disclosure regime on the sale or lease of commercial buildings

Relevant team members

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David Walker, Partner

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Relevant experience of our team members includes:

QUEENSLAND POWER & GAS

Presenting a detailed analysis of the impact of the CPRS on these industries at this leading industry conference.

CARBON COST PASS-THROUGH

Drafting contractual provisions dealing with passing through costs arising from the CPRS and publishing articles in leading publications regarding the impact of the CPRS on development costs.

CBUS PROPERTY

Advised on acquisition of one-third ownership of 1 Bligh Street, Sydney including issues concerning the 6 star Green Star (incorporating cogeneration and blackwater recycling) and NABERS Energy ratings sought to be achieved by the Space development.

DELFIN LEND LEASE

Drafting contractual arrangements for the provision of sewerage and recycled water services for the Bingara Gorge residential development, Wilton, NSW.

IPOH

Advising on the application of NGERs to its property portfolio.





COMPETITION

MANY ENERGY AND RESOURCE ACTIVITIES ARE MONOPOLISTIC IN CHARACTER AND WILL BE SUBJECT TO THE COMPETITION RULES

Competition and consumer law has widespread application to commercial transactions and disputes and must be considered whenever commercial transactions are being planned and implemented.

We have extensive experience in all aspects of competition and consumer law including:

- access to essential facilities
- informal clearances and enforceable undertakings
- restraints of trade
- consumer protection, misleading and deceptive conduct, and unfair contracts
- competition law and restrictive trade practices
- unconscionable conduct
- compliance programs
- ACCC investigations
- commercial disputes

Relevant team members

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Relevant experience of our team members includes:

CONSUMER LAW

Advised advertising agencies, marketing consultancies, and advertisers on all aspects of consumer law including under the Competition and Consumer Act 2010 (formerly called the Trade Practices Act 1974), the State Fair Trading Acts and a wide range of industry codes and regulations.

Advised on conduct of compliance programs to ensure advertising and marketing materials are fully compliant with all applicable laws.

COMPETITION LAW

Advised on the merger provisions and vertical and horizontal restraint restrictions in the Competition and Consumer Act 2010.

Applied for informal clearance of mergers and acquisitions from the Australian Competition and Consumer Commission (ACCC), including the negotiation and documentation of enforceable undertakings with the ACCC and representing our clients in investigations and enquiries by the ACCC and other regulators.

UNCONSONABLE CONDUCT

Advised on how to ensure compliance with these laws and how to conducting litigation concerning claims of unconsonable conduct.

COMMERCIAL DISPUTES

Involved in litigation, including appeal cases, concerning the provisions of the Competition and Consumer Act 2010 which prohibit misleading and deceptive conduct.



EMPLOYMENT

We have detailed knowledge and experience in:

- drafting and enforcing employment contracts
- protecting businesses against misuse of confidential information and intellectual property
- resolving claims and disputes regarding employment entitlements
- resolving claims and disputes regarding discrimination, harassment and bullying
- advising organisations to deal effectively and lawfully with issues of poor work performance and misconduct

Relevant team members

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Charles Power, Partner

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Relevant experience of our team members includes:

Advised a gas retail distribution network in relation to:

- workplace bullying investigations and dismissal disputes
- drafting standard terms and conditions of employment and advising on entitlements on termination of employment
- advice in relation to industrial matters, including in respect of consolidating various workplace agreements as well as advising in respect of the extension and variation of a pre-reformed certified agreement

Advised a water network and distributor in relation to constructive dismissal and unfair dismissal claims and adverse action allegations. We have also provided advice regarding compliance, interpretation and enforcement of applicable awards.

Advised a leading coal seam gas company in respect of the protection of confidential information and termination of employment issues.

Advised a multi national service provider to the energy and resources sector including, advising in respect of the establishment of Australian operations, relevant terms and conditions of employment, engaging staff and the like.

Advised a major mining and drilling services provider in respect of drafting and negotiation of various EBAs, Workplace Ombudsman Investigations, unfair dismissal proceedings, interpretation of applicable awards, drafting of employment contracts, termination and redundancy issues.

QUEENSLAND WATER GOC

Provided advice on general employment/industrial relations matters.



ENVIRONMENTAL ASSESSMENT AND PLANNING

OBTAINING THE RIGHT ENVIRONMENTAL ASSESSMENT AND PLANNING ADVICE IS CRUCIAL TO MAINTAINING PROJECT DELIVERY TIMETABLES

Obtaining the right environmental assessment advice is crucial to maintaining the project delivery timetable. Managing planning and environmental risks is of particular significance for energy and resources projects as these projects tend to attract the more complex environmental and planning approval regimes.

We advise on all aspects of environmental law in support of projects within the energy and resources sectors, including:

- the environmental impact assessment processes
- planning and other approvals and conditioning
- activating major infrastructure declarations, major development approvals and other "one stop shop" environmental assessment processes and planning approvals
- Environment Protection and Biodiversity Conservation Act 1999 processes, including environmental and planning compliance during construction and operation
- operational works permits and vegetation clearance permits
- nature conservation and heritage permits, including offset arrangements
- legacy approvals, existing and continuing use rights
- development contributions and planning agreements
- conditions relating to acquisition of private land
- obtaining environment protection licences and pollution issues
- threatened species, native vegetation

- cultural heritage
- contaminated land and remediation

Relevant team members

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Relevant experience of our team members includes:

ENERGYAUSTRALIA

Advised on a range of environmental matters in relation to electricity transmission and distribution infrastructure including substation and cabling projects.

DEPARTMENT OF PLANNING (NSW)

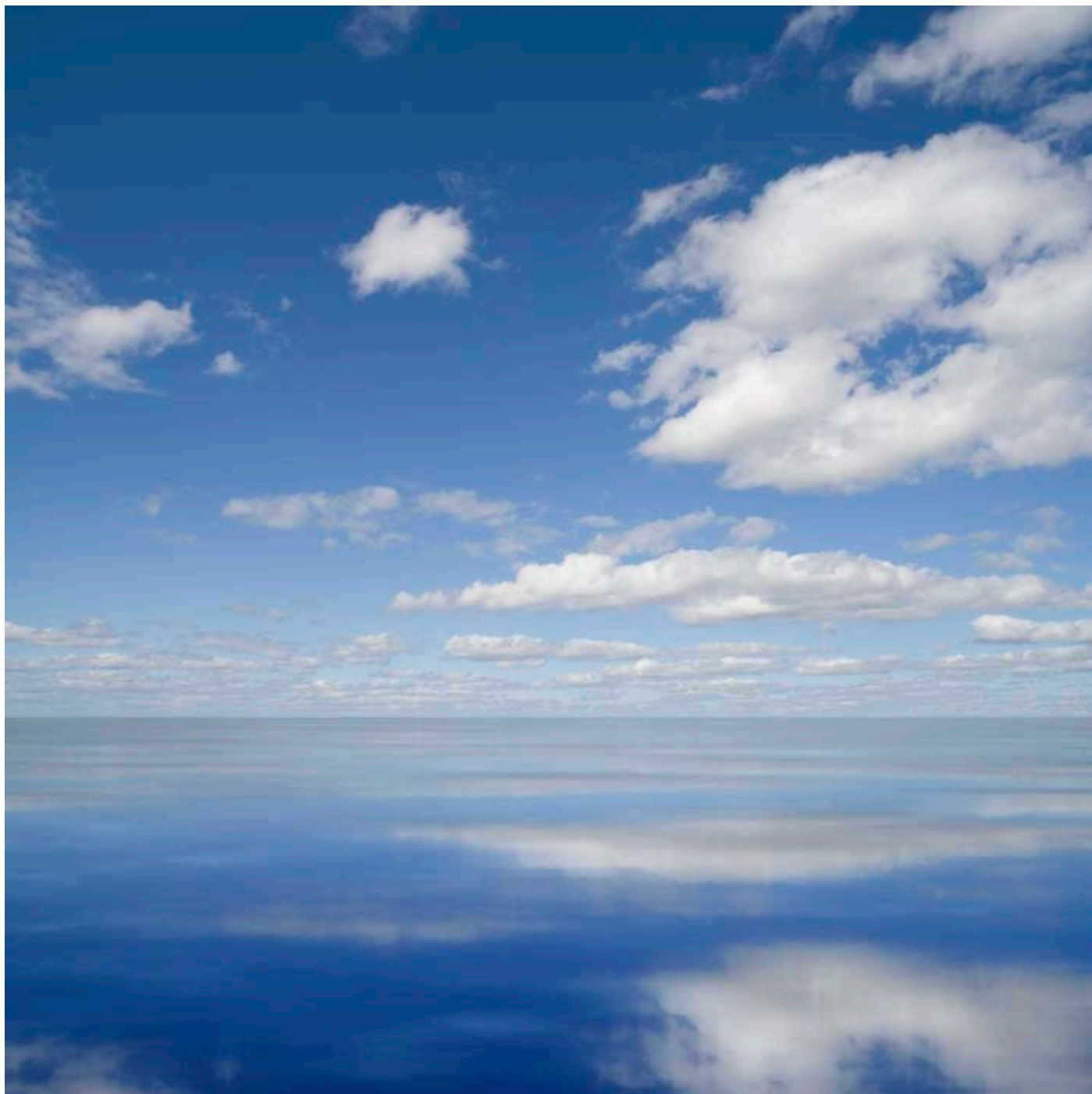
Advised on the approvals process for the proposed CBD Metro rail project.

DELTA ELECTRICITY

Advised on planning and environmental approvals required for a major power station and in relation to waste disposal.

FRASERS PROPERTY AUSTRALIA

Negotiated a planning agreement for development contributions with the NSW State government for the redevelopment of the former Carlton-United Brewery in Sydney.





ENTERPRISE BARGAINING AND INDUSTRIAL RELATIONS MANAGEMENT

THE ENERGY AND RESOURCES SECTORS EMPLOY HUGE NUMBERS OF PEOPLE AT ALL LEVELS OF SKILL AND ATTRIBUTE. MANY ARE COVERED BY ONE OR MORE AWARDS AND MANY EMPLOYERS SEEK TO REACH INDUSTRIAL AGREEMENTS TO MANAGE AND BALANCE EXPECTATIONS WITH OUTCOMES

The Fair Work Act increases the array of strategic options for organised labour to gain leverage in bargaining and industrial disputes.

We have extensive experience in the various industrial relations issues that arise in the construction and maintenance sectors.

We will give you prompt and practical solutions to keep a project operating when problems arise

We have detailed knowledge and experience in:

- the operation of modern awards and industrial legislation
- making and implementation of enterprise agreements
- the operation of legislative restraints on industrial action

Relevant team members

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Relevant experience of our team members includes:

Assisted a national owner of transmission pipeline assets to develop a strategy for achieving key bargaining outcomes following the expiry of the existing enterprise agreements in 2011.

Advised a principal contractor constructing a water treatment plant in relation to unlawful industrial action and steps that can be taken in courts and tribunals to protect their interests in that dispute.

Advised an international wind energy company to achieve a greenfields arrangement for a wind turbine manufacturing facility and the construction of a wind farm in Victoria.

Advised a national mining services company engaged in mining services on industrial relations implications of acquisitions of a number of drilling companies.

Advised a national company in relation to the negotiation of enterprise agreements for pipeline construction projects on greenfields and established sites.

Advised a company in relation to an enterprise agreement for the provision of drilling services on construction sites, offshore geotech wells and for oil and gas exploration.

Acted in respect of a Fair Work Ombudsman investigation of a stand down on a mine.



EQUITY AND DEBT FINANCE

We are able to advise on all forms of equity raising including:

- initial public offers and back door listings
- rights issues and placements
- share purchase plans, dividend reinvestment plans and employee incentive plans
- debenture or convertible securities issues
- registered managed investment schemes and wholesale trusts
- venture capital and private equity investments
- joint ventures and related financing arrangements

We advise clients in relation to debt finance and assist with preparing and reviewing debt facilities and associated documentation, including security documents, subordination and priority arrangements.

Relevant team members

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Relevant experience of our team members includes:

CUADRILLA RESOURCES LTD

Advised AJ Lucas on the co-investment by the Riverstone/ Carlyle global Energy & Power funds into UK entity, Cuadrilla Resources Ltd, to fund the expansion and production of unconventional hydrocarbons in Europe.

PAN AUSTRALIAN RESOURCES

Advised on A\$186 million AREO (accelerated renounceable entitlements offer).

CENTRAL RANGES PIPELINE

Advised on the underwriting arrangement for the connection of the Central Ranges Pipeline with the Central West Pipeline.

PIPE NETWORKS LIMITED

Advised on the company's initial public offer and rights issue.

Oakey Power Station

Advised on all aspects of refinancing.

DALBY BIO REFINERY

Advised the project company on financing implications in relation to project development.



FOREIGN INVESTMENT LAW AND REGULATION

THERE ARE COMPLEX RULES GOVERNING INVESTMENTS BY NON-NATIONALS IN THE ENERGY AND RESOURCES SECTORS WHICH MUST BE NAVIGATED

The Foreign Investment Review Board (**FIRB**) assesses proposals and provides advice to the Treasurer who is responsible for approving foreign investments.

We understand the considerations which FIRB takes into account in determining whether to provide approval and our experience includes making submissions to and liaising with FIRB.

Relevant team members

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Relevant experience of our team members includes:

MOLY MINES LIMITED

Advised a privately owned Chinese company with respect to its acquisition of a majority state in Moly Mines Limited, including its successful application to FIRB for approval to proceed.

ZUELLING GROUP INC

Advised a subsidiary of the Zuelling Group with respect to its acquisition of a forklift truck business in Australia, including its successful application to FIRB for approval to proceed.





LAND AND SITE ACCESS

SECURING THE NECESSARY LAND TENURES INCLUDING EASEMENTS CAN BE A COMPLEX AND TIME CONSUMING PROCESS.

We have experienced property lawyers who regularly advise on all aspects of land related transactions, including:

- corridor evaluation and acquisition of appropriate interests
- sales and acquisitions, leases, easements, co-location and access agreements
- resolving tenure overlays for competing tenure grants
- estuarine and other water course issues
- initiating compulsory acquisition processes
- creating easements and other complicated titling issues

Lineal projects such as pipelines, roads and railways have particular requirements surrounding the securing of appropriate interests for the proposed infrastructure.

We have experience in working with the project team to identify the stratum or other land requirements as well as in the drafting and negotiations of all relevant documents.

We have also acted on many compulsory acquisitions for infrastructure.

Relevant team members

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Michael Byrom, Partner

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Relevant experience of our team members includes:

GLOUCESTER BASIN CSG PROJECT

Advised on pipeline routing and land access arrangements for drilling and easement assessment.

COUNTRY ENERGY PIPELINES

Advised on all real property and land access aspects of the pipeline.

SYDNEY GAS LIMITED

Advised on easement issues.

FELTON PROJECT – AMBRE ENERGY

Advised on land access and acquisition issues in relation to proposed Moonie corridor water pipeline for the Felton coal-to-liquids project.

BHP BILLITON KOORAGANG ISLAND WASTE EMPLACEMENT FACILITY

Advised on contractual and real property arrangements, land access rights, power easements and Roads Act limitations.

BHP BILLITON AND ONESTEEL DEMERGER

Advised on land subdivision and access rights, service corridors and creation of easements and contractual schemes.

KOPPERS COAL TAR PROCESSING PLANT

Land access, licensing and easement rights in connection with liquid pitch and coal tar pipelines.

LANE COVE TUNNEL

Land access rights, occupation licences, stratum subdivisions.

THE NEW ROUSE HILL MIXED-USE PROJECT

Plans of acquisition (transfer of land to consent authority), access easements and works licences regarding waterway through site.





LICENSING AND REGULATORY REGIMES - PERMITS AND TITLES

EXPLORATION AND PRODUCTION PERMITS AND TITLES MUST BE ACTIVELY AND PROPERLY MANAGED TO MAXIMISE THE VALUE OF A COMPANY'S ASSET BASE. THE LICENSING AND REGULATORY REGIMES ACROSS AUSTRALIAN STATES CONTINUE TO ADAPT TO CHANGES AND CHALLENGES FROM CONFLICTING LAND USES AND OVERLAPPING ACTIVITIES TO WATER MANAGEMENT

We advise on all matters relating to oil and gas and mining licensing and regulatory regimes including:

- tender processes
- the acquisition and disposal of interests in titles and permits
- farm-in and farm-out arrangements
- joint operating agreements and joint venture agreements
- land access issues
- overlapping titles and permits including the drafting of co-operation agreements
- mining tenement compensation claims
- judicial review of project development decisions

Relevant team members

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Trent Taylor, Senior Associate

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Relevant experience of our team members includes:

DRILLSEARCH ENERGY LIMITED

Advised on regulatory matters including the issue, acquisition and disposal, variation and withdrawal of petroleum titles across a number of states in Australia including in Queensland, South Australia, Western Australia, Victoria and Tasmania and in PNG.

CHERWELL CREEK COAL

Acted for a coal mining company in relation to a mining tenement dispute, including a claim for compensation for loss of opportunity to exploit a coal resource.

AJ LUCAS GROUP

Advised on the tender and acquisition of petroleum exploration licences in the Canning Basin, Western Australia.

QCOAL – JUDICIAL REVIEW.

Acted for a coal mining company in a judicial review of a government department decision to grant another mining project a “special project of significance” classification under Queensland project development legislation, which would lead to compulsory acquisition of land powers.

SYDNEY GAS LIMITED

Advised on oil and gas licensing issues in New South Wales.

LUCAS ENERGY PTY LIMITED

Advised on licensing issues for the Gloucester basin project, including the relationship of petroleum exploration licences to mining licences over the same site.

MINING LICENCES

Advised on licence rights under the Mining Act 1992 and the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.



MERGERS & ACQUISITIONS

BUYING, SELLING AND MERGING ENERGY AND RESOURCES ASSETS AND THE ENTITIES THAT HOLD THEM IS AN INTEGRAL PART OF THE VALUE CREATION CHAIN THAT MUST BE EFFICIENTLY AND EFFECTIVELY EXECUTED TO MAXIMISE VALUE

The energy and resources sectors are some of the most active sectors in the mergers and acquisitions space. Transactions occur at the shareholder level in private or public bids or at the asset level through the sale of assets or by farm-in or farm-out arrangements.

We have extensive experience in advising on, documenting and successfully completing mid-size M&A transactions across the energy and resources sectors, including:

- share and asset acquisitions and sales, public and private
- schemes of arrangement
- joint ventures
- equity raisings
- debt and security packages
- running of full due diligence processes, including on-line data rooms
- obtaining FIRB clearances
- advising on pre-emptive rights and royalty arrangements

Relevant team members

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Trent Taylor, Senior Associate

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William Khong, Senior Associate

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Relevant experience of our team members includes:

GLOUCESTER BASIN CSG PROJECT

Advised AJ Lucas on all aspects of the sale of its interest in this project to AGL Energy for A\$329m.

MOLY MINES LIMITED

Advised on the acquisition of a majority stake in an ASX company by a foreign investor.

CUADRILLA RESOURCES LTD

Advised AJ Lucas on the co-investment of US\$58 million by the Riverstone/Carlyle Global Energy & Power Fund into UK entity, Cuadrilla Resources Ltd to fund the expansion and production of unconventional hydrocarbons in Europe.

AJ LUCAS GROUP

Advised AJ Lucas on the sale of its interest in ATP651P to Toyota for \$A98.5 million.

SYDNEY GAS LIMITED STAKE

Advised AJ Lucas on its strategic acquisition of a 15% stake in Sydney Gas Limited and subsequent sale to AGL Energy.

AUSREO PTY LIMITED (STEEL PRODUCTS PRODUCER)

Advised existing shareholders on a sale of 50% of the shares in the holding company.

GAS PIPELINES

Advised on the purchase or sale of interests in each of the following high pressure transmission pipelines:

- 25% of Moomba to Sydney Gas Pipeline
- 45% of Goldfields Gas Transmission Pipeline
- 100% of Central Ranges Gas Pipeline
- 15% of the Carpentaria Pipeline

OIL AND GAS INTERESTS

Advised on numerous acquisitions and sales of other oil and gas interests in most states of Australia and in PNG and elsewhere, including:

- onshore interests in New South Wales, Queensland and South Australia
- offshore interests in PNG
- offshore interests in Victoria, Tasmania and Western Australia
- offshore interests in the UK North Sea
- onshore interests in Eastern and Western Europe
- offshore interests in West Africa



NATIVE TITLE & CULTURAL HERITAGE

ENERGY AND RESOURCES PROJECTS OFTEN INVOLVE TRAVERSING VAST STRETCHES OF LAND OF CULTURAL SIGNIFICANCE

A critical component of any project, which generally must be considered in the planning and implementation of land access strategies, is the resolution of native title and cultural heritage matters.

Due to the need for assets and infrastructure to traverse land often held by diverse land owners, native title issues frequently arise and must be promptly and properly dealt with early in the project timetable.

We are experienced in negotiating land use agreements and have also conducted dispute resolution of disputes concerning native title and cultural heritage matters.

Relevant team members

Robert Moses, Partner

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Richard Abbott, Partner

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Amanda Davidson, Partner

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Relevant experience of our team members includes:

DRILLSEARCH EXPLORATION PERMITS

Advised on the impact and drafting of Native Title Agreements under section 31 of the Native Title Act and indigenous land use agreements.

MT PIPER TO MARULAN TRANSMISSION LINE

Successfully conducted Land and Environment Court dispute which dealt with objections to the construction of a transmission line on the basis that the route traversed land of cultural significance.

GERRINGONG – GEROA SEWERAGE SCHEME

Advised on issues related to adjusting design and program of project to avoid disturbing cultural heritage.



OFFTAKE ARRANGEMENTS

OFFTAKE ARRANGEMENTS ARE CENTRAL TO REALISING THE VALUE OF ENERGY AND RESOURCES PROJECTS.

We understand the changing regulatory landscape in Australia faced by the various participants in the energy and resources sectors.

From the outset of any project, we understand the necessity to get a clear understanding of the regulatory issues associated with the project, from access to infrastructure to competition.

We also understand and have extensive experience in drafting, negotiating and dealing with the key pressure points in offtake agreements from commissioning and capacity issues to product scheduling, delivery and tariff pricing to general and emergency maintenance requirements and expansion works.

Relevant team members

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Robert Moses, Partner

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Relevant experience of our team members includes:

MOOMBA TO SYDNEY PIPELINE SYSTEM

Drafted the standard gas transportation agreements (firm, interruptible and park and loan).

GAS TRANSPORTATION AGREEMENTS

Negotiated all gas transportation agreements with shippers such as AGL, Origin, TRUenergy and Country Energy on the MSP, including special purpose agreements with power stations.

GAS SUPPLY AGREEMENTS

Advised a multinational corporation in Singapore in relation to the negotiation of its gas supply agreement with the Singapore Government for its industrial facilities in Singapore.

TAKE OR PAY CONTRACTS

Negotiated the terms of operation and maintenance agreements that incorporate 'take or pay' provisions and abatement regimes for various water and waste water treatment plants including the Sydney Desalination Plant.

SOUTH WEST QUEENSLAND / JACKSON TO MOOMBA OIL PIPELINE

Advised on facilities agreements, tank services agreements and crude oil sale and purchase agreements.



OH&S

OCCUPATIONAL HEALTH & SAFETY IMPACTS AT ALL LEVELS OF THE PUBLIC AND PRIVATE SECTORS AND ALL INDUSTRIES

Occupation Health and Safety and employment issues are important to the overall performance of a business and not just because of legal compliance requirements.

Our clients regularly seek our advice and assistance in managing their obligations as well as when incidents occur.

Our OH&S team has extensive experience in advising on all aspects of workplace safety, including:

- strategic advice on minimising exposure to workplace safety risk and liability
- development of workplace safety management systems, policies and procedures
- training in workplace safety
- advice and representation in OH&S related investigations, disputes and prosecutions
- due diligence of OH&S issues in acquisitions of property and businesses
- advice on self-insurance and insurance premium issues

We act for principals, developers, contractors, managers and consultants in both the public and private sectors. Our clients range from major institutions and government entities to specialist consultants and subcontractors.

Relevant team members

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Paul Hardman, Partner

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Charles Power, Partner

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Relevant experience of our team members includes:

TUNNEL PROJECTS

Acted for a party in a coronial inquest arising from the collapse of a tunnel.

OCCUPATIONAL HEALTH & SAFETY EXPERIENCE

Advised a drilling subcontractor in relation to a workplace health and safety investigation following a workplace incident.

Advised on workplace health and safety obligations on mine sites.

Acted for a warehousing and logistics provider in WorkCover prosecutions.

Acting for directors in WorkCover prosecutions.

Acted for owners of land together with commercial and retail premises in WorkCover investigations.

Advised owners, funds managers, financiers and others involved in the control of land on OH&S requirements and risks.

Acted for a contractor in a prosecution arising from the electrocution of a worker at a power station.

Acted for a contractor during a WorkCover investigation into the collapse of a building located adjacent to the construction site.

QUEENSLAND WATER GOC

Acted in respect of prosecutions and investigations under the Queensland Workplace Health and Safety Act and Queensland Electrical Safety Act.

Provided front end advice on workplace health and safety strategy and compliance.



OUR PEOPLE

DAVID WALKER



Partner

Corporate & Commercial
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QUALIFICATIONS

Bachelor of Laws (Hons)
Bachelor of Arts
Masters of Taxation
Graduate Diploma in Securities (FINSIA)

EXPERIENCE SUMMARY

David Walker is the national head of each of our Corporate and Commercial group and Energy and Resources group. He is based in Sydney.

David has particular expertise in mergers and acquisitions, resources law (including gas, oil, gas transportation and renewable), infrastructure, corporate (including fundraising and capital management transactions, corporate structuring, disclosure documents and private equity).

David has considerable experience in large scale transactions involving substantial and complex documentation. He handles or manages all aspects of transactions including tax effective structuring of the commercial deal, due diligence, debt and equity raising, negotiation of the terms, documentation preparation and completion and implementation.

SPECIAL SKILLS

David has been involved in advising on a broad range of matters involving high pressure natural gas transmission pipelines, the oil and gas industry and renewable energy in general for over 12 years.

KEY RECENT EXPERIENCE

- TransCanada International Inc. when it sold its 25% interest in the Moomba-to-Sydney pipeline to AGL as the foundation asset for what became Australian Pipeline Trust (now, APA Group).
- APA Group on a wide range of aspects of the its pipeline portfolio, including:
 - acquisitions (for instance, interests in the Roma to Brisbane, Goldfields Gas Transmission and Country Energy pipelines)

- construction (for instance, looping of the Roma to Brisbane and the Carpentaria pipelines)
- pipeline maintenance (for instance, pigging of the MSP, stress corrosion cracking detection and repair on the MSP);
- compressor construction, gas transportation agreements (for instance, the standard contract for the MSP, all of the AGL transportation agreements and all other MSP agreements, including special purpose agreements with power stations)
- regulatory (for instance, advising on ring fencing arrangements, access arrangements and applications for the MSP to be uncovered)
- operational arrangements (for instance, connection and underwriting arrangements between the Central West Pipeline and the Central Ranges Pipeline, odorisation agreements, JOA's, pipeline development and maintenance agreements)
- advising on liability issues (for instance, the impact of the Longford explosion, disputes with Santos at Moomba)
- Drillsearch Energy rationalisation and expansion of its exploration portfolio over a number of States, including the Cooper basin, and offshore in Western Australia, Victoria and PNG.
- AJ Lucas Group on all matters relating to its coal seam gas investments in New South Wales, Queensland, Indonesia, the USA and Europe.
- AJ Lucas Group in relation to its drilling service agreements and matters relating to land access and tenements.

AMANDA DAVIDSON



Partner

Construction & Infrastructure
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QUALIFICATIONS

Bachelor of Commerce
Bachelor of Laws

EXPERIENCE SUMMARY

Amanda Davidson is one of Australia's leading construction and projects lawyers, with extensive knowledge and experience derived over 24 years practice as a lawyer specialising in advising leading Australian and Asian construction industry participants on all legal aspects of major projects. Amanda has advised on a diverse and large range of civil, mining, building, property, commercial and telecommunications infrastructure projects.

Amanda's involvements spans the whole lifecycle of the project, from project inception, through to tendering and contract preparation, contract administration training, ongoing operations and maintenance and dispute management and resolution. Amanda also has experience in advising in relation to procurement of privately funded public infrastructure as well as other government and private sector projects both within Australia, across Asia and the Middle East.

SPECIAL SKILLS

Drafting and negotiating complex project documents, team leadership, client representation, legal expertise and excellence, named in Asia Pacific 500 as one of top 10 leading individuals in construction law in Australia. Wide commercial experience in relation to major projects and infrastructure, special audits, drafting, dispute avoidance and resolution.

KEY RECENT EXPERIENCE

- Eungella to Moranbah Pipeline Project
- Adelaide Desalination Plant – Advisor to project participant
- Airport Link Project Brisbane – Advisor to project participant
- BlueScope Steel Port Kembla Steelworks

- Gas pipeline project Indonesia – supply agreements
- Project planning and strategic procurement advice on \$700m biofuels plant development in Australia
- Defence Material Organisation - standard suite of procurement contracts.
- Caltex Australia – advising on over 40 Australian operations transactions including infrastructure upgrades
- Advised on a wide range of public and privately funded infrastructure projects including:
 - Sydney Light Rail Company (and consortium) on all aspects of Sydney Light Rail, Stage 1
 - RTA on Sydney Harbour Tunnel Special Audit, Special Audit for M2, M4 and M5
 - Silverwater Road
 - M2, M4 and M5
 - McConnell Dowell and Obayashi Corporation on Blue Mountains Sewer Tunnel Project
 - Leighton Contractors on ESSO West Tuna and Bream B projects
 - Leighton Contractors on Eastern Distributor

TONY BRITT



Senior Associate

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QUALIFICATIONS

Bachelor of Law
Bachelor of Engineering (Civil)

EXPERIENCE SUMMARY

Tony joined Holding Redlich in 2007 following a 25 year civil engineering career in construction and infrastructure and the petroleum industry as a project engineer, project manager, engineering manager and contracts manager.

Tony's experience includes personal responsibility for the negotiation and delivery of various infrastructure projects, including approximately 10 years of direct involvement in delivering major water infrastructure assets for government entities and state owned corporations using BOOT, DBO and alliance delivery models.

Since joining Holding Redlich, Tony has advised various clients on matters such as security of payment claims, contract drafting, contract administration, contractual disputes and the litigation and mediation of various construction claims and commercial disputes.

SPECIAL SKILLS

The drafting, negotiating and administering of design and construct, operation and maintenance, design build and operate and alliance agreements.

Tony has also conducted numerous seminars and workshops for clients and seminar attendees on such topics as the Security of Payment Act in NSW, contract formation, contract administration and the legal aspects of facilities management.

Tony has particular experience in the negotiation, drafting and administration of operation and maintenance agreements for process plant facilities.

KEY RECENT EXPERIENCE

- Acting for the Emergency Services Superannuation Board in the litigation of various claims by a builder in relation to a shopping centre upgrade
- Advising Veolia Water Australia on the drafting of a services agreement
- Advising John Holland on the drafting of an operation and maintenance agreement for a waste water treatment facility in Queensland
- Advising the BlueWater Joint Venture on potential variation claim and extension of time issues in relation to the contract for the construction of the Sydney Desalination Plant
- Acting as Principal's Representative for the BOOT delivery of 3 water filtration plants for Coliban Water
- Advising on the tender submission and successful negotiation and award of the design and construct and operation and maintenance contracts for the Sydney Desalination Plant for Sydney Water
- Advising on the final negotiations of the Gold Coast Desalination Plant alliance contract with Gold Coast City Council and the preparation of various subcontract and procurement documents
- Contracts manager for the BOOT delivery of the Illawarra and Woronora water filtration plants for Sydney Water

ANDREW FISHER



Senior Associate

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QUALIFICATIONS

Bachelor of Laws
Bachelor of Arts (Honours)

EXPERIENCE SUMMARY

Andrew is a corporate and commercial lawyer specialising in the energy and resources sectors, with a focus on upstream oil and gas projects and transactions.

Before joining Holding Redlich, Andrew practiced with law firms in London and Sydney. While working in London, Andrew was seconded to the legal department of BG Group plc, the international oil and gas company.

Andrew has experience advising on a wide range of projects and transactions across the oil and gas, water, electricity, mining and transport sectors.

SPECIAL SKILLS

Andrew has broad experience in M&A transactions and corporate advisory work, drafting and negotiating project documents and commercial contracts, undertaking due diligence and providing regulatory advice.

KEY RECENT EXPERIENCE

- Advising on the disposal of offshore oil and gas interests in Victoria, Tasmania and PNG
- Advising on the acquisition and disposal of onshore oil and gas interests in Queensland and South Australia
- Advising on joint venture arrangements for CSG exploration in Poland
- Advising on the acquisition and disposal of offshore oil and gas interests in the UK North Sea
- Advising on the acquisition of refining assets in the United Kingdom and Germany
- Advising on operation and maintenance arrangements for the leaseback of refinery assets in the United Kingdom

- Advising on offtake agreements for the sale of refined products
- Advising on expert determination proceedings in relation to a dispute concerning a long term gas sales agreement
- Advising the bidder for an Egyptian oil and gas concession in relation to proposed gas sales arrangements

PAUL HARDMAN



Partner

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QUALIFICATIONS

Bachelor of Laws
Bachelor of Arts

EXPERIENCE SUMMARY

Paul is a partner of the firm's Employment and Commercial Dispute Resolution department. He is experienced in all aspects of litigation, in State and Federal jurisdictions, as well as employment, occupational health and safety, agribusiness and migration law.

Paul's clients have included multinational mining and transport entities, Commonwealth Government departments, Government Owned Corporations, professional associations, the Government of Japan and telecommunication entities.

SPECIAL SKILLS

Paul is also a registered Migration Agent (Registration No. 0501353) specialising in employment, business, investment and skilled migration.

Paul Hardman was named as a leading lawyer in Brisbane in the industry and peer rated guide "The ALB Guide: Employment Law 2009."

KEY RECENT EXPERIENCE

- Acting for multinational corporations and Government Owned Corporations in prosecutions under the Queensland Workplace Health and Safety Act, Electrical Safety Act and Environmental Protection Act
- Advising large corporate entities on Employment and Industrial Relations matters
- Advising and acting for corporations in respect of Australian Securities and Investments Commission prosecutions and Office of Fair Trading investigations

- Advising and acting for Government and professional bodies in administrative law matters (merits and judicial review, FOI and statutory interpretation)
- Advising and acting in major contractual and trade practices disputes for multinational corporations and large government entities

SCOTT LAMBERT



Partner

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QUALIFICATIONS

Bachelor of Arts
Bachelor of Laws

EXPERIENCE SUMMARY

Scott Lambert practices in the areas of construction and infrastructure with more than 22 years experience.

As a front end construction specialist, Scott is able to provide clients with the most appropriate documented structure for any project which incorporates the latest legal developments and industry practices. His knowledge of Australian Standard based contracts is unsurpassed due to his lengthy involvement with the committee responsible for drafting that contract suite.

Scott also has a long association with clients in the government sector. He has provided advice to SunWater, Ergon Energy and the Building Services Authority. Recently Scott has become increasingly involved in a wide range of environmentally sustainable projects and is an accredited Greenstar professional. Scott is also an active committee member on the Australian Green Infrastructure Council.

SPECIAL SKILLS

Advising on, drafting and negotiating complex project documents, successfully leading large teams on complex and sophisticated projects, understanding client's businesses and becoming a trusted advisor and team asset, named in the "The ALB Guide: Energy & Resources 2009" as sought after and in the "The ALB Guide: Building & Construction 2008" as a key partner in the Holding Redlich team that outstrips its rivals in industry knowledge, in-depth understanding of practical workplace relations in construction and infrastructure and the interaction of the risks in construction and infrastructure with workplace health and safety.

KEY RECENT EXPERIENCE

- Benga Coal Mine – Advisor to Constructor
- Middlemount Coal Mine – Advisor to Constructor
- Newcastle Coal Terminal Project – Advisor to Tenderer
- Newman BHP Pipeline – Advisor to Tenderer
- Regent redevelopment - Advisor to Proprietor
- Townsville Black Port - Advisor to Constructor
- Wintergarden redevelopment - Advisor to Proprietor

ROBERT MOSES



Partner

Property & Projects
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QUALIFICATIONS

Bachelor of Laws
Bachelor of Commerce (Hons)
Master of International Business

EXPERIENCE SUMMARY

Robert specialises in planning and environmental law. Prior to joining Holding Redlich, Robert worked for the NSW Department of Planning and another national law firm. He has experience acting for Government and private sector clients in relation to major development matters including mining, energy, infrastructure and commercial projects as well as local matters. Robert also advises on statutory interpretation, public and administrative law and freedom of information.

Robert can advise on all stages of the project life including prior to the environmental assessment process, throughout the assessment process and post assessment including implementation and compliance.

SPECIAL SKILLS

Robert's broad experience in both the private and public sectors means that he brings practical expertise to projects. His involvement in all aspects of planning and environmental law including Court proceedings, negotiating developer contributions and giving tailored advice equips Robert with the skills to deliver quality results for his clients in an efficient manner.

In particular Robert can provide advice on the Environment Protection and Biodiversity Act 1999 (Cth) including how projects are referred to the Commonwealth and issues relating to the different environmental assessment regimes that might apply to a project. Robert also has experience advising on how bilateral agreements with the States are implemented to ensure that projects can benefit from a streamlined environmental assessment process to avoid time delays through duplication of processes.

KEY RECENT EXPERIENCE

- Redevelopment of land in Western Sydney – Advising on referrals to the Commonwealth Minister to determine whether a rezoning and development proposal were a controlled action
- NSW Department of Planning – Advising on the bilateral agreement between the Commonwealth and NSW and preparing a submission on amendments to that agreement
- Wilpinjong Coal Mine – Advising on issues relating to threatened species and the potential listing of federally protected species and its impact on the mine
- Various clients – Advising on federally regulated heritage matters

JEREMY PRENTICE



Partner

Construction & Infrastructure
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QUALIFICATIONS

Bachelor of Laws
Graduate Diploma of Law

EXPERIENCE SUMMARY

Jeremy is a projects and infrastructure specialist having practiced continuously in this field since 1994 in a broad range of industry sectors. His practice focuses on the preparation and negotiation of contractual requirements for major infrastructure projects.

Jeremy has advised domestic and international government agencies as well as sponsors, funders, contractors and operators. He has experience with a broad range of delivery models ranging from traditional D&C structures through to PPP and other complex finance driven project structures.

Jeremy has significant experience in preparing, reviewing, negotiating and commenting upon tender requirements, complex project agreements, construction contracts and their ancillary agreements. He has advised on projects throughout Australia, the United Kingdom, Europe and the Middle East using a broad range of project delivery techniques.

He is heavily involved in the infrastructure industry in Queensland and is a past Chairman of the Infrastructure Association of Queensland (2007 – 2009). Jeremy is a member of the industry advisory committee to the Bond University School of Sustainable Development and is also a member of the advisory committee to the Queensland Museum where he provides advice in relation to the proposed major redevelopment of the Queensland Museum at Southbank.

SPECIAL SKILLS

Drafting and negotiating complex project documents. Wide commercial experience in relation to major projects and infrastructure.

KEY RECENT EXPERIENCE

- Peabody Energy – advised on a comprehensive review of all Force Majeur provisions and processes for coal sale contracts
- Advised Santos on the SQAD review of its \$7.7 billion dollar Gladstone GLNG project. Also advised Santos on due diligence aspects of its investment decision for the multi billion dollar PNG LNG project
- Advised the Qld Government on the 99 year Operations Agreement required for the sale of Forestry Plantations Qld
- Brisbane Airport Link PPP – advised Babcock & Brown on its bid for this \$4.8 billion project including detailed due diligence
- Air New Zealand and group companies – advised on a broad range of commercial and procurement requirements
- Dalby Bio Refinery – advised the project company on the development and project financing of an ethanol plant at Dalby
- Industrial City of Abu Dhabi II PPP – advising Macquarie Bank on an industrial park PPP project in the UAE
- Sunshine Coast University Hospital PPP – advised the Queensland government on all aspects of its business case and procurement for this \$1.6 Billion PPP project and a collocated 200 bed private hospital
- SEQ Schools project & Southbank Education & Training Precinct PPP – advised the government project team on various aspects of these projects
- Prime Infrastructure – advised on the dredging works required for the stage 7 expansion of the Dalrymple Bay Coal Terminal
- Advised on over a dozen PPPs including in the roads, ports, airports, schools, hospitals and energy sectors.

ABOUT HOLDING REDLICH

Our firm is a partnership with offices in Melbourne, Sydney and Brisbane. Our firm comprises over 125 lawyers and over 350 people in total.

Holding Redlich is a fully integrated firm that delivers consistent service excellence across all of our locations.

The firm's structure merges practice specialisation with our practical and cost effective approach to client management.

Holding Redlich's key practice areas include:

- administrative law
- agribusiness & rural property
- alternative dispute resolution
- insolvency
- commercial dispute resolution
- intellectual property
- construction & infrastructure
- media & entertainment
- corporate & commercial
- planning & environment
- employment & industrial relations
- privacy
- energy & resources
- property & projects
- property finance
- superannuation & financial services
- information technology
- trade practices

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