

**JOHN McMULLAN**  
**CURRICULUM VITAE**

**EDUCATION:**

Bachelor of Engineering (Civil)  
University of Melbourne 1976  
Bachelor of Laws  
Monash University 1982  
Post-graduate Diploma of Legal Studies  
Monash University 1987  
Master of Laws  
University of Melbourne 1997

**CAREER:**

**Engineering:**

Leighton Contractors 1977-1978  
City of Oakleigh 1978-1980  
Campbell & Cook 1980-1981

**Legal:**

McPherson & Kelley 1982-1984  
Phillips Fox 1984-1988  
Clayton Utz 1988-1995  
(head property/construction  
department)  
McMullan Solicitors, 1996-present

**PROFESSIONAL AFFILIATIONS:**

Fellow - Institution of Engineers Australia  
Fellow - Institute of Arbitrators Australia  
IEAust Chairman's Award 1995

**BACKGROUND:**

Lead construction lawyer for proprietor on following major property projects:

- Victoria Point, Melbourne Docklands (\$200m)
- Southgate Project, Melbourne (\$650m)
- Altona, Victoria - Car Manufacturing Facility (\$420m)
- Westgate Park, Melbourne - Newsprint Facility (\$250m)
- Collie Power Project, WA (\$2 billion) - (did not proceed)
- Darling Harbour Park Stage 1, Sydney (\$450m)
- Chullora, NSW - Newsprint Facility (\$130m)
- Citadel Towers, Chatswood - (\$100m)

Lead lawyer to developers/bidders on Melbourne Docklands projects:

- lead construction lawyer to developer on Victoria Point project
- advised original shortlisted bidder on 4 of 5 development precincts

- advised 1 of last 2 shortlisted bidders on trunk infrastructure project

Construction Contract adviser to road authority in relation to preparation of Tender documents for \$500 million freeway project in South Australia.

Legal adviser on construction contract issues, with other lawyers, to Design and Construct Contractor on major PPP freeway project in Victoria.

Lead legal adviser to water authority on Design Build Operate Class A recycled water treatment project.

Lead construction contract adviser to principal on major new car engine facility in Victoria.

Lead construction contract adviser to principal on major new car equipment contracts in South Australia.

Legal adviser to several Victorian non-metropolitan water authorities on construction project documentation and disputes.

Provided construction contract advice to proprietor on following major projects:

- Sydney Water Board, Treatment Plants - NSW (\$1 billion)
- Picadilly Plaza, Sydney (\$250m)
- Lilyvale Hotel, Sydney (\$120m)
- Yan Yean Water Treatment Plant - Victoria (\$27m)

Acted in major construction disputes, in litigation and arbitration, in Australia and in Hong Kong.

Lecturer/Academic Associate to University of Melbourne Engineering Faculty on engineering law.

Study Guide Author on Construction Law for APESMA/Deakin University Post Graduate Diploma of Management, and on Construction Contracts Law for Deakin University Architecture Building School.

Regular speaker on topics related to construction law, planning and environmental law around Australia.

Appointed as Special Referee in Supreme Court of Victoria Building Cases List.

Appointed as Adjudicator for purpose of *Building and Construction Industry Security of*

*Payments Act (Vic) 2002*

**SELECTED PAPERS:**

*"Risk Allocation in BOOT Construction Contracts"*, Melbourne, 3 December 1991.

*"Letters of Intent"* IIR Conference, Construction Law, Sydney, 12 December 1991.

*"Trends in Construction Contracts"*, Keynote Speaker, Primavera Users Group National Conference, Terrigal, New South Wales, 3 April 1992.

*"Operating Agreements in BOT Contracts"*, IIR Conference on BOT Projects in SE Asia, Singapore, 20 August 1993.

*"Privately Funded Infrastructure"*, Infrastructure 93, Asia-Pacific Local Government Conference, Melbourne, 7 October 1993.

*"Developments in Construction Management"*, National Construction and Management Conference, Sydney, 18 February 1994.

*"Creation of Major Projects"*, International Conference on Engineering Management, Melbourne, 12 April 1994.

*"Liability Outside the Contract"*, Institution of Engineers Australia, 26 May 1994.

*"Legal Systems in South-East Asia"*, RMIT Post Graduate Diploma in Project Management, Melbourne, 1 June 1994.

*"Developments in Project Management"*, Keynote Speaker, Primavera Users Conference, Royal Pines Resort, Surfers Paradise, Queensland, 22 September 1994.

*"Design & Construct Contracts in the Water Industry"*, Australian Water & Wastewater Association Conference, Bendigo, 5 May 1995.

*"BOT Contracts"*, International Seminar on Property and Investment Laws, Beijing Municipal Foreign Economic Relations & Trade Commission, Beijing, 23 May 1995.

*"Developments in Dispute Resolution"*, Institution of Engineers Australia, Conference, Regent Hotel, 14 June 1995.

*"Private Investment in Infrastructure Projects"*, Infrastructure '95, International Infrastructure Seminar, Grand Hyatt, Bali, 7 July 1995.

*"Proposed Legal Safeguards on Bulk Water Entitlements"*, Water, February 1996.

*"Personality Rights in Australia"*, (1997) 8 Australian Intellectual Property Journal 86.

*"Expert Witnesses: Who plays the Saxophone?"*, Journal of Judicial Administration, November 1999.

*"The Israeli-PLO Conflict"*, unpublished, November 1998.

*"Globalising Trends in BOT Projects in East Asia"*, 27 Asia Business Law Review, January 2000.

*"Damages in Environmental Accident/Pollution ("Mega-Hazard") Cases"*, unpublished, August 2000.

*"Contract Developments in Tall Building Projects"*, 6<sup>th</sup> World Congress on Tall Buildings and Urban Habitat, World Congress Centre, Melbourne, 28 February 2001.

*"Law meets Engineering Safety Critical Systems"*, 7th Australian Workshop on Safety Critical Systems and Software, Adelaide, October 2002.

*"Alliance Contracting: A Resource and Research Bibliography"*, <http://www.mcmullan.net/eclj/>, 3 December 2002.

*"Mega-Hazards": Storm Clouds Growing in Australia: Environmental Accident/Pollution Cases"*, unpublished, January 2004.

Copies of certain of the above papers are set out in the *Electronic Construction Law Journal*, <http://www.mcmullan.net/eclj/>

**OFFICE:**

John McMullan  
McMullan Solicitors  
Level 2, 613 St Kilda Road  
Melbourne Vic 3004  
Tel: +61 9516 6400  
Fax: +613 9510 6081  
Mob: +61 418 846400  
email: [john@mcmullan.net](mailto:john@mcmullan.net)  
Website: [www.mcmullansolicitors.com](http://www.mcmullansolicitors.com)