



COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on
Monday, 17 November 2025 at 5.30pm

Kingborough Councillors 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 20 to be held on Monday, 17 November 2025 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Dave Stewart
CHIEF EXECUTIVE OFFICER
being the General Manager as appointed by the
Kingborough Council pursuant to section 61 of the
Local Government Act 1993 (TAS)

Tuesday, 11 November 2025

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Public Copy

GUIDELINES FOR PUBLIC QUESTIONS

Division 4 of the *Local Government (Meeting Procedures) Regulations 2025*

This guide helps community members understand how to ask questions during Public Question Time at a Council meeting or sending in questions to be placed on the meeting Agenda, based on the [Local Government \(Meeting Procedures\) Regulations 2025](#), as well as any other determinations made by Council.

Please remember, this time is for asking questions only—there will be no discussion or debate about the questions or the answers.

How to Ask a Question:	<p>You can ask a question either:</p> <ul style="list-style-type: none">• In writing (before the meeting) (see questions on notice below), or• In person at a regular Council meeting (see questions without notice below). <p>Your question must be about Council activities only.</p>
Purpose of Question Time:	<ul style="list-style-type: none">• This time is for asking questions, not for debating them.• Answers will be given, but there won't be any discussion.
Written Questions (Questions on Notice):	<ul style="list-style-type: none">• Must be sent at least 7 days before the meeting.• The 7-day period includes weekends and public holidays, but not the day you submit the question or the day of the meeting.• Title your submission clearly as "Question/s on Notice."
Verbal Questions (Questions Without Notice):	<ul style="list-style-type: none">• At least 15 minutes will be set aside during the meeting for these.• A maximum of three (3) questions will be allowed per person, per meeting.• You can't ask about topics already on the meeting agenda.• If your question can't be answered right away, it will be answered at the next meeting or as soon as possible.
Rules for Asking Questions:	<p>Your question should:</p> <ul style="list-style-type: none">• Be short and clear;• Not be a statement;• Have little or no introduction. <p>The Chairperson may reject your question if it:</p> <ul style="list-style-type: none">• Is offensive, defamatory, or illegal;• Doesn't relate to Council business;• Is unclear, repetitive, or about confidential matters.

AGENDA of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 17 November 2025 at 5.30pm

WELCOME

The Chairperson will declare the meeting open and welcome all in attendance. The Chairperson will advise all persons attending the meeting that they are to be respectful of, and considerate towards, other persons attending the meeting.

AUDIO RECORDING

The Chairperson will advise that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson will request confirmation that the audio recording has commenced.

1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Chairperson will acknowledge the traditional custodians of this land, pay respects to elders past and present, and acknowledge today's Tasmanian Aboriginal community.

2 ATTENDEES

Councillors:

Mayor Councillor P Wriedt
Deputy Mayor Councillor C Glade-Wright
Councillor A Antolli
Councillor G Cordover
Councillor K Deane
Councillor F Fox
Councillor A Midgley
Councillor M Richardson
Councillor C Street

3 APOLOGIES

Councillor D Bain

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the open session of the Council Meeting No. 19 held on 3 November 2025 be confirmed as a true record.

5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
10 November	Risk	Workshop to confirm the key risks faced by Council and review Council's risk appetite and maximum tolerable consequences.

6 DECLARATIONS OF INTEREST

In accordance with Regulation 10 of the *Local Government (Meeting Procedures) Regulations 2025* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have, a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

7 TRANSFER OF AGENDA ITEMS

Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2025*.

8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

9 QUESTIONS ON NOTICE FROM THE PUBLIC

Council has determined that questions on notice or questions taken on notice from a previous meeting should not contain lengthy preambles or embellishments and should consist of a question only. To this end, Council reserves the right to edit questions for brevity so as to table the question only, with some context if need be, for clarity.

Mr Eugene Lehmensich submitted the following question on notice:

9.1 Zone and Code Overlays

For the second time on the record at Council meeting last night (3/11/2025), Council staff stated that the proposed new zone allocations and codes/overlays do not consider economic impacts for ratepayers. This contradicts legislation outlined in LUPAA which states that under section 32.1(f), amendments to a planning scheme must: "...have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms." With the broad application of zones and codes that alter land use and increase administrative burden, there is undoubtedly environmental, economic and social (human) impact on the use and development of the region as an entity.

- 1. How does Council navigate and reconcile the conflict between this staff perspective and KC's legislated responsibility?*
- 2. Should Council continue to view zone and overlay/code application as a purely academic translation without consideration of broad economic, social or environmental impact, is Council prepared to make reparation to ratepayers within the region who are negatively impacted by inconsiderate applications of the LPS?*

3. *What channels of appeal and or reparation exist to ratepayers should the TPC hearings not address the flaws in the draft LPS?*

Officer's Response:

1. The preamble in the question refers to Section 32(1)(f) of the *Land Use Planning and Approvals Act 1993* (LUPAA), which applies to planning scheme amendments under the former provisions of the Act. However, the implementation of the Draft Local Provisions Schedule (LPS) under the Tasmanian Planning Scheme follows a different statutory process. The LPS is not subject to the same requirements as planning scheme amendments. Specifically, there is no general requirement to assess economic impacts during the LPS implementation process. Economic considerations may be used to justify the introduction of a unique local provisions (for example, through the introduction of a Specific Area Plan). In the absence of such provisions, broader economic impacts are not systematically considered as part of the LPS process.
2. The codes (the written part) are consistent across the state, and the majority of overlays (the maps that show where the codes may apply) are derived from statewide mapping. Where mapping is informed by local input, it must be applied in accordance with the State Government's Section 8A Guidelines for zone and code application. While the LPS process does not require economic, social or environmental impact assessments for the overlay mapping, the public hearing process along with independent assessment by the Tasmanian Planning Commission provides an important mechanism in the process to ensure accountability and responsiveness to community concerns.
3. A response to this question is provided under item 9.1 of Council's agenda of 3 November 2025.

Adriaan Stander, Lead Strategic Planner

Professor Michael Rowan submitted the following questions on notice:

9.2 Residential Development in Landscape Conservation Zone

1. *Does the Kingborough Council Planning Authority Delegations Policy delegate to the CEO or other Council officer the power to 'refuse an application for use or development' other than an application for a use or development which is 'prohibited under the Kingborough Interim Planning Scheme 2015 or the Kingborough Planning Scheme 2000 as applicable'?*
2. *Will this Policy remain in force when the Statewide Planning Scheme replaces the Kingborough Interim Planning Scheme 2015?*
3. *If so, will any application for a residential development on a property zoned Landscape Conservation, which a Council officer acting with delegated authority has determined should be refused, be referred to the elected Council for decision?*
4. *In view of the level of concern in the community caused by suggestions that landowners whose properties are proposed to be zoned Landscape Conservation will not be able to build a home as they intended to do when purchasing the land, has Council considered what guidance councillors will require, and could be provided to landowners contemplating a development application, to give a definite interpretation to the many matters of judgement that are contained within the Landscape Conservation Zone Development Standards Performance Criteria such as: 'compatible with landscape values'; 'unreasonable loss of amenity'; 'impact on landscape values'; and 'detract from the landscape values'?*
5. *Where words that were used in the Development Standards for Buildings and Works in the Environmental Living Zone are also used or replaced with a common synonym in the Development Standards for Buildings and Works in the Landscape Conservation Zone, is it Council's understanding that such words are used with the same meaning so that, for example,*

it is Council's intention to interpret Sec 22.4.2 P5 of the Development Standards in the Landscape Conservation Zone Exterior building finishes must not cause an unreasonable loss of amenity to occupiers of adjoining properties or detract from the landscape values of the site or surrounding area, as having the same meaning as Sec 14.4.3 P2 of the Development Standards in the Landscape Conservation Zone Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.

6. *If so, what element if any, of the Development Standards for the Landscape Conservation Zone will make it problematic for Council to approve a residential development in that zone which would have been approved in the Environmental Living Zone?*

Officer's Response:

1. Yes, development permits made under Section 57 of the Land Use Planning and Approvals Act 1993 may be determined (either approved or refused) by delegated officers where there is insufficient time for Council to make a decision within the statutory timeframe, or where the applicant has refused or failed to agree to an extension of time.
2. The policy will be updated to reference delegations under the Tasmanian Planning Scheme.
3. Refer to the above.
4. It is acknowledged that terms such as "compatible with landscape values" and "unreasonable loss of amenity" within the Landscape Conservation Zone are interpretive and will be assessed on a case-by-case basis. This approach aligns with how the zone operates in other Councils that have already implemented it, with guidance and pre-lodgement advice available to assist landowners and the planning authority in applying the performance criteria
5. Where similar wording or synonymous terms appear in the Development Standards for Buildings and Works in both the Environmental Living Zone and the Landscape Conservation Zone, it can be interpreted that they reflect the same intention, even if expressed slightly differently. As the provisions of the Tasmanian Planning Scheme are written by the State Government, questions regarding the meaning or application of specific terms are best directed to the State Planning Office, which is responsible for the State Planning Provisions (SPPs)
6. The Landscape Conservation Zone provides a pathway for dwelling approvals. In many cases, the reasons for refusal are not related to the zone provisions themselves, but rather to issues such as access requirements or non-compliance with other parts of the planning scheme.

Adriaan Stander, Lead Strategic Planner

9.3 Bushfire Risk Management

What Council approvals – including planning – would be required in Kingborough by the owner of a block with substantial native vegetation to implement an indigenous cultural cool burn on their property?

Officer's Response:

Under the Kingborough Interim Planning Scheme 2015, undertaking an indigenous cultural cool burn would likely come under the natural and cultural values management use class and generally would not require planning approval provided the burn:

- is for the purposes of protecting, conserving or managing ecological systems, habitat, species, cultural sites or landscapes;

- does not involve the physical removal or clearing of native vegetation or impact high conservation trees; and
- does not adversely alter the structure and species composition of a native vegetation community.

However, there may be some additional qualifications which trigger the need for planning approval, for example where land is subject to Codes under the Planning Scheme including the Heritage Code or Contaminated Land Code.

Outside of the planning scheme, written authorisation or approval of Council may be required where land is subject to a Part 5 Agreement or covenant on the title.

To confirm whether a specific proposed burn on a specific property falls within the natural and cultural values management use class and does not require any planning or other approvals, it is recommended that individual landowners contact Council's Planning Department for advice.

Nikki den Exter, Environmental Planner

9.4 Draft LPS

At the Council meeting on 3 November 2025, **Ms Karen Groves** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

In the latest Mercury article on the LPS process, the Mayor stated 'I'm confident we can deliver an appropriate balance for our community'. The STRLUS also asks for balanced management of development with principles 4.2, including intergenerational and social equity. Yet the draft LPS and S35F reports seem to favour environmental protections, such as moving properties into discretionary zones, and extending overlays to protect landscape values. To ensure a balance, could you provide examples to us where the draft LPS has actively supported or protected the rights of ratepayers to maintain reasonable and continuous use of their properties across generations?

Officer's Response:

Council expects that most development applications will continue to be assessed discretely under the Tasmanian Planning Scheme, as has historically been the case under the Kingborough Interim Planning Scheme, regardless of the zoning. Although the planning scheme outlines permitted and discretionary uses in the land use tables for each zone, any application that does not meet the acceptable solutions in other parts of the scheme will require discretionary assessment. This also applies to properties affected by overlays, which is common in Kingborough due to the municipality's varied topography and significant environmental features.

Adriaan Stander, Lead Strategic Planner

9.5 Reduction of Bushfire Risk Under LCZ

At the Council meeting on 3 November 2025, **Ms Janet de Hoog** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

Our family property is 10 hectares and is proposed by Council to be changed to landscape conservation zone with a new planning scheme. If the property is changed to LCZ, will we be able to continue to sensitively burn to manage the weeds and reduce the bushfire risk?

Officer's Response:

The exemptions and approval pathways for weed management and bushfire under the State Planning Provisions do not vary substantially from the Kingborough Interim Scheme, regardless of zoning, with

both schemes including front-end exemptions relating to weed management and bushfire hazard reduction. These exemptions mean that weed management and/or bushfire hazard reduction are generally exempt from requiring planning approval provided:

- weed management activities (including use of burning as a weed management method where appropriate for the species and location) are limited to the removal or destruction of declared weeds or environmental weeds listed under a strategy or management plan approved by a council and do not otherwise destroy or impact native vegetation, involve soil disturbance or alter the topography of the land; and
- burning for bushfire risk is undertaken in accordance with a bushfire hazard management plan approved as part of a use or development or a plan for fire hazard management endorsed by the Tasmania Fire Service or Council, for example as part of the TFS strategic hazard reduction program.

Where the burning does not meet the exemptions, undertaking burning which also has benefits for weed management and/or hazard reduction has the potential to come under the natural and cultural values management use class and generally would not require planning approval regardless of zoning, provided the burn:

- is primarily for the purposes of protecting, conserving or managing ecological systems, habitat, species, cultural sites or landscapes;
- does not involve the physical removal or clearing of native vegetation or impact high conservation trees; and
- does not adversely alter the structure and species composition of a native vegetation community.

However, there may be some additional qualifications which trigger the need for planning approval, for example where land is subject to Codes under the Planning Scheme including the Heritage Code or Contaminated Land Code.

Depending on the specifics of your property and the nature of the activity, it is recommended that you consult with Council first to confirm whether approval is required. Council's Natural Areas and Biodiversity are also available to provide weed management advice.

More detailed information on weed management, bushfire and the requirements of the planning scheme is also available on Council's website.

Nikki den Exter, Environmental Planner

9.6 Landscape Conservation Zone Overlays

At the Council meeting on 3 November 2025, **Ms Tamika Adkins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

Landscape conservation zone was introduced to protect areas of high scenic value and environmental value, which I support in principle. However, the way it's currently being applied or proposed to be applied, especially when combined with biodiversity or scenic overlays and SAPs, means that most development applications, even for minor residential or rural buildings, default from permitted to discretionary. And this creates significant barriers for ordinary landowners. additional time, consultants' reports, the visual ecological bushfire reports, and often the addition of a binding part five agreement. Given that the landscape conservation zone already includes stringent controls on vegetation clearance and development visibility, what is the planning justification for applying additional overlays that trigger discretionary assessments for otherwise low impact or permitted uses? In other words, how does Council ensure that cumulative regulatory laying is proportionate to

the actual landscape values present on each property and not simply a duplication of existing LCZ provisions?

Officer's Response:

The Planning Authority will address detailed responses regarding the zoning methodology, alternative zoning options, and any points of divergence through its formal submissions and evidence presented at the Local Provisions Schedule (LPS) hearings conducted by the Tasmanian Planning Commission. This process ensures that all matters are considered transparently, placed on public record, and assessed in accordance with the Section 8A Zone Guidelines, the Southern Tasmanian Regional Land Use Strategy, and relevant State Policies. Additionally, Council has recently resolved to engage an independent planning consultant to undertake a review of the application of the Landscape Conservation Zone in Kingborough. Both the Council and the Commission will evaluate all materials tabled during the hearings, including information provided by the community and the independent consultant. Any revised recommendations will be supported by evidence and presented as part of the hearing process prior to a final decision being made.

Adriaan Stander, Lead Strategic Planner

9.7 Definition of Landscape Values

At the Council meeting on 3 November 2025, **Ms Tamika Adkins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

The term landscape value is repeatedly used across reports, zoning rationales and officer assessments as justification for both the application of the LCZ and for requiring that discretionary uses demonstrate compatibility to those values. However, neither of the State planning provisions nor the Kingborough local provision schedule provide a clear or measurable definition of landscape values. Councillors have previously confirmed the lack of definition. Without a clear definition, both applicants and assessors are left to interpret landscape values subjectively, and that introduces inconsistency and certainty in the assessment process. So LCZ specifically requires that discretionary use must have regard to the landscape values of the site and surrounding area. But if those values aren't defined, applicants can't reasonably demonstrate compliance and councils can't objectively determine it. So my question is, how can a development application be assessed as compliant with landscape values when the term is not clearly defined or consistently applied within the Tasmanian Planning Scheme, the State planning provisions or Council supporting documentations?

Officer's Response:

The term 'landscape values' appears in the Landscape Conservation Zone provisions and must be considered when assessing several standards within the Zone. However, the Tasmanian Planning Scheme does not provide a formal definition of this term. Guidance on interpretation is discussed in Council's Supporting Report for the draft Local Provisions Schedule (LPS), available on Council's website. An independent review is currently being commissioned to examine the application of the LCZ in the draft LPS, including the methodology for interpreting 'landscape values'. It is important to note that many terms within the Tasmanian Planning Scheme are undefined and still require consideration during application assessments. In such cases, planning staff rely on their expertise, established planning principles, application materials and relevant planning case law to ensure consistent and informed decision-making.

Adriaan Stander, Lead Strategic Planner

9.8 Minimum Lot Sizes

At the Council meeting on 3 November 2025, **Ms Tamika Adkins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

The minimum lot size is 50 hectares, which is 140-something acres. With a potential reduction to 20 hectares in limited circumstances, it's a fundamental component of LCZ and reflects the zone's intended purpose, which is to manage large, predominantly undeveloped landscapes with limited subdivision potential. Applying landscape conservation zone to existing smaller rural or semi-rural lots is inconsistent with the zone purpose statement under the State Planning Provisions, which states, 'LCZ is intended for large areas of contiguous natural landscape rather than fragmented or semi-developed blocks'. We have so many smaller properties that already sit within the rural living zone and are further constrained by overlays and subcategories which already ensure careful management of vegetation and landscape characters. Rezoning smaller properties to LCZ therefore offers little or no addition to conservation benefit, but significantly increases regulatory burden, preventing reasonable subdivision, triggering more discretionary applications, and reducing land value use and flexibility. Why is Council proposing to apply LCZ to land parcels that do not meet the minimum lot size requirement of the zone, and how can these smaller properties be assessed under a zone whose minimum area standards they cannot meet?

Officer's Response:

As noted in previous questions and answers, an independent review of the application of the Landscape Conservation Zone (LCZ) is currently being commissioned. In accordance with the direction issued by the Tasmanian Planning Commission, this review will be guided by the Section 8A guidelines, relevant strategies and policies (including STRLUS), and evidence presented during the hearings to date. A key objective of the review is to identify and apply alternative zones to properties currently proposed for LCZ where appropriate. The findings of the review will be submitted to the Commission for consideration as part of the hearings and the subsequent decision-making process.

Adriaan Stander, Lead Strategic Planner

9.9 Trees and Overhanging Branches

At the Council meeting on 3 November 2025, **Mr Ted Hale** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

There's been discussion or points raised about fire safety to do with trees. And I highlight probably Tinderbox Road is a really good example. The recent winds we had, I'm aware of two large trees that came down across Tinderbox Road. But there's a very large amount of overhead branches, many of which are dead and quite heavy, which are inevitably going to hit the road. So what is Council's policy about clearing overhead, because there's certainly a potential for a fatal accident and major problems if that's not attended to?

Officer's Response:

Council routinely removes dangerous trees or limbs from the roadside with an average annual expenditure of \$205k (\$40k YTD in 2025 FY). Dangerous trees are either identified by crew inspections or reports from members of the community.

An inspection of Tinderbox Road has been undertaken and whilst there were some sections of the road with overhanging branches, these were not dead or dying. If there are specific trees that are causing concern, it is recommended that the specific location be reported to Council for assessment.

Craig Mackey, Director Engineering Services

9.10 Consultant

At the Council meeting on 3 November 2025, **Mr Marcus Redeker** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

With progression on the independent consultant, did we say mid next week we would be finding out an outcome for that?

Officer's Response:

The formal request for proposals closes on 17 November 2025, and the assessment process will be treated as a priority. Council has sought advice from its Finance and Procurement team to ensure that the selection process is robust and fully compliant with Council's policies and procedures.

Deleeze Chetcuti, Director Environment, Development & Community Services

10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

11 QUESTIONS ON NOTICE FROM COUNCILLORS

Council has determined that questions on notice or questions taken on notice from a previous meeting should not contain lengthy preambles or embellishments and should consist of a question only. To this end, Council reserves the right to edit questions for brevity so as to table the question only, with some context if need be, for clarity.

11.1 Use of Poison

At the Council meeting held on 3 November 2025, **Cr Antolli** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

This one that came up in the newspapers on the weekend about a poison known as 1080, which is used to handle rodents, animal infestation etc. Is that a poison that we use in Council and do we have a position on that if we do?

Officer's Response:

1080 is permitted for use on a range of pest animals in Tasmania. The decision to use 1080 rests with the relevant land management authority, its use must be justified by a demonstrated need within that control program. Current Council programs do not demonstrate this need, as 1080 would not be effective or appropriate given species targeted, alternative options or the context of the program and activities.

Council recognises that 1080 remains an important tool in certain invasive species management contexts, including targeted feral cat control. Council works collaboratively with a range of agencies that undertake invasive species management and acknowledges that, from time to time, these agencies may need to apply 1080 in a highly controlled and targeted manner to achieve control program objectives.

Council's pest and invasive species control programs currently involve the following:

Rodent control - 1080 is not utilised by Council. Where rodenticides are used, Council also avoids the use of Second-generation Anticoagulant Rodenticides (SGARs) to minimise the risk of secondary poisoning to native wildlife and domestic animals.

Cat Management - 1080 is not part of Council's Cat Management Program, which focuses primarily on community education and humane trapping. Where cats are trapped and a field assessment cannot be undertaken (for example, via microchip detection), they are taken to a cat management facility or veterinarian for further assessment. If assessed as feral, humane euthanasia is undertaken by the facility or vet in accordance with associated animal welfare and ethics standards.

Deer Management - Local Councils have not yet been charged with the responsibility of on ground deer control in Tasmania, with current control activities being led primarily by regional deer control officers. Established programs have demonstrated that, with low bait applications rates and methods used in modern day operations, 1080 has limited impact on deer populations unless other food sources are scarce.

Liz Quinn, Manager Environmental Services

11.2 Consultant

At the Council meeting held on 3 November 2025, **Cr Midgley** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

With the engagement of the consultant in review of the LCZ and the provision of the draft local provisions schedule, is there any mechanism for landowners who have not previously provided a representation to do so now?

Officer's Response:

This matter is not currently within the scope of the review. The review must be undertaken in accordance with the requirements of Direction 69, and the Commission has advised that no further representations can be accepted. Careful consideration will be required to ensure the review complies with both of these requirements.

Council will need to seek advice from the Commission on whether the review could incorporate input from landowners who have not previously made a representation. It should also be noted that the review must be completed in a timely manner to allow hearings to resume in 2026; therefore, the scope must remain achievable.

Deleeze Chetcuti, Director Environment, Development & Community Services

12 PETITIONS STILL BEING ACTIONED

A report on the petition headed 'Installation of Footpaths and Upgrades on Cleburne Street, Kingston' will be provided at a future meeting of Council.

13 PETITIONS RECEIVED IN LAST PERIOD

At the time the Agenda was compiled no Petitions had been received.

14 OFFICERS REPORTS TO COUNCIL

14.1 LOCAL GOVERNMENT AMENDMENT (TARGETED REFORM) BILL 2025

File Number: 12.15

Author: Daniel Smee, Director Governance, Recreation & Property Services

Authoriser: Dave Stewart, Chief Executive Officer

Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.1 A Council that engages with and enables its community.

1. PURPOSE

- 1.1 The purpose of this report is to consider Council's response to the State Government's draft Local Government Amendment (Targeted Reform) Bill 2025 Exposure Draft.

2. BACKGROUND

- 2.1 The Tasmanian Government has released, for public consultation, the Local Government Amendment (Targeted Reform) Bill 2025 – Exposure Draft (see attached).
- 2.2 This is the second phase of consultation for the Tasmanian Government's Local Government Priority Reform Program.
- 2.3 The first stage of consultation was undertaken earlier this year with the release of the Targeted Amendments of the *Local Government Act 1993* discussion paper.
- 2.4 The discussion paper proposed a range of reforms underpinning the Government's Priority Reform Program, including addressing concerns around councillor conduct and improving aspects of council governance.
- 2.5 Council considered the Discussion Paper at a Workshop on 11 February 2025 and subsequently provided feedback via LGAT.

3. STATUTORY REQUIREMENTS

- 3.1 It is proposed the changes will be implemented as amendments to the *Local Government Act 1993*.

4. DISCUSSION

- 4.1 A summary of the proposed reforms is provided below:

- Introducing serious councillor misconduct provisions.
- Broadening performance improvement direction provisions.
- Introducing temporary advisors for councils.
- Mandating council learning and development obligations.
- Introducing a contemporary role statements and charter for local government.
- Improving the strategic planning and reporting framework.
- Improving consistency in data collection and reporting methodologies.

- Enhanced transparency of information in council rates notices.
- Mandating internal audit for councils.

4.2 It is proposed that Council provide a submission with positions on the various reform items as outlined in the table below.

Item	Position	Comment
Changes to the definition of the role of council (Section 19A)	Qualified support	Council acknowledges its role in addressing the impacts of climate change. However, naming this up in legislation as a role of local government could create an expectation that it is exclusively the responsibility of a council to respond to all climate change impacts occurring within its municipal area.
Local Government Charter (Section 20)	Support	No issues identified.
Mandatory core councillor learning and development requirements (Section 28AB and 28AC inserted)	Support	Consistent with Council's initial submission.
Serious councillor misconduct provisions (Section 28ZR)	Support	The inclusion of powers to deal with situations in which an elected member has engage in serious misconduct is welcomed.
Requirement to develop a workplace development strategy (Section 62)	Support	Council has an existing Workforce Plan that addresses the immediate and long-term human resourcing requirements for the organisation.
Amendments to the prescribed process for preparing a strategic plan (Section 66)	Support	Proposals consistent with Council's current practice.
Requirements for a Community Engagement Strategy (Section 70DA inserted)	Support	Amendments are in line with Council's current Engagement Strategy and processes.
Council performance reporting (Section 84A)	Support	Consistent with Council's initial submission.
Mandating Internal Audits (Section 84B)	Support	Council has an existing internal audit function.
Order specifying information in rates notices (Section 122A)	Qualified support	The inclusion of additional information on rates notices needs to be considered from both an information overload and practical perspective.

Item	Position	Comment
Performance Improvement Direction (Section 214L)	Support	Consistent with Council's initial submission.
Appointment of temporary advisor (Section 214P)	Support	Consistent with Council's initial submission.
Disclosure of information relating to remote attendance at closed council meetings (Section 338A)	Support	No issues identified.

- 4.3 On the whole, the reforms are supported and considered to be responsive to the needs of councils and their communities.

5. FINANCE

- 5.1 No financial implications for Council arise as a result of making a submission on the Draft Bill.

6. ENVIRONMENT

- 6.1 There are no environmental issues associated with this matter.

7. COMMUNICATION AND CONSULTATION

- 7.1 Consultation on the Draft Bill has been open since 6 October and closes at midnight on Monday 17 November 2025.
- 7.2 It is noted that provisions in the Bill that relate to Ministerial Orders are subject to mandatory consultation with councils.
- 7.3 Additionally, the Office of Local Government expects to work with councils in the preparation of key components of the proposed Orders prior to the Targeted Bill being debated in Parliament.

8. RISK

- 8.1 No risks to Council are identified as a result of participating in this review. Risks pertaining to specific legislative proposals have been highlighted in the summary table.

9. CONCLUSION

- 9.1 The proposed reforms are on the whole supported and consistent with a broader move towards a more principles-based and less prescriptive Local Government Act

10. RECOMMENDATION

That Council:

- Endorses the positions outlined in this report as Kingborough Council's formal response to the Draft Local Government Amendment (Targeted Reform) Bill 2025; and
- Authorises the Chief Executive Officer to submit the Council's response to the Office of Local Government.

ATTACHMENTS

- Draft Targeted Reform Bill
- KC Submission to Discussion Paper

Drafted in the Office of
Parliamentary Counsel

TASMANIA

**LOCAL GOVERNMENT AMENDMENT
(TARGETED REFORM) BILL 2025**

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**LOCAL GOVERNMENT AMENDMENT
(TARGETED REFORM) BILL 2025**

*(Brought in by the Minister for Local Government, the
Honourable Kerry John Vincent)*

A BILL FOR

**An Act to amend the *Local Government Act 1993* and the
*Tasmanian Civil and Administrative Tribunal Act 2020***

Be it enacted by Her Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Local Government
Amendment (Targeted Reform) Act 2025*.

2. Commencement

The provisions of this Act commence on a day
or days to be proclaimed.

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PART 2 – LOCAL GOVERNMENT ACT 1993
AMENDED

3. Principal Act

In this Part, the *Local Government Act 1993** is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended as follows:

- (a) by inserting the following definition after the definition of *community*:

community engagement strategy, in relation to a council, means the community engagement strategy established for that council under section 70DA(1);

- (b) by inserting the following definition after the definition of *legal practitioner*:

local government charter means a local government charter issued by the Minister, and in force, under section 20;

- (c) by inserting the following definition after the definition of *scrutineer*:

*No. 95 of 1993

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serious councillor misconduct – see
section 28ZR;

- (d) by inserting the following definition after
the definition of *Tasmanian Electoral
Commission*:

temporary advisor means a person
appointed to be a temporary
advisor to a council under
section 214Q;

5. Section 20 substituted

Section 20 of the Principal Act is repealed and
the following sections are substituted:

19A. Role of council

- (1) The role of a council is to support and
improve the wellbeing of the community
by –
- (a) harnessing and building on the
unique strengths and capabilities
of the community; and
 - (b) providing infrastructure and
services that, to be effective,
require local approaches; and
 - (c) representing and advocating for
the specific needs and interests of
the community in regional, state-
wide and national decision-
making; and

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- (d) promoting the social, economic and environmental sustainability of the community, including but not limited to by mitigating and planning for climate change impacts.
- (2) In performing its role, a council may –
 - (a) perform any duties or functions or exercise any powers conferred on a council by or under this Act or any other Act; and
 - (b) perform any other functions that the council determines are necessary to enable the council to perform its role.
- (3) A council may do anything necessary or convenient to perform its role either within or outside its municipal area.
- (4) A council may transfer to a single authority or a joint authority –
 - (a) any of its assets and liabilities on any condition it determines; or
 - (b) any of its employees.
- (5) A council may –
 - (a) acquire, hold, dispose of and otherwise deal with property; and
 - (b) sue and be sued in its corporate name.

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20. Local government charter

- (1) The Minister, by order, may issue a local government charter.
- (2) A charter issued under subsection (1) must be consistent with this Act and is to –
 - (a) provide clarity and specific guidance to support councils in performing their role; and
 - (b) specify the core functions of councils, and the principles and practices to guide when and how councils should seek to undertake functions outside those core functions; and
 - (c) specify principles to be followed by Councils in relation to –
 - (i) good governance; and
 - (ii) financial management; and
 - (iii) community engagement; and
 - (iv) collaboration and coordination with other councils on matters of shared interest or regional issues; and

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- (d) specify the principles and processes by which the Tasmanian government will support councils to perform their role, including in connection with consultation and engagement between the Tasmanian government and local government; and
 - (e) contain such other matters as may be prescribed.
- (3) Councils are to have regard to any charter issued by the Minister under this section when performing their role.
- (4) The Minister is to ensure that any charter issued under this section is reviewed at least once in each 5-year period.
- (5) The Minister may amend, revoke, or revoke and substitute an order under this section.
- (6) Before making, amending or revoking and substituting an order, the Minister must consult with –
 - (a) councils; and
 - (b) the Local Government Association of Tasmania; and
 - (c) the public –

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as to the matters that the Minister is considering including in the order, the amended order or the substitute order.

- (7) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* applies to an order under this section as if the order were regulations within the meaning of that Act.
- (8) An order under this section is subordinate legislation for the purposes of the *Subordinate Legislation Act 1992*.
- (9) An order under this section may be combined with an order under one or more of the following sections:
 - (a) section 27A;
 - (b) section 28AA;
 - (c) section 62A;
 - (d) section 62B.

6. Section 27A amended (Order relating to Mayor's functions)

Section 27A(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

- (aa) section 20;

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Part 2 – Local Government Act 1993 Amended

7. Section 28AA amended (Order relating to functions of councillors)

Section 28AA(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

(aa) section 20;

8. Sections 28AB and 28AC inserted

After section 28AA of the Principal Act, the following sections are inserted in Division 3:

28AB. Mandatory core learning and development activities for councillors

- (1) The Director is to approve for the purposes of this Act a course of mandatory core learning and development activities for councillors.
- (2) A course of mandatory core learning and development activities approved under subsection (1) is to consist of learning and development activities that relate to the roles and responsibilities of councils and councillors.
- (3) The Director is to, within 28 days of approving a course of mandatory core learning and development activities under subsection (1) –
 - (a) ensure that notice of the approval is issued to each council; and

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- (b) cause a copy of the course of mandatory core learning and development activities to be published on a website maintained by or on behalf of the Department.
- (4) The regulations may prescribe requirements for the learning and development activities required under this section.
- (5) A councillor must complete the course of learning and development activities approved by the Director under subsection (1) within 12 months after the election of the councillor.
- (6) The Director may extend the period referred to in subsection (5) if satisfied that it would be appropriate in the circumstances.
- (7) The Director may only approve a course of mandatory core learning and development activities under subsection (1) if the Director has consulted with the Local Government Association of Tasmania as to the suitability of the course for councillors.

28AC. Policy for continuing professional development

- (1) A council must adopt a policy in relation to the continuing professional development of councillors (a

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continuing professional development policy) within 6 months after an ordinary election.

- (2) A continuing professional development policy for a council is to –
- (a) be prepared by the general manager for the council; and
 - (b) relate to matters relevant to councillors' roles and responsibilities under this or any other Act; and
 - (c) have regard to the professional development needs of councillors; and
 - (d) include an estimate of the expenditure to be spent in a financial year by the council in implementing the policy.

9. Section 28ZA amended (Initial assessment of code of conduct complaint)

Section 28ZA of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(f) "Panel." and substituting "Panel;";
- (b) by inserting the following paragraphs after paragraph (f) in subsection (1):

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- (g) refer the whole complaint to the Director under section 28ZBA;
 - (h) refer part of the complaint to the Director under section 28ZBA.
 - (c) by omitting from subsection (3)(b)(iii) “Officer.” and substituting “Officer; and”;
 - (d) by inserting the following paragraph after paragraph (b) in subsection (3):
 - (c) if the initial assessor has referred the whole or part of the complaint to the Director, is to –
 - (i) notify the councillor against whom the complaint is made, in writing, of the result of the initial assessment and the reasons for it; and
 - (ii) provide a copy of the complaint to that councillor; and
 - (iii) provide the Director with a copy of the initial assessment of the complaint and all documentation and other evidence on which the initial assessment was based.

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Part 2 – Local Government Act 1993 Amended

10. Section 28ZBA inserted

After section 28ZB of the Principal Act, the following section is inserted in Subdivision 3:

28ZBA. Referral of code of conduct complaint on initial assessment to Director

The initial assessor for a code of conduct complaint, on an initial assessment, may refer a code of conduct complaint, or part of it, to the Director if the initial assessor reasonably considers that the complaint includes conduct that is capable of amounting to serious councillor misconduct.

11. Section 28ZFA inserted

After section 28ZF of the Principal Act, the following section is inserted in Subdivision 3:

28ZFA. Investigation of multiple code of conduct complaints after convening of investigating Panel

- (1) This section applies if the Executive Officer has convened an investigating Panel under section 28L to conduct an investigation into a code of conduct complaint (*the initial complaint*) and the Code of Conduct Panel receives another code of conduct complaint (*the additional complaint*) that –

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- (a) is against the same councillor or different councillors of the same council; and
 - (b) relates to the same contravention of the code of conduct.
 - (2) If the initial assessor for the code of conduct complaint determines that the whole or part of the additional complaint is to be investigated and determined by the Code of Conduct Panel, the assessor may make a recommendation to the Executive Officer, as part of the initial assessment of the additional complaint, that the additional complaint be investigated and determined by the investigating Panel convened to investigate the initial complaint.
 - (3) If an initial assessor for a number of code of conduct complaints makes a recommendation to the Executive Officer under subsection (2), the Executive Officer may provide a copy of the additional complaint to each member of the investigating Panel convened to investigate the initial complaint.
 - (4) The investigating Panel convened to conduct the investigation of the initial complaint may, if it has not completed the investigation, conduct a joint investigation into the initial complaint and the additional complaint.

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12. Section 28ZK amended (Notification of determination of code of conduct complaint)

Section 28ZK of the Principal Act is amended as follows:

- (a) by omitting subsections (6) and (7);
- (b) by omitting subsection (9);
- (c) by inserting in subsection (10)(a)(ii) “, the Director” after “Officer”;
- (d) by omitting from subsection (10)(b) “paragraph (a)(ii); and” and substituting “paragraph (a)(ii).”;
- (e) by omitting paragraph (c) from subsection (10);
- (f) by omitting subsection (11) and substituting the following subsection:
 - (11) Subsection (10) does not apply to the disclosure of a document, report or information if at the time of the disclosure –
 - (a) the initial assessor has dismissed the code of conduct complaint to which the document, report or information relates; or
 - (b) the determination report relating to the document, report or information, has

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been provided to persons
as required under
subsection (2).

13. Part 3, Division 3B inserted

After section 28ZP of the Principal Act, the
following Division is inserted in Part 3:

Division 3B – Serious councillor misconduct
Subdivision 1 – Preliminary

28ZQ. Interpretation

In this Division –

code of conduct referral means the
referral of a code of conduct
complaint from an initial assessor
to the Director under
section 28ZBA;

decision-maker includes the following
persons:

- (a) an initial assessor;
- (b) the Director;
- (c) the Tasmanian Civil and
Administrative Tribunal.

28ZR. Serious councillor misconduct

- (1) For the purposes of this Act, ***serious
councillor misconduct*** means conduct,

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or an attempt to engage in conduct, by a councillor that is or involves a serious or significant contravention of the code of conduct.

(2) For the purposes of subsection (1), a decision-maker is to have regard to the following when determining whether conduct, or an attempt to engage in conduct, by a councillor constitutes a serious or significant contravention of the code of conduct:

- (a) whether the conduct is unlawful;
- (b) the extent of any actual or potential harm or risk, caused as a consequence of the conduct, to an individual, the council or public safety;
- (c) the degree to which the conduct impacts negatively on the ability of the relevant council to perform its functions under this or any other Act;
- (d) whether the conduct involves –
 - (i) deliberate and intentional misuse of council resources, information, or authority, for personal gain; or
 - (ii) undue influence or detriment to the council,

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community or a
community member;

- (e) the nature and extent of any material benefit or detriment derived by the councillor or others as a result of the conduct;
- (f) whether the conduct is part of a repeated pattern of contraventions or involves collusion with others, and the councillor's role in such collusion;
- (g) such other public interest considerations that the relevant decision-maker thinks relevant;
- (h) such other matters or considerations as are specified in guidelines issued by the Minister under section 28ZS.

28ZS. Ministerial guidelines in relation to serious councillor misconduct

- (1) The Minister is to, by order, issue guidelines consistent with this Act that specify matters, and considerations, that are to be taken into account by decision-makers when determining whether conduct, or an attempt to engage in conduct, by a councillor constitutes a serious or significant contravention of the code of conduct.

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- (2) The Minister by order may amend, revoke, or revoke and substitute any guidelines made under this section.
 - (3) Before making, amending or revoking and substituting an order, the Minister must consult with councils as to the matters that the Minister is considering including in the order, the amended order or the substitute order.
 - (4) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* applies to an order under this section as if the order were regulations within the meaning of that Act.
 - (5) An order under this section is subordinate legislation for the purposes of the *Subordinate Legislation Act 1992*.

Subdivision 2 – Assessment of serious councillor misconduct

28ZT. Assessment of serious councillor misconduct

- (1) If the Director receives a code of conduct referral from an initial assessor in respect of the conduct of a councillor, the Director must carry out an assessment into that conduct to determine whether an investigation by the Director into the conduct is necessary or appropriate.
- (2) After carrying out an assessment, the Director may –

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- (a) if the Director determines that the conduct of the councillor is capable of amounting to serious councillor misconduct, determine that the Director will conduct an investigation into that conduct; or
 - (b) refuse to conduct an investigation into the conduct; or
 - (c) refer the matter to another person or authority.
 - (3) If the Director makes a determination under subsection (2)(a) –
 - (a) the complaint is taken to be a complaint made to the Director under section 339E and ceases to be a code of conduct complaint; and
 - (b) the Director is to proceed under that section and section 339EA in relation to the complaint.
 - (4) If the Director refuses under subsection (2)(b) to commence an investigation into a councillor's conduct, the Director must refer the complaint back to the initial assessor for the code of conduct complaint.
 - (5) If the Director does not make a decision under subsection (2) within 28 days of receiving a code of conduct referral, the Director is to notify the initial assessor

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and the complainant that the matter is still under consideration.

28ZU. Determination of Director following investigation of code of conduct referral

- (1) After completing an investigation into a councillor's conduct following a code of conduct referral, the Director may do any of the following:
 - (a) make an application to the Tasmanian Civil and Administrative Tribunal under section 28ZW;
 - (b) refer the matter back to the initial assessor;
 - (c) refer the matter to any other person or authority;
 - (d) dismiss the complaint.
- (2) A complaint that has been referred back to an initial assessor under subsection (1)(b) is taken to be a code of conduct complaint and ceases to be a complaint to the Director under section 339E.

27ZV. Referral of complaints back to initial assessor

- (1) If a complaint is referred back to an initial assessor under section 28ZT or 28ZU –

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- (a) the Director must provide reasons to the initial assessor for the referral; and
 - (b) the initial assessor is to proceed under section 28ZA in relation to that complaint within 14 days of the referral of the matter.
 - (2) On doing a further initial assessment under section 28ZA as required by subsection (2) –
 - (a) the initial assessor is to comply with section 28ZA as if doing a first initial assessment; and
 - (b) if the initial assessor determined on the original initial assessment to investigate a part of the code of conduct complaint and had notified the councillor against whom the complaint was made of that determination, the initial assessor is to notify the councillor of the result of the further initial assessment in addition to any other notice that the initial assessor is required to provide under section 28ZA.

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Subdivision 3 – Tribunal

28ZW. Application to the Tasmanian Civil and Administrative Tribunal

- (1) If, following an investigation under section 339EA, the Director considers that the conduct of a councillor amounts to serious councillor misconduct, the Director may make an application to the Tasmanian Civil and Administrative Tribunal for a decision in relation to the matter.
- (2) An application –
 - (a) is to be made in writing; and
 - (b) is to specify the particulars upon which the application is based; and
 - (c) is to specify the orders sought and the grounds for seeking those orders; and
 - (d) is to be lodged with the Registrar, within the meaning of the *Tasmanian Civil and Administrative Tribunal Act 2020*.
- (3) The Director must, as soon as reasonably practicable after making an application under this section in respect of the

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conduct of a councillor, give a copy of that application to the councillor.

- (4) Unless otherwise specified in this Act, the provisions of the *Tasmanian Civil and Administrative Tribunal Act 2020* apply in relation to an application made to the Tasmanian Civil and Administrative Tribunal under this section.
- (5) At the hearing of an application under this Subdivision, a party to the application may be represented by an Australian legal practitioner.

28ZX. Orders of the Tasmanian Civil and Administrative Tribunal

- (1) If, after hearing an application under this Division in respect of a councillor, the Tasmanian Civil and Administrative Tribunal determines that a councillor has engaged in serious councillor misconduct, the Tribunal may make a finding of serious misconduct against the councillor and may make an order doing any one or more of the following:
 - (a) cautioning or reprimanding the councillor;
 - (b) requiring the councillor to apologise to the complainant or other person affected by the contravention of the code of

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conduct, in the manner and form specified by the Tribunal;

- (c) requiring the councillor to participate in counselling or undertake a training course;
- (d) prohibiting the councillor from nominating as a candidate at any ordinary election or by-election for a period not exceeding 7 years;
- (e) dismissing the councillor from office;
- (f) suspending the councillor from office for a period of not less than 3 months but not more than 6 months;
- (g) imposing on the councillor a fine not exceeding an amount equivalent to 50 penalty units.

(2) If the Tasmanian Civil and Administrative Tribunal makes a finding of serious misconduct against a councillor, it may make an order that all or any of the costs of proceedings be paid by the councillor and in making such order must take into account the nature and the severity of the misconduct.

(3) If, after hearing an application under this Division in respect of a councillor, the Tasmanian Civil and Administrative

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Tribunal determines that the councillor has not engaged in serious councillor misconduct but has contravened the code of conduct, the Tribunal may make a finding against the councillor and may make an order doing any one or more of the following:

- (a) cautioning or reprimanding the councillor;
 - (b) requiring the councillor to apologise to the complainant or other person affected by the contravention of the code of conduct, in the manner and form specified by the Tribunal;
 - (c) requiring the councillor to attend counselling or a training course;
 - (d) suspending the councillor from office for a period not exceeding 3 months.
- (4) If the Tasmanian Civil and Administrative Tribunal makes a finding against a councillor under subsection (3), the Tribunal may decline to make an order under that subsection if satisfied that it is not reasonable in the circumstances to make such an order.
- (5) A person who contravenes an order under subsection (1) or (3) is guilty of an offence.

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Part 2 – Local Government Act 1993 Amended

Penalty: Fine not exceeding 50 penalty units.

- (6) For the avoidance of doubt, the making of an order by the Tasmanian Civil and Administrative Tribunal under this section is within the original jurisdiction of the Tribunal.

14. Section 62 amended (Functions and powers of general manager)

Section 62(1) of the Principal Act is amended by inserting after paragraph (h) the following paragraph:

- (ha) to develop and maintain a workplace development strategy that addresses the immediate and long-term human resourcing requirements of the council;

15. Section 62A amended (Order relating to general manager's functions generally)

Section 62A(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

- (aa) section 20;

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16. Section 62B amended (Order relating to general manager's function to liaise with mayor)

Section 62B(4) of the Principal Act is amended by inserting before paragraph (a) the following paragraph:

(aa) section 20;

17. Section 66 amended (Strategic plan)

Section 66 of the Principal Act is amended by omitting subsection (3) and substituting the following subsections:

(2A) A strategic plan for a municipal area is to identify community wellbeing priorities and specify strategies for achieving outcomes in relation to those priorities.

(3) In preparing a proposed strategic plan, a council is to –

(a) consult with the community in its municipal area and any authorities and bodies it considers appropriate; and

(b) have regard to the local government charter, if any.

(3A) A council is to undertake any consultation under subsection (3)(a) in accordance with the council's community engagement strategy.

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Part 2 – Local Government Act 1993 Amended

18. Section 70DA inserted

After section 70D of the Principal Act, the following section is inserted in Division 2:

70DA. Community engagement strategy

- (1) A council must establish and implement a strategy for engagement with the community when developing the council's plans, policies and programs and for the purpose of determining its major activities.
- (2) A council is to consult with the community and any authorities and bodies it considers appropriate when preparing a proposed community engagement strategy or reviewing an established community engagement strategy.
- (3) A community engagement strategy is to contain –
 - (a) strategies to ensure that the community is informed about, and has reasonable opportunity to contribute to, the decisions, activities and services of the council; and
 - (b) principles and procedures that council will follow when engaging and consulting with the community; and

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- (c) such other matters as may be prescribed.

19. Section 70E amended (Review of plans, strategies and policies)

Section 70E(1) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (f) “policy.” and substituting “policy; and”;
- (b) by inserting the following paragraph after paragraph (f):
 - (g) community engagement strategy.

20. Section 70F amended (Orders determining minimum contents of plans, &c., and classes of assets)

Section 70F of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(e) “policy.” and substituting “policy; or”;
- (b) by inserting the following paragraphs after paragraph (e) in subsection (1):
 - (f) a community engagement strategy; or
 - (g) a continuing professional development policy; or

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- (h) a workplace development strategy.
- (c) by inserting the following subsection after subsection (2):
 - (2A) In an order under subsection (1), the Minister may also specify requirements in relation to the preparation, development, consultation, review, contents and publication of all or any of the plans, strategies or policies referred to in that subsection.

21. Sections 84A and 84B inserted

After section 84 of the Principal Act, the following sections are inserted in Division 3:

84A. Council performance reporting

- (1) The Minister may, by order, specify performance reporting requirements that are to apply in relation to councils.
- (2) In an order under subsection (1), the Minister may specify –
 - (a) the frequency and manner of performance reporting by councils to the Minister; and
 - (b) the scope and types of performance indicators and metrics that are to be used; and

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- (c) the methodologies and protocols for the measurement, reporting and presentation of performance data.
- (3) A council must comply with any performance reporting requirements specified in an order under this section.
- (4) The Minister is to consult with councils as to the matters to be included in an order under this section.

84B. Internal audit

- (1) The Minister may, by order, specify requirements that are to apply to councils in relation to the conduct of internal audits.
- (2) The Minister is to consult with councils as to the matters to be included in an order under this section.
- (3) A council must conduct any internal audits in accordance with the requirements specified in an order under this section.

22. Section 122A inserted

After section 122 of the Principal Act, the following section is inserted in Division 9:

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122A. Order specifying information in rates notices

- (1) The Minister, by order, may specify the information that, in addition to the information required under section 122(1), is to be included by the general manager in a rates notice.
- (2) The Minister is to consult with councils as to the matters to be included in an order under this section.

23. Section 214L amended (Recommendation for issuing performance improvement direction)

Section 214L of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

- (2) Without limiting the situations in which the Director may make a recommendation under subsection (1), the Director may make a recommendation under that subsection if, in the Director's opinion, the council or councillor has failed to comply with a statutory requirement under this or any other Act or under subordinate legislation made under this or any other Act.

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24. Section 214O amended (Consequences of failing to comply with performance improvement direction)

Section 214O(1) of the Principal Act is amended by inserting after paragraph (a) the following paragraph:

- (ab) appoint a temporary advisor to the council for such period as the Minister determines;

25. Part 12C inserted

After section 214O of the Principal Act, the following Part is inserted:

PART 12C – TEMPORARY ADVISORS

214P. Recommendation to appoint temporary advisor

- (1) The Director may recommend to the Minister that the Minister appoint a temporary advisor to a council to assist in addressing emerging governance or operational issues at the council.
- (2) Without limiting the situations in which the Director may make a recommendation under subsection (1), the Director may make a recommendation under that subsection if –
 - (a) in the Director's opinion –

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- (i) the council has failed to comply with a statutory requirement under this or any other Act or under subordinate legislation made under this or any other Act; or
 - (ii) there is evidence that suggests emerging governance or operational deficiencies at the council that, if not addressed, have the potential to negatively impact the effective delivery of the council's functions and services to the community; or
 - (b) the council has requested the appointment of a temporary advisor.
- (3) For the purposes of subsection (2)(a)(ii), evidence of emerging governance or operational deficiencies may include, but is not limited to –
- (a) ongoing or unresolved conflicts among councillors or between councillors and council staff that disrupt effective decision-making; and

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- (b) governance practices that risk undermining transparency, accountability or compliance with the principles of sound and prudent management necessary to deliver the council's functions; and
 - (c) financial management practices that indicate potential risks to the council's financial sustainability; and
 - (d) credible complaints, reports or other information that suggests systemic operational challenges.
- (3) A recommendation under subsection (1) must include –
 - (a) the grounds for the recommendation; and
 - (b) a summary of the evidence or observations, such as complaints, reports, or patterns of conduct, on which the recommendations are based.
- (4) On receipt of a recommendation of the Director made under subsection (1), the Minister may –
 - (a) issue to the council a direction to appoint a temporary advisor; or
 - (b) refuse to issue such a direction.

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214Q. Appointment of temporary advisors

- (1) A temporary advisor is to be appointed by the Minister on such terms and conditions as determined by the Minister.
- (2) The costs of a temporary advisor are to be met by the council in respect of which the temporary advisor is appointed.

214R. Functions and powers of temporary advisors

- (1) A temporary advisor has the following functions in respect of a council:
 - (a) to monitor the council's governance processes and matters;
 - (b) to advise the council about governance improvements that the council should make;
 - (c) to provide general assistance and advice to the council on good governance practices;
 - (d) such functions as are specified in the temporary advisor's instrument of appointment;
 - (e) such other functions as may be conferred on the temporary advisor under this Act or any other Act.

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-
- (2) A temporary advisor has the power to do all things necessary or convenient to be done in connection with, or incidental to, the performance of the functions of a temporary advisor.
- (3) For the purposes of this Act and without limiting subsection (2), a temporary advisor may –
- (a) enter and remain on council premises to perform any function or exercise any power under this Act; and
 - (b) attend meetings of a council or council committee, including meetings that are closed to the public; and
 - (c) require records and documents relating to the council's governance processes and matters to be provided to the temporary advisor.
- (4) If a temporary advisor is appointed to a council, the council, councillors and members of the staff of the council are required to co-operate with the temporary advisor and to provide any information or assistance that the temporary advisor reasonably requires to exercise the temporary advisor's functions.
- (5) A person must not obstruct or hinder a temporary advisor in the exercise of a

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power or the performance of a function
under this Act.

Penalty: Fine not exceeding 50 penalty
units.

214S. Report by temporary advisor

- (1) A temporary advisor is to submit a final report to the Minister by the day specified in the temporary advisor's appointment.
- (2) The final report is to include the following:
 - (a) any findings made by the temporary advisor in respect of the council;
 - (b) details of any action that the temporary advisor recommends be taken, and the reasons for that action;
 - (c) if the temporary advisor does not recommend that any action be taken, the reasons for that recommendation.

26. Section 338AA amended (Director may require information, &c., for purposes of investigation)

Section 338AA(1) of the Principal Act is amended by inserting "carrying out an

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assessment under section 28ZT or” after
“purposes of”.

27. Section 338A amended (Disclosure of information)

Section 338A of the Principal Act is amended as follows:

- (a) by inserting the following subsections after subsection (1):

- (1A) Except as required, or allowed, by this Act, another Act or any other law, a councillor attending a closed meeting of either the council or a council committee through the use of electronic means of communication must take reasonable steps to ensure that the meeting cannot be viewed or heard by another person (*the unauthorised person*).

Penalty: Fine not exceeding 50 penalty units.

- (1B) Subsection (1A) does not apply if a majority of councillors present at the meeting agree to the unauthorised person being able to view or hear the meeting.
- (1C) For the purposes of subsection (1A), reasonable steps by a

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councillor includes, but is not limited, to the councillor –

(a) attending the meeting –

(i) from a private and secure location where other persons cannot listen in to the meeting or otherwise access the meeting discussion; and

(ii) through the use of prescribed secure communication technology and prescribed secure audio technology, if any; and

(iii) in accordance with any prescribed requirements or procedures; and

(b) ensuring that no audio or audiovisual recording of the meeting, or any part of it, is made, and that no transcript is produced from any such recording

(b) by inserting in subsection (2) “or (1A)” after “subsection (1)”;

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(c) by inserting the following after subsection (4):

- (5) Except as required, or allowed, by this Act, another Act or any other law, a temporary advisor must not disclose information acquired as such an advisor on the condition that it be kept confidential.

Penalty: Fine not exceeding 50 penalty units.

28. Section 339 amended (Improper use of information)

Section 339(2A) of the Principal Act is amended by inserting “or any investigation by the Director under this Act” after “investigation”.

29. Section 339EA amended (Investigations of complaints and other matters)

Section 339EA(4) of the Principal Act is amended by inserting “the carrying out of an assessment under section 28ZT,” after “from”.

30. Section 341 amended (Immunity from liability)

Section 341 of the Principal Act is amended as follows:

- (a) by inserting the following paragraph after paragraph (d) in subsection (1):

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- (da) a temporary advisor; or
- (b) by inserting in subsection (3) “a temporary advisor,” after “Panel,”.

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Part 3 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

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**PART 3 – TASMANIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED**

31. Principal Act

In this Part, the *Tasmanian Civil and Administrative Tribunal Act 2020** is referred to as the Principal Act.

32. Schedule 2 amended (General Division)

Schedule 2 to the Principal Act is amended as follows:

- (a) by omitting paragraph (f) from clause 2 of Part 5 and substituting the following paragraph:
 - (f) sections 28ZJ, 28ZP, 28ZW and 28ZX of the *Local Government Act 1993*;
- (b) by inserting in clause 3(m) of Part 8 “, 28ZW, 28ZX” after “28ZP”.

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Part 4 – Repeal of Act

PART 4 – REPEAL OF ACT

33. Repeal of Act

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.

Targeted Amendments to the Local Government Act

Strategic Priority 1: Lifting standards of professionalism, conduct, and integrity

Reform Priority	Kingborough Council response
1. Legislating the good governance principles	Supported in principle. Kingborough Council support the embedding of foundational principles to promote a culture of good governance while avoiding overly prescriptive measures.
2. Introducing serious councillor misconduct provisions	Supported. Clear criteria for the definition of serious misconduct are required to minimise ambiguity. Serious misconduct provisions should apply to not just conduct of conduct but other workplace requirements including WHS.
3. Broadening performance improvement direction provisions	Supported. Noting further details on application and implementation are to be developed.
4. Introducing temporary advisors for councils	Supported. Clear guidelines are required to determine when an advisor's appointment is recommended (potentially based on the principles in priority reform 1).
5. Clarifying work health and safety obligations	Conditional support. Further clarity is required as to the interaction with existing WHS legislation and the practicalities of the responsibilities of how General Manager / CEO can deliver these with the councillor role as employer.
6. Mandating council learning and	Supported.

Reform Priority	Kingborough Council response
development obligations	<p>Consideration should be applied to training accessibility, and it can be delivered to those with either technological limitations, or those with different learning challenges.</p> <p>Noting that it is via separate legislative review note that pre-election information should not diminish democratic principles of supporting diversity of thought.</p>

Strategic Priority 2: Driving a high-performing, transparent, and accountable sector |

Reform Priority	Kingborough Council response
7. Introducing a contemporary role statement and a charter for local government	<p>Supported.</p> <p>Noting the previous consultation on the role statement.</p> <p>Resourcing of councils to deliver on this role statement requires further discussion.</p>
8. Improving the strategic planning and reporting frameworks	<p>Supported in principle.</p> <p>The integration of planning and the framework is supported, however this should not diminish the ability of each council to respond to its unique communities and requirements.</p> <p>Each council has a responsibility to manage their workforce appropriately and a workforce development plan is an important component of this, however these are typically internal documents and are not relevant as community facing documents. Some workforce challenges are not issues that can be solved on an individual council basis and will require sector collaboration and state-wide leadership to resolve.</p>
9. Improving consistency in data collection and reporting	<p>Supported.</p> <p>The data collection framework should be practical, consistent, relevant, and beneficial to councils.</p>

Reform Priority	Kingborough Council response
methodologies	Performance benchmarks should be contextualised where relevant to different council sizes and types.
10. Enhancing transparency of information in council rates notices	<p>Supported in principle.</p> <p>Enhanced transparency is an outcome that is supported. How this is delivered requires further investigation as to the most effective metrics to demonstrate this accountability.</p>
11. Mandating internal audit for councils	<p>Supported.</p> <p>Kingborough Council has an existing internal audit function. Market availability of resource, and the cost of this function is a consideration in the mandating of this requirement.</p>

14.2 PROJECT DELIVERY REVIEW

File Number: 12.293

Author: Craig Mackey, Director Engineering Services

Authoriser: Dave Stewart, Chief Executive Officer

Strategic Plan Reference

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.1 Service provision meets the current and future requirements of residents and visitors.

1. PURPOSE

- 1.1 To provide Council with a comprehensive review of two major infrastructure projects, Summerleas Road Upgrade and Kingston Bus Interchange Hub, highlighting key issues in project delivery and governance and recommending improvements to future infrastructure project management.

2. BACKGROUND

2.1 Summerleas Road Underpass

- 2.1.1 The Summerleas Road Underpass project was initiated by Kingborough Council in 2020 to improve pedestrian and cyclist safety by constructing a multi-use path beneath Summerleas Road. This infrastructure was designed to connect the Whitewater Creek track with the Spring Farm subdivision, aligning with Council's broader Tracks and Trails Strategy and the Transform Kingston Program.
- 2.1.2 Initial design work was undertaken by Flussig Spatial, but the project faced a prolonged funding journey, with multiple unsuccessful grant applications until a successful State Government grant in 2023 enabled construction to begin in March 2024. Batchelor Construction Group (BCG) was appointed as the contractor, with an initial completion target of mid-2024, later revised to early 2025 due to significant delays.
- 2.1.3 The project delays, which resulted in extended road closures of Summerleas Road, prompted a review of the project to ensure that Council was learning from these projects. The review was delivered by a consultant Rare, and a summary of findings and recommendations are included in this report.

2.2 Kingston Bus Interchange

- 2.2.1 The Kingston Bus Interchange Hub was developed as part of the Transform Kingston CBD initiative to modernise public transport infrastructure and reduce traffic congestion. Located at 40 Channel Highway, the interchange was designed to serve northbound buses and improve accessibility.
- 2.2.2 Despite physical completion in January 2024, the interchange remained non-operational due to concerns from the Department of State Growth relating to the design of the facility. These included inadequate turning radii for buses and poor sight lines for cyclists, which were identified during post-construction testing. The project was only made operational after remedial works were completed in May 2025.
- 2.2.3 The review was commissioned to assess the project lifecycle and identify lessons and recommendations for future capital works.

3. STATUTORY REQUIREMENTS

- 3.1 There are no statutory requirements associated with this report.

4. DISCUSSION

- 4.1 Project planning and delivery at times can be a complex discipline, however throughout the lifecycle of these projects there were a number of challenges which led to delays or flaws in the project delivery. At a high level these were:

Summerleas Road Underpass

- 4.1.1 **Planning and Governance:** The absence of a project management matrix and reliance on finance ledgers for tracking led to poor mechanisms for oversight. The Council's Gate Process, developed in 2019, was inconsistently applied, contributing to fragmented governance.
- 4.1.2 **Utility Coordination:** Major delays stemmed from the coordination and delivery in conjunction with TasWater and TasNetworks. A DN200 water main issue caused a 10-week delay, and a private power pole relocation was held up for 6 months due to title transfer issues.
- 4.1.3 **Environmental Management:** The project underestimated environmental risks. Surveys for protected species such as the 40-spotted pardalote and platypus were reactive rather than planned, causing further delays.
- 4.1.4 **Community Impact:** The road closure extended from 8 to 20 weeks, significantly affecting traffic and drawing public complaints. Communication efforts were initially reactive, with limited proactive engagement. This was often due to a lack of detail about the ongoing project delivery planning and the timelines to completion.
- 4.1.5 **Execution and Oversight:** The project manager was solely responsible for all documentation and stakeholder engagement, creating a single point of failure. Lack of resourcing, support and tools hindered effective oversight.
- 4.2 A summary of recommendations and actions from the report can be found in the table below.

<i>Recommendation</i>	<i>Key Actions</i>
1. Enhanced Risk Management Framework	<ul style="list-style-type: none"> - Implement multi-disciplinary risk identification. - Where appropriate use simulations (eg Monte Carlo) for timeline forecasting. - Develop internal checklists for environmental, construction, and community risks. - Track mitigation actions and monitor effectiveness.
2. Streamlined Approvals and Permit Management	<ul style="list-style-type: none"> - Create a permit matrix with assigned responsibilities. - Establish MOUs with TasWater, TasNetworks. - Maintain a centralised permit repository. - Include permit status in pre-construction readiness checks.
3. Comprehensive Stakeholder Engagement and Communications	<ul style="list-style-type: none"> - Map stakeholders early in planning. - Develop engagement plans with defined channels and feedback loops. - Assign a community liaison for major projects. - Conduct needs analysis and offer mitigation strategies (e.g., business support). - Create formal communication plans. - Generate Council-led updates independent of contractor programs.

<i>Recommendation</i>	<i>Key Actions</i>
4. Strategic Project Schedule Management	<ul style="list-style-type: none"> - Develop independent schedules with critical path analysis. - Use Work Breakdown Structures (WBS). - Implement earned value management. - Develop processes to avoid premature commencement of disruptive works.
5. Enhanced Project Cost Management	<ul style="list-style-type: none"> - Improve cost estimation with detailed take-offs and historical data. - Mandate detailed variation documentation. - Use project management software for real-time cost tracking.
6. Organisational Project Management Maturity	<ul style="list-style-type: none"> - Consider establishing a Project Management Office (PMO). - Standardise processes and provide training. - Adopt project management software. - Integrate asset lifecycle planning from project inception.

Kingston Bus Interchange

- 4.2.1 **Planning and Governance:** The project suffered from fragmented governance. Formal design approvals from key stakeholders (Department of State Growth and Metro Tasmania) were not obtained, allowing flawed designs to proceed.
- 4.2.2 **Risk Management:** Initial risk management was inadequate. A Traffic Impact Assessment (TIA) recommended changes to the kerb radius to accommodate bus movements, but these were not implemented. Safety risks for cyclists were only identified post-construction.
- 4.2.3 **Stakeholder Engagement:** Stakeholder engagement was passive and lacked formal sign-off processes. Monthly meetings did not translate into collaborative design development or shared ownership of outcomes.
- 4.2.4 **Execution and Oversight:** The project manager was solely responsible for documentation and stakeholder engagement, creating a single point of failure. Quality assurance processes were insufficient, and the absence of a formal design review gate contributed to the construction of a non-functional asset.
- 4.2.5 **Community Impact:** The delay in operationalising the interchange undermined public confidence in Council's infrastructure delivery.
- 4.3 A summary of recommendations and actions from the report can be found in the table below.

<i>Recommendation</i>	<i>Key Actions</i>
1. Enhanced Risk Management Framework	<ul style="list-style-type: none"> - Engage specialist design consultants for complex infrastructure. - Mandate independent design reviews and safety audits. - Log expert recommendations in a risk register and track responses.
2. Streamlined Approvals and Permit Management	<ul style="list-style-type: none"> - Develop formal Approvals and Permits Management Plans. - Require documented stakeholder sign-off at key project phases. - Clarify approval responsibilities and timing.
3. Comprehensive Stakeholder Engagement and Communications	<ul style="list-style-type: none"> - Establish collaborative protocols from project inception. - Integrate safety considerations for all road users.

<i>Recommendation</i>	<i>Key Actions</i>
4. Strengthened Project Governance	<ul style="list-style-type: none"> - Engage independent third parties where Council is both proponent and authority. - Establish a Project Management Office (PMO) to standardise processes and enforce governance.

- 4.4 Further to the scope of the review the Engineering Services department is currently undertaking and end to end review to improve processes and controls of the capital program and projects. A comprehensive current state assessment has been completed along with bench marking across local government and private business capital delivery frameworks. A new process has been substantially mapped, and the implementation phase will commence early in 2026.
- 4.5 This project includes incorporation of a gated framework to ensure that project controls are met before being moved into construction, as well as ensuring systems are created for appropriate project oversight and governance.
- 4.6 The recommendations of these reports are being incorporated into the current state assessment and the process mapping.

5. FINANCE

- 5.1 There are no direct financial implications from this report.
- 5.2 Investment may be required in the implementation of the recommendations and actions stemming from this review.
- 5.3 Long-term investing in process improvements and learnings will result in cost efficiencies for Council.

6. ENVIRONMENT

- 6.1 There are no direct environmental implications of this report.
- 6.2 Enhanced processes relating to project delivery will improve proactive planning relating to potential environmental impact of projects.

7. COMMUNICATION AND CONSULTATION

- 7.1 The project review will be shared with all staff involved in the delivery of capital projects and will provide context to internal improvement projects.

8. RISK

- 8.1 The adoption and integration of the recommendations and actions contained in the report will manage and mitigate risk in the delivery of future capital projects.

9. CONCLUSION

- 9.1 The review of the Summerleas Road Upgrade and Kingston Bus Interchange projects highlight the importance of robust governance, stakeholder engagement and risk management.
- 9.2 The recommendations outlined will support Council in delivering future infrastructure projects more effectively.
- 9.3 These recommendations are being incorporated into a current project within the Engineering department to make improvements in the end-to-end project lifecycle.


10. RECOMMENDATION

That Council notes the findings of project reviews of the Summerleas Road Underpass and the Main Street Kingston Bus Stop and notes the improvement plans underway within the Engineering Department.

ATTACHMENTS

- 1. Summerleas Underpass Report**
- 2. Kingston Bus Interchange Report**

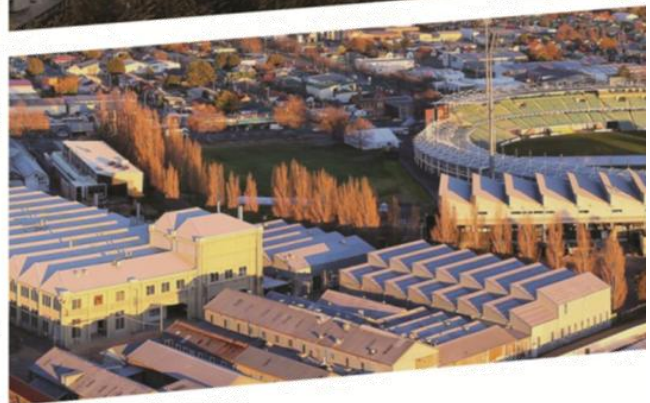
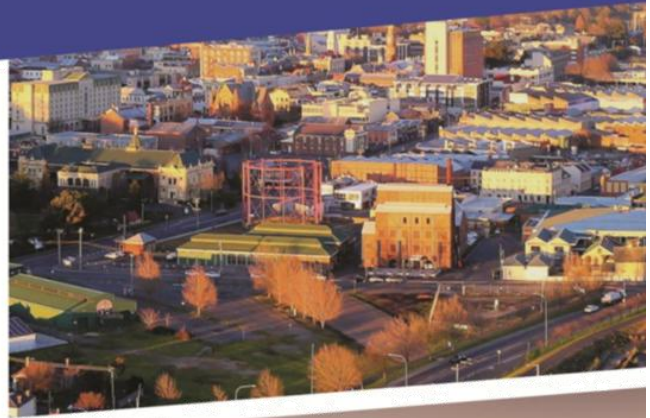
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Summerleas Project Review

Kingborough Council

Prepared for: Anthony Verdouw
Project No: 256029
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1. EXECUTIVE SUMMARY

The Summerleas Road Underpass project, initiated in 2020 by Kingborough Council, aimed to construct a shared use path beneath Summerleas Road, connecting the Whitewater Creek track and Spring Farm. Flussig Spatial undertook the initial design, and after a prolonged funding process from 2020 to 2023, a successful state government grant application in 2023 enabled Batchelor Construction Group (BCG) to commence construction in March 2024. The project initially targeted a mid-year completion, which was subsequently extended to the end of the year.

The project encountered challenges that led to delays and cost impacts. A notable issue was the absence of a well-defined project management matrix and the reliance on finance ledgers for tracking, which resulted in inadequate financial reporting. Critical coordination difficulties arose with external utility providers, concerning the relocation of a TasWater DN200 water main and a TasNetworks private power pole. These issues were compounded by a 7-week response time from TasWater and a 6-month processing time of the title transfer by the Titles Office for the pole relocation. Unplanned redesign additional works were required at the construction stage, such as the need for gabions, rock breaking, and the removal of an asbestos pit. The redesign and the additional works necessitated further mitigation for environmental values at the site. Wet weather experienced at the time of the construction also contributed to delays. Due to these issues the project program suffered substantial overruns, with the proposed road closure extending from an initial 8 weeks to 20 weeks, and the overall completion shifting from November to early March. Furthermore, inconsistent documentation of project variations hindered an effective cost assessment.

Despite these challenges, major utility issues were ultimately resolved through escalation to the Executive Management Team, demonstrating the effectiveness of high-level intervention. However, the project's experience underscores the critical need for robust risk management, comprehensive stakeholder engagement, comprehensive planning, and improved communication strategies for future capital works. This review provides a detailed analysis of the project lifecycle, identifying underlying causes of issues and offering recommendations for best practice project management to enhance future project delivery and outcomes.

2. INTRODUCTION

2.1. Project Context and Background

The Summerleas Road Underpass project was formally initiated in 2020 by Kingborough Council. This infrastructure endeavour was conceived with a clear objective: to construct a dedicated path beneath Summerleas Road. The primary aim was to establish a safe linkage between the existing Whitewater Creek track and the Spring Farm subdivision, extending connectivity to areas beyond. This underpass was identified as a priority project within Kingborough Council's broader "Tracks and Trails Strategy" and the "Transform Kingston Program," specifically addressing safety risks for users crossing Summerleas Road.

Flussig Spatial was engaged for the initial design and concept plan development, laying the groundwork for the project's technical specifications. The funding pathway for the project proved protracted, involving multiple grant applications submitted between 2020 and 2023, which were initially unsuccessful. A significant turning point occurred in 2023 when a successful state government grant secured the necessary funding. Following this, Batchelor Construction Group (BCG) was awarded the construction contract in March 2024. The project initially aimed for a mid-year completion, but this deadline was subsequently extended to the end of the year.

This report serves as a comprehensive review of the Summerleas Road Underpass project. Its purpose is to evaluate the effectiveness, efficiency, and adherence to established project management principles





throughout the project's lifecycle, from initiation through execution and oversight. The review methodology involved face-to-face interviews with key personnel, analysis of documentation provided by Kingborough Council, and examination of publicly available information. The findings aim to identify the root causes and contributing factors to issues encountered, providing actionable recommendations for integration into the Council's future project management processes.

2.2. Analysis of Project Initiation Timing

The extended period between the project's initiation in 2020 with a feasibility design and the award of the construction contract in March 2024, following grant success in 2023, presents a significant observation. This four-year gap between initial conceptualisation and the commencement of physical works suggests a potential for 'shelf life' issues with the initial designs and cost estimates. Over such a prolonged pre-construction phase, the relevance of initial designs can diminish, and underlying assumptions, particularly regarding material costs, labour rates, environmental regulations, and existing utility infrastructure, may become outdated. This disconnect can contribute to unforeseen challenges and variations during the execution phase, as the project's foundational planning may no longer accurately reflect prevailing conditions. This extended pre-construction period highlights a systemic risk in capital works projects where funding cycles do not align seamlessly with project readiness. It implies a need for a structured 'design refresh' or 'pre-construction readiness' gate after funding is secured but prior to procurement, ensuring that all initial planning elements are thoroughly reviewed and updated to reflect the current operational and regulatory environment.

3. PROJECT INITIATION

3.1. Clarity of Objectives and Scope

The Summerleas Road Underpass project commenced with a clearly defined core objective: the construction of a shared path beneath Summerleas Road to establish a link between the Whitewater Creek track and Spring Farm. The initial concept design, developed by Flussig Spatial incorporated plans for integrating existing walking tracks, discontinuing certain sections, and introducing new walking and bike paths. Furthermore, the design proactively addressed the relocation of existing services, including stormwater, water, and sewer lines, indicating a well-considered physical scope at the outset. This level of detail in the concept design suggests a strong understanding of the project's physical requirements and intended outcomes from the initiation phase.

3.2. Initial Risk Management Processes

Despite the clarity of the project's physical scope, the initial risk management processes exhibited shortcomings, particularly concerning environmental factors and underground utilities. The project's initial assessment and design showed that there would be no works in the waterway, which proved inaccurate, as subsequent requirements for a platypus survey for creek-related digging emerged, necessitating the engagement of a qualified surveyor, as the original Flussig designer lacked the necessary qualifications. Similarly, the project start date was influenced by the presence of swift parrots, and a verified sighting of a 40-spotted pardalote triggered a 2-week survey and a subsequent 2-week report to assess risks to the bird. External advice was sought to provide recommendations for the environmental management requirements (surveys and studies) for the creek works and 40-spotted pardalote sighting. These unplanned environmental interventions highlight a gap in early environmental risk identification and assessment. This suggests a lack of integration of specialised environmental expertise early in the initiation phase. Such omissions imply a systemic issue in how potential environmental risks are identified and incorporated into the project's foundational planning. It necessitates mandatory, rigorous consultation with environmental experts during the feasibility and initiation phases, rather than relying solely on reactive surveys during execution. This situation could suggest a potential broader organisational weakness within the Council in





fully understanding environmental compliance requirements or a tendency to downplay potential environmental impacts at the outset of projects.

Furthermore, poor documentation of underground utilities was identified as a significant issue, slowing excavation and increasing risk, which points to inadequate upfront surveys during the initiation phase.

3.3. Project Approval Processes and Governance

During the design phase, TasWater permits were successfully signed off, with the design consultant efficiently managing the Engineering Design Approvals processes. This demonstrates some success in navigating early regulatory requirements. However, the subsequent critical "double check loop system" issue with the DN200 water main, revealed on day one of construction, exposed a significant gap in the depth of initial utility coordination or a comprehensive understanding of system interdependencies. While permits were obtained, the underlying operational complexities and potential impacts were not fully identified or mitigated during the initiation and design phases. The consultant brief for this review explicitly mandates an assessment of initial risk management processes, identification of project constraints, and early stakeholder concerns, which again this shows deficiencies in the planning phase for the project, to ensure requirements of other utility agencies were fully understood, planned for and in place prior to construction

4. PROJECT PLANNING

4.1. Adequacy of Resource Planning (Financial, Human and Material)

The planning phase of the Summerleas project was significantly hampered by the absence of a clearly defined responsibility matrix. This system deficiency likely led to inefficiencies in resource allocation and created communication gaps across the project team. Furthermore, the project did not utilise dedicated project management software, instead relying on finance ledgers for tracking and reporting. This approach resulted in a lack of robust financial reporting, making effective budget monitoring and control challenging. The project manager held sole responsibility for all project management plans, reports, and documentation. This centralisation of responsibility indicates a potential single point of failure and suggests an overburdened role, limiting the capacity for comprehensive oversight. Additionally, project budget approvals exceeding \$100,000 necessitated approval at council meetings, a process that inherently had the potential to cause delays in decision-making and impacted the project's financial agility.

These observations collectively point to an underdeveloped or, in practice, poorly implemented organisational project management capability. These elements are fundamental components of a mature project management framework. Their absence or inconsistent application suggests that Kingborough Council, at the time of this project, either did not fully appreciate the importance of standard and widely used project management practices or lacked the necessary resources and commitment to implement them effectively. The existence of a "Gate Process" developed in 2019, which was not consistently followed, further reinforces this observation. This situation is not merely an isolated project failure but indicates a potential organisational immaturity in project delivery, leading to ad-hoc processes, reactive management, and increased vulnerability to external disruptions.

4.2. Risk Management Strategies and Contingency Planning

Despite the availability of a project management framework, it was not consistently followed for the Summerleas project. This non-adherence to an established framework indicates a failure in applying recognised risk and control mechanisms. The clarity and implementation of an asset management plan for the project were also unclear, which could impact long-term decision-making and resource allocation for post-construction phases. The "Recommendations for Future Projects" section of the review explicitly highlights the need for a more thorough risk identification process, detailed qualitative risk analysis, and





proactive risk responses with clear contingency plans. This implies that these crucial aspects of risk management were insufficient or inadequately applied during the Summerleas project's planning phase.

The failure to adequately plan for and manage external utility coordination (TasWater, TasNetworks) and environmental factors (protected species) during the project's lifecycle points to a critical gap in early planning and risk assessment. These are common and foreseeable risks in infrastructure projects, yet they caused significant delays and complications. This suggests that despite their commonality, these risks were either underestimated, poorly identified, or inadequately mitigated during the planning phase. This indicates a weakness in the Council's risk identification and mitigation framework, particularly concerning external dependencies and environmental compliance. It implies that standard checklists or early engagement protocols for these critical areas were either missing or not rigorously applied. This reactive posture, where issues were addressed as they arose rather than through proactive planning, significantly eroded project efficiency and contributed to increased costs.

4.3. Stakeholder Identification, Engagement and Communications

Further deficiency in the planning phase was the absence of a defined stakeholder engagement plan for the Summerleas project. Internal communication within the council served as the primary method, which likely limited transparency and broader stakeholder engagement, particularly with the affected community and external agencies. The "Recommendations for Future Projects" section strongly emphasises the need for a systematic stakeholder identification process, comprehensive engagement plans, and active management of engagement. These recommendations directly address the weaknesses observed in the Summerleas project's planning for stakeholder relations.

Planning was put in place to alert the surrounding residents of road closures, as shown in mailouts in May 2024, and ongoing communication was undertaken through local media and through social media. Further communication was reactive and was not planned in advanced through a robust stakeholder engagement plan.

4.4. Planning and Scheduling Tools

The project's reliance on the contractor's program for public communication potentially led to inaccuracies and inconsistencies in messaging. The report notes that contractors often provide ambitious programs during the tender phase, which may have little chance of being met within the stated timeframe. This observation suggests a lack of independent critical assessment of the contractor's proposed schedule during the planning phase. The "Recommendations for Future Projects" section advocates for the development of a more independent and detailed schedule that considers potential risks and dependencies, along with robust schedule control measures. This implies that such independent planning and control mechanisms were either absent or inadequate for the Summerleas project.

5. PROCUREMENT

5.1. Procurement Approach and Methods

Batchelor Construction Group (BCG) was awarded the construction contract for the Summerleas Road Underpass project in March 2024. Prior to this, the design consultant delivered a tender-ready package, which included signed plans and detailed construction management plans tailored for various stakeholders, such as TasWater and TasNetworks. This suggests a thorough technical preparation phase preceding the procurement process, aiming to provide a clear scope for potential contractors. Two tenders were received with the unsuccessful tenderer providing a price that was not competitive.

5.2. Management of Procurement Risks and Variations





An analysis of project variations indicated that labour rates, including supervision (typically charged at \$100 per hour), and equipment rates (such as excavators and trucks), generally aligned with industry standards in Tasmania. However, assessing material rates proved significantly more challenging due to a notable lack of detailed breakdowns; some variations were presented as a lump sum, while others listed individual items with quantities and rates, but often without sufficient detail.

Key deficiencies in the variations documentation were identified:

- **Lack of Detail:** Descriptions, quantities, and rates for materials were often insufficient, making it difficult to assess the reasonableness of costs.
- **Inconsistent Documentation:** The level of detail and consistency varied significantly across different variations, hindering a comprehensive understanding of the full scope and underlying reasons for changes.
- **Insufficient Justification:** Some variations lacked adequate justification for the changes, making it challenging to determine their necessity and cost reasonableness.

These deficiencies in variations documentation made it difficult to assess the validity of changes and their adherence to established standards.

The detailed tender-ready package provided by the design consultant suggests a strong technical preparation for procurement. However, the subsequent issues with variations documentation reveal a weakness in contractual oversight and change management processes post-award. This indicates that while the initial procurement preparation might have been robust from a design and technical specification perspective, the management of the contract, particularly concerning changes and variations, was inadequate. This situation implies that Kingborough Council's procurement process may be strong in the pre-award phase (e.g., in soliciting competitive tenders) but lacks robust mechanisms for post-award contract administration and financial control. The inability to properly assess variations due to poor documentation means the Council may have inadvertently approved or paid for unjustified or poorly substantiated changes, potentially leading to cost overruns and reduced value for money. This highlights a need for standardised variation protocols, clear documentation requirements, and stronger contract management capabilities within the Council to ensure financial accountability and project integrity.

Table 1: Summary of Project Variations Documentation Deficiencies

Deficiency Area	Description	Impact on Project
Lack of Detail	Insufficient detail in descriptions, quantities, and rates for materials.	Difficult to assess cost reasonableness and validity.
Inconsistent Documentation	Varying levels of detail and format across different variations.	Hinders understanding of scope and reasons for changes.
Insufficient Justification	Changes lacked clear and adequate reasons for their necessity.	Challenges in determining necessity and cost reasonableness.
Material Rate Assessment	Difficulty in assessing material rates due to lack of breakdowns.	Compromises transparency and adherence to industry standards.

6. PROJECT EXECUTION





6.1. Management of Project Timelines, Budgets and Resources

The execution phase of the Summerleas project was marked by significant deviations from the initial schedule. The proposed road closure duration escalated from an initial 8 weeks to 20 weeks, profoundly impacting the project timeline. The project, originally targeting a November completion, was subsequently projected to finish in early March, including a three-week Christmas stand-down period, indicating a considerable schedule slippage. A decision that negatively impacted the program was the continuation of construction works, specifically implementing road closures, before the commencement of essential water main bypass works. This demonstrated poor construction sequencing and inadequate risk management during the execution phase, leading to unnecessary delays.

6.2. Quality Control and Assurance Processes

During execution, adaptive design changes were necessary due to site conditions. For instance, the retaining wall design was changed from in-situ to a block wall. While this increased cost, it reduced construction time, resulting in a net-zero cost impact. Similarly, the need for gabions on the embankment due to unforeseen site conditions required a rapid 5-day design turnaround, highlighting reactive design adjustments to maintain quality and structural integrity.

6.3. Deviations from Scope, Schedule, or Budget and Change Management

The project encountered numerous unforeseen challenges that necessitated deviations and additional works:

- **Unforeseen Ground Conditions:** Further site investigation revealed the need for extensive rock breaking and additional excavation, indicating complexities not fully captured during initial surveys.
- **Utility Relocation:** Significant complexities arose with the relocation of non-Council utility lines, including electricity, gas, water, and telecommunications. Poor documentation of underground utilities exacerbated these issues, slowing excavation and increasing risk.
- **Environmental Factors:** Environmental considerations significantly impacted the timeline. A sighting of a 40-spotted pardalote triggered a 2-week survey and a subsequent 2-week report. A platypus survey was required prior to creek-related excavation. The project's initial classification of "no works in the creek" failed to highlight the potential presence of platypuses. The project start date was also influenced by the known presence of swift parrots.
- **Additional Works:** The project incurred additional costs and efforts for items such as Variable Message Signs (VMS) boards (estimated \$70,000-\$80,000), works around the water main (including asbestos pit removal and installation of thrust blocks and valves to remove the DN200 pipe), extra road barriers, and the removal of an additional tree.

The nature of unforeseen site conditions, environmental impacts, and utility coordination issues during execution points to a systemic underestimation of project complexity and external dependencies during the planning and initiation phases. These were not isolated incidents but recurring themes, indicating that the initial risk assessments and contingency planning were insufficient to account for the actual complexity and external dependencies of the project. This suggests a significant disconnect between theoretical planning and practical site realities. This implies a need for more rigorous due diligence, including detailed geotechnical investigations, comprehensive environmental impact assessments, formalised input from relevant internal technical staff before project commencement, and proactive, formal agreements with all utility providers. The reactive nature of addressing these issues during execution led to significant cost overruns, prolonged schedule delays, and increased project stress, underscoring the exponential cost of addressing risks reactively rather than proactively.

6.4. Communication and Collaboration





Coordination with external utility providers presented the most significant challenges during execution:

- TasWater Coordination:** The removal of the DN200 water main, initially anticipated to have no customer impact, revealed a critical "double check loop system" issue with TasWater on day one of construction, compounded by the main engineer being on leave. This incurred a 7-week delay for TasWater to respond to the Council regarding the pipe removal, citing concerns about insufficient emergency pressure for a nearby school and shopping centre. TasWater's on-site review process introduced further delays, totalling 10 weeks. Although the Council followed the required Engineering Development Application process, advice from TasWater in different communications appeared to be inconsistent and contributed to delays. The issue was ultimately escalated by the Council Project Manager to the Executive Management Team (EMT), who contacted higher levels within TasWater, leading to the involvement of a senior TasWater representative. An on-site meeting resulted in a resolution within a day, with the stipulation of pressure tests before and after pipe removal. During this period, the contractor's effectiveness was limited, with their focus shifting to additional works while the road, curb, gutter, and safety barriers were stripped.
- TasNetworks Coordination:** Coordination with TasNetworks was also challenging, primarily concerning the relocation of a private power pole on a recently purchased block. TasNetworks initially refused to move the pole due to the absence of an easement for the rear property. These works occurred during a period when TasNetworks were undertaking protected action and proceeding a significant storm event in the States north. The transfer of the block's title was significantly delayed at the title office for 6 months due to a new process requiring signatures from both the Mayor and CEO, involving legal consultation (2 weeks), surveys, solicitors, and coordination with the titles office. Once necessary documentation was provided, the EMT's direct communication with TasNetworks helped expedite the pole relocation, which was completed within 2 weeks. Notably, both the pole and pipe were successfully moved on the same day after significant delays.

These critical issues, which had remained unresolved for weeks at the project level, were resolved quickly once escalated. This indicates a potential structural weakness in the Council's project governance model, where project managers may not be sufficiently empowered or supported to resolve high-level inter-organisational conflicts. It also suggests that utility providers may not prioritise project-level communications, where formal inter-agency agreements or high-level Memoranda of Understanding (MOUs) for major capital works to ensure timely cooperation and dispute resolution may be more appropriate.

6.5. Community Impact and Feedback

The project's execution, particularly the extended road closure, had a significant impact on the community. Detours were necessitated, increasing travel times, especially during peak hours, and straining alternative routes with potential knock-on traffic issues. A high level of feedback was received by Council via the complaints process and through social media. The delay in the project also attracted media attention. Feedback from the community generally negative reflecting frustration, some support, and frequent calls for improved communication from the Council.

Table 2: Key Challenges and Impacts During Execution





Category of Challenge	Specific Issue	Direct Impact	Resolution/Mitigation	Cost/Schedule Implication
Utility Coordination	DN200 Water Main Issue (TasWater)	7-10 weeks delay; critical loop system issue	EMT escalation; bypass arrangement; pressure tests	Significant schedule delay; contractor limited
Utility Coordination	Private Pole Relocation (TasNetworks)	6-month title delay; initial refusal	EMT direct communication; title process completion	Significant schedule delay
Environmental	40-spotted Pardalote Sighting	2-week survey + 2-week report	Reactive survey and report	4-week schedule delay
Environmental	Platypus Survey (Creek Works)	Need for new qualified surveyor	Engagement of another surveyor	Schedule delay
Environmental	Swift Parrots Presence	Influenced project start date	Project start date adjustment	Schedule delay
Ground Conditions	Need for Gabions on Embankment	Rapid 5-day design turnaround	Reactive design	Schedule impact
Ground Conditions	Rock Breaking & Additional Excavation	Unforeseen ground conditions	Additional works	Increased cost, schedule delay
Design Change	Retaining Wall Design Change	From in-situ to block wall	Reduced construction time	Net-zero cost impact
Additional Works	VMS Boards	Additional safety measure	Installation	Estimated \$70,000-\$80,000 cost
Additional Works	Asbestos Pit Removal & Water Main Works	Distance to water main	Removal, installation of thrust blocks/valves	Additional cost, schedule impact
Additional Works	Extra Road Barriers	Safety requirement	Installation	Additional cost





Category of Challenge	Specific Issue	Direct Impact	Resolution/Mitigation	Cost/Schedule Implication
Additional Works	Additional Tree Removal	Site requirement	Removal	Additional cost
Community Impact	Road Closure Duration	Increased from 8 to 20 weeks	Detours, strain on alternative routes	Increased community frustration, business impact

7. PROJECT MANAGEMENT AND OVERSIGHT

7.1. Project Management/Governance Structures and Oversight Mechanisms

A significant challenge identified in the Summerleas project was the absence of a well-defined project management matrix. This fundamental system deficiency likely contributed to inefficiencies and communication gaps within the project team and across stakeholders. Although a project management framework, known as the Gate Process, had been developed by the Council in 2019, it was not consistently followed during the Summerleas project. This indicates a failure in adhering to internal governance structures and control mechanisms, potentially because they were unknown, or widely not used in project delivery. The requirement for project budget approvals exceeding \$100,000 to be ratified at council meetings also posed a potential bottleneck, introducing delays in the decision-making process.

A project responsibility matrix, Gated Process, and project budget tracking systems are core components of a robust project management framework or a mature Project Management Office (PMO). Their absence or inconsistent application suggests that Kingborough Council's organisational project management capabilities are underdeveloped or lacked enforcement and oversight for this project. This created a situation where ad-hoc processes likely filled the gap, leading to systemic inefficiencies rather than isolated issues. This situation is not likely not a project-specific problem but an organisational one, implying a need for strategic investment in establishing a robust PMO, standardising processes, providing appropriate software tools, and ensuring accountability for adherence to established frameworks. Without such foundational improvements, future projects are likely to encounter similar, avoidable challenges, undermining efficiency, increasing costs, and potentially eroding public trust.

7.2. Project Reporting and Monitoring Processes

The project's reporting and monitoring processes were significantly constrained by the lack of dedicated project management software. Instead, the project relied on finance ledgers for tracking and reporting. This limited approach contributed directly to a lack of robust financial reporting, hindering effective budget monitoring and control throughout the project lifecycle. Additionally, the Council's heavy reliance on the contractor's program for public communication potentially led to inaccuracies and inconsistencies in messaging, indicating a lack of independent and proactive monitoring of project progress and public information dissemination.

7.3. Project Manager's Role and Leadership

The project manager held sole responsibility for all project management plans, reports, and documentation. This high degree of centralisation in responsibility suggests a lack of distributed project management functions or adequate support mechanisms. While demonstrating a significant individual burden, this





structure also implies that critical areas requiring broader engagement and specialised support, such as comprehensive stakeholder relations or robust financial analysis, might have been underserved due to the overwhelming demands on a single individual.

A single project manager cannot effectively manage all project documentation and proactive, multi-channel stakeholder engagement without significant support. This suggests that the project manager was likely overburdened and lacked the necessary support functions (e.g., dedicated communications team, administrative support, PMO support) to execute comprehensive project management. This situation led to critical areas like stakeholder engagement being inadequate. This structure creates a high-risk scenario where project success is overly dependent on one individual's capacity, increasing the likelihood of oversight and burnout. It also severely limits the Council's ability to manage public perception and build trust, as communication becomes reactive and potentially inconsistent. This implies a need for a more distributed project management model, clear delegation of responsibilities, and dedicated resources for communications and stakeholder relations within the Council's project delivery framework.

7.4. Post-Project Review Processes and Lessons Learned

The commissioning of a comprehensive independent review report signifies Kingborough Council's commitment to post-project analysis and organisational learning. The consultant brief explicitly states the review's objective to "provide a summary of findings and recommendations for incorporation into Council's project management processes". Furthermore, the "Recommendations for Future Projects" section within the original review document directly outlines valuable lessons learned and identifies key areas for improvement, demonstrating a mature intent to apply these insights to future undertakings.

8. PROJECT COMPARISONS

8.1. Similarities with Other Projects

A comparative analysis of the Summerleas Road Underpass project with other infrastructure initiatives reveals both commonalities and distinct differences. The Campbell Town Underpass project shares a fundamental purpose: improving pedestrian safety through an underpass structure. Both projects are situated in Tasmania and aim to address safety concerns related to traffic and pedestrian access. It is likely that the project also received funding from state and potentially federal governments, reflecting a common funding model for significant public infrastructure. Furthermore, both projects encountered common construction challenges, including traffic management, excavation complexities, drainage requirements, and ensuring structural integrity.

Another relevant comparison is the construction of a raised bicycle path across Mentmore Street in Claremont. While significantly smaller in scope than the Summerleas underpass, this project also involves a road closure that will impart significant inconvenience for residents.

8.2. Key Differences and Lessons

Despite similarities, crucial differences emerge. The Campbell Town underpass is located on a major highway (Midland Highway), which inherently influences the scale and complexity of the project compared to Summerleas Road, a local road. A key distinction lies in traffic management strategies: the Campbell Town underpass project involved widening the road during construction to maintain traffic flow, whereas the Summerleas Road project necessitated a full road closure due to its smaller size and the presence of a creek crossing.

This comparison highlights a critical failure in the Summerleas project planning regarding traffic management and community disruption. Generally, councils and road authorities strive to avoid significant road closures due to the substantial inconvenience they cause. For instance, during bridge replacement works, contractors are often required to provide alternative means of traversing the construction site, such





as temporary bridges or realigned roadways. While the natural location of the Summerleas Road underpass may have made some of these alternatives unfeasible, the project's focus should have been on minimising disruption. The decision-making process for traffic management on Summerleas either did not adequately explore or dismissed feasible alternatives to full closure, or it prioritised other factors (e.g., construction simplicity, cost) over minimising community impact. This suggests a gap in the Council's project planning and risk assessment, specifically concerning community impact and alternative construction methodologies. The extended 20-week closure (from an initial 8 weeks) exacerbated community frustration and indicates a failure to manage public expectations and mitigate disruption effectively. Future projects must rigorously evaluate traffic management alternatives and prioritise community impact mitigation, even if it entails higher initial costs or more complex construction methodologies.

Furthermore, the Mentmore Street project, planned for completion within 5 weeks, appears to have a more plausible timeframe compared to the optimistic Summerleas program. This suggests that the initial scheduling for Summerleas may have been overly ambitious and lacked a realistic assessment of potential delays and complexities, a common issue with contractor-provided programs at the tender stage.

9. RECOMMENDATIONS FOR BEST PRACTICE PROJECT MANAGEMENT

The review of the Summerleas Road Underpass project provides invaluable lessons for Kingborough Council's future capital works. To enhance project delivery and outcomes, the following recommendations, synthesising identified shortcomings and best practices, should be rigorously implemented:

9.1. Enhanced Risk Management Framework

Future projects must adopt a more thorough and proactive risk management approach from their inception. This involves implementing a multi-disciplinary risk identification process, including mandatory consultation with environmental experts (e.g., ecologists, heritage specialists) and comprehensive analysis of historical data and similar projects. This will enable early identification of potential issues such as the presence of protected species (e.g., 40-spotted pardalote, swift parrots, platypus) and unforeseen ground conditions. A more detailed qualitative and, where feasible, quantitative risk analysis (e.g., Monte Carlo assessment for program timelines) should be conducted to adequately assess the potential impact of delays caused by external utility providers, environmental factors, and ground conditions. Crucially, proactive risk responses and clear, well-defined contingency plans must be developed for all identified risks, especially for potential delays and unforeseen issues, to avoid reactive approaches during execution. This includes establishing appropriate financial contingency buffers. Adopting a risk-based program approach, potentially including Monte Carlo assessment, will provide more realistic best and worst-case scenarios for project timelines, moving away from reliance on overly optimistic contractor programs. The Development of an internal checklist for all stages of projects including but not limited to; environmental aspects, ecological challenges, construction risks, community risks and the level of investigation required for each stage of the project would assist in capturing project risks. Within this Risk Management framework, a robust mechanism for review of the mitigation measures must be developed and implemented during project delivery

9.2. Streamlined Approvals and Permit Management

It is essential to mandate early identification of all necessary permits and approvals in the planning phase, including those from external agencies like TasWater and TasNetworks. A comprehensive permit matrix should be created, assigning clear roles and responsibilities for obtaining, tracking, and managing each permit to ensure accountability. A detailed timeline for each permit application and approval process must be developed, incorporating buffer times for potential delays. Establishing a formal communication plan with relevant authorities, including regular liaison meetings and clear escalation pathways (e.g., formal Memoranda of Understanding with key utility providers), is crucial to prevent protracted delays such as the 7-week TasWater response. A centralised, accessible repository for all documentation related to permits and





approvals should be maintained, and contingency plans for potential delays or refusals, including alternative approaches or mitigation strategies, must be developed.

9.3. Comprehensive Stakeholder Engagement

Future projects should implement a more inclusive stakeholder identification and needs analysis process, involving residents, businesses, environmental groups, and utility providers earlier in the planning phase. This proactive engagement will improve communication and facilitate the proactive addressing of concerns. A comprehensive stakeholder engagement plan must be developed, outlining specific communication channels (e.g., dedicated project website, regular newsletters, community forums), frequency, key messages, and feedback mechanisms. Active management of stakeholder engagement through appropriate channels such as newsletters, and established feedback channels (e.g., dedicated phone line, project specific email address) is fundamental in gauging sentiment, fostering transparency, and building trust. Furthermore, exploring mitigation strategies for community impact, such as temporary access solutions or business support programs for affected local businesses, should be a standard consideration.

9.4. Robust Communications Management

To address the lack of robust financial reporting and the reliance on an optimistic contractor's program, Kingborough Council should implement a formalised, tiered reporting structure. A formal fortnightly report should be mandated from the contractor to ensure timely updates on progress, issues, and upcoming activities. This will provide a more frequent and detailed snapshot than reliance on informal updates. Simultaneously, a formal internal monthly report should be generated by the Council's project manager to provide a consolidated overview of project health, moving beyond the limitations of simple finance ledgers for tracking. Both reports should utilise a 'traffic light' system (Red, Amber, Green) to provide a clear, at-a-glance status of key project components:

- Budget: To ensure effective monitoring and control, and to track against cost overruns and deviations.
- Timeline: To track progress against the schedule and proactively identify and mitigate delays.
- Deliverables: To confirm the status of project outputs and key milestones.
- Stakeholders: To monitor the health of stakeholder relationships and communication efforts.
- Risk Management: To provide an up-to-date assessment of identified risks and the effectiveness of mitigation strategies.

This structured approach will provide the necessary data and oversight to make informed decisions and manage projects proactively rather than reactively.

9.5. Strategic Project Schedule Management

Developing a more independent and detailed schedule that comprehensively considers potential risks, dependencies (especially external utility coordination), and critical path analysis is crucial, rather than solely relying on the contractor's program. Robust schedule control measures, including regular progress tracking, variance analysis, and earned value management, are necessary for proactive identification and mitigation of delays. Utilising a clear Work Breakdown Structure (WBS) will aid in defining project scope and activities, leading to more accurate scheduling and resource allocation. Furthermore, strict policies should be implemented against initiating disruptive works (e.g., road closures) before all critical pre-requisite works (e.g., utility bypasses) are confirmed and ready for commencement.

9.6. Enhanced Project Cost Management





Improving cost estimates through detailed quantity take-offs, historical data analysis from similar projects, and incorporating appropriate contingency buffers for identified risks will enhance accuracy. Robust cost control measures, including regular tracking of actual costs against budget, variance analysis, and earned value management, are essential for proactive identification and management of cost overruns and deviations. To address deficiencies observed in the Summerleas project, it is imperative to mandate detailed material breakdowns (quantities, rates, suppliers), ensure consistent documentation with clear descriptions and justifications, and reference industry standards for all variations to enhance transparency and facilitate assessment.

9.7. Organisational Project Management Maturity

To address the systemic issues identified, Kingborough Council should consider establishing a dedicated Project Management Office (PMO). A PMO would standardise project management processes, provide training, offer centralised support, and ensure consistent application of established frameworks like the Gate Process. Investing in and implementing dedicated project management software for tracking, reporting, and collaboration is essential, moving away from reliance on finance ledgers. This will enable robust financial reporting, real-time progress monitoring, and better overall project control. Project managers should be empowered with appropriate authority and support to resolve issues and manage external relationships, thereby reducing the need for constant executive-level intervention. This includes providing them with the necessary resources and training. Finally, ensuring clear integration of asset management planning from the project's inception is vital to facilitate long-term decision-making and resource allocation for the post-construction asset lifecycle.





APPENDIX A: PROJECT TIMELINE

The Summerleas Road Underpass project experienced a complex timeline marked by significant delays and critical interventions. The following table provides a chronological overview of key events, milestones, and the most impactful delays encountered throughout the project's lifecycle.

Table 3: Summerleas Project Chronology and Key Events

Date/Period	Event/Milestone/Delay Description	Impact/Significance
2019	Project management framework (Gate Process) developed.	Framework available, but not consistently followed in this project.
2020	Summerleas Road Underpass project initiated by Kingborough Council.	Project conceptualisation and feasibility design by Flussig Spatial.
2020 - 2023	Multiple grant applications submitted.	Initial funding attempts unsuccessful, prolonging pre-construction.
2023	Successful state government grant secured.	Critical funding breakthrough, enabling project progression.
March 2024	Batchelor Construction Group (BCG) awarded construction contract.	Official commencement of physical construction phase.
Initial Target	Mid-year completion.	Original ambitious project deadline.
Day One (post-March 2024)	Critical "double check loop system" issue with TasWater revealed.	Major utility coordination issue, compounded by engineer's leave.
7 Weeks (following Day One)	TasWater response delay regarding pipe removal.	Concerns about emergency pressure for school/shopping centre.
10 Weeks (total)	TasWater's on-site review process delays.	Significant cumulative delay due to utility coordination.
During Construction	Rapid 5-day design turnaround for gabions.	Reactive design adjustment due to site conditions.
During Construction	Platypus survey mandated for creek digging.	Environmental impact unforeseen in initial planning, required new surveyor.





Date/Period	Event/Milestone/Delay Description	Impact/Significance
During Construction	40-spotted pardalote sighting.	Triggered 2-week survey and 2-week report, causing environmental delay.
During Construction	Project start date influenced by swift parrots.	Environmental factors impacting initial schedule.
During Construction	Change in retaining wall design (in-situ to block wall).	Adaptive design change, reduced construction time (net-zero cost).
During Construction	Rock breaking and additional excavation required.	Unforeseen ground conditions, increased scope.
During Construction	VMS boards added (\$70,000-\$80,000).	Additional works, cost impact.
During Construction	Additional works around water main (asbestos pit, thrust blocks, valves).	Unforeseen utility complexities, cost/schedule impact.
During Construction	Extra road barriers required.	Additional safety measures, cost impact.
During Construction	Additional tree removal required.	Site requirement, cost/schedule impact.
During Construction	TasNetworks undertaking protected action.	External factor impacting utility coordination.
6 Months (approx.)	Block title transfer delayed for private pole relocation.	Bureaucratic bottleneck (Mayor/CEO signatures), legal/survey/solicitor involvement.
2 Weeks (post-documentation)	TasNetworks completed pole relocation.	Expedited by EMT intervention after documentation provided.
Same Day	Both private pole and water pipe successfully moved.	Simultaneous resolution of two major utility issues after high-level escalation.
Initial Program	Road closure duration: 8 weeks.	Optimistic initial estimate for community disruption.

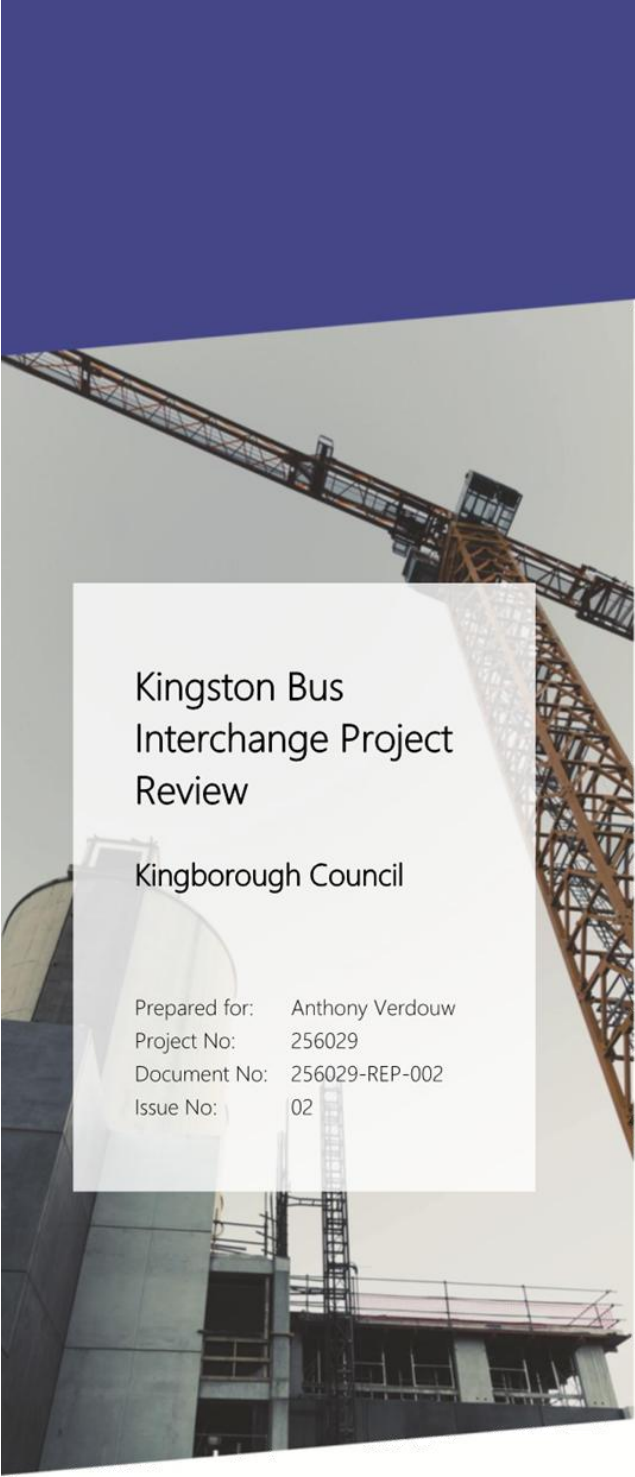




Date/Period	Event/Milestone/Delay Description	Impact/Significance
Revised Program	Road closure duration: 20 weeks.	Significant extension, major community impact.
Initial Project Completion Target	November.	Original project completion goal.
Revised Project Completion Target	Early March (including 3-week Christmas stand-down).	Final projected completion, indicating substantial overall delay.
12/04/2025	Date of Draft Review Report.	Date of the project review document.

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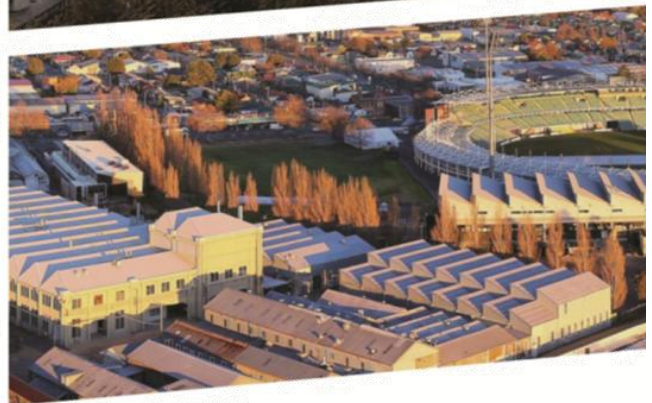
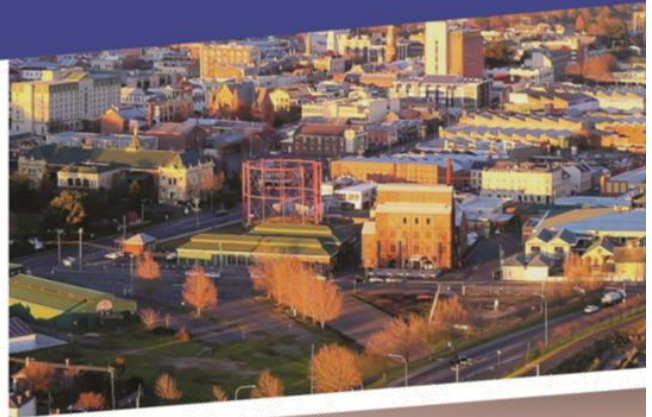




Kingston Bus Interchange Project Review

Kingborough Council

Prepared for: Anthony Verdouw
Project No: 256029
Document No: 256029-REP-002
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EXECUTIVE SUMMARY

The Transform Kingston CBD project, a strategic initiative by Kingborough Council to revitalise Kingston's central business district, included the development of a new bus interchange hub at 40 Channel Highway. This facility was intended to modernise public transport infrastructure, enhance the urban environment, and, critically, alleviate traffic congestion within the CBD by providing a dedicated stop for northbound buses.

Despite an initial construction cost of \$300,000 and a reported completion in January 2024, the interchange has remained non-operational. The facility is plagued by design inadequacies that have prevented its use. These flaws stem from oversights during the design phase, most notably the failure to incorporate expert recommendations from a commissioned Traffic Impact Assessment.

Subsequent on-site testing with Kingborough Council, the Department of State Growth, and bus operators confirmed that the constructed layout makes it impossible for buses to manoeuvre correctly; they either swing over the footpath or cannot align their doors with the kerb, failing to meet accessibility standards. This testing also identified a significant safety risk for cyclists due to poor sight lines at the interchange exit.

The project's failure to deliver an operational asset has ignited a public disagreement between Kingborough Council and the Department of State Growth. The continued non-operational status necessitates the use of temporary bus services, disrupting the public transport network and undermining the broader objectives of the CBD revitalisation. Remedial works have been undertaken and the Bus Interchange become operable on 5 May 2025.

This review, commissioned by Kingborough Council, provides a detailed analysis of the project's lifecycle. It identifies underlying issues in project governance, risk management, and stakeholder collaboration, offering comprehensive recommendations for best practice project management to enhance the delivery and outcomes of future infrastructure projects.

1. INTRODUCTION

1.1. Project Context and Background

The Kingston Bus Interchange Hub project was a component of the Kingborough Council's "Transform Kingston CBD" strategic initiative. The primary objective of this broader program is to create a vibrant, connected, and attractive town centre that stimulates investment and improves the experience for residents and visitors. The interchange, located at 40 Channel Highway, was designed specifically to serve northbound buses, moving them off the main street to alleviate traffic congestion.

The project was not originally part of the Transform Kingston CBD project scope; however, an opportunity arose to include it when the land became available, and an internal decision was made to proceed. Kingborough Council managed the project internally, leading all planning and design components. The initial reported construction cost was \$300,000. Despite its physical completion, design flaws have rendered the facility unusable, leading to ongoing disruptions and a public dispute between the Council and key stakeholders.

This report serves as a review of the project, evaluating its effectiveness and adherence to project management principles from initiation through to its current state. The review methodology involved face-to-face interviews, analysis of Council-provided documentation, and publicly available information.





1.2. Analysis of Project Initiation Timing

The decision to incorporate the bus interchange into the wider Transform Kingston CBD project after the main project was already underway presented a challenge. Adding a complex piece of infrastructure mid-stream can strain project management resources and lead to rushed planning and design phases. This approach risks insufficient due diligence, as the focus may be on aligning with the existing project's timeline rather than developing a standalone, robust plan for the new component. The subsequent design flaws suggest that the project may have suffered from a compressed or inadequately resourced initiation and planning period, a direct consequence of its opportunistic inclusion.

2. PROJECT INITIATION

2.1. Clarity of Objectives and Scope

The project commenced with clearly defined objectives aimed at improving public transport infrastructure and traffic flow in Kingston. Key design goals included:

- Improving accessibility for all users.
- Providing a dedicated stop for northbound buses to reduce main street traffic congestion.
- Incorporating new, modern bus shelters and enhanced seating arrangements.
- Upgrading bus stops to meet contemporary standards.

The physical scope was the development of the site at 40 Channel Highway, functioning as a passenger transfer interchange rather than a storage or maintenance depot. The project also aligned with longer-term Council plans for the area, which include further upgrades and potential multi-story car parking.

2.2. Initial Risk Management Processes

The project's initial risk management processes were flawed, particularly concerning design and safety. While Council and their consultants invested significant effort in analysing bus travel paths through swept path assessments, there was a lack of attention paid to passenger experience and pedestrian safety.

A November 2022 Traffic Impact Assessment (TIA) explicitly identified the risk posed by tight corners and recommended amending the curb radius and alignment to allow a bus to access the formal parking space without overhanging the footpath. Crucially, the final design failed to incorporate this recommendation.

The successful off-site trial likely contributed to an underestimation of this known risk.

Furthermore, a post-construction on-site assessment identified a significant conflict risk between exiting buses and cyclists due to impeded sight lines caused by vegetation and parked cars. That this risk was only formally identified during remedial testing suggests a gap in the initial safety and risk assessment. The on-site assessment report also questioned whether a road safety audit had been undertaken for the site, indicating a potential process failure.

2.3. Project Approval Processes and Governance

The project's governance structure presented challenges. Kingborough Council managed the project internally and was also the planning authority, creating a potential conflict of interest.





Communication with key external stakeholders, Department of State Growth (road owner) and Metro Tasmania (bus operator)—was conducted through monthly meetings and email correspondence. While these stakeholders received the Planning Application, the review found no evidence of documented, formal design approval from either entity. This lack of formal sign-off from the primary asset owner and the main user of the facility is a critical governance failure. It allowed a flawed design to proceed to construction without the necessary checks and balances from essential external partners.

3. PROJECT PLANNING

3.1. Adequacy of Resource Planning (Financial, Human and Material)

Kingborough Council's decision to manage the planning and design of a specialised piece of infrastructure internally, rather than outsourcing the entire process to a firm with specific expertise, was a misstep in resource planning. This approach may have contributed to the design flaws and operational issues. While the Council has engineering capabilities, the complexities of a bus interchange—balancing vehicle dynamics, passenger safety, accessibility standards, and traffic integration—demand specialised experience. The failure to engage such expertise at the design leadership level represents a gap in human resource allocation.

The lack of a defined project management matrix, the reliance on basic finance ledgers for project tracking, and the project manager's sole responsibility for all documentation collectively point to an underdeveloped or, in practice, ignored organisational project management capability. These elements are fundamental components of a mature project management framework. Their absence or inconsistent application suggests that Kingborough Council, at the time of this project, either did not fully appreciate the importance of institutionalised project management practices or lacked the necessary resources and commitment to implement them effectively. The existence of a "Gate Process" developed in 2019, which was not consistently followed, further reinforces this observation. This situation is not merely an isolated project failure but indicates a potential organisational immaturity in project delivery, leading to ad-hoc processes, reactive management, and increased vulnerability to external disruptions.

3.2. Risk Management Strategies and Contingency Planning

The planning phase failed to implement a robust risk management strategy. The most significant failure was the decision to ignore the recommendation within the GHD Traffic Impact Assessment to amend the curb line. This indicates that either the risk was not correctly prioritised, or the project team consciously accepted a risk that ultimately materialised.

Contingency planning for this known design risk appears to have been non-existent. The Council did develop a detailed "shared stop protocol" in December 2023 for the operation of the interchange, including instructions for drivers and procedures for when the stop is full. This shows detailed operational planning, but the lack of a contingency plan for the physical design failure meant these protocols could not be implemented.

3.3. Stakeholder Identification, Engagement and Communications

While the project identified its main external stakeholders (Department of State Growth, Metro Tasmania, and the local community), the engagement strategy was insufficient. Communication was primarily limited to progress updates at monthly meetings that were initially intended for other matters. The lack of a formal design approval process meant that stakeholder engagement did not translate into stakeholder buy-in or official sign-off. This passive form of communication, without structured gateways for formal approval, is a cause of the current dispute and project failure.





3.4. Planning and Scheduling Tools

The provided documents do not detail the specific planning and scheduling tools used for construction. However, the outcome—a completed but unusable facility—suggests a breakdown in the planning and design review stages of the project schedule. A properly structured schedule would have included a dedicated 'Design Review and Approval' gate. This gate would have required formal sign-off from all key stakeholders and verification that all expert recommendations had been addressed, preventing construction from commencing on a flawed design.

4. PROCUREMENT

4.1. Procurement Approach and Methods

Kingborough Council's primary procurement decision was to manage the project's design and planning internally, while outsourcing the development of the Planning Permit application. The decision not to procure an external, specialised infrastructure design firm for the entire design process is a key finding of this review. The technical preparation for the planning permit was thorough, with an independently completed Traffic Impact Assessment and supporting documentation submitted.

4.2. Management of Procurement Risks and Variations

The critical risk in the procurement phase was embedded in the decision to retain design responsibility in-house for a specialised asset. The failure to incorporate the TIA's recommendations into the final design specifications before going to tender for construction meant that the procurement of the construction contractor was based on a flawed design brief.

5. PROJECT EXECUTION

5.1. Management of Project Timelines, Budgets and Resources

The project was reported as initially complete in January 2024, in line with operational protocols developed in December 2023. However, remained out of service until after remedial designs and works were agreed and implemented, commencing operation in May 2025. This represents a failure in project execution, as the delivered asset is not fit for purpose.

5.2. Quality Control and Assurance Processes

Quality control during the execution and final design stages was inadequate. Post-completion on-site assessments confirmed that the "as-built" facility was not functional. Testing with 12.5m and 18m articulated buses demonstrated that:

- Buses could not align both front and rear doors with the kerb, failing to meet accessibility standards.
- When attempting to align, buses would swing over the kerb and obstruct the footpath in front of the shelters.
- Even with proposed kerb cutbacks and footpath widening, the fundamental design issues would likely remain.





A robust quality assurance process would have included practical trials before finalising the design and construction, preventing these issues.

5.3. Deviations from Scope, Schedule, or Budget and Change Management

The most significant deviation was the failure to execute the design change recommended by GHD. Rather than a managed change, this was an omission that invalidated the project's functional objective. The project schedule has been completely derailed, moving from "complete" to requiring significant rework with an unknown timeline. Likewise, the budget was subject to the unbudgeted "financial ramifications" of the necessary remedial works.

5.4. Communication and Collaboration

The ineffective communication during the planning phase escalated into a public disagreement between Kingborough Council and the Department of State Growth during the execution and post-completion phase. The on-site assessment in October 2024 involving all key parties, demonstrates a period of reactive collaboration to diagnose and solve the problem. However, this collaborative effort occurred too late, highlighting the failure of proactive collaboration during the design phase which would have prevented the problem entirely.

5.5. Community Impact and Feedback

The primary community impact is the ongoing failure to deliver a promised improvement to public transport and traffic flow. The continued use of temporary, on-street bus services prolongs traffic congestion on the main street—the very problem the interchange was built to solve. This undermines the objectives of the Transform Kingston CBD initiative and potentially erodes public confidence in Council's ability to deliver key infrastructure projects.

6. PROJECT MANAGEMENT AND OVERSIGHT

6.1. Project Management/Governance Structures and Oversight Mechanisms

Project governance was a weakness of the project. The internal management structure, combined with the Council acting as its own planning authority, created a lack of independent oversight. The absence of a requirement for formal, documented sign-off from critical external stakeholders like the Department of State Growth and Metro Tasmania removed a vital layer of quality and safety control. This governance failure allowed a design with known, expert-identified flaws to be constructed.

6.2. Project Reporting and Monitoring Processes

The provided documents do not detail specific reporting and monitoring processes used during the project. However, the outcome clearly demonstrates a failure to monitor the final design's compliance with expert recommendations from the TIA. A key performance indicator for the design phase should have been the successful resolution and incorporation of all safety and operational recommendations from consultant reports.

6.3. Adequacy and Timeliness of Stakeholder Engagement and Communication

Stakeholder engagement was inadequate to ensure project success. While stakeholders were kept informed via monthly meetings, this communication did not culminate in the necessary formal agreements or





approvals. This resulted in a lack of shared ownership of the design, which later manifested as a public dispute.

6.4. Project Manager's Role and Leadership

The project was managed internally by Kingborough Council. The decision to proceed with a design that did not incorporate expert recommendations, and without formal approval from key stakeholders, points to a failure in project leadership and decision-making.

The project manager's sole responsibility for all documentation, coupled with the lack of a formal stakeholder engagement plan and reactive public communication, indicates an overwhelming burden on a single individual and a critical failure in strategic communication and external relationship management. A single project manager cannot effectively manage all project documentation and proactive, multi-channel stakeholder engagement without significant support. This suggests that the project manager was likely overburdened and lacked the necessary support functions (e.g., dedicated communications team, administrative support, PMO support) to execute comprehensive project management. This situation led to critical areas like stakeholder engagement being neglected. This structure creates a high-risk scenario where project success is overly dependent on one individual's capacity, increasing the likelihood of oversight and burnout. It also severely limits the Council's ability to manage public perception and build trust, as communication becomes reactive and potentially inconsistent. This implies a need for a more distributed project management model, clear delegation of responsibilities, and dedicated resources for communications and stakeholder relations within the Council's project delivery framework.

6.5. Post-Project Review Processes and Lessons Learned

This report, commissioned by Kingborough Council, forms part of the post-project review process. The original review document and the on-site assessment identified several key learnings, demonstrating an organisational commitment to analysing the project's shortcomings to improve future performance.

7. PROJECT TIMELINE

The following table provides a chronological overview of the key events in the Kingston Bus Interchange Hub project lifecycle.

Table 1: Kingston Bus Exchange Project Chronology and Key Events

Date/Period	Event/Milestone/Delay Description	Impact/Significance
May 2020	Kingborough Council formally adopts the "Transform Kingston" project.	Marks the official start of the broader strategic initiative that the interchange would become part of.
11 Dec 2021	The land transfer for 40 Channel Highway is officially registered to Kingborough Council.	Council takes ownership of the site, enabling the project to proceed on council-owned land.





Date/Period	Event/Milestone/Delay Description	Impact/Significance
4 Apr 2022	Council votes on the interchange design following a period of community consultation	A key internal approval milestone for the proposed design, preceding the detailed TIA
Mid-2022	An off-site trial of the proposed layout is successfully conducted at a local sports centre.	The positive result gives Council and Metro confidence in the design, creating a false sense of security.
28 Nov 2022	GHD completes its final Traffic Impact Assessment (TIA)	The expert report identifies tight corners and recommends critical changes to the kerb line for safety and functionality.
19 Jan 2023	The final Supporting Planning Report is submitted for the planning permit application.	The project moves into the formal statutory planning process. The TIA is included as an appendix.
11 Dec 2023	Intended start date for operations, as per the "shared stop protocol" document.	Detailed operational procedures were ready, indicating an imminent opening.
Jan 2024	Initial construction is reported as complete.	The project is physically built but is not operational due to the unaddressed design flaws.
Jan-Oct 2024	Interchange remains non-operational. Public disagreement with State Growth emerges.	The consequences of the design failure become public, impacting stakeholder relations.
Feb 2024	DSG informs Council it will seek an independent review of the interchange.	A key stakeholder initiates a formal review, indicating a breakdown in trust and agreement.
June 2024	DSG provides its response; a second on-site trial with buses is conducted.	The process of diagnosing the issues and finding a solution with stakeholders continues.
Dec 2024	A third on-site trial is conducted to confirm a potential solution will work.	Demonstrates the lengthy and iterative process required to rectify the initial design failure.
Early 2025	Metro provides a decision after a ~12-month delay and sends letters disputing the original agreement.	Highlights the severe breakdown in stakeholder collaboration and the protracted nature of the resolution.

8. KEY LESSONS





8.1. Key Lessons

The failure of the Kingston Bus Interchange project stems from foreseen risks that were ignored during the design and governance process. This is a distinction from many infrastructure projects that face delays from unforeseen external factors.

The GHD Traffic Impact Assessment provided a clear, actionable recommendation to mitigate a known design risk. Standard industry practice dictates that such expert advice, especially when it relates to safety and core functionality, must be formally addressed. The failure to do so is a departure from best practice project management. This project's failure is less a lesson in managing the unexpected and more a case study in the consequences of disregarding expert advice and circumventing robust governance.

9. RECOMMENDATIONS FOR BEST PRACTICE PROJECT MANAGEMENT

The review of the Kingston Bus Interchange project provides lessons for Kingborough Council. To prevent the recurrence of such issues and enhance the delivery of future capital works, the following recommendations should be implemented.

9.1. Enhanced Risk Management Framework

- Engage Specialist Expertise: For projects requiring specialised knowledge (e.g., transport interchanges), the Council must engage external, expert design consultants to lead the design process.
- Mandatory Design Reviews & Safety Audits: Implement a formal, independent design review process for key infrastructure. This must include practical elements like vehicle testing before design finalisation and a formal Road Safety Audit for any changes to the road network.
- Formal Risk-Response Integration: Recommendations from all expert reports must be formally logged in a risk register. The project manager must document how each recommendation is addressed in the final design, and any decision to deviate must be justified in writing and approved at a senior level.

9.2. Streamlined Approvals and Permit Management

- Develop Formal Approvals Plan: For all infrastructure projects, a defined Approvals and Permits Management Plan must be developed at the project concept stage.
- Mandate Stakeholder Sign-Off: This plan must define project roles and establish formal "gates" where written, documented approval from all key stakeholders (e.g., Department of State Growth, Metro Tasmania) is mandatory before the project can proceed to the next phase.
- Clarify Approval Responsibilities: The plan must clearly define who is responsible for providing approval and the specific timing required, preventing projects from proceeding on the basis of informal consensus.

9.3. Comprehensive Stakeholder Engagement

- Establish Collaborative Protocols: Move beyond informational meetings to establish collaborative protocols with key stakeholders from the very outset of a project. This ensures their expertise is integrated into the design phase, not just the remedial phase.
- Integrate Safety for All Road Users: The design process must proactively consider the safety of all users, including cyclists and pedestrians, from the earliest stages. As identified in the on-site





assessment, potential conflicts must be designed out of the system through measures like improving sight lines and appropriate traffic calming.

9.4. Strengthened Project Governance

- Review and Enhance Governance Structures: The governance structure for all public infrastructure projects must be critically reviewed and enhanced to include robust mechanisms for accountability and stringent quality control measures.
- Mitigate Conflicts of Interest: Where the Council is both the proponent and the planning authority, an independent third party should be engaged to review the planning and approval process to ensure robustness and transparency.
- Empower a Project Management Office (PMO): Establishing a dedicated PMO would standardise processes, ensure frameworks are followed, provide centralised support, and enforce the governance structures needed to prevent the failures seen in this project.

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14.3 AUDIT PANEL APPOINTMENT

File Number: 12.195

Author: David Spinks, Director People & Finance

Authoriser: Dave Stewart, Chief Executive Officer

Strategic Plan Reference

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.4 The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability.

1. PURPOSE

- 1.1 The purpose of this report is to recommend the re-appointment on an independent member of the Audit Panel.

2. BACKGROUND

- 2.1 The term of office of independent Audit Panel member Mr Paul Viney expires in January 2026.
- 2.2 The Audit Panel's Charter states that "Audit Panel members may be re-appointed at the approval of the Council" and that "Audit Panel members are appointed for a period of not less than one year, and not exceeding four years".

3. STATUTORY REQUIREMENTS

- 3.1 An Audit Panel is created under Division 4 of the Local Government Act 1993. Council's Audit Panel Charter stipulates membership of the Panel shall comprise two councillors and three independent members.

4. DISCUSSION

- 4.1 Mr Viney has written to Council seeking re-appointment to the Audit Panel.
- 4.2 The independent Panel Chair has expressed his support to Mr Viney's re-appointment.
- 4.3 Mr Viney's re-appointment will maintain an appropriate skill balance on the Panel as well as provide for succession planning.
- 4.4 For information, the terms of the other two independent members expire in May 2027 and December 2027.

5. FINANCE

- 5.1 Independent Audit Panel members are paid a sitting fee which is fully budgeted. There is no additional financial implication from this report.

6. ENVIRONMENT

- 6.1 Nil

7. COMMUNICATION AND CONSULTATION

- 7.1 Details of the membership of the Audit Panel are included on Council's website.

8. RISK

8.1 No significant risk has been identified in relation to this report.

9. CONCLUSION

9.1 Mr Paul Viney's term as an independent member of the Audit Panel expires in January and it is recommended he be re-appointed for another four year term.

10. RECOMMENDATION

That Mr Paul Viney be re-appointed to Council's Audit Panel as an independent member for a period of four years expiring in January 2030.

ATTACHMENTS

Nil

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