19 QUESTIONS WITH NOTICE

19.1 Question with notice: Councillor Larkins - Safety risks for elected members and council staff

Clr Stuart Larkins has submitted the following question with notice for consideration:

Question

Could Council please provide an update on actions and strategies council can consider taking to improve safety of elected council members and council staff in light of increased public aggressive behaviours?

Councillor information provided

Background

The purpose of this question on notice is to review and consider what strategies and actions council can take to improve safety of elected council members and council staff.

This question should come as no surprise for many in our community. For some time now, there has been an increase of aggressive and passively violent behaviours, mostly in the social media sphere, and directed towards all three levels of government in Australia.

In light of the recent attack on federal MP Helen Haines, a number of reforms and changes are being considered at a federal level to improve safety of elected members and a call to “turn the temperature down.” Similar discussions are occurring at state and territory levels of government.

There has also been a marked increase in threatening behaviours towards elected mayors and Councillors in NSW. Both Local Government NSW (LGNSW) and the Australian Local Government Women’s Association (ALGWA) NSW Branch have continued to raise concerns about the increase of aggressive behaviours towards elected members. Such concerns have also been discussed in the regional format, the Illawarra-Shoalhaven Joint Organisation (ISJO), where such concerns are shared amongst the four council areas.

It should be noted that I did ask a similar question two years ago, and understand that since that time, there has been an increase in reported incidents.

As a Councillor, I have also observed and experienced the marked increase in aggressive social media behaviours in context of discussions about Kiama Council.

Such comments are often masked by stating that the community is expressing an opinion on their local council, but I have also observed comments such as:

- “in my opinion, I think we just storm the council chamber and cause chaos… Make Testosterone Great again, we need some real men to run the council” mentioned in a social media post in March 2026.
- “Now I’ll recognise you when I am walking down the street.” With a secondary comment saying “Make sure you move to the other side of the road” said in August 2026.

As part of this question on notice, I would also be interested to know about whether there has been an increase in incidents involving council staff and the total number of listed unreasonable conduct complainants (UCC) as per council's policy.

Chief Executive Officer response

Safety of Elected Members and Council Staff

Council acknowledges concerns regarding increasing incidents of aggressive, intimidating and threatening behaviour directed towards Councillors and staff, particularly through social media and other online platforms.

The safety and wellbeing of elected members and employees is a priority. While debate and community comment are fundamental to local democracy, threatening, abusive or harassing behaviour is unacceptable, no matter who it is addressed to, whether Councillors, Public Officials or staff.

As noted by local government leaders nationally, the accessibility of Councillors is one of local government's greatest strengths. However, increasing levels of intimidation and online abuse risk are undermining both personal safety and participation in public life.

This is a small community where people know each other, may know residential addresses and may interact with each other on a frequent basis. All staff, Officials and Elected Representatives have the right to a safe workplace and to peaceful amenity in their own homes. The organisation has a zero tolerance stance towards abuse of Council staff or Elected Representatives.

Current environment

Like many councils across Australia, Kiama Municipal Council (KMC) has experienced an increase in challenging interactions with members of the public, including verbal abuse, intimidation, threats, unreasonable complaints, protests targeting individuals, and inappropriate online commentary.

This reflects concerns raised across the local government sector by organisations including Local Government NSW, Australian Local Government Women's Association and regional local government networks.

This has been a challenging year for KMC with strict State imposed Performance Improvement Order/s (PIO) necessitating a balanced budget. With internal savings exhausted, after four years of savings, cost reduction, business efficiencies, improvements and service remodels, the organisation still found it had deficit position. Without any alternative means of other revenue at the time, the organisation considered service reduction through head count reduction and a focus on legislated services only. This resulted in community backlash at proposed service reductions.

The personalised, targeted bullying / harassment, intentional intimidation both online and in person, of the public official whose duty it is to manage the budget / resources, and to enable council to comply with the PIO, was unwarranted, particualry in the context where the PIO dictates actions in a specified timeframe. Physical threats, acts of intimidation and bullying / harassment, along with threats of violence, disinformation and abuse was promoted widely in online community groups and explicitly directed towards the CEO, not the Elected Representatives or other staff in this circumstance.

Groups and individuals who had received council funding in the past, who reside/operate in council assets, or who held civic office previously behaved aggressively and intentionally threateningly without regard for individual welfare of the person, or safe workplaces.

Elected Representatives have in the past 12 months reported the following types of incidents in online settings:

- commentary on private family matters and deaths
- allegations of corrupt or improper conduct made without substantive evidence and outside of the correct Council complaints handling processes
- personalized criticism, swearing, and threats
- bullying and intimidatory behavior
- disinformation and untrue facts widely circulated
- use of derogatory terms and name calling
- unfounded accusations of conflicts of interests, personal gains, political associations and undisclosed receipt of benefits / goods

During this last year staff have been subjected to a range of behavior in person and online which includes the following:

- verbal abuse at the front counter / workplaces through phones or email systems
- publicly yelled and threatened in the presence of family members, including young children, whilst in public places locally,
- gender discrimination in public perception of the performance of duties
- unwarranted online personal criticism for the performance delegated roles, or implementation of council decisions
- being photographed without permission whilst performing roles
- threats of physical violence, including being run over and hit with a moving vehicle
- threats of employment retribution
- having personal choice of outfits / clothing choices targeted ridiculed and belittled on line
- personal matters, including marital status, choice in partners etc. maliciously discussed online, in emails and amongst councillors
- been the subject of ridicule and satiric parody in online sites
- unfounded and unsubstituted allegations of associations and improper conduct not in line with legislative requirements
- complaints made online outside of the correct code of conduct process, including being named & criticised on blogs or community group/society’s newsletters
- lone worker risks

- abusive emails and letters.

Staff report workplace safety threats through the appropriate channels on the Be Safe system, through work cover and Council's Human Resources team and are fully supported to do so.

On all occasions the staff, including the CEO, took appropriate actions to report the behavior to safe work, Council's Audit, Risk & Improvement Committee (ARIC), NSW Police, NSW Office of Local Government (OLG), site administrators. Steps were taken to manage risks as best they could.

The safety of our workforce and our staff is paramount. Whilst this list of issues may seem shocking, for many public servants and those who hold civic office it is an all too familiar circumstance. In other council's the situation is worse or more hostile with various legal actions, tribunals and law enforcement agencies involved a range of matters.

Incident report data

2025 – Fourteen (14) psychosocial reports, of which one is a specific threat toward an employee from a member of the public.

2026 – 19 psychosocial incidents YTD. Two (2) specific threats to employees, three (3) cases of lower level 'discontent' unsavoury feedback and 5 instances of verbal abuse to contractors in the Holiday Parks. Alcohol was indicated as a factor in most of the Holiday Park data.

All of these statistics have increased year on year.

Unreasonable Complainant Conduct data

Over the 2025/26 period, there have been six (6) occasions when the Unreasonable Complainants Conduct (UCC) Policy has been invoked. Details of the nature of unreasonable conduct and the outcomes are provided below:

Nature of unreasonable conduct	Outcome
1. Excessive emails, complaints about various matters and demanding immediate responses.	Initial warning letter issued. Request not to contact Council staff directly – CRMs to be used for raising issues or concerns.
2. Continued inappropriate customer behaviour.	Initial warning letter issued. Requested to engage with staff in a respectful and professional manner.
3. Threats to Council Officers.	Access to Council services restricted. Not to contact staff directly or to attend administration building, planning hub building or our pound facility.
4. Persistent emails demonstrating an unreasonable lack of	Legal advice sought – Council unable to sue for defamation; Individuals affected should

Nature of unreasonable conduct	Outcome
cooperation, unreasonable arguments and unreasonable behaviours. Publication of false and defamatory statements about Council and its employees	obtain legal advice at their own cost; Implied freedom of political communication at common law; Consideration to be given to the costs of commencing litigation, the length of time to obtain a judgement and potential further reputational risk. Matter not pursued.
5. Persistent phone calls and emails regarding a residential development	Initial warning letter issued. Advised on more than one occasion that Council has no enforcement powers and can take no further action. Matter considered finalised and any future communication relating to this matter will be read and filed without acknowledgement.
6. Online submission received that is aggressive and abusive, contains intimidating language and threats of harm	Writer's email address blocked.

Unreasonable Complainant Conduct can be divided into five categories of conduct:

- unreasonable persistence
- unreasonable demands
- unreasonable lack of cooperation
- unreasonable arguments
- unreasonable behaviours.

Council has a zero-tolerance stance on these any of these behaviours directed towards staff and will take proactive and decisive action under the UCC Policy to manage any conduct that negatively and unreasonably affects Council and its staff.

Further, there is a zero-tolerance policy towards any harm, abuse or threats directed towards Council and its staff. Any conduct of this kind will be dealt with under the policy and in accordance with duty of care and work health and safety responsibilities, which may include escalation to NSW Police.

The UCC Policy applies to all "staff" of Council, including Councillors, Contractors, Volunteers, Delegates and Committee Members. Staff are responsible for recording and reporting all UCC incidents they experience or witness to the Public Officer and/or Risk Management Coordinator within 24 hours of the incident occurring.

Existing measures

Recently LGNSW released a statement on this subject matter and their views reflect the majority of the membership base.

Disagreement with decisions, with proposals and political debate is part of democracy and councils have appropriate forums / procedures for this. However, promoting and escalating violence, and targeting Staff, Elected Representatives and Public Officials has no place in the workplace and ought to have no place in our Australian society. As we can see from the above incidents and statistics that is sadly not the case.

We all have an obligation to “turn the temperature down” and ensure that civic debate and civility is maintained. Our staff work here, your Councillors have chosen to represent the public in order to serve this community and to give back, many of us live here and are proud to be part of the community we serve.

Staff, Elected Representatives and Public Officials continue to attend work, do our roles to the best of our ability and to navigate what is for the organization, and the for the community, difficult and challenging circumstances driven on an unrealistics and strict set of conditions mandated in a State imposed PIO that other Council’s do not have to operate under.

Scrutiny, debate and questions on topics or matters are welcomed in public life and public service, but recently this is leading to increased risk for staff, Elected Representatives and Public Officials and is made unnecessarily personal.

Council currently manages these risks through:

- **Policies & Procedures:**
    - Workplace Health and Safety policies and procedures
    - Social Media Policies for staff and councillors
    - Code of conduct and complaint handling processes and procedures
    - The Unreasonable Customer Conduct (UCC) Policy.
    - Councillor Codes of Conduct and governance frameworks.
    - Training in relevant policies / procedures
    - Employee Assistance Program (EAP) and wellbeing support.
- **Reporting**
    - Incident reporting and investigation processes
    - Safe work reporting
    - Child safe reporting.
- **Security Measures**
    - Moderation of Council-managed social media platforms
    - Security measures at Council facilities reviewed each six months
    - Duress alarms and CCTV at all Council buildings
    - security personnel for highly contentious meetings.
    - Risk assessments and workplace systems that enhance safety

- Escalation pathways involving NSW Police where threats or criminal conduct are identified and managed

Council encourages the reporting of all incidents to ensure appropriate support and risk management responses can be implemented.

Potential actions

To further strengthen safety and support respectful engagement, Council may consider:

- Training for Councillors and staff in conflict management and de-escalation.
- whether existing policies sufficiently address emerging risks associated with social media and digital engagement.
- providing regular and structured opportunities for community engagement, conducted in suitable locations and at times that appropriately balance accessibility with safety considerations. Community members are encouraged to utilise these forums, while direct contact outside these arrangements may occur at the discretion of individual Councillors.
- Continued advocacy through LGNSW, ALGWA and other local government bodies for stronger protections and support mechanisms.

Council also notes the upcoming ALGA webinar, *Surviving the Comment Section: Respectful Information in an Online World* (16 November 2026), which focuses on managing online abuse, promoting respectful engagement and protecting personal safety.

Conclusion

Council will not tolerate any forms of threatening, intimidating or abusive behaviour directed towards Councillors or staff.

The accessibility of local government is one of its greatest strengths; however, that accessibility should not come at the expense of personal safety. Respectful disagreement is essential to democratic participation, but threats, harassment and intimidation have no place in public life.

Council will continue to support the safety and wellbeing of Councillors and staff, promote respectful community engagement, monitor emerging risks and advocate for protections that enable elected representatives and employees to undertake their roles safely and effectively.

19.2 Question with notice: Councillor Tatrai - Acquisition of former Big River property, 113-117 Shoalhaven Street, Kiama - funding, financial impact and Performance Improvement Order

Clr Yasmin Tatrai has submitted the following question with notice for consideration:

Question

I request that each question be answered separately, in the exact numerical order presented, with each response directly beneath its corresponding question.

Please provide the specific figures, dates, Council resolutions and decisions requested. Where information is unavailable, please identify what is missing and why.

1. Commencement of negotiations and Council authority

On what date did negotiations first commence for Council's acquisition of the former Big River property at 113-117 Shoalhaven Street, Kiama?

Who authorised those negotiations, and what Council resolutions or delegations governed the negotiations and subsequent purchase?

2. Original funding arrangements

At the time the purchase was approved on 31 October 2024, how did Council intend to fund the $6.3 million acquisition?

Was funding dependent on proceeds from Blue Haven Bonaira, and what amount was forecast to be available for the purchase compared with the amount ultimately available?

3. Performance Improvement Order and financial impact

What assessment was undertaken of the acquisition's impact on Council's compliance with the May 2024 PIO?

Had Council not purchased the property, what would its current debt, cash position and progress towards satisfying the financial requirement of the Performance Improvement Order have been, and would those requirements now have been met?

4. Payment status and outstanding debt

Has the $6.3 million purchase price been paid in full? If not, what amount remains outstanding, when is it due, and how is it funded?

What borrowing or other financial liabilities, if any, remain directly attributable to the acquisition, including any associated costs, such as interest and legal fees?

5. Alternative use, parking and holding costs

Since Councils acquisition of the former Big River site, why has the land remained unused while Council continues to meet its purchase commitments?

What consideration has been given to generating revenue from the property during this period, including its possible use for paid public parking and what holding costs has Council incurred since the acquisition?

6. Works Depot remediation and redevelopment costs

Before Council approved the $6.3 million acquisition of the adjoining Big River property on 31 October 2024, had Council obtained a contamination assessment and cost estimate or quotation for remediating the existing Belvedere Street Works Depot site for future residential development?

If so, what was the estimated cost, when was it prepared, and was it provided to councillors before the acquisition was approved?

If no estimate was available at that time, when was the first remediation cost estimate obtained, and what is the latest cost?

Councillor information provided

Background

At its Extraordinary Meeting on 31 October 2024, Kiama Municipal Council considered the acquisition of the former Big River property at 113-117 Shoalhaven Street, Kiama, adjoining Councils existing Works Depot on Belvedere Street, Kiama.

The reported purchase price was $6.3 million, with payment arrangements extending over three years.

At that time, Council was operating under a Performance Improvement Order, requiring improvements to its financial sustainability and governance.

These questions seek to establish when negotiations commenced, how the acquisition was intended to be funded, whether anticipated proceeds from the sale of Blue Haven Bonaira formed part of those funding arrangements, and the financial impact of the purchase on Councils ability to satisfy the Performance Improvement Order.

They also seek to clarify why the property has remained unused while Council meets it financial commitments, whether opportunities to generate revenue have been considered, and what holding costs have been incurred.

Given the relationship between the acquired property and the adjoining Works Depot, the questions also seek to establish whether contamination assessments and remediation cost estimates were obtained before the acquisition was approved, and what financial information was available to councillors at that time.

The purpose is to provide councillors and the community with a clear, factual and transparent account of the acquisition, its associated costs and ongoing financial implications.

Chief Executive Officer response

It is noted that this information has previously been made available to Councillors. It is also noted that a market sounding process is currently being conducted with respect

to this site and other catalyst sites and any transaction or sensitive financial information remains commercial in confidence.

As requested, responses are provide by question number below:

1. This information was outlined in the Confidential report at the Extraordinary meeting of Council on 31 October 2024. The earlier Confidential report from the meeting on 13 August 2024 was included in the October report.

2. This information was outlined in the Confidential report at the Extraordinary meeting of Council on 31 October 2024. Specifically this included the three-year instalment payment terms negotiated with the vendor and the current day net present value of the arrangement. Funding was premised on overall cash inflows and outflows as noted in the Long Term Financial Plan (adopted and publicly available) at the time and currently. Councillors were given two briefings on the budget and Long Term Financial Plan (LTFP) and this work was presented as a draft (April) and placed on public exhibition and final report in June of 2026.

3. In 2024 and 2025 Council received bi-monthly reports on the progress of the Performance Improvement Order (PIO). Every month Council's ordinary meeting receives a report on finances which monitors cash flow. This information is publicly available. This same information is provided to the Office of Local Government. In 2026 under the varied PIO Council continues to receive monthly finance reports which also outline cash flow. The payment amounts are included in Budget and LTFP documents. This information is likewise publicly available. The payments obviously reduce cash reserves but the key challenge of the PIO is breakeven budget (including depreciation but excluding capital grants) which focusses sharply on operating performance and difficulties with structural deficit faced by Council. Councillors have had multiple briefings, reports and workshops on the PIO and the extent of structural deficit.

4. This information was outlined in the Confidential report at the Extraordinary meeting of Council on 31 October 2024. Payment terms cover annual instalment payments up to November 2027. These have and continue to be included in current Budget and LTFP documents. Debt (vendor finance) commentary is also noted in the LTFP as adopted and as per answer 2 above.

5. This statement is incorrect. The site is being utilised and generating revenue. Two tenancies remain in place at the site. One being a residential lease for the adjoining house and one being a short term commercial lease with a tenant for the permitted use of vehicle (truck) storage. The short term commercial lease is commercial in confidence and expires on 20 August 2027.

   Council has no allocated Delivery Program and Operational Plan funds to upgrade the site for public car parking and would incur additional costs for insurance, design and construction if this option is pursued.

   Holding costs include annual rates for the site.

   The State Government has assisted and prepared all current planning proposal work for the site with respect to potential future residential development opportunity.

6. This information was outlined in the Confidential report at the Ordinary Council meeting of 13 August 2024 and subsequently included in the report to the Extraordinary meeting of Council on 31 October 2024.

19.3 Question with notice: Councillor Tatrai - Blue Haven Terralong Retirement Village - management, expenditure and operational accountability

Clr Yasmin Tatrai has submitted the following question with notice for consideration:

Question

I request that each question be answered separately, in the exact numerical order presented with each response directly beneath it corresponding question.

Please provide the specific figures, dates and decisions requested. Where information is unavailable, please identify what is missing and why. Where figures have previously been supplied, please provide the outstanding information.

1. Vacant apartments and refurbishment

How many apartments were vacant at Blue Haven Terralong Retirement Village in September 2024 compared with October 2026, and how many vacant apartments were refurbished during that period?

2. Current vacant apartments

As at October 2026 how many vacant apartments were ready for new residents, awaiting refurbishment, undergoing refurbishment or being held for temporary relocation of existing residents?

As at the date of this response, have any existing residents been temporarily relocated to another apartment within Blue Haven Terralong, and if so, how many?

3. Waiting list and occupancy management

Does Blue Have Terralong maintain a waiting list for prospective residents, and how many applicants were registered in September 2024 compared with October 2026?

If no waiting list exists, why not? What actions were undertaken during this period to attract new residents, and how many new residents entered the village?

4. Income received - follow-up to April 2026, Question 5

For each financial year from 2022-23 to 2025-26, what was the total amount of money received by Blue Haven Terralong, including resident ingoing payments and fees?

5. Resident refunds (paybacks) - Follow-up to April 2026, Question 10

The April response explained the refund percentage but not the amounts paid. For each financial year from 2022-23 to 2025-26, what was the total amount paid back to departing Blue Haven Terralong residents?

6. Operating expenditure and financial performance

For each financial year from 2022-23 to 2025-26, what was Blue Haven Terralong's total operating expenditure and operating surplus or deficit, excluding capital expenditure and resident paybacks?

7. Maintenance and refurbishment expenditure - follow-up to April 2026, Question 6

For each financial year from 2022-23 to 2025-26, how much was budgeted and how much was actually spent on maintenance and apartment refurbishments?

Between September 2024 and October 2026, what was the total amount spent specifically on refurbishing vacant apartments?

8. Use of Village funds

Between July 2022 and June 2026, was any money received by Blue Haven Terralong used for Council purposes unrelated to the village?

If so, how much and for what purpose?

9. Budget responsibility and maintenance decisions - follow-up to April 2026, Questions 1-4

Since September 2024, which Council positions held delegated authority to approve Blue Haven Terralong's maintenance and refurbishment expenditure?

During that period, what maintenance or apartment refurbishments works were recommended but not approved, and who was responsible for those decisions?

10. Dilapidation report - follow-up to April 2026, Questions 7 and 8

The April 2026 response confirmed that Council resolved in February 2023 to complete an Asset Dilapidation Report.

Who approved the consultant's brief, and what was the original purpose and scope of the assessment?

Please provide the original written brief or scope or works and identify whether it specifically required a dilapidation assessment rather than a repairs and maintenance assessment.

Councillor information provided

Background

The current Council commenced its term in September 2024.

These questions seek factual information concerning the management, income, expenditure and occupancy of Blue Haven Terralong Retirement Village.

In April 2026, Questions With Notice (Item 18.2) sought information about the Village's income, maintenance expenditure and management responsibilities.

The CEO acknowledged that some information could not be provided within the available timeframe.

The above questions seek the outstanding information, together with a clear account of what has been achieved during the current Council term.

Particular attention is given to vacant apartments, refurbishment and reoccupation, resident demand, income received, resident paybacks, maintenance expenditure and responsibility for financial decisions.

The purpose is to provide Councillors and the community with an accurate, transparent and verifiable record of management of this Council-owned retirement village.

Reference: Kiama Municipal Council Ordinary Meeting, 21 April 2026 - Item 18.2, Questions with Notice concerning Blue Haven Terralong, pages 106-109.

Chief Executive Officer response

This question with notice requires the review and collation of information from many documents and previous briefings and/or reports. Accordingly due to existing workloads and priorities, this will be responded to in the December 2026 ordinary meeting of Council.