



CLARE SMETHURST
PARTNER

[Brisbane](#)
[Australia](#)

Clare specialises in the resolution of commercial and construction disputes on major projects.

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BACKGROUND

Clare holds a Bachelor of Laws from the Queensland University of Technology.

MARKET RECOGNITION

- The 'Best Lawyers' guide has consistently recognised Clare as a leading lawyer in Construction/Infrastructure Law, Litigation and Alternative Dispute Resolution.
- Clare is listed in Doyle's Guide as 'Preeminent' in the Queensland market and 'Leading' in the national market.

KEY SERVICES

Construction Disputes
Dispute Resolution

KEY SECTORS

Energy
Renewables

EXPERIENCE

Clare has over 20 years' experience advising principal, financier, contractor, and government clients across the energy, infrastructure, transportation (road and rail) and mining industries. Clare has conducted litigation in the Supreme Courts of Queensland, New South Wales and Victoria and has significant experience with all forms of alternative dispute resolution, security of payment legislation and making and defending demands on performance security. Clare is admitted to practice in the Supreme Court of England & Wales as well as in the Australian Courts.

Clare's experience includes advising:

- sponsors of the **Lal Lal Wind Farms** Project in Victoria in relation to disputes and litigation in the Victorian Supreme Court, including proceedings for recovery of liquidated damages and defect rectification, and applications for injunctive relief to restrain the EPC contractor from reducing generation;
- Project Co in relation to a **rail PPP** project in NSW impacted by design and delay issues;
- investor/developer of **Commonwealth Games Village** redevelopment, Gold Coast, including in NSW Supreme Court proceedings involving defective work and defending an injunction to restrain a call on performance security;
- **security trustee** in relation to NSW Supreme Court proceedings regarding liquidated damages, delay and an application to restrain call on performance security arising from the construction of a solar farm in NSW;
- **asset owners and financiers** regarding project delivery issues and disputes with contractors on wind and solar farms in Queensland, NSW and Victoria;
- a global energy company as seconded **General Counsel** overseeing all aspects of the legal function across mining and infrastructure and the cross-jurisdictional management of the business;
- **Carmichael Rail Network Pty** in Supreme Court of Qld proceedings arising from contracts for design and construction of the Carmichael Rail Project in the Galilee Basin;
- **major contractor** on complex upstream and downstream disputes arising from a significant road infrastructure project in Queensland impacted by complex geotechnical and design outputs;

- the **Muhibbah/Monadelphous** joint venture contractor in respect of a Supreme Court of Qld litigation with Wiggins Island Coal Export Terminal Pty Ltd.