



ORDINARY MEETING OF COUNCIL

MINUTE ITEM ATTACHMENTS

Tuesday 16 April 2024

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16 APRIL 2024

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By your side



18th March 2024

The General Manager
Kiama Council
PO Box 75
KIAMA NSW 2533

Attention: Jane Stroud, Councillors

Re: Indigenous Cultural Heritage Bonaira Site, no consultation with indigenous community

We write to you following discussions with the local First Nations People's Elder Aunty Gwenda in regards to the proposed sale of the Bonaira Site to a private provider, and the lack of consultation with the local Indigenous community regarding the cultural significance of the site that is proposed for sale.

As you may be aware the Bonaira site is considered by the local First Nations People Community to be of cultural significance. We have been told that firstly it is the site of a local birthing tree that was historically used by the Indigenous Community. Further to this Aunty Gwenda has identified that the former Kiama Hospital Site is also considered to be culturally significant based on the treatment of indigenous people at this site.

The concerning factor in this is that Aunty Gwenda has stated the local First Nations People Elders have not been consulted with over the proposed sale of this land, the impact on their community and the potential disconnect with country that may be experienced as a result of this sale.

Further to this, it raises concern and questions regarding the reclassification of the land as a whole, with cultural significant land being required to be protected by the local plan of management as protected by *Section 36D Local Government Act 1996* (NSW). It appears that even as community land the cultural significance has not been recognised and the impacts on the First Nations Community caused by a potential disconnect with country being made as a result of the reclassification of the land and the sale.

Is the lack of consultation with the First Nations Community correct as has been identified by the Local Elder? If this is the case it would appear council is failing in its requirements to protect land of cultural significance. As a result before any further action should be taken it is absolutely incumbent on the council to engage in this consultation to ensure that a proposed sale will not interfere with the local First Nations Community and their connection to country and places of cultural significance. As stands it appears their rights have not been considered throughout this process and this should occur as a priority. Please provide a formal response, a copy of this letter has been sent to the relevant portfolio holders at a state level.

Sincerely

A handwritten signature in black ink, appearing to read "Graeme Kelly".

Graeme Kelly OAM
General Secretary

A handwritten signature in black ink, appearing to read "G Vann".

Per:
G Vann,
Southern Manager

cc;

UNITED SERVICES UNION

**NSW LOCAL GOVERNMENT, CLERICAL,
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AND UTILITIES UNION**

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Kiama Council Mayor; N Riley
Councillor Rice
Councillor J Keast
Councillor K Renkema-Lang
Councillor I Draisma
Councillor S Larkins
Councillor M Brown
Councillor W Steel
Councillor M Croxford
Minister for Local Government R Hoenig
Minister for Aboriginal Affairs D Harris
MLA W Tuckerman Shadow Minister for Local Government
MLA L Williams Shadow Minister for Aboriginal Affairs
MLC A Cohn Greens Portfolio Holder Local Government
MLC S Higginson Greens Portfolio Holder First Nations' Justice & Heritage

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