



Hon Peter Collier MLC
Minister for Education; Aboriginal Affairs; Electoral Affairs
Leader of the Government in the Legislative Council

Your Ref: Petition No. 127
Our Ref: 34-68750

Hon Simon O'Brien MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Dear Mr O'Brien

Thank you for your letter dated 13 October 2016 and the opportunity to comment on the proposed telecommunications tower at Bell Hill Reserve (the Proposal).

Bell Hill Reserve is within a place that has been recorded as being of importance and significance to the Yued People and is currently administered as DAA 36742 (Bell Hill Reserve) by the Department of Aboriginal Affairs (DAA). DAA 36742 has not yet been assessed by the Aboriginal Cultural Material Committee (ACMC) under section 5 of the *Aboriginal Heritage Act 1972* (AHA).

Should the ACMC form the view that DAA 36742 is a site under the AHA, it will be protected under the legislation. If this occurs, NBN Co Ltd will require consent under section 18 of the AHA to complete the Proposal and not breach the AHA.

Before proceeding further, I strongly recommend NBN Co Ltd consults with the Yued People through the South West Aboriginal Land and Sea Council (SWALSC) regarding the proposed works. SWALSC can be contacted on (08) 9358 7400.

I also recommend that NBN Co Ltd discusses the Proposal with DAA, who will be able to advise NBN Co Ltd on their obligations under the AHA. Ms Tiffany Vale, Registrar of Aboriginal Sites, Department of Aboriginal Affairs, can be contacted on (08) 6551 8000.

Kind regards

Hon Peter Collier MLC
MINISTER FOR ABORIGINAL AFFAIRS
03 NOV 2016