

Save Balickera Inc.



Save Balickera Inc.
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Department of Planning

14 May 2024

Submitted online at
<https://www.planningportal.nsw.gov.au/major-projects/projects/seaham-quarry-project>

CC: Developmentand.BuildingAdmin@portstephens.nsw.gov.au

Boral's Seaham Quarry Project - Application No: SSD - 59254474

Submission Objecting to the Proposal

1. I write on behalf of Save Balickera Inc., an incorporated association that represents residents and other concerned members of the local community who wish to protect our area from harmful development, including the further expansion of quarrying. We strongly object to Boral's proposed Seaham Quarry Project. The reasons set out below are just some of our concerns, to which we are limited by time constraints.
2. Boral's application seeks to expand the existing quarry at 139 Italia Road, Balickera to extract, process and transport up to 2 million tonnes of hard rock material per annum for 30 years. This will involve increasing the extraction area to a total of approximately 58 ha and a depth of 35m RL and operating the quarry 24 hours a day, 7 days a week.
3. Members of the community have not had time to thoroughly assess the complete EIS and appendices which is 2,273 pages long and we note that our request for an extension of time to make submissions has been refused. We also note that this is the fifth submission the community has been called upon to lodge in less than a year in our efforts to oppose harmful quarry development in the Balickera area.
4. However, what is clear, is that Boral is continuing to ignore the significant heritage value of Balickera House and surrounds, failing to acknowledge the harm already done by its existing quarry and refusing to honour its obligations to the local community to rehabilitate the environment and restore the amenity of this rural residential area. Instead it is seeking to expand and extend its devastating impact on the Balickera area.



Reasons for Objection

Noise, Blasting & Vibration

5. This application proposes that the quarry should operate 24-hours a day, 7 days a week and that 1 blast a month will become 1 blast a week which is manifestly unreasonable. Boral is demonstrating a complete failure to consider the adverse impact of noise and blasting on even its nearest neighbours. It has given no attention to the impacts of vibration on Balickera House, despite its proximity to the quarry. There has been no assessment of the damage to Balickera House to date, and no monitoring put in place so that an honest assessment can be conducted.
6. Boral has also failed over many years to address the adverse impacts of their blasting and dust levels on the tank water, housing and quality of life of even their nearest neighbours. Neighbours report having to resort to bottled water for many years because the level of sediment in their tank water has rendered it unsuitable for drinking. Dust levels have also resulted in the need for additional cleaning of roofs, gutters, windows and residences generally. Significant cracks have developed in people's homes and structures, including one water tank that is no longer able to hold water because of structural damage.
7. 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. 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.¹



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

8. Five generations of my family have also lived at Balickera House on a historic farming property which directly borders the Seaham Quarry. We have experienced our house shaking during blasting at the existing quarry. We are very concerned about the

¹ Recorded interview with Freida Lees 7 July 2023.

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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.



Heritage

9. The original farmhouse at Balickera is already in a fragile state with significant cracks and structural damage after withstanding many years of vibration from Boral's operations. There has been no monitoring of dust, noise or vibration at this location despite its proximity as a direct neighbour to the quarry and its heritage significance. The scant report at Appendix K in the EIS reflects the disregard paid by Boral to local heritage. No site visit has even been conducted by those carrying out the heritage assessment.



Heritage listed Balickera House

10. Balickera House is described in the Port Stephens Council's website page, *History of our Area*². With the help of convict labour³, Lieutenant William Caswell built the farmhouse at Balickera in circa 1830 and a grander home at Tanilba in 1831, which has a State heritage listing. 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 Mosman and

² <https://www.portstephens.nsw.gov.au/community/our-profile/history-of-our-area>

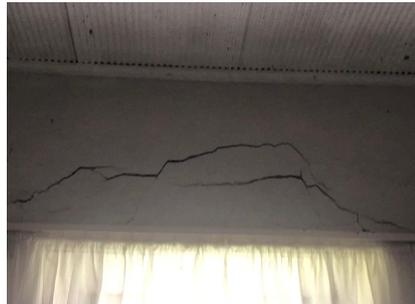
³ : https://members.pcug.org.au/~pdownes/sharp/caswell_convicts.htm

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Leichhardt.⁴ Although it seems Balickera House only has a local heritage listing, it clearly should have a State heritage listing to match that enjoyed by Tanilba House with whom it shares its history.

11. 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 farm, as are other members of the Australian community who have connections to colonial figures who lived or worked historically at Balickera.⁵ Extensive detail of this history is included in the recent book “*History & Heritage of Tanilba House*” published by Denise Gaudion and the Port Stephens Family History Society Inc. in 2019. It is very disappointing that the letter from Port Stephens Council of 5 July 2023 fails to make reference to Balickera House and this reflects a failure to consult with its heritage advisors, which include Denise Gaudion.
12. Below are photos of the extensive structural damage already caused to historic Balickera House.



13. We also suggest that consideration of Aboriginal heritage in the area has to date been perfunctory and does not evince a genuine desire to uncover information about this site. Further earnest consultation with Worrimi elders members and academics engaged in mapping colonial massacre sites should be undertaken before granting any

⁴ <https://www.portstephens.nsw.gov.au/community/our-profile/history-of-our-area>

⁵ For example, <https://members.pcug.org.au/~pdownes/sharp/index.htm>



approvals to expand the quarry operations.⁶ It is unlikely that three stone artefacts are the only heritage to be uncovered at the site.

14. Finally, we found no mention at all in the reports provided 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.*⁷

Biodiversity

15. A search of the project area using the Protected Matters Search Tool provided by the Department of Climate Change, Energy, the Environment and Water produces a report that identifies 51 threatened species and 15 migratory species as well as 6 threatened ecological communities.⁸ Specifically, the EPBC Act Protected Matters Report lists the Regent Honeyeater, Curlew Sandpiper, Swift Parrot and Eastern Curlew as all critically endangered species that are known to occur or likely to occur within the project area. There are also several critically endangered plants listed including the leek-orchid, scrub turpentine and native guava. Endangered mammals in the area include the Spot-tailed Quoll, Greater Glider and Koala. Seven Mile Creek is mapped as key fish habitat. This proposal also has potential to include direct and indirect impacts on key fish habitat, both onsite and downstream.
16. The reduction and degradation of habitat will have a devastating impact on many species. For example, according to the EIS the proposal includes the clearance of approximately 26.5 ha of known habitat for the Koala, which is also 26.5 ha of foraging habitat for Grey-headed Flying-fox, including critically important winter and spring flowering species. No amount of offsets will compensate for this loss.
17. Dust, noise, vibration and artificial lighting will result in higher stress levels for our native animals and flora. The increased truck traffic will also inevitably result in an increased risk of vehicle strike. Environmental groups such as the Hunter Community Environmental Centre and others will make more detailed submissions regarding these matters and we support their concerns. Certainly, no approval should be given without genuinely independent investigation of the likely impacts of expanded and sustained quarry activity on the already fragile and long-suffering flora and fauna.

⁶ <https://c21ch.newcastle.edu.au/colonialmassacres/map.php>

⁷ 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>

⁸ <https://pmst.awe.gov.au/#/map?lng=151.79672241210938&lat=-32.678431775462684&zoom=14&baseLayers=Imagery,ImageryLabels&l=7>

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Brush tailed phascogale 25 March 2023 Photo credit: Anthony Crawford



A recent photo of a Koala taken on Italia Road on 12 September 2023. Photo credit: Til-Lea Valcombe



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



Air Quality

18. Boral's current development consent in relation to the existing Seaham Quarry does not contain appropriate air quality or noise limits and there has been a failure generally to monitor and report the adverse impacts from the quarry to date. Boral has failed to address the adverse impacts of their blasting and dust levels on the tank water, housing and quality of life of even their most proximate neighbours.
19. The Air Quality and Greenhouse Gas Assessment by Pacific Environment Limited prepared for the EIS for the Eagleton Quarry states:

The Boral quarry located on Italia Road, Balickera received their Environmental Protection Licence (EPL 3956) on 1 July 2007. They are licenced to process 500,000 - 2,000,000 tonnes of material per annum (tpa). A review of their EPL indicates that they do not have any conditions requiring them to monitor dust. An extensive search of the internet, including the Boral company website, DP&E website, and Port Stephens Council website, has been unsuccessful in locating any information on the operations at the site, or any monitoring data collected in the vicinity of the operations.

20. Neighbours report having to resort to using bottled water for many years because the level of sediment in their tank water has rendered it unsuitable for drinking. Dust levels have also resulted in the need for additional cleaning of roofs, gutters, windows and residences generally. Significant cracks have developed in people's homes and structures, including one water tank that is no longer able to hold water because of structural damage.



Dust in gutters of a nearby Italia Road residence

21. There does not appear to have been any attempt to assess the quarry's existing impacts on air quality and the health of residents, let alone an assessment of the cumulative and future impacts to be expected should the multiple quarry developments in the area all be given approval and proceed. We have received many anecdotal accounts of bleeding noses and respiratory disorders, including diagnoses of COPD, from those 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. However, we have not received any contact on behalf of Boral in relation to these concerns despite having raised



them in previous submissions.

22. Australia is currently experiencing an epidemic of silicosis claims – it is referred to as the ‘asbestosis of the 2020s’.⁹ 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.¹⁰ 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.¹¹ 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.

Water quality

23. Seaham Quarry is within the drinking water catchment, being proximate to Balickera canal which feeds into the Grahamstown Dam. The expansion of this quarry therefore poses not only an ongoing hazard to the tank water of residents in its immediate vicinity but also to the drinking water catchment for the entire Hunter Region. It is likely to reduce the drinking water catchment in dry times and pollute the catchment with sediments during wet times. The blast vibration impacts also pose a risk to the ageing Balickera tunnel infrastructure that runs underground near the project site.¹²
24. The risk of contamination of Grahamstown Dam with toxic quarry run off would be especially high during super storm events, such as those experienced in 2015 and 2016. The increased frequency of these events does not appear to have been adequately considered in assessments conducted. 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.¹³ State Government should not override such crucial considerations.

⁹ <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>

¹⁰ <https://www.9news.com.au/national/silica-office-admin-worker-joanna-mcneill-contracts-silicosis/d64f8661-8bca-4b6f-b950-a1d64e13e421>

¹¹ <https://12ft.io/proxy?q=https%3A%2F%2Fwww.newcastleherald.com.au%2Fstory%2F6767874%2Ffive-got-a-family-here-doctor-continues-his-clean-air-campaigning%2F>

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/>

¹² It also worth noting that even Balickera Pumping Station is listed on the section 170 heritage register but not mentioned in the Report on Historical Archaeology and Cultural Heritage Values -

<https://www.hunterwater.com.au/documents/assets/src/uploads/documents/Heritage-Assets/water/Balickera-1-Pump-Station-s170-Form-2023-Final.pdf>

¹³ <https://legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0755#sec.7.8>

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25. The proposed deepening of the quarry will extend the pit below the groundwater level. There has been a recorded history of unsuitable monitoring in the past which does not inspire confidence. Deepening the quarry will necessarily involve further aquifer interference, despite Boral's efforts to minimise its impacts. The quarry site is in an area rich with waterways and wetlands including Mosman Swamp, which during wet times extends from Balickera Farm all the way to Eagleton as shown in the photo below from Google maps but which is largely ignored by assessments conducted on behalf of quarry developers.

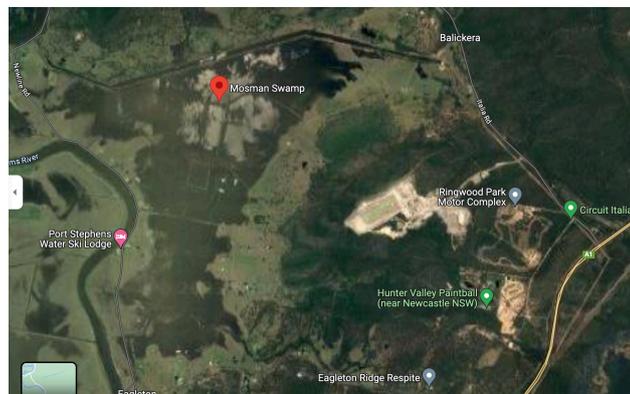


Image from Google Maps showing extent of Mosman Swamp

Traffic & transport

26. The local community is showing considerable signs of strain from the thunderous and unsafe truck traffic associated with the existing Boral Seaham quarry. In 2022 community members established the Italia Road Action Taskforce (IRATE) as an active Facebook group. An expanded quarry will result in an increase in already unacceptable heavy traffic on Italia Road and for an excessively prolonged period, rather than the reduction expected by the community if Boral were to finally wind up its operations on schedule rather than expanding.
27. Italia Road residents are sceptical about the data relied on for the traffic modelling and will resist attempts to transform their country road into a major haulage route. Residents complain that they already meet queues of trucks waiting on Italia Road at the intersection with the Pacific Highway, with wait times of up to 10 minutes and this problem will be vastly compounded if additional quarries are approved for the area. The plans to upgrade the intersection fall well short of providing a safe and acceptable solution.

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A recent photo taken by a frustrated resident queuing at the intersection of Italia Road and the Pacific Highway.

28. Despite Boral's lengthy presence in the community, no steps have been taken by them to address the absence of pedestrian footpaths and cycling routes along Italia Road, despite the clear need for these facilities in a residential community with many young families. Basic consultation with the community would have revealed that residents are deeply concerned about the hazard posed by the truck traffic for themselves and their children. As a child, I road my bicycle on Italia Road in the 1970s. However, riding a bicycle along Italia Road is no longer feasible because of the thunderous truck traffic associated with Boral's existing Seaham Quarry. Nor have the tracks and fire trails within the forestry been maintained to facilitate cycling or horse riding in that area. People move to the country to escape the noise and traffic of urban areas and to allow their children the greater freedom to safely access the leisure activities that should come with country living. However, it seems the proponent is oblivious to this fact.

Land resources

29. Clause 12 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* requires the consent authority to consider existing land uses in the vicinity and consider whether the proposed development is likely to have a significant impact and whether it may be incompatible with these uses.
30. Balickera is home to one of the oldest farms in the region. Local landowners are concerned about the impact of the quarry expansion on cattle and other livestock. There are an Angus stud, goat farm and various horse stables proximate to the Seaham Quarry. Any quarry expansion should not be approved without thorough consideration of the impact on these existing land uses.

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Cattle at Balickera Farm

Visual Impact

31. The VIA identified that the Project will alter views from Balickera House and change the setting of the house when viewed from the front as the hill behind Balickera House will be lowered by the Project. In determining the level of impact, Balickera House is identified as being of 'moderate sensitivity'. Clearly this assessment was conducted without reference to the feelings of the inhabitants for whom it is actually a highly sensitive matter.

Rehabilitation

32. Rehabilitation of the land will be severely hampered by the sheer scale of the damage should Boral be allowed to further expand its operations. The cumulative effects of three massive quarries in the Balickera area must also be considered. The map below shows the location of the three proposed quarry projects with numbers 1 & 2 being the site of the existing Boral Seaham Quarry which is set to expand, rather than wind up and rehabilitate the land as previously undertaken. This failure to honour historical undertakings leaves residents cynical about such promises. Titles 3,4,5 & 6 are the site of the proposed Stone Ridge Quarry in Wallaroo State Forest and 7 is the proposed greenfield site of the Eagleton Quarry. Heritage listed Balickera Farmhouse is marked number 8.

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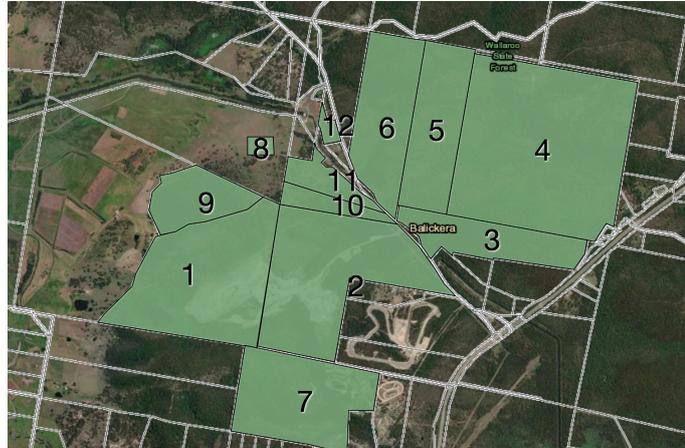


- 1&2 - Boral's Seaham Quarry
3,4,5,6 – Proposed site for Stone Ridge Quarry
7 – Proposed site for Eagleton Quarry
8 – Balickera House

33. The extensive motorway/racetracks adjoining the quarry visible to the east also visibly contribute to the degradation of the environment and have been developed without adequate notice and community consultation. The EIS reveals that the owners have entered into a commercial agreement with the quarry operators granting a right of way over their land providing access to Italia Road.
34. We have been advised by Boral staff that Boral owns several other titles adjoining the quarry sites and bordering Balickera Farm, although they have not yet identified this land as part of their current development plans. These titles are identified by numbers 9,10, 11 and 12 in the map below which demonstrates the encircling of the Balickera Farm by quarry operators on one side and Hunter Water and Balickera Canal on the other. We are very concerned to recently discover that the environmentally and culturally significant Bullock Hill at number 9 (1//DP210591) appears to be already the subject of an Environment Protection License authorising extractive activities.¹⁴

¹⁴ <https://apps.epa.nsw.gov.au/prpoeoapp/ViewPOEOLicence.aspx?DOCID=31590&SYSUID=1&LICID=3956>

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1&2 - Boral's Seaham Quarry
3,4,5,6 – Proposed site for Stone Ridge Quarry
7 – Proposed site for Eagleton Quarry
8 – Balickera House
9,10,11,12 – Land also owned by Boral (including Bullock Hill at 9).

Conclusion

35. The expansion of Boral's Seaham Quarry is set to devastate the environment and community at Balickera. Boral's existing Seaham Quarry has been a long-term source of extensive pollution of the land, air and water and has left a hideous scar on the landscape. Any extension of quarrying in the area will inevitably degrade both the natural environment and cultural heritage to a point where it is unrecoverable. This project if approved will have cumulative negative impacts on the land, water and air quality, extending and expanding the devastation of flora and fauna, increasing the unacceptable and unsafe traffic conditions, and irrevocably destroying indigenous and colonial heritage, including Balickera house and surrounding farmland.
36. We have made no reportable political donations in the last two years. As required, we also acknowledge the Department's disclaimer and declaration. We are happy for this submission and the writer's details to be published. We claim objector's status and reserve the right to provide further relevant material as it becomes available to us.

Anna Kerr
President
Save Balickera Inc

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