

Brendan Cash

Partner



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Overview

Brendan leads our Construction and Major Projects team in Wellington. He is a highly experienced commercial litigator who is recognised for his expertise in disputes in the construction and infrastructure sectors.

Brendan has helped clients in forums ranging from the High Court (NZ and London) to the Supreme Court. His experience also encompasses international and local arbitral proceedings, expert determinations and adjudications. He is skilled at using mediation to resolve disputes. Brendan also draws on his extensive dispute experience to help clients draft and negotiate the contracts for their construction and infrastructure projects and then help them manage issues during the project.

Brendan's clients value his strategic approach and commercial acumen. He works closely with them to ensure their commercial needs are met and risks are mitigated.

Brendan also has many years' experience with other significant commercial and property disputes and he continues to help a wide range of businesses resolve such disputes.

Experience

- **Major electricity supplier and head contractor:** Advised on disputes that arose out of the construction of three new power stations. These included claims over variation, delay, warranty and defects, and disputes over the interpretation of contracts.
- **Master Build Services:** Assisted the leading provider of building guarantees in New Zealand, to resolve a wide range of guarantee and negligence claims for building defects.
- **International owners of new oil and gas infrastructure:** Counselling the international owners of new oil and gas infrastructure in one of New Zealand's largest adjudications, dealing with claims by a subcontractor for variations, delay and disruption.
- **Owners, developers, builders, subcontractors, suppliers and others:** Advised on a range of defect claims for oil and gas facilities, tower blocks, a stadium, large-scale residential developments and standalone residential homes. These included substantial leaky building claims.

- **Landlord of a commercial property:** Advised in a rent review dispute. The rent for the property concerned was difficult to value and the dispute went to arbitration, resulting in a substantial increase in rent for the landlord.

Recognition

- *The Legal 500 Asia Pacific 2019:* Awarded as Recommended Lawyer
- *New Zealand Law Awards 2019:* Finalist for Mid-Size Deal of the Year

Insights

- Co-author, “Arrow voluntary administration,” *Kensington Swan Newsflash*, March 13, 2019

Activities and Affiliations

Memberships

- Member, Society of Construction Law, New Zealand

Prior and Present Employment

- Dentons Kensington Swan (formerly Kensington Swan), 2017–present
- Bell Gully, 2004–2017
- Ashurst, 2001–2004
- Bell Gully, 1996–2001

Areas of focus

Practices

- Litigation and Dispute Resolution
- Real Estate

Industry sectors

- Construction
- Energy

Education

- Victoria University of Wellington, LLB (Hons)

Admissions and qualifications

- Barrister and Solicitor , High Court of New Zealand

- New Zealand, 1998