

Curriculum vitae

Malachy Mullin BSc (Hons) MRICS ACI Arb

Chartered Quantity Surveyor

Director, Sumit Consulting Pty Ltd, Sydney

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Accurate at 13 October 2026.

1 Field of expertise

Mr Mullin is a Chartered Quantity Surveyor (MRICS) and an Associate of the Chartered Institute of Arbitrators, with over 20 years in construction cost, contract and commercial management in Australia and the United Kingdom, in contractor, consultant and principal-side roles. His quantum work has been under GC21, NEC4, Australian Standard and bespoke contract forms, and the security of payment legislation.

Quantum in construction disputes: the valuation of variations; delay, disruption, prolongation and acceleration costs; progress payments and payment schedules; final accounts; NEC4 compensation events, target cost and cost to complete; the calculation of liquidated damages; and the measurement and pricing of defect rectification.

He does not give opinions on delay analysis (critical path or programme analysis), the cause of defects, compliance with building codes and standards, engineering design, or the construction of a contract as a matter of law. Where a quantum opinion depends on those matters, he relies on the evidence of other experts or on assumptions stated in the report.

2 Qualifications and memberships

Qualification or membership	Year
Chartered Member, Royal Institution of Chartered Surveyors (MRICS)	2024
Associate Member, Chartered Institute of Arbitrators (ACI Arb)	2024
Member, Society of Construction Law Australia	2024
BSc (Hons) Quantity Surveying and Commercial Management, University of the West of England	2011
Diploma of Leadership and Management, The Change Network	2017
Diploma of Project Management, New England Management Development	2013
Diploma in Surveying Practice, College of Estate Management	2008

3 Expert witness and dispute resolution training

Course	Date
RICS Expert Witness Certificate (Australia), RICS Dispute Resolution Service	In progress; assessments to November 2026

Course	Date
Introduction to International Arbitration (assessment passed), Chartered Institute of Arbitrators Australia	2024
Responsible use of artificial intelligence in surveying practice, RICS	2025

Continuing professional development is recorded under RICS requirements. The record is available on request.

4 Expert evidence history

Independent expert appointments: none to date. Expert reports signed as the expert: none. Oral expert evidence: none.

Year	Matter	Role and capacity	Work	Evidence given
2026	Sports facility, amended AS 4902 subcontract claims	Party-appointed quantum review for the contractor (Advisory, not independent)	Review of entitlement and quantum on priority claims	No
2025	Subcontract payment claim and adjudication, NSW SOP Act	Consultant to the respondent head contractor, with its lawyers (Advisory)	Valuation for the payment schedule and the adjudication response	No
2025	Reservoir, NEC4 subcontract, adjudication determinations	Adviser to a specialist contractor (Advisory)	Report on the merits of seeking relief from adjudication determinations, with estimates	No
2022	Residential building defects, NSW District Court	Assisted the quantum expert appointed for the plaintiffs, under that expert's direction	Site inspection, scope, measurement and pricing of rectification for four options, contributed to the expert's report. Not the named expert	No
2020	Wind farm turbine installation subcontracts, Victoria	Contributor to claims reports for the contractor, prepared under legal privilege (Advisory)	Extension of time, delay cost and resequencing claims	No

Advisory work was carried out for the party concerned and was not independent expert work. Mr Mullin does not act as a party's adviser and its independent expert in the same dispute.

5 Quantum experience by issue

Project, contract and year	Work	Capacity
<i>Valuation of variations</i>		
Two road upgrades, GC21 (Edition 2), NSW, 2024	Identification and quantification of variations and delay costs from project records, including bridge reinforcement changes, provisional sums, utility clashes and tie-in works.	For the contractor (Advisory)

Project, contract and year	Work	Capacity
Wind farm, EPC contract and balance of plant subcontract, NSW, 2020	Valuation of variations, extension of time, delay and acceleration claims between the EPC contractor and its balance of plant subcontractor; liquidated damages and acceleration modelling.	Commercial Manager for the EPC contractor (Advisory)
<i>Delay, disruption and acceleration costs</i>		
Metro station, bespoke Sydney Metro contract, 2021 to 2022	Quantification of prolongation and acceleration costs arising from COVID-19 public health orders, with the evidence and basis of claim.	For the head contractor (Advisory)
Hospital redevelopment, bespoke earthworks and civil subcontract, NSW SOP Act, 2025	Assessment of a subcontractor's delay and disruption claim for a payment schedule.	For the head contractor (Advisory)
<i>Final accounts and compensation events</i>		
Reservoir, NEC4 subcontract, NSW, 2025	Assessment of a subcontract final account and compensation events.	For a specialist contractor (Advisory)
Wastewater project, NEC4 ECC Option C (target cost), NSW, 2023	Assessment of compensation events for subcontract and self-perform works, a financial review and a re-baselined cost to complete.	Commercial Manager for the delivery partner (Advisory)
Microtunnelling subcontract, NEC4 ECC Option A, NSW, 2026	Valuation framework for a change to the Scope (clauses 60.1(1), 63.10 and 63.15) and the compensation event quotation.	For the subcontractor (Advisory)
<i>Liquidated damages</i>		
Two wind farm EPC contracts, QLD and NSW, 2019	Review of a generation-based liquidated damages calculation, using generation and wind data and network and commissioning constraints.	For the EPC contractor (Advisory)
<i>Estimating and cost management</i>		
Water and wastewater treatment plants, target cost alliances with pain/gain share, WA, 2012 to 2014	Target cost estimates for additional projects and cost reporting.	Senior Quantity Surveyor, employed by the contractor
Education, aged care, seniors housing and police projects, GC21, AS 4000 and AS 2124, NSW, 2018 to 2019	Valuation of variations and claims, project cost reporting, and review of tenders and head contracts.	National Commercial Manager, employed by the contractor
6 Contract forms and sectors		
Quantum work under	GC21 (Edition 2); NEC4 ECC Options A and C; AS 4902 (amended), AS 4000 and AS 2124; bespoke Sydney Metro, head contractor subcontract and EPC forms; Building and Construction Industry Security of Payment Act 1999 (NSW)	

Also reviewed or administered	FIDIC EPC/ Turnkey (Silver Book) 2017, amended; AS 4903; AS 4300; incentivised target cost deeds; Building Industry Fairness (Security of Payment) Act 2017 (Qld)
Sectors	Rail, wind energy, water and wastewater, roads, commercial and health building, and residential defects

7 Career

Dates	Organisation	Role	Location
February 2019 to present	Sumit Consulting Pty Ltd	Director	Sydney
February 2018 to March 2019	Lahey Constructions	National Commercial Manager	Sydney
November 2015 to February 2018	Cockram Construction	Senior Contract Administrator	Sydney
June 2014 to November 2015	Buildcorp	Contract Administrator, then Senior Contract Administrator	Sydney
February 2014 to April 2014	Salini Impregilo	Senior Quantity Surveyor (contract)	Sydney
August 2012 to January 2014	Tenix Australia	Senior Quantity Surveyor	Perth and Pilbara
June 2012 to August 2012	Buildcorp; Patterson Building Group	Contract Administrator (contract)	Sydney
March 2008 to January 2012	Beacons Business Interiors	Quantity Surveyor / Estimator	Brecon, UK
2005 to March 2008	Allied Group (Allied Design and Allied Solutions)	Junior Building Surveyor, insurance claims on over 500 properties	Swansea, UK

8 Independence and prior engagements

Sumit Consulting Pty Ltd acts for contractors, subcontractors and principals. Before accepting an appointment, Mr Mullin checks for conflicts against the firm's register of engagements, and discloses to those instructing, and in each report, any past or present relationship with a party, its advisers or the court or tribunal, including earlier work for a party. A schedule of engagements since February 2019 is available in confidence to instructing solicitors on request.