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**Ref:** LE-LET-00721

21 February 2022

Cody Rampant  
Manager – Land Management North  
Department of Planning, Lands and Heritage  
140 William Street  
Perth WA 6000

Dear Cody

**Re: ROY HILL INFRASTRUCTURE PTY LTD:  
APPLICATION FOR SECTION 91 LICENCE – RAIL INVESTIGATION LICENCE**

Roy Hill Infrastructure Pty Ltd (**RHI**), a subsidiary of Hancock Prospecting Pty Ltd (**HPPL**), operates the Roy Hill Railway (**Railway**). HPPL is currently in the pre-feasibility phase of its Mulga Iron Ore Project, and a railway spur line from the Mulga Downs Iron Ore mine site to chainage 185 of the Railway is being considered as a viable haulage option.

This letter is an application for a licence under section 91 of the *Land Administration Act 1997* (**Rail Investigation Licence**) required for land access and to undertake investigation studies to determine the feasibility and preferred alignment for the railway spur line.

The proposed investigation studies will guide the detailed engineering design to further reduce the corridor and confirm the location of the rail centreline. The investigation studies will consist of geophysical, geotechnical and hydrogeological drilling, digging test pits and costeans, taking of borrow, track clearing, environmental and Aboriginal heritage surveys. Information collected will be used in the preparation of detailed proposals for the construction and operation of a Railway spur line.

As part of the application process for the Rail Investigation Licence, RHI is consulting with interest holders in order to obtain consent regarding the grant of the Rail Investigation Licence. Such consents will form part of the supporting documentation submitted to the Department of Planning, Lands and Heritage (**DPLH**).

The following information is included in this application letter:

- description of the field investigations to be performed under the Rail Investigation Licence.
- maps depicting the land footprint of the proposed Rail Investigation Licence, inclusive of the location of the potential rail alignment 8B or 1B [shapefile is provided with this application].
- copies of consents obtained from interest holders to date.

## Consultation with State Government

RHI and HPPL have had ongoing discussions with the Department of Jobs, Tourism, Science and Innovation (**JTSI**) to develop Project Expansions contemplated by the Roy Hill (*Railway Infrastructure Pty Ltd*) Agreement Act (**State Agreement**), for a Railway spur line, associated roads and infrastructure to support the Mulga Downs Iron Ore Project.

To progress the necessary field studies contemplated under clause 5 of the State Agreement, RHI requires a Rail Investigation Licence ahead of the endorsement of tenure under the State Agreement.

### Roy Hill Railway Spur Line to Mulga Downs Iron Ore mine-site

The proposed Railway spur line is approximately 62km in length and will link the Mulga Downs Iron Ore mine-site (mining lease 47/1621) to the Railway infrastructure to enable transport and subsequent export of iron ore via Roy Hill's port facilities at Port Hedland.

The proposed Railway spur line will interface with existing railways, Mount Newman railway located on General Lease I154279 over Lot 65 on Plan 048920, owned and operated by BHP, and The Pilbara Infrastructure (**TPI**) railway, owned and operated by Fortescue Metals Group (FMG).

The proposed Rail Investigation Licence footprint extends over 2,000-metre width and encompasses two potential rail alignments referred to as 8B and 1B. Only one of these alignments will be required once the necessary studies have been completed. Deviation outside the Rail Investigation Licence footprint is not expected.

The methodology for route selection was a staged approach of multi-criteria analysis techniques to screen out unsuitable areas and identify broadly suitable areas using a geographic information system database that allowed multiple layers of environment, heritage, social and engineering information to be mapped and analysed.

### Field Investigations

RHI proposes to undertake the geotechnical, environmental and heritage investigations that are required to provide data to inform the detailed design for the construction and operation of the Railway spur line.

The geotechnical and engineering investigations that will be completed within and along the entire length of the Rail Investigation Licence footprint include:

- approximately 472 test pits for rail alignment
- approximately 38 boreholes to determine cutting design parameters along rail alignment
- approximately 20 costeans along the rail alignment
- Water crossing site boreholes: approximately 18 boreholes to provide parameters for designing bridge crossings
- Existing infrastructure - Railway(s) and Great Northern Highway crossing site boreholes: approximately 9 boreholes to provide parameters for designing bridge crossings
- Borrow pits testing: testing for borrow material suitability will require approximately 496 test pits
- Water exploration for construction water: approximately 10 bores to define a construction water source
- Access road along the potential rail alignments: to provide access for vehicle and test equipment along the length of the potential alignment

Indigenous heritage surveys will be undertaken prior to the commencement of any ground disturbance and any site found will be avoided or approval to disturb obtained under section 18 of the *Aboriginal Heritage Act 1978*.

Flora and Fauna surveys will also be undertaken prior to the commencement of any ground disturbance. Should any Priority flora or fauna species be identified, we will endeavour to minimise the area of clearing/impact.

Native Vegetation Clearing Permit/s will be obtained where required prior to any ground disturbance.

At the completion of the investigations, the disturbed areas will be rehabilitated in compliance with the provisions of Rehabilitation Guidelines for Mineral Exploration Activities.

## Interest Holders

RHI has identified all interest holders affected by the proposed Rail Investigation Licence application area and commenced the process of consulting and liaising with them to assist in expediting the approval process.

Interest holders consents or support to this application are contained at Appendix 2.

### • Local Government Authorities

The Rail Investigation Licence application area is located within the confines of Local Government Authorities (**LGA**) Town of Port Hedland, Shire of East Pilbara and Shire of Ashburton.

RHI has consulted with all three LGA's and all raise no objection to the proposed activities.

RHI notes that both rail alignments, 8B or 1B, will cross Great Northern Highway and various road reserves and as such RHI intends to consult and engage with Main Roads WA once the investigation studies are complete and a final rail alignment is determined.

### • Mining Act Tenements

RHI understands that the DPLH will seek comment from the affected tenement holders as part of preparing advice for the Minister under section 16(3) of the *Mining Act 1978*.

The following affected mining tenements are identified:

Tenement ID	Tenement Type	Status	Registered Holder
E45/3593	Exploration Licence	Live	Mulga Downs Iron Ore Pty Ltd ( <b>MDIO</b> )
E45/4231	Exploration Licence	Live	MDIO
E45/4417	Exploration Licence	Live	MDIO
L45/380	Miscellaneous Licence	Live	Mulga Downs Investments Pty Ltd & Mulga Downs Iron Ore Pty Ltd (MDIO & MDI)
L45/381	Miscellaneous Licence	Pending	MDIO & MDI
L45/382	Miscellaneous Licence	Pending	MDIO & MDI
L45/383	Miscellaneous Licence	Live	MDIO & MDI
L45/384	Miscellaneous Licence	Live	MDIO & MDI
L45/447	Miscellaneous Licence	Pending	MDIO & MDI
M47/1621	Mining Lease	Pending	MDIO & MDI
R47/12	Retention Licence	Live	MDIO & MDI
E45/4501	Exploration Licence	Live	Central Pilbara North Iron Ore Pty Ltd (CPNIO)
E45/4389	Exploration Licence	Live	CPNIO
E47/2044	Exploration Licence	Live	CPNIO
AL70/04	Miscellaneous Licence SA	Live	Roy Hill Infrastructure Pty Ltd
E45/5162	Exploration Licence	Live	CV Extractives Pty Ltd (CV Extractives)

E45/5767	Exploration Licence	Pending	CV Extractives
E45/4964	Exploration Licence	Live	CV Extractives
E45/5832	Exploration Licence	Pending	CV Extractives
L45/610	Miscellaneous Licence	Pending	CV Extractives
E45/5814	Exploration Licence	Pending	Archipelago Nominees Pty Ltd (Archipelago Nominees)
L45/503	Miscellaneous Licence	Live	Archipelago Nominees
L45/579	Miscellaneous Licence	Pending	Archipelago Nominees
L45/580	Miscellaneous Licence	Pending	Archipelago Nominees
L45/581	Miscellaneous Licence	Pending	Archipelago Nominees
M45/1276	Mining Lease	Live	Archipelago Nominees
AL70/01*	Miscellaneous Licence SA	Live	The Pilbara Infrastructure Pty Ltd
L45/457*	Miscellaneous Licence	Live	Pilbara Energy Company Pty Ltd
L45/513*	Miscellaneous Licence	Live	Pilbara Energy (Generation) Pty Ltd (Pilbara Energy Generation)
L45/618*	Miscellaneous Licence	Pending	Pilbara Energy Generation
L45/621*	Miscellaneous Licence	Pending	Pilbara Energy Generation
E45/5940	Exploration Licence	Pending	Yandan Gold Mines Pty Ltd
E45/4990*	Exploration Licence	Live	Proterozoic Gold Pty Ltd
E45/6072*	Exploration Licence	Pending	Rio Tinto Exploration Pty Ltd

**\*Denotes outstanding consents from those interest holders**

#### Outstanding Consents Update

- Consent from FMG has only recently been actioned (10 February 2022);
- Consent from Proterozoic Gold Pty Ltd only remains outstanding due to COVID travel restrictions upon the company director, currently in Canada. A process to obtain written consent is underway; and
- Consent from Rio remains outstanding and has been followed up regularly.

Subsequent to this application, all outstanding consents will be provided as received.

#### • **Pastoral Lease Holders**

Pastoral lease N050370 Mulga Downs Station is identified as an affected interest holder. Hancock Prospecting Pty Limited and G.H. Rinehart, trading as Mulga Downs Station, has consented to access and for the investigation activities to be undertaken.

Please refer to Appendix 1 for a map depicting the intersect of the Rail Investigation Licence application area and the pastoral lease.

#### • **Native Title Parties**

The following Native Title Parties are identified as affected interest holders:

- Banjima People
- Kariyarra
- Palyku Part A

Please refer to Appendix 1 for a map depicting the boundaries of the Native Title determination area within the proposed Rail Investigation Licence application area.

Land access agreements for the construction and operation of the Railway and Port Facilities were executed with the Kariyarra and Palyku in 2010. RHI has commenced consultation with the Kariyarra and Palyku People to re-negotiate these agreements.

The Kariyarra people have consented to access and for the investigations studies to be undertaken.

RHI does not hold a land access agreement with the Banjima People; however, consultation and negotiations with the Banjima People are currently being undertaken by RHI & HPPL.

- **Other Significant Tenure Interests**

Portions of both potential rail alignments, 8B and 1B, traverse Yandeyarra Aboriginal Reserve 31428 (**Yandeyarra**).

Mugarinya Community Association Inc (**Mugarinya**) are the custodians of Yandeyarra and carry out pastoral operations on the land.

RHI & HPPL have commenced consultation with Mugarinya as part of this process and are working to secure Mugarinya's consent to the licence.

## **Appendix 1**

Series of maps depicting proposed Railway Investigation Licence application area, inclusive of potential alignments 8B and 1B and:

1. LGA intersects
2. Native Title intersects
3. Pastoral Lease intersects

## **Appendix 2**

Consents from interest holders:

1. Archipelago Nominees Pty Ltd
2. CV Extractives Pty Ltd
3. Central Pilbara North Iron Ore Pty Ltd
4. Mulga Downs Iron Ore Pty Ltd
5. Mulga Downs Iron Ore Pty Ltd & Mulga Downs Investments
6. Yandan Gold Mines Pty Ltd
7. Kariyarra Aboriginal Corporation RNTBC ICN 8355
8. Hancock Prospecting Pty Limited and G.H. Rinehart, trading as Mulga Downs Station
9. Town of Port Hedland
10. Shire of Ashburton
11. Shire East Pilbara

RHI respectfully request the DPLH commence processing this application. Should additional information be required from RHI please do not hesitate to contact me at [anna.oxford@royhill.com.au](mailto:anna.oxford@royhill.com.au)

Kind regards,



Annie Oxford  
Specialist Tenements and Land Tenure  
Roy Hill