

# ACTIVE

It's what your legal team should be.

- Business Law
- Intellectual Property
- Workplace Relations and Safety
- Commercial Disputes/Litigation
- Property Law
- Body Corporate Law
- Building & Construction Law



# ABOUT US

**Solving problems** - is what we do and we are very good at it – we are absolutely passionate about achieving the best commercial outcome for our clients;

**We are committed to plain speaking and practical advice** – we accept there is no point seeking advice if you cannot understand it or cannot implement it;

**We are business people advising business people** – we understand that business people need commercial effective advice, solutions and strategies to implement, not a recital of the law. That is what we deliver. The commercial effective advice, solutions and strategies you need, when you need it.

## What do people say about us?

*“Active Law have been acting on behalf of myself and many of my clients over the years. Within the team of lawyers there is a vast amount of knowledge in all areas of property, business, construction and contract law. I recently went through a complicated business purchase and the lengths that Active Law went to, to ensure that my best interests were protected at all times, was above and beyond. I highly recommend Active Law.”*

**Kellie Wright**

*“Andrew got the job done and he knows his stuff! He gave us the right advice, but timing is everything!”*

*Andrew prioritises and take immediate action when a situation demands an immediate response. Active Law is fair, reasonable, transparent and trustworthy in all aspects of business.”*

**Linda Dow**

*“A special thank you to Active Law. We used Active Law for a long and protracted matter involving our business that required a lot of discretion and additional work on their side. Through their outstanding negotiation skills, they managed to negotiate a very successful outcome for us under very difficult circumstances. They are a very highly energised and approachable firm and I would highly recommend them for any legal work that you have in mind.”*

**Robert Lysaught**

*“As CEO of a mid sized insurance brokerage I am used to giving professional advice to my own clients who rely on the quality of that advice. Our company has utilised the services of Andrew Redburn and his team at Active Law for a number of years. We have used Andrews expertise in the areas of Commercial Litigation, the drafting of in depth and complex commercial agreements and Community Title Schemes of which Andrew is considered a leader in his field. The advice we have received from Andrew and his team at Active Law has been excellent and timely. It is refreshing to have complex legal issues explained in a practical and commercial manner.”*

*I have on a number of occasions recommended Andrew’s services to business associates and family members who have also benefitted greatly from Andrew’s expertise.”*

**Dale Hansen, CEO, Austbrokers Coast to Coast**

*“We have been using Active Law for a number of years to support our investments in Queensland. We own shops, offices and a cinema. Their support has covered preparation of leases and construction contracts as well as debt collection. We have found them to be responsive, highly competent and always thorough in safeguarding our interests. We would not hesitate to recommend them to other commercial property owners.”*

**John Sorrentino, Director, C-Square Nambour**

*“I have worked with Active Law for close to 7 years now, and have always found them to be professional, proficient and willing to go above and beyond to achieve the best outcome for their clients.”*

**Courtney Pratt**

# ACTIVE

## Services

### Business Law

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Active Law can assist you with acquiring, selling or structuring your business. It could be the best investment you ever make.

We specialise in the following:

- Business structuring;
- Shareholder Agreements;
- Business/Share Acquisitions and Sales;
- Franchises;
- Reviewing, drafting and negotiating contracts (including franchises);
- General commercial advice; and
- Online terms and conditions and privacy statements.

### Intellectual Property

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The intellectual property (IP) of your business is an extremely valuable asset, sitting at the heart of the business's purpose. Your IP is worth protecting and it is important that you get early advice to do so. Active Law can assist you to protect your IP, whether you are setting up a framework for a new business or enforcing your existing IP rights.

Bringing new people into your enterprise brings IP challenges and risks that need to be proactively managed. Even the way you promote your business and release information can pose a risk to the security of your IP.

Active Law has extensive experience advising clients about IP matters across a range of industries. Our team also have the benefit of practical experience in project management, giving them the ability to comprehend varying circumstances quickly and link the practical considerations to the legal issues.

### Workplace Relations and Safety

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Active Law has employment lawyers who can assist you with workplace legal advice to deal with your employment issues and optimise your opportunities in your employment relationships. We deliver practical, timely and cost-effective employment law advice to help you run a productive business.

Our focus is to help employers deal with their employment issues easily so they can achieve their business goals. We provide practical, effective advice and assistance that is easy to understand and follow. We are experienced in working with business owners and managers to find the right solution for the employment opportunities and challenges they face. Whilst we believe that strategic planning and proactive advice is your best opportunity to structure a healthy business, we are always there to support you through the workplace issues that may arise along the way, so you can get back to business.

# ACTIVE

## Services

### Commercial Disputes/Litigation

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Active Law can assist you to achieve the best outcome for any dispute you might become involved in.

Commercial dispute resolution or commercial litigation includes any type of litigation or dispute related to a business transaction.

Commercial litigation can range from relatively simple disputes to highly complex matters. Most importantly, litigation that is handled improperly can lead to substantial unnecessary expense, not only the additional unnecessary expense involved in prosecuting your case, but also added cost of needless delays, caused by work done properly.

Litigation can have a serious impact on your business, so it is vital that you are properly advised and that you have appropriate legal assistance to help resolve your dispute as cost-effectively as possible.

### Property Law

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Active Law has more than 44 years of accumulated commercial property and leasing experience. Active Law has the depth of knowledge and experience needed to successfully complete all forms of leasing transactions, and respond promptly to your needs, including:

- Drafting all necessary documentation on behalf of the landlord, including agreements to lease, leases, subleases, right of entry/breach notices, surrender of leases, deeds of assignment, etc;
- Reviewing any documents that the landlord is required to be party to and to make appropriate recommendations;
- Liaising with the tenant's solicitor on your behalf; and
- Providing general legal advice on property issues relating to this asset.

We have extensive experience in preparing and negotiating commercial leases for some of Australia's largest landlords.

We can assist with the preparation and negotiation of agreements for the sale or purchase of commercial/retail property and development sites, we can also prepare and administer off the plan contracts for your proposed developments, including staged developments and multi-layered schemes.

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## Services

### Body Corporate Law

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Active Law has particular expertise in community titles law and as such can assist bodies corporate, their Managers and developers with their legal requirements.

Active Law specialises in providing advice to bodies corporate regarding the application and interpretation of the Body Corporate and Community Management Act and its modules and body corporate disputes of all kinds.

**We can also assist bodies corporate with:**

- preparing CMS’;
- the assignment and extension of management rights;
- by-law reviews; and
- building defects.

Active Law also has a proven track record in assisting developers with their contractual and disclosure requirements for all types of schemes, be that a simple subdivision of a building or a more complex staged or layered development.

### Building & Construction Law

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Active Law provides effective, cost effective and commercially focused legal services to companies, bodies corporate and individuals in all aspects of Building and Construction Law, including the following:

- Advice and contract preparation for both domestic and commercial building works;
- Construction dispute resolution; and
- Building Industry Fairness (Security of Payment) Act 2017 (“BIF Act”) Claims.

We have assisted individuals, bodies corporate and building companies with both domestic/residential matters and commercial matters.

We can provide you with quality services focused on addressing your concerns in an efficient, cost-effective and commercial manner

# ACTIVE

## Professionals



### **Andrew Redburn**

#### **Legal Practitioner Director**

Andrew's expertise in commercial matters & commercial litigation, as well as his understanding of insurance principles, coupled with sensible logic and a commercial objective will mean that you will get sensible commercial advice focused on cost effectively achieving your objective or resolving your dispute. Andrew has:

- Practised throughout his career in commercial litigation/commercial dispute resolution.
- Provided commercial and dispute related legal services to individuals, small-medium businesses, large corporations and bodies corporate.
- Provided construction law advice and construction litigation services, including building defect claims and QBCC complaints.
- Previously worked for a leading Insurance based Law Firm advising national Insurers in respect of professional negligence, public liability and product liability matters as well as policy interpretation Professional Indemnity Claims.
- Previously worked with a large national firm, primarily in leasing disputes trade practices and misrepresentation matters, contract interpretation disputes, insolvency and general commercial litigation.

Prior to entering the practice of law, Andrew was a scientist having graduated from Griffith University with first class honours. It is this scientific grounding that has developed Andrew's analytical approach and his ability to comprehend varying circumstances and principles quickly.



### **Mark Mellick**

#### **Legal Practitioner Director**

Mark is a community titles law specialist. The laws relating to bodies corporate and to the development of community title schemes are very complex. Active Law has a dedicated division focusing exclusively on community titles law. For the entirety of his career Mark has practiced in community titles law predominately advising bodies corporate. Mark can assist bodies corporate with all aspects of their legal requirements, be it advising on their obligations under the relevant legislation, assisting them with the assignment of management rights or acting on behalf of bodies corporate in disputes. Mark also advises developers of community schemes regarding the most appropriate way to structure the proposed development from a titling perspective and with respect to compliance issues under the legislation. Mark is an active member of the Strata Community Association (Qld) and the Australian College of Strata Lawyers.

# ACTIVE

## Professionals

### **Joanne Redburn**

#### **Legal Practitioner Director**

Joanne Redburn has extensive experience advising clients about Intellectual Property matters across a range of industries. In addition to her law degree with honours, Joanne has over 10 years experience in the research and development sector having led a research team which focused on drug discovery. She has a science degree with honours and a Doctor of Philosophy in biotechnology. It is this experience that has also developed Joanne's ability to comprehend varying circumstances quickly and link the practical considerations to the legal issues.

Whether you are starting out and need to develop the framework to protect your IP developments or you need to enforce your existing IP rights, Joanne can assist you to protect your intellectual property. Applying for an IP right to protect your business ideas can be critical to building a business and establishing your presence in a market; as is ensuring your ownership rights are clear in contracts with employees and contractors. Early advice will assist you to protect this valuable business asset.



### **Paul Hick**

#### **Special Counsel**

Paul is an experienced construction lawyer & commercial litigator who specialises in advising and representing clients operating in the construction industry servicing domestic, commercial, civil and mining fields.

Paul's legal skills and qualifications are enhanced by his years of hands on experience in the construction and mining industries. He has a long history in the building and construction industry, from trade apprenticeship to carpenter, supervisor, construction manager, estimator, designer, builder, supplier and consultant before qualifying as a solicitor, adjudicator under security of payment legislation in Queensland, New South Wales, South Australia & the ACT and arbitrator.

In his more than 35 years in the construction industry Paul has gained wide experience in mining, construction and project management, contract administration, estimating & procurement, logistics and civil, commercial & domestic construction and in providing practical consultation and legal advice and representation to his clients. From principals and developers to head contractors, subcontractors, professional services providers and suppliers, Paul understands your language and your objectives.



# ACTIVE

## Professionals



### **Geoff Neilsen**

#### **Consultant**

Geoff practices in the area of commercial law specialising in retail, commercial and industrial leasing as well as commercial and industrial sales and purchases.

Geoff has been admitted for over thirty years. He was an owner of a boutique legal firm at Kangaroo Point for over 20 years focused on timely, quality and personalised advice. Geoff has acted for some clients for in excess of 20 years.

He advises commercial property clients on:

- Retail, commercial and industrial leasing on behalf of landlords and tenants;
- Commercial and industrial sales and purchases including all necessary pre-contract and post contract due diligence; and
- Retail, commercial and industrial sales and purchases of businesses.

Geoff has been an active member of the Queensland Law Society Property Law and Development Committee in excess of five years. The Committee makes submissions on behalf of the Law Society in relation to proposed legislation and reforms to Government.



### **Michelle Cowan**

#### **Senior Associate**

Michelle Cowan is an experienced workplace relations lawyer who has advised both employer and employee groups in state and federal jurisdictions. She has expertise in establishing strategic employment standards and in managing workplace disputes in social enterprises and NFPs.

Michelle's legal experience is augmented by her many years of direct management experience in large retail organisations, managing all aspects of the employment lifecycle for large groups of employees. She has the practical experience to provide pragmatic advice about how to navigate the complexities and risks that exist in the area of employment relations.

Having worked in the Queensland Industrial Relations Commission, Michelle is skilled in assisting employers navigate matters in that jurisdiction, such as workers compensation, long service leave and wage disputes for private employers not covered by the Fair Work Act.



### **Phillipa Hooper**

#### **Senior Associate**

Phillipa has over 20 years of local and international experience (having lived and worked in both the United Kingdom and United Arab Emirates) across a diverse range of legal areas including business and commercial law, property and construction.

As a former business owner, Phillipa understands the nuances and complexities involved in business transactions whatever the commercial context.

Communication and working hand in hand with her clients and their respective stakeholders is a key focus for Phillipa, whose approach is to offer practical and commercial solutions to ensure clients' objectives are met in a timely and cost-effective manner.

# ACTIVE

## Professionals

### **Brendan Cole**

#### **Senior Associate**

Brendan Cole is an experienced construction lawyer & commercial litigator who specialises in advising and representing clients operating in the building and construction industry.

Brendan has over 15 years' post qualification experience servicing the building and construction industry. Prior to joining Active Law, Brendan was a senior in-house lawyer at the Queensland Building and Construction Commission for 10 years where he obtained extensive experience in conducting review applications of administrative decisions of the Commission.

Brendan has assisted principals, head contractors, subcontractors, professional services providers and suppliers and owners. Brendan is able to quickly gain an understanding of the facts and circumstances affecting a client and find the most efficient strategy to achieve the client's objectives.



### **Mitchell Scott**

#### **Associate**

Mitchell was admitted as a solicitor to the Supreme Court of Queensland and the High Court of Australia in 2016.

As a back-end litigation lawyer with expertise in a variety of legal disciplines, Mitchell provides his clients with well-founded and reliable legal advice, whilst drawing on his extensive experience to ensure that he achieves the best commercial outcome for his clients, regardless of the circumstances.

Mitchell comes from a boutique law firm that specialised in resolving litigious matters across a range of legal fields and has experience in both state and federal courts. During his time at the firm, Mitchell acted for a wide-ranging clientele, including large corporations, low-income and high wealth individuals, sole traders and former and current members of the Australian Defence Force.

Prior to his admission as a legal practitioner, Mitchell worked in several different industries, including the construction industry as a labourer in central Queensland, the hospitality industry and has even taught children to swim. Mitchell is a passionate sportsman and still enjoys playing for his local rugby team on the weekend.

Mitchell utilises the practical skills he has learnt during his time both in the construction and hospitality industry and the expertise he has mastered after his admission as a legal practitioner to ensure that he provides clear, concise and pragmatic legal advice to his clients.



# ACTIVE

## Accessibility

Let us help you with the right advice. Contact our professionals at:

Phone (07) 3160 0000

[www.activelaw.com.au](http://www.activelaw.com.au)

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