



Climate Change & Sustainability

Clayton Utz is a leading legal adviser in relation to renewable and clean energy projects in Australia and the Asia Pacific region.

We have an impressive track record, having been involved in a broad range of matters such as the development and acquisition of green energy generation projects including solar, wind, geothermal, biomass and hydroelectric infrastructure, trading of environmental-related products including trading in renewable energy markets, and advice on climate change initiatives.

Renewable and Clean Energy Experience

We have a reputation for delivering expert legal advice at a reasonable cost which allows our clients to efficiently develop renewable and clean energy projects. We have:

- an understanding of renewable and clean energy projects and the key issues that are likely to arise in each project;
- experience and expertise relevant to the development and financing of renewable and clean energy projects;
- capability to assist in harnessing the financial and regulatory opportunities of renewable and clean energy projects in a carbon constrained world; and
- a commitment to delivering legal services at the highest standard whilst delivering value for money.

Below is a brief selection of our lawyers' renewable and clean energy experience:

Wind farms

Brown Hill Wind Farm: acted for Macquarie Bank and Perpetual in connection with Perpetual's acquisition from AGL of a 95MW wind farm development (now fully constructed) near Hallett in South Australia.

Desalination Plant Project: acted for the winning consortium, including negotiation of the wind farm power and REC purchase agreement, for the Victorian Desalination Project.

Major transport infrastructure project: acted on the wind farm REC and offset purchasing strategy for a major transport infrastructure project in Australia.

NSW Wind Farms: advised the developer concerning network connection, registration and regulatory issues for a major NSW wind farm presently under development.

Solar

Origin Energy Solar and Geothermal: advised in relation to -

- its solar cities projects in Adelaide. Solar Cities is an innovative programme designed to demonstrate how solar power, smart meters, energy efficiency and new approaches to electricity pricing can combine to provide a sustainable energy future in urban locations throughout Australia;
- its investment with Geodynamics Limited, which is developing a large-scale power station in the Cooper Basin based on the use of hot fractionated granites;
- solar farms in Ballarat and Bendigo, including connection agreements, metering arrangements, energy sales, renewable energy credit sales and other environmental credits sales;
- solar PV installation agreements; and
- solar feed-in tariffs and purchase agreements.

PV Solar: advising in respect of a PVRP program (photo voltaic rebate program) which offers rebates to householders and community organisations who install rooftop and building-integrated photovoltaic (solar electric) systems.

Integral Energy: advised Integral in relation to a number of its renewable energy projects and joint ventures, including small hydro projects (Wyuna Waters), and solar projects such as the Blacktown Solar Cities project.

MAN Solar Millennium: appointed by MAN Solar Millennium to advise on the establishment of a joint venture with Leighton Contractors Pty Limited and WorleyParsons Engineering Pty Limited to design, build and operate a very large-scale concentrated solar thermal power project (between 150 and 200MW).

About Clayton Utz

Clayton Utz is one of Australia's leading full-service national law firms. With over 200 partners and 1800 staff, 6 Australian offices, an office in Hong Kong and strong links with firms across the globe we are one of Australia's largest top tier law firms. Clayton Utz is well placed to manage extensive and complex matters both nationally and internationally.

Helitherm Pty Ltd, Solar Systems Holdings and Solar Research Corporation Pty Ltd: advised these clients with regards to R&D issues surrounding solar energy.

Hydro

Oceanlinx Wave Power: acted for a private equity consortium on their acquisition of a controlling investment in Oceanlinx, which has developed wave-powered generating technology and has installed generating units at Port Kembla on the South Coast of NSW (and is developing other units elsewhere in Australia and around the world), which uses the energy from ocean waves to generate electricity or desalinated water.

Hydro Tasmania: advised in relation to the construction of a number of hydro-electric power stations associated with reticulated water storage lakes in South Australia. We advised on the eligibility of the projects to generate Renewable Energy Certificates and the disposal of these certificates, as well as the associated green rights. We also advised Hydro in relation to emissions trading documentation and financial services regulation of emissions markets.

Other renewable energy

Macquarie Generation: advised in relation to creation of credits from bio-mass firing.

Ergon Energy: advised on project development and input and offtake contracts for Ergon Energy in Queensland in relation to a sugar mill waste electricity generation proposal.

Investec: advised on project development and input and offtake contracts in relation to a pine chip waste electricity generation proposal.

ACT Sawmill Biomass Plant: advised the developer in relation to a proposed wood waste and biomass plant in the ACT.

Pioneer Sugar Mill Biomass Plant: advised the off-taker in relation to this biomass generation plant in Queensland.

Novera Energy - Macquarie Bank Joint Venture: advised Novera (an ASX listed renewable energy company) on its joint venture with Macquarie Bank, involving the sale of numerous renewable energy projects to the joint venture and the acquisition of new renewable energy assets.

Distributed co-generation: advised the developer in relation to distributed generation systems providing power, gas, heat and cooling to remote and islanded locations.

City of Sydney: acting for the Council of the City of Sydney in relation to its city tri-generation distributed generation program.

Co-Leader - Climate Change & Sustainability group



Brendan Bateman
Partner
T +61 2 9353 4224
bbateman@claytonutz.com

Brendan Bateman is a recognised expert in all aspects of environmental, planning and administrative law. He has advised numerous government authorities and departments, as well as private sector clients on environmental and planning law issues, including the application of State and Commonwealth environmental impact assessment processes to major infrastructure projects. Brendan also advises on contaminated land, and has acted in some of the largest redevelopments of brown field sites in Australia.

Brendan is the co-leader of the National Clayton Utz Climate Change and Sustainability group. He provides advice to corporate clients and government on the business risks of climate change, and the implications of emerging government policy and legislation for a carbon constrained economy. In particular, he has advised clients on voluntary greenhouse gas abatement schemes, trading in "green" rights, sustainability covenants in project agreements, and most recently, mandatory greenhouse gas and energy reporting obligations and potential liabilities under the proposed Carbon Pollution Reduction Scheme. Brendan is currently acting for Macquarie Generation in legal proceedings commenced by activist group Rising Tide in which it is alleged that the emission of carbon dioxide from its Bayswater power station constitutes the disposal of waste in contravention of NSW environmental legislation.

Other key contacts



Brad Wylynko
Co-Leader - Climate Change & Sustainability group
T +61 8 9426 8552
bwylynko@claytonutz.com



Marcus Davenport
Partner
T +61 3 9286 6325
mdavenport@claytonutz.com



Graeme Dennis
Partner
T +61 2 9353 4106
gdennis@claytonutz.com



Ron Smooker
Partner
T +61 3 9286 6110
rsmooker@claytonutz.com



Claire Smith
Special Counsel
T +61 2 9353 4713
csmith@claytonutz.com

www.claytonutz.com

Sydney

T +61 2 9353 4000

Melbourne

T +61 3 9286 6000

Brisbane

T +61 7 3292 7000

Perth

T +61 8 9426 8000

Canberra

T +61 2 6279 4000

Darwin

T +61 8 8943 2555

Hong Kong

T +852 3980 6868