

Hughenden Irrigation Project - Detailed Business Case

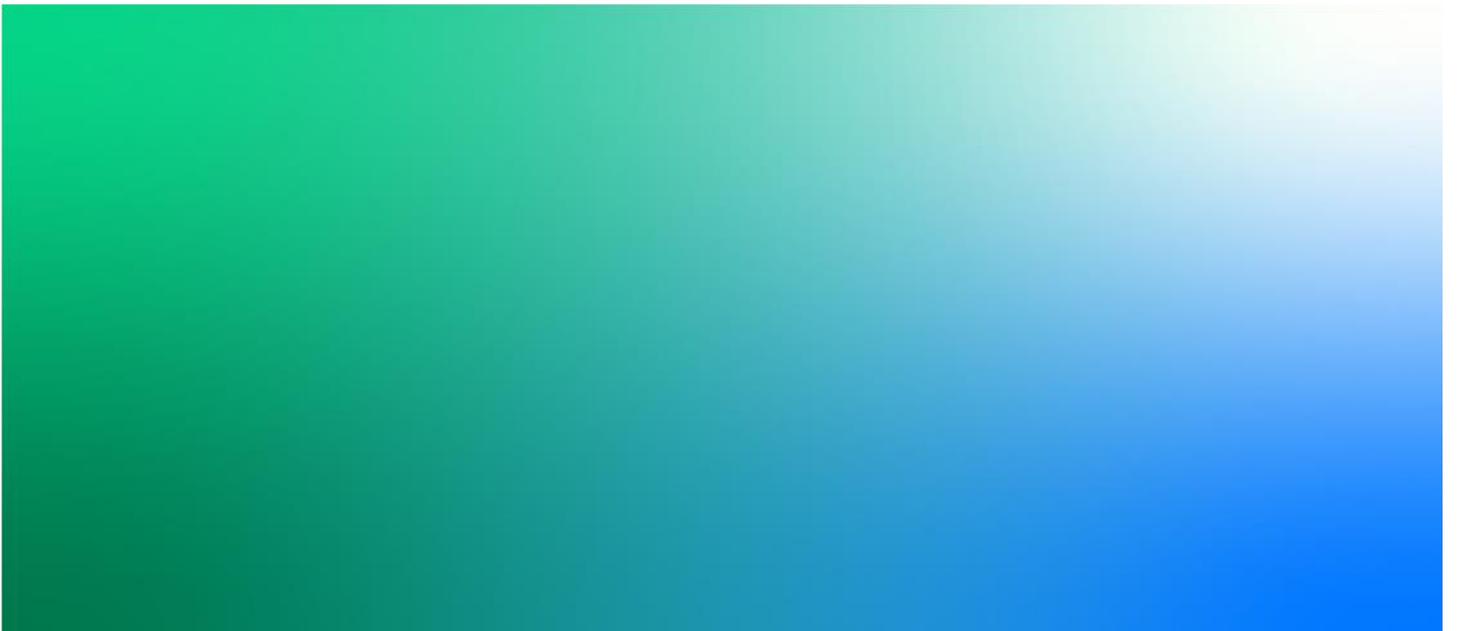
Land Use and Tenure

IS362200 | C

8 March 2022

HIPCo

Final DBC



Hughenden Irrigation Project Detailed Business Case

Project No: IS362200
Document Title: Land use and Tenure
Revision: C
Document Status: Final
Date: 8 March 2022
Client Name: HIPCo
Project Manager: John Moore
Author: Anne Cormack / Mitchell King
File Name: v2 Land Use and Tenure

Document history and status

Revision	Date	Description	Author	Checked	Reviewed	Approved
A	01/06/2021	Initial Issue	MK	AC	AC	
B	08/12/2021	Draft DBC	MK	AC	AC	JM
C	08/03/2022	Final DBC	MK	AC	AC	JM

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1. Purpose

The purpose of this document is to present a summary of the land use and land tenure of the project area and to assess the impacts of the project on these aspects. Hughenden region has long been a vibrant and integral part of the north Queensland, Queensland and Australian economies. It has been suffering long-term economic decline for several decades.

The region has abundant irrigable cropping lands but lacks a large-scale reliable water source. With the support of the Australian Government, and the vision and drive of local farmers and irrigators, the Hughenden Irrigation Project (HIP) has been developed to a stage where it demonstrates potential to harvest environmentally-sustainable water from the Flinders catchment and to store and deliver this water for new irrigation enterprises to transform currently underutilised grazing land into economically productive irrigated agriculture.

The proposed HIP will be transformational for the Hughenden Community and the broader region, by potentially reinvigorating local and regional economies and improve social disadvantages.

Through specific government allocated funds a Preliminary Business Case (PBC) for the HIP was undertaken by Engeny Water Management (Engeny) in 2019-2020, for the Client Hughenden Irrigation Project Corporation Pty Ltd (HIPCO). The PBC considered various site and layout options for the scheme, each with differing water storage volumes and yields.

This report provides an initial review of land use and tenure considerations and the identification of mitigation and management strategies throughout project phases.

1.1 Land Use

The project is located within an agricultural region of Queensland of significance to both the state, national and international markets, boasting some of the most productive agricultural land in the state. Accordingly, existing land uses within the project footprint are predominantly comprised of open pastures used for livestock grazing, with several small areas that are utilised for irrigated cropping activities (Figure 1 and Table 1).

The project ranges from 25 km to 45km from Hughenden, the principal urban centre for the Flinders Shire, however there a number of homesteads in close proximity to the project area, including:

- three (3) homesteads that are located within or within 1 km the irrigation area
- two (2) homesteads that are located within the irrigation area.

Further to the above, key local transport and power infrastructure located within the project area includes:

- Expressman Downs Road, a locally controlled road that is located within the proposed inundation area
- Old Richmond Road, Hughenden Marathon Road, Montel Road and Dalkeith Road, locally controlled roads that are located within the proposed irrigation area
- a stock route, which is located within the proposed irrigation area. The stock route spans east of Walkers Creek Lane and west of Old Richmond Road and is a segment of the Queensland stock route network.
- electricity infrastructure, including four substations and power lines within or adjoining the project area.

The project is also located in proximity of a number of watercourses of high biodiversity value, including Flinders River, Back Valley Creek, Stewart Creek and Jones Valley Creek. There are no protected areas or major features within the project area.

1.2 Tenure

Land within and adjoining the proposed inundation area is predominantly leasehold tenure, whereas the majority of land within the proposed irrigation area is characterised by freehold tenure. The project area impacts a range of locally controlled roads and a segment of stock route, which is identified as road reserve.

A summary of land tenure of properties impacted by the project is provided in Table 1 and Table 2.

Figures 2 & 3 illustrates Landuse and Tenure within and adjoining the project area.

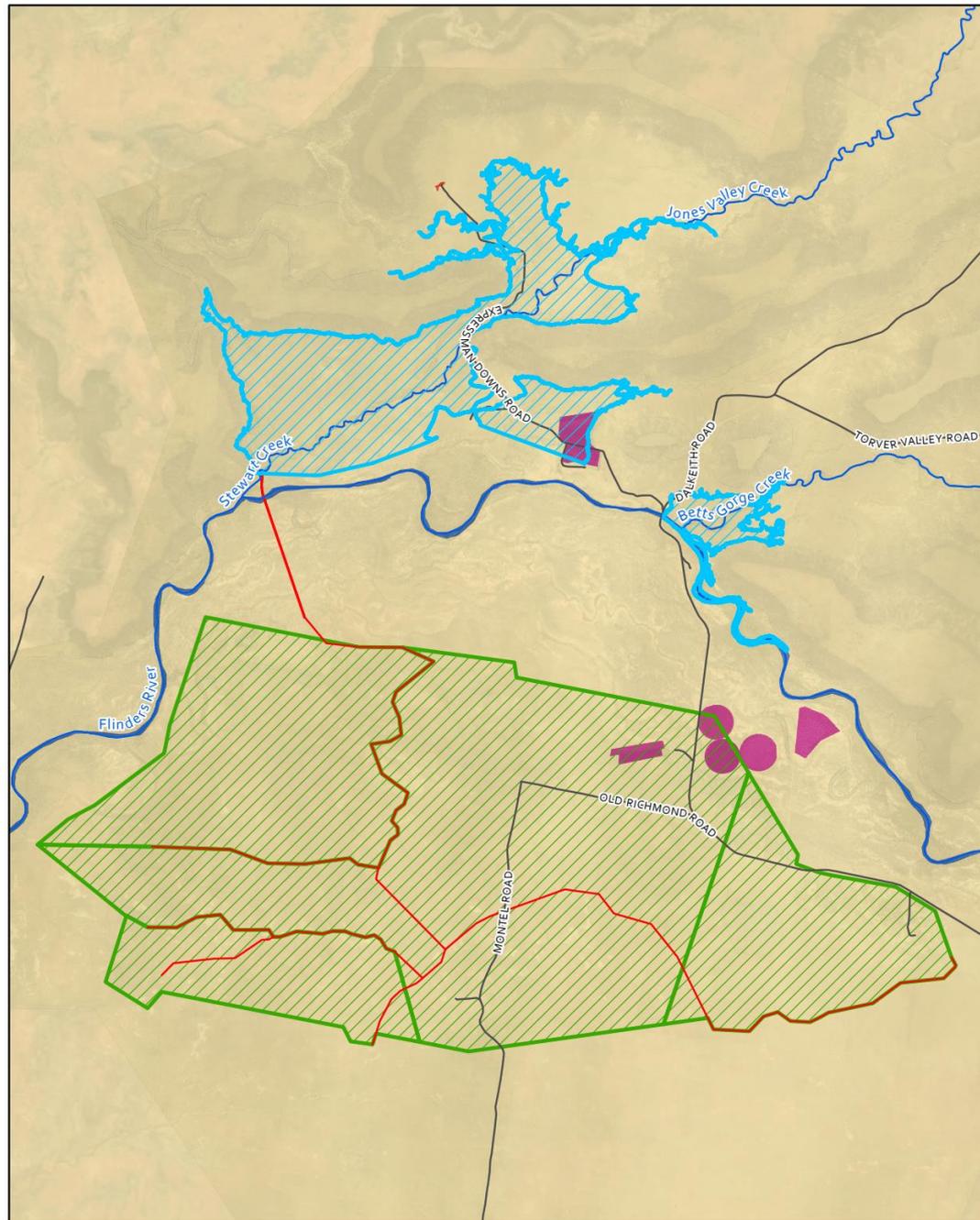
Table 1: Land tenure intersecting the project area

Tenure type	Number of parcels
Freehold	16
Lands lease	19
Reserve	1
Profit à Prendre	1
Road reserve or other	26
TOTAL	63

Table 2: Description of relevant land tenure or interests in land

Tenure or Interest type	Description
Freehold	Land for which the property title has been purchased in fee simple from the state, giving the title holder the right to use and occupy the land.
Lands lease	Lands made available to a party by the state for exclusive possession for a particular purpose (e.g. agricultural, tourism, business, or residential purposes). Leased land is typically granted for a specific period, at which time the lease expires, and the leaseholder loses possession of the land.
Reserve	Unallocated state land dedicated as a reserve for a community or public purposes (e.g. open space, parks, public halls). Trustees may be appointed to run the reserves; however, the state retains ownership of the land.
Road reserve	Land dedicated and opened for public use as a road. This includes a stock route declared under the <i>Stock Route Management Act 2002</i> .
Profit à Prendre	An interest in land that relates to the right of one party to enter upon the land of the other for the extraction of resources (e.g. sand, gravel, trees, etc).

Figure 1: Landuse



Legend

- Full Supply Level (FSL) at 265.1m
- Irrigation Area
- Grazing native vegetation
- Irrigated cropping
- Watercourse
- Landuse
- Farm buildings/infrastructure
- Irrigation Network Lines
- River

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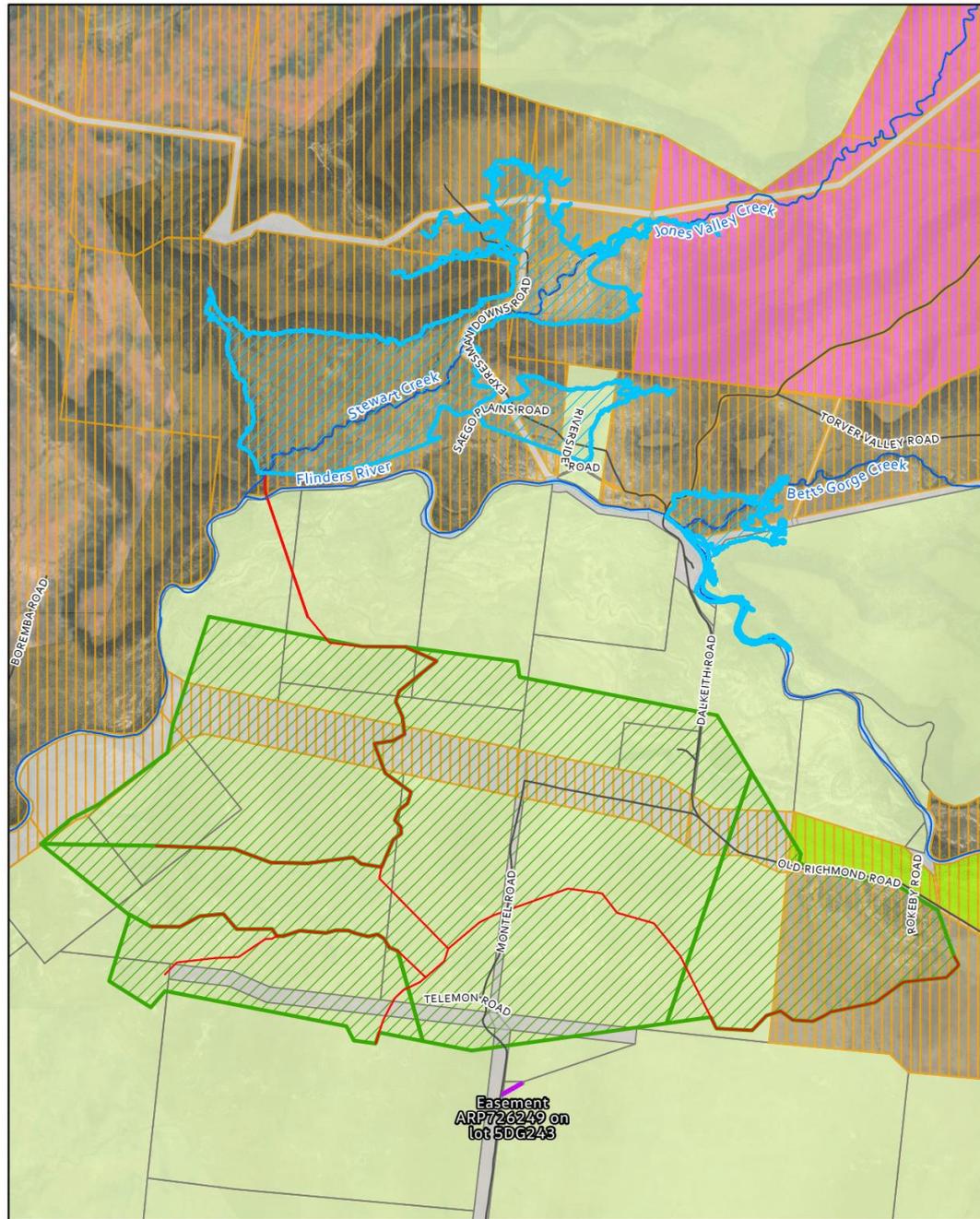
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Hughenden Irrigation Scheme DBC

Source: DNRME: Road, Landuse (2020); Metromap: Imagery (2020)

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Figure 2: Tenure



Legend

- | | | | |
|--------------------------|-----------------------------------|------------------|---------------------|
| Watercourse | Full Supply Level (FSL) at 265.1m | Freehold | Reserve |
| Irrigation Network Lines | Irrigation Area | Lands Lease | Watercourse Reserve |
| Road | Easement | Profit à Prendre | Road Reserve |

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Hughenden Irrigation Scheme DBC

Source: DNRME: Road (2020); TMR: Crash (2018); Metromap: Imagery (2020)

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1.3 Potential land use and tenure impacts

The project is expected to have a range of impacts on land use and tenure within the project area. Construction-related impacts are expected to result in relatively short-term impacts, while operational impacts will result in permanent changes to land use and tenure within the project area.

A summary of potential land use and tenure impacts, and relevant mitigation and management measures are identified in **Table 3**.

Table 3: Potential land use and tenure impacts and mitigation measures

Project Phase	Impact	Mitigation measures
Pre-construction	Native title implications associated with development on Crown Land and land not subject to a previous exclusive possession act.	In Queensland, the Native Title Work Procedures have been established to ensure that land dealings involving all state government departments and agencies appropriately consider and satisfy the requirements of the Commonwealth NT Act. All land dealings within the corridor are required to be assessed in accordance with the Native Title Work Procedures to ensure that native title rights and interests are appropriately considered and addressed.
Pre-construction	Land required to facilitate establishment of irrigation area, inundation area and associated infrastructure.	Land acquisitions will be managed through consultation with affected property owners, Traditional Owners and government agencies as appropriate. Potential impacts on property will be described in detail in the subsequent Environmental Impact Statement (EIS)
Construction	Key infrastructure within the project area includes a number of locally controlled roads, a stock route and electricity infrastructure.	The current layout of the irrigation area does not require any amendment of the stock route. In the event the irrigation area is amended that will require realignment of the stock route then further engagement with the Department of Resources (DoR) will be required to determine the process to close the existing segment of stock route and establish it in a new alignment.
Construction	Private land along the water distribution route will be temporarily required for construction of the pipeline and associated worksites and laydown areas.	Where construction of the infrastructure associated with the project must occur on private properties, landholder agreements with affected property owners will be established. The land will be fully reinstated following construction.
Construction	Temporary disruption to private property access.	Property access impacts will be managed through consultation with affected property owners and the establishment of landholder agreements for temporary construction activities. Where local roads are impacted by project works, consultation with Flinders Shire Council will be undertaken to determine options to establish alternative routes.

Construction	Vegetation clearing activities.	The project design will seek to minimise impacts on remnant vegetation, riparian areas and sensitive ecological areas where practicable. Horizontal directional drilling will be used under riparian corridors, including the Flinders River, to mitigate impacts to riparian values where practicable.
Construction / Operation	Construction and maintenance of irrigation scheme infrastructure assets.	Where private land will be occupied by permanent project infrastructure and assets and not owned by the irrigation scheme operator (e.g. pipeline infrastructure traversing through private property), easements will be established to secure the use and access rights. Easements over private land will be perpetual and in favour of the owner of the irrigation scheme.
Operation	Impact to local homesteads.	The project is anticipated to directly impact on approximately five homesteads which are located within or directly adjoining the irrigation and inundation areas. These homesteads will likely be acquired by the project, with property owners compensated financially or through the provision of alternative land. Some short-term impacts to other nearby homesteads may occur during future maintenance works along the pipeline corridor.
Operation	Increased water availability and reliability for customers of the irrigation scheme, increasing the agricultural land base and supporting the establishment of new and diversified agricultural uses and associated rural industry uses (i.e. processing of produce or crops).	No mitigation/management measures are required.

Following on from advice provided during the PBC, further engagement has occurred with the Department of Resources regarding changes to the stock route segment that runs through the project irrigation area. Advice has been sought in relation to the minimum dimension requirements for the stock route and the permit requirements to formally establish a revised stock route.

Initial advice from the Department of Resources is that the following will be required:

- Road closure permit under the Land Act 1994
- Permit to open a road under the Land Act 1994 (could be made simultaneously with road closure if appropriate)
- Surrender permit to occupy (existing stock route) under the Land Act 1994
- Permit to occupy (new stock route, if required) under the Land Act 1994.

A new permit to occupy will be required for irrigation pipelines, pumps or associated water infrastructure is to be located within the stock route. Engagement is also being undertaken with Flinders Shire Council in relation to changes to the stock route, as the Council is the trustee of the road reserve.