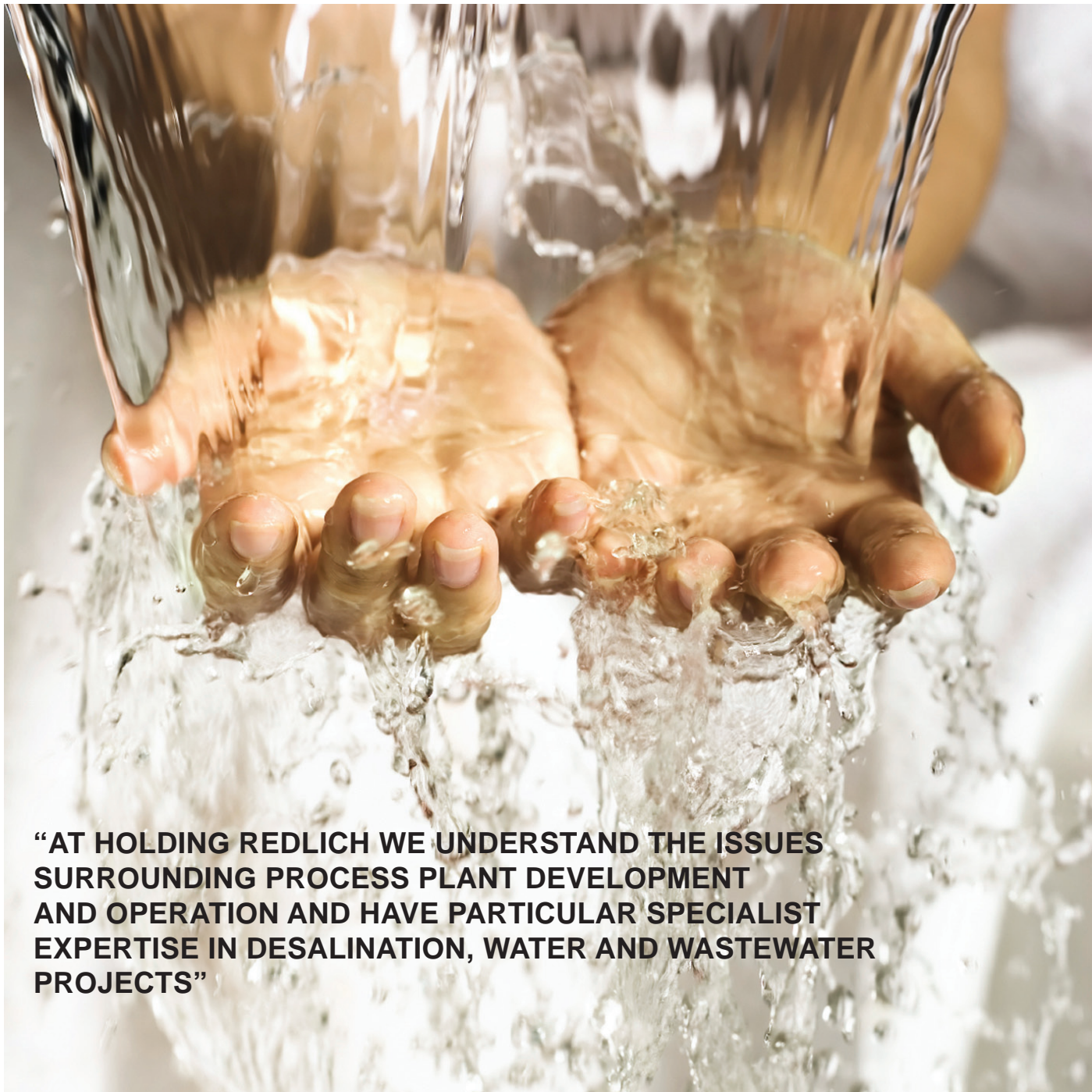




# WATER AND WASTEWATER PROJECTS EXPERTISE

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**“AT HOLDING REDLICH WE UNDERSTAND THE ISSUES SURROUNDING PROCESS PLANT DEVELOPMENT AND OPERATION AND HAVE PARTICULAR SPECIALIST EXPERTISE IN DESALINATION, WATER AND WASTEWATER PROJECTS”**

**UNPARALLELED V**  
**EXPERTISE**



# WATER



GLOBAL REACH  
OUR PROJECT EXPERIENCE  
EQUITY AND DEBT FINANCING  
ASSET SALES



# UNDERSTANDING

At Holding Redlich we understand the legal, commercial and technical issues in process plant development and operations.

Our water, wastewater and desalination project specialist team is led by David Walker, Amanda Davidson and Tony Britt

David Walker is the lead partner of the firm's Corporate and Commercial Group and regularly advises on all types of corporate transactions related to infrastructure projects.

Amanda Davidson leads the firm's Construction and Infrastructure group and is widely regarded as one of Australia's leading construction and projects lawyers. Amanda has experience in dealing with all legal aspects of major civil infrastructure works including water and waste water and desalination projects.

Tony Britt is a specialist construction lawyer with many years' experience in advising on all aspects of water and wastewater projects, and worked at Veolia Water for approximately ten years prior to joining Holding Redlich.

Our team has worked on a large number of water, wastewater and desalination plant projects, with our advice ranging from issues arising at project inception through to transaction management and dispute resolution. In this way we truly offer a unique end to end service for desalination plant development and operation covering all issues which may arise.



**Amanda Davidson, Partner**

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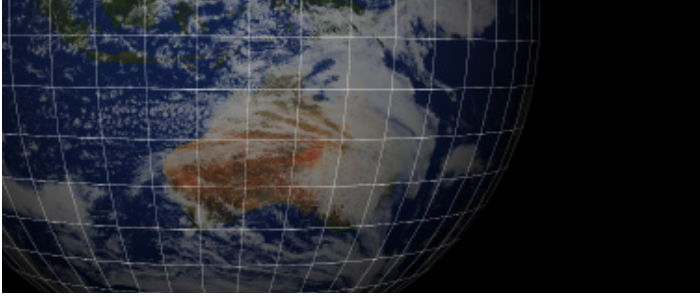


**Tony Britt, Senior Associate**

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# GLOBAL REACH

WE HAVE A CONSIDERABLE DEPTH OF EXPERIENCE IN ADVISING ON MAJOR CONSTRUCTION AND INFRASTRUCTURE PROJECTS IN AUSTRALIA, ASIA AND THE MIDDLE EAST.

We have a considerable depth of experience in advising on major construction and infrastructure projects in Australia, Asia and the Middle East both in terms of the sheer number of projects we have acted on, as well as the types of projects we have experience in dealing with.

We are extremely familiar with major civil works projects, such as pipelines, roads and rail projects as well as building and construction projects including multi-storey buildings, airports, industrial facilities, hospitals and residential housing.

We are also highly experienced in advising on telecommunications infrastructure and mining projects, together with procurement and supply.

#### National and Off Shore

- Australian Department of Defence
- Telstra 3G Network Project
- Australian Synchrotron Project
- NDC-Telecommunications infrastructure projects
- Palapa Ring Submarine Cable – Indonesia
- Gas Pipeline Projects – Indonesia
- Oil Processing Facility – Indonesia
- Seram Oil Processing Plant –Indonesia
- Oil Rig Construction – Indonesia
- Amritsar and Udaipur Airport BOOT - India Projects

#### Queensland

- Gold Coast Desalination Plant
- City North Infrastructure
- Brisbane Airport Link
- Eungella-Moranbah Gas Pipeline Project
- Townsville Blackport Project
- Western pipeline alliance
- Wyorlong Water Treatment Plant
- Marian Weir Project
- Middlemount Mine Coal Handling Facility
- RAAF Base Amberley
- Ipswich Motorway Upgrade
- North South Bypass Tunnell
- Darling Downs Power Station
- Gateway Project Upgrade
- Bamaga Water Treatment Plant
- Gladstone CLNG Project
- Gateway Project Upgrade

#### Western Australia

- Downer EDI Rail
- Newman to Port Hedland Road Project
- Newman pipeline project
- Boddington Gold Mine
- Sino Iron Ore Project

#### South Australia

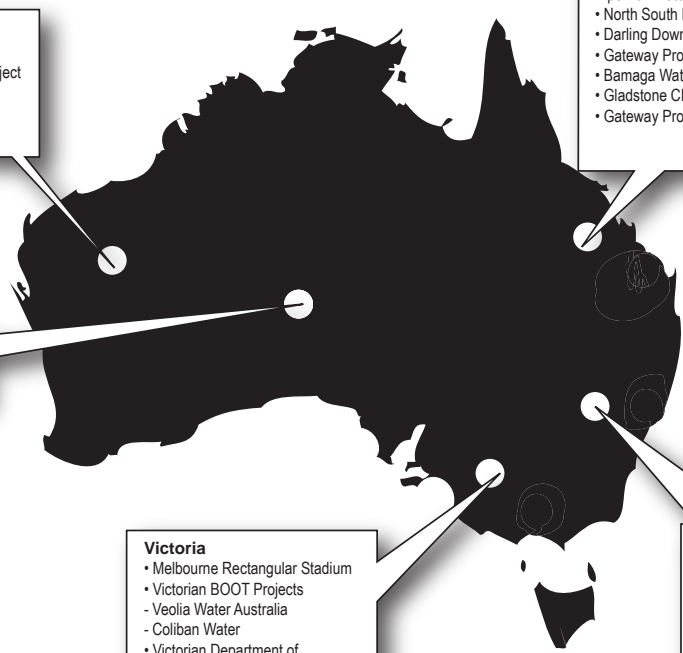
- Adelaide Desalination Plant
- Hallett Wind Farm Australia

#### Victoria

- Melbourne Rectangular Stadium
- Victorian BOOT Projects
- Veolia Water Australia
- Coliban Water
- Victorian Department of Sustainability and Environment
- Aqua 2000 Project
- Northern Hospital, Epping, Victoria
- Victorian Hospitals Cogeneration Project
- National Gallery of Victoria Project
- Austin & Mercy Hospital Relocation Project

#### New South Wales

- Warraganba Dam Upgrade
- RTA Road and Bridge Projects
- NSW Nation Building Task Force – Housing NSW
- CBD Metro Project
- Baulderstone Hornibrook – Sydney Airport 3rd Runway Project
- EnergyAustralia CityGrid Project
- Frasers Property Group Redevelopment of Carlton and United Breweries site
- The New Rouse Hill - Lend Lease Developments, GPT and Landcom
- Southern Distribution Hub
- Sydney Desalination Plant
- NorthWest and South West Rail Link
- Sydney Olympic Games – Host City Advisor
- Sydney Olympic Stadium
- Liddell Power Station Solar Steam Generation Expansion
- Blue Mountains Sewer Tunnel
- Newcastle Coal Port Extension





# OUR WATER PROJECT EXPERIENCE

We have a depth of experience in advising on water, waste water and desalination plant projects. Our experience ranges from advising on tender documentation and tender processes through the design and construction and operation and maintenance of the process facilities. Members of our team also hold engineering qualifications which enables us to quickly grasp the technical elements of these projects. We have also acted on a range of major disputes arising out of water, sewerage and waste water projects.

## **SYDNEY DESALINATION PLANT**

Successful negotiation of the design and construct and operation and maintenance contracts for Veolia Water/John Holland Joint Venture.

## **GOLD COAST DESALINATION PLANT**

Negotiation of the Alliance Contract for the delivery and operation of the plant for Veolia Water/John Holland Joint Venture

## **ILLAWARRA AND WORONORA WATER FILTRATION PLANTS**

Acting as the Principals Representative for the owner, an SPV established by Compagnie Generale Des Eaux for this project..

## **AQUA 2000 PROJECT**

Acting as the Principal's representative for the owner, an SPV established by Compagnie Generale Des Eaux for this project

## **ACQUISITION OF ANGLIAN WATER ASSETS**

Carrying out due diligence on Australian assets owned by Anglian Water and acting on the sale process of a number of those assets which were acquired by a Veolia owned company.

## **BARWON BIOSOLIDS PROJECT**

Members of our team acted separately for 2 consortia bidding for this project, Worley Parsons and Veolia Water Australia, including reviewing and drafting tender documentation and advising on all aspects of the tender process.

## **GERRINGONG GERROA SEWERAGE SCHEME**

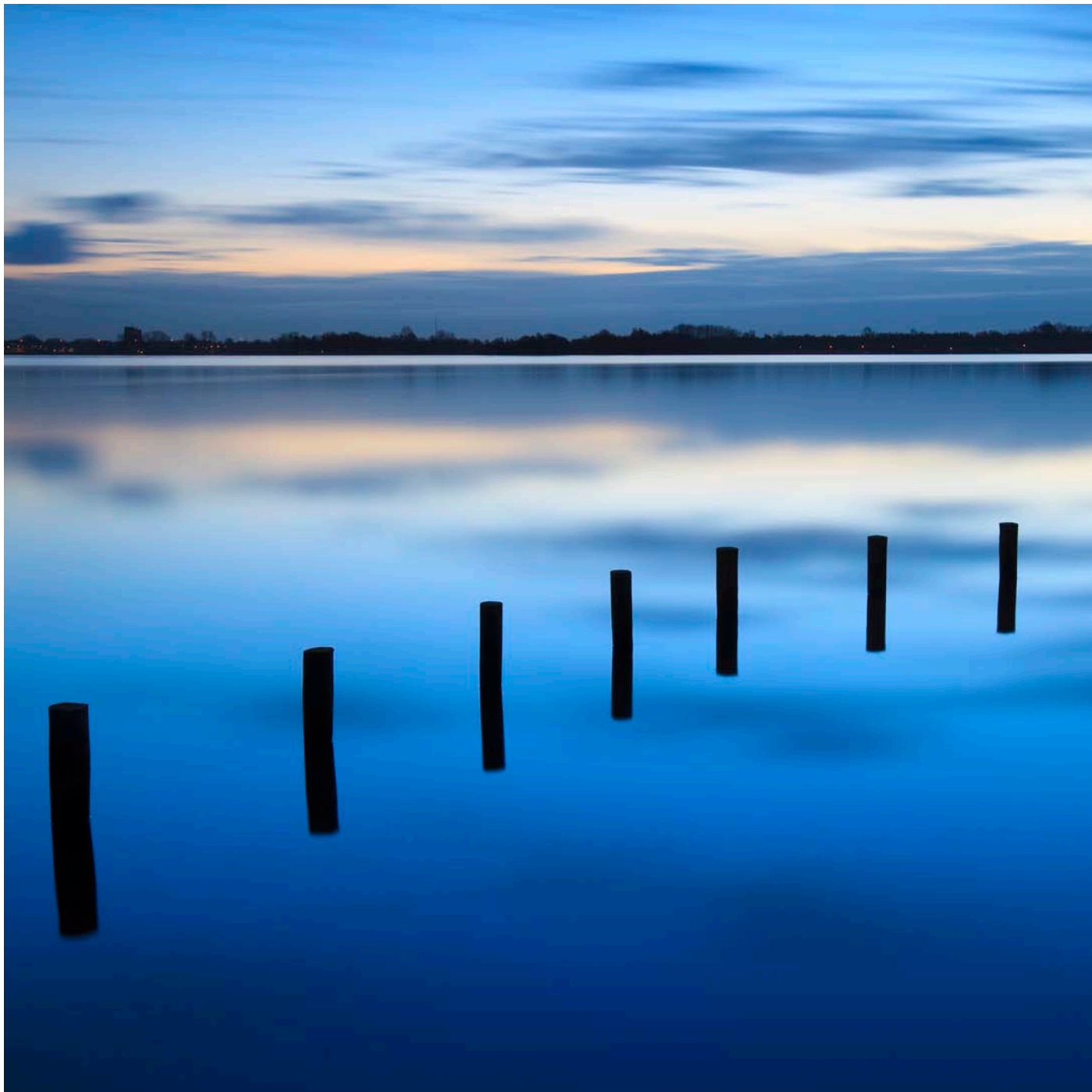
Acted for the design, build and operations contractor for the delivery, commissioning and operational commencement of the scheme.

## **YAN YEAN AND MACARTHUR WATER TREATMENT PLANTS**

Members of our team acted for North West Water on all aspects of these projects which were some of the first water treatment plants in Australia delivered using a BOOT project delivery strategy.

## **PERTH DESALINATION PLANT**

Negotiation to completion of the contract for this project which was submitted with the tender bid for a consortium led by Veolia Water Australia





# EQUITY AND DEBT FINANCING

ENSURING THAT ADEQUATE EQUITY AND DEBT FINANCING IS AVAILABLE IS CRITICAL TO PROJECT SUCCESS.

We are able to advise on all forms of equity raising for significant pipeline projects 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
- Joint ventures

We also 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.



# ASSET SALES

IN SELLING AN OPERATING PROCESS PLANT IT IS CRITICAL THAT DUE DILIGENCE IS PROPERLY FOCUSED

We regularly advise on infrastructure asset sales and acquisition and have a detailed understanding of the key issues arising in operating process plants such as water and desalination plants.

Such issues include:

- Tariff structure including take or pay regime
- Operation of abatement regime
- Maintenance regime
- Performance capabilities of the asset
- Upgrade requirements



# OUR PEOPLE

# AMANDA DAVIDSON



## Partner

Construction & Infrastructure

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+61 (0)2 8083 0333

## 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
  - Leighton Contractors on ESSO West Tuna and Bream B projects
  - Leighton Contractors on Eastern Distributor
- McConnell Dowell and Obayashi Corporation on Blue Mountains Sewer Tunnel Project .

# DAVID WALKER



## Partner

Corporate & Commercial

david.walker@holdingredlich.com.au

+61 (02) 8083 0446

## QUALIFICATIONS

Bachelor of Laws

Bachelor of Engineering (Civil)

## EXPERIENCE SUMMARY

David Walker is the head of our Corporate and Commercial group in Sydney.

He has particular expertise in mergers and acquisitions, corporate advice, managed investments (including fund establishment), fundraising and capital management transactions (including disclosure documents and venture capital), resources law and infrastructure.

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, negotiation of the terms and documentation preparation.

## SPECIAL SKILLS

David has been involved in advising on a broad range of matters involving high pressure natural gas transmission pipelines and the gas industry in general for over 10 years. He acted for 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). Following the sale, David became the lawyer for APA and was involved in working with (then) COO, Mick McCormack, on all aspects of the APA pipeline portfolio. These special skills have been applied for:

- 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).
- Other operational arrangements (for instance, connection and underwriting arrangements between the Central West Pipeline and the Central Ranges Pipeline, odourisation 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).

## KEY RECENT EXPERIENCE

- Asia Pacific Space Centre
- Calliden Group Limited
- Finity Consulting
- APA Group
- Kestrel Capital Pty Ltd
- Biosignal Limited
- Eastland Medical Systems
- Pan Pacific Petroleum
- RSM Bird Cameron
- Sydney Gas Limited

# TONY BRITT



**Senior Associate**  
Construction & Infrastructure  
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## QUALIFICATIONS

Bachelor of Laws  
Bachelor of Engineering (Civil)

## EXPERIENCE SUMMARY

Tony Britt is a Senior Associate of Holding Redlich lawyers. 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 matter 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 negotiation of the contract for the Perth Desalination Plant bid
- 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 project 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





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