



James Durnall

Partner

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OVERVIEW

James Durnall is a partner in our Energy, Infrastructure and Resources practice area in Sydney.

As a leading lawyer advising the renewable energy industry in Australia and the UK for more than a decade, he has built a reputation for his work on complex and innovative transactions in clean and renewable energy.

James advises on all aspects of utility scale solar, onshore wind, waste-to-energy, biomass (including gasification, combined heat & power and anaerobic digestion), battery storage and innovative energy efficiency projects. His range of legal specialism includes project development, joint development and financing arrangements, mergers and acquisitions, joint ventures, connection arrangements and energy regulatory matters, corporate and retail PPAs, project / structured finance, construction and O&M, asset management and portfolio management.

His blend of experience working in both private practice and in-house enables him to advise a wide base of clients, including developers, energy and infrastructure funds, equity investors, EPC and O&M contractors, off-takers and asset managers in Australia and overseas.

James also has a wealth of experience in private equity, venture capital and investment funds transactions across the full investment lifecycle.

James is a dual qualified solicitor admitted to practice in both England and Australia and his practice covers both domestic and cross-border projects.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, James was a partner at an international law firm in the Corporate & Project Finance and Energy & Utilities Groups in Sydney. He has also worked in private equity in London as a Director of Legal & Commercial for UK-based Ingenious Infrastructure and Golden Square Energy Limited. Before that, he was Senior Legal Counsel in project finance for a French aerospace, defence and security multinational in London and worked in private practice for leading international law firms in London and Australia.

ACHIEVEMENTS

- Recognised by *The Legal 500 Green Guide: Asia Pacific* as a Recommended Lawyer in Australia, 2024

"Sydney-based James Durnall is a key contact in the firm's energy, infrastructure and resources practice, and stands out for his work on clean and renewable energy transactions." (*The Legal 500 Green Guide: Asia Pacific*, 2024)

- Recognised by *The Legal 500 Asia Pacific* as a Recommended Lawyer for Corporate and M&A, 2023

"James Durnall is a relentless and collaborative partner who gives strong advice and counsel when required." (*The Legal 500 Asia Pacific*, 2023)

- Recognised by *Doyle's Guide* as a Leading Energy & Resources Lawyer in New South Wales, 2022-2023

EDUCATION

- LL.M., The University of New South Wales, 2007
- LL.B., University of New England, Australia, 2003
- Bachelor of Commerce, University of Sydney, 1999

ADMISSIONS

- Federal Court of Australia
- High Court of Australia
- Supreme Court of England and Wales
- Supreme Court of New South Wales

THOUGHT LEADERSHIP POWERED BY HUB

- 12 September 2023, BTR Series Part 8: BTR and Sustainability—An Opportunity to Drive Decarbonisation in the Built Environment

NEWS & EVENTS

- 17 April 2023, K&L Gates Adds Partners in Tax and Energy, Infrastructure, and Resources Teams in Sydney

AREAS OF FOCUS

- Power
- Construction and Infrastructure

- Energy Storage and Distributed Resources
- Renewables

INDUSTRIES

- Energy
- Power Generation and Transmission
- Utilities

REPRESENTATIVE EXPERIENCE

Solar Projects

- Advising an **international developer, owner, and EPC contractor** on the development and sale of a portfolio of over 400MW (five projects) of ground mounted solar PV projects located in NSW and Victoria.
- Advising a listed **UK energy and infrastructure fund** on the successful acquisition of a 110MW ground mount solar PV project in Victoria, Australia.
- Advising a **UK energy and infrastructure fund** on its bid to acquire a 255MW ground mount solar PV project in NSW.
- Advising a **Chinese developer / panel manufacturer** on the acquisition, development, construction, and financing of a portfolio of two solar PV projects in NSW and Victoria totalling over 50MW.
- Advising a **UK international developer** on the negotiation and execution of joint development financing arrangements and sale of the 385MW ground mount solar PV project in Queensland to an international electric utility company.
- Advising an **international developer, owner, and EPC contractor** in relation to a portfolio sale of five ground mounted solar projects to a listed investment fund in the UK.
- Advising a **South Korean energy corporation** on the acquisition of a 130MW solar project (shovel ready) in Queensland.
- Advising a **UK based energy and infrastructure fund** on the development and construction of a portfolio of three solar projects totalling 250MW+ in Queensland.
- Advising a **UK based international developer** on its joint venture and investment with local partners to develop, construct, and operate over 75MW of solar projects in NSW and Victoria.
- Advising a **UK based international developer** and its local development partners on the individual sales of its portfolio of five solar PV projects located in NSW, Victoria and Queensland.
- Advising a **UK based infrastructure fund** on the establishment of a joint venture with a locally based developer to develop, construct, operate, and finance large-scale solar PV assets in Western Australia.

- Advising a **UK based developer** on joint development arrangements and sale of a portfolio of two 300MW+ projects in Queensland.

Solar Financing

- Advising a **joint venture renewables business** on a £28m short term finance facility for a 40MW ground mounted solar PV project opposite a leading German bank.
- Advising a **UK energy and infrastructure fund** on a £25m acquisition finance facility agreement to finance the acquisition of a circa 45MW portfolio of solar PV projects opposite a leading international investment bank.
- Advising a **UK energy and infrastructure fund** on a £30m long term project finance facility to refinance a portfolio of 5 operational solar PV projects (circa 25MW) opposite leading German bank.
- Advising a **joint venture renewables business** on a £35m revolving credit facility for the development and construction of a pipeline of 150 MW of solar PV projects in the UK.
- Advising a **UK infrastructure fund** on a €30m revolving credit facility for the development and construction of a pipeline of 200MW of solar PV projects in the Republic of Ireland.

Onshore Wind Projects

- Advising a **UK energy and infrastructure fund** on the establishment of joint venture to develop, construct, own, and operate a portfolio of onshore wind projects in England, Scotland, and Wales.
- Advising a **UK joint venture** on the framework sale and purchase agreement for the acquisition of a portfolio of early-stage development onshore wind assets (circa 52 projects).
- Advising a **UK joint venture** on the development, construction, and operation of a portfolio of 31 individual FIT accredited onshore wind projects located in England, Scotland, and Wales.
- Advising a **UK joint venture** on the acquisition of a 5.5MW ROC onshore wind farm in Wales.
- Advising a **UK energy and infrastructure fund** on the acquisition of an onshore wind farm in Wales.
- Advising a **UK joint venture** on the acquisition of nine onshore wind assets in the UK and Scotland.
- Advising a **UK joint venture** on the acquisition of an 8MW ROC onshore wind farm in Northern Ireland.

Onshore Wind Financing Projects

- Advising a **joint venture renewables business** on the refinancing through long-term project finance of a portfolio of 28 FIT accredited onshore wind projects with a net value of approximately £93million opposite a leading German bank.
- Advising a **joint venture renewables business** on a £28m medium term financing of a portfolio of 12 FIT accredited onshore wind projects opposite a leading investment bank.
- Advising a **UK energy and infrastructure fund** on a £16 million construction finance facility and associated security documents provided to UK onshore wind developer to finance the development of a portfolio of 30 onshore wind assets.

- Advising a **joint venture renewables business** on a £18m construction finance facility for a 15MW onshore wind portfolio in the UK and Northern Ireland opposite a leading German bank.

BESS Projects

- Advising an **international developer, owner, and EPC contractor** in relation to the sale of two battery energy storage (“BESS”) projects in Victoria with total capacity of 100MW/240MWh and 250MW/600MWh.
- Advising an **international energy and infrastructure platform** on the proposed joint development financing arrangements for the development and acquisition of up to six BESS projects in Victoria, New South Wales and South Australia with a total of 1.9GW in storage.
- Advising a **Chinese international developer** on the negotiation and execution of joint development financing arrangements for a 250MW BESS project in Victoria.
- Advising an **international developer, owner, and EPC contractor** in relation to the development, co-investment by an investor, and construction of two BESS projects in Victoria and NSW with total capacity of 150MW and 250MW.

PPA (Retail and Corporate)

- Advising an **international solar developer** and panel manufacturer in relation to a Corporate PPA tender process for a leading Australian bank for two solar projects in NSW and Victoria, Australia. The Corporate PPA was structured as a synthetic hedge style agreement for both electricity and LGCs.
- Advising a **UK energy and infrastructure fund** on the acquisition of a 200MW solar project in NSW, Australia including advice on two power purchase agreements, being (i) Corporate PPA (synthetic for both electricity and LGCs) with a leading university; and (ii) medium to long term power purchase agreement with a first-tier retailer to purchase both electricity and LGCs.
- Advising an **international solar developer** in relation to a Corporate PPA tender process for a leading international supermarket chain for solar projects in NSW and Victoria, Australia.
- Advising a **German solar developer** in relation to a Corporate PPA tender process for Australia's largest telecommunications company for three solar projects in NSW, Australia.
- Advising a **UK energy and infrastructure fund** on bespoke Corporate PPA and Merchant PPA products for small to medium sized ground mounted solar PV projects on a portfolio basis in Victoria and NSW, Australia.
- Advising a **25MW solar project** in Queensland, Australia on a short-term “merchant” power purchase agreement for the sale of electricity and LGCs on the spot market.
- Advising a **Victorian solar project** on its successful tender for the Victorian renewable energy target auction VRET2.