



CHAPTER 8

LAND USE AND TENURE



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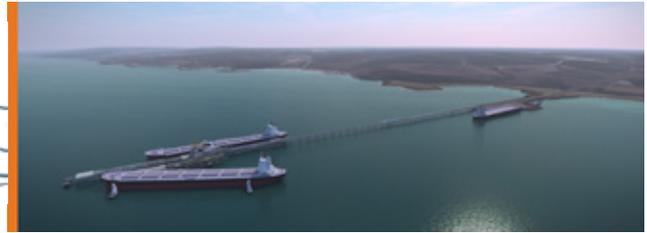
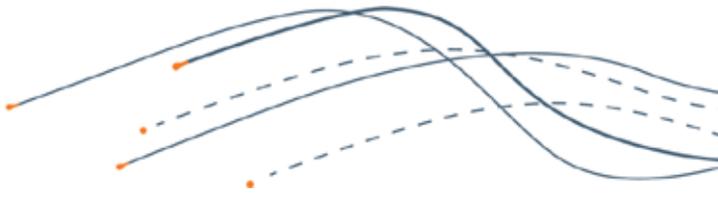
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8 Land Use and Tenure

The Eyre Peninsula region supports ongoing agricultural activity including mixed crops and grazing. Productive agricultural activities are undertaken on more than 75% of the Eyre Peninsula which contributes more than 45% of South Australia's wheat crop and 20% of South Australia's barley crop. The Eyre Peninsula is also considered highly prospective for minerals and accommodates large areas of land designated for nature conservation purposes (Regional Development Australia 2011a).

This chapter provides an overview of the current tenure and land use arrangements within the CEIP Infrastructure footprint. It also identifies how altered land use practices during construction and operation may impact on the ability of land within the proposed CEIP Infrastructure footprint and adjoining areas to support envisaged future land uses.

8.1 Assessment Methods

Existing land use and tenure was identified via a desktop review of:

- Wudinna District Council Development Plan
- District Council of Kimba Development Plan
- District Council of Cleve Development Plan
- District Council of Tumby Bay Development Plan
- Aerial photography
- Land use data and information from the Department of Planning, Transport and Infrastructure's Lands Services Group

The accuracy of desktop information was confirmed during numerous field visits undertaken to the subject area since 2010. Field studies have included geotechnical, flora and fauna, groundwater, air quality, noise, traffic, Aboriginal heritage, non-Aboriginal heritage and marine investigations.

8.2 Existing Environmental Values

This section provides an overview of the existing environment within the CEIP Infrastructure footprint and surrounding region in relation to land use and tenure. Existing land uses are identified, as well as any easements or known restrictions on the land. Land use surrounding the CEIP Infrastructure is depicted in Figure 8-1.

The Eyre Peninsula is roughly triangular in shape and bound by the Spencer Gulf to the east and the Great Australian Bight to the west. Major townships are located at each point of the triangle; Port Lincoln to the south, Ceduna to the west and Whyalla and Port Augusta to the east. Eleven local government areas are located on the Eyre Peninsula, of which the CEIP Infrastructure traverses four; the District Councils of Wudinna, Kimba, Cleve and Tumby Bay. The offshore infrastructure required for the port is located outside of a local government area within coastal waters.

The Eyre Peninsula is relatively remote and sparsely populated, and is economically driven by primary production activities including cropping, grazing, fishing and aquaculture. Emerging industries in the region include tourism, mining and renewable energy. The key land uses observed in the region surrounding the CEIP Infrastructure are discussed in detail below.

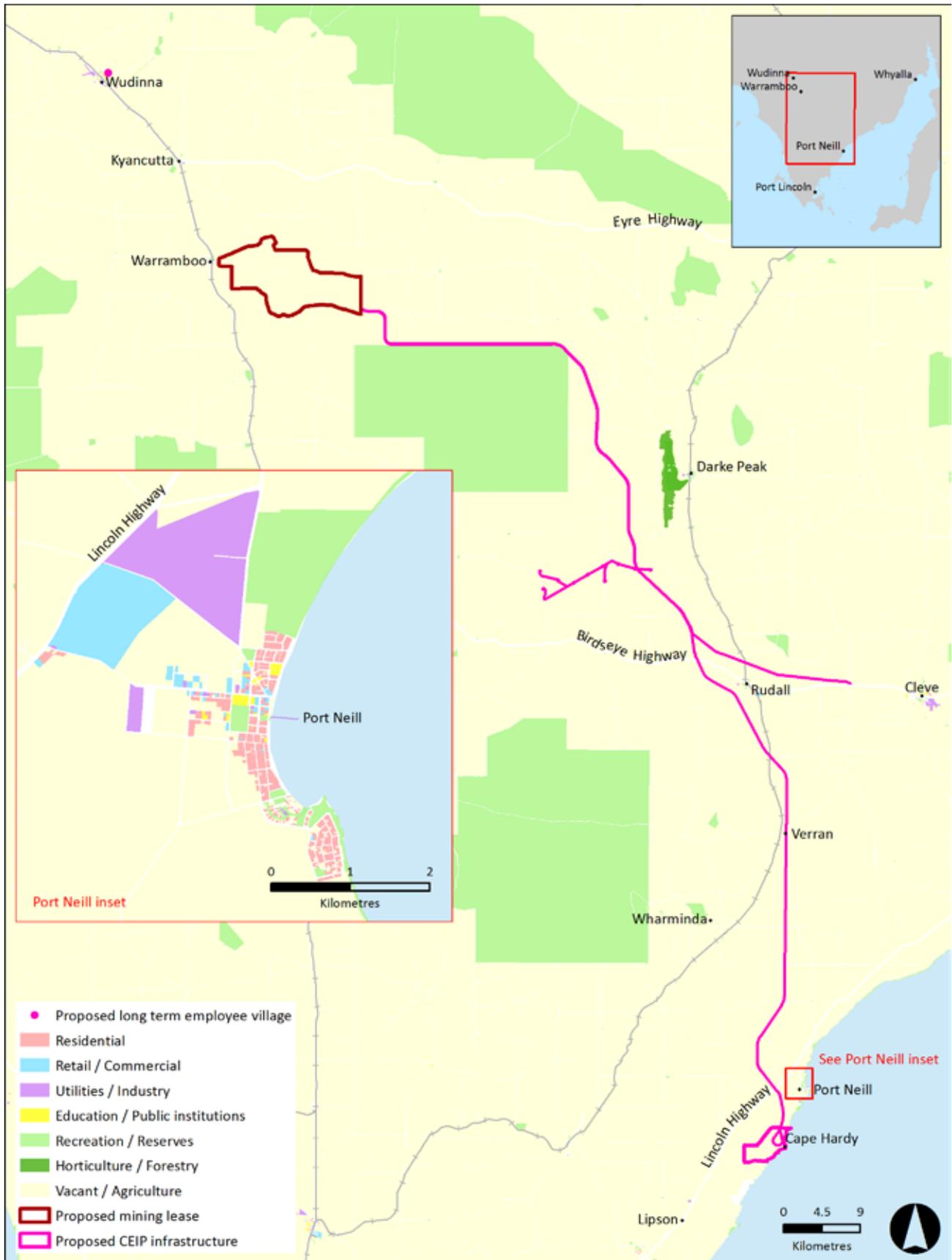


Figure 8-1 Land Use in the Vicinity of the Proposed CEIP Infrastructure

8.2.1 Primary Production and Agriculture

The Eyre Peninsula is responsible for the production of more than 45% of South Australia’s wheat crop and 20% of its barley crop. Annual crop volumes of all grains on the Eyre Peninsula are in excess of 2.5 Mt, with the value of the agricultural industry exceeding \$450 M. To support the agricultural industry, more than 20% of the Eyre Peninsula population is employed in the agriculture, forestry or fishing sector (Regional Development Australia 2011a).

The CEIP Infrastructure will be located within the Western, Eastern and Lower Eyre Peninsula Agricultural Districts. These districts are responsible for a combined total crop production of 2,764,630 t in the 2013/14 season (PIRSA 2014). Soils on the Eyre Peninsula are generally nutrient poor, however when managed appropriately, they can be improved to provide significant economic returns (Soil Quality 2014).

A range of infrastructure has been established on the Eyre Peninsula to support the ongoing operation of the agriculture industry. Viterra is the principal grain distribution organisation offering a grain storage and handling network throughout South Australia. Viterra operates 32 grain handling and storage sites on the Eyre Peninsula, including export facilities at Port Lincoln and Thevenard (Viterra 2013).

Underpinning its importance to the Eyre Peninsula economy, the overwhelming majority of land is utilised for agricultural purposes, supporting the sustainable operation of the primary production industry. As previously shown in Figure 8-1, in excess of 90% of all land on the Eyre Peninsula is utilised for primary production or agricultural purposes (DWLBC 2003).



Plate 8-1 Farming Activity on the Eyre Peninsula (October 2014)

8.2.2 Nature Conservation

A number of conservation areas and nature reserves are prevalent throughout the Eyre Peninsula, covering approximately 14% of the total land area (EP NRMB 2015, refer to Figure 8-2). Those of most relevance to the CEIP Infrastructure are discussed below.

From the proposed mine site at Warrambo, the proposed infrastructure corridor travels east along the northern boundary of the Hambidge Wilderness Protection Area (WPA) then southeast to the port site at Cape Hardy, with the Darke Range Conservation Park located approximately 4 km to the east of the alignment and Hincks WPA approximately 13 km to the west. Other than Hambidge WPA, no conservation areas are adjacent to the CEIP Infrastructure. Conservation areas in the general locality of the proposed development are identified in Figure 8-2.

Neither the port site, nor the long-term employee village to be located adjacent to Wudinna are located within, or adjacent to conservation areas or other reserves.

Hambidge Wilderness Protection Area

Hambidge WPA (Plate 8-2) is located approximately 3.8 km southeast of the mine site boundary and adjacent to the northern extent of the infrastructure corridor. It covers approximately 38,000 ha and was proclaimed a WPA under the *Wilderness Protection Act 1992* in 2004, one of the first to be proclaimed on mainland South Australia.

The vegetation of the Hambidge WPA is dominated by mallee communities, with small areas of woodland and shrubland. Several species of conservation significance are known to occur within the WPA, including the Malleefowl (*Leipoa ocellata*) which is vulnerable at both national and state level. The WPA also potentially supports populations of the Sandhill Dunnart (*Sminthopsis psammophila*) which is nationally endangered and considered vulnerable at a state level. The Hambidge WPA receives minimal visitor use, with the majority of visitors entering to visit a small elevated viewing point locally known as Prominent Hill (DEH 2007).



Plate 8-2 View South towards Hambidge Wilderness Protection Area (Darke Range in background)

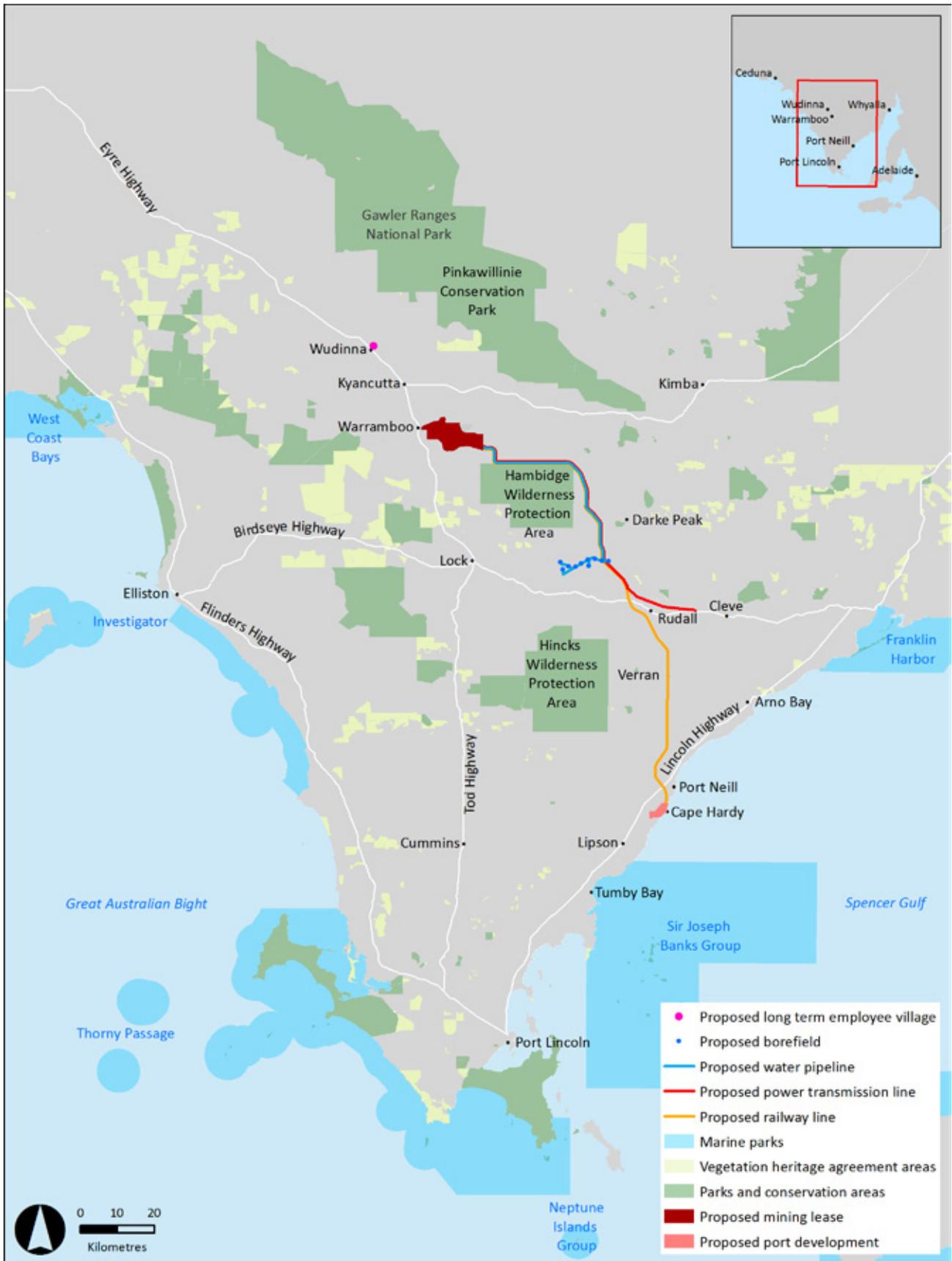


Figure 8-2 Conservation Areas and Nature Reserves

Hincks Wilderness Protection Area

Hincks WPA covers an area of approximately 67,000 ha and was also proclaimed a WPA under the *Wilderness Protection Act 1992* in 2004. Like Hambidge WPA, it is dominated by mallee with small areas of woodland and shrubland (Department of Environment and Heritage 2007). Several species of conservation significance are known to occur within the WPA including the Malleefowl (*Leipoa ocellata*). The WPA also supports populations of the Grey-bellied Dunnart (*Sminthopsis griseoventer*). Hincks WPA has minimal visitor usage, with the majority of visitors entering to camp on Nicholl's Track.

Darke Range Conservation Park

The Darke Range Conservation Park is located west of Darke Peak and covers an area of approximately 700 ha (DEWNR 2011). It represents a ridgeline approximately 10 km long which supports dense Broombush shrubland and mallee vegetation (Brandle 2010).

Federation Lookout (Plate 8-3) is located at the southern end of Darke Range, and was constructed in 2001 to commemorate Australia's Centenary of Federation. The lookout is an 800 m walk from the car park and a directional plaque shows local points of interest (District Council of Cleve 2014).



Plate 8-3 Darke Range Viewed from Federation Lookout

8.2.3 Mineral Resource Exploration and Extraction

The Eyre Peninsula is considered highly prospective for mineral exploration and extraction. There are currently a number of advanced mining projects proposed on the Eyre Peninsula including Wilcherry Hill, Middleback Ranges (Iron Chieftain and Iron Duke) and Wilgerup. A number of developing projects and prospects have also been identified by the Department of State Development (DSD) on the Eyre Peninsula by the Regional Mining and Infrastructure Planning (RMIP) project, including the CEIP (Plate 8-4), Fusion, Gum Flat, Uley and Poochera (Deloitte 2013).



Plate 8-4 Exploration Activity within Iron Road's EL 4849

Mineral exploration across the Eyre Peninsula has been ongoing for decades and has been marked as a potential major new iron province in Australia. Other minerals such as uranium, graphite, mineral sands and kaolin have also been identified and show the diversity of commodities being discovered (Deloitte 2013). The infrastructure corridor has been sited to avoid conflict with existing or proposed mining operations, as shown in Figure 8-3.

A lack of suitable supporting infrastructure has represented the key constraint to the development of the mining industry on the Eyre Peninsula. To address this problem, industry formed the Eyre Peninsula Mining Alliance (EPMA) in 2010, the Local Government Association formed the EP Mining, Oil & Gas Community Development Taskforce in 2013 and the State Government formed the Resources Infrastructure Taskforce, following an extensive state wide infrastructure study (Deloitte 2013).

The lack of suitable infrastructure on the Eyre Peninsula to support mining operations has been the focus of various State Government projects including the RMIP and the current Resources Infrastructure Taskforce, although to date no acceptable solutions have been forthcoming.

As at August 2015, the proposed CEIP Infrastructure traversed six exploration licences (EL) including Iron Road's EL 4849 and three exploration licence applications (ELA) as detailed in Table 8-1, which comprises the area to be subject to the CEIP Mine (SARIG 2015). Petroleum Exploration Licence (PEL) 153 held by Energy Exploration Pty Limited is also crossed by the CEIP infrastructure. The location of ELs intersected by the proposed CEIP Infrastructure is shown on Figure 8-3.

Table 8-1 Exploration Licences and Applications Crossed by the CEIP Infrastructure

Tenement No	Status	Licensee	Commodity	Location
EL 4849	Active	Iron Road Limited	Iron Ore	Warramboe area, approximately 160 km southeast of Streaky Bay
EL 5521	Active	Peninsula Resources Limited	Gold	Caralue area, approximately 40 km southwest of Kimba
EL 4662	Active	Pirie Resources Pty Ltd	Graphite	Carappee Hill area, approximately 20 km SSW of Kimba
EL 5064	Active	Olliver Geological Services Pty Ltd	Uranium	Verran area, approximately 60 km west of Cowell
EL 5618	Active	Ausmin Development Pty Ltd	Graphite	Verran area, approximately 40 km southwest of Cowell
EL 4998	Active	South Australian Iron Ore Group Pty Ltd	Iron Ore	Tumby Bay, approximately 50 km northeast of Port Lincoln
PEL 153	Active	Energy Exploration Pty Limited	Petroleum	Extends from Elliston to Darke Peak, central Eyre Peninsula
ELA 2015/00114		Boston Minerals Pty Ltd	Uranium	Lock area, approximately 145 km NNE of Port Lincoln
ELA 2015/00113		Boston Minerals Pty Ltd	Uranium	Sheoak Hill area, approximately 100 km northwest of Port Lincoln
ELA 2015/00107		Ausmin Development Pty Ltd	Graphite	Wharminda area, approximately 90 km northwest of Port Lincoln

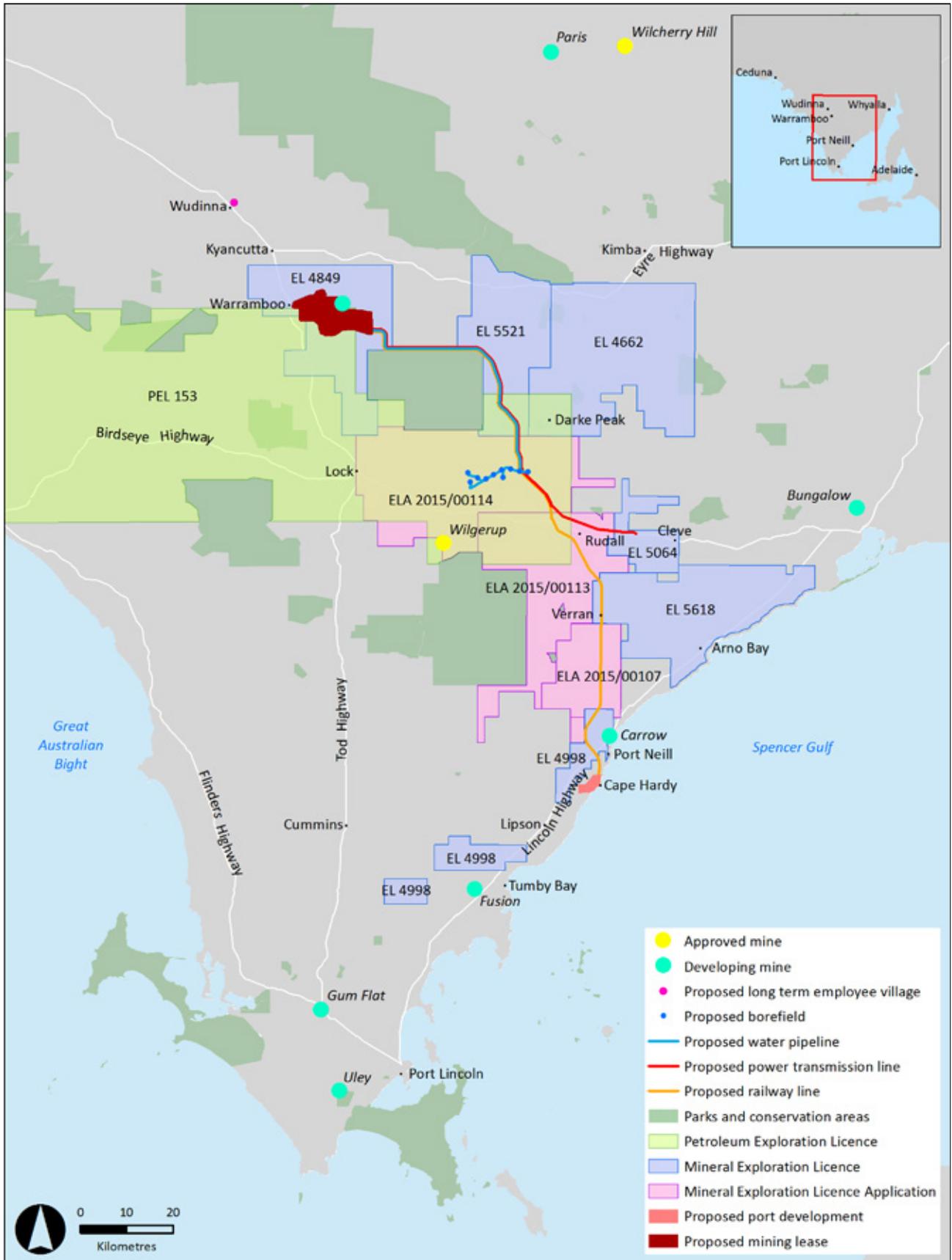


Figure 8-3 Exploration Licences and Applications Crossed by the CEIP Infrastructure

8.2.4 Marine-Based Activity

The Spencer Gulf is an important fisheries and aquaculture region, supporting a number of commercial fisheries and designated aquaculture zones. Other than agriculture, fisheries and aquaculture provide the bulk of capital and employment opportunities within the Eyre Peninsula region. Port Lincoln is the major centre of fisheries and aquaculture production in South Australia, whilst Arno Bay is also recognised as a centre of investment. A summary of marine-based activity is provided below, with a detailed overview in Chapter 14.

Aquaculture and Fisheries

The Port Neill Aquaculture Zone is located approximately 2 km northeast of Iron Road's proposed jetty location and approximately 1.9 km southeast of Cape Hardy.

The Port Neill Aquaculture Exclusion Zone is located adjacent to the port site and is crossed by the jetty. The Port Neill Aquaculture Exclusion Zone is intended to provide a buffer between aquaculture development and other marine resource uses and areas of conservation significance.

Marine-based aquaculture (aquatic animals, prescribed wild caught tuna, bivalve molluscs and algae) is the only form of development envisaged in the Port Neill Aquaculture Zone. There are currently no aquaculture leases or licences located within this Zone or the Port Neill Aquaculture Exclusion Zone (PIRSA 2013), however aquaculture leases with licences for Kingfish and Yellowtail have previously been approved within the area. All previously approved leases and licences have been withdrawn or surrendered with no development observed or undertaken at any of the sites.

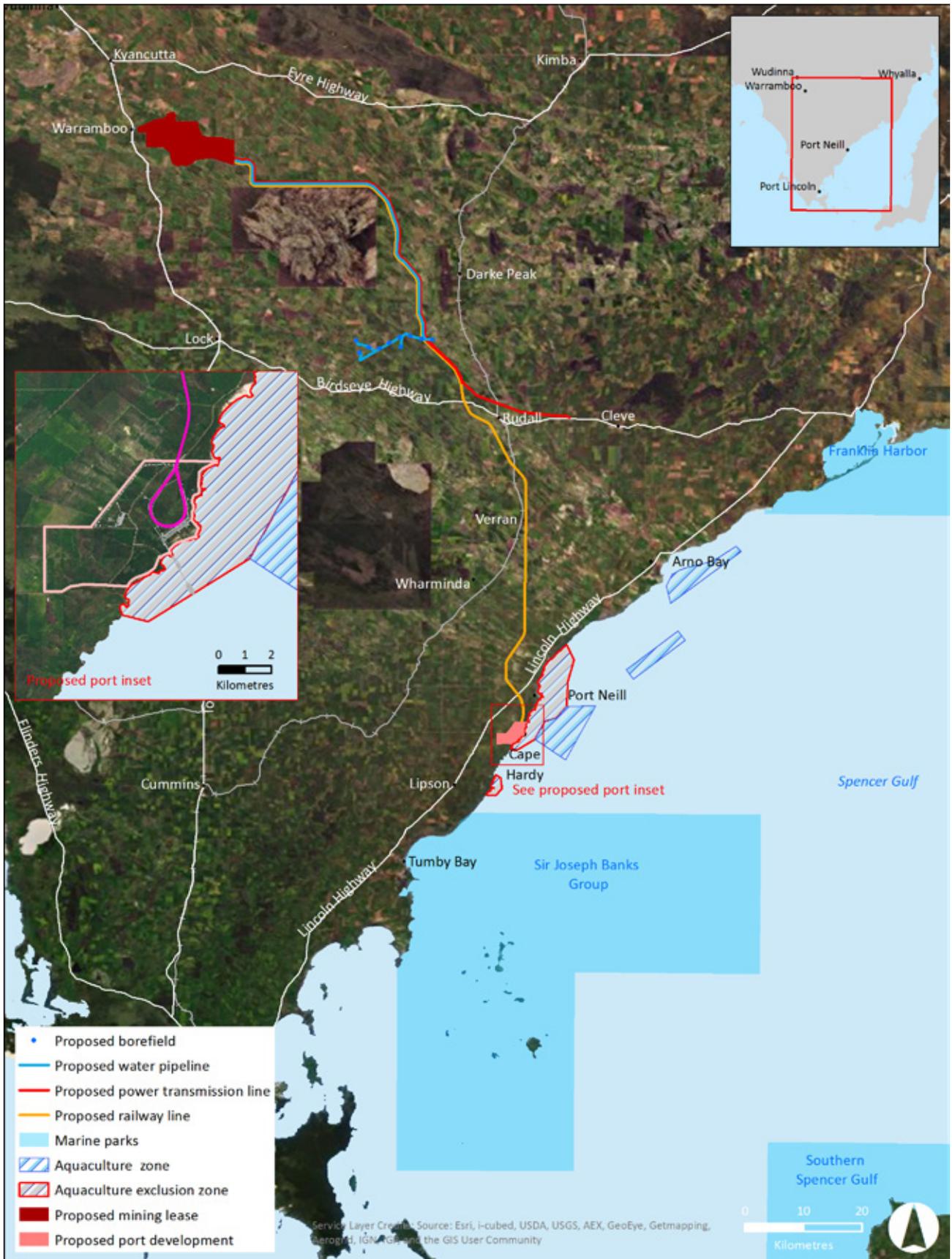
The port site also sits within a number of areas designated for shellfish and finfish fisheries. No interactions with Rock lobster and Abalone fisheries are anticipated, however the deep water offshore areas of the southern Spencer Gulf have historically provided high catches of Snapper, King George Whiting and Sardines. Interactions with these finfish fisheries at the port site are not anticipated due to the depth required for commercial operations.

Marine Parks

There are 21 marine parks in South Australian waters, of which seven are fully or partially within the Spencer Gulf:

- Neptune Islands Group Marine Park
- Gambier Islands Group Marine Park
- Sir Joseph Banks Group Marine Park
- Franklin Harbor Marine Park
- Upper Spencer Gulf Marine Park
- Eastern Spencer Gulf Marine Park
- Southern Spencer Gulf Marine Park

As shown in Figure 8-4, the port site is located between the Sir Joseph Banks Group Marine Park (approximately 12 km south) and the Franklin Harbor Marine Park (approximately 54 km northeast). No components of the CEIP Infrastructure are located within, or propose to utilise, any marine parks.



8.2.5 Townships and Residential Areas

Residential areas and townships have been avoided where possible in the selection of the proposed route for the infrastructure corridor and the location of the port facility. The townships nearest to the CEIP Infrastructure are listed in Table 8-2 (as measured in a straight line from the nearest component of the CEIP Infrastructure). Five of these townships are within 5 km of the CEIP Infrastructure. Of the nearby townships, Port Neill (Plates 8-6 to 8-8) is the closest to the port site.

Table 8-2 Proximity of Townships to CEIP Infrastructure

Suburb (SSC)	Township(s)	Distance to CEIP Infrastructure	Estimated population ¹
Rudall	Rudall	3.3 km	260
	Verran	0.0 ² km	
	Wharminda	8.6 km	
Port Neill	Port Neill	2.9 km	136
Darke Peak	Darke Peak	7.4 km	271
	Kielpa	4.1 km	
Cleve	Cleve	9.0 km	972
Wudinna	Wudinna	0.1 ³ km	557

¹ Population of entire suburb (SSC) as defined by Census boundaries (ABS 2013)

² The proposed railway line passes through Verran, approximately 140 m west of the church

³ Distance to proposed long-term employee village, adjacent to existing township of Wudinna



Plate 8-5 Port Neill from Jetty (looking northwest)



Plate 8-6 Port Neill from Jetty (looking southwest)



Plate 8-7 Port Neill from Jetty (looking southeast)

8.2.6 Existing Land Use of the CEIP Infrastructure Sites

This section details the specific land uses currently observed at each of the key components of the CEIP Infrastructure.

Port Site

The onshore infrastructure of the port will be located within two types of zoning in the Tumby Bay local government area; the General Farming Zone (designated for agricultural purposes) and the Coastal Zone (designated for agricultural, recreation and amenity purposes). The majority of land is utilised for agricultural purposes, a mix of cropping and grazing. The coastline adjacent to the proposed port offers opportunities for passive recreation including beach activities and fishing. There are nine beaches within or adjacent to the port site, as indicated by Surf Life Saving Australia (2014). The most significant beach is Cowleys Beach (Plate 8-8), which extends south from the port site for 500 m. It is accessible via Kiandra Road and has an informal car parking area with no camping facilities (Plate 8-9) (Surf Life Saving Australia 2013). As previously detailed in Chapter 4, Cowleys Beach is not within the exclusion zone of the port and public access will be maintained.



Plate 8-8 Cowleys Beach (April 2014)



Plate 8-9 Cowleys Beach Car Park (April 2014)

The beaches closer to Cape Hardy are currently accessible via a private vehicle track from North Coast Road. It is expected that these beaches would be accessed infrequently and mainly by recreational fishermen as Cape Hardy is identified as a likely location for whiting, sweep, snapper, tommy ruffs, garfish and rock species. Cowley's Beach is identified as a likely location for each of the species identified for Cape Hardy, in addition to salmon, snook and mullet (District Council of Tumby Bay 2013).

North Coast Road and Kiandra Road form part of the Northern Coast Drive on the District Council of Tumby Bay tourism map (District Council of Tumby Bay 2013). Both Cape Hardy and Cowley's Beach are highlighted as areas of interest for fishing along the Northern Coast Drive in District Council of Tumby Bay and SA Tourism Commission publications.

Approximately 1,100 ha of freehold land at the port site is owned by a subsidiary of Iron Road, known as IRD Port Assets Pty Ltd. As Iron Road do not currently utilise that land, 978 ha of the total area is leased to local farmers for the purposes of cropping and grazing.

Infrastructure Corridor

The proposed infrastructure corridor extends 145 km from the mine site near Warrambo on the central Eyre Peninsula to the port site, south of Port Neill, on the east coast of the Eyre Peninsula. The infrastructure corridor is located primarily within agricultural land, which is a mix of cropping (Plate 8-10) and grazing (Plate 8-11).

Existing land use along the infrastructure corridor is shown in Figure 8-1, with a breakdown of the type of land affected by the infrastructure corridor provided in Table 8-3 (DWLBC 2003).

Table 8-3 Existing Land Use of the Infrastructure Corridor

Land Use	Area	Percentage of Infrastructure Corridor Site
Cropping	789.2 ha	95.3%
Grazing	11.3 ha	1.4%
Transport (e.g. road reserves)	25.4 ha	3.1%
Marsh/Wetland	2.2 ha	0.3%
Other/Not stated	0.2 ha	0.03%
TOTAL	828.4 ha	100%



Plate 8-10 Typical Cropping Landscape (August 2011)



Plate 8-11 Typical Agricultural Landscape (coastal, April 2014)

Long-Term Employee Village

The long-term employee village is proposed to be located immediately adjacent to the northwest of Wudinna on an area of up to 5 ha. The exact location of the village is being determined in consultation with Wudinna DC, but will be located within the investigation area shown in Chapter 4. The investigation area is currently utilised for agricultural purposes, with small strips of linear vegetation along property boundaries and at road frontages.

Wudinna DC is undertaking a structure planning process for the Wudinna township to support the establishment of the long-term employee village. That process is funded by Iron Road and will determine:

- The preferred location of the village
- Opportunities for co-sharing of facilities with the existing town
- Any infrastructure upgrades required to support the village
- Design features required to accommodate the village as a logical extension to Wudinna

Development of the long-term employee village within the investigation zone:

- Capitalises on the availability of existing infrastructure and services
- Allows for the co-sharing of infrastructure and facilities
- Provides opportunities for future residents to utilise the services and facilities within Wudinna
- Supports the integration of the village into the existing township

8.2.7 Land Tenure

This section identifies existing land tenure arrangements and restrictions on land including easements, rights of way and land management agreements.

The majority of the CEIP Infrastructure is located on private freehold land, with a number of public road reserves and small areas of crown land also proposed to be developed. Areas of crown land are shown in Figure 8-5.

During construction of the CEIP Infrastructure, it is likely that the majority of land within the CEIP Infrastructure footprint will be unavailable to farming due to security and safety reasons. Post construction, areas of the CEIP Infrastructure will be immediately rehabilitated and, where practical, reverted to agricultural use.

Port Site

In 2011 and 2012, Iron Road successfully negotiated the sale of all land required for the proposed port development at Cape Hardy after several one-one-one meetings with the respective landowners.

The Iron Road land holdings at the port site covers a total area of approximately 1,100 ha, comprising eight individual Certificates of Title (CTs) in the hundreds of Yaranyacka and Dixon. The area proposed to be developed (land within the security fence) comprises 461 ha, or 42% of the total land area. The balance of the Iron Road land holdings will likely continue to be leased for agricultural purposes. A summary of the property ownership details, including land in the coastal reserve, is included in Table 8-4.

Table 8-4 Property Ownership: Port Site

Ownership Details	Title Reference	Allotment ID	Other Information
IRD Port Assets Pty Ltd (formerly known as Eyre Properties Pty Ltd)	CT Volume 5417 Folio 221	Sections 372-375	Leased to local farmer
	CT Volume 5884 Folio 452	Allotment 1 DP 60630	Leased to local farmer
	CT Volume 5884 Folio 457	Allotment 6 DP60630	Leased to local farmer
	CT Volume 5921 Folio 502	Section 78	Leased to local farmer
	CT Volume 6012 Folio 415	Allotment 1 DP77432	Not leased
	CT Volume 6012 Folio 416	Allotment 2 DP77432	Leased to local farmer
	CT Volume 6103 Folio 433	Section 76	Leased to local farmer
	CT Volume 6103 Folio 432	Section 75	Leased to local farmer
Minister for Sustainability, Environment and Conservation	CR Volume 5768 Folio 546	Section 104	Runs north along the coast from Brayfield Road to the northern boundary of the port site
District Council of Tumby Bay	CT Volume 5884 Folio 461	Allotment 10 DP60630	Runs south along the coast from Brayfield Road to Kiandra Road and is crossed by the jetty

Iron Road will commence discussions with both the DC Tumby Bay and Minister for Sustainability, Environment and Conservation in relation to the proposed port development on Section 104 and Allotment 10, DP 60630 respectively.

Two easements exist on land at the port site, both of which are for water supply purposes. The easements vary between 6 m and 26 m in width, and travel through the southern portion of the port site (CT 5884/452 and CT 5884/457).

A land management agreement (LMA) has also been registered over the southern portion of the port site (CT 5884/452 and CT 5884/457) which was established to promote the development of low intensity rural living activity in a manner so as to retain existing native vegetation and maintain the existing rural and natural character.

Iron Road will discuss the easements and the LMA with the relevant parties and authorities with the objective to have them all either varied, moved or extinguished prior to construction of the port.

Infrastructure Corridor

Iron Road does not currently have ownership or the right to access all the property within the proposed infrastructure corridor or long-term employee village and will seek to negotiate the acquisition of portions or whole sections of land with each affected landowner in due course.

Existing land tenure for the proposed infrastructure corridor is a combination of land tenures such as freehold, Crown Reserves and Crown Leases held by various parties.

There are six small land parcels that contain Crown land vested in either the Minister for Sustainability, Environment and Conservation or the District Council of Cleve. In each case, the land is likely to be subject to native title rights and interests and therefore Iron Road has included each of those land parcels in the Indigenous Land Use Agreement that has been negotiated with the Barnjarla Aboriginal Corporation on behalf of the Barnjarla people. Matters relating to native title are discussed further in Chapter 19.

Establishing strong relationships with landowners whose properties are intersected by, bordering and/or adjacent to the proposed CEIP Infrastructure has been a priority for Iron Road. It has been important not only to understand concerns and specific issues facing each, but to involve those directly affected by the proposed infrastructure in the design of project alternatives where possible.

Meetings with directly-affected landowners along the proposed Infrastructure Corridor are ongoing and at various stages, depending on various factors such as the availability of the individual owners to meet with Iron Road, their respective feelings for the project, and the level of impact the CEIP Infrastructure will have on their properties.

Meetings to date have covered why the route has been chosen, the impacts on the land, generic discussions around compensation and possible purchase of land (whether it be a whole or part of the impacted property) and, importantly, design solutions to assist farmers with various matters such as:

- Stock access and movement
- Machinery access
- Farm access
- Business operations such as shearing and cropping impacts

Impact Management Plans (IMP) will be developed in conjunction with each landowner and set out what infrastructure would be required to assist farmers continue on with their business (such as stock crossings and culverts) and which can then be utilised in the engineering design of the Infrastructure Corridor. To date, IMPs have not been developed for all landowners but the aim is to have these in place and to advance compensation and purchase discussions during 2016.

Discussions and meetings with impacted landowners will also continue over the Construction and Operation phases of the CEIP Infrastructure.

In addition to the above individual meetings, Iron Road has hosted information sessions specifically for landowners along the proposed Infrastructure Corridor detailing general information regarding the EIS approvals process, engineering and design, and potential environmental impacts.

Long-Term Employee Village

As previously stated, the long-term employee village is proposed to be located northwest of Wudinna on an area of up to 5 ha immediately adjacent to the town, with the exact location and final layout of the village to be determined in consultation with Wudinna DC. The investigation area incorporates two separate private freehold land parcels that are both currently utilised for agricultural purposes, with small strips of linear vegetation along property boundaries and at road frontages.

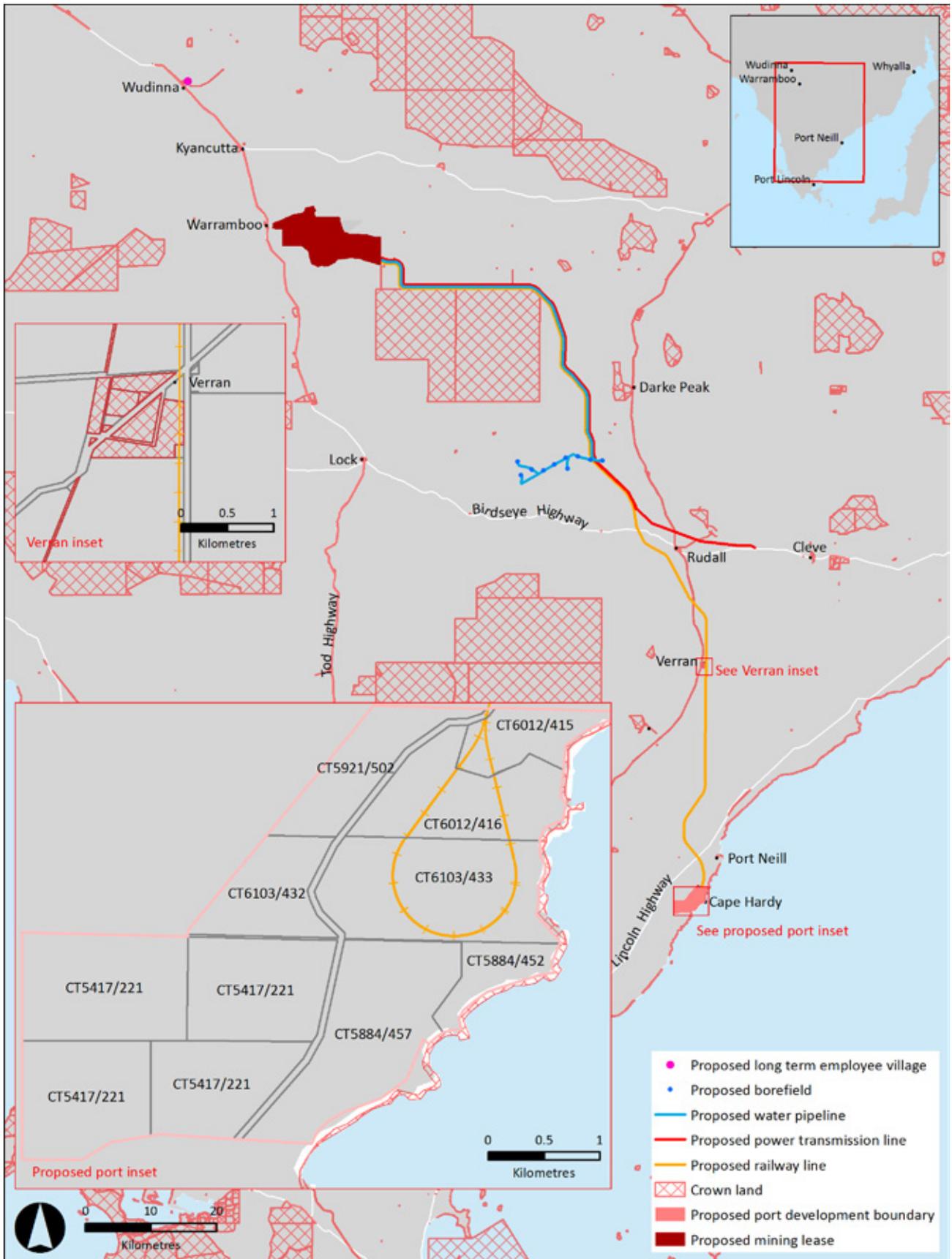


Figure 8-5 Land Tenure Within Infrastructure Corridor