

Renewable Energy Projects Capability Statement

Agribusiness

Cowell Clarke is a specialist commercial law firm with offices in Adelaide and Sydney. Our dedicated Agribusiness Team comprises leading expert lawyers who have expertise and experience across the entire agribusiness sector including broadacre farming, livestock and food production, crown land tenure (including pastoral and perpetual leases), fishing and aquaculture, viticulture and wine, as well as timber and forestry.

We focus on developing longstanding relationships with our agribusiness clients to ensure we intimately understand their businesses and interests, enabling us to manage risk and create value for them.

We work closely with other professional agribusiness advisers such as internal and external accountants, agri-consultants and real estate firms. We also provide various value-add services to our agribusiness clients and their other advisers, including as listed below.

Key Value-Add Agribusiness Services



Agri-Guide

Our Agribusiness Team has published the definitive text for agribusiness advisers, the Australian Agribusiness Advisers' Guide ("**Agri Guide**"). The Agri Guide (now in its second edition) provides a comprehensive review of tax, structuring, transactional and succession planning issues for agricultural-based businesses.



Agribusiness Summit

Our Agribusiness Team hosts an annual webinar, the Agribusiness Summit, which is attended by nation-wide accountants, advisers and other key agribusiness industry contacts, and offers an engaging program featuring highly topical issues relevant to the agribusiness sector.



Cowell Clarke Accountants Regional Seminars

We regularly visit regional areas across Australia and present to accountants on taxation and other legal issues impacting their agribusiness clients.

Renewable Energy Projects

Renewable energy projects including solar, wind, battery and hydrogen projects are central to Australia's renewable energy transition and are being established across Australia at an incredible pace.

Both the Commonwealth and (many) State governments have introduced legislation to fast track the renewable energy transition, which has significant ramifications for landowners and the use of their land for agricultural operations. With legal agreements often spanning seventy years (or more) and having intergenerational impacts for landowners and their business operations, it is critically important to ensure landowners are adequately protected in the formal documents.

Cowell Clarke provides expert assistance to landowners across Australia to negotiate renewable energy agreements on favourable terms for projects on their land. We help clients understand and capture the commercial opportunities while protecting their ongoing agricultural activities and mitigating risks across the lifecycle of the renewable energy project, including during the feasibility, construction, operational and decommissioning phases.

Our Agribusiness Team also provides a comprehensive advisory service to clients including:

- ✓ the appropriate structuring for the landowner to engage in the project;
- ✓ impacts on existing/implementing new succession planning strategies;
- ✓ integration with other existing or proposed land uses, including natural capital projects (such as biodiversity and/or carbon projects);
- ✓ the establishment of transmission lines on their land by renewable energy developers and authorities, including those required to expand the existing network by compulsory acquisition; and
- ✓ navigating the complexities of the relevant regulatory environment.



Demonstrated Experience

Our Agribusiness Team has assisted with the establishment of billions of dollars' worth of renewable energy projects across Australia. A snapshot of our relevant experience includes:

Assisting the pastoral landowner in the negotiation of complex legal agreements for the establishment of a \$200 million solar thermal power plant in Port Augusta, South Australia.

Advising multiple landowners in the Western Districts of New South Wales on a \$800 million wind project forming part of the \$2.4 billion "Project Energy Connect".

Providing specialist advice to landowners regarding the establishment of transmission lines on their land by renewable energy developers and authorities.

Advising a large multinational corporate group on the establishment of Australia's largest privately funded non-mining microgrid together with long term power purchase arrangement to support their agricultural operations.

Advising landowners on complex access and compensation agreements relating to the South Australia State Government's Green Iron and Steel Strategy.

Advising numerous other landowners on the negotiation and legislative requirements pertaining to renewable energy projects across multiple jurisdictions in Australia, with individual project values typically in excess of \$250 million.

Our Affiliations

Cowell Clarke is a member of Agribusiness Australia, which provides us with access to a national network within the Agribusiness sector and the ability to host events for key stakeholders within the industry.



**Agribusiness
Australia**

Legal Team



Sam Richardson
Agribusiness
Team Leader
& Director

Sam has acted for farming clients for many years across a range of agribusiness sectors.

Sam has particular expertise in advising landowner groups on large scale renewable energy projects. He provides specialist advice to enable landowners to negotiate the legal documents for renewable energy projects on favourable terms. Sam also advises landowners on carbon farming projects and has acted for vendors and purchasers on marque agricultural transactions across multiple jurisdictions in Australia. Sam also regularly advises pastoralists on the unique aspects of pastoral and perpetual leasehold interests.



Peter Slegers
Agribusiness
Team Leader
& Director

Peter has over 25 years' experience and works across a range of agribusiness industries to achieve the desired commercial and succession planning objectives of their owners.

With this background, Peter has undertaken some of the largest primary production land restructures in South Australian history and undertaken significant land restructures in Victoria, New South Wales, Western Australia and other jurisdictions.

Peter is a tax specialist with a wealth of experience in income tax (as it impacts on business and high net worth clients), capital gains tax, goods and services tax, state taxes including stamp duty, trust and self-managed superannuation fund structures and specialist agri-business succession planning.

Peter provides specialist tax and structuring advice to landowners in relation to revenue from renewable energy projects.



Deanna Riebolge
Associate

Deanna works with clients on a variety of matters arising from owning, managing, leasing, acquiring and selling agricultural land.

Deanna has vast expertise in the negotiation of, and advising on the legal implications of, undertaking natural capital projects on agricultural land, including renewable energy projects, carbon projects and nature repair projects. Deanna has a particular focus on assisting landowners in integrating these natural capital projects with, and protecting, their ongoing farming practices from a legal perspective.

Her passion for agribusiness and sustainability, eye for detail, enthusiasm, and ability to understand her client's commercial needs enables her to deliver practical and astute legal advice.

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the Professional Standards Legislation*

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