

# The Renewable Energy Law Specialists

Justice Legal Pty Ltd | **CAPABILITY STATEMENT**



**JUSTICE  
LEGAL** PTY  
LTD



## The VISION

*Our aim is to be the leading renewable energy law firm in Australia!*

### Our VALUES

**Client focused** – We take a holistic approach to deliver reliable advice, documents and solutions

**Committed** – We are committed to achieving the very best outcome for clients

**Integrity** – We are honest and ethical in all that we do

**Excellence** – We are meticulous in our attention to detail which allows us to produce quality work



I am pleased with the services provided by Justice Legal. They are pragmatic and down-to-earth and we have used them on many occasions.

**John Reynolds**

In-House Counsel, Gold Valley Holdings Group

## JUSTICE LEGAL

*Justice Legal is a law firm based in Perth serving the city and Western Australia. Our goal is to further the use of environmentally friendly power sources and technology such as solar, wind and waste-to-energy.*



We are energy and property lawyers with considerable expertise in assisting energy companies and developers prepare their legal documentation. This includes terms and conditions for energy companies, power purchase agreements (PPAs) and embedded network agreements.

Our managing director, Tristan Cockman, is an energy lawyer and holds a Diploma in Energy and the Environment specialising in Climate Change. He is also trained in NABERS assessment, a program which helps Australian building owners and strata companies understand how their buildings impact the environment.

Our clients include solar and energy companies, property developers, mining companies and landlords. Referral partners include energy and sustainability consultants, property professionals and commercial real estate agents.

## THE RENEWABLE ENERGY LAW SPECIALISTS

Justice Legal are the only energy and property lawyers in Perth with unparalleled expertise in renewable energy law. Our renewable energy lawyers understand the key technologies at the heart of the renewable energy industry.

Through our activity in the sector's key strategy groups, we help to shape the future of renewable energy.

In 2015, we co-authored a paper relating to sustainability infrastructure in strata title and submitted it to Landgate as part of Landgate's strata title reforms. This resulted in amendments to the legislation that will make it much easier for lot owners and solar companies to install embedded networks and solar systems in strata title.

## Holistic APPROACH

Justice Legal prepare and review documents relating to the installation of energy infrastructure and the generation, storage and supply of energy.

Various energy related provisions are also increasingly being included in standard property transactions and documents including leases, sale contracts and strata by-laws. As experienced property lawyers, we can assist with preparing or reviewing such provisions.

Energy is now a critical component of property development and we complete the circle with our knowledge and practical application in both areas of law. This is key to providing a full service to clients. Working collaboratively, in partnership with our clients, we form our thinking around their needs to ensure we deliver the right solutions when it matters.

### NO CONFUSING LAWYER SPEAK!

*"We draft documents in plain English, which means it doesn't take a lawyer to understand them."* – Tristan at Justice Legal

*To minimize the likelihood of disputes, our documents are written in a clear and concise manner. Our clients are businesses too, so it is important they are not spending valuable time understanding their own legal documents.*

*We look forward to assisting you in your next project.*

## About US

Tristan is an experienced and trusted legal advisor in the renewable energy sector. The renewable energy marketplace is dynamic. It is constantly changing and therefore, a key concern is to get strategic advice that you can act on quickly. Tristan's qualifications and experience mean he is ideally placed to provide insightful and highly effective advice without delay.

Tristan worked as a commercial lawyer in a top tier firm for over 10 years. His passion for the sustainability industry led him to further his qualifications, this time in the field of energy and the environment.

More recently Tristan has completed the NABERS accredited course with a view to becoming a Knowledge Partner. NABERS (which stands for the National Australian Built Environment Rating System) is used to measure a building's energy efficiency, carbon emissions, as well as the water consumed, the waste produced and compare it to similar buildings.

Tristan is a firm believer that once you understand your impact, you can begin the journey to reducing it and contributing to a healthier environment.

His hands-on industry experience in energy law is broad ranging including roof-top solar, embedded networks, waste to energy, off-grid energy solutions in mining and property development.

As well as Tristan's work in law, he has been an active member of the community for many years accumulating a wealth of experience in policy development. He is passionate about renewables and committed to making them work in the commercial world. **Known for his down to earth and pragmatic style, Tristan is focused on providing practical and commercial advice to his clients.**



The renewable energy sector is expanding with new and exciting opportunities on the way. We are here to help ensure that your renewable energy documents and contracts protect you.



**Tristan Cockman** Justice Legal

## Our CAPABILITIES

### PUBLICATIONS & POLICY

Contributed to policy development in areas including transport, planning, renewable energy and waste management.

2015, co-authored a paper relating to sustainability infrastructure in strata title and submitted it to Landgate as part of Landgate's strata title reforms.

### MEMBERSHIPS

Member of the WA Law Society

### QUALIFICATIONS

- Bachelor of Laws (LLB)
- Diploma in Energy and the Environment
- Bachelor of Arts (BA) Politics & International Studies and Public Policy & Management (double major)

### ASSOCIATIONS

- Property Council of Australia
- BNI
- District32

### RENEWABLE ENERGY

The renewable energy sector is one of the fastest growing industries in Australia. However, it is a regulated industry and this can make it seem complex to navigate. Avoid letting this prevent you from getting involved in projects. Enlist Justice Legal as your renewable energy law specialists.

### Power Purchase Agreements (PPA's)

A PPA locks in a price and a notional energy volume for both the buyer and the seller of that energy for a specific period of time. These are key documents to put in place as they also include reference to what happens in the event of a failure to meet the contract terms, including payment of damages.

### Terms & Conditions

We draft the terms and conditions which define the relationship between the solar company and their client. In the event of any quality issues or damage it is much easier to resolve when it is agreed beforehand. Strong payment terms are also important to include in the terms and conditions.

### Sub Contracts

Justice Legal prepares the sub-contracts between the solar company and the solar installer. We craft the contracts in plain English and ensure it's clear where the liability sits should there be any defects or issues further down the line.

### Sales Consultant Agreements

Agreements between the solar company and sales consultants are essential. Justice Legal drafts the agreements which clarify payment terms in an easy to understand format. These contracts can be key for sustaining a successful business model and protecting your brand.

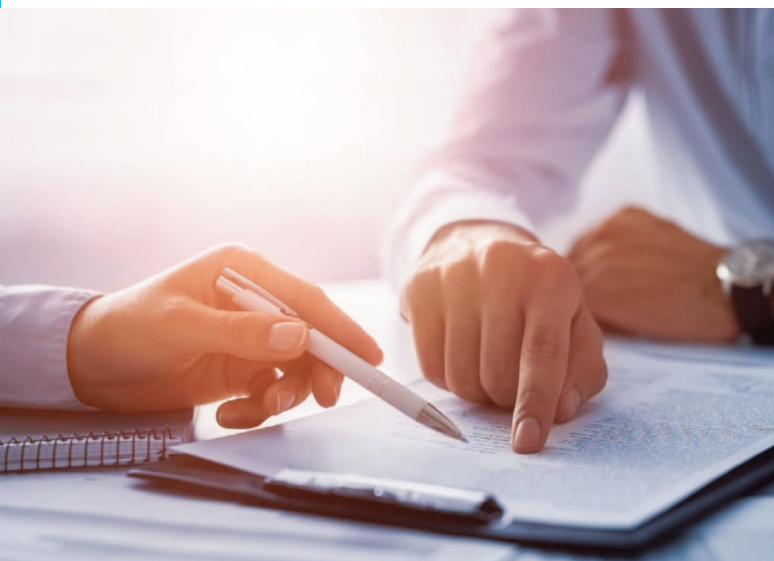
### Developer Agreements

We draft the key documents which allow you to secure future tenants. Without those future tenants it can be challenging to get your development opportunity off the ground, literally. Justice Legal ensures the correct development agreements are in place and that the rights and obligations of all parties are clear from the outset.

### Advisory

Justice Legal are uniquely placed to offer the very best advice on all areas of renewable energy legislation including RE certificates, licensing, compliance and energy efficiency.

**Justice Legal are also qualified to advise energy companies on their duties and responsibilities as NABERS assessors.**





# Client FOCUS

## CASE Study ONE

### NAKED ENERGY GOT COVERED

Solar installation can often be subject to delays which are completely unforeseen. These delays are beyond the control of the solar companies, for example, obtaining Western Power approval or making a required upgrade to surrounding infrastructure.

Nevertheless, the solar companies can find themselves being liable for these delays unless terms and conditions say otherwise. This means the solar company may be forced to pay compensation for as long as the delay prevents the solar installation.

Naked Energy, a Perth based solar company, decided it was time to update their customer contract terms and conditions. They contacted us as a full service legal provider to solar companies. We subsequently carried out a complete review of Naked Energy's existing contracts with customers.

*"We identified key areas for improvement, including the need to provide terms to ensure our client would not be held liable for installation delays."*

– Tristan at Justice Legal

Justice Legal worked closely with Naked Energy to understand the scope of their business. We then redrafted their terms and conditions which not only excluded liability for delays but also included stronger payment terms to allow our client to pass on any fluctuations in the price of renewable energy certificates in the event of such delays.

**Going forward, Naked Energy is now protected from liability should solar installations be delayed. Furthermore, the customer contracts are clear and concise so each party knows exactly where they stand from the beginning of the relationship.**

Justice Legal writes documents that are comprehensive, clear and easy to read and understand. I highly recommend them and will not hesitate to use them again.

**Candy White**

Naked Energy

## CASE Study TWO

### SECURING FUTURE TENANTS CAN SEEM DAUNTING

Property development can often be contingent upon pre-commitment from future tenants. Total or substantial pre-commitments will often be required to obtain project funding and for any project to get off the ground. However, development requirements can be difficult to translate into legal documents because there are many variables to consider from time frames to building specifications.

Without comprehensive documents, it's difficult to secure those essential future tenants and, in turn, ensure that development funding can be secured.

Andrew Roberts was planning to undertake a custom-built strata development comprising a building to accommodate two businesses; a workshop, warehouse and office for a building company and a fitness centre and café for the owners of a gym. Andrew contacted us with a view to draft the necessary documents to secure the future tenants. We discussed his development thoroughly and pulled together the documentation required.

The agreements for lease were complex and had to allow for many moving parts, particularly in relation to the strata title as the actual strata company does not exist until the building is complete.

“We even future proofed the documents to allow Andrew, as landlord, to install an embedded network in the future.”

– Tristan at Justice Legal




**As a result of these documents, Andrew was able to secure the future tenants and the development funding and ultimately go ahead with his development.**

Justice Legal provides practical and common-sense advice and avoids technical legal jargon. I have used them for some time and have recommended them to others.

**Andrew Roberts**

Registered Builder

*Energy Lawyers*

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Thank you to Naked Energy for sharing their solar images.