

Attention: Megan Kessler  
Scientific Director,  
EDO NSW.

16 May 2018

Dear Megan,

**RE: Narrabri Gas Project - Aboriginal Cultural Heritage Assessment - Expert Review by Peter Kuskie, South East Archaeology - Comment on Proponent's Response to Submissions**

Further to our submission of May 2017, in relation to the Narrabri Gas Project I've reviewed the sections of the documents highlighted below.

Part A:

- Executive Summary (pp 5-8 of 482)
- The Project (pp 38-47 of 482)
- Response to OEH (pp 155-159, 183-184 of 482)
- Response to non-agency submissions (pp 364-391, 431-432 of 482)

Part B:

- Appendix B Project Commitments (pp 163, 166-169 of 327)
- Appendix C Field Development Protocol (pp 170-219 of 327)

Part D:

- Appendix J Cultural Heritage Management Plan (pp 82-120 of 154)
- Appendix L Errata (pp 149-153 of 154)

In relation to the OEH submission (Part A), it is noted that the OEH raised a number of the same issues as we did in our submission.

The proponent's responses to these issues have included a barely-revised CHMP and outright rejection of a substantial number of issues, with minimal or no justification. In that regard, most of our points raised in our original submission remain basically unanswered or not legitimately responded to.

The proponent's attempt to step away from their fundamentally flawed de facto predictive modelling and 'cultural sensitivity mapping' and Cultural Heritage Zone Scheme that was presented in their own EIS defies belief.

The proponent's model of conducting their EIS level assessment of the specific drilling/impact areas after the Project Approval, but without guaranteed involvement of a qualified and experienced archaeologist in a manner consistent with the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) is fundamentally flawed. The continual circular references to this flawed model are not constructive and do not represent an adequate response to a number of issues.

The proponents model of post-EIS assessment involving consultation with just three hand-picked Aboriginal representatives on an “Aboriginal Cultural Heritage Working Group” (ACHWG) paid for by the proponent (and therefore having a potential lack of independence, lack of accountability and a conflict of interest) and with no guaranteed involvement of a qualified and experienced archaeologist should be rectified by amending the CHMP wording (eg. defining a Technical Expert as “a suitably qualified archaeologist” not as a “a suitably qualified archaeologist or a person appointed by the ACHWG” and mandating the involvement of such a Technical Expert in all future ‘pre-clearance surveys’ under the CHMP).

If the proponent truly believes, as they state, that “Aboriginal people should be responsible for the management of Aboriginal cultural heritage”, then clearly they are keeping to an extremely narrow definition of “Aboriginal people” (being the three hand-picked, paid parties on their ACHWG, as opposed to the numerous other RAPs and broader Aboriginal community).

Please do not hesitate to contact me should you wish to discuss this matter further.

Regards,

A handwritten signature in black ink, appearing to read 'P. Kuskie', written in a cursive style.

Peter J. Kuskie,  
Director,  
South East Archaeology Pty Limited.