

**Public submissions received regarding Hanson**  
**Construction Materials Pty Ltd Retention Lease and**  
**MPL Management Plan**

6 Public Submissions (including 1 submission where the name and address has been withheld)



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**From:** [Anthony](#)  
**To:** [DPC:MiningRegRehab](#)  
**Subject:** Kanmantoo Bluestone Mine  
**Date:** Friday, 28 July 2017 7:53:49 AM

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Hi,

We are residents in Kanmantoo, specifically 379 Sawpit Gully Rd. We are a husband and wife with 3 children 15, 12 and 10. We also care for 2 parents one 76 and the other 72 who also live on the property.

My mother who is 72 y.o.a, suffers from Pulmonary Fibrosis among other disorders. My mother requires permanent oxygen from a bottle. I myself and 2 of our children have severe allergies and are asthmatic. There is no doubt that all of these health issues are being affected by the 2 mines in the area.

We are extremely concerned about the current proposal from Hanson to expand operations and size of the Kanmantoo Bluestone Quarry. We submit that it will have a direct impact on my mother's health along with mine and my children's health. We further submit that it would affect the health of the entire Kanmantoo community and it's surrounds.

We like so many others moved to the area with the view to enjoy a more peaceful and healthy environment and lifestyle, one that would have a positive impact on ourselves and our children. Allowing Hanson to expand the mine would have an incredibly negative impact on both our lifestyle and our environment. Noise and dust would be the obvious symptoms with blasting, digging and truck's and machines coming and going being the cause along with heightened general activities within the mine on a daily basis.

We took a long term view when we bought a property in Kanmantoo with an understanding that day we would see a vast improvement in our property value which would, upon its sale contribute to our retirement and help our children in their progress. An expansion of the Kanmantoo Bluestone Mine will see property values go backwards along with our hopes and dreams for a better and secure future.

We hold the State Government personally responsible for the concerns raised above as they have the power to decline the Hanson mine expansion. The State Government need to consider residents over profits when making considerations on this application.

Regards

Anthony, Samantha, Trevor and Gillian Clark



Our Ref: EM/AJC  
Your ref: 2016/0314 and 2016/0388

8 August 2017

Business Support Officer  
Mining Regulation  
By email: [dpc.miningregrehab@sa.gov.au](mailto:dpc.miningregrehab@sa.gov.au)

Dear Sir/Madam,

**APPLICATION FOR RETENTION LEASE & MISCELLANEOUS PURPOSES LICENCE  
HANSON CONSTRUCTION MATERIALS PTY LTD**

SA Power Networks have no objections in relation to this proposal as it appears that we have no infrastructure that will be impacted by this proposal.

The existing infrastructure/registered easements are in favour of ElectraNet SA and we note that the applicants are already liaising with ElectraNet.

If a new power supply is required for any of the proposed works then it would be up to the applicant to contact SA Power Networks and submit a request for a new supply via our website.

Should you require any further information in relation to SA Power Networks' comments on this matter please contact me on 8404 5897.

Yours sincerely



Angela Clark  
**Easement Manager**  
Email: [angela.clark@sapowernetworks.com.au](mailto:angela.clark@sapowernetworks.com.au)





16<sup>th</sup> August 2017

Department of Premier and Cabinet  
Mineral Resources Division  
L5, 101 Grenfell St,  
Adelaide SA 5000

ATTN: Business Support Officer, Mining Regulation

Via email: [dpc.miningregrehab@sa.gov.au](mailto:dpc.miningregrehab@sa.gov.au)

Dear Sir / Madam,

**Reference : 2016/0314 and 2016/0388**

**Applications for a Retention Lease and Miscellaneous Purpose licence by  
Hanson Construction Materials Pty Ltd**

We herewith provide a submission on the application by Hanson Construction Materials Pty Ltd for a Retention Lease (RL) over Mineral Claim (MC) 4405 and a Miscellaneous Purposes Licence (MPL).

APA Group is undertaking, on behalf of Australian Gas Networks (AGN), a Front End Engineering Design (FEED) Study for a new gas pipeline from Murray Bridge to Mt Barker in order to assess the viability of providing a natural gas supply to Mt Barker. As part of this study, AGN has been granted Petroleum Survey Licence (PSL) No 37 which provides for AGN to be able to undertake investigations into the pipeline route and various environmental and other surveys.

Work to date has identified a preferred pipeline route which at this stage passes along the northern boundary of Lot No 9, Filed Plan 160548. We note that the proposed area of the RL contains the whole of Lot No 9 up to its northern boundary, and thus includes the portion of land containing, at this time, the preferred pipeline route. This interaction is shown in the Attachment to this letter.

As part of the FEED study during early 2017, APA has had productive discussions with Hanson Construction Materials regarding its plans for the expansion of their existing mine, and impacts that might have on a possible pipeline should the project receive approval from AGN.

We have previously received details of the planned facilities under the MPL, and have assessed that they do not at this time affect the preferred pipeline route, being located at the southern end of the mining lease. We also look forward to further productive discussions with Hanson Construction Materials on their long term mine plan under the RL, and interactions with a possible pipeline, again should the project be approved. On this basis we do not object to either the MPL or RL.

Should you have any questions or concerns in relation to this submission, please contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S Polglase'.

**Steve Polglase**  
**Project Manager – Natural Gas to Mt Barker**

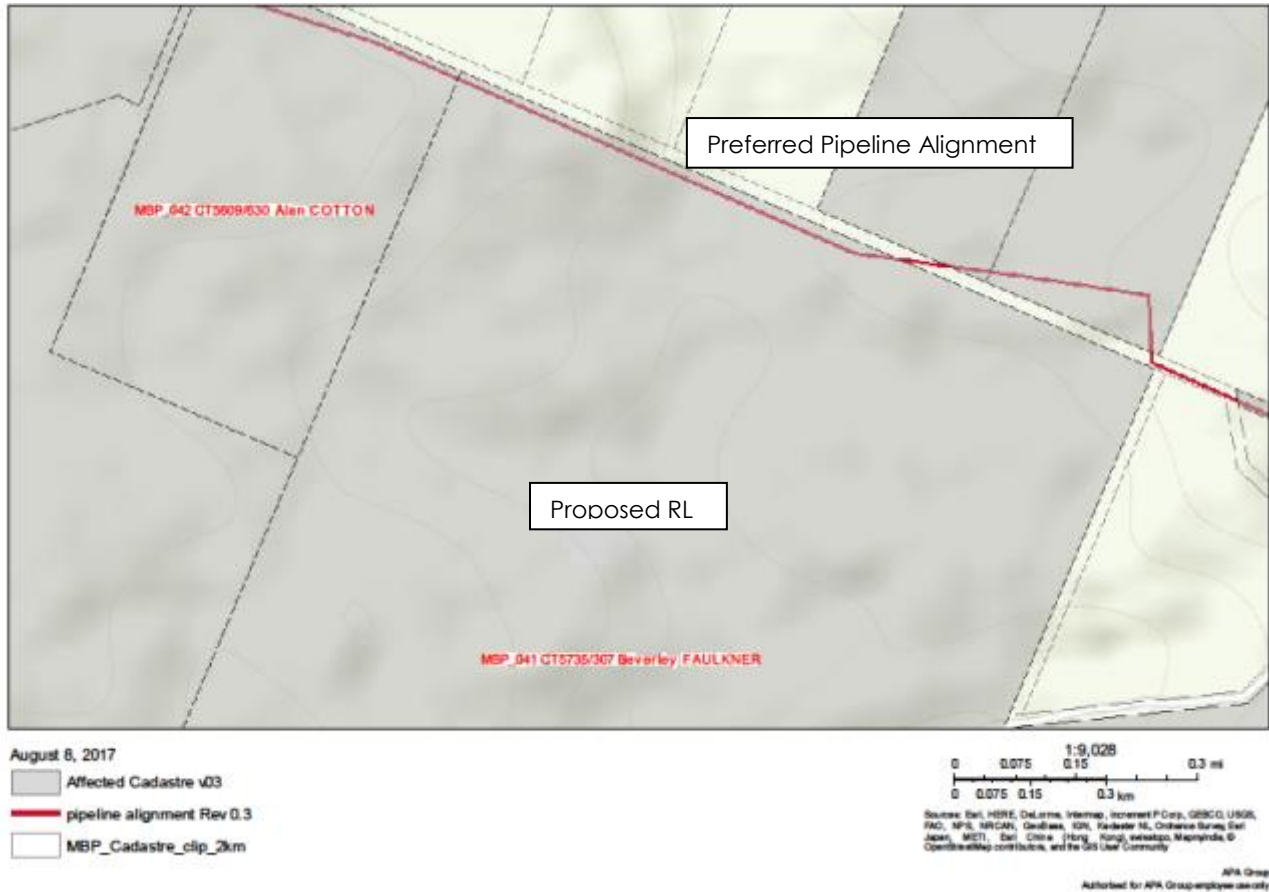
**APA Group**  
Networks SA  
330 Grange Road, Kidman Park 5023

M: [REDACTED]

APA Group comprises two registered investment schemes, Australian Pipeline Trust (ARSN 091 678 778) and APT Investment Trust (ARSN 115 585 441), the securities in which are stapled together. Australian Pipeline Limited (ACN 091 344 704) is the responsible entity of those trusts. The registered office is HSBC building, Level 19, 580 George Street, Sydney NSW 2000.



## ATTACHMENT





Dean, Julie (DPC)

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**From:** Chris Hamon <christine.hamon@bigpond.com>  
**Sent:** Monday, 21 August 2017 3:05 PM  
**To:** DPC:MiningRegRehab  
**Subject:** Mining Regulation Branch Department of the Premier and Cabinet

For the attention of the Business Support Officer;

We are opposed the Kanmantoo quarry/mine for several reasons:

- We purchased the property to retire on and have invested a significant amount of time, money and effort to improve the value and effectiveness of our property in order to protect our future. We believe the negative environmental impacts of the quarry/mine will reduce the financial value of our property as well as reduce the quality of our lives and the lives of the animals under our care.
- There is a significant amount of dust spreading over our property coming from both the quarry and the use of Hanson's trucks on the unsealed residential road. We have observed that the dust and the trucks are having a negative impact on our sheep and my wife's breathing (she has only 1 lung as the result of tuberculosis) which has negatively impacted our quality of life.
- The level of damage to the natural landscape has been significant and is ever expanding. As the expansion of the quarry/mine progresses closure to our boundaries, we believe that the dust will only increase, further impacting the health and wellbeing of us and our sheep.
- Hanson have stated that they have implemented dust reduction techniques however these techniques appear to have had no positive impact and Hanson has shown a clear disregard of the written agreement to only use the main bitumen roads by allowing their drivers to continuously use the local unsealed road causing damage to the road which the council must repair at cost to the locals.
- A map displayed at the recent open day shows Hanson intends to expand the quarry/mine right up to our fence line, however Hanson refuses to provide us with reasonable information on when this expansion is due to take place. This means we are unable to use our land effectively in the ways we want due to the uncertainty caused by the expansion and we are distrustful of Hanson's commitment to honour their agreements as there is evidence that they do not keep their word.



- The mining works have resulted in changes to the location of a proposed mains supply gas line. Hanson have categorically stated that they will not allow the installation of a main gas pipe on their property due to safety concerns as they use explosives. This means the gas line must be relocated to our property, further reducing the available land I have to farm with. The main gas line will also result in additional encumbrances from the Gas company whereby they will have authority to access my property without my knowledge or permission to inspect the pipe, further reducing our rights and devaluing our investment.

Christine and Marshall Hamon

[REDACTED]





Business Support Officer  
Mining Regulation Branch  
Department of Premier & Cabinet  
GPO Box 320

28.8.17

Submission to Hanson Quarry Retention Lease Application

The Kanmantoo-Callington Landcare Group (KCLG) represents many local Kanmantoo residents.

KCLG has a number of concerns regarding the Hanson Quarry application because of its proximity to the township of Kanmantoo. These concerns are:

- 1) Dust. For many years now, Kanmantoo residents have been experiencing major dust problems from the Hillgrove Copper Mine. This has been a regular complaint in the Kanmantoo Community Consultative Committee meetings and other community meetings. There is clear evidence from Hillgrove research and other sources, that dust is a real amenity problem and possible health problem. Some of this dust is created by the existing Hanson Quarry and their trucks travelling along g Proctor Road. The KCLG believes that if the size of the quarry is increased then the dust issue will inevitably increase.
- 2) Blasting. Another regular complaint regarding Hillgrove Copper Mine has been their blasting. It is believed that this has caused cracking of walls, and distress to some residents.
- 3) Trucks. The extension of Hanson's lease will increase the number of trucks travelling through Kanmantoo.
- 4) The Watercourse. The fact that there is a watercourse running through the lease is a cause for concern.

For these reasons we believe the lease should be rejected.

If, however, the lease is granted we believe it is imperative that Hanson should build a new road that connects with the existing Hillgrove access road. This new road could utilise existing road reserves and would completely bypass Kanmantoo. The new road should be sealed or of a quality that causes minimal dust, and should be properly maintained. There also be a substantial buffer of local trees and bushes around the quarry and along the new road.

Thank you for the opportunity to comment.

Yours faithfully

A handwritten signature in blue ink that reads "Rose Ashton".

Rose Ashton  
Secretary





## RESPONSE

Hanson Construction Materials Pty Ltd

Retention Lease Application MC 4405

Miscellaneous Purposes Licence Application

2017/000388



We respond to a Retention Lease Application (RLA) and a Miscellaneous Purposes Lease Application (MPLA) made by Hanson Construction Materials Pty Ltd (proponent).

**1. The Minister's obligations regarding the RLA**

1.1. Section 41A(5) of the *Mining Act 1971* (SA) requires that prior to granting the proponent's RLA, the Minister must give proper consideration to the protection of:

- a) any aspect of the environment that may be affected by the conduct of operations in pursuance of the lease;
- b) any other lawful activities that may be affected by those operations;
- c) any Aboriginal sites or objects within the meaning of the Aboriginal Heritage

Act 1988 that may be affected by those operations; and  
may take into consideration such other factors as he considers appropriate in the particular case.

1.2. We say that the Retention Lease should not be granted by the Minister because the proponent has demonstrated its inability to:

- 1.2.1. manage, limit or remedy environmental impacts of its activities within its Extractive Mineral Lease 5713 (EML); and
- 1.2.2. ensure that its operations do not impact lawful activities of adjoining landholders.

1.3. We believe that the proponent's illegal and negligent operations within the EML must be given proper consideration by the Minister prior to granting the RLA. We want the Minister to appropriately weigh what the proponent says it is going to do on paper under the RLA against what it has done while operating pursuant to the EML and more generally.



## 2. Community consultation process to date

2.1. The proponent has engaged in some community consultation. This consultation has tended to confuse the community because the proponent has undertaken very brief but detailed consultation relating to its MPLA and *almost none* in respect of its RLA.

2.1.1. We enclose as Annexure 1 the proponent's consultation on the RLA.

2.1.2. We enclose as Annexure 2 part of the proponent's consultation on the MPLA.

2.2. We are deeply concerned that Hanson's consultation to date has confused the community as to the scale and nature of Hanson's plans. Hanson delivered documents to the local community relating to its *less significant* MPLA but *nothing specific* about the RLA. We want the Minister to give the proponent's flawed community consultation proper consideration.

2.3. We have received feedback from other community members that they feel confused. One wrote:

*Now we did get a package of documents from Hanson about what they are doing and it's NOT the same one. Nowhere does it state about the expansion and from the looks from our place which is situated at the top right of their expansion...*

2.4. We are disturbed by the possibility that the proponent's consultation processes may have confused and perhaps limited community responses to the RLA. The proponent has proactively sought to elicit community responses on the MPLA but not on the RLA. We do not understand the reason for the dissonance in the proponent's community consultation, particularly in circumstances where the environmental and social impacts of the MPLA may be minimal but the RLA significant.

2.5. We want an explanation from the proponent as to why it has divided its consultation processes. We want the Minister to consider whether or not what the proponent has done is appropriate.



### 3. The fundamental change in land use

- 3.1. The RLA contemplates a fundamental change in land use. This has not once been communicated to the community by the proponent. A large area of land that has been exclusively used for primary production since settlement will be blasted. The proponent has planned its operations for hundreds of years into the future: See Annexure 3 for detailed pit plans and engineering.
- 3.2. The proponent's intended land use is totally incompatible with existing adjoining rural residential and primary production land uses.
- 3.3. The primary production land that the proponent intends to mine is bounded on all sides by rural residential and primary production land.
- 3.4. The grant of the Retention Lease will be diametrically opposed to the *Mount Barker Development Plan* which, for example, relevantly states:

- In respect of the Primary Production Zone:

*This area is to be preserved for high value primary production activities. Uses which are incompatible with primary production or which would cause degradation to the land will not occur<sup>1</sup>.*

- In respect of the extractive industry generally the following objective:

*Mining operations undertaken with minimal adverse impacts on the environment and on the health and amenity of adjacent land uses<sup>2</sup>.*

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<sup>1</sup> [http://www.dpti.sa.gov.au/\\_data/assets/pdf\\_file/0009/249993/Mount\\_Barker\\_Council\\_Development\\_Plan.pdf](http://www.dpti.sa.gov.au/_data/assets/pdf_file/0009/249993/Mount_Barker_Council_Development_Plan.pdf) page 203

<sup>2</sup> [http://www.dpti.sa.gov.au/\\_data/assets/pdf\\_file/0009/249993/Mount\\_Barker\\_Council\\_Development\\_Plan.pdf](http://www.dpti.sa.gov.au/_data/assets/pdf_file/0009/249993/Mount_Barker_Council_Development_Plan.pdf) page 78



- 3.5. We note that the Department of State Development and the Department of Planning, Transport and Infrastructure designated the area covered by MC4405 as a Strategic Resource.
- 3.6. We are disturbed that the State Government has not engaged in any community consultation regarding this designation.
- 3.7. The Departments have provided the following details of their RAMP project<sup>3</sup>.

***Resource Management and Planning (RAMP) project***

*With growing urban development, the Department of State Development and the Department of Planning, Transport and Infrastructure have recognised the need to update and improve the way the state's planning and mining legislation and regulations interact and to share information at relevant stages. Such interaction is necessary to maintain ongoing access to long-life valuable extractive resources and to minimise potential land-use conflicts between incompatible uses.*

*The two state government departments have initiated the Resource Area Management and Planning (RAMP) project. This project is focused on extractive mineral resources in the Greater Adelaide Region and major regional centres where complementary changes to the extractives and planning development systems are needed to address complex and competing interests as urban areas expand.*

- 3.8. We strongly believe that the State Government does not have the necessary political licence to enable the obliteration of primary production land and the devastation of land values within 50km of the Adelaide CBD.
- 3.9. We strongly believe that the Minister ought not to grant the Retention Lease without compensating all adjoining land owners for the devastating impact it may have on the value of their land. We believe that the infill development and rural residential land uses which surround MC4405 would not have occurred had such a fundamental change in land use been considered by the community as even a remote possibility.

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<sup>3</sup> [http://minerals.statedevelopment.sa.gov.au/land\\_access/planning\\_and\\_development](http://minerals.statedevelopment.sa.gov.au/land_access/planning_and_development)



3.10. We say categorically that we would never have purchased our property if the State Government had made its decision making processes regarding the preparation of the RAMP Report public.

3.11. The State Government decision making processes around the RAMP Report have been absolutely opaque. We want a detailed explanation as to how the Minister proposes to compensate us and all adjoining land owners for the price we have paid for the State Government's designation of the relevant Strategic Resource.



**4. The immediate land value impact**

- 4.1. The proponent has published detailed plans describing its proposed activities out to 800 years into the future that it says it intends to proceed with if the RLA is granted.
- 4.2. We enclose an image published by the proponent at its Open Day on 17 June 2017 which shows its pit plans. Those pits run almost to the [REDACTED] boundary of our property, and cover exempt land associated with our Shepherd's Hut and spring-fed dam infrastructure.
- 4.3. We believe that the existence of the RLA has impacted the value of our property.
- 4.4. We are concerned that the proponent has prepared detailed engineering documents sufficient to support a Mineral Lease Application but has elected, for whatever reason to proceed with the RLA.
- 4.5. We believe that the grant of the RLA will result in a devastating diminution in the value of our property. We have obtained professional advice and an expert valuation.
- 4.6. We want the Minister to properly consider and account for the diminution in the value of our property prior to making any decision regarding the RLA. We are advised that if we determine to sell our property we will be obligated to disclose the existence of the RLA and the designated Strategic Resource.
- 4.7. We want to make it very clear that we will use all available legal means to protect the value of our property and to obtain compensation if there is any diminution of the value of the property.



**5. The historical context**

5.1. The *Kanmantoo Bluestone Quarry* now operated pursuant to EML5713 by the proponent has existed for 38 years. The quarry was operated as a small family business with a focus until very recently on producing stone (not aggregate) for use in building projects.

5.2. The proponent has fundamentally changed the nature of operations within the *Kanmantoo Bluestone Quarry*. The relevant historical baseline was usefully summarised by the *Parliamentary committee on occupational safety, rehabilitation and compensation* which was Laid on the Table on 8 March 2016:

*The Kanmantoo Bluestone Quarry is a very different operation to the Hillgrove Resources Copper Mine, one of which is a large corporate business and the other a family operation.*

*Family operated businesses often need a lot of support in addressing safety for workers and visitors, which is why MAQOHSC has an important role in assisting smaller quarries to address safety.*

*The work within a Quarry involves very different operations to mining<sup>4</sup>.*

5.3. What the proponent says it will do pursuant to the RLA does not involve anything different to mining. The proponent intends to produce up to 80 million tons of aggregate.

5.4. We say that the Minister must give proper consideration to the historical operations within the quarry now operated by the proponent when considering whether or not to grant the RLA to the proponent.

5.5. We say that the Minister must give proper consideration that the grant of the RLA will result in a very different operation to that historically undertaken by a small family business within the quarry.

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<sup>4</sup> [https://docs.wixstatic.com/ugd/4d344f\\_7046834fa6a542abb416faa296a77eeb.pdf](https://docs.wixstatic.com/ugd/4d344f_7046834fa6a542abb416faa296a77eeb.pdf) page 8.



**6. The amenity, lifestyle and business impact of the grant of the RLA**

6.1. We have lived at our home on [REDACTED] for [REDACTED] years.

[REDACTED]  
[REDACTED]

[REDACTED] We live where we live because of some of the unique features of our property.

6.2. We are [REDACTED] and we are privileged to be able to choose how and where we live. We chose our property because of its scenic views, isolation and the presence of partially restored historical infrastructure among other things.

6.3. When we became aware that:

- the proponent had acquired the Kanmantoo Bluestone Quarry;
- the proponent systemically failed to comply with its obligations at common law when operating the quarry; and
- the State Government had designated the surrounding land a Strategic Resource,

we halted all further capital investment in our property and our business.

6.4. The existence of the RLA has caused us to:

- Cancel the planned restoration of the Shepherd's Hut near the [REDACTED] boundary of our property;
- Indefinitely postpone maintenance and repair of external fencing and cancel our plans to internally fence areas of our property;
- Cancel our plans to add a pergola and a pool to our property;
- Cancel our plans to build a stable, arena and shed complex;
- Indefinitely postpone the expansion of our sheep and lamb primary production business and our planned acquisition of surrounding properties.

6.5. We planned to restore the Shepherd's Hut to a standard appropriate to offer it as bed and breakfast accommodation. It is uniquely situated in a hidden valley near two pre-settlement Red Gums and our spring-fed dam. All plans to establish that business are now cancelled due to the existence of the proponent's RLA application.



- 6.6. We have witnessed our Shepherd's Hut become enveloped in clouds of dust emitted by the proponent. For example see here: <https://vimeo.com/204643885> We believe that we are precluded by a duty of care we owe to anyone on our property from offering the Shepherd's Hut as accommodation.
- 6.7. We planned to grow our flock of our ewes, produce registered stud rams and purchase and fatten lambs each season. To date we have invested approximately \$800,000 in that business (including land value): All plans to expand that business are indefinitely postponed due to the existence of the proponent's RLA application.
- 6.8. Our home is orientated such that it makes the most of the scenic views available from its position [REDACTED] The view from our main living area overlooks almost the entire area subject to the RLA. We are deeply concerned that there is no feasible way to minimise views into the proponent's operations from our home. We are deeply concerned that there is nothing that the proponent can do to reduce the amenity impact of what the proponent has indicated it will do if it is permitted to mine within the area covered by the RLA. Relevantly, our home is approximately 72 metres higher than our [REDACTED] boundary. Annexure 4 contains a photograph (taken from inside our home) of a hill side marked by the proponent as one of its pits within the area subject to the RLA.
- 6.9. If the Minister grants the RLA we will never proceed with the Shepherd's Hut business and we will wind-down our primary production business.
- 6.10. We say that the Minister must give all of these impacts listed in paragraphs 6.4 to 6.7 proper consideration when deciding whether or not to grant the proponent's RLA.



**7. The proponent's demonstrated inability to mitigate impacts of its operations pursuant to EML5713.**

7.1. We believe that the Minister ought not grant the RLA because the proponent has demonstrated its inability to comply with its social, environmental and legal obligations when operating within EML5713.

7.2. Confidential Schedule 1 contains a draft Statement of Claim against the proponent.

7.3. We say that the Minister must give proper consideration to the existence and apparent objective merits of that draft Statement of Claim when making any decision in respect of the RLA and the MPLA. We refer the Minister to a website we have created which includes objective video evidence of the contamination of our property by the proponent:  
<https://www.k4dust.com/evidence>

7.4. We say that the Minister must give proper consideration to the draft Statement of Claim and the evidence we have made public that shows the proponent has contaminated our land and surrounding land with dust emitted from its EML.



## 8. The MPLA

8.1. Section 52(4) of the *Mining Act 1971* (SA) requires that prior to granting the proponent's MPLA, the Minister must give proper consideration to the protection of:

- a) any aspect of the environment that may be affected by the conduct of operations in pursuance of the lease;
  - b) any other lawful activities that may be affected by those operations;
  - c) any Aboriginal sites or objects within the meaning of the Aboriginal Heritage Act 1988 that may be affected by those operations; and
- may take into consideration such other factors as he considers appropriate in the particular case.

8.2. On page 19 of the MPLA the proponent summarises its consultation process in respect of the MPLA. We want the Minister to understand that the proponent has omitted to state that the community was in respect of the details of the MPLA, given only six days (three business days) to provide comment. The proponent's consultation on the MPLA was perfunctory and because of its apparent urgency (which was of course entirely the result of the proponent's decisions) it was unlikely that the proponent would properly identify community concerns. Perhaps this is why 10 people failed to answer their phones: The proponent does not say how many attempted calls were made: We assume 1 and during business hours while people were at work.

8.3. In relation to the MPLA we raised specific concerns with respect to the identified spear grass proximate to the proposed works. By email (enclosed in Annexure 5) we asked:

- *What protective measures will be implemented to ensure that construction activity does not impact the Spear Grass?*
- *Given that one of the threats to this Spear Grass is changes in hydrology (water flow through ephemeral streams), what consideration has been given to the impact of the drainage works associated with what is contemplated within the MPL on the Spear Grass?*
- *Will the drainage works result in any change (increase or decrease) in flows (and therefore soil moisture) in the ephemeral stream where the Spear Grass is?*
- *What measures will be implemented to ensure that fines (eg. rock dust) are not discharged into the area where the Spear Grass is when it rains.*



- 8.4. We received the following very general response:

*The area that includes a small population of spear grass is located on the north of the current drainage line that flows into the sedimentation basin. Recent resource drilling and civil design of the MPL area has distinctly avoided the spear grass area, Hanson are looking to physically bund the area to protect the grass species from the grazing of sheep, from what I understand at times there are up to 300 sheep grazing on the property, this has been happening for many years.*

- 8.5. Our questions relating to hydrological changes were apparently ignored. We are concerned that the changes to local hydrology caused by the works pursuant to the MPLA may threaten the spear grass because the stormwater from the works and a large catchment area discharges directly into the spear grass.
- 8.6. We believe the Minister is obligated to consider whether or not the spear grass may be threatened by changes to local hydrology resulting from the proponent's works. We refer the Minister to Annexure 6 which relevantly identifies the following threat to the spear grass: "development which may affect local hydrology". We note that *Native Vegetation Act 1991 (SA)* prohibits the flooding of native vegetation.
- 8.7. In our email in response to the proponent we said the proponent should: *Water product truck paved haul road from weighbridge to the site offices and start of the approved access road at a rate of more than 2 litres/m<sup>2</sup> /hour as required to minimise dust emissions.* We received no response. We want the proponent and the Minister to understand that the language we used was extracted from documents relating to a similar quarry operated by the proponent. We do not understand why the proponent will not implement effective dust mitigation measures.
- 8.8. In our email we asked: *Will the line of screening trees plantings (which can be seen but are not noted) on the eastern boundary shown in the MPL Front Area Design be disturbed during the contemplated work?* We received no response.
- 8.9. We are deeply concerned that the proponent's *Summary of Consultation and Concerns Raised* is not credible because it omits to mention any substantive community concerns relating to the MPLA. We believe that the Minister



cannot conclude that the proponent's MPLA reliably describes its community consultation process or appropriately identifies community concerns with respect to the MPLA.

- 8.10. We want the Minister to directly contact all potentially impacted adjoining landowners and seek input on the MPLA to ensure that all stakeholders are appropriately provided the opportunity to provide comment. We believe the Minister is obligated to do this because the proponent has demonstrated that its summary of the issues identified by the proponent cannot be trusted.
- 8.11. We believe that the identified flaws, air of urgency and objective lack of accuracy inherent in the proponent's community consultation must also be considered by the Minister when deciding whether or not to grant the RLA.
- 8.12. In due course we will provide the Minister with a chronology and a copy of documents we received from the proponent relating to the MPLA.



**9. The cost of the response to the proponent, the RLA and the MPLA**

9.1. We want the Minister to acknowledge that dealing with the proponent and providing this response to the RLA and the MPLA is very time-consuming and very burdensome. To put that in context, as [REDACTED] if I were to recover the cost of my time spent on these matters to date, [REDACTED]  
[REDACTED]



Annexure 1

*The proponent's consultation on the RLA*

Email from Kelly Manning sent 19 May 2011 at 4:11PM

Hello all

Further to the Miscellaneous Purposes Licence that James outlined, I wish to update you all regarding the status of the Mining Lease Proposal that Hanson are progressing and an Open Day that we wish to hold at the quarry site.

**OPEN DAY – Saturday 17<sup>th</sup> June (12noon to 3pm)**

I will send out a separate notice closer to the time regarding this event, but at least want to inform you of the date Hanson has planned. All family members are welcome. Similar to a national initiative that Hanson are conducting this week for employees and their families to visit their workplaces, the day will be suitable for children to attend. I will provide further detail in early June.

**Mining Lease Proposal status**

As mentioned in my letter to you all in late March, Hanson has progressed various feasibility studies and assessments that will form part of the Mining Lease Proposal, seeking approval for an expanded quarry (Extractive Mineral Lease) in the future. The activities to date include:

- Stakeholder Consultation
- Water Management Plan
- Noise Assessments
- Dust Deposition Monitoring
- Groundwater Desktop Assessment
- Flora and Fauna Survey
- Resource Drilling Assessment

Hanson have committed to undertaking an additional series of initiatives and investigations from an environmental, social and operational perspective to contribute towards a final Mining Lease Proposal.

**Retention Lease**

Hanson are seeking what is termed a Retention Lease which relates to the need for a thorough and complete Mining Lease Proposal prior to submission. Hanson are applying for a Retention Lease on the site which corresponds to the same area of the Mineral Claim, being the majority of the property that the quarry is situated within. The basis for the Retention Lease eligibility relates to the *Mining Act 1971 section 41A Grant of Retention Lease (2)(a) & (b)*, which states:

*A retention lease may, subject to subsection (3), be granted in any of the following cases:*

- a) *where for economic or other reasons the applicant is, in the opinion of the Minister, justified in not proceeding immediately to mine the land in pursuance of a mining lease; or*
- b) *where in the opinion of the Minister sufficient investigation has not yet been carried out to enable him to determine the terms and conditions upon which a mining lease should be granted;*

Within the Retention Lease Proposal, it will outline the proposed schedule of works to continue with the additional activities noted above including (but not limited to) continuing community consultation, further groundwater assessment, dust assessment, resource identification, rehabilitation strategy, traffic management and visual assessment. Hanson is proposing a timeline of 1 year for the Retention Lease to apply, in order to properly complete these remaining activities for the Mining Lease Proposal (eg. dust analysis / characterisation should account for a period that incorporates a whole 2017/18 summer).

Miscellaneous Purposes Licence – Telecommunication Tower - amongst the feedback Hanson received there was a common query regarding a proposed telecommunication installation. The plan at this stage is for a solar -powered device that would stand no taller than approximately 5m, to service the adjacent weighbridge and offices.

You are all welcome to contact me with any queries. I will follow up in early June regarding the community Open Day on Saturday 17<sup>th</sup> June and look forward to meeting some of you then.

Regards  
Kelly Manning  
Operations Manager Aggregates

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## CONFIDENTIAL RESPONSE

### Annexure 2

#### *The proponent's consultation on the MPLA.*

Email from James Rowe sent by email 4 May 2017 at 12:38PM

Hi all,

Firstly, thank you for your time this morning, it was great to meet you all (albeit by phone). As mentioned, Groundwork Plus is assisting Hanson in the development of the site at Kanmantoo. The reason for the call was to inform you all that Hanson are applying for a Miscellaneous Purposes Licence (MPL) for the development of a weighbridge facility, office amenities, telecommunications tower, water tanks and parking etc. The area which was formally pegged last week can be found attached in Drawing 1916.DRG.025. We have two weeks from the date of pegging to submit a management plan to the Department of Premier and Cabinet (DPC), this is a requirement to be able to be granted a MPL.

I have also attached a detailed schematic of the civil design and layout of the area and a larger Site Layout Plan so you can see the relative small scale of proposed works against the larger property parcel.

If you have any commentary or feedback regarding the proposed works please contact me by phone or email by COB Monday night as we are required to submit the final document by Wednesday next week (10<sup>th</sup> of May).

I take this opportunity to provide you with the contact details of Peter Ebbs and Kelly Manning. Peter is the Quarry Manager for the site and has recently relocated from the Hanson Maslin Beach sand operation. Prior to Maslin Beach, Peter was at the Southern Quarries hard rock site at Sellicks Hill. Peter is relocating his residence to the dwelling that Hanson has purchased on Proctor Road. Peter is previously from the Myponga area and has an extensive farming and quarrying background. Kelly Manning is the Operations Manager – Aggregates for the Hanson business in South Australia. Kelly has a long association with the quarrying sector and previously spent time with Boral in their Asphalt division. Please feel free to contact either myself, Peter or Kelly with any questions or concerns you may have with the proposed MPL design.

Peter Ebbs  
Quarry Manager  
Email – [peter.ebbs@hanson.com.au](mailto:peter.ebbs@hanson.com.au)  
Ph: 0419 835 493

Kelly Manning  
Operations Manager – Aggregates  
Email – [Kelly.manning@hanson.com.au](mailto:Kelly.manning@hanson.com.au)  
Ph: 0419 833 554

Hanson are looking to host an event whereby members of the community can have the opportunity to visit the site and understand some of the background work that has been undertaken since Hanson took over the quarry operations from the Clifford family (Bernie and Jason). By the way, Bernie and Jason are still working at the site under the Hanson banner.

Feel free to contact me with any comments / concerns with the proposed development.

Regards,

James

James Rowe SA Manager



Certified Practitioner  
Quarry Management Certification System

GROUNDWORK Plus Resources, Environment, Planning, Laboratories PO Box 854, NURIOTPA SA 5355 AUSTRALIA  
Ph: +61 448 392 576



Annexure 3

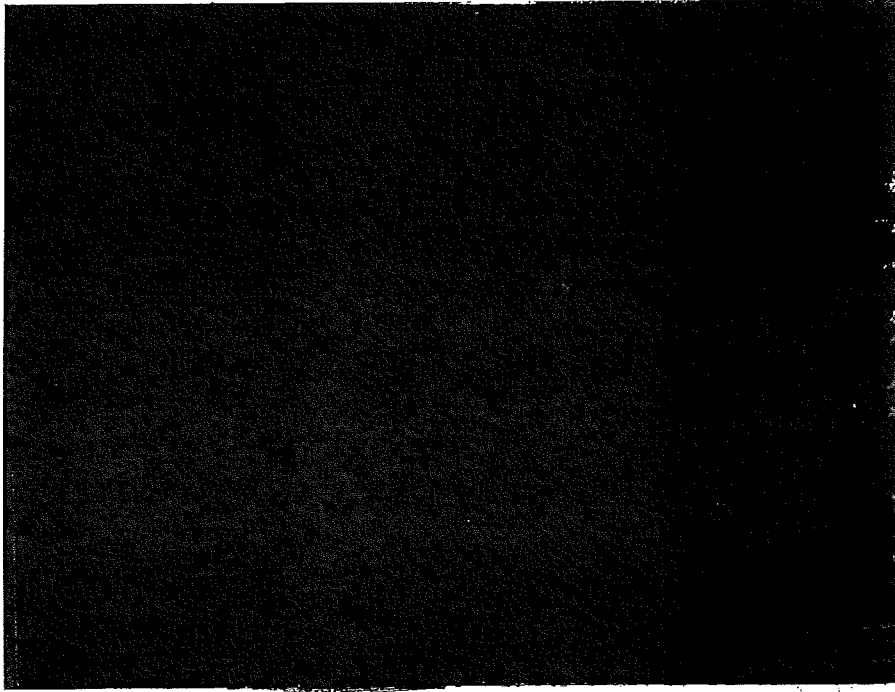
*Hanson detailed pit plans and engineering*





Annexure 4

MC4405 centre of the image shot from living area





## CONFIDENTIAL RESPONSE

### Annexure 5

Email sent by [REDACTED] community stakeholders 7 May 2017 at 5:15pm

Hi all,

**Hanson = bad dust, noise and negative impacts**

I set out below our comments and concerns on Hanson's new *Miscellaneous Purposes Lease* which you have all been provided an opportunity to comment on.

But I want you to know what Hanson are doing right now. Click on this video from yesterday:

<https://vimeo.com/216280015>

This video of continual dust emissions from Hanson's operations was taken over a period of time yesterday 6 May 2017. It shows that Hanson's haul roads are not watered and that vehicles are constantly raising dust. There is another obvious stream of dust from the rock crushers and loaders. What possible reason does Hanson have for apparently not using water for dust control yesterday?

What is in this dust? Ask and Hanson will tell you they "cannot be certain of the composition of the dust from that exact time and location."

This dust was constantly blowing out of EML5713 (Hanson's mine) at a height of of at least 120m. Illegal. Breach of the current PEPR. Breach of the EPA Act. Not the first time.

We have a lot more video.

**Miscellaneous Purposes Lease - comments for Hanson**

Hanson should:

- Seal the access road from Proctor Road entry to the weighbridge.
- Water product truck paved haul road from weighbridge to the site offices and start of the approved access road at a rate of more than 2 litres/m2 /hour as required to minimise dust emissions.
- Tell us the height and specification of the Telecommunication Tower.

#### **Eastern boundary screening trees?**

The MPL Front Area Design appears to indicate that the Earthworks Pad proximate to the Telecommunication Tower and Water Storage Tank cuts into the line of screening trees previously planted by Hanson.

Will the line of screening trees (which can be clearly seen but are not noted in the MPL Front Area Design) on the eastern boundary be disturbed during the contemplated work?

#### **Spear Grass**

The MPL works are adjacent to endangered Spear Grass. It appears that a storm water drain will discharge *directly* into the Spear Grass area.

I assume this Spear Grass is Fine-head Spear-Grass, the distribution of which is Extremely Restricted. Full details

here: <http://www.naturalresources.sa.gov.au/adelaidemillioityranges/plants-and-animals/native-plants-animals-and-biodiversity/native-plants/full-plant-listing>

We would like to know:

- What protective measures will be implemented to ensure that construction activity does not impact the Spear Grass?
- Given that one of the threats to this Spear Grass is changes in hydrology (water flow through ephemeral streams), what consideration has been given to the impact of the drainage works associated with what is contemplated within the MPL on the Spear Grass?
- Will the drainage works result in any change (increase or decrease) in flows (and therefore soil moisture) in the ephemeral stream where the Spear Grass is?
- What measures will be implemented to ensure that fines (eg. rock dust) are not discharged into the area where the Spear Grass is when it rains.

Ordinarily these issues would be identified through environmental assessments. It appears Hanson may not have done this. Why?

#### **Dust mitigation**

What dust mitigation controls will be implemented while the work proceeds? For example, will Hanson's water truck be used together with fixed sprinklers and polymer residual dust controls to be applied to disturbed surfaces?

#### **General comments on Hanson**

The work contemplated under the MPL appears to be a subset of Hanson's Imminent Mine Lease Proposal but it is being rushed through with perhaps inadequate consideration of relevant issues.

Water trucks are not much use if they are not used. Community consultation is not much use if it is for show and subject to unrealistically short timeframes.

Hanson has been planning this weighbridge since 2015 (ask Derek Henderson at the council *copied*).

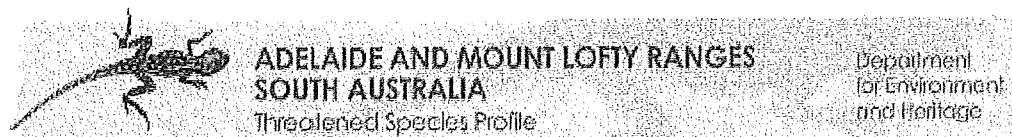
But you are given 3 business days to comment on it. Fair?

Kind regards,

[REDACTED]  
[REDACTED]



# Annexure 6 Threatened Species Profile



## *Austrostipa oligostachya*

## PLANT Fine-head Spear-grass

AUS	SA	AMLR	Endemism	Life History
-	E	E	-	Perennial

Family GRAMINEAE

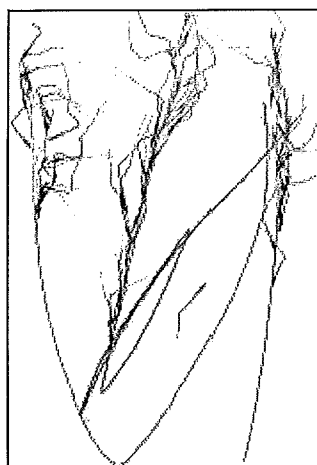


Photo: © Ron Taylor

### Conservation Significance

In SA, the majority of the distribution is confined within the AMLR, disjunct from the remaining extant distribution in other States. Within the AMLR the species' relative area of occupancy is classified as 'Extremely Restricted'.<sup>1</sup>

### Description

Light, open, tussocky spear-grass with culms 30–100 cm tall. Leaf-blade surface smooth or scabrous.<sup>2,3,4</sup>

### Distribution and Population

In SA found in SL and SE regions. Also in south-western VIC.<sup>3,4</sup>

Rarely collected in SA since the 1950s.<sup>3</sup> One hundred scattered plants recorded from Waitpinga over a 10 m<sup>2</sup> site.<sup>2</sup>

Post-1983 AMLR filtered records scattered, occurring around Cromer CP, Black Hill CP, near Mount Bold and Waitpinga.<sup>1</sup> The 2008 record north-east of Parawa extends the species' known distribution within the southern Fleurieu (R. Taylor pers. comm.).

Pre-1983 AMLR filtered records are from Panorama [Adelaide], Encounter Bay, Callawonga Creek, Mount Barker, Myponga and Belair NP.<sup>2</sup>

### Habitat

Recorded in AMLR from ephemerally wet areas on Waitpinga cliff-line with (1) *Amphibromus archeri*, *Danthonia* sp., *Callistemon rugulosus*, *Eucalyptus phenax*; (2) *Eucalyptus fasciculosa* grassy woodland with *Daviesia uicifolia*, *Eutaxia microphylla*, *Acacia verticillata*; (3) *Eucalyptus fasciculosa* grassy woodland with *Melaleuca decussata*, *Dampiera dysantha*, *Acacia verticillata*, *Themeda diandra*, *Xanthorrhoea semiplana*.

At Mount Bold Reservoir found on the upper reaches on the river's edge. At Mount Crawford found on loamy flats with *Danthonia* sp. At Black Hill CP found upslope in *Eucalyptus camaldulensis* open woodland.<sup>3</sup>

Also occurs in coastal swamps. At the Waitpinga/Victor Harbor region, the plants are thinly scattered amongst other native grasses in ephemerally wet areas (R. Taylor pers. comm.).

Within the AMLR the preferred broad vegetation groups are Grassy Woodland and Grassland.<sup>1</sup>

Within the AMLR the species' degree of habitat specialisation is classified as 'Moderate-Low'.<sup>1</sup>

### Biology and Ecology

Flowers between October and March.<sup>3</sup>

Walsh (1994) suggests that in VIC hybrids with *Austrostipa semibarbata* may occur.<sup>3</sup>

### Aboriginal Significance

Post-1983 records indicate the AMLR distribution occurs in southern Ngarrindjeri, eastern Kaurna and central Peramangk Nations.<sup>1</sup>

### Threats

In southern Fleurieu threats may include stock grazing, kangaroo grazing and residential development which may affect local hydrology. All populations would be highly vulnerable to reduced rainfall associated with drought/climate change (R. Taylor pers. comm.).

Within the AMLR, the majority of its known distribution occurs within 2 km of confirmed or suspected *Phytophthora* infestations.<sup>1</sup>

### Further information:

Biodiversity Conservation Unit, Adelaide Region

Phone: (61 8) 8336 0901 Fax: (61 8) 8336 0999

<http://www.environment.sa.gov.au/>

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Prepared as part of the Regional Recovery Plan for Threatened Species and Ecological Communities of Adelaide and the Mount Lofty Ranges, South Australia 2009–2014

