

ADVISORY

CAPABILITY PROFILE 2026

Malachy Mullin

BSC (HONS) MRICS ACIARB

Director, SUMIT · Chartered Quantity Surveyor

M 0452 549 257
E malachy@sumitconsulting.com.au
W www.sumitconsulting.com.au
in linkedin.com/in/malachymullin

QUALIFICATIONS AND MEMBERSHIPS

Chartered Member, RICS (MRICS)	2024
Associate, Chartered Institute of Arbitrators (ACIArb)	2024
Member, Society of Construction Law Australia	2024
RICS Expert Witness Certificate	In progress
CIArb Introduction to International Arbitration	2024
Diploma of Leadership and Management	2017
Diploma of Project Management	2013
BSc (Hons) Quantity Surveying and Commercial Management	2011
Diploma in Surveying Practice	2008

CORE EXPERTISE

- Contract strategy, review and negotiation
- Contract administration set-up
- Procurement and supply chain
- Variations, EOT, and delay and disruption
- Security of payment
- Dispute avoidance and resolution
- Quantum and expert support
- Liquidated damages
- Target cost and NEC4
- Risk management
- Cost management and forecasting
- Senior leadership and management

PROFILE

Malachy is a Chartered Quantity Surveyor and Associate of the Chartered Institute of Arbitrators with over 20 years' commercial and contract management experience in Australia and the UK, including senior commercial roles with Tier 1 and Tier 2 contractors. He advises contractors, subcontractors, principals and their lawyers on energy, rail, water, defence and building projects, from pre-contract risk review and procurement through delivery, claims and final account.

His work sits where commercial pressure is highest: heavily amended contracts, notices and time bars, variations and extension of time claims, and payment disputes under security of payment legislation. Clients engage him for clear, well-evidenced positions that stand up in negotiation and adjudication, and for contract administration systems that keep project teams compliant from day one.

Before founding SUMIT in 2019 he was National Commercial Manager at Lahey Constructions, after senior contract administration roles with Cockram and Buildcorp, and senior quantity surveying roles with Salini Impregilo in Sydney and Tenix in Western Australia. He is completing the RICS Expert Witness Certificate.

LOCATION

Based in Sydney; available to travel for appointments in Australia and overseas.

20+

years' experience

Since April 2005, in the UK and Australia.

40+

major projects

Listed by sector on page 3.

Selected engagements since 2019

Major regional shopping centre redevelopment

Sydney NSW · Tier 2 builder · $350m+ · 2026

A start-up notice pack of 27 templates and 21 letters, drafted from a 1,175-item head contract obligations register.

Commercial and contracts support as the builder moved from ECI to an executed lump sum D&C head contract: package procurement, head contract clarifications, latent conditions and subcontract flow-downs.

Rail systems nominated subcontract

South East Queensland · Tier 1 contractor · c. $140m · 2026

The network supply deed's conditions precedent satisfied and a 630-item obligations register in place.

Commercial advice to a Tier 1 contractor's project team on three nominated subcontracts for a digital rail radio network supporting ETCS Level 2, including a bespoke supply, software licence and support agreement aligned with the upstream contract.

Retirement living development

South West Sydney NSW · Tier 2 builder · c. $110m · 2026

Tendered and procured the early critical subcontract packages, including the building services, with forecast gains on each package secured through negotiation.

Commercial Manager through award and mobilisation under a heavily amended AS 4902: all six design consultant novations executed, scopes and special conditions drafted, and the notice and time-bar regime set up.

SOPA payment claim and adjudication

Sydney NSW · Tier 1 contractor · 2025

A payment schedule that set out every reason for withholding payment, within the statutory timeframe.

Prepared a Tier 1 contractor's payment schedule in anticipation of adjudication, with every reason for withholding payment in the schedule (SOP Act s 20(2B)), then the supporting material for the adjudication response with the contractor's in-house and external lawyers.

Defence, rail and water portfolio

NSW, WA and SA · Eptec Group (through iCOST) · 2025

Bespoke subcontracts and supply agreements with flow-down provisions, and notice templates for every major contract.

Commercial and contracts lead across Eptec Group's Defence, rail and water contracts, through iCOST: new bespoke subcontracts and supply agreements, and notice templates for every major contract.

Snowy 2.0 Pumped Hydro Scheme

Snowy Mountains NSW · Snowy Hydro · $12bn · 2024

Findings and recommendations on tender competition, pricing structure and clarification control presented to Snowy Hydro's Snowy 2.0 procurement leadership.

Embedded in Snowy Hydro's commercial and procurement team, reviewing the EPC contractor's subcontract and supply packages for Principal approval: subcontract conditions, value for money and the documents the procurement policy required.

Austral Leppington Stage 3

South West Sydney NSW · West Region Delivery Team · $150m · 2023

Cost to complete re-baselined and NEC4 commercial controls rolled out across the framework.

Led commercial management on the largest project in a 10-year Sydney Water framework under NEC4 Option C: 80+ compensation events, a full financial review, and NEC4 training for the project and leadership teams.

Waterloo Station, Sydney Metro

Waterloo NSW · John Holland · $450m · 2021 to 2022

Both sides' senior leadership settled the claims by deed of release and amendment, on the positions SUMIT negotiated.

Developed the commercial strategy for more than $100m of COVID-19 head contract claims, assembled the evidence and basis of claim for extension of time, prolongation and acceleration, and negotiated valuations and calculation methods.

Values are project or package values, as published or contracted.

Major project experience

Values are project or package values, as published or contracted.

ENERGY AND RENEWABLES

- **$12bn** pumped hydro scheme (Snowy 2.0), Snowy Mountains NSW · Snowy Hydro, procurement review, 2024
- **$369m** EPC wind farm, 46 turbines (Bango), Southern Tablelands NSW · GE, 2020
- **$850m** wind farm, turbine installation (Stockyard Hill), VIC · Goldwind, 2020
- **$600m** wind farm, turbine installation (Moorabool North), VIC · Goldwind, 2020
- **$850m** EPC wind farm (Coopers Gap), South Burnett QLD · GE, 2019
- **$342m** EPC wind farm (Silverton), Silverton NSW · GE, 2019

RAIL AND RAIL SYSTEMS

- **c. $140m** nominated subcontract, digital rail radio network for ETCS Level 2, South East QLD · Tier 1 contractor, 2026
- Shotcrete subcontract review, metro station box (Sydney Metro West, The Bays), Sydney NSW · tendering subcontractor, 2022
- **$450m** metro station (Waterloo Station, Sydney Metro), Sydney NSW · John Holland, 2021 to 2022
- **$300m** heavy rail tunnelling and substation upgrades (More Trains More Services Stage 2), Sydney NSW · John Holland, 2021
- **$350m** surface and viaduct civil works (North West Rail Link), North West Sydney NSW · Salini Impregilo, 2014

WATER AND WASTEWATER

- NEC4 Option A microtunnelling subcontract (Thompsons Creek Stage 1 pipeline), Sydney NSW · Pezzimenti Tunnelbore, 2026
- **$150m** NEC4 Option C wastewater project (Austral Leppington Stage 3), South West Sydney NSW · West Region Delivery Team, 2023
- **$145m** design and construct water treatment plant (Mount Piper), Lithgow NSW · Abergeldie, 2019
- **$182m** target cost alliance, water and wastewater treatment plants (Pilbara Clear Water Alliance), Karratha and South Hedland WA · Tenix, 2012 to 2014
- **$63m** target cost alliance, treatment plants (South West Alliance), Busselton and Margaret River WA · Tenix, 2012 to 2014

ROADS

- **$110m** GC21 road upgrade (Cox's River Road), Little Hartley NSW · Ertech, 2024
- **$85m** GC21 road upgrade (Heathcote Road), Holsworthy NSW · Ertech, 2024

DATA CENTRES

- **$80m** data centre, construction management agreement (Brooklyn 1), Brooklyn VIC · CDC Data Centres, 2024
- **$30m** data centre, ECI then design and construct (Metronode Silverwater Stage 2), NSW · Cockram Construction, 2015 to 2018
- **$25m** data centre, ECI then design and construct (Metronode Unanderra Stage 2), NSW · Cockram Construction, 2015 to 2018

RETAIL, COMMERCIAL AND MIXED USE

- **$350m+** lump sum design and construct shopping centre redevelopment, Sydney NSW · Tier 2 builder, 2026
- Value engineering workshop, cultural precinct redevelopment, Sydney NSW · Head contractor, 2026
- **c. $370m** over-station office tower, Sydney CBD NSW · Tier 1 contractor, 2025
- **$275m** design and construct retail and residential town centre (Edmondson Park Stage 1), Edmondson Park NSW · Probuild, 2019 to 2020
- **$38m** retail refurbishment (Gateway Sydney), Circular Quay NSW · Buildcorp, 2014 to 2015
- **$30m** office refurbishment and extension (1 Thomas Holt Drive), Macquarie Park NSW · Buildcorp, 2014 to 2015

HEALTH, AGED CARE, RETIREMENT AND RESIDENTIAL

- **c. $110m** design and construct retirement living, South West Sydney NSW · Tier 2 builder, 2026
- AS 4300 design and construct specialist disability accommodation, pre-contract review, Western Sydney NSW · Fitout contractor, 2026
- **c. $260m** hospital redevelopment, Western Sydney NSW · Tier 1 contractor, 2025
- Residential defects proceedings, NSW District Court, support to the appointed quantum expert, Sydney NSW, 2022
- **$35m** seniors housing (Salamander Bay), NSW · Lahey Constructions, 2018 to 2019
- **$15m** residential aged care extension, 32 beds (Terrace Gardens), Palmerston NT · Lahey Constructions, 2018 to 2019
- **$15m** design and construct residential aged care facility (Orange RACF), Orange NSW · Cockram Construction, 2015 to 2018

EDUCATION, JUSTICE AND SPORT

- Design and construct sports facility, Sydney NSW · Head contractor, 2026
- **$55m** school upgrades (Greystanes Public School and Fairvale High School), Western Sydney NSW · Lahey Constructions, 2018 to 2019
- **$37m** school (Bardia Public School), NSW · Lahey Constructions, 2018 to 2019
- **$36m** school (Manly Vale Public School), NSW · Lahey Constructions, 2018 to 2019
- **$28m** school (Artarmon Public School), NSW · Lahey Constructions, 2018 to 2019
- **$20m** school (Central Sydney Intensive English High School), NSW · Lahey Constructions, 2018 to 2019
- **$11m** school (Wauchope Public School), NSW · Lahey Constructions, 2018 to 2019
- **$12m** police station (Southern Highlands), Moss Vale NSW · Lahey Constructions, 2018 to 2019
- **$14m** sports and aquatic centre (University of Sydney), Camperdown NSW · Buildcorp, 2012

MARINE AND DEFENCE

- Cofferdam subcontract (New Sydney Fish Market), Blackwattle Bay NSW · J Steel Australasia, 2020 to 2021
- Defence, rail and water contract portfolio, NSW, WA and SA · Eptec Group (through iCOST), 2025

Career history

2019 to present	**Director** Sumit Consulting Pty Ltd (SUMIT), Sydney	Commercial, contract and claims engagements for contractors, subcontractors, principals and their lawyers, including commercial roles on Tier 1 rail systems, residential and Defence engagements (2025 to 2026), a Principal-side procurement review for Snowy Hydro (2024), and commercial and claims work for John Holland, GE, Goldwind and Tier 1 and Tier 2 contractors.
2018 to 2019	**National Commercial Manager** Lahey Constructions, Sydney	Reporting to the CEO, responsible for all pre-contract and post-contract commercial functions on education, aged care, seniors housing and police projects under GC21, AS 4000 and AS 2124: tender and head contract review, claims and variations, procurement, and training of commercial staff.
2015 to 2018	**Senior Contract Administrator** Cockram Construction, Sydney	Commercial lead on two Metronode data centres, from ECI cost planning through delivery and commissioning, and on the Orange residential aged care facility; mentored contract administrators.
2014 to 2015	**Contract Administrator, then Senior Contract Administrator** Buildcorp, Sydney	Refurbishment and extension of 1 Thomas Holt Drive, Macquarie Park, and the Gateway Sydney retail refurbishment: services subcontracts, design coordination and major packages.
2014	**Senior Quantity Surveyor (contract)** Salini Impregilo, Sydney	Start-up of the North West Rail Link surface and viaduct civil works: commercial policy, procedures and the procurement framework, with the subcontract suite amended to sit back to back with the head contract.
2012 to 2014	**Senior Quantity Surveyor** Tenix Australia, Perth and Pilbara	Commercial management of water and wastewater treatment plants in the Pilbara and South West WA under target cost alliances with pain/gain share, including target costs for additional projects and a new cost management system.
2012	**Contract Administrator (contract)** Buildcorp; Patterson Building Group, Sydney	Short-term contract administration roles, including procurement on the University of Sydney sports and aquatic centre.
2008 to 2012	**Quantity Surveyor / Estimator** Beacons Business Interiors, Brecon, UK	Estimating and quantity surveying for a commercial interiors contractor, reporting to the Group Managing Director: fit-out bids, post-contract valuations and final accounts.
2005 to 2008	**Junior Building Surveyor, insurance claims on over 500 properties** Allied Group (Allied Design and Allied Solutions), Swansea, UK	First role, as a Junior Building Surveyor for both Allied Group companies at the same time: insurance claims on over 500 properties, building defects investigations and party wall matters.

Regulated by RICS®

Sumit Consulting Pty Ltd is regulated by RICS.