EXTRAORDINARY MEETING
TO BE HELD ON MONDAY, 18 MAY 2026 AT 7:00 PM
LEVEL 3, COUNCIL CHAMBER

A G E N D A

** ** ** ** ** **

Request for Extraordinary Meeting of Council

We write to request an Extraordinary Meeting of Council pursuant to Section 366 of the Local Government Act 1993 to consider Norman Griffiths Oval Upgrade – Project Update, which was held over from the April Ordinary Meeting of Council pending a site inspection.

Requested by:

Deputy Mayor Councillor Martin Smith
Councillor Matt Devlin
Councillor Barbara Ward

The Public Forum for this meeting will be held at 6:00pm on Monday 18 May 2026.

NOTE: For Full Details, See Council's Website –
https://www.krg.nsw.gov.au under the link to business papers

The Livestream can be viewed here:
https://www.krg.nsw.gov.au/Council/Council-meetings/Council-meeting-live-stream

Please refer to Part 4 of Council's Code of Conduct for Pecuniary Interests and Part 5 of Council's Code of Conduct for Non-Pecuniary Interests.

The Oath or Affirmation taken is as below:

Oath:

I *[name of Councillor]* swear that I will undertake the duties of the office of Councillor in the best interests of the people of the Ku-ring-gai Local Government area and the Ku-ring-gai Council, and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Affirmation:

I *[name of Councillor]* solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Ku-ring-gai Local Government area and the Ku-ring-gai Council, and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

APOLOGIES

DECLARATIONS OF INTEREST

DOCUMENTS CIRCULATED TO COUNCILLORS

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

NOTE:

That in accordance with the provisions of Section 10 of the Local Government Act 1993, all officers' reports be released to the press and public, with the exception of confidential attachments to the following General Business reports:

GB.1 Norman Griffiths Oval Upgrade - Project Update

In accordance with 10A(2)(d)(ii):

Attachment 2: Attachment A2 - Breakdown of the high-level costs to complete

In accordance with 10A(2)(g):

Attachment 3: Attachment A3 - Legal advice

CONFIRMATION OF MINUTES

MINUTES FROM THE MAYOR

PETITIONS

GENERAL BUSINESS

i. The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to have a site inspection.

ii. The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to adopt in accordance with the officer's recommendation allowing for minor changes without debate.

File: EM00055/2

The purpose of this report is to provide an update on the Norman Griffiths Oval project including an alternate solution for the on-site stormwater detention system and a revised estimated cost to complete.

Recommendation:

That Council receive and note the report, endorse the design change for stormwater detention and increase the project budget from $12.4m to $20.2m to be funded from the Infrastructure and Facilities Reserve.

EXTRA REPORTS CIRCULATED TO MEETING

BUSINESS WITHOUT NOTICE – SUBJECT TO CLAUSE 9.3 OF CODE OF MEETING PRACTICE

QUESTIONS WITH NOTICE

INSPECTIONS– SETTING OF TIME, DATE AND RENDEZVOUS

** ** ** ** ** **

NORMAN GRIFFITHS OVAL UPGRADE - PROJECT UPDATE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	The purpose of this report is to provide an update on the Norman Griffiths Oval project including an alternate solution for the on-site stormwater detention system and a revised estimated cost to complete.
BACKGROUND:	Council resolved to appoint the contractor for the project in September 2021. It subsequently incurred extensive delays, environmental incidents, design problems, cost overruns and disputed claims from the contractor. The environmental risk exposure and performance deficiencies could no longer be tolerated and Council terminated the contract on 20 May 2025. After considering options, on 11 September 2025 Council decided to complete the project as originally planned with a synthetic surface.
COMMENTS:	This report recommends a concrete tank stormwater detention system rather than the aggregate based system in the contractor design. While incurring additional upfront cost, it addresses concerns about ongoing maintenance and the risk of blockages. The contractor lodged an adjudication claim for $7.3m and in March 2026 was awarded $4.4m. Council disputes the claim and is considering its legal options. The estimated total cost of the project including the adjudication and changing to the tank detention system is $20.2m. Of this, $12.7m has been spent to date (mostly for environmental, site, legal costs, and the adjudication claim). NSW Public Works will provide advice, project assurance, procurement and project management to completion.
RECOMMENDATION: (REFER TO THE FULL RECOMMENDATION AT THE END OF THIS REPORT)	That Council receive and note the report, endorse the design change for stormwater detention and increase the project budget from $12.4m to $20.2m to be funded from the Infrastructure and Facilities Reserve.

PURPOSE OF REPORT

The purpose of this report is to provide an update on the Norman Griffiths Oval project including an alternate solution for the on-site stormwater detention system and a revised estimated cost to complete.

BACKGROUND

The Norman Griffiths Oval project at West Pymble includes a new synthetic turf surface, new lighting and pathways, an electronic scoreboard and an underground stormwater detention system. The work also includes the upgrade of the Sydney Water sewer main which runs underneath the site.

From 2016 Council had contemplated the conversion of Norman Griffiths oval to a synthetic surface however due to issues associated with the site being a flood detention basin, it was resolved in April 2019 to alternatively progress a synthetic field at Rofe Park (Mimosa Oval). In December 2019 Council resolved not to proceed at Rofe Park due to concerns about fire risk, surrounding forest and informal recreational use. After further studies to address stormwater detention issues and community consultation, Council resolved to proceed with the project at Norman Griffiths Oval in October 2020. Council tendered for the works and resolved to appoint the contractor in September 2021.

The project subsequently incurred extensive delays, environmental incidents, design problems, cost overruns and disputed claims from the contractor. To protect the environment, Council had to step in and evacuate stormwater during rain events at high cost. Extensive efforts were made both operationally and contractually to progress the project with the contractor, ultimately without success. The environmental risk exposure and performance deficiencies could no longer be tolerated and Council resolved to issue a show cause notice on 15 April 2025. The contract was terminated on 20 May 2025 and Council took over the site and improved environmental controls and stormwater management.

The elected Council requested and has overseen an independent investigation into the project to assess compliance, effectiveness and identify critical learnings. This was undertaken and was considered by Council in closed session. The findings are confidential due to ongoing legal issues with the contractor, however it can be said that a range of learnings and recommendations that were identified have been supported and adopted.

In April 2025 Council also requested an assessment of the design, cost and time to complete the field as natural turf in comparison with synthetic. A report was considered by Council on 11 September 2025 and it was decided to complete the project with a synthetic playing surface as originally planned.

COMMENTS

Summary

Following the Council Resolution to proceed with the project in September 2025, the independent investigation was completed, approval was obtained from Sydney Water for the sewer main replacement and the tender process for it has commenced, the design of the stormwater detention system and the specification for the synthetic turf has been reviewed, and an update to the Review of Environmental Factors (REF) is underway which will be publicly exhibited prior to tendering for the main works. Council has also had to defend an adjudication claim lodged by the contractor.

NSW Public Works was engaged in late 2025 to provide technical and advisory support for the project. The engagement has been extended to include project assurance and NSW Public Works will also undertake the procurement and project management to completion.

Key issues in this report are summarised below.

Status of current works

The main components of work completed on site to date are the bulk excavation, remediation, gross pollutant trap, concrete perimeter plinth and various landscaping components. The detention system works are not fit for purpose with unsuitable material requiring major rework.

The key components of works remaining are the upgrade of the sewer main underneath the site; construction of the onsite detention basin under the playing surface; construction of the overland flow path to manage flood events; construction of the bio-basin, including integration into the overall drainage strategy; installation of the playing substructure, synthetic turf surface, fencing and netting; landscaping and ancillary works, including scoreboard, access and signage.

Stormwater detention

The requirement for 2.4 mega litres of stormwater detention underneath the playing surface, above a Sydney Water sewer main and upstream of an environmentally sensitive creek makes the design and construction issues of much greater complexity than for an ordinary field.

While the original Council conceptual design in 2021 was for a concrete tank detention system to manage the stormwater, the successful tenderer proposed an alternate aggregate based detention system, on a design and construct basis, which was accepted by Council. The detention has since been reviewed and options considered including enhanced aggregate based systems. Following review however, it is recommended to revert to a pre-cast concrete tank detention system. While incurring additional upfront cost, the tank system will address concerns about ongoing maintenance and the risk of blockages.

Contract termination - Adjudication claim and legal costs

The contractor made an adjudication claim for $7,299,779 (ex gst) and in March 2026 was awarded $4,399,292 (ex gst). While the adjudication claims are disputed and Council is considering its legal options, the amount has been paid as required under the relevant law.

Council has also incurred legal costs to date of $1,288,385. This has been incurred in managing legal disputes with the contractor both throughout the contract and post termination. There have also been legal costs incurred in environmental investigations, the independent investigation, and a court challenge from a community group.

Cost estimates

Table 1 below provides the high-level cost estimates as reported in September 2025 and updated for April 2026 for both the original (contractor design) aggregate detention system and the proposed tank detention system.

Table 1: High- level cost estimates as reported in September 2025 and updated for April 2026.

Costs	As reported **September 2025** (aggregate detention system - contractor design) **Option 1** $	**April 2026** (aggregate detention system - contractor design) **Option 1** $	**April 2026** (tank detention system) **Option 4** $
Cost already incurred (excluding adjudication claim):			
Payment to previous contractor prior to termination	3,269,551	3,269,551	3,269,551
Legal costs and independent investigation	883,871	1,288,385	1,288,385
Environmental and site management costs	2,122,532	2,706,103	2,706,103
Consultants, design and project management	704,444	1,018,829	1,018,829
	$ 6,980,398	**$ 8,282,869**	**$ 8,282,869**
		Change from Sept to April	*1,302,471*
Estimated cost to complete (not broken up into components for commercial reasons prior to tender):	**$ 5,385,250**	**$ 6,630,231**	**$ 7,326,028**
		Change from Sept to April	*1,940,778*
Sub total - Cost excluding adjudication claim	**$ 12,365,648**	**$ 14,913,099**	**$ 15,608,896**
		Change from Sept to April	*3,243,248*
Contract termination - Adjudication claim:			
Payment to previous contractor under adjudication claim (Council is considering its legal options)	0	4,399,292	4,399,292
Future legal costs (subject to the actions of the parties)	0	200,000	200,000
Total cost	**$ 12,365,648**	**$ 19,512,391**	**$ 20,208,188**
		Change from Sept to April	*7,842,540*

It was reported to the Council Meeting in September 2025 that the estimated total cost of the project was $12,365,648. A confidential attachment to the report provided related legal advice.

From September 2025 to April 2026:

- The cost already incurred has increased by $1,302,471 (excluding the adjudication claim).
    - This increase is primarily due to legal, environmental and site management costs.
- The estimated cost to complete the project from this point forward has increased by $1,940,778 (assuming a change to an underground concrete tank detention system).
    - This increase is primarily due to the costs associated with the change to the new underground detention system, a review of the construction industry rates based on a more refined scope and adjustments made to the contingencies including market risk.

- The adjudication claim payment plus an allowance for future legal costs has added $4,599,292.

As at April 2026 the estimated total cost of the project is $20,208,188.

It is noted that the increase in the cost estimate since September 2025 would also apply to a natural turf surface playing field because the provision of an underground detention system is required for both scenarios on the assumption that a natural turf field would be constructed within the current as built scenario.

Additional funding required

The total cost of the project with the tank detention system is estimated at $20,208,188.

It is recommended that the project budget be increased from $12,400,000 to $20,210,000 and be funded from the Infrastructure and Facilities Reserve.

Funding is available in Council's internal Infrastructure and Facilities reserve for this additional expenditure. Council maintains this reserve in part as a prudential measure in case of unexpected capital project costs.

Timeline to complete the project

A high-level delivery program to complete the project is provided in Table 2 in the body of this report. There remain some key uncertainties moving forward, namely the impact of the current world events on the supply chain; availability of suitable contractors; outcomes of the REF exhibition process, and adverse weather conditions.

NSW Public Works has recommended that a generous contingency be added which takes the project completion to May 2027. The best case, without the contingency, is February 2027.

Detailed Project Update

Constructing a synthetic turf surface at the Norman Griffiths Oval site is not a typical synthetic turf playing field project when compared to other synthetic turf field projects. The site has many unique features and challenges which require special attention in detailed design and construction management. For example, there is a need for complex drainage design and construction for the management of the stormwater through and around the site to detain and release significant volumes of stormwater, including a 2.4 mega-litre detention basin underneath the playing surface and the significant concrete plinth around the perimeter of the playing field which are both designed to control the impact of the stormwater on the playing surface and the surrounding environment.

Status of current works

The main components of works completed on site to date are:

- the large concrete perimeter plinth (except the western edge);
- installation of a gross pollutant trap and some drainage;
- relining of the drainage pipe infrastructure;
- concrete paths on the northern and eastern sides;
- field lighting;
- sandstone spectator bleachers;
- remediation of unsuitable soil material;
- preliminary cut for the bio-basin, and
- bulk excavation and the partial construction of the aggregate on site detention (OSD) basin.

With respect to the OSD which to date has been the largest and most complicated component of work, the works as delivered are considered unfit for purpose. A key feature of the aggregate OSD is the reliance on the stormwater chambers and voids within the aggregate to detain water. However, Council's project team expressed concerns about the quality of materials and workmanship in that the works were considered to be delivered using aggregate contaminated with unsuitable material which would impact on the void ratio necessary for the OSD to function as required. Extensive works are required to correct the as constructed works which would in essence result in a complete reconstruction.

While part of the project as described above has been completed the majority of the works are yet to be done. As it currently stands, the key components of works remaining are:

- finalising the design;
- upgrade of the sewer main underneath the site;
- construction of the onsite detention basin under the playing surface;
- construction of the overland flow path to manage flood events;
- construction of the bio-basin, including integration into the overall drainage strategy;
- installation of the playing substructure and synthetic turf surface, including the full field enclosure (e.g. fencing, barrier netting), and
- landscaping and ancillary works, including scoreboard, access and signage.

These remaining works involve both engineering complexity and sensitive environmental interfaces, reinforcing the need for complete detailed design, a high-capability contractor under a well-structured procurement approach, over-arched by robust project governance.

Immediately after taking possession of the site on 20 May 2025, Council's project team undertook some make good works to secure the site including a review of the Environmental Management Plan (EMP) in consultation with a sediment and erosion control consultant. Significant improvements have been made on site to capture, store, treat and release stormwater, meeting the EPA parameters. This is a significant improvement on previous controls and has to date negated the need to remove water off site via vac-trucks during significant rain events.

Since Council resolved to proceed with a synthetic turf surface in September 2025, Council's project team has been progressing the project along with an external project manager. Since late 2025 NSW Public Works Advisory has also been engaged to provide project assurance and technical support. The project team has:

- Been actively working on finalising the design - due diligence and independent advice have meant more design effort was required in finalising the design and reconciling against the works as-built, including enhancements to the stormwater detention system. This resulted in a delay to the delivery program but has been necessary to ensure a fit for purpose drainage detention system. More information on this is provided below.
- Finalised a specification for the synthetic turf.
- Engaged a new Sydney Water Services Coordinator and sorted the protracted approvals process with Sydney Water for the sewer main replacement. The design of the sewer main replacement has now been approved and a selective tender has been released to undertake this work separately prior to the field works. NSW Public Works is managing the procurement process on behalf of Council. It is anticipated the results of the tender will be reported to Council in June 2026 to accept the preferred contractor which should allow construction to commence in about August 2026 subject to the availability of the preferred contractor.
- Engaged a consultant to review and provide an addendum to the REF which is currently in progress. The review is considering the new guidelines which took effect on 25 August 2025: *Guidelines for Division 5.1 Assessments – Addendum for Synthetic Turf Sports Fields.* This has resulted in the requirement for additional specialist advice to comply with the guidelines. Also, if there are any design changes they will be considered as part of the review. When ready, the REF will be publicly exhibited for 3 weeks.
- Conducted risk workshops and developed a risk control plan to help mitigate project related risks.
- Established a sound governance and assurance framework for the project.
- Participated in the detailed independent project review.
- Participated in providing extensive documentation and other material to Council's response in the adjudication process.

Status of the Design

Under the former design and construct contract and at the point of termination, advice was that the contractor's design documentation was largely complete and would deliver on Council's expectations and would be a workable solution particularly with respect to the onsite detention (OSD) system. However, after taking possession of the site, Council's project team undertook a

critical analysis of the works as constructed on site and the design package in detail. The need to make changes has resulted in a delay in completing the design package, as follows:

- investigating alternatives to the currently partially constructed aggregate OSD system, and
- reworking the design documentation package provided by the previous contractor to better rationalise or make it workable with respect to field drainage, rationalisation of the fencing and field entry points, additional circulation paths for improved spectator experience and safety and the service vehicle entry point.

As it currently stands, the design package is nearing completion, including the specification of the synthetic turf surface. Completion of the design package is in progress with input from consultant civil and structural engineers to finalise the design detail based on the newly proposed OSD system (for which details are provided in the following sections in this report) and an Arborist for an assessment of the reviewed design package. The completion of the final design package for inclusion into the tender package is expected in June 2026, subject to feedback from the REF process.

On Site Detention (OSD) System

The underground OSD for the site is a significant and complex component of the project. The purpose of the underground OSD is to detain and gradually release 2.4 mega-litres of stormwater at a controlled rate. It will be incorporated into a drainage system which includes the overland flow path, bio-basin and other site drainage infrastructure. The solution has only recently been resolved. The current partially constructed aggregate OSD system has been reviewed and it is now considered that an alternate option be adopted to provide a more technically viable solution which sustainability addresses a whole of life approach.

Current OSD System

The current aggregate OSD system which is partially constructed on site is a system which has a primary reliance on voids within aggregate to store the stormwater. This system was supposed to be designed, built and certified fit for purpose by the former contractor under the design and construct contract.

Although cheaper to construct, the main concerns centre around its ease of constructability; the level of ongoing operational maintenance to Council; its longevity (risk and impact of siltation) and once the system is commissioned there is no ability to monitor its performance and confirm that the required 2.4 megalitres of water is able to or is being detained.

Furthermore, poor workmanship and materials used by the previous contractor have revealed the need for substantial costly corrective works and rework beyond those originally identified.

Proposed new alternate OSD system

Given the concerns with the current OSD system, alternate OSD systems were considered. Working with NSW Public Works, four possible OSD options as shown in Table 2 below were considered, critically assessed and compared via multiple assessment criteria. The assessment considered scope; capital cost; program; constructability; operational and lifecycle implications and risk. This resulted in a recommendation not to proceed with the current aggregate OSD

system (i.e. Option 1) but rather adopt an underground tank OSD system (i.e. Option 4) which would be constructed using prefabricated modular concrete units.

Table 2: A summary of the four OSD options.

Option	Description	Ranking	Additional Cost of OSD Options compared to the original (contractor design) OSD System Option 1
1	Completion of the current (contractor) design with "Stormtech" chambers (2x rows of chambers storing 0.147ML) & aggregate OSD System.	2nd	-
2	Enhancement of the design for Option 1 with additional "Stormtech" chambers (17x rows of chambers storing 1.1ML) plus aggregate OSD System.	4th	$926,000
3	Full "Stormtech" chambers OSD System (24x rows of chambers storing 1.6ML) plus aggregate OSD system.	3rd	$1,583,000
4	Full "Megavault" tank OSD System to detain 2.4 mega litres.	1st	$696,000

The benefits of Option 4 are:

- a more traditional form of OSD;
- provides confidence in its ongoing functionality;
- improved longevity;
- lower operational requirements, and
- construction costs are significantly offset by the cost of the necessary abortive/corrective works required to the current partially constructed aggregate OSD system.

This proposal is considered a more technically viable solution which sustainability addresses a whole of life approach, including future operational and maintenance requirements.

With respect to the review of the OSD and the proposal to adopt Option 4, in their assurance review (Attachment A1), NSW Public Works provided the following statements:

"Public Works – Civil Engineer, raised several concerns regarding the originally proposed aggregate onsite detention stormwater system, including ongoing maintenance and prevention of any future blockages.

A number of meetings were held with the independent Civil Engineer engaged by Council and the product suppliers to investigate these concerns.

During these meetings, both the independent Engineer and the product suppliers made recommendations for a more robust, easier to maintain OSD system, but each of these options had stronger and weaker points for consideration.

This is when the Public Works Multi criteria assessment tool, was introduced, to score, weight and then rank the options under consideration.

The criteria were developed based upon requirements of best practice project delivery and asset

management, whilst the weighting was set by the project delivery team. This weight was adjusted so that the criteria most value to Council was weighted the highest."

"Public Works agreed with Council's team that Option 4 the Precast Concrete underground on-site stormwater detention solution is the most suitable solution for this location. Council will be able to easily maintain this system for the design life, and it will detain the required volume to minimise impacts on the catchment as described in the flood modelling."

Program to completion

A high-level delivery program to complete the project is provided in Table 3 below. Council's project team has considered risks associated with the completion of this project. However, there remain some key uncertainties moving forward, namely the impact of the current world events on the supply chain; availability of suitable contractors; outcomes of the REF exhibition process, and adverse weather conditions. The impact of such is difficult to assess and NSW Public Works has recommended that a generous contingency be added. As such, a contingency factor of 12 weeks has been included in the program.

The inclusion of the contingency takes the project completion to May 2027. The best case, without the contingency, is February 2027.

Table 3: High-level delivery program.

Key Delivery Milestones	Forecast completion milestone at September 2025	Forecast completion milestone at April 2026 (not including contingency which is applied at the end)	Comment
Design	November 2025	June 2026	Due diligence and independent advice have meant more design effort was required in finalising the design, including a new onsite stormwater detention (OSD) system as detailed above.
REF review and approval	March 2026	June 2026	In progress.
Sydney Water approvals	March 2026	February 2026	Approval received.
Sydney Water sewer main upgrade works	June 2026	September 2026	NSW Public Works has been commissioned to manage the procurement for the construction of this work, and this is in progress. The results of the tender should be reported to Council in June 2026 for the acceptance of a preferred contractor.

Tender (for the general upgrade works excl. the sewer main upgrade)	April 2026	July 2026	Compilation of the tender documentation is in progress in readiness for when the final design package is ready.
Council approval to award contract	May 2026	August 2026	
Construction end	November 2026	February 2027	Duration of construction will be dependent on successful contractor's program and excludes the contingency.
Field open for use by the public	October 2026	February 2027	
Project Completion including contingency		May 2027	Some key uncertainties remain including the impact of the current world events on the supply chain; availability of suitable contractors; outcomes of the REF process, and adverse weather conditions.

With respect to the delivery program, in their assurance review (Attachment A1), NSW Public Works provided the following statement:

"Program development has been developed by the Project Management company Bridge 42.

This program has been developed with the most current information available from product suppliers and timing of Council tender recommendation reports etc.

This program was very tight and did not have any contingency for unknowns.

Public Works has recommended an extended program to build in some contingency, and make allowance for;

- *Product supply delays due to current world events*
- *Tender/Contractor delays due to current world events*
- *Schedule of Council meetings and reporting deadlines*
- *Inclement weather*

The impacts of petroleum and associated material shortages, in this upcoming period is unknown and may be felt when moving into construction. It is likely that this project will experience some delays and should have a consideration of cost and program contingency included.

A starting assumption, (acknowledging the unknown implications from world events) to account for these impacts, may be to double the current contingencies of program and budget. Ongoing risk reviews of these impacts will be required throughout the delivery phases.

The current program provided for this project now includes a contingency period of 12 weeks to allow for some of these unknown impacts and this level of risk and impact will require weekly review."

Contract termination - Adjudication claim and legal costs:

In January 2026, the contractor filed for adjudication as per *Section 23 of the Building and Construction Industry Security of Payment Act 1999*. The claimed amount was $7,299,779 (ex gst). In March 2026 Council was advised of an adjudication determination of $4,197,742 (ex gst) plus adjudicators fees and interest, with the total payment being $4,399,292 (ex gst). While the adjudication claims are disputed and Council is considering its legal options, the amount has been paid as required under the relevant law.

Council has also incurred legal costs to date of $1,288,385. This has been incurred in managing legal disputes with the contractor both throughout the contract and post termination. There have also been legal costs incurred in environmental investigations, the independent investigation, and a court challenge from a community group.

Legal advice is contained in Confidential Attachment A3 to this report.

INTEGRATED PLANNING AND REPORTING

Outcome 3: Infrastructure and assets support community needs.

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
A2: Provide, upgrade and maintain open space, recreation and sporting facilities to meet the needs of current and future user groups and a growing population.	A2.1: A program is implemented to provide, improve and maintain open space, recreation and sporting facilities including multi-use facilities.	A2.1.1: Deliver Council's adopted Open Space Capital Works Program on time and within budget.

GOVERNANCE MATTERS

This project is subject to a governance framework comprising a Project Control Group (PCG), monthly reporting to the Major Projects Steering Committee (MPSC) and reporting to the Audit, Risk and Improvement Committee (ARIC).

Council engaged an external project management consultant and more recently NSW Public Works Advisory has been engaged to provide project assurance and technical support to assist in the delivery of the project, including the appropriate level of project governance and reporting. A copy of the assurance report is provided as Attachment A1.

RISK IMPLICATION STATEMENT

The project has been captured on Council's risk register. The project team conducted a risk workshop to identify and mitigate key project risks associated with cost, the environment, delivery and operational requirements resulting in a project risk management plan.

Contingencies have been factored into cost to complete estimates to date and delivery milestones. However, there still remains some key uncertainties moving forward, namely the:

- current global tensions and the impact on market costs and supply chain;
- contractor availability;

- market competitiveness;
- outcomes of the REF exhibition process, and
- impact of weather on the construction timeframes.

There remain risks associated with the current world events which may impact delivery timelines. These risks are not easily quantified so a contingency period of 12 weeks has been included in the delivery program.

FINANCIAL CONSIDERATIONS

Cost estimates

Table 1 below provides the high-level cost estimates as reported in September 2025 and updated for April 2026 for both the original (contractor design) aggregate detention system and the proposed tank detention system.

Table 1: High-level cost estimates as reported in September 2025 and updated for April 2026.

Costs	As reported **September 2025** (aggregate detention system - contractor design) **Option 1** $	**April 2026** (aggregate detention system - contractor design) **Option 1** $	**April 2026** (tank detention system) **Option 4** $
Cost already incurred (excluding adjudication claim):			
Payment to previous contractor prior to termination	3,269,551	3,269,551	3,269,551
Legal costs and independent investigation	883,871	1,288,385	1,288,385
Environmental and site management costs	2,122,532	2,706,103	2,706,103
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	$ 6,980,398	**$ 8,282,869**	**$ 8,282,869**
		Change from Sept to April	*1,302,471*
Estimated cost to complete (not broken up into components for commercial reasons prior to tender):	**$ 5,385,250**	**$ 6,630,231**	**$ 7,326,028**
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Sub total - Cost excluding adjudication claim	**$ 12,365,648**	**$ 14,913,099**	**$ 15,608,896**
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Contract termination - Adjudication claim:			
Payment to previous contractor under adjudication claim (Council is considering its legal options)	0	4,399,292	4,399,292
Future legal costs (subject to the actions of the parties)	0	200,000	200,000
Total cost	**$ 12,365,648**	**$ 19,512,391**	**$ 20,208,188**
		Change from Sept to April	*7,842,540*

It was reported to the Council Meeting in September 2025 that the estimated total cost of the project was $12,365,648. A confidential attachment to the report provided related legal advice.

From September 2025 to April 2026:

- The cost already incurred has increased by $1,302,471 (excluding the adjudication claim).
    - This increase is primarily due to legal, environmental and site management costs.

- The estimated cost to complete the project from this point forward has increased by $1,940,778 (assuming a change to an underground concrete tank detention system).
    - This increase is primarily due to the costs associated with the change to the new underground detention system, a review of the construction industry rates based on a more refined scope and adjustments made to the contingencies including market risk.
- The adjudication claim payment plus an allowance for future legal costs has added $4,599,292.

As at April 2026 the estimated total cost of the project is $20,208,188.

It is noted that the increase in the cost estimate since September 2025 would also apply to a natural turf surface playing field because the provision of an underground detention system is required for both scenarios on the assumption that a natural turf field would be constructed within the current as built scenario.

The cost estimate has been prepared using an independent quantity surveyor and has been reviewed by NSW Public Works. In their assurance review (Attachment A1), NSW Public Works provided the following statement:

"Council has engaged WT for Quantity Surveying services. WT have been involved in this project for some time and have priced many iterations of this project.

WT have inputted budgetary costings that have been developed from product suppliers quotes and schedule of rates information quantities for earthworks etc, developed by Councils design team.

The process of Council working with Bridge 42 and the QS closely to develop quantities and specific rates, contingencies, and escalation for budgetary costings has been robust.

These budgetary costings are likely to be affected by the global petroleum shortage, and at this stage, these scale of these effects are unknown. WT have included a 5% market escalation line item from discussions with the Council team, above the 10% project contingency that has been included in these costings.

The impacts of the global petroleum shortage will also affect some material supplies, and possible timing of the project delivery. It is unsure if this 5% will cover the market escalation, but this is the best information available at the time of budget and will need to be reviewed on a weekly basis, as global impacts evolve."

As discussed earlier in this report, the OSD system has been reviewed and for the reasons provided earlier, it is now proposed to proceed with an alternate OSD system being an underground tank (i.e. Option 4) which is capable of detaining the entire 2.4 mega litres of stormwater.

Table 4 shows the revised high-level cost estimates to complete the project for each of the four OSD options. These are based on the current design detail and site conditions as at the time of writing this report and will be subject to market competition once at tender. For commercial reasons, breakdowns are provided in Confidential Attachment A2.

Table 4: Revised high-level cost estimate to complete the project for each of the OSD Options.

Option	Description	Estimated Cost
1	Completion of the current (contractor) design with "Stormtech" chambers (2x rows of chambers storing 0.147ML) & aggregate OSD System.	$19,512,391
2	Enhancement of the design for Option 1 with additional "Stormtech" chambers (17x rows of chambers storing 1.1ML) plus aggregate OSD System.	$20,438,450
3	Full "Stormtech" chambers OSD System (24x rows of chambers storing 1.6ML) plus aggregate OSD system.	$21,095,561
4	Full "Megavault" tank OSD System to detain 2.4 mega litres.	$20,208,188

The estimates provided are not Pre-Tender Estimates (PTE) which will be developed once the full tender package of works has been finalised.

Additional funding required

The total cost of the project with the tank detention system is estimated at $20,208,188.

It is recommended that the project budget be increased from $12,400,000 to $20,210,000 and be funded from the Infrastructure and Facilities Reserve.

Funding is available in Council's internal Infrastructure and Facilities reserve for this additional expenditure. Council maintains this reserve in part as a prudential measure in case of unexpected capital project costs.

LEGAL CONSIDERATIONS

Refer to the 'Adjudication Claim and Legal Costs' section earlier in this report. Confidential Attachment A3 also provides legal advice.

SOCIAL CONSIDERATIONS

The completion of the project will return the Norman Griffiths Oval sporting facility to the community for use.

ENVIRONMENTAL CONSIDERATIONS

There is an approved Review of Environmental Factors (REF) for the current scope of works.

A review of the REF is currently in progress. The review is considering the new guidelines which took effect on 25 August 2025: *Guidelines for Division 5.1 Assessments – Addendum for Synthetic Turf Sports Fields.* This has resulted in the requirement of an additional specialist advice to comply with the requirements of the guidelines. Also, if there are any design changes they will be considered as part of the review. When ready, the REF will be publicly exhibited for 3 weeks.

The project includes water sensitive urban design elements such as the bio-retention basin and the GPT which after construction will result in a better quality of water entering the Quarry Creek than was occurring before the project.

Details of draft flood studies relevant to the Norman Griffiths Oval site have been made publicly available.

COMMUNITY CONSULTATION

Various members of the community, community interest groups and user groups have shared concerns and support for the project. Council responds to the feedback provided accordingly, including this report.

Updates and information about the project, including relevant draft flood studies, are available on Council's web site.

As stated previously, the REF will be exhibited for 3 weeks.

INTERNAL CONSULTATION

There has been and continues to be close communication amongst the various teams across Council with an interest in this project and the project delivery team.

SUMMARY

Council resolved to appoint the contractor for the project in September 2021. It subsequently incurred extensive delays, environmental incidents, design problems, cost overruns and disputed claims from the contractor.

The environmental risk exposure and performance deficiencies could no longer be tolerated and Council terminated the contract on 20 May 2025. After considering options, on 11 September 2025 Council decided to complete the project as originally planned with a synthetic surface.

This report recommends a concrete tank stormwater detention system rather than the aggregate based system in the contractor design. While incurring additional upfront cost, it addresses concerns about ongoing maintenance and the risk of blockages.

The contractor lodged an adjudication claim for $7.3m and in March 2026 was awarded $4.4m. Council disputes the claim and is considering its legal options.

The estimated total cost of the project including the adjudication and changing to the tank detention system is $20.2m. Of this, $12.7m has been spent to date (mostly for environmental, site, legal costs, and the adjudication claim).

NSW Public Works will provide advice, project assurance, procurement and project management to completion.

RECOMMENDATION:

That Council:

A. Receive and note the report.
B. Endorse the design change for the on-site stormwater detention to underground pre-cast concrete tanks.
C. Increase the project budget from $12.4m to $20.2m to be funded from the Infrastructure and Facilities Reserve.

Claire Ashby
Manager Project Services

Jamie Taylor
Corporate Lawyer

Angela Apostol
Director Corporate

Peter Lichaa
Director Operations

Attachments:			
	A1⇩	Attachment A1 - NSW Public Works Assurance Services Report for Norman Griffiths	2026/109459
	A2	Attachment A2 - Breakdown of the high-level costs to complete	*Confidential*
	A3	Attachment A3 - Legal advice	*Confidential*

NSW Public Works

13 April 2026

Norman Griffith Oval for Ku-ring-gai Council

NSW Public Works Assurance Services

Summary of Assurance Services

Scope of Peer Review and Assurance Services

Public Works was engaged on a fee for service proposal to provide technical, procurement and project management peer review services for the Norman Griffith Oval Project.

These services are to assist the current project team in the ongoing development, definition and documentation of the scope.

Assurance Activities

Category	Activity
Project Management	Attendance of the weekly and fortnightly team meetings to ensure all project tasks are adequately considered, both civil engineering and project management best practice. Review cost estimates and program development
Risk Management	Best practice project management guidance and support, development of Risk Workshop materials beyond generic.
Procurement Guidance	Advice and guidance on the simplest and most effective contracting types for each phase of the project. Guidance on procurement strategies for principal procured materials
Technical	Civil Engineer with local government experience attending weekly and fortnightly team meetings, and speciality meeting to provide support and ensure technical risks are adequately managed by the project consultants, to support the project team deliver the best outcome for the project.

Category	Activity
	Options review for the Onsite Detention systems, with multi criteria assessment tool.

Possible Future Activities

Category	Activity
Procurement Guidance	Training and mentoring of MW21 and GC21 contract administration for delivery of identified works packages.
Hold Point Inspections	Civil Engineer can support with hold point inspections throughout the contract to ensure quality in delivery.

Review of Onsite Detention System

Public Works – Civil Engineer, raised several concerns regarding the originally proposed aggregate onsite detention stormwater system, including ongoing maintenance and prevention of any future blockages.

A number of meetings were held with the independent Civil Engineer engaged by Council and the product suppliers to investigate these concerns.

During these meetings, both the independent Engineer and the product suppliers made recommendations for a more robust, easier to maintain OSD system, but each of these options had stronger and weaker points for consideration.

This is when the Public Works Multi criteria assessment tool, was introduced, to score, weight and then rank the options under consideration.

The criteria were developed based upon requirements of best practice project delivery and asset management, whilst the weighting was set by the project delivery team. This weight was adjusted so that the criteria most value to Council was weighted the highest.

Once the criteria were set, the scale of scoring for each criteria was developed so that each option was fairly scored 0-10 with scores of 3 or less, considered unviable, and the higher the weighted score, the more preferred the solution.

Options included in this multi-criteria assessment were:

- Option 1 – Current Design with Stormtech & aggregate OSD system
- Option 2 – Enhanced Design with additional Stormtech & aggregate OSD system
- Option 3 – Full Stormtech OSD system

- Option 4 – Full Megavault OSD system

Multi-Criteria Assessment Score Sheet

Criteria	Weighting	Option 1	Option 2	Option 3	Option 4
Scope	10%	4	6	8	9
Capital Cost	25%	5	3	1	3
Program	15%	4	3	3	5
Constructability	15%	4	5	5	8
Operational	20%	4	5	7	8
Risk	15%	3	4	5	7
WEIGHTED SCORE		3.7	3.55	3.6	5.35
RANK		**2**	**4**	**3**	**1**

Preferred Option Statement

Public Works agreed with Council's team that Option 4 of the Precast Concrete underground on-site stormwater detention solution is the most suitable solution for this location. Council will be able to easily maintain this system for the design life, and it will detain the required volume to minimise impacts on the catchment as described in the flood modelling.

Project Planning and documentation

Public Works have been involved in many project team level meetings and can comment on the approach taken to project development.

Budget Development

Council has engaged WT for Quantity Surveying services. WT have been involved in this project for some time and have priced many iterations of this project.

WT have inputted budgetary costings that have been developed from product suppliers quotes and schedule of rates information quantities for earthworks etc, developed by Councils design team.

The process of Council working with Bridge 42 and the QS closely to develop quantities and specific rates, contingencies, and escalation for budgetary costings has been robust.

These budgetary costings are likely to be affected by the global petroleum shortage, and at this stage, these scale of these effects are unknown. WT have included a 5% market escalation line item from discussions with the Council team, above the 10% project contingency that has been included in these costings.

The impacts of the global petroleum shortage will also affect some material supplies, and possible timing of the project delivery. It is unsure if this 5% will cover the market escalation, but this is the best information available at the time of budget and will need to be reviewed on a weekly basis, as global impacts evolve.

Program Development

Program development has been developed by the Project Management company Bridge 42.

This program has been developed with the most current information available from product suppliers and timing of Council tender recommendation reports etc.

This program was very tight and did not have any contingency for unknowns.

Public Works has recommended an extended program to build in some contingency, and make allowance for;

- Product supply delays due to current world events
- Tender/Contractor delays due to current world events
- Schedule of Council meetings and reporting deadlines
- Inclement weather

The impacts of petroleum and associated material shortages, in this upcoming period is unknown and may be felt when moving into construction. It is likely that this project will experience some delays and should have a consideration of cost and program contingency included.

A starting assumption, (acknowledging the unknown implications from world events) to account for these impacts, may be to double the current contingencies of program and budget. Ongoing risk reviews of these impacts will be required throughout the delivery phases.

The current program provided for this project now includes a contingency period of 12 weeks to allow for some of these unknown impacts and this level of risk and impact will require weekly review.

Procurement Process

Public Works is a construction procurement accredited agency, that has robust systems and high level of familiarity with multiple contract types used across NSW.

For the sewer repair works, we have recommended an NSW - MW21 Contract that is suitable for use by Local Government identities.

The procurement strategy recommended for this procurement was a select tender, from a published government list, so that procurement timing could be closely managed.

Public Works has provided Council with a detailed explanation of why this is the most appropriate procurement strategy for this sewer works.

Upon approval of this strategy from Council, Public Works has developed the contract/tender documentation and advertised to the select contractors who were all considered suitable and qualified to undertake this scope of works.

Public Works will manage the tender process and will evaluate and make recommendations for Council.

Our procurement process is considered robust, with many checks to ensure value for money, suitability of contractor methodology, and viability of the contractor to complete the works. We also draw upon previous Contractor Performance Reports, so only consider suitable contractors that are familiar with the works and contract types, but also the performance and safety requirements.

Public Works will continue to support with the Council project team to develop a tailored procurement strategy for the main works phase of this project.