



Representative Legal Matters

Ilona Millar

- **Law and Policy:** Advising governments on the development of climate law and policy and the implementation of emissions trading schemes or tradeable offset markets including Australia, New Zealand, EU, Malaysia, Kazakhstan and Fiji. In particular Lead adviser to successive Australian governments on the development of a national emissions trading scheme and its Emissions Reduction purchasing fund. | Lead external adviser to the adviser to Fiji and Morocco in respect of their COP Presidencies. | Advising on the drafting of climate change and renewable energy laws.
- **Carbon Sequestration / Australian ERF:** Advice to Carbon sequestration project operators and funders on Carbon Farming Initiative and Emissions Reduction Fund project development and legal requirements, particularly interpretation and application of the legislation and methodologies, the newness and additionality tests, appeal rights regarding decisions of the Clean Energy Regulator, and auction rules. | Advising leading ERF project developers on all aspects of their CFI projects and offtake arrangements, including landowner agreements and the process for obtaining carbon rights. | Advising a leading financial institution on its investment in an ERF project developer. | Drafting project investment documents and developing carbon rights documentation and landowner agreements for CFI/ERF projects. | Advising a large energy company on the forward financing and purchase of Australian Carbon Credit Units (ACCU) from an Emissions Reduction Fund sequestration project. | Legal adviser to the Queensland Government's Land Restoration Fund.
- **Indigenous Carbon:** Advising NAILSMA on the ability to develop carbon sequestration projects on all forms of Aboriginal land tenure in the Northern Territory, Western Australia and Queensland. | AbCF on the establishment of an Aboriginal Carbon Fund to enhance the market for indigenous carbon projects and deliver cultural, social and environmental benefits through the ERF. | Engaged by the Australian Department of Foreign Affairs to support the transfer of knowledge and development of a savanna burning method for carbon abatement in Botswana.

- **Carbon Funds:** Advising the World Bank and ADB on the development, implementation and operation of their carbon funds and emission reduction procurement programs including the FCPF and the Bio-carbon fund. | Advising the Green Climate Fund on their results based payments pilot program.
- **Carbon Procurement:** Long term adviser to the Norwegian Ministry of Finance and Climate and Environment on its purchase of certified emission reductions to assist meeting its objectives under the Kyoto Protocol and the country's climate change goals.
- **Carbon Documentation:** Advised the International Finance Corporation (IFC) on the development of template carbon finance documents for multi-lateral finance institutions.
- **Carbon Capture and Storage:** Preparing various reports on legal frameworks for CCS for the Global CCS Institute, including update the Carbon Capture and Storage Legal and Regulatory Indicator Tool. | Undertaking due diligence on projects funded by the Institute and contracting approaches for CCS projects. | Advising multinational resources companies on legal and regulatory barriers and the development of legislative and policy pathways to develop and finance CCS projects in Australia.
- **Green Bonds:** Advised BHP Billiton on an innovative landscape resilience Bond that provides conservation finance to a range of rainforest protection projects that avoids deforestation under the UN REDD+ mechanism. | Legal Adviser to Fiji on its 2017 Sovereign Green Bond.
- **Renewable Energy:** Extensive expertise on environmental and planning aspects of renewable energy projects (solar, wind, biofuels) including advising on legal due diligence, project pathways and approvals. | Advising a number of entities with compliance obligations under State renewable and energy efficiency schemes on managing those obligations, including: advising on the development of activities that create certificates, transfer of title to energy efficiency savings and contracting for the transfer of those savings to enable certificates to be generated and traded
- **International Development:** Advising the Republic of Indonesia, REDD+ Taskforce, assessing national laws and policies to implement REDD+ in Indonesia which involved assessing all national laws on forests, land tenure, foreign and domestic investment, constitutional and indigenous law and undertaking a gap analysis of this legal regime. developing a 10 year roadmap for legal reform. | Advising the Governments of Fiji and Nauru on legal readiness for climate finance in key sectors.

- **Environment and Planning:** Involvement and advice on all aspects of federal, state and local government environmental planning and assessment processes for major projects, including advice on approvals required for major development and infrastructure projects (including mines, water infrastructure and waste facilities). |Acting on the NSW Government's A\$5.3 billion energy reform arrangements, including the sale of electricity retail businesses, gas retailers, development sites and generation trading arrangements. Work included reviewing licences and authorisations, preparing due diligence reports, providing advice on specific environmental, water, contaminated land and green scheme aspects of the transaction and drafting of terms of sale agreements. | Due diligence on a number of major resources and energy projects including advice on development pathways, planning and environmental matters with a focus on environmental liabilities and contaminated land management. | Advising a large rural landholder on biodiversity offsets processes under Commonwealth and State environmental approvals and negotiating agreements with resources company regarding offsets arrangements.
- **Pollution and Contamination:** Advising clients in a range of industry sectors, including waste, energy, manufacturing, transport and industry on pollution incidents, including advice on the duty to notify, responding to notices to provide information and records, and advice on pollution prosecutions. | Providing contaminated land management advice to prospective purchasers of property, or investors in companies with assets, that may be contaminated, including advice on baseline studies and site assessments, potential liability for owners and occupiers of land and managing risk through sales documentation.