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13 July 2023

## **Stone Ridge Quarry Project - SSD-10432 Submission Objecting to the Proposal**

1. I write on behalf of Save Balickera Incorporated, an incorporated association that represents concerned residents and other members of the local community who strongly object to the proposed Stone Ridge Quarry Project. This proposed development is objectionable for many reasons which we will address below under the headings used in the Secretary's Environmental Assessment Requirements ('SEARS'). The cumulative impact of further quarrying in the area, particularly when considered together with other existing and proposed developments, would be devastating and must be resisted.
2. However, we first wish to express our objection to the process. The Stone Ridge Quarry Environmental Impact Statement ('EIS') is 222 pages long and, including its numerous appendices, there are over 2,000 pages of technical material to be considered. The 28-day time frame for residents and other concerned community members to object is manifestly inadequate. We note that it has taken Australian Resource Development Group ('ARDG') more than the required two years to produce the EIS since the SEARS issued on 1 June 2020, during which time there appears to have been minimal consultation with the community. Most residents had no idea what was being planned. It is simply not feasible for residents to consider the EIS in any detail in the time frame provided, let alone raise funds and obtain expert opinions in rebuttal.
3. Ours is a small rural community with many residents who prefer nature over technology. Some are not computer literate or lack the confidence, inclination or persistence needed to set up an account with "Major Projects", as required to lodge an objection online. The website also malfunctions on a regular basis and is often not allowing people to submit their objections. No email is provided for alternative lodgement and the formalities that need to be satisfied, even for a paper submission,





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appear designed to limit the number of “valid” objections counted. We trust all objections will be counted despite minor irregularities.

4. The fact that the Forestry Corporation is set to profit from this development creates a conflict of interest for government which undermines confidence that the responsible minister can be relied on to objectively determine this application. It is also concerning that ARDG’s Deed of Agreement with the Forestry Corporation has apparently already received ministerial approval in advance. It is clear from these considerations and other irregularities within the EIS, that a public hearing is merited, regardless of the number of objections received from our small community.

### **Noise & blasting**

5. The site of the proposed Stone Ridge Quarry is across the road from the existing Boral Seaham Quarry. It will inevitably contribute to the already unacceptable noise and vibration from current traffic and blasting. Boral has also recently written to residents notifying them of its own plans to massively expand its operations. The cumulative impact will be devastating to residents who have been anticipating the long-awaited closure of Boral’s Seaham Quarry, rather than the expansion of quarrying activity on both sides of Italia Road.
6. Residents describe extremely loud noise and shaking of their homes and structures resulting in cracks and one account of a burst water tank because of existing quarry blasting. Freda Lees has lived on Italia Road, Balickera her entire life and is now 92 years of age. Five generations of her family have lived in this location, with her children, grandchildren and great grandchild living next door to her. Freda describes the impact as follows:

*Well, when they start crushing you would think the crusher was here. It’s that loud. And when Basil tries to sleep up there it wakes him up because he thinks it’s outside the window.<sup>1</sup>*



Freda Lees talking about the devastating impact of the quarries. Photo credit: Otto Khoo

7. Had ARDG engaged in genuine community consultation, they would have discovered that one of their most proximate neighbours is a night shift worker who is considerably impacted by the daytime quarry noise. Even on the favourable estimates

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<sup>1</sup> Recorded interview with Freida Lees 7 July 2023.





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provided by ARDG, the exposure of his property to vibration, air blast overpressure and fly rock is outside applicable limits (BIA, p24-27). It seems that quality of life for this family is simply regarded as collateral damage.

8. Five generations of my own family have lived at Balickera House. We have also experienced our house shaking during blasting at the existing quarry (R19 on the BIA). The EIS states: *The closest heritage site, Balickera House, will be located approximately 1,170 m from the proposed extraction area.* Our property, like the Lees home, has borders with the existing Boral Seaham Quarry, which is also proposed to massively expand rather than winding up as originally planned. We are very concerned about the cumulative long-term impact of the blasting on our convict-built house, which is of significant heritage value (see more on this below). Vibration is one of the main factors causing fatigue in heritage structures and prolonged exposure can result in cracks that may ultimately lead to collapse.<sup>2</sup>
9. The Blasting Impact Assessment ('BIA') concludes: *Balickera House - vibration exposure is predicted to be no higher than 1.5 mm/s, which is below the applicable criteria of 5 mm/s.* However, to our knowledge no testing or monitoring has been conducted on our property in preparation for this EIS and there has been no consultation with us despite our proximity to the quarry site and our family's long history in the area. At page 22, the Noise Impact Statement at Appendix 5 states dismissively, and without any real basis:

*...potential structural damage and human annoyance from vibration inducing construction equipment/activities is anticipated to be negligible and is not addressed further in this NIS.*

10. My brother, Jim Kerr who is a vet and currently operates the family farm, is also concerned about the stressful impact on our cows, whose existence is conveniently denied by ARDG on page 75 of the EIS (and also page 30 of the Blast Impact Assessment at Annexure 6). The Angus Stud adjoining our property, the various horse stables and the nearby goat farm also seem to be invisible to those conducting the assessment for ARDG. They say:

*There are no known major farms with cattle or other breeding animals, nor any major grazing land areas within a 2 km radius of the Project, although some grazing cattle have been observed within property R19.*

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<sup>2</sup> [http://www.ijates.com/images/short\\_pdf/1425546317\\_P6-15.pdf](http://www.ijates.com/images/short_pdf/1425546317_P6-15.pdf)





Cattle in the yards next to Balickera House 7 July 2023, Photo Credit: Caspar Khoo

11. The BIA also refers to our home as a '*former farmhouse built using convict labour circa 1830*' (Appendix 6, page 27) even though it is clearly still an operating farm. This demonstrates a failure to engage in any genuine community consultation or investigation and gives cause for the entire EIS to be viewed with scepticism. Despite having already acknowledged the proximity of our house to the site, ARDG has somehow overlooked the roughly 100 head of cattle grazing near the home. The BIA also seems to have been conducted on the false premise that Balickera House is unoccupied infrastructure (BIA p30-31). We would also like to know exactly where the R19 receptor is located?



Cracked water tank that no longer holds water, on Italia Road, Balickera

12. In addition to the cattle grazing at Balickera, most residents have other domestic animals including many horse stables along Italia Road, which will be adversely impacted. Aside from the noise and vibration from construction and blasting, residents have had enough of the thunderous and dangerous truck traffic on Italia Road, which prompted them to establish the Italia Road Action Taskforce (IRATE) in August 2022. Residents, lured to the area by the peaceful natural environment, are horrified that Italia Road is increasingly being treated as a haulage route for heavy industry.<sup>3</sup>

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<sup>3</sup>[https://www.facebook.com/groups/1415120172296142/?hoisted\\_section\\_header\\_type=recently\\_seen&multi\\_permalink\\_s=1632002100607947](https://www.facebook.com/groups/1415120172296142/?hoisted_section_header_type=recently_seen&multi_permalink_s=1632002100607947)





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13. The noise monitoring results contained at Table 2.4 in the Noise Impact Assessment ('NIA') at Annexure 5 indicate road traffic at 60 dB(A), which is as noisy as a noisy lawn mower at 10m distance. There does not appear to be any significant noise abatement at night. The figures provided for the noise levels during the operation of the quarry simply do not accord with first-hand accounts provided by residents and bring in to question the methodology applied. The claims contained in the EIS that *'there will be no exceedances of the cumulative noise criteria'* and that noise impact *'(m)eets relevant criteria – no residual material impact'* are simply not credible and indicate a cynical approach to the exercise of weighing the cost to the community.

### Air Quality

14. The quarry will further increase dust contamination of people's homes which will result in the need for more cleaning of houses, both internally and externally. Dust settles on windows, rooftops, and can reduce the efficiency of solar panels.<sup>4</sup> Aside from increasing the cost and time engaged in cleaning by residents, it is likely to have health impacts, and not only for asthma sufferers.
15. Unconvincing claims are also made in the EIS relation to the absence of any adverse impacts on air quality. However, we have received many anecdotal accounts of respiratory symptoms and bleeding noses from those residing in the locality, which would seem to merit some serious study by health authorities into the impact of the existing quarries on health before further quarries are approved.
16. Australia is currently experiencing an epidemic of silicosis claims which is being called the 'asbestosis of the 2020s'.<sup>5</sup> Silicosis payouts in Australia currently range from \$500,000 to as much as \$2,000,000.<sup>6</sup> There is growing awareness that silicosis does not only affect tradesman working in related industries. Recent media reports have highlighted how those living and working in proximity to quarries may also be affected.<sup>7</sup> The estimated \$290 million benefit to NSW projected in the EIS could be much depleted by an avalanche of personal injury claims. Health professionals in the Hunter Region have begun blowing the whistle and all levels of government now have a duty of care to fully investigate the potential health risks before approving further quarry developments proximate to residential areas.<sup>8</sup>

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<sup>4</sup> <https://news.mit.edu/2022/solar-panels-dust-magnets-0311>

<sup>5</sup> <https://www1.racgp.org.au/newsgp/clinical/asbestos-of-the-2020s-calls-to-fast-track-silica-b;https://www.abc.net.au/news/2019-02-21/silicosis-death-dust-audit-reveals-major-epidemic-worse-asbestos/10830452>

<sup>6</sup> <https://thepersonalinjurylawyers.com.au/compensation/queensland-silicosis-compensation-and-treatment/https://lawpointlawyers.com.au/how-much-compensation-do-you-get-for-silicosis/>

<sup>7</sup> <https://www.9news.com.au/national/silica-office-admin-worker-joanna-mcneill-contracts-silicosis/d64f8661-8bca-4b6f-b950-a1d64e13e421>

<sup>8</sup> <https://12ft.io/proxy?q=https%3A%2F%2Fwww.newcastleherald.com.au%2Fstory%2F6767874%2Five-got-a-family-here-doctor-continues-his-clean-air-campaigning%2F>





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17. The cumulative impact on the air quality of the increasing numbers of quarries, both existing and proposed, poses a foreseeable risk to the health of residents and the potential liability for compensation claims will outweigh the economic advantages of any such development. The modest number of jobs created by the development will not offset the harmful health effects on both workers and the community.
18. One recent headline read: *The Hunter Valley is breathing in "extreme" levels of air pollution which consistently breach international health standards and are driving the nation towards a climate change "health emergency", scientists and medicos say.* Mines and quarries must be kept a safe distance from residential areas lest we create more Wittenooms. To consider further residential development, such as that intended for Kings Hill, in proximity to a multiplicity of proposed quarries is simply irresponsible.

## **Water**

19. Balickera residents are reliant on tank water and are understandably concerned about the impact of dust on their drinking water. Furthermore, the proximity of the proposed quarry to the open Balickera Canal, within the catchment for drinking water for the Grahamstown Dam and the Hunter Region, is yet another cause for serious alarm.
20. Umwelt's assertion in Appendix 9 that the proposed development will have a neutral or beneficial impact on water quality stretches credulity to the limit, particularly in view of the concession that there will be a reduction in catchment and the inevitability that some sediment from the quarry will end up in the canal (Annexure 9, page 6). The risk of contamination of Grahamstown Dam with toxic quarry run off would be very high during super storm events such as that experienced in 2015 and 2016. In view of these risks, sections 7.8 and 7.10 of the *Port Stephens Local Environmental Plan 2013* mandate that development consent must not be granted.<sup>9</sup>
21. In relation to the concession that there will be a reduction in catchment, we note the recent announcement in the media that Australian mining company South32 has agreed to pay a record sum after an investigation revealed one of its coal mines drained millions of litres of water from the Sydney water catchment without a licence.<sup>10</sup> Any development that threatens to drain much needed surface water from the community's drinking supply must clearly be refused. Yet again the economic

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[https://www.lockthegate.org.au/doctors\\_concern\\_coal\\_mine\\_air\\_pollution](https://www.lockthegate.org.au/doctors_concern_coal_mine_air_pollution)

<https://www.singletonargus.com.au/story/7772189/the-hunter-valley-is-breathing-extreme-levels-of-air-pollution-as-fear-rises-for-climate-health-emergency/>

<sup>9</sup><https://legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0755#sec.7.8>

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0755#sec.7.10>

<sup>10</sup> [https://www.abc.net.au/news/2023-07-11/south32-agrees-to-record-payout-over-sydney-water-supply-take/102586374?utm\\_campaign=abc\\_news\\_web&utm\\_content=mail&utm\\_medium=content\\_shared&utm\\_source=abc\\_news\\_web](https://www.abc.net.au/news/2023-07-11/south32-agrees-to-record-payout-over-sydney-water-supply-take/102586374?utm_campaign=abc_news_web&utm_content=mail&utm_medium=content_shared&utm_source=abc_news_web)





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benefits of this project are reduced to nothing when weighed against the potential cost to the community.

22. In Appendix 7 Umwelt assesses that there is a low risk of blast vibration impacts on the Balickera channel and the tunnel that runs underground near the project site. Even suspending disbelief and accepting that the risk is low, any risk is unacceptable in view of the essential nature of the infrastructure in question. Hunter Water carried out remediation works on the tunnel in 2021-2022, but some sections have already been identified as still requiring further remediation and can therefore be expected to be vulnerable. Furthermore, Table 5 on p19 in Appendix 7 indicates that should the vibration be moderate or high, the risk rises accordingly.

### **Biodiversity**

23. If approved, the proposed quarry will result in permanent destruction of at least 79 ha of State Forest and disturbance of an additional 139 ha, which is land held in trust for the public. This will mean permanent loss of habitat for many endangered and vulnerable species of flora and fauna. Koalas, squirrel gliders, brush-tailed phascogales as well as threatened species of birds, bats and orchids have all been identified on or near the development site. Two threatened ecological communities (TEC) will be cleared, including one which is listed nationally as endangered.



Brush tailed phascogale 25 March 2023 Photo credit: Anthony Crawford

24. The quarry site is proposed for a section of Wallaroo State Forest which adjoins Wallaroo National Park and forms part of a fauna corridor and constitutes significant remnant habitat. According to the National Parks and Wildlife Service (NPWS) Plan of Management for the Karuah, Medowie and Wallaroo Group of national parks and conservation reserves (KMWG):

*The area surrounding the parks has been extensively cleared, which has resulted in a high loss of biodiversity and fragmentation of habitat in the region. Long-term conservation of biodiversity depends upon the protection, enhancement and connection of remaining habitat across the landscape, incorporating vegetation remnants on both public and private lands.*





Koalas photographed at Balickera in April and May 2023. Photo credit: Kirsti Musicka

25. According to the EIS (page 123):

*The DCCEEW noted the key likely and potential significant impacts to EPBC listed threatened species and ecological communities associated with the Project will result from the clearing of native vegetation and terrain manipulation within the Project footprint, and the potential for indirect impacts resulting from Project activities. The DCCEEW noted that the Project will clear suitable foraging or breeding habitat that is critical to the survival of the nominated threatened species and may fragment and functionally lose the Coastal Swamp Sclerophyll Forest endangered ecological community.*



Black Cockatoo found stunned on the corner of the Pacific Highway and Italia Road on 29 November 2022. It was in the centre of the Highway when rescued by a resident who picked it up and contacted WIRES who collected it. Photo credit: Andrew Cusbert

26. Hunter Water have only just reopened Balickera tunnel to a community of threatened microbat species who were excluded during the recent rehabilitation works.<sup>11</sup> The increased noise and vibration from quarrying at Stone Ridge may well sabotage Hunter Water's efforts to resettle this fragile community back into the tunnel.

<sup>11</sup> <https://www.hunterwater.com.au/community/major-projects-in-your-area/balickeratunnel>





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27. These threats to biodiversity are enough grounds to refuse the proposed quarry project. We have included some recent photographs of endangered species provided by various residents who are concerned about plans to further decimate the natural environment and wildlife habitat despite the increasing global calls to prioritise environmental sustainability over short-term economic considerations. We expect that environmental groups and local naturalists will be making more detailed submissions on this topic and we endorse their concerns.

## Heritage



Photo Credit: Jim Kerr 2023

28. Section 5.10 of the *Port Stephens Environmental Plan 2013* requires:

*The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.*<sup>12</sup>

29. Balickera House has a local heritage listing. It receives mention on the Port Stephens Council's website page, *History of our Area*<sup>13</sup>. Lieutenant William Caswell had served as a midshipman on the *Victory* at Trafalgar before retiring on his land grants in NSW. With convict labour<sup>14</sup>, Caswell built Balickera House in circa 1830 and Tanilba House in 1831. Caswell's daughter married Andrew Lang of Dunmore, who was the brother of John Dunmore Lang, Australia's first Presbyterian minister. Other well-known colonial figures to visit Balickera House include Archibald Mosman and Ludwig Leichhardt.<sup>15</sup>
30. Caswell died on a sea voyage to visit his homeland in 1859 and Balickera was subsequently purchased from his estate by my great grandfather Frederick William Reid. The property has remained in our family since that time and as direct descendants of Fred Reid we are profoundly attached to the house and property, as are

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<sup>12</sup> <https://legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0755#sec.5.10>

<sup>13</sup> <https://www.portstephens.nsw.gov.au/community/our-profile/history-of-our-area>

<sup>14</sup> : [https://members.pcug.org.au/~pdownes/sharp/caswell\\_convicts.htm](https://members.pcug.org.au/~pdownes/sharp/caswell_convicts.htm)

<sup>15</sup> <https://www.portstephens.nsw.gov.au/community/our-profile/history-of-our-area>





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other members of the Australian community who have connections to colonial figures who lived or worked historically at Balickera.<sup>16</sup>

31. The EIS describes how '*Balickera*' House (a nineteenth century convict-built homestead) is located over 1,100 m to the west, but still claims the quarry proposal will have 'no impact' on historic heritage, despite being only just over one (1) kilometre away. They have not conducted any monitoring or investigations into the impact of the existing Boral Seaham Quarry on Balickera House. The impact of the proposed fortnightly blasting by Stone Ridge must be considered together with the planned weekly blasting at the Boral Seaham Quarry to assess the cumulative impact. The Blasting Impact Assessment (BIA) at Appendix 6 appears to be based on rather optimistic 'modelling'.



Photo Credit: Mary Kerr 2023.

32. The EIS draws the sweeping conclusion that: *the Project Area is deemed to have low archaeological potential across its entirety*. However, aside from inadequate attention to the threatened European heritage at Balickera, we believe there has also been inadequate investigation into the Aboriginal heritage of the area. Only four (4) members of the indigenous community are listed as having been invited to attend the site survey, out of seven who completed expressions of interest. This was a commercial engagement and apparently negotiations also took place in relation to access to firewood once the site has been cleared. On page numbers 15-16 of the Aboriginal Cultural Heritage Assessment at Appendix 12, it is apparent that 'late' registrations by members of the Aboriginal community also appear to have been refused, although received less than a month after the notification letter was sent. The selection criteria for the participants are not disclosed.
33. We would suggest that consideration of Aboriginal heritage has been perfunctory at best and does not evince a genuine desire to uncover information about the site. An Aboriginal elder connected to the area, who is also a member of the local historical society, mentioned to me that she believes there was a historical massacre at Balickera. Unfortunately, time limitations have precluded us from further consultation with members of the Karuah and Worrimi Land Councils or academics engaged in mapping colonial massacre sites.<sup>17</sup>

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<sup>16</sup> For example, <https://members.pcug.org.au/~pdownes/sharp/index.htm>

<sup>17</sup> <https://c21ch.newcastle.edu.au/colonialmassacres/map.php>





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34. Finally, we found no mention at all in the EIS of palaeontological considerations, and no reference to the report by Professor Geoffrey Playford in 2019 which states:

*This renewed palynological study of the Mount Johnstone Formation, at Balickera in the Hunter Valley region of New South Wales (eastern Australia), discloses a considerably more diverse palynoflora – termed the Grandispora maculosa Assemblage – than was reported in 1968.<sup>18</sup>*

### **Traffic & Transport**

35. We understand that the Stone Ridge Quarry's viability is contingent on the outcome of a separate development application being lodged by Boral to upgrade the existing Italia Road-Pacific Highway Intersection. This suggests the Stone Ridge Quarry will not on its own support the expense of the necessary infrastructure. The anticipated volume of truck traffic created by the various quarries really demands an overpass, but the construction of one would have its own further devastating impact on the environment. The economic benefits of the Stone Ridge Quarry project can only be assessed when the true cost of infrastructure upgrades is considered. The plan to shift the burden of upgrading the roads to other businesses, or for that matter to the taxpayer, suggests that the Stone Ridge Quarry will not provide a net economic benefit to the community. Instead, it will likely be a drain on community resources. Quarries create a circular problem – that is, they require more trucks to transport rocks to build and repair roads, which are needed because of the increasing trucks.
36. The proposed Tarean Road Interchange constitutes an inadequate solution to the safety concerns. Most trips by trucks will be southbound and drivers will lose time and money as they will be forced to turn left onto the Pacific Highway from Italia Road. It is not feasible to monitor to ensure compliance with trucks turning only left onto the Pacific Highway. Currently quarry trucks are already seen to travel in both directions on Italia Road, despite assurances that traffic issues will be confined to the Pacific Highway end. It is unrealistic to expect members of the community to effectively police compliance with conditions of this type.
37. The channelised right turn onto Italia Road from the Pacific Highway is also manifestly inadequate and unsafe in view of the anticipated volume of traffic travelling at speeds between 100 and 110km per hour. It is very difficult to cross two lanes of highway with oncoming traffic travelling at these speeds in a car, let alone in a semi-trailer truck.
38. Italia Road itself is also entirely inadequate as a haulage route and upgrades to increase its suitability and safety for that purpose will necessarily involve extensive

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<sup>18</sup> Playford, Geoffrey (2019-10-24). Palynology of the Mount Johnstone Formation (Mississippian), southern New England Orogen, New South Wales, Australia. Taylor & Francis.  
<https://www.tandfonline.com/doi/abs/10.1080/01916122.2019.1658236>





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removal of trees and habitat. Some of this work is presently taking place, in flagrant disregard for the concerns expressed by community members and environmental groups. Road safety is a major concern for the residents of Italia Road and has been strengthened following the recent tragic fatality on Italia Road at Balickera, close to the proposed project site. We note this incident is not mentioned in the EIS. The preferred solution to these safety concerns is to lower the speed limit and reduce the truck traffic rather than cut down more trees.

39. We are aware that a submission addressing concerns in relation to traffic and transport is being lodged on behalf of community group VOWW and we endorse the concerns expressed in their submission.

### **Land Resources**

40. According to section 10 of the NSW *Forestry Act* the principal objectives of the forestry corporation include:
- (b) **to have regard to the interests of the community in which it operates,**
  - (c) **where its activities affect the environment, to conduct its operations in compliance with the principles of ecologically sustainable development contained in section 6(2) of the [Protection of the Environment Administration Act 1991](#),**
41. Section 6(2)(a) of the [Protection of the Environment Administration Act 1991](#) requires application of:

*the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*

This legislation mandates that serious or irreversible damage to the environment is to be avoided wherever practicable and that regard should be had to intergenerational equity (maintaining the environment for future generations) and that conservation of biological diversity and ecological integrity should be a fundamental consideration.

42. Section 10(2) of the NSW *Forestry Act* provides that its various stated objectives are of *equal importance*. This establishes that the running of the forestry corporation as a successful and efficient business is not to come at the cost of the environment and local communities.
43. Furthermore, section 35 of the NSW *Forestry Act* states:

*Land within a State forest or flora reserve is, for the purposes of the definition of exempted area in the [Mining Act 1992](#) or in section 70 of the [Petroleum \(Onshore\) Act 1991](#), land dedicated for public purposes.*





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Indeed, a search of the *Forestry Act* finds the word ‘quarry’ used once only ([section 38\(1\)\(b\)](#)) to say that quarrying is unlawful and can attract six (6) months imprisonment. The legislation demonstrates no intention to allow substantial quarrying operations within State Forests, and such operations are also inconsistent with community expectations.

44. Section 38(3) sets out limited circumstances in which otherwise unlawful activity may be authorised, including when done under a license. And indeed ARDG claims to have a Deed of Agreement for a Forest Materials License with Forestry Corporation NSW (‘FCNSW’) under [section 42 of the Forestry Act 2021](#). A copy of this Deed of Agreement has not been made public but nevertheless, the terms of any license granted must be consistent with the overall objectives of the Forestry Corporation as set out in section 10 of the NSW *Forestry Act*. To proceed with the proposal, ARDG must also have a license authorising the extensive clearing of the land prior to extraction, as required by section 43 of the NSW *Forestry Act*. However, there is no detail of this in the EIS.

45. Aside from the clear inconsistency with the objectives of the legislation, the NSW *Forestry Act* also states, in section 42:

*2)The term of a forest materials licence is the term specified in the licence, but the term—*

- (a) must not exceed 5 years without the prior written approval of the Minister, and*
- (b) must not, in any event, exceed 20 years.*

46. The Stone Ridge Quarry is requesting approval to quarry 1.5 million tonnes per annum, which far exceeds the amount currently being quarried in State Forests, with commensurate higher environmental and community impacts.<sup>19</sup> The 30 years specified in the EIS as the ‘Life of Extraction’ for the Stone Ridge Quarry Project is also starkly inconsistent with the provisions of the legislation. Any license exceeding five (5) years requires the approval of the Minister. If prior ministerial approval has been granted, as claimed by ARDG, it undermines the integrity of the entire EIS process and in itself merits a public hearing of the application to ensure the process receives appropriate public scrutiny.

## Waste & Hazards

47. Scant detail is included under these headings in the EIS. However, it is quite clear that those two words aptly describe the overall impact of the proposed project. Ripping up more of Australia’s remnant forestry at great cost to the natural environment and human health and well-being is both wasteful and hazardous and entirely incompatible with public concern in relation to environmental sustainability and climate change.

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<sup>19</sup> <https://www.forestrycorporation.com.au/about/pubs/corporate/sustainability-reports>



*Save Balickera Inc.*



Still of existing Boral Quarry from film [Stop Stone Ridge Quarry](#) available at Balickera.org.

**Visual**

48. Pictures speak louder than words.

This



versus this:



Stills from film [Stop Stone Ridge Quarry](#) available at Balickera.org.





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## **Social**

49. We question ARDG's claim that they engaged in 'comprehensive consultation' with the community. As a result of our own door knocking, phone calling, emailing and surveys, we can report a much higher response rate and levels of engagement over the last few weeks, than recorded in the Social Impact Assessment ('SIA') at Appendix 15 of the EIS, which was prepared over a period exceeding 2 years. The failure to conduct more extensive consultation and surveys during the scoping period was a short-sighted attempt at economy by ARDG.
50. Though limited, the SIA does document the opposition within the community, including to the various other quarry developments that have been proposed at Seaham, Eagleton, Brandy Hill and Martins Creek (pages 24-26), for the many reasons touched upon in this objection. All but the last of these has apparently secured approval to date. The cumulative harm of so many damaging developments in the area is more than the community can be expected to bear, particularly when many were told, when buying property, that the existing Boral quarry was due to wind up operations in a few years.
51. The SIA also records the use of the area for '*birdwatching, horse riding, 4-wheel driving, motorbike riding and camping*' (page 26) as well as bush walking and dirt bike riding. We also understand there is use of the forestry site for orienteering, although this does not seem to get a specific mention in the EIS. Aside from reducing the amenity of the area for these leisure activities, residents are concerned about the knock-on effect on their land values, making it more difficult for them to leave the area<sup>20</sup>. There is no suggestion that ARDG will offer to buy out residents who wish to escape the impact of yet another quarry. Instead, it dismisses these concerns with a statement that can only lead us to question the good faith of those authoring the report:

*Market data and discussions with local real estate agents indicates that the market for rural lifestyle properties in the Hunter is liquid, with no known evidence of unsaleable properties as a result of the presence of mining (or similar) operations (page 54).*

52. In this regard, the disclaimer by Umwelt that prefaces the EIS report must be noted and given full weight:

*Umwelt undertakes no duty, nor accepts any responsibility, to any third party who may rely upon or use this document. Umwelt assumes no liability to a third party for any inaccuracies in or omissions to that information. Where this document indicates that information has been provided by third parties, Umwelt has made no independent verification of this information except as expressly stated.*

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<sup>20</sup> [http://crushthequarry.org/index.php?option=com\\_content&view=article&id=63:property-values-decrease-when-a-quarry-is-built&catid=67&Itemid=261](http://crushthequarry.org/index.php?option=com_content&view=article&id=63:property-values-decrease-when-a-quarry-is-built&catid=67&Itemid=261)





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## **Economic**

53. As discussed above, the EIS has not adequately or honestly costed the harms to the environment and community in calculating the economic benefit of this project. It is stated in the EIS that under the terms of the Forest Materials License (FML), ARDG will pay the Forestry Corporation of NSW (FCNSW) a royalty for each tonne of quarry product sold from the project. The details of this arrangement have not been made public, but this clearly places the Minister in a conflict of interest situation when weighing the costs to the community of the project, and ultimately determining whether it should be approved. However, the potential liability accruing to the State if this project proceeds will dwarf the estimated economic benefits to the community and should be enough grounds to negate any further approval.

## **Rehabilitation**

54. The community is yet to see any rehabilitation of the existing Boral quarry development, which is seeking instead to massively expand rather than wind up as planned. There is no basis on which the community could feel reassured that any such rehabilitation efforts will take place within any sensible time frame, when ARDG is already proposing a 30-year time frame in clear breach of legislative restrictions on quarrying in State Forest. Indeed, the scale of the proposed project suggests that rehabilitation is unlikely within our lifetimes. I note that the small, decommissioned quarry on Italia Road left a visible scar on the landscape and has continued to attract illegal dumping. It is hard for the community not to be cynical about such undertakings made so many years in advance. It is also likely that the quarry may well change hands before the operation reaches the end of its lifetime and the eventual owners may have even less regard for the local community than the current applicants.

## **Summary/Conclusion**

55. Residents of Balickera and surrounding areas have chosen to live in the locality for the peaceful natural environment and are outraged by the various proposals to expand quarrying operations in the area. Stone Ridge Quarry, and other developments, if allowed to proceed, are set to devastate the local environment and community. The cumulative impact on both the local flora and fauna, and the human population, will be significant.
56. The proposed quarry is within the drinking water catchment for the entire region. It is dangerously close to the Balickera canal and will have adverse impacts by draining some water away from it during dry times and also potentially contaminating the water supply with its runoff in wet seasons. Furthermore, the vibration from blasting poses an unacceptable risk to the Balickera tunnel maintained by Hunter Water.





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57. The proposed quarry is also in proximity to heritage listed Balickera House, as well as the properties of other residents, and these homes will suffer from the cumulative impact of blasting from two quarries. The livestock at Balickera, whose existence has been conveniently denied in the EIS, will also be adversely impacted. Italia Road residents are already irate about the noise and safety issues caused by the existing truck traffic on their country road and cannot countenance continued use of this road as a haulage route. The wildlife, humans, their livestock and pets will all experience adverse effects from the noise, vibration, dust and stress associated with construction, blasting and high-volume traffic. The community has suffered enough and this development must be refused approval.
58. We look forward to hearing that the proposal for Stone Ridge Quarry within State Forest has been refused, or, at the very least, that a date has been set for a public hearing of this application.



Anna Kerr  
On behalf of Save Balickera Inc.