

TIMOTHY HENDER

October 2024

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Tim Hender has 25 years' experience in reducing risk to not-for-profits and businesses by delivering sound commercial judgement in initiating, negotiating and managing complex contracts, regulatory environments and business relationships.

His success has been built upon:

- ~ transparent and trusted relationships.
- ~ a hands-on approach with a genuine interest in a client's business structure, product, opportunities and risk.
- ~ strong technical skills and a sound balance of academic and real-world experience.
- ~ a clear and unambiguous oral and written communication style.

CAREER SUMMARY

Hender Commercial Advisory Pty Ltd

Principal

Feb 2015 – Current

Key appointments:

- ~ St Barnabas Theological College
Elected Member, Council
Jan 2022 – Current
- ~ Anglican Diocese of Adelaide – Diocesan Risk and Audit Committee
Appointed Member
Sept 2021 – Current
- ~ Saint Ignatius' College
Director - Rowing
Jan 2015 – Jan 2020
- ~ BAE Systems Australia Ltd
Subcontracts Manager, High Frequency Surveillance
April 2018 – June 2019 (Fixed Term) (HCA and Salaried)

Cobham Aviation Services Australia

Commercial Manager, Special Mission

Mar 2007 – Oct 2014

Santos Limited

Senior Contract Analyst

Sept 2005 – Dec 2006

Carter Holt Harvey Radius

Project Implementation Manager

July 2000 – Sept 2005

Deployment Manager

Dec 1999 – July 2000

Victoria State Government (Ministerial Appointee)

Attorney General, Minister for Fair Trading, The Hon Jan Wade MP

Chief of Staff

Sept 1997 – July 1999

Minister for Finance, Minister for Gaming, The Hon Roger Hallam MLC

Ministerial Adviser

April 1996 – Sept 1997

Minister for the Arts, Minister for Gaming, The Hon Haddon Storey MLC

Ministerial Adviser

April 1994 – April 1996

EDUCATION

Certificate in Governance and Risk Management, Governance Institute of Australia.

Master of Philosophy, University of Divinity: School of Graduate Research.

Graduate Diploma in Theology, Charles Sturt University.

Master of Commercial Law, University of Melbourne.

Bachelor of Arts (Honours), University of Melbourne.

HENDER COMMERCIAL ADVISORY

Capability

Principal

Feb 2015 – Current

HCA is built upon 25 years' experience in reducing risk to not-for-profits and the private sector by providing sound commercial judgement in initiating, negotiating and managing complex contracts and business relationships.

Specialisations include:

- ~ contract and procurement strategies.
- ~ contract preparation and management – including supply, services, subcontracts, MOUs, fixed equipment leases, mobile plant and aircraft leases, intellectual property and data licence agreements and property leases.
- ~ practical but contractually enforceable scopes-of-work for the engineering and construction sectors.
- ~ other documentation control – including financial securities, export control documentation and bills of sale.

HCA also provides a complete range of Not-For-Profit services, either as a complete administration function or on an individual service basis.

Recent work has included:

- ~ managing all commercial processes, including insurances and drafting the lease through to execution, for a third-party operated Church café.
- ~ advising a start-up youth charity on governance structures.
- ~ reviewing an NFP's franking credit entitlements, leading to a significant cash gain.
- ~ Advising on and managing multiple ACNC compliance issues.

Anglican Diocese of Adelaide

Pro Bono

Independent Member, Diocesan Risk and Audit Committee

Since 2021

The primary function of the Diocesan Risk and Audit Committee is to assist Diocesan Council in fulfilling its responsibilities regarding effective financial governance and monitoring risk. This includes:

- ~ monitoring risk management.
- ~ monitoring systems of internal control.
- ~ reviewing the Synod's financial reports and statements.
- ~ monitoring the performance of external audit.
- ~ monitoring compliance.

Tim Hender was selected for this position based on a sound knowledge and understanding of:

- ~ risk assessment and management.

- ~ Church and legislative governance requirements.
- ~ compliance tools, including occupational health and safety.

St Barnabas Theological College

Pro Bono

Elected Member, Council

Since 2022

The Council supports the College in:

- ~ providing university level courses of study and formation for both lay and ordained ministry.
- ~ publishing relevant books, journals and papers.
- ~ co-operating and entering into formal agreements with Universities and other bodies – in particular, the agreement with the University of Divinity which provides Commonwealth accreditation and other services to the College.

Tim Hender was nominated for this position as the unofficial risk and finance member.

Saint Ignatius' College, Adelaide

Director – Rowing

Jan 2015 – Jan 2020

Saint Ignatius' College is a leading Pre-K to 12 school in the Jesuit tradition located at Athelstone and Norwood, South Australia.

Key Responsibilities

- ~ Developing and leading a new Rowing Program for approximately 40 students.
- ~ Recruiting, scheduling and mentoring a team of 6 coaches ranging in age and experience from 18 to 68.
- ~ Representing the College on the Head of the River Co-ordinators' group.

Achievements

- ~ Created a financially viable and respected Program that focussed on the College's values of participation with performance.
- ~ Developed and instituted a comprehensive safety policy.
- ~ Reduced risk by switching boat, logistics and storage requirements from a for-profit provider to a community club which was more aligned with the College's aspirations.

BAE Systems Australia

Subcontracts Manager, High Frequency Surveillance

April 2018 – June 2019 (Fixed Term) (HCA and Salaried)

BAE Systems Australia supports the Australian Defence Force and other clients with a wide range of services such as through life support, security, logistics and systems integration.

Overview

Member of the High Frequency Surveillance team reporting to the Supply Chain Manager, Wide Area Surveillance and responsible for all supply chain activities for HFS. Key projects included:

- ~ a \$150M project for the United States Government to be manufactured in Australia with in-house and outsourced expertise and then delivered to and operated in a highly remote overseas location.
- ~ a \$14M ICT subcontract for ultimate supply to the USG.

Key Responsibilities

- ~ Assessing project tasks and supplier capability to determine supply chain risk profiles and suitable contracted risk tools and documentation.
- ~ Ensuring that all activities were conducted in accordance with USG International Trade in Arms Regulations, including tender processes and subcontracts.
- ~ Sourcing and contracting all major suppliers for the \$150M project.
- ~ Developing new suites of subcontract and tender documentation.

Achievements

- ~ Reduced software procurement risk by integrating HFS into centralised ICT processes. This required a close working relationship with ICT leadership. Substantial cost savings were achieved.
- ~ Developed a respected understanding of ITAR and became the unofficial WAS subject matter expert. This was achieved, in part, by creating a productive network of ITAR practitioners in the BAE US business.
- ~ Identified new logistics suppliers for the \$150M project to deliver over 60 containers into a highly remote overseas location and in accordance with ITAR and other USG security requirements.
- ~ Identified financial stability and operating capacity as a major risk for several key suppliers that had technical expertise but had restricted financial and operating capacity. Solutions included standard contract management tools and encouraging some smaller firms to supply to larger subcontractors that could carry the risk.
- ~ Successfully replaced the in-house ICT procurement system with Oracle.

EARLIER POSITIONS HELD

Cobham Aviation Services

Commercial Manager, Special Mission

Mar 2007 – Oct 2014

Cobham Aviation Services delivered outsourced aviation services to a global market through military training, special mission flight operations, outsourced commercial aviation and aircraft engineering.

Overview

Senior member of the Commercial and Contracts, Special Mission and Engineering teams reporting to the VP Commercial and VP Special Mission.

Portfolios included:

- ~ Special Mission. All commercial aspects of the world's largest outsourced civil maritime surveillance contract – the \$1.2 billion, fourteen-year Sentinel program with Australian Border Protection Command – and key supporting relationships across Cobham's Australian operations.
- ~ Aircraft Trading and Leasing. Day-to-day management of aircraft financial leases and transaction requirements for Cobham's complete fleet of 30 aircraft in Australia, including drafting purchasing contracts and operating leases and effecting asset payments and title transfer.
- ~ Aviation Fuel. Tendering and management of aviation fuel requirements across 10 fixed bases and around 20 deployed locations.
- ~ Engineering. Negotiating significant changes to engine and spares leasing and purchasing agreements, including evaluating between owned/lease options, maintenance turnaround times and rotatable availability.

Key Responsibilities

- ~ Developing, negotiating and managing key contracts and commercial relationships, including:
- ~ pro-actively initiating, drafting and completing contract terms and conditions.
- ~ identifying and managing subcontract flow-down requirements.

- ~ structuring and calculating payment terms, liability caps and liquidated damages provisions.
- ~ managing insurance renewals and claims.
- ~ day-to-day resolution of client issues.
- ~ Managing all Australian and US (ITAR) export controls requirements.
- ~ Supporting the Business Development team in the preparation of proposals and negotiation of new contracts to support local and offshore defence clients.
- ~ Managing complex insurance claims.

Achievements

- ~ An exceptionally wide range of deliverables completed on-time and on-budget.
- ~ Significantly reduced disputes and contract risk by removing duplications and omissions in contracts, scopes of work and other contract documentation. This was achieved across the Cobham Aviation Services contract portfolio.
- ~ Reviewed tenders and contracts from the Western Australian Government to ensure that tender responses conformed to WA Department of Finance procurement requirements.
- ~ Drafted and negotiated from scratch a Memorandum of Understanding with a United States aviation/defence supplier for the trial and marketing of over \$1 billion of highly sophisticated defence equipment to the Australian Government. This required a detailed understanding of Australian legal requirements and Australian Government procurement policies.

Santos Ltd

Senior Contracts Analyst

Sept 2005 – Dec 2006

Santos is a major Australian oil and gas exploration and production company with interests and operations in every major Australian petroleum province and in the US, Indonesia, PNG, Vietnam and Egypt.

Overview

Senior member of the Procurement and Logistics team within the Shared Business Services division of Santos with portfolio responsibility for ICT and marine and aviation logistics. In 2006 the P&L team purchased approximately \$1.5 billion per annum in goods and services on behalf of the business as a whole.

Key Responsibilities

- ~ Assisting internal customers with defining their commercial needs and developing contracts to fulfil those needs.
- ~ Proposing, developing and implementing sourcing strategies.
- ~ Tender development and administration.
- ~ Managing communication with internal and external stakeholders.

Achievements

- ~ Expanded Santos's understanding of the marine and air logistics commodities by creating new relationships and networks.
- ~ Successfully replaced Santos's incumbent on-shore rotary-wing provider with substantial savings to the business and with no interruption to day-to-day operations.
- ~ Redrafted off-shore rotary-wing contracts to accurately reflect commercial arrangements, including cross-chartering and the provision of bases in remote areas.

- ~ Expanded Santos's rigorous aviation auditing system to include cross-charter providers and the risky Indonesian and PNG operations.
- ~ Rebuilt relationships with the ICT services team and became actively involved in all contract and software licensing negotiations and new purchasing decisions. This included a new tool to identify which party should own IP arising from new developments.
- ~ Removed the risk of local suppliers exercising monopoly power by introducing new and interstate suppliers to Santos.

Carter Holt Harvey – Radius

Project Implementation Manager

July 2000 – Sept 2005

Carter Holt Harvey (CHH) was Australasia's largest forest products company. In 2005 it employed 8,800 people and had annual sales of approximately \$3.3 billion. The Radius business operated CHH's Australian timber manufacturing assets. These comprised four mills located across three states.

Overview

Member of a highly qualified and experienced four-person team responsible for all major capital projects, acquisitions and contracts. Key assignments included all supply chain, contracting and regulatory functions for:

- ~ a \$16 million processing centre replacement.
- ~ a \$100 million acquisition of an existing operator.
- ~ a \$120 million whole-of-mill reconstruction.
- ~ an \$80 million co-generation power plant.

Deployment Manager, Business Process Re-Engineering

December 1999 – July 2000

Managed an eight-person project team introducing SAP (a whole-of-business software program) and associated new business processes at CHH Radius' Mt Gambier and Myrtleford sites. This project encompassed and integrated all site operations, including production, maintenance, supply chain management and procurement.