



CITY OF HOBART

# MINUTES

Open Portion  
Tuesday, 27 January 2026  
At 4.00pm  
Council Chamber, Town Hall



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## ORDER OF BUSINESS

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**PRESENT:**

Lord Mayor Councillor A M Reynolds, Deputy Lord Mayor Councillor Dr Z E Sherlock, Alderman M Zucco, Councillor W F Harvey, Councillor M S C Dutta, Councillor J L Kelly, Councillor L M Elliot, Alderman L A Bloomfield, Councillor R J Posselt, Councillor B Lohberger, Councillor W N S Coats and Councillor G H Kitsos.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Nil.

Deputy Lord Mayor Councillor Sherlock left the meeting at 4.15pm after declaring an interest in item 19, returning at 4.35pm.

Councillor Elliot left the meeting at 5.36pm after declaring an interest in item 16, returning at 5.44pm.

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**1. ACKNOWLEDGEMENT OF COUNTRY**

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The Chairperson opened the meeting and provided an acknowledgement of country.

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**2. CONFIRMATION OF MINUTES**

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SHERLOCK  
DUTTA

The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 15 December 2025](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

**COUNCIL RESOLUTION:**

The minutes were signed.

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**3. TRANSFER OF AGENDA ITEMS**

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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 17 of the *Local Government (Meeting Procedures) Regulations 2025*?

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COATS  
ELLIOT

That the items 18 and 19 be taken after item 9, of the Open Council Agenda of 27 January 2026.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Kelly  
Elliot  
Bloomfield  
Posselt  
Coats

NOES

Lord Mayor Reynolds  
Dutta  
Lohberger  
Kitsos

## **COUNCIL RESOLUTION:**

That items 18 and 19 be taken after item 9 of the Open Council Agenda of 27 January 2026.

## **4. COMMUNICATION FROM THE CHAIRPERSON**

No communication was received.

## **5. NOTIFICATION OF COUNCIL WORKSHOPS**

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2025, the Chief Executive Officer reports that the following workshops have been conducted since the last ordinary meeting of the Council.

Date: 19 January 2026

Purpose: Augusta Road / Elizabeth Street – Pedestrian, Bicycle, Public Transport and Urban Enhancement Planning Project | Twelve Month Review – Argyle and Campbell St Bike Lanes | Stormwater and Waterways Briefing | Future State of Car Parking in Hobart

Attendance:

Lord Mayor Councillor A M Reynolds, Deputy Lord Mayor Councillor Dr Z E Sherlock, Alderman M Zucco, Councillor's W F Harvey, M S C Dutta, J L Kelly, Alderman L A Bloomfield, Councillor's R J Posselt, and B Lohberger

Apologies:

Councillors L M Elliot and G H Kitsos

Leave of Absence:

Nil.

## 6. PUBLIC QUESTION TIME

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### 6.1 Public Questions

#### 6.1.1 Andrew Edwards - Farmers Market

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Mr Edwards put the following questions which the Lord Mayor took on notice:

Is it true you are supporting an investigation into the moving of the Farmers Market from Bathurst Street to Collins Street? I know that staff members have raised the matter with at least two retailers In Collins Street. Does this imply your lack of support for the bicycle lane program that you supported when you voted against your own motion to reject the professional advice you sought at the time?

### 6.2 Responses to Public Questions Taken On Notice

POSSELT  
SHERLOCK

That the responses contained within the officer report, marked as item 6.2.1 of the Open Council Agenda of 27 January 2026, be received and noted.

MOTION CARRIED

#### VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

#### **COUNCIL RESOLUTION:**

That the following responses to a public questions taken on notice, marked as item 6.2.1 of the Open Council Agenda of 27 January 2026, be received and noted:

6.2.1      Green Waste Collection and Rate Remissions

## **7. PETITIONS**

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No petitions were received.

## **8. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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Ref: Part 2, Regulation 10(7) of the *Local Government (Meeting Procedures) Regulations 2025*.

### **RECOMMENDATION**

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2025*.

No supplementary items were received.

## **9. INDICATIONS CONFLICTS OF INTEREST**

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Ref: Part 2, Regulation 10(8) of the *Local Government (Meeting Procedures) Regulations 2025*.

Elected Members are requested to indicate where they may have, or are likely to have, an interest in the agenda.

The following interest was indicated:

1. Councillor Elliot - item 18
2. Deputy Lord Mayor Councillor Sherlock - item 19

Item 18 was then taken.

## OFFICER REPORTS

**10. DKHAC - New Fees and Charges 2025-26**  
**File Ref: F25/85958; 16/119**

DUTTA  
KITSOS

That the recommendation contained within the officer report, marked as item 10 of the Open Council Agenda of 27 January 2026, be adopted.

## MOTION CARRIED

## VOTING RECORD

**AYES**

## NOES

|                            |        |
|----------------------------|--------|
| Lord Mayor Reynolds        | Elliot |
| Deputy Lord Mayor Sherlock |        |
| Zucco                      |        |
| Harvey                     |        |
| Dutta                      |        |
| Kelly                      |        |
| Bloomfield                 |        |
| Posselt                    |        |
| Lohberger                  |        |
| Coats                      |        |
| Kitsos                     |        |

## **COUNCIL RESOLUTION:**

That the following schedule of proposed fees and charges for parking at the Doone Kennedy Hobart Aquatic Centre be adopted for the 2025-26 financial year:

| Description   | Fee – including GST    |
|---|------------------------|
| DKHAC Member Parking – 1 <sup>st</sup> – 3 <sup>rd</sup> Hours                                      | First three hours free |
| DKHAC Member Parking – 4 <sup>th</sup> Hour   | \$ 5.60                |
| DKHAC Member Parking – 5 <sup>th</sup> Hour   | \$ 11.20               |
| DKHAC Member Parking – 6 <sup>th</sup> – 24 <sup>th</sup> Hours (and per 24 hour period thereafter) | \$ 60.00               |
| DKHAC Casual User Parking – 1 <sup>st</sup> – 2 <sup>nd</sup> Hours                                 | First two hours free   |

|   |          |
|---|----------|
| DKHAC Casual User Parking – 3 <sup>rd</sup> Hours   | \$ 5.60  |
| DKHAC Casual User Parking – 4 <sup>th</sup> Hours   | \$ 11.20 |
| DKHAC Casual User Parking – 5 <sup>th</sup> Hours   | \$ 16.80 |
| DKHAC Casual User Parking – 6 <sup>th</sup> – 24 <sup>th</sup> Hours<br>(and per 24 hour period thereafter) | \$ 60.00 |
| Unvalidated DKHAC Parking (per 24 hour period)  | \$ 60.00 |

## 11. Hobart: A City for All - Action Plan 2026-29

File Ref: F25/92998

# HARVEY KITSOS

That the recommendation contained within the officer report, marked as item 11 of the Open Council Agenda of 27 January 2026, be adopted with the action plan amended to include the consideration of additional disability car parking spaces on the 2<sup>nd</sup> Level of Argyle Street Car Park, near the overpass to the Royal Hobart Hospital.

## MOTION CARRIED

## VOTING RECORD

AYES

|                            |        |
|----------------------------|--------|
| Lord Mayor Reynolds        | Zucco  |
| Deputy Lord Mayor Sherlock | Kelly  |
| Harvey                     | Elliot |
| Dutta                      | Coats  |
| Bloomfield                 |        |
| Posselt                    |        |
| Lohberger                  |        |
| Kitsos                     |        |

## NOES

## **COUNCIL RESOLUTION:**

That:

1. The Council endorse the Hobart: City for All – Action Plan 2026-29 marked as Attachment A of item 11 of the Open Council Agenda of 27 January 2026; with the action plan amended to include consideration of additional disability car parking spaces on the 2<sup>nd</sup> Level of Argyle Street Car Park, near the overpass to the Royal Hobart Hospital.

2. The Council receive and note the Engagement Summary Report marked as Attachment C of item 11 of the Open Council Agenda of 27 January 2026 to this report.
3. The implementation of actions (listed on the Hobart: City for All – Action Plan 2026-29 marked as Attachment A of item 11 of the Open Council Agenda of 27 January 2026) be monitored and an outcome report be prepared and provided to the Council annually.

**12. 2025 Children's Mayor Program - Outcome Report**  
**File Ref: F26/1136**

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POSSELT  
LOHBERGER

That the recommendation contained within the officer report, marked as item 12 of the Open Council Agenda of 27 January 2026, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

**COUNCIL RESOLUTION:**

That this report titled '2025 Children's Mayor Program – Outcome Report' be received and noted.

**13. Risk and Audit Panel - Annual Report to Council and 2026 Work Plan**  
**File Ref: F26/1216**

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BLOOMFIELD  
HARVEY

That the recommendation contained within the officer report, marked as item 13 of the Open Council Agenda of 27 January 2026, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

**COUNCIL RESOLUTION:**

That:

1. The Risk and Audit Panel's Annual Report for 2025, marked as Attachment A of item 13 of the Open Council Agenda of 27 January 2026, be received and noted.
2. The 2026 Work Plan for the Risk and Audit Panel, marked as Attachment B of item 13 of the Open Council Agenda of 27 January 2026, be approved.

**14. Local Government Electoral Bill 2025 and Local Government Amendment (Electoral Reforms) Bill 2025**  
**File Ref: F26/830**

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SHERLOCK  
POSSELT

That the recommendation contained within the officer report, marked as item 14 of the Open Council Agenda of 27 January 2026, be adopted, with the voting for each key reform, as outlined in point 3.5 of the officer report, being taken by exception.

*Local Government Electoral Bill 2025, Key Reform 2 - Election of Mayors, Deputy Mayors and Councillors:*

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Kitsos

NOES

Zucco  
Coats

*Local Government Electoral Bill 2025 Key Reform 14 - Investigatory Powers:*

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Harvey  
Dutta  
Kelly  
Elliot  
Coats  
Kitsos

NOES

Zucco  
Bloomfield  
Posselt  
Lohberger

*Local Government Electoral Bill 2025 Key Reform 15 - Electoral Advertising and Publication of Electoral Matter – (first paragraph)*

MOTION LOST

VOTING RECORD

AYES

Elliot  
Coats

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Bloomfield  
Posselt  
Lohberger  
Kitsos

*Local Government Electoral Bill 2025 Key Reform 16 – Electoral Expenditure (first paragraph):*

MOTION LOST

VOTING RECORD

AYES

Lord Mayor Reynolds  
Harvey  
Kitsos

NOES

Deputy Lord Mayor Sherlock  
Zucco  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats

**MOTION**

POSSELT  
LOHBERGER

That Council's submission to the Office of Local Government on the draft Local Government Electoral Bill 2025 and Local Government Amendment (Electoral Reforms) Bill 2025 in respect of Key Reform 16 (first paragraph) be drafted to support an expenditure cap of \$10,000 being applied to all Councils.

MOTION LOST

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Dutta  
Posselt  
Lohberger

NOES

Zucco  
Harvey  
Kelly  
Elliot  
Bloomfield  
Coats  
Kitsos

**MOTION**

HARVEY  
KITSOS

That in accordance with regulation 23, the vote for the Local Government Electoral Bill 2025 key reform 16 – Electoral Expenditure (first paragraph) be retaken.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Posselt  
Coats  
Kitsos

NOES

Bloomfield  
Lohberger

*Local Government Electoral Bill 2025 Reform 16 – Electoral Expenditure (first paragraph):*

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Posselt  
Kitsos

NOES

Deputy Lord Mayor Sherlock  
Bloomfield  
Lohberger  
Coats

*Local Government Amendment (Electoral Reforms) Bill 2025 Key Reform –  
Part 6 - Petitions, Polls and Public Meetings:*

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Harvey  
Kelly  
Elliot  
Bloomfield  
Lohberger  
Coats  
Kitsos

NOES

Deputy Lord Mayor Sherlock  
Zucco  
Dutta  
Posselt

The Lord Mayor then put all remaining key reforms:

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Kitsos

NOES

Coats

## COUNCIL RESOLUTION:

That the Council provide a submission to the Office of Local Government on the Draft Local Government Electoral Bill 2025 and Local Government Amendment (Electoral Reforms) Bill 2025 in accordance with the following comments:

### 1. Local Government Electoral Bill 2025:

| Key Reform   | Comment  |
|--|--|
| <b>2 – ELECTION OF MAYORS, DEPUTY MAYORS AND COUNCILLORS</b>   |  |
| Provides for the election of the Deputy Mayor 'around the table' by councillors, rather than by direct elector ballot. This must be done by vote of the council (simple majority), and within the first two general meetings of the council.   | <b>DO NOT SUPPORT</b><br><br>The Council supports the maintenance of the status quo in relation to the election and role of the Deputy (Lord) Mayor.<br><br>The Council believes that should, during the term of an office, a Deputy (Lord) Mayor leave permanently, the replacement is selected from the election result system of the prior election (following the usual preferences approach) and not by direct election from the Elected Members. |
| <b>4 – ELECTORS AND ELECTORAL ROLLS</b>  |  |
| Amends the definition of "occupier" for enrolment purposes, to refer to actual occupation and use, and clarify that tenants and licensees are occupiers for the purposes of the Act.   | <b>SUPPORT</b><br><br>This change will address ambiguity around the extent of association with land required to generate an entitlement to vote in local government elections in some specific instances (for instance, persons making regular use of a secondary property owned by a family member or associate).   |
| Preserves a supplementary roll ('General Manager's Roll') for electors not entitled to be on the House of Assembly (HoA) Roll in respect of an electoral area, as well as clear and consistent criteria for applying to be on this Roll.<br><br>This supplementary roll is now named the Local Government Electoral Roll.<br><br>This roll is for persons with property-based entitlements (landowners/occupiers, corporate bodies) and non-citizen electors who have lived in the | <b>SUPPORT</b><br><br>This change will enable increased consistency in the administration and application of the supplementary electoral roll and the administration of this function will be streamlined.   |

|  |   |
|--|---|
| <p>electoral area for a continuous period of at least 12 months.</p> <p>Provides that responsibility for keeping and maintaining the supplementary rolls for electoral areas is to transfer to the TEC (currently council General Managers must maintain their council's supplementary rolls).</p>   |   |
| <p>Tightens the criteria for who can nominate to vote on behalf of corporate bodies, including that they:</p> <ul style="list-style-type: none"> <li>• Must not be a director or the secretary of the corporate body.</li> <li>• Must not already be enrolled on the HoA roll for the electoral area.</li> </ul> <p>Not be the corporate body nominee for another corporate body in the same area.</p>   | <p><b>SUPPORT</b></p> <p>These changes will ensure that a person may only have, in any circumstances, one vote in an election for a municipal area.</p>   |
| <p>Provides for 'one vote, one value' by providing that each elector is entitled to one vote in an election for an electoral area.</p> <p>This changes the current situation where a person may have up to two votes (e.g. one in their own right, and one on behalf of a body corporate).</p>   |   |
| <p><b>5 – COMPULSORY VOTING</b></p>  |   |
| <p>Preserves compulsory voting for those on the HoA roll (status quo).</p> <p>Voting remains optional for electors on the supplementary Local Government Electoral Roll.</p>   | <p><b>SUPPORT</b></p> <p>The Council supports compulsory voting in Local Government elections.</p>  |
| <p><b>6 – ISSUING AND RECEIVING PLACES, POLLING PLACES AND ELECTION OFFICIALS</b></p>  |   |
| <p>Reduces prescription and introduces flexibility to 'future proof' elections, allowing the Electoral Commissioner to determine the method of voting at an election. This can include one or more methods, including attendance voting at a polling place and/or postal voting (including provision and receipt of ballots in person and by mail).</p> <p>These provisions provide flexibility for the Commissioner to determine multiple methods of voting, supporting the position of moving to a hybrid postal</p> | <p><b>SUPPORT</b></p> <p>The Council supports the introduction of flexibility to determine the method of voting at an election</p> <p>The Council's preference is a move to compulsory voting by attendance at the ballot box. This is to be supported by an extended pre-poll period and postal voting for persons on the Local Government Electoral Roll.</p> |

|  |   |
|--|---|
| <p>electoral format, allowing for continued mail voting, with provision of pre-polling and polling places for in-person completion of ballots.</p> <p>The provides for the postal method (allowing for and encouraging for hand returns) as the default election method and allows for an attendance ballot only where the Commissioner is satisfied available postal services are inadequate to ensure the reliable conduct of the election by postal ballot, a postal ballot would be more expensive to conduct than an attendance ballot.</p> <p>The Commissioner will be required to issue a notice as to the chosen method of election at least six months in advance of the notice of an election.</p> |   |
| <p>Preserves issuing and receiving places, which allow for issue and return of ballots during mail (or hybrid) elections.</p> <p>Provisions from the <i>Local Government Act 1993</i> are expanded for accessibility, including allowing the Electoral Commissioner to appoint a hospital, convalescent home, nursing home or other similar place at which a mobile facility may be operated as an issuing and receiving place – similar to polling place provisions in the <i>Electoral Act 2004</i>.</p>   |   |
| <p>Allows for appointment of polling places, pre-poll polling places and mobile polling places in the event of an attendance ballot.</p> <p>Accessibility provisions mirror those for issuing and receiving places. There is also an additional clause (35) which provides for assistance to vote at a polling place to be provided for those who need it.</p>   |   |
| <b>PART 7 – NOTICES OF ELECTIONS AND NOMINATIONS</b>   |   |
| <p>Retains a single-phase nomination process, with additional requirements in the notice of nomination – including:</p> <ul style="list-style-type: none"><li>• A statement as to whether or not the candidate is formally endorsed by a registered party or is running under a</li></ul>  | <b>SUPPORT</b> <p>This change will see the candidate information become part of the statutory elections framework and candidates be afforded a right to submit an information</p> |

|   |   |
|---|---|
| <p>group name not associated with a party.</p> <ul style="list-style-type: none"><li>• An attestation that a candidate has completed the proposed mandatory pre-election training module (does not apply to incumbent councillors).</li></ul> <p>A notice of nomination must also be signed by at least 30 electors or 1% of electors in the municipal area (whichever is smaller). Currently a notice of nomination must be signed by only two electors.</p>   | <p>statement as part of the notice of nomination. It will also improve transparency in respect to candidates nominated by a registered party.</p> <p>This change provides an initial test of credible public support for a candidacy, while not imposing a financial barrier on candidates.</p>   |
| <p>Requires the TEC to publish and distribute a candidate information package. This is currently done as a matter of convention and is the primary way electors become aware of the range of candidates, their reasons for seeking election, views and propositions. However, this is currently not a part of the formal legislative framework.</p> <p>At a minimum, this will include for each candidate - the candidate's name, a personal statement (if provided), and whether the candidate is endorsed by a registered party, running under a group name or is an independent candidate. This information is gathered as part of the notice of nomination.</p> |   |
| <p><b>PART 8 - BALLOTS</b></p> <p>Provides guidance around ballot material, and provisions on issuing, completing and returning ballots based on various election methods enabled under Part 6.</p>   | <p><b>SUPPORT</b></p> <p>The Council supports the introduction of flexibility to determine the method of voting at an election, which includes the preparation and provision of ballot materials.</p>   |
| <p><b>PART 10 – ALTERNATIVE VOTING PROCEDURES</b></p> <p>This is a broad part which allows the Electoral Commission to approve and deliver alternative voting procedures for classes of electors who face barriers to traditional means of voting. This includes, but is not limited to electronic voting methods such as online voting or voting by telephone.</p> <p>This supports universal franchise principles, consistent with recent reforms to the <i>State Electoral Act 2004</i>.</p>   | <p><b>SUPPORT</b></p> <p>This reform will enable the Electoral Commission to provide assistance to electors with impediments to participation or who are outside Tasmania during the polling period.</p> <p>This reform will enable methods of voting to include assistive technologies. For instance, voting by telephone with a human operator, or voting using</p> |

|   |   |
|---|---|
|   | internet-based systems.   |
| Requires the TEC to approve procedures which enable and support accessible voting practices for electors with additional barriers to participation.<br><br>The TEC is also required to publish after each election a statement on the implementation of the accessibility principles.   | <b>SUPPORT</b><br><br>This proposal is considered to balance appropriately the independence of the Commission, while providing a transparent accounting of participation at the election for electors with additional barriers to participation.    |
| <b>PART 13 – OFFENCES RELATING TO ELECTIONS</b>   |   |
| Introduces a range of offences related to polling and conduct at polling places consistent with the <i>Electoral Act 2004</i> , while also retaining offences relating to elections under the <i>Local Government Act 1993</i> .<br><br>It also contains offences relating to electoral bribery and treating and intimidation.  | <b>SUPPORT</b><br><br>The Council supports the introduction of flexibility to determine the method of voting at an election and the development of a legislative framework to ensure elections are transparent and fair.                            |
| <b>PART 14 – INVESTIGATORY POWERS</b>   |   |
| Provides standard investigatory powers for the Electoral Commissioner (or authorised officers) – consistent again with the <i>Electoral Act 2004</i> . This includes: <ul style="list-style-type: none"><li>• Power to enter and inspect places.</li><li>• Power to require production of documents or information.</li><li>• Power to seize and detain.</li><li>• Power to require attendance and questioning.</li></ul> | <b>DO NOT SUPPORT</b><br><br>There are other existing jurisdictions (i.e. Integrity Commission) established to investigate these types of matters, so it seems like a duplication to provide the Electoral Commission with powers of investigation. |
| <b>PART 15 – ELECTORAL ADVERTISING AND PUBLICATION OF ELECTORAL MATTER</b>  |   |
| Introduces new prohibitions on the dissemination of misleading and deceptive statements (corresponding to the Electoral Act Review Final Report and the amended section 197 of the <i>Electoral Act 2004</i> ).   | <b>SUPPORT</b>  |
| Repeals an existing provision that prohibits the publication of a candidate's name or image without their consent.<br><br>This aligns local government elections with state and federal practices where no such restriction applies.  | <b>SUPPORT</b><br><br>The Bill contains substantial and enhanced protections, including authorisation requirements that attribute electoral advertising to the candidate for whom benefit is intended, alongside continued limits on election       |

|   |  |
|---|--|
|   | <p>expenditure.</p> <p>This is considered to achieve similar objectives to the repealed provision without so directly impinging on speech and expression.</p>  |
| <p>Updates and clarifies what constitutes “electoral advertising” to ensure consistency and legal certainty.</p> <p>Seeks to align definitions with the <i>Electoral Act 2004</i> and reduce ambiguity for candidates and regulators.</p>   | <p><b>SUPPORT</b></p> <p>This change will minimise ambiguities and improve clarity.</p>  |
| <p>Requires electoral advertising to include information identifying who authorised the material.</p> <p>Aims to promote transparency and accountability in campaign communications.</p>  | <p><b>SUPPORT</b></p> <p>The change will require that electoral advertisements and associated material can be authorised by a candidate or intending candidate or a nominated person, identifying the candidate or intending candidate who has provided their endorsement for the advertising or material.</p> |
| <p><b>PART 16 –ELECTORAL EXPENDITURE</b></p>  |  |
| <p>Replaces current advertising-specific limits with an overall cap on total electoral expenditure.</p> <p>Aligns local government elections with Legislative Council spending rules.</p> <p>Expenditure caps are as follows:</p> <ul style="list-style-type: none"><li>• For a candidate for election to the Hobart City Council, Clarence City Council, Glenorchy City Council, Kingborough Council or Launceston City Council – \$16 000 plus the applicable annual increment for that financial year.</li><li>• For a candidate for election to any other council – \$10 000 plus the applicable annual increment for that financial year.</li></ul> <p>The annual increment is a cumulative increase to this limit of \$500 every year for the councils referred to in the first bullet point, and \$300 for all other councils, applying annually from 1 July 2027.</p> | <p><b>SUPPORT</b></p> <p>The proposed change will provide more flexibly (and appropriately) capture the range of campaigning activities open to candidates at contemporary elections.</p>  |

|  |   |
|--|---|
| Requires candidates to report not only their own spending but also any expenditure made on their behalf.<br><br>Confirms that shared advertising must be fully attributed to each candidate featured.        | <b>SUPPORT</b><br><br>This change will attribute expenditure made on behalf of candidates (who must have authorised that expenditure) to individual candidates, to enable the effective regulation of electoral advertising and other campaign activities using individual candidate expenditure limits.  |
| Prevents third parties from incurring expenditure on behalf of a registered party to influence election outcomes (strengthens transparency and restricts indirect or unregulated campaign spending).         | <b>SUPPORT</b><br><br>This change will complement the above requirement that all electoral expenditure, including advertising, only be made by candidates or intending candidates themselves (or their nominees), which enables regulation and disclosure for individual candidates.<br><br>It is considered appropriate to apply the same prohibition as stands for Legislative Council elections, given advertising (now to be general) expenditure limits are an existing feature of local government elections. |
| <b>PART 17 – GIFTS AND DONATIONS</b>   |   |
| Extends gift and donation disclosure obligations to all candidates.<br><br>Maintains the \$50 threshold and introduces disclosure via the Tasmanian Electoral Commission website during the election period. | <b>SUPPORT</b>  |
| Prohibits indirect donations through intermediaries or third parties (ensuring all electoral donations are transparent and reported through candidates).   | <b>SUPPORT</b><br><br>This change is intended to prohibit donations made to intermediaries which could otherwise obfuscate the origins and purpose of gifts or benefits intended to promote or procure the election of a candidate or influence the outcomes of elections.  |

2. Local Government Amendment (Electoral Reforms) Bill 2025:

| Key Reform  | Comment  |
|---|--|
| <b>5 – PECUNIARY INTERESTS</b>  |  |
| <p>Expands the definition of a close associate to a councillor to include:</p> <ul style="list-style-type: none"> <li>• A person who has provided a gift or donation (as defined in the <i>Local Government Electoral Act 2025</i>);</li> <li>• A relative of the councillor or member who resides with that councillor or member on a regular basis.</li> </ul>  | <p><b>SUPPORT</b></p> <p>This change is consistent with the direction provided by the Council in its submission.</p>   |
| <p>Establishes defence provisions for a councillor where they believe a pecuniary interest (where they receive or expect to receive a pecuniary benefit) is one held with a substantial proportion of electors in the municipality (meaning at least 5% or 1 000 electors, whichever is the lesser).</p> <p>This defence also applies to an application or request for approval, authorisation, licence, permit, exemption or other right, or beneficial interest in shares of a company or other body.</p> | <p><b>SUPPORT</b></p> <p>This is an everyday citizen test which should reasonably apply for Elected Members.</p>   |
| <p>Requires that the existing register of pecuniary interests kept by the General Manager to be published on a council's website.</p>   | <p><b>SUPPORT</b></p> <p>The Council already publishes its Public Interest Register on the website</p>   |
| <b>5B – PERSONAL INTEREST RETURNS</b>   |  |
| <p>This is an entirely new Part which requires a councillor to lodge a personal interest return (PIR) with the General Manager, within 28 days after a certificate of election is issued.</p>   | <p><b>SUPPORT</b></p> <p>In its current term, Council has resolved to adopt a Public Interests Register Policy.</p>  |
| <p>A PIR is to be made by Ministerial Order – and may specify a range of matters including:</p> <ul style="list-style-type: none"> <li>• The assets and classes of assets to be disclosed, including real property and financial interests;</li> <li>• The liabilities and classes of liabilities to be disclosed;</li> <li>• The associated persons and classes of persons whose interests are to be disclosed, including</li> </ul>   | <p>This policy establishes a process for Elected Members to publicly disclose interests to help mitigate the risk of inappropriate decision (or perceived inappropriate decisions) and reputational damage to the City of Hobart. This policy was made in the absence of a holistic legislative framework.</p> <p>The proposed PIRs will be publicly</p> |

|  |  |
|--|--|
| <p>individuals, bodies corporate and trustees;</p> <ul style="list-style-type: none"><li>• Employment, offices and other sources of income to be disclosed;</li><li>• Gifts, donations or contributions to other entities, and the classes of such gifts, donations or contributions, to be disclosed;</li><li>• Memberships of associations, including trade or professional associations, political parties and other organisations to be disclosed;</li><li>• Thresholds for disclosure and time periods to which the disclosures relate;</li><li>• Management strategies to be documented by councillors for managing actual, potential or perceived pecuniary interests or non-pecuniary interests arising from the matters disclosed.</li></ul> <p>As with all Orders pertaining to councils, the Minister must consult with councils before amending, revoking or substituting the PIR.</p> <p><i>Note: a draft PIR has been released alongside the consultation draft legislation package.</i></p> | <p>accessible, but sensitive details, including exact monetary values, residential addresses, and commercial information, will be explicitly protected.</p> <p>This approach balances transparency with necessary privacy protections.</p> |
| <p>The General Manager must publish each personal interest return, and any revised personal interest return, on the council's official website as soon as practicable after its lodgement.</p>   |  |
| <p>The General Manager must not provide to a councillor any information, other than information included on a public agenda or otherwise available to members of the public, if it is reasonably apparent to the General Manager, from a personal interest return or other information known to the general manager, that the councillor has a pecuniary interest in the matter.</p> <p>Likewise, a councillor must not seek to obtain any information on the above grounds.</p>   |  |
| <p>The council must retain each personal interest return, and each revised personal interest return, until two years</p>   |  |

|   |   |
|---|---|
| after the expiration of the term of the council during which the return was lodged.   |   |
| Offence provisions are included for providing false information, omitting known information, or refusal to lodge a PIR.   |   |
| <b>PART 5C - Conduct of Council During Election Period</b>  |   |
| <p>This Part introduces 'caretaker' provisions related to the conduct of councils during election periods. During an election period a council cannot make any decision defined as a 'prohibited decision'. This includes a decision:</p> <ul style="list-style-type: none"><li>• That relates to the appointment, reappointment or the remuneration of a General Manager, other than the appointment, reappointment or remuneration of an acting General Manager</li><li>• that relates to the termination of a General Manager</li><li>• to enter into a contract, arrangement or agreement the total value of which exceeds whichever is the greater of –<ul style="list-style-type: none"><li>○ \$100 000; or</li><li>○ 1% of the council's revenue from general and service rating and fees and charges in the preceding financial year</li></ul></li><li>• That would enable the use of council resources in a way that is intended to influence, or is likely to influence, voting at a council election.</li></ul> <p>A council may, if they determine it is necessary and in the public interest for a prohibited decision to be made during an election period, make an application to the Minister for an exemption.</p> <p>Prohibited decisions do not apply to decisions or actions required by councils under statutory timeframes.</p> | <b>SUPPORT</b> <p>The Council already enacted caretaker provisions on a voluntary basis at the last election.</p> |
| This Part also prohibits the use of any council resources or publication of information promoting or advantaging a particular candidate or group of candidates.   |   |

|   |  |
|---|--|
| <p>It also prohibits councils from making resources available that advantage a candidate which are not equally available to all candidates.</p> <p>Information in relation to an election can only be published if it has been published by the Electoral Commission.</p> |  |
| <b>PART 6 –PETITIONS, POLLS AND PUBLIC MEETINGS</b>   |  |
| <p>The threshold for petitions requesting elector polls or public meetings has been raised to 20% of electors (from 5% or 1,000 electors, whichever is lesser).</p>   | <p><b>DO NOT SUPPORT</b></p> <p>The Council considers that elector polls are expensive, especially when held out of cycle with local government elections and are a non-binding process.</p> <p>Accordingly, it is considered that the current threshold is currently too small which can trigger elector polls to easily. A higher threshold would ensure that a poll is called for matters which impacts a substantial proportion of ratepayers, however, the Council believes that the proportion of electors signing a petition required to compel a council to hold an elector poll should be changed to 10 per cent, rather than the proposed 20 per cent.</p> |

### **REPORT OF THE CHIEF EXECUTIVE OFFICER**

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#### **15. Annual General Meeting Motions**

**File Ref: F25/92473**

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HARVEY  
LOHBERGER

That the recommendation contained within the officer report, marked as item 15 of the Open Council Agenda of 27 January 2026, be adopted.

**MOTION CARRIED**

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

**COUNCIL RESOLUTION:**

That:

1. The minutes of the Annual General Meeting held on Thursday 5 December 2024, be confirmed as an accurate record.
2. The 'City of Hobart Annual Report 2024-25' be adopted.

Councillor Elliot declared an interest in item 16 and left the meeting.

**16. Code of Conduct Determination Report  
Councillor Ryan Posselt v Councillor Louise Elliot  
File Ref: F25/93597**

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LOHBERGER  
HARVEY

That the recommendation contained within the officer report, marked as item 16 of the Open Council Agenda of 27 January 2026, be adopted.

**PROCEDURAL MOTION**

ZUCCO  
BLOOMFIELD

That the motion be now put.

PROCEDURAL MOTION LOST

VOTING RECORD

AYES

Zucco  
Kelly  
Bloomfield

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Harvey  
Dutta  
Posselt  
Lohberger  
Coats  
Kitsos

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

**COUNCIL RESOLUTION:**

That the Council receive and note the Code of Conduct Determination Report in respect to a complaint lodged by Councillor Ryan Posselt against Councillor Louise Elliot, marked as Attachment A to item 16 of the Open Council Agenda of 27 January 2026.

## **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

### **IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015**

#### **17. Extreme Weather Protocol** **FILE REF: F26/3854**

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Councillor Ben Lohberger and Councillor Michael Dutta

#### **Motion**

“That:

1. Hobart City Council calls on the Tasmanian Government to provide the required funding to Homes Tasmania (HT), to allow HT to partner with the Hobart City Council to establish a pilot Extreme Weather Protocol to provide shelter for rough sleepers in greater Hobart during extreme weather events;
2. The purpose of this pilot program is to improve emergency accommodation and support for individuals experiencing homelessness in greater Hobart during extreme weather events. It is designed to supplement the existing Safe Space shelters when extreme weather drives an increased need for shelter.”

#### **Rationale:**

“The Hobart City Council recognises the vulnerability of individuals experiencing homelessness. The lack of access to safe and secure accommodation poses a significant risk to their health, safety, and well-being, particularly during extreme weather events.

Establishing an Extreme Weather Protocol for greater Hobart will provide a critical safety net for those in need, increasing emergency accommodation and support services during periods of extreme heat or cold. This initiative aligns with the Council's commitment to addressing homelessness and promoting the welfare of all community members.

This initiative also aligns with Commonwealth, State, and Hobart City Council climate change policies, which emphasise the importance of protecting vulnerable populations from the impacts of climate change. By establishing an Extreme Weather Protocol with State Government, we are taking proactive steps to address the climate-related risks faced by some of our most vulnerable citizens.

An extreme weather protocol is already in place in South Australia and was activated in August last year during a period of unseasonably cold weather in SA.

The Council believes that partnering with Homes Tasmania and securing funding from the Tasmanian Government is essential to making this initiative a reality. By working together, we can provide a compassionate and effective response to the needs of our most vulnerable citizens and uphold our duty of care to ensure the well-being of all individuals in our city.

Council staff have already held discussions with the Tasmanian Government regarding the establishment of an Extreme Weather Protocol for Hobart and have offered the use of Mathers House as a suitable venue. Furthermore, the Council has proposed a working model in which the Government funds the staffing component of the shelter, while the Council contributes the infrastructure. Despite these efforts, funding has not been secured.

There has been a significant uptick in extreme weather events around the world due to climate change. Every summer brings increased risk of heatwaves and bushfires in Tasmania, and winter storms also pose a significant risk for homeless residents. Now is the time to increase the protection for homeless people around Hobart by boosting shelter availability during extreme weather events.

We urge the Tasmanian Government to provide the necessary funding to Homes Tas to support this critical collaboration."

## Administration Response to Notice of Motion

### Discussion

1. The need for an Extreme Weather Protocol was raised at the Homelessness Summit held at the Hobart Town Hall in 2019. This was then included as a key goal identified for priority action when the Greater Hobart Homelessness Alliance (GHHA) was formed later in that year.
2. It is noted that to implement an Extreme Weather Protocol a commitment would be required from the State Government to provide resourcing to staff a temporary shelter with specialist homelessness service staff who have experience working with people who are rough sleeping.
3. The City could provide an overnight venue, a staff member from the City's Recovery Team and utilise bedding equipment etc. from the City's existing inventory that is available to establish an evacuation centre.
4. Since this issue was first raised, officers from the City have raised this matter through several State Government Agencies and have arranged for presentations to be delivered to the GHHA by staff from the City of Sydney and the City of Adelaide where extreme weather protocols currently operate.
5. In 2022 an email was sent to Minister Guy Barnett seeking consideration of the development of a protocol with Minister Barnett's response shown at **Attachment A**.

6. In 2024 in order to again to elevate this matter noting limited progress with engaging with State Government, a working group of the GHHA was formed to develop a detailed protocol proposal and budget bid for State Government funding. A copy of the Extreme Weather Protocol Budget Submission is shown at **Attachment B**.
7. Staff from the following organisations/departments were involved in developing the submission which was led by the City of Hobart: Bureau of Meteorology; Clarence City Council; Department of Health; Department of Premier & Cabinet; Glenorchy City Council; Hobart City Mission; Local Government Association of Tasmania; Neighbourhood Houses Tasmania; State Emergency Services; and University of Tasmania.
8. The submission, that included significant research and data, was put forward for funding in December 2024 to be considered as part of the development of the 2025-26 Budget submissions but it was not successful in attracting funding and no response was received from the State Government.
9. Based on BOM records, the likelihood of an extreme weather event triggering the protocol would be potentially five times in any 12 month period.  
This matter is still listed on the order of priorities list to be discussed at the next GHHA meeting to be held on 12 March 2026.

## Strategic, Legislative and Policy Implications

### Capital City Strategic Plan

Pillar: 2 – Community inclusion, participation and belonging.

Outcome: 2.2 Hobart is a place where diversity is celebrated and everyone can belong, and where people have opportunities to learn about one another and participate in city life.

2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.

Strategy: 2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life

2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion

2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.

### 2040 Climate Ready Hobart Strategy

Goal 2 Priority 7 - The Hobart community is socially connected and cohesive able to adapt and support priority people and communities in vulnerable situations.

Create safe and inclusive spaces for people that are accessible during extreme climate events. Look at ways to use existing spaces.

## Legislation and Policy

Legislation: *Anti-Discrimination Act 1998*

## Policy: Social Inclusion Policy

## Financial Implications

1. In the State Government Budget Submission, it notes that the City of Hobart's contribution to the protocol would be staff time to the value of \$20,000 with a material, resource, staff and venue contribution up to the value of \$5,000 each time the protocol is stood up.

Attachment A: Letter from Minister Barnett (Supporting information)

Attachment B: Extreme Weather Protocol Budget Submission (Supporting information)

# LOHBERGER DUTTA

That the motion be adopted with an additional clause included that reads as follows:

3. *In the event that the Tasmanian Government again refuses to provide funding for this proposal, that the Hobart City Council itself allocate the required funding in its next budget for a two-year trial, with the intention of passing the responsibility for the program funding back to the Tasmanian Government (where it belongs) at the end of the trial period.*

The Lord Mayor put clauses 1 and 2 of the motion, to the vote.

## (CLUSES 1 AND 2) MOTION CARRIED

## VOTING RECORD

AYES

|                            |       |
|----------------------------|-------|
| Lord Mayor Reynolds        | Coats |
| Deputy Lord Mayor Sherlock |       |
| Zucco                      |       |
| Harvey                     |       |
| Dutta                      |       |
| Kelly                      |       |
| Elliot                     |       |
| Bloomfield                 |       |
| Posselt                    |       |
| Lohberger                  |       |
| Kitsos                     |       |

## NOES

## Goats

The Lord Mayor put clause 3 of the motion to the vote.

**(CLAUSE 3) MOTION CARRIED**

**VOTING RECORD**

| AYES                       | NOES  |
|----------------------------|-------|
| Lord Mayor Reynolds        | Zucco |
| Deputy Lord Mayor Sherlock | Coats |
| Harvey                     |       |
| Dutta                      |       |
| Kelly                      |       |
| Elliot                     |       |
| Bloomfield                 |       |
| Posselt                    |       |
| Lohberger                  |       |
| Kitsos                     |       |

**COUNCIL RESOLUTION:**

That:

1. Hobart City Council calls on the Tasmanian Government to provide the required funding to Homes Tasmania (HT), to allow HT to partner with the Hobart City Council to establish a pilot Extreme Weather Protocol to provide shelter for rough sleepers in greater Hobart during extreme weather events;
2. The purpose of this pilot program is to improve emergency accommodation and support for individuals experiencing homelessness in greater Hobart during extreme weather events. It is designed to supplement the existing Safe Space shelters when extreme weather drives an increased need for shelter.
3. In the event that the Tasmanian Government again refuses to provide funding for this proposal, that the Hobart City Council itself allocate the required funding in its next budget for a two-year trial, with the intention of passing the responsibility for the program funding back to the Tasmanian Government (where it belongs) at the end of the trial period.

Item 20 was then taken.

## 18. Transforming Collins Street Trial - Safety Issues

FILE REF: F26/3933

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Councillor Louise Elliot

### Motion

1. "That the Council require officers to resolve, with urgency, the following issues that have been created as a direct result of the changes to Collins Street as part of the Transforming Collins Street 'Trial':
  - serious safety issues due to insufficient turning space that occur on the corner of Collins and Harrington Streets (near the new on-road dining area) when buses and other long vehicles turn right from Harrington Street into Collins Street following the removal of yellow line.
  - the removal of a 'drop zone' outside the Village Cinema that is impacting trade and access, including for young people, elderly people and people with a disability.
  - the reduction in traffic lanes exiting Victoria Street (including Centrepoint Carpark) from two lanes to one lane which has caused significant delays with cars banked up in Centrepoint during peaks for around an hour.
2. That the Council require officers to undertake a community awareness campaign, which includes on-location signage, advising the community that it is illegal for escooters to be used in the separated bike lanes on Collins Street."

### Rationale:

"The changes to Collins Street are branded a 'trial' and comments have been made that the changes are 'tactical' so that they can be adjusted as needed. Issues have been created by the changes that need urgent attention as they are frustrating road users, presenting intolerable safety risks, hurting businesses and further damaging the Council's reputation."

### Administration Response to Notice of Motion

#### Transforming Collins Street Trial

Officers have been monitoring the three issues which are listed in this notice of motion and propose to provide Elected Members with a report on each, detailing the issue, the feedback we have had to date, the impact which has emerged from the data we have been collecting and the alterations we have made to date.

In respect to the turn from Harrington Street to Collins Street, works have occurred to move the holding line so that cars are required to stop further back from the intersection, providing further turning space for vehicles (busses in particular).

Regarding the Victoria Street turn onto Collins Street, temporary traffic changes were made in the days prior to Christmas once the Council became aware of the impact this was having on the Centrepoint Carpark exit. Officers have already commenced

work to review whether more permanent changes (but still temporary in the context of this trial) should be made to address this issue.

### Personal Mobility Devices

The regulation of personal mobility devices (PMDs) – particularly e-scooters – has some complexity. It is noted that the Council's position has been clarified that e-scooters cannot legally be used in bicycle lanes. Ideally, the law would be clarified to allow e-scooters in bicycle lanes and officers have already engaged with the state government to attempt to have this change made. Officers have no concerns about a community awareness campaign on this issue prior to any change in the law.

### Strategic, Legislative and Policy Implications

#### Capital City Strategic Plan

Pillar: 5 – Movement and connectivity  
Outcome: 5.2 – Hobart has an effective and environmentally sustainable transport system.

5.4 – Data Informs Decision Making

Strategy: 5.2.2 Prioritise and promote opportunities for safe, accessible and integrated active transport.

5.4.1 Gather and appropriately manage relevant data that can be used to guide decision-making, monitor trends and measure progress.

#### Legislation and Policy

Legislation: City of Hobart manages the road network under a series of legislation  
Policy: n/a

### Financial Implications

1. A report is proposed as the response to this notice of motion. That report may contain proposed works and, if so, further details about the financial implications can be provided in the report.

ELLIOT  
ZUCCO

That the motion be adopted.

## PROCEDURAL MOTION

KITSOS  
HARVEY

That the matter be deferred to the Hobart Workshop Committee for further consideration.

## PROCEDURAL MOTION CARRIED

### VOTING RECORD

#### AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Harvey  
Dutta  
Elliot  
Posselt  
Lohberger  
Kitsos

#### NOES

Zucco  
Kelly  
Bloomfield  
Coats

## **COUNCIL RESOLUTION:**

That the matter be deferred to the Hobart Workshop Committee for further consideration.

Deputy Lord Mayor declared a Conflict of Interest in item 19 and left the meeting.

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**19. Investigation into Cr Sherlock's Recorded Removal of Food and Beverages from the Elected Member Lounge**  
**FILE REF: F26/3945**

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Councillor Louise Elliot, Alderman Marti Zucco, Councillor John Kelly and Councillor Will Coats

### **Motion**

1. "That the Council require the CEO to engage an appropriate external party to conduct an investigation into the alleged removal of "refreshments and snacks" by Deputy Lord Mayor, Cr Zelinda Sherlock, from the Elected Members Lounge for consumption offsite, that is understood to have occurred as recorded in writing by a former Acting CEO on 23 January 2024 (Attachment A) and the organisation's response to the alleged conduct; and
2. That the Council resolve that the Lord Mayor write to the Deputy Lord Mayor, Cr Zelinda Sherlock, notifying Cr Sherlock of the Council's decision to

undertake an independent investigation into their alleged conduct and the organisation's response. Further, the letter is to encourage Cr Sherlock to request Leave of Absence commencing as soon as practicable until the investigation referred to above is complete and the investigator's final report has been presented to Council for consideration."

**Rationale:**

"On 23 January 2024, then Acting CEO recorded in writing that he had met with Deputy Lord Mayor, Cr Zelinda Sherlock, regarding Cr Sherlock's removal of "quantities of refreshments and snacks from the Alderman's Lounge" to consume them offsite. The Acting CEO also recorded Cr Sherlock's response, stating that Cr Sherlock had advised that "she had been undertaking the practice for a number of years.....and was a part of the "fringe benefits" that applied to the role."

Further, the Acting CEO noted that he had received Cr Sherlock's assurance that this practice would be "discontinued". The Acting CEO also noted an intention to inform the incoming and current CEO.

The Integrity Commission defines 'serious misconduct' as conduct "*that could, if proved, be a crime or offense of a serious nature, or could provide reasonable grounds for terminating employment. Examples include theft, fraud, assault....*" (Guide to Managing Misconduct in the Public Sector, Integrity Commission, September 2023).

<https://www.integrity.tas.gov.au/reporting/what-is-misconduct>

It is expected that the investigation referred to (Point 1) will include, but likely not be limited to:

- when, why and by whom concerns around the removal of product from the Elected Member Lounge was identified.
- the actual conduct that occurred, including when and by whom.
- the estimated value of the product removed.
- any seeking or offering of return of product or reimbursement of costs of product removed.
- any potential, likely or actual breaches of policy, the Local Government Act and Regulations and any other relevant instruments.
- any potential or likely breaches of the Tasmanian Criminal Code.
- the efficiency and timeliness of the organisation's inhouse investigations.
- any notifications of allegation of misconduct and/or the undertaking of a misconduct investigation to the Integrity Commission.
- any communication of the issue to the Lord Mayor or collective Council.
- the appropriateness of the organisation's in-house investigations.
- the appropriateness of the organisation's response to the conduct at the time.

- the appropriateness of the organisation's response to recent requests for information related to the conduct, investigation and resolution.

It is noted that the Deputy Lord Mayor is a key contact for staff for matters related to managing the Elected Members Lounge.”

## Administration Response to Notice of Motion

### Discussion

This Notice of Motion (NOM) relates to a matter that was actioned in January 2024 when Councillor Sherlock was identified to be removing quantities of refreshments and snacks from the Elected Members' lounge to consume off-site. The Legal and Governance Team noticed an unusual increase in stock usage from the lounge and initiated an investigation, which led to the discovery through CCTV footage that Councillor Sherlock was taking refreshments and snacks off-site.

On January 23, 2024, the Acting CEO documented the situation in a file note, explaining that Councillor Sherlock had assumed the refreshments were available for consumption at any time as part of the role's benefits. Councillor Sherlock assured the Acting CEO that they would stop this practice and apologised for the misunderstanding. The Acting CEO acknowledged the lack of clarity in the policy regarding the use of the lounge and suggested updating it for future guidance.

The total expenditure on refreshments and snacks for the Elected Member lounge in 2023/24 was \$3,712, which was below the budgeted amount of \$3,846. This spend is consistent with prior and subsequent years. The value of the refreshments and snacks taken by Councillor Sherlock was considered immaterial, as reflected in the overall spend. It is noted that the refreshments and snacks in the Elected Member lounge are freely available to all Elected Members to support them in the performance of their role.

In consultation with the Director of City Enablers, the Acting CEO reviewed the policy at the time and confirmed it did not specify that refreshments and snacks from the Elected Members' lounge had to be consumed within Town Hall. Consequently, they concluded that no further action was warranted due to the policy's lack of clarity and Councillor Sherlock's apparent misunderstanding. However, they recognised the need to modify the policy for clarity, which has since been done.

No other Elected Member was informed of this matter at the time.

While the Council has access to the relevant CCTV footage, at this stage the CEO has decided that it not be released due to the inclusion of a third party, which raises personal information protection concerns. It should be noted that this is now the subject of a Right to Information application, which is the appropriate means to consider the concerns.

The NOM now calls for an independent investigation into the matter, highlighting several concerns to be addressed. An independent solicitor reviewed the Council's

handling of the situation and the NOM, concluding that that it was open to the Acting CEO to conclude that Councillor Sherlock's actions stemmed from a misunderstanding, not deliberate dishonesty. The absence of explicit policy provisions could reasonably lead to the belief that the refreshments were available for personal consumption. The solicitor's advice supported the Acting CEO's conclusion that a misunderstanding had occurred, and no further action was warranted.

Specifically, the advice states:

*In our view, it is open on the facts to conclude, as the then Acting CEO previously concluded, that Cr Sherlock was not being deliberately dishonest when removing refreshments and snacks. Cr Sherlock provided an explanation to the Acting CEO that she had a "misunderstanding" and believed it was a benefit of being a Councillor. Further, the absence of any express provision within the Elected Members' Development and Support Policy dated 24 April 2023 ('Policy') on the consumption of the refreshments provided within the Elected Members Lounge, coupled with the very existence of the refreshments within the Elected Members Lounge, could lead to a conclusion that the items were made available to the Councillors for their consumption.*

*The advice further concludes that:*

*We are of the opinion that it was within the Acting CEO's bona fide exercise of discretion, as the Acting CEO of the time, to conclude on the basis of Cr Sherlock's explanation, and having regard to the Policy content and omissions, that no misconduct of any type could be established and no further action could be sustained or was warranted.*

*(and that) It is open to the Council to conclude that no further investigation is warranted in the circumstances given the finding of the Acting CEO. As mentioned earlier, in our view, it was open to the Acting CEO to conclude and be satisfied that Cr Sherlock's conduct was a result of a "misunderstanding" and therefore to conclude that no further investigation or action was warranted. In our view, it is open to the Council to conclude the same.*

It is important to consider this matter in context. From time-to-time Council Officers manage misunderstandings or errors by Elected Members, such as parking infringement notices which are cancelled due to various circumstances, misuse of Elected Member parking spaces as well as misuse of fuel cards. These instances are typically resolved internally with the Elected Member concerned without the need for referral to the Council and/or external investigations, as they are minor and genuine misunderstandings or errors. In these instances, parking fines are valued at between \$50 - \$102.50 and they are cancelled based on the acceptance of the justifying reasons being given by the Elected Member.

It is considered that the matter that is the subject of this NOM was of a similarly low level and was accepted by the A/CEO as being a genuine misunderstanding or error. Accordingly, it is not considered that a further independent investigation is warranted.

Further, any concerns with the CEO handling of the recent requests for information on this matter would more appropriately be referred to the Office of the Ombudsman, rather than an external investigator. It is noted however that the requests have either been attended to, or are awaiting legal advice, as there are some complexities in respect to the release of the requested information.

## Strategic, Legislative and Policy Implications

### Capital City Strategic Plan

Pillar: 8 – Governance and Civic Involvement

Outcome: 8.1 Hobart is a city that is well governed that recognises the community as an active partner that informs decisions.

Strategy: 8.1.1 Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.

### Legislation and Policy

Legislation: *Local Government Act 1993*  
*Local Government (General) Regulations 2015*

Policy: Elected Members' Development and Support Policy

## Financial Implications

1. To be determined.

Attachment A: Correspondence from Acting CEO regarding refreshments

ELLIOT  
ZUCCO

That the motion be adopted with the addition of the following clause 3

*'That the Council advise the CEO to immediately remove all alcoholic beverages from across the organisation, including the Elected Members Lounge (but with the exception of stores exclusively for Council receptions, events and functions) and that policies be adjusted to reflect that Council-provided alcohol is only for Council receptions, events and functions.'*

ZUCCO  
BLOOMFIELD

That Councillor Elliot be granted an additional three minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

Zucco  
Harvey  
Kelly  
Elliot  
Bloomfield  
Coats

NOES

Lord Mayor Reynolds  
Dutta  
Posselt  
Lohberger  
Kitsos

Councillor Dutta abstained from voting on the motion.

*In accordance with section 32 (3) of the Local Government (Meeting Procedures) Regulations 2025, to abstain from voting at a meeting is to vote in the negative and has been recorded accordingly.*

PROCEDURAL MOTION

POSSELT  
LOHBERGER

That the motion be now put.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds  
Harvey  
Dutta  
Posselt  
Lohberger  
Kitsos

NOES

Zucco  
Kelly  
Elliot  
Bloomfield  
Coats

MOTION LOST

VOTING RECORD

AYES

Zucco  
Kelly  
Elliot  
Bloomfield  
Coats

NOES

Lord Mayor Reynolds  
Harvey  
Dutta  
Posselt  
Lohberger  
Kitsos

**COUNCIL RESOLUTION:**

The motion was lost.

Item 10 was then taken.

## **20. RESPONSE TO QUESTIONS WITHOUT NOTICE**

Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.  
File Ref: 13-1-10

HARVEY  
POSSELT

That the information contained in the following responses to questions without notice, marked as items 20.1 to 20.7 of the Open Council Agenda of 27 January 2026, be received and noted.

MOTION CARRIED

### VOTING RECORD

#### **AYES**

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

#### **NOES**

### **COUNCIL RESOLUTION:**

That the information contained in the following responses to questions without notice, marked as items 20.1 to 20.7 of the Open Council Agenda of 27 January 2026, be received and noted.

#### **20.1 Missing Travel**

Memorandum of the Head of Executive Services of 19 January 2026.

#### **20.2 Staff Attendance - Climate Events**

Memorandum of the Head of Executive Services of 14 January 2026.

#### **20.3 Salmon Farm Outbreaks**

Memorandum of the Director Community and Economic Development of 14 January 2026.

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## **20.4 Travel and Costs Associated with Travel**

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Memorandum of the Director Corporate Services of 14 January 2026.

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## **20.5 Status of Police Parking**

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Memorandum of the Director Strategic and Regulatory Services of 5 January 2026.

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## **20.6 Parking over Driveway**

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Memorandum of the Director Strategic and Regulatory Services of 13 January 2026.

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## **20.7 Elected Members Accepting Free Tickets**

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Memorandum of the Director Corporate Services of 14 January 2026.

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## **21. QUESTIONS WITHOUT NOTICE**

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Regulations 33 and 34 of the *Local Government (Meeting Procedures) Regulations 2025*.  
File Ref: 13-1-10

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### **21.1 Alderman Zucco - Staff Costs Associated with Travel**

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Question: What are the staffing costs associated with staff escorting either Elected Members or the Lord Mayor on trips? The answer provided in relation to the '2025 Local Leaders Forum – Travel states costs were fully funded by the Global Covenant of Mayors and C40' – Please clarify the staffing costs not the travel costs?

Response: The Director Corporate Services took the question on notice.

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### **21.2 Councillor Dutta - Misuse of Fuel Allowance**

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Question: Has there been any instances of Elected Members misusing fuel allowance for purchases outside of Tasmania in the current term of Council?

If so, did the Chief Executive Officer undertake any internal investigation or was there an external investigation conducted?

Please include in the response the detail of each incident including: dates of misuse; location of purchase; amounts involved; Elected Members involved; actions taken in response and explanation given by the Elected Members for the misunderstanding of the policy; and were there any policies in place to prevent this sort of misunderstanding by Elected Members?

Response: The Chief Executive Officer took the question on notice.

### **21.3 Councillor Elliot - Update on Information Booth in Mall**

Question: Can we be provided with an update on the expression of interest status of the Mall Information Booth, did we receive much interest?

Response: The Chief Executive Officer advised that the City received a submission and that it will be presented to Council soon.

### **21.4 Councillor Elliot - Protocol for Declaration of Interest**

Question: Can Officers provide advice on the protocol for when parties to a Code of Conduct should be declaring an interest when the determination is processed to the Council?

Response: The Chief Executive Officer advised that each Elected Member is to make a call as to if they have a conflict of interest and took the question on notice to provide further information.

### **21.5 Councillor Elliot - Aquatic Centre Passes**

Question: As elected members, we have access to the aquatic centre passes that are declared on the gifts and benefits register. Are these aquatic centre passes for our own individual use only?

Response: The Chief Executive Officer confirmed that was the case.

## **21.6 Councillor Elliot - Use of the Aquatic Centre Passes**

Question: When utilising our Aquatic Centre pass, are we allowed to take our teenage son into the aquatic centre gym, under our pass?

Response: The Chief Executive Officer stated that the aquatic centre passes are for individual use.

## **21.7 Councillor Elliot - Hobart: A City for All - Approval**

Question: Please confirm that the Council tonight voted to approve the Hobart: A City for All document, in its current form despite my advice around the hate language?

Response: The Director Strategic and Regulatory Services advised that the motion was carried.

## **21.8 Councillor Posselt - Hobart: A City for all - Language**

Question: Can Councillor Elliot, provide clarification on what hate language you are referring to, within the document (Hobart: A City for All) that we endorsed?

Response: Councillor Elliot took the question on notice.

## **21.9 Councillor Posselt - Legal Costs**

Question: It is a matter of public interest that the Council be provided with the total legal costs of defending matters brought against the Council, employees and/or elected members by Councillor Elliot and her immediate family during this term of council. Can this information be provided?

Response: The Chief Executive Officer took the question on notice.

## **21.10 Councillor Posselt - Storage of Alcohol**

Question: Is unopen alcohol, or “spare alcohol” stored in the elected members lounge? If so where is it stored?

Response: The Chief Executive Officer took the question on notice.

### **21.11 Councillor Posselt - Amendments - Qualified Advice**

Question: Can advice be provided on the requirement for qualified advice under section 65(2) of the Act?

Response: The Chief Executive Officer took the question on notice.

### **21.12 Councillor Posselt - Dying Sequoias in St Davids Park**

Question: In relation to the dying giant sequoias in St Davids Park, I have noticed similar foliage change to a number of pine tree species around Hobart, including on the Queens Domain. Is it possible the city and surrounds are experiencing a mass die off of pine trees and if so could this be related to heat/dry stress associated with a changing climate? Can the tree team inspect groups of pines around the municipality?

Response: The Chief Executive Officer took the question on notice.

### **21.13 Councillor Elliot - Authority to Investigate**

Question: Does the General Manager [Chief Executive Officer] have authority to investigate allegations of Elected Member misconduct?

Response: The Chief Executive Officer took the question on notice.

### **21.14 Councillor Kelly - Farmers Market**

Question: Could an update be provided on the Farmers Market proposed move?

Response: The Chief Executive Officer advised that Council has workshoped the proposal to consider the relocation of the Farmers Market to Collins Street. The outcome from that Workshop identified additional matters that the Council wanted investigated, including securing advice and wind issues etc. Farmers Market update is scheduled to be considered by the Hobart Workshop Committee next month.

### **21.15 Councillor Kelly - Access to EM Lounge Refreshments**

Question: Can an employee of the Hobart City Council enter the Elected Member's lounge and consume alcohol on the property, if they've been invited by an elected member?

And, can an elected member invite their family and friends to consume alcohol and eat food in the Elected Member's lounge without a booking?

Response: The Chief Executive Officer took the question on notice.

#### **21.16 Alderman Zucco - Alcohol Consumption Best Practice**

Question: Can the Chief Executive Officer please advise what's the best practice in respect of alcohol consumption in the organisation and/or elected members lounge excluding functions, bookings and/or events?

Response: The Chief Executive Officer took the question on notice.

#### **21.17 Councillor Elliot - Access to CCTV Footage**

Question: Can the Chief Executive Officer advise if the organisation has video footage of an Elected Member removing alcohol from the organisation at 10:30pm on a Saturday night with their partner?

Response: The Chief Executive Officer advised not to his knowledge.

#### **21.18 Alderman Bloomfield - Collins Street Data**

Question: Is there any form of research, data collection and video footage of the issues that we are currently seeing in Collins Street? Do we have substantial real integrity data collection?

Response: The Chief Executive Officer took the question on notice.

#### **21.19 Councillor Elliot - Collins Street Trial**

Question: In relation to the 3-month report on the Collins Street trial, how did the officers identify who was a male or female in the users? And; in that same report, where it has male and female, should we also have non-binary as well?

Response: The Director Strategic and Regulatory Services took the question on notice.

## **21.20 Councillor Posselt - CCTV Footage Privacy Issues**

Question: Is it legal or ethical to provide CCTV from a workplace to any organisation, person or body outside of an investigative authority that has the powers for a warrant? And; does right of information, as a legislation, consider CCTV?

Response: The Chief Executive Officer advised that to access CCTV footage from within an organisation there are privacy concerns that need to be taken into account. We have provisions like right to information which provides the framework to assess if the information can be released.

## **21.21 Councillor Kelly - Permission to Refer a Matter**

Question: Does the Chief Executive Officer need the permission from Elected Members to refer a potential theft charge to the Director of Local Government, the Integrity Commission or the Lord Mayor?

Response: The Chief Executive Officer advised that he would not require the authority of Council to refer a matter.

## **21.22 Deputy Lord Mayor Councillor Sherlock - Process for Alleged Misconduct**

Question: Under the Local Government Act, when there is an alleged misconduct of an Elected Member, what's the process?

Response: The Chief Executive Officer advised that if it is a code of conduct issue it can be referred to either the Integrity Commission or in some cases the Ombudsman.

## **21.23 Councillor Kelly - Dealing with Code of Conduct**

Question: Does the CEO deal with code of conduct complaints, apart from processing the paperwork and doing the referral to the Code of Conduct Panel. And could you please advise how a code of conduct complaint would differ from an alleged theft of Council property?

Response: The Chief Executive Officer advised that there is a statutory role for the Chief Executive Officer to determine whether a code of conduct complies with the legislation and that is the extent of the involvement

when dealing with a complaint. In the case of an allegation of theft of Council property, the matter is likely to be referred to Tasmania Police. Whereas a code of conduct breach specifically relates to the Local Government Act and needs to be handled in accordance with the Act.

#### **21.24 Councillor Elliot - Complaints Handling Referral**

Question: The complaint handling policy by the Director of Local Government encourages the Director of Local Government to be the conduit to other bodies. Was that an accidental oversight that the General Manager would refer to those allegations to the Director of Local Government?

Response: The Chief Executive Officer advised that complaints do not have to be referred to the Director of Local Government, but it is an option available.

#### **22. CLOSED PORTION OF THE MEETING**

LOHBERGER  
POSSELT

That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 17(1) of the *Local Government (Meeting Procedures) Regulations 2025* because the items included on the closed agenda contain the following matters:

- Minutes of a closed Council meeting
- Information of a personal and confidential nature
- Personal hardship
- Information relating to commercial arrangements
- Proposals for the Council in interest of land

The following items were discussed:-

|            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Communication from the Chairperson                                       |
| Item No. 3 | Leave of Absence   |
| Item No. 4 | Consideration of supplementary Items to the agenda                       |
| Item No. 5 | Indications of Conflicts of Interest                                     |
| Item No. 6 | Current Legal Proceedings  |

|            |  |
|------------|--|
|            | LG(MP)R 17(2)(k)                                 |
| Item No. 7 | Contract Extension - Integrated Business Systems |
|            | LG(MP)R 17(2)(e)                                 |
| Item No. 8 | Update on Legal Matters                          |
|            | LG(MP)R 17(2)(k)                                 |
| Item No. 9 | Questions without Notice                         |

MOTION CARRIED  
BY ABSOLUTE MAJORITY

VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Sherlock  
Zucco  
Harvey  
Dutta  
Kelly  
Elliot  
Bloomfield  
Posselt  
Lohberger  
Coats  
Kitsos

NOES

There being no further business the Open portion of the meeting closed at 6.34pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
23<sup>RD</sup> DAY OF FEBRUARY 2026.

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CHAIRPERSON