

Aboriginal cultural heritage investigations

New England Renewable Energy Zone (REZ)

May 2025

Overview

What is Aboriginal cultural heritage?

Aboriginal cultural heritage includes places, objects, and knowledge that are important to Aboriginal people. This might include stone tools, scarred trees, or areas connected to cultural practices and stories.

Why is Aboriginal heritage being investigated for this project?

We need to understand if any Aboriginal heritage is present where infrastructure is planned. This ensures we protect culturally significant places and meet legal requirements under NSW law.

Who decides what is culturally significant?

Aboriginal people are the primary knowledge holders. We work closely with Registered Aboriginal Parties, Local Aboriginal Land Councils and Traditional Owners, who help identify and advise on the significance of any findings.

What happens if heritage items are found on my land?

If heritage items are found on your land you will be informed directly. Our team will explain what was found, what it means, and what (if anything) needs to happen next.

Potential Archaeological Deposits (PADs)

What is a PAD?

A PAD, or Potential Archaeological Deposit, is an area where experts believe Aboriginal cultural material may be buried below the surface, even if nothing is visible.

How are PADs identified?

PADs are identified based on factors like landforms, soil type, proximity to water, and cultural knowledge shared by Aboriginal community representatives.

Does a PAD mean Aboriginal objects are definitely there?

Not necessarily. It means there is a chance something could be there. Test excavations may help confirm this.

What happens if a PAD is found on my property?

We'll contact you to explain the findings and arrange access for test excavations if needed. You'll be kept informed at every stage.

Can I still use my land if it has a PAD?

Yes. You can continue using your land as normal unless any specific protections are needed following excavation. We'll speak with you directly if anything changes.

What happens if Aboriginal objects are found during testing?

The area may be recorded as an 'Identified Site' and protected. We'll work with you and Aboriginal representatives to determine next steps.

Test excavations

What are test pits and why are they being dug?

Test pits are small holes (usually 50 cm x 50 cm) dug by hand to check for Aboriginal artefacts below the surface. This helps confirm the presence or absence of cultural material and informs how we manage heritage.

How are the locations for test pits chosen?

They are placed in a systematic grid in areas where heritage may be present — often informed by earlier surveys and field investigations.

How big and deep are the test pits?

Each pit is 50 cm x 50 cm and usually dug to a depth of 20–60 cm, depending on soil conditions. Pits will be no deeper than 1.2 metres.

Can pits be combined or extended?

Yes, in some cases, pits may be combined to better understand a site. However, the total size of a single pit will not exceed 3 square metres.

What tools are used? Will machinery be involved?

All excavations are carried out by hand using shovels and mattocks. No machinery is used. Soil is sifted using portable mesh sieves.

What equipment will be brought onto the property?

We may use up to three 4WD vehicles to transport equipment, which can include tools, star pickets, temporary fencing, portable toilets, and digital devices like phones and tablets for recording.

All tools and equipment will be clean and excavation teams will follow biosecurity standards.

How is the excavation recorded?

We take photographs and scale drawings of the soil layers and any significant finds using phones, cameras or tablets.

What happens to the soil?

All excavated soil is sifted to recover any heritage material, then returned to the same pit. No external soil is brought onto the property.

How long will the test pits stay open?

Most pits are backfilled the same day. If any pit needs to stay open overnight, it will be clearly marked and fenced for safety.

Will I be notified before the work starts?

Yes. Our team will contact you in advance and provide a two-week window during which work may occur. A member of the heritage team will also call you the Friday before work is scheduled to confirm access.

Do I have to be there?

No, but you're welcome to join us or ask questions at any time. We respect your choice either way.

Will you need to return after the excavations?

Not usually. In rare cases, we may need to return to:

- collect surface artefacts that may be impacted by the project,
- conduct further testing if results are unclear, or
- check or review previous findings under exceptional circumstances.

Scarred trees

What is a scarred tree?

A scarred tree shows evidence of past Aboriginal use. The trees may have been used for a variety of reasons, including but not limited to, land markings, building huts, or bark being removed to make tools or canoes. These scars are often oval-shaped.

Why are scarred trees important?

They are rare and culturally significant, providing a living connection to Aboriginal history. They are protected under NSW law.

How do you know if it's a scarred tree?

Experts and Aboriginal representatives assess the scar's shape, position, tree type, and age to determine if it's cultural or natural.

What if the scar is unclear?

If it's uncertain whether a scar is cultural, we may bring in an arborist to assess it. You'll be informed before this happens.

What happens if one is found on my property?

We'll inform you directly, explain what was found, and discuss any protections required.

Will I still be able to use my land?

In most cases, yes. Finding a scarred tree doesn't automatically prevent you from using your land. However you should avoid direct disturbance near the tree, such as moving, cutting or burning the tree.

Identified sites

What is an Identified Site?

An Identified Site is a location confirmed to contain Aboriginal cultural objects or places, which are protected under law.

- Aboriginal objects include physical evidence of Aboriginal occupation, such as scarred trees, grinding grooves or rock art.
- Aboriginal places may be small ceremonial sites or areas that hold spiritual, historical, social, or cultural significance for Aboriginal people.

What happens if an Identified Site is found on my land?

We'll contact you directly to explain the findings and work with you and Aboriginal stakeholders on how the site should be managed.

Will this stop me from using my land?

Usually not. Having an Identified Site on your property doesn't automatically restrict your land use. However, some activities like digging, building, or clearing near the site may need to be managed carefully or avoided.

How is an Identified Site protected?

Protection may include a buffer zone or changes to planned activities. This is decided in consultation with landowners and Aboriginal representatives.

Impacts for landowners

Are there restrictions if heritage is found?

If Aboriginal heritage is identified on your property, we'll discuss what it means and work with you on a practical approach to manage or protect the site. In the meantime, it's important to avoid any activity, such as excavation or clearing, that could disturb or damage the site.

In some cases, we may look at salvaging Aboriginal heritage items which involves removing them from the site for conservation purposes. We will discuss any proposed salvage excavation activities with you.

Do I have to give permission for the work?

We'll always seek your cooperation before any work begins and clearly explain the process.

What are my rights as a landowner?

You have the right to be informed, ask questions, and participate in decisions about heritage management on your land.

Will this affect future development or sale of my property?

If heritage is found, it may need to be considered in future development applications. We can help you understand what this means for your property.

Engagement and process

How is EnergyCo working with Aboriginal communities?

We are consulting with Registered Aboriginal Parties, Local Aboriginal Land Councils and Traditional Owners to guide heritage assessments and ensure cultural values are respected.

How will I be kept informed?

We'll stay in direct contact with you as work progresses. Updates will also be available on our website and through local engagement activities.

Who can I speak to if I have questions or concerns?

Your Place or Acquisition Manager is your first point of contact. We can also connect you with our environment and planning team or heritage consultants if needed.

What happens after the investigations are complete?

We'll review all findings and prepare plans to manage any heritage if required. You'll be informed of anything that relates to your land.

What are EnergyCo's responsibilities?

We must follow NSW heritage laws and work respectfully with Aboriginal communities and landholders to identify and protect cultural heritage.

General

How is Aboriginal cultural heritage protected in NSW?

Under the *NSW National Parks and Wildlife Act 1974*, it's illegal to disturb or harm Aboriginal objects or places without proper assessment and approvals.

What is an Aboriginal Heritage Impact Permit (AHIP)?

An AHIP is a legal permit required if Aboriginal heritage needs to be disturbed for a project. It involves detailed assessment and Aboriginal community consultation.

Where can I find more information?

Visit our website at energyco.nsw.gov.au, or contact our team at nerez@energyco.nsw.gov.au or 1800 061 114.