

Save Balickera Incorporated

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CC: Senator the Hon. Murray Watt
Minister for the Environment and Water
Email: senator.watt@aph.gov.au

26 November 2025

Dear Mr Green

Eagleton Quarry Project – EPBC Referral 2024/09967 Comment on Publication of Preliminary Documentation

I am writing on behalf of Save Balickera Inc., an organisation formed to represent the interests of residents and other members of the community concerned about the quarry developments proposed to devastate Balickera and surrounding areas.

Inadequate invitation to comment

I refer to the Public Notice published on Monday 17 November 2025 in the Newcastle Herald. We welcome the opportunity to express our objections to this proposed development once again but consider the 10-day period to comment on 671 pages of complex documentation to be manifestly inadequate.

Furthermore, we note that the access provisions advertised posed significant difficulties for members of the community with one resident texting me to say they had attended Raymond Terrace Library to inspect the material but were deterred from photocopying the documents due to the large volume and a rather counterproductive notice stating:

Only the Eagleton Rock Syndicate Pty Ltd and their designated representatives or relevant statutory authorities may use this document and only for the specific purpose for which this submission was prepared. It should not be otherwise referenced without permission.

Meanwhile, the proponent's website provided did not originally have a clear link to the documentation, although that seems to have now been rectified.

Convoluted Process

We assume the 'preliminary documentation' largely replicates material previously provided in the state-based approval process and we press the objections that we have made to date. Certainly, we are not aware that any effort has been made to address the concerns that we raised in our previous correspondence and submissions, including:

- [Objection submitted to the NSW Planning Portal](#) on 4 November 2023¹
- [Presentation to Independent Planning Commission \(IPC\)](#) on 31 May 2024²
- [Comments submitted online via EPBC Public Portal](#) on 7 November 2024³
- [Statement to L&E Court Conciliation Conference](#) 5 March 2025⁴
- [Letter to the Department of Planning and others](#) dated 10 May 2025⁵
- [Letter to the Federal Minister for the Environment](#) dated 16 November 2025.⁶

We doubt many objectors will have spotted the Public Notice or will have the fortitude to read further documentation and furnish yet another comment objecting. This is particularly the case as Eagleton Quarry is just one of three massive quarry developments currently being proposed for Balickera and community members are exhausted from having to generate an endless stream of submissions over recent years.

Nevertheless, we are grateful for this opportunity to put on the record information which was not known to us during the IPC and L&E Court proceedings and which does not appear to have received consideration by decision makers to date.

History of responsible environmental management not established

We note that the application for referral for consideration under the EPBC Act asks:

Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action.⁷

In the application Wedgetail Project Consulting Pty Ltd states in answer to this:

¹ <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-62503958%2120231107T044304.243%20GMT>

² <https://www.ipcn.nsw.gov.au/sites/default/files/pac/projects/2024/04/eagleton-quarry-project/public-submission-rounds/speaker-presentations/anna-kerr-save-balickera-inc-speaker-presentation.pdf>

³ <https://balickera.com/wp-content/uploads/2025/11/comment-to-epbc.pdf>

⁴ <https://balickera.com/wp-content/uploads/2025/11/speech-for-conciliation-conference-1.pdf>

⁵ <https://balickera.com/wp-content/uploads/2025/11/letter-to-dphi-20250510.pdf>

⁶ <https://balickera.com/wp-content/uploads/2025/11/letter-to-minister.pdf>

⁷ [Eagleton Quarry Project Application Number 04527](#)

Eagleton Rock Syndicate as an entity has a satisfactory record of responsible environmental management, with no breaches against State or Commonwealth legislation. Eagleton Rock Syndicate is currently managed by Darren Williams of Arbus Developments Pty Ltd (Arbus) who is authorised to sign on behalf of the Eagleton Rock Syndicate (the company proposing to undertake the action). Prior to construction, Eagleton Rock Syndicate will establish the operational entity and engage employees to develop the quarry on its behalf. Darren Williams has not been involved in any proceedings under Commonwealth, State, or Territory laws related to environmental protection or the conservation and sustainable use of natural resources.⁸

Even if technically accurate, we believe this statement to be misleading. The individuals representing Eagleton Rock Quarry Syndicate at the IPC hearing, Darren Williams and Murray Towndrow, are both also involved as directors of an affiliated company, Williamtown Sand Syndicate Pty Limited. This company was found responsible for extensive breaches of biodiversity conditions and an undertaking was made with the NSW Department of Planning and signed by Mr Williams and Mr Towndrow on 3 March 2022.⁹ This undertaking documents unauthorised tree felling and clearing of vegetation, failure to conduct required fauna surveys or to implement various measures intended to mitigate the impact of the development on endangered fauna including frogs and koalas.

It seems to us that this undertaking is unlikely to have any deterrent value and fails to adequately protect the environment and community. We are also concerned that this information about the directors was not included in the Assessment Report provided by the NSW Department of Planning when making their referral for Eagleton Quarry to the IPC and does not appear to have informed their recommendations. Indeed, we have not seen anything to indicate that any of the government bodies or agencies or potential objectors, or the Land & Environment Court, were made aware of the directors' background in environmental protection.

Our questions on this subject sent to the Department of Planning have gone unanswered. In view of this history, we would strongly oppose the approval of any controlled actions proposed by these individuals. We also note that while Mr Williams represented himself as a director of the Eagleton Quarry during his meeting with the IPC, a company search conducted at the time does not reflect this.¹⁰ Other members of the community have also raised with me their concerns that in 2016 Mr Williams, and his Buildev associate Nathan Tinkler, were subject to ICAC allegations of involvement in corrupt dealings.¹¹ None of this inspires any confidence in the proponent.

⁸ [Eagleton Quarry Project Application Number 04527](https://www.ipcn.nsw.gov.au/sites/default/files/2024/01/eagleton-quarry-project-application-number-04527.pdf)

⁹ <https://www.planning.nsw.gov.au/sites/default/files/2023-02/signed-enforceable-undertaking-by-williamtown-sand-syndicate-pty-limited.pdf>

¹⁰ <https://www.ipcn.nsw.gov.au/sites/default/files/pac/transcripts-and-material/2024/eagleton-quarry/applicant-meeting-transcript.pdf> p13, para 31.

¹¹ <https://www.abc.net.au/news/2014-04-29/icac-relationships-graph/5391038>
<https://www.icac.nsw.gov.au/media-centre/media-releases/2016-media-releases/prohibited-donations-fund-channelling-and-non-disclosures-exposed-in-nsw-liberal-party-2011-state-election-campaign>

No confidence that offset hierarchy will be observed

In view of this poor track record in implementing conditions to avoid or mitigate harm to endangered fauna, we do not intend to spend more time on the very hypothetical measures proposed in the preliminary documentation. However, we endorse the objections made by other local environmental groups such as the Koala Koalition, EcoNetwork Port Stephens and VoWW. We also note the developer's lack of good faith has already been demonstrated by their appeal to the Land & Environment Court to remove transport conditions imposed for the safety of the community, which it had originally proposed to the IPC.¹²

Professor Graeme Samuel reported in his Independent Review of the EPBC Act in 2020 that "*the decision-making hierarchy of 'avoid, minimise and only then offset' is not being applied – offsets are too often used as a default measure not as a last resort.*"¹³ The biodiversity offset schemes, habitually relied upon to secure development approvals such as this one, has also been widely exposed as an ineffective tool for conservation with many of the offsets existing on paper only and failing to deliver any effective ecological protection or compensation.¹⁴

Conclusion

Environmental impact assessments commissioned by the project proponent or developer, rather than an independent regulatory body, are inevitably riddled with shortcomings. This process creates an obvious conflict of interest, since consultants such as Wedgetail are financially dependent on the developer. This systemic bias in favour of developers, who appear to be inadequately vetted, undermines all efforts at environmental protection. Eagleton Quarry Project must be refused as having an unacceptable impact that cannot be satisfactorily or reliably addressed through offsetting or any of the other provisions proposed.

Yours faithfully



Anna Kerr
President, Save Balickera Inc

¹² <https://www.ipcn.nsw.gov.au/sites/default/files/pac/projects/2024/04/eagleton-quarry-project/appeal-related-documents/statement-on-eagleton-quarry-appeal.pdf>

<https://www.ipcn.nsw.gov.au/sites/default/files/pac/projects/2024/04/eagleton-quarry-project/appeal-related-documents/amendments-to-conditions-sought-by-applicant-in-appeal.pdf>

<https://www.ipcn.nsw.gov.au/sites/default/files/pac/transcripts-and-material/2024/eagleton-quarry/applicant-meeting-presentation.pdf>

¹³ <https://www.dcceew.gov.au/sites/default/files/documents/epbc-act-review-final-report-october-2020.pdf>
p44 also p138.

¹⁴ 6 <https://www.theguardian.com/environment/2025/nov/15/biodiversity-offset-scheme-nsw-australia-failing-nature-protection>

<https://www.theguardian.com/environment/2021/feb/10/its-an-ecological-wasteland-offsets-for-sydney-tollway-were-promised-but-never-delivered>

<https://www.audit.nsw.gov.au/sites/default/files/documents/FINAL%20-%20Effectiveness%20of%20the%20Biodiversity%20Offsets%20Scheme.PDF>