

ROBERT NICHOLLS



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QUALIFICATIONS & DEVELOPMENT

- Nationally Accredited Mediator & Conciliator (NMAS)
- Queensland Law Society Accredited Mediator
- Queensland Law Society Accredited Specialist in Business Law (2012)
- Graduate Diploma, Company Directors Course (AICD) (2008)
- Master of Business Administration (With Distinction) (CSU) (2006)
- Graduate Diploma, Company Secretarial Practice (Chartered Corporate Secretary) (2003)
- Graduate Diploma in Legal Practice (1997)
- Bachelor of Laws (Honours) (UTS) (1996)
- Police Prosecutors Course (NSW Police Force) (1992)
- Certificate of Policing (1990)

ACCREDITATIONS & AFFILIATIONS

- Professional Member, Resolution Institute of Australia
- Queensland Law Society Accredited Specialist in Business Law (2012-2019)
- Member, Queensland Law Society
- Graduate, Australian Institute of Company Directors (2008)
- Fellow, Governance Institute of Australia (2005)
- Legal Practice Management Course, FCMG (2000)
- Unrestricted Practising Certificate, Law Society of NSW (2000); Queensland Law Society (2009)
- Member of NSW Law Society (1997 to 2009)
- Admitted as Legal Practitioner of Supreme Court of NSW (1997) and as a Solicitor and Barrister of the High Court of Australia (1997)

STATUTORY APPOINTMENTS

- Mediator, Queensland Civil & Administrative Tribunal
- Mediator, Queensland Rural & Industry Development Authority
- Mediator, Office of the Franchising Mediation Adviser

PROFESSIONAL PROFILE [JULY 2018]

- ✔ Experienced company director and C-level senior executive.
- ✔ Multi-disciplined specialist business advisor to commercial enterprises, individual directors and company boards.
- ✔ Specialist business, commercial, corporate and workplace lawyer with substantial legal, commercial and dispute resolution experience (including as a Nationally Accredited Mediator).
- ✔ Expert in corporate governance, strategy and change management.

AREAS OF EXPERTISE

[Board, committee & executive: 18 years board level experience (publicly listed and privately held entities) in a diversity of board, committee and executive roles)

- Managing all facets of the operations of a complex, multi-divisional business enterprise and related projects.
- Devising, developing and implementing strategies to elevate organisational performance and enhance shareholder value.
- Management and oversight of businesses across a wide variety of sectors.
- Identifying and implementing cost effective solutions to complex strategic level business problems.
- Organisational strategy, governance and change management.
- Influencing, presenting and negotiating at senior levels to reach agreement on complex commercial and strategic issues.
- Interpreting financial statements and key business reports.
- Managing substantial organisational structural and cultural change processes.
- Setting the strategic direction of new and existing business ventures and innovative product commercialisation initiatives.
- Forging and sustaining high performance teams.

[Dispute Resolution: 22 years dispute resolution experience as a lawyer and accredited mediator]

- Extensive and practical experience in the resolution of legal, business, commercial, workplace and industrial disputes in Australia and overseas.
- Nationally Accredited Mediator & Conciliator specialising in legal, business, commercial and workplace disputes.

[Law: 28 years legal experience (including pre-admission) in private practice, in-house and executive level government legal roles]

- Business law and all facets of commercial law
- Corporate law, regulation and insolvency
- Employment and workplace
- Franchising law
- Property laws

INDUSTRY EXPERIENCE (INDICATIVE ONLY)

- Agriculture
- Building & construction
- Capital raising
- Consumables
- Distribution
- Dispute resolution
- Financial services
- Franchising
- Hotel Management
- HVAC
- Investment
- Manufacturing
- Mining
- Not-for-profit
- Oil & Gas
- Professional services
- Real estate
- Regulatory enforcement and investigations
- Retail
- SMSF
- Sport/performance
- Start-up ventures
- Wholesale

EXTRA-PROFESSIONAL ACTIVITIES

- Expert panel member, Australian Institute of Company Directors, *Tips for the accidental director*, Gold Coast, February 2017.
- Published an article in Queensland Law Society Proctor magazine, September 2015, *Restraints of Trade*.
- Published articles on LinkedIn:
 - *Practical tips for establishing an advisory board*
 - *Are your job applications discriminatory?*
 - *Succession planning*
 - *Is your website a legal risk?*
 - *Practical tips before you market your business for sale*
- Published an article in Cove Magazine, *Exit Strategies – How to ensure the longevity of your business* (2015).
- Invited by Australian Institute of Management to perform the role of Chairman and Judge at the annual AIM Excellence Awards for the categories of Owner Manager and Young Manager of the Year for 2013.
- Speaker at the WPIAS Congress for Accountants & Financial Advisers at the Sheraton Mirage at the conference held in 2013 – ‘Restraints of Trade – Tips and Traps for Accountants & Financial Advisers’.
- Tutor in Corporate Law, University of Western Sydney (2000).
- Prepared a manual entitled *The New Evidence Act – A practical guide for police prosecutors* widely used as a reference source by police prosecutors from all regions within New South Wales.

CURRENT ROLES

Non-Executive Director, Squash Australia

[July 2018 to present]

Non-executive director on the national board of the peak sporting body for squash in Australia.

Business Consultant | Accredited Mediator & Conciliator

[April 2018 to present]

Independent consultant providing business consulting and advisory services and interim management solutions to small to medium enterprises, government and public companies in Australia and overseas. Mediation and conciliation of business, corporate, commercial and workplace disputes as a Nationally Accredited Mediator.

PREVIOUS ROLES, DUTIES & POSITIONS

Managing Director, Prestige Legal & Corporate Services

[May 2011 to April 2018]

Private law firm providing a diverse range of expert legal and specialised business advisory services to business promoters, small to medium enterprises, government and public companies in Australia and overseas. Core legal practice areas included but were not limited to all aspects of business law (accredited specialist), consumer law, commercial and property transactions (including leasing), corporate, employment and workplace laws, franchising, insolvency, trademarks, defamation, regulatory compliance, litigation and dispute resolution.

PREVIOUS ROLES, DUTIES & POSITIONS (CONT'D)

Management Consultant, Equanimity Concepts Pty Ltd

[February to October 2015]

Management consulting contract role for a group of small to medium enterprises in the financial, credit and real estate services sectors. Responsible for reformulation of organisational strategy, structure, leadership, governance, process improvement and overall management practices.

Chairman of the Advisory Board, CirCurre

[2015 to 2016]

Private equity owner of patented biometric technologies focused on commercialisation opportunities. Responsible for provision of general advice regarding business strategy, commercialisation opportunities, capital raising and shareholder engagement.

Legal, Governance & Strategic Adviser, Australian Cruise Ports International

[2012 to 2013]

Privately held consortium involved as a participant in the Gold Coast Broadwater Marine Project (Cruise Ship Terminal) tender process by Queensland State Government.

Various Roles, Cool or Cosy Limited

[2007 to 2011]

ASX listed entity involved in the manufacture, sale and installation of cellulose insulation; the importation, sale and installation of air conditioning products; and the development and ownership of innovative solar hot water technology.

Managing Director & CEO (2008 to 2011) | Responsible for the day-to-day executive management of all of the group's trading activities, its financial management and overall performance. Supervised five (5) divisional heads as direct reports up to the position (including the CFO, General Manager, HR Manager and Operational Managers) and indirectly over one hundred and twenty-five (125) staff and contractors across Queensland and Western Australia.

Audit Committee Member (2008 to 2011) | Provided oversight to the financial reporting and audit obligations of the public entity including market disclosure obligations, evaluation of financial controls and risk management systems.

Non-Executive Director (2007 to 2008) | Oversaw the performance and management of the group, developed its organisational strategy, ensured appropriate financial controls and risk management systems operated effectively and that its internal controls enabled accurate financial reporting. Ensured the effectiveness of the group entity's governance systems and practices, determined the level of remuneration for executive directors and officers, appointed and removed senior managers and implemented an effective executive succession planning process.

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PREVIOUS ROLES, DUTIES & POSITIONS (CONT'D)

Various Roles, Plaspak Group Limited (later PPK Group Limited)

[2000 to 2012]

ASX listed enterprise engaged in the design, manufacture and distribution of portable underground mining equipment, industrial property ownership and investment activities with operating revenues at various times of up to \$125 million. Under Plaspak, the business manufactured, sold and distributed rigid plastic packaging, power generators, acrylic light diffusers and thermoplastic sheeting, imported and distributed hardware, lighting and industrial products and imported and wholesaled trigger spray products.

Group General Legal Counsel & Company Secretary

(Legal Counsel: 2000 to 2008 & Company Secretary: 2000 to 2012)

Responsible for the oversight of all legal and governance matters impacting the national group including mergers and acquisitions, employment and workplace related issues and the conduct of litigation and dispute resolution outcomes.

Senior Executive Management Committee Member

(2000 to 2008) | As one (1) of only four (4) members of the committee (including the Managing Director), reviewed matters impacting the performance and position of each group subsidiary business, contributed to discussions regarding management practices, identified new business opportunities and implemented executive decisions.

Non-Executive Director – Vend-Tech Group (2005 to 2008) | Start-up private equity venture majority owned by PPK and a group of third party investors engaged in the development and commercialisation of patented vending machine technology to dispense environmentally friendly shopping bags.

Various Roles, Australian Securities & Investments Commission

[1998 to 2000]

Independent Australian government body that acts as Australia's corporate regulator. ASIC's role is to enforce and regulate company and financial services laws to protect Australian consumers, investors and creditors.

Executive Level Lawyer – Small Business, Markets and Enforcement

(1998 to 2000) | Managed a team of lawyers, investigators and administrative staff responsible for the investigation and prosecution of offences by corporations and their officers. Undertook special projects under the direction of the ASIC General Counsel and appeared for ASIC in the Local (Magistrates), Supreme Court of New South Wales and Federal Court on a diverse range of regulatory infringements and actions.

Various Roles, Australian Securities & Investments Commission (cont'd)

Team Leader, National Textiles Investigation

(1999)

Sensitive investigation into the affairs of National Textiles which involved high profile members of the business community as directors including the brother of former Prime Minister, John Howard.

ASIC/IPAA Joint Committee

(1999 to 2000)

Founding member of joint committee as ASIC's representative. The committee was established as a formal liaison between ASIC and the Insolvency Practitioner's Association of Australia.

Employed solicitor roles

Houston Dearn O'Connor, Burwood (NSW)

[1998]

Small suburban general legal practice. Responsible for the representation of clients in criminal, family law and civil proceedings. Regularly appeared as an advocate for clients in the Local (Magistrates), District and Family Courts.

Commins Hendriks Solicitors, Wagga Wagga (NSW)

[1997 to 1998]

Large regional firm comprising twelve (12) partners with its main office in Wagga Wagga and several satellite offices located throughout the region. Represented clients in criminal and civil proceedings and regularly appeared as an advocate in these matters in the Local (Magistrates) and District Courts.

Various Roles, New South Wales Police Force

[1989-1997]

Senior Police Prosecutor (1991-2007)

Appeared daily in the Local (Magistrates) Courts of New South Wales as an advocate for the police and victims of domestic violence in criminal and quasi-criminal cases within the court's jurisdiction including the conduct of special fixture hearings (protracted and/or complex trials) and committal hearings for transmittal to the District Court.

State Co-Ordinator of Operational Projects (1996)

Secondment to the Office of the State Commander, NSW Police Force, responsible for the review and oversight of a diverse range of operational projects impacting policing activities and advising the State Commander on the progress of and issues arising from the Wood Royal Commission.

VOLUNTEER ROLES

[2018 to Present]

Mentor, iTrack Mentor Program, The Smith Family

Mentors in the iTrack program engage with high school students in Year 9 to 11 using an online chat platform. iTrack mentors provide encouragement, advice and guidance to students about workplace, study and career opportunities through weekly chats.

VOLUNTEER ROLES (CONTINUED)

[2017 to 2018]

Chairman & Non-Executive Director, Fight Dog Meat Ltd.

Non-executive director role for a registered charitable organisation with the purpose of advocating for dogs and cats in the meat trade and fur trade including the enhancement of animal protection laws and raising awareness on a global scale for an end to these trades.

[2013 to 2018]

Judiciary Member, Touch Football Association of Australia

Disciplinary tribunal member for the sport of touch football in Australia.

[2013]

Judiciary Member, Rugby Gold Coast Limited

Member of the judiciary panel responsible for discipline of players of rugby union on the Gold Coast.

[2012]

Non-Executive Director - Rugby Gold Coast Limited

Non-executive director role for not-for profit, peak sport association responsible for administering the game of rugby union on the Gold Coast, Queensland.

[1997 to 1998]

Judge, NSW Law Society Mock Trials for Schools Program

Performed the role of a judge in various inter-school mock trials as part of the New South Wales Mock Trial Competition for schools within the State.

AWARDS & OTHER ACHIEVEMENTS

- Winner of the Australian Credit Union Archives Prize for the most outstanding academic record in the MBA program (2006)
- Finalist, Superintendent J.H. Milne Public Speaking Competition for Police Prosecutors in NSW (1991)
- Rotary Youth Exchange Student to Denmark (1988)
- Caltex Best All-Round Student Award for Academic and Sporting Excellence, Engadine High School (1987)
- Regional AFL representative and ranked squash player in NSW (1979 to 1987).

INTERESTS

Boating, personal water craft (jetski), sport (all types but particularly AFL, rugby union, NRL, tennis and squash), photography, hiking, people, food and wine.

REFEREES & TESTIMONIALS

Referees available upon request.

SCHEDULE OF ACCOUNTABILITIES & ACHIEVEMENTS

A Schedule of Accountabilities and Achievements is available upon request for each of the following positions:

- Managing Director, Prestige Legal & Corporate Services Pty Ltd
- Management Consultant, Equanimity Concepts Pty Ltd
- Advisory Board Chairman, CirCurre Pty Ltd
- Legal, Governance and Strategic Adviser, Australian Cruise Ports International
- Various roles, Cool or Cosy Limited
 - Managing Director & CEO
 - Audit Committee Member
 - Non-Executive Director
- Various roles, Plaspak Group Limited
 - Group General Counsel & Company Secretary
 - Senior Executive Management Committee Member
 - Non-Executive Director, Vend-Tech Group
- Various roles, Australian Securities & Investments Commission

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