

MEETING MINUTES

Narrabri Gas Project (NGP)

Aboriginal Cultural Heritage Advisory Group (ACHAG)

DATE / TIME

Tuesday 31st August 2021
12:07pm

LOCATION

Via Skype for Business

FACILITATOR

Garry West

MINUTE TAKER

Penny Magann-Jones

ATTENDEES

- ◆ Garry West (Independent Chair)
- ◆ Jodie Benton (OzArk Culture & Heritage)
- ◆ Donald Craigie (Gomeroid Native Title Applicant)
- ◆ Stephen O'Donoghue (NSW Planning & Environment)
- ◆ Edward Trindall (Narrabri LALC)
- ◆ Phil Purcell (NSW Planning & Environment)
- ◆ Clifford Toomey (Wee Waa LALC)
- ◆ Haydn Kreicbergs (Santos)

APOLOGIES

Natasha Talbot (Gomeroid Native Title Applicant)

GUESTS

Todd Dunn (Santos)

Discussions

NO.	DISCUSSIONS
1. Welcome	The Chair welcomed all to the meeting and acknowledged Gomeroid country on which the meeting was held as well as Elders past, present and future and all Aboriginal persons present.
2. Declaration of pecuniary or other interests / Code of Conduct	Chair advised that there were nil outstanding Declarations of Pecuniary or other interest forms.
3. Minutes of previous meeting	All minutes of March meeting distributed to ACHAG members and are available on the Narrabri Gas Project website. Nil actions outstanding.
4. Correspondence	Nil correspondence received.
5. ACHMP Presentation	<p>Presenter: Haydn Kreicbergs – Santos</p> <p>Consultation Process</p> <ul style="list-style-type: none"> • Santos circulates Management Plan • Santos presents plan in an Advisory Group meeting • Members review plan and submit Feedback Form • Santos consolidates comments in a formal record • Santos presents responses to Advisory Group meeting • Santos consolidates a response in a formal record • Santos circulates record with Advisory Group members • Submit Management Plan to NSW Planning Secretary for consideration

	<p>Background</p> <p>Potential impact on cultural heritage sites</p> <ul style="list-style-type: none"> • The project will only occupy ~1% of the project area, the project has the potential to impact Aboriginal cultural heritage • 90 sites are currently known in the study area • The assessment demonstrates that the project has the potential to impact on at least 16 categories of cultural heritage sites <p>Management and avoidance</p> <ul style="list-style-type: none"> • Pre-Clearance Surveys means a survey to identify if there is any Aboriginal Cultural Heritage present within the identified area • Pre-Clearance Surveys will be undertaken in accordance with Cultural Heritage Management Plan – over the life of project (25 years) • 90 currently known sites will be avoided • Following the Pre-Clearance Surveys – avoidance by site type • If Santos proposes disturbance activities – the CHMP must be implemented. • Pre-Clearance Surveys by Aboriginal people (Cultural Heritage Officers) • If sites are located, avoidance by site type in accordance with CHMP • Formal roles • Aboriginal Cultural Heritage Working Group • Cultural Heritage Coordinator • Cultural Heritage Officers • Independent audit every 5 years <p>C: Will discuss 16 categories when plan is in effect. A: All Aboriginal Cultural Heritage sites will be protected by Management Plan. Q: Will the Cultural Heritage Officers be by Gomeri people? A: All Cultural Heritage Officers will be appointed by the Aboriginal Cultural Heritage Working Group under Section 6 and 8 of the Management Plan.</p> <p>Zone/Sensitivity Mapping (not predictive model)</p> <ul style="list-style-type: none"> • It is agreed that with the limited data available, and the limitations of that data, sensitivity mapping is not appropriate as a primary management tool. • The data limitation were fully recognised and the proponent has expressly decided not to attempt to use it as a predictive model. Instead, the proponent will apply the precautionary and avoidance principles to the management of Aboriginal cultural heritage. In no instance does the precautionary principle rely on application of a predictive model. All locations, of whatever current category, will be subject to a pre-clearance survey in accordance with the Cultural Heritage Management Plan. • Other aspects of the precautionary principle will likewise be applied with no reference to the modelling. <p>C: All activities will be subject to further mapping. C: Gomeri People will be involved in the process via two levels of governance, Aboriginal Cultural Heritage Working Group and Cultural Heritage Officers.</p>
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Key Stakeholders

- **Land Councils**
 - Narrabri Local Aboriginal Land Council
 - Wee Waa Local Aboriginal Land Council
 - Gunnedah Land Council
 - Red Chief Land Council
 - NSW Aboriginal Land Council
- **Gomeri**
 - Applicant Group
 - Gomeri community
 - Elders
- **Registered Aboriginal Parties (RAPs)**
 - Narrabri – Wee Waa – Gunnedah
 - Over 570 consulted

Consultation and the assessment process

- Sept 2014 – meetings (and follow up meetings) and circulation to all RAP's hard copies of project description and assessment methodology
- Nov/Dec 2014 – meetings and circulation of all RAP's (and follow up meetings), hard copies of the:
 - Draft ACH Assessment Report (AHCAR)
 - Draft Cultural Heritage Management Plan (CHMP)
- Feb 2017 – the full EIS including the impact assessment report and CHMP placed on public exhibition by the NSW government for ~90 days.
- Feb 2017 – Santos sent letter to RAPs – advising EIS on exhibition, providing government website address for EIS, locations of EIS hard copies, advising meetings with RAPs 15 March 2017 in Narrabri (buses from Wee Waa and Gunnedah)
- Mar 2017 – Santos meeting with RAPs Re: EIS, AHCAR, CHMP
- April 2017 – Response to submissions including updated CHMP (Appendix J)
- Feb 2021 – Formation of Aboriginal Cultural Heritage Advisory Group with meetings held in February and March 2021

C: All ACHAG meeting minutes and actions are circulated to members and available on Narrabri Gas Project website.

Q: Pilliga Local Aboriginal Land Council isn't listed as a Key Stakeholder?

A: All LALC's invited. Not stated in the Development Consent conditions.

Next Steps

- Cultural Heritage Management Plan
- Aboriginal Cultural Heritage Working Group
- Cultural Heritage Coordinator
- Implementation

Cultural Heritage Compliance

State Legislation

- *National Parks and Wildlife Act 1974* (NSW)
 - *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b)
- *Coroners Act 2009* (NSW)

Santos Management System

- SMS-EXA-OS02- Cultural Heritage and Native Title Operating Standard
- *Draft SMS-EA-OS02-ST01 Cultural Heritage Procedure*

C: Santos has a robust Cultural Heritage Management System in place.

Cultural Heritage Management

- Avoidance of known and identified cultural heritage
- Cultural Heritage Assessment Request
 - Site Management Action Requests
- Cultural Heritage Procedures
- Key Controls – GIS etc.
- Cultural heritage induction and awareness training

Cultural Heritage Approvals

- Defined work scope and location from project manager
- Due diligence assessment of proposed area
- Work Program issued to cultural heritage coordinator
- Nomination of CHO's and Technical Advisor
- On-ground pre-clearance survey
- Report generated
- Reporting and approval conditions
- Implementation of procedures and conditions during on-ground activities

New Finds measures

- Work ceased immediately
- A temporary exclusion zone around the location is implemented
- On-site supervisor contacts Santos cultural heritage team
- Santos notifies the cultural heritage coordinator
- Inspection of New Find
- Document and capture recommendations
- Work re-commences following notification from the cultural heritage team
- All new finds to be added to AHIMS.

Human Remains

- Work ceased immediately
- A temporary exclusion zone around the location is implemented
- On-site supervisor contacts Santos cultural heritage team
- Santos reports discovery to NSW police or Coroner
- Advice will be provided for on-ground activity
- On-ground activity may re-commence following notification from the cultural heritage team OR work must be redesigned to avoid area.

Mandatory On-ground requirements

- Work must stop immediately if new cultural heritage material is discovered
 - Use the discovery of new cultural heritage and discovery of potential human skeletal material procedures
- Always drive on approved roads, tracks and rights-of-way
- Land disturbance is prohibited without an approved cultural heritage assessment request (CHAR)
 - Always comply with any conditions attached to a CHAR
 - Work must stop immediately if new cultural heritage material is discovered
- Always treat cultural heritage with respect
 - Never enter cultural heritage exclusion zones
 - Never collect cultural heritage items
- Never take photographs of cultural heritage sites or material

Cultural Heritage Assurance

	<ul style="list-style-type: none"> • Reporting <ul style="list-style-type: none"> • Annual reporting • Cultural heritage sites • Review <ul style="list-style-type: none"> • External auditor, 5 year intervals • Annual consultation meeting on ACHMP implementation • Legislative amendments as required <p>Overview of Schedule 6 – Aboriginal Cultural Heritage Management Plan</p> <ul style="list-style-type: none"> • Purpose of ACHWAG • Functions of ACHWAG • Membership of ACHWAG • Quorum • Decisions • Timing of Meetings • Proxies • Register of Decisions • Correspondence <p>Q: How many Cultural Heritage Officers will be required? A: Fifteen would be the optimal start number appointed by ACHWAG.</p>
6. General Business	<p>Independent Chair advised members that ACHMP feedback will be received for the next 10 days.</p> <p>Stephen advised the group attending this meeting has been valuable to NSW Planning to satisfy any issues that may be raised with ACHMP drafting process.</p> <p>Phil advised the group that his attendance was useful to seek to understand how the Aboriginal representatives were engaged with their communities on the draft ACHMP.</p> <p>The feedback form is to be amended to seek the level of consultation taken.</p> <p>Don advised the group that due to COVID-19 restrictions it has been very difficult to engage with the wider Aboriginal community at the moment. He stated that he would send the ACHMP to NTS Corp for distribution to the Native Title Group for feedback.</p>

Actions

NO.	ACTIONS	ACTION BY	DUE DATE
1	Haydn to revise the ACHMP Feedback Form and distribute to ACHAG members.	Haydn	ASAP
2	Members to review ACHMP and return ACHMP Feedback Form	All	10/9/21

Next Meeting

To be advised.