it is providing a means of employment that is keeping the people in the town; and, naturally, these people pay rates on the homes they occupy in the township areas. However, this is only my point of view, but I sympathise with those districts which are faced with these problems, because I have many of them in my own electorate. The problem that is faced by those districts is that rating is restricted and they are expected to provide some of the facilities required on these Government reserves.

I do not wish to labour the point. I merely wish to give my general approval to the Bill. It has been approved by members of the Opposition and I feel sure that the amendments contained in it are justified, and that we will have many more before us in the future, because local government, being such a complex matter, has to be kept up to date. Therefore it is necessary to bring forward amendments to the Act during every session in order to keep local government on a proper level. I support the Bill.

Debate adjourned, on motion by Mr. Norton.

ADJOURNMENT OF THE HOUSE

MR. COURT (Nedlands—Minister for Industrial Development) [6.6 p.m.]: I move—

That the House do now adjourn.

The SPEAKER: Before I put the question I presume that the screening of a film will still be made this evening. I therefore remind members that the film will be screened at 6.45 p.m.

Question put and passed.

House adjourned at 6.7 p.m.

Legislative Assembly

Thursday, the 23rd April, 1970

The SPEAKER (Mr. Guthrie) took the Chair at 2.15 p.m., and read prayers.

BILLS (3): RETURNED

1. Kewdale Lands Development Act Amendment Bill.
2. Taxation (Staff Arrangements) Act Amendment Bill.
3. Acts Amendment (Commissioner of State Taxation) Bill.

Bills returned from the Council without amendment.

QUESTIONS (23): ON NOTICE

1. LAND

Resumptions: Kewdale Marshalling Yards

Mr. TONKIN, to the Minister for Works:

(1) Did he see in Tuesday's *Daily News* under the caption "Kewdale man upset over resumption" a statement to the effect that farmer Fred Everitt had accused the Public Works Department of callousness towards people affected by land acquisition for the Kewdale marshalling yards?

(2) Were the areas and amounts of money mentioned correct?

(3) How does he reconcile the amount of $22,000 said to be the sum offered for 13½ acres with the sum of $163,835 paid for 14¾ acres of land as part purchase of a total of 24¾ acres for a site for the Morley High School?

(4) Why is land being resumed for marshalling yards and not for school sites?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) Yes.

(3) Firstly, there is a difference in time. The sum of $22,000 mentioned refers to land acquired for Forrestfield marshalling yards. It was originally referred to as Kewdale and date for valuation is the 28th July, 1966.

Statutorily correct date for valuation is the 3rd August, 1961, in accordance with provisions of the Public Works Act and Standard Gauge Railway Act. The 28th July, 1966, was adopted for reasons of equity because it is the date which would apply if the Kewdale Lands Development Act, which authorised the work, was the enabling Act. Property owners were not notified until January, 1967.

Land for Morley High School has valuation dates the 8th October, 1969, and the 9th January, 1970.

Secondly, there is difference in zoning. Forrestfield land is zoned "rural"; Morley land is zoned "deferred urban".

Activity on the real estate market indicates three facts—

(i) The general level of values in 1969-70 is higher than in 1966.

(ii) The general level of values for "deferred urban" zoned land is higher than for "rural" zoned land.

(iii) The general level of values for land in the Morley area is higher than for land in the Forrestfield area.

(4) Wherever possible land is purchased by agreement for both marshalling yards and school sites in accordance with the provisions of the Public Works Act.

The Act provides for resumption but it is departmental policy not to resume except for technical reasons or as a last resort.

2. MEDICAL SERVICES

Goldfields

Mr. T. D. EVANS, to the Minister representing the Minister for Health:

(1) Is it a fact that in discussions between officers of his department and Goldfields Medical Fund (Inc.) personnel approximately 12 months ago concerning medical services in the goldfields and the shortage of practitioners to provide these services, an assurance was given that his department would co-operate in attracting further doctors to that area?

(2) Is he aware that medical services to Kambalda because of pressure of work at the Medical Clinic in Kalgoorlie are likely to be soon withdrawn?

(3) Does he agree that the situation on the goldfields presents a serious medical and sociological problem?

(4) What steps is his department prepared to take to have the position alleviated?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) The possibility has been brought to the notice of the department.

(3) Potentially yes.

(4) See (1). The department is keeping in touch with the situation and will assist where practicable.

3. WANNEROO ROAD

Widening

Mr. GRAHAM, to the Minister for Works:

(1) Are there any factors responsible for the delay in widening Wanneroo Road?

(2) When is it likely that work will be commenced on upgrading this important and increasingly used arterial roadway due to present and planned urban development plans?

Mr. ROSS HUTCHINSON replied:

(1) The Main Roads Department is aware of the increasing importance of Wanneroo Road to serve planned urban development. Agreement has been reached in principle with the Perth Shire Council in respect to a financial contribution towards major works on this road in its area. Plans are to be developed by the council.

(2) Date of commencement of works is a matter for the shire council.

4. MR. W. J. HEWETT

Wool Buying Operations

Mr. MITCHELL, to the Minister for Agriculture:

(1) Can he advise if Mr. W. J. Hewett of Wool Exporters fame is again operating as a wool buyer?

(2) How many companies is he now known to be in charge of or associated with?

(3) Is he a private buyer or does he operate on the auction floor?

(4) What is the business address from which he operates?

(5) Is it a fact that he has just built new offices from which to operate?

Mr. NALDER replied:

(1) to (5) I am unable to provide any information on the questions asked by the honourable member.

5. WATER SUPPLIES

Mt. Barker

Mr. MITCHELL, to the Minister for Water Supplies:

(1) Is he aware that the water supplied to Mt. Barker is at times a very bad colour and has a most unpleasant odour?

(2) What action, if any, is to be taken to see that the water is suitable for human consumption?

(3) What treatment is given to the water to assure its purity?

(4) Is he aware that this water is being used at the abattoir for cleaning purposes?

(5) Would this water, if used, be of sufficient purity to ensure a meat export license being granted to the works?

Mr. ROSS HUTCHINSON replied:

(1) The water has a slight peat stain and minor taste and odour problems can occur particularly in the autumn.

(2) Water is chlorinated and meets public health requirements.

(3) Answered by (2).

(4) The abattoir has a service off the town water supply scheme but whether it is used for cleaning purposes is not known.

(5) I understand that it is probable that further treatment would be required at the abattoir to meet the stringent standards applying to meat for export.

6 and 7. *These questions were postponed.*

8. LAND

Resumptions: Town Planning

Mr. BRADY, to the Minister representing the Minister for Town Planning:

(1) What amount of money has been paid to land owners for property resumed for town planning for the years 1960 to 1969?

(2) What criteria are used for paying out individual property owners?

Mr. NALDER replied:

(1) The accounts of The Metropolitan Region Planning Authority do not differentiate between resumption and negotiated purchase. Such information could only be obtained by examining each transaction individually. The total amount spent on land purchases between June, 1960, and June, 1969, was $11,809,089.

(2) Resumption is conducted in accordance with the provisions of the Public Works Act.

9. VICTORIA STREET, MIDLAND

Extension

Mr. BRADY, to the Minister for Works:

(1) Has any finality been reached in regard to extending Victoria Street, Midland, through Midland railway property?

(2) If "Yes" when will the new street be connected with Great Eastern Highway?

Mr. ROSS HUTCHINSON replied:

(1) No. Further discussion is still required with the local authority in respect to this proposal.

(2) Answered by (1).

10. MIDLAND JUNCTION ABATTOIR

Cooling System

Mr. BRADY, to the Minister for Agriculture:

(1) Has the cooling system required at Midland abattoir been installed as recommended by the Industrial Commissioner early in 1969?

(2) What has been the cause of the delay in providing the new cooling system?

Mr. NALDER replied:

(1) Yes.

(2) Delay in the manufacture and provision of equipment from both the Eastern States and overseas.

11. NURSING CENTRE

Bunbury

Mr. WILLIAMS, to the Minister representing the Minister for Health:

(1) Are plans and specifications completed or nearing completion for the long term nursing care centre at Bunbury?

(2) When will tenders be—

(a) called;

(b) closed?

(3) When is it anticipated construction would be completed?

(4) Will construction be in stages?

(5) What number of patients will be provided for in each stage or in total?

(6) What are the general details of the design and layout?

(7) Could he supply a ground plan or artist's impression at this stage?

Mr. ROSS HUTCHINSON replied:

(1) Documents are completed and are with the quantity surveyor.

(2) (a) Tenders will be called on the 4th May, 1970.

(b) Tenders will close on the 25th May, 1970.

(3) Construction should be completed in May, 1971.

(4) Yes. Tenders to be called on the 4th May, 1970, are for stage 1 only.

(5) The first stage will contain 48 beds and a second stage 16 beds making a total of 64 beds when the project is completed.

(6) The concept of this project is a complex of buildings which integrate into one whole unit. The complex will consist in its completed stage of four living units each of 16 beds and a central area that will contain sitting, dining, occupational and physiotherapy space together with administration and other service rooms. Each nursing unit will be complete with all necessary nursing facilities.

The character of the architecture is domestic. The complex of buildings will provide a number of sheltered courtyards to enable patients to move about "outdoors" when the weather permits.

This plan has been devised as a standard unit to be built alongside regional hospitals commencing with Albany, tenders for which close on the 28th April.

(7) Floor and block plans have been tabled for one week.

I ask that the accompanying document which has been requested and the model be tabled for one week.

The document and model were tabled.

12. TRAFFIC

Police Control in Local Government Areas

Mr. H. D. EVANS, to the Minister for Police:

(1) In instances where the Police Traffic Branch takes over traffic control of local government bodies will vehicle owners be able to retain and use existing license plates?

(2) If not, will owners be responsible for the purchase of new license plates?

Mr. BOVELL (for Mr. Craig), replied:

(1) No.

(2) Not if reflective plates are fitted to the vehicle.

13. ELECTRICITY SUPPLIES

Scale of Charges: South-West

Mr. H. D. EVANS, to the Minister for Electricity:

(1) What is the current scale of charges which applies to both commercial and domestic users of electricity in the south-west?

(2) What will be the scale of charges as proposed in a recent announcement by the Premier?

(3) From when will these charges take effect?

Mr. NALDER replied:

(1) Electricity:

First 12 units per month—5.80c per unit.

Next 12 units per month—4.10c per unit.

Next 4,976 units per month—2.70c per unit.

Next 135,000 units per month—1.85c per unit.

Next 360,000 units per month—1.65c per unit.

All over 500,000 units per month—1.40c per unit.

For three shift industry only, when approved, all units over 1,000,000 per month—1.25c per unit.

Minimum Charge: At the rate of $1 per quarter.

(2) Commercial: As above.

Domestic:

For domestic purposes only—private residences and flats—not hotels, boarding houses or residences used partly for business: A fixed charge at the rate of $1 per quarter and all metered units at 2.3c per unit.

Combined Domestic and other Lighting and Power:

To apply where a permanently occupied residence is attached to a connection where electricity is also used for commercial or primary production purposes:

A fixed charge at the rate of $1 per quarter and all metered units at—

First 180 units per month—2.30c per unit.

Next 4,820 units per month—2.70c per unit.

Next 135,000 units per month—1.85c per unit.

The balance will follow the normal country tariff.

(3) New tariffs will take effect from the 1st September, 1970.

14. RAILWAYS

Brunswick Junction-Collie

Mr. JONES, to the Minister for Railways:

(1) Has a decision been made to upgrade the Brunswick Junction-Collie section of railway line?

(2) If "Yes" when will the work commence and what is the anticipated finishing date?

(3) Will the work be let out on contract or will it be performed by W.A.G.R. labour?

Mr. O'CONNOR replied:

(1) No.

(2) and (3) Answered by (1).

15. ELECTRICITY SUPPLIES

Power Crisis

Mr. JONES, to the Minister for Electricity:

(1) Is the Press report in *The West Australian* correct wherein it is quoted that a power crisis exists and power cuts have been introduced?

(2) Is the Press report correct where it is also stated that power units at the South Fremantle and Bunbury power houses are under annual overhaul?

(3) If "Yes" why was not the overhaul undertaken during the summer months during the low load period?

(4) During the reported crisis period were all units at the Bunbury and Collie power houses working to full capacity?

Mr. NALDER replied:

(1) The words "power crisis" introduce considerable exaggeration of the condition. A fairer statement would be that abnormal weather conditions resulted in a higher load being presented for one hour than the generating plant could meet.

(2) Yes.

(3) Power station maintenance is a continuing process during the lower load periods of the year with all plant available during the normal winter conditions.

(4) The last of the four units at Bunbury Power Station was concluding its annual overhaul. Three very small units at Collie Power Station were undergoing repairs.

16. EDUCATION

Bassendean State School

Mr. BRADY, to the Minister for Education:

(1) In view of flooding at Palmerston Square, near the State school, Bassendean, by winter rains, is any alternative playing ground being arranged for the school children?

(2) Have five properties been purchased in anticipation of extending existing school grounds?

(3) When is it expected the existing school grounds will be extended?

Mr. NALDER (for Mr. Lewis), replied:

(1) Additional land is being acquired to increase the school playing facilities.

(2) Yes.

(3) This will be dependent upon the date of acquisition of the remaining properties.

17. WOOL

Method of Sale

Mr. McPHARLIN, to the Minister for Agriculture:

Referring to the answer to my question on Tuesday the 21st April—

(1) Does the action of selling wool firm by wool traders before it is auctioned contravene the Sales by Auction Act?

(2) Will he take further action to have the matter investigated in an endeavour to obtain more details of this undesirable practice?

Mr. NALDER replied:

(1) No.

(2) As there is no contravention of the Act, no action is envisaged.

18. DEPARTMENT OF AGRICULTURE

Field Technicians and Assistants

Mr. I. W. MANNING, to the Minister for Agriculture:

(1) Adverting to my question of the 21st October, 1969, under the heading of "Field Technician or Field Assistant" what number of young men have been appointed to the department since the 21st October, 1969?

(2) To which centres were appointments made?

(3) What number of vacancies currently exist in the Department of Agriculture for—

(a) field technicians;

(b) field assistants?

Mr. NALDER replied:

(1)

Field Technicians	4
Field Assistants	28
Total	32

(2)

Centres	Field Technicians
Narrogin District Office	1
Medina Research Station	1
South Perth	1
Stoneville Research Station	1
	4

Centres	Field Assistants
Avondale Research Station	1
Derby District Office	1
Esperance District Office	1
Fitzroy Pastoral Research Station	1
Katanning District Office	2
Lake Grace District Office	1
Moora District Office	1
Narrogin District Office	1
Medina Research Station	2
Northam District Office	1
Ord River	1
South Perth	9
Stoneville Research Station	1
Wokalup Research Station	1
Wongan Hills Research Station	4
	28

(3)

(a) Field Technicians	9
(b) Field Assistants	18
Total	27

19. *This question was postponed.*

20. ELECTRICITY SUPPLIES

Stand-by Generating Plant

Mr. TONKIN, to the Minister for Electricity:

(1) Does he recall having stated on the 4th July, 1968, on the occasion of his opening the State Electricity Commission's new five storey building in Wellington Street, Perth, that he could recall the days when peak loads on the generating system caused blackouts. Advanced planning had now eliminated this fear?

(2) In view of the blackouts which have just occurred causing very considerable inconvenience to many people will he state what has happened to the "advanced planning" to which he referred?

(3) Would not advanced planning have required the provision of adequate stand-by generating plant?

(4) Was this required stand-by capacity in existence at the time that he made the statement above referred to?

(5) When is it expected that adequate stand-by capacity will be in existence so that the position of which he stated in July, 1968, will in fact be true?

Mr. NALDER replied:

(1) Yes.

(2) It is estimated that about 6 per cent. of the load was interrupted on Monday evening for up to one hour due to abnormal weather conditions only.

(3) The demand exceeded the forecast load by about 20 per cent. which was beyond the capacity of the stand-by generating plant.

(4) Yes.

(5) The statement made on the 4th July, 1968, was true. The planning for Kwinana Power Station adequately provides for stand-by capacity. When the first unit is in commercial operation the stand-by capacity will be provided for the estimated winter loading of 1970.

21. LAND

Educational Complex: Bunbury

Mr. JONES, to the Minister for Lands:

(1) Is the educational complex in Bunbury being built on part of a reserve vested in the municipality in 1884?

(2) If not, from whom was it obtained?

(3) If (1) is "Yes", what land in Bunbury was granted by the Government to the Bunbury Municipal Council in exchange for portions of the endowment lands for an educational complex and what are the areas involved?

Mr. BOVELL replied:

(1) and (2) A technical school is being built on Reserve 670, which was vested in the Municipality of Bunbury in 1884.

(3) Proposals for exchange of land are under current consideration.

22. LAND

Hospital Site: Bunbury

Mr. JONES, to the Minister representing the Minister for Health:

(1) Has the district hospital site in Bunbury been acquired by the Bunbury Municipal Council?

(2) If "Yes" what were the conditions of sale?

(3) Was part of Forrest Park acquired by the Government from the Bunbury Municipal Council for regional hospital purposes?

(4) If "Yes" what were the conditions under which it was acquired and the area of land involved?

Mr. ROSS HUTCHINSON replied:

(1) to (4) As fully reported in the *South Western Times* dated Thursday, the 25th May, 1967, an arrangement was entered into in 1967 between the Government and the Bunbury Town Council by which the old Parkfield Hospital site and buildings will be exchanged for approximately 5 acres of Forrest Park, fronting the regional hospital, upon which to construct additional ward accommodation referred to in an answer given today to a question by Mr. M. Williams, M.L.A.

In addition, the town council has made available the sum of $80,000 to assist in financing the construction of a regional frail aged home. This will be built by the Church of Christ.

It is expected that the date of takeover by the town council of the site and buildings will be in December, 1970.

23. *This question was postponed.*

QUESTION WITHOUT NOTICE

LAND

Resumption at Manjimup

Mr. MITCHELL, to the Minister for Industrial Development:

(1) Is it correct that the Government was prepared to pay $16,000 by private negotiation to purchase

Nelson location 11320 owned by Mr. V. Purdy at Manjimup to complete the S.P.C. site?

(2) Did the owner refuse to sell at this price?

(3) Have resumption proceedings commenced?

(4) If so, what is the resumption valuation?

(5) Is the Government prepared to revive its earlier offer if Mr. Purdy is prepared to sell?

Mr. COURT replied:

I thank the honourable member for having given me notice of the question, the answer to which is as follows:—

(1) Yes.

(2) Yes.

(3) Yes.

(4) I cannot be certain off the cuff of the current resumption valuation, but at the time the matter was last under discussion, the figure was $7,600, that being the price considered a fair valuation by Government valuers.

(5) As always, the Government would be prepared to confer, but I cannot give an assurance that it would be prepared to revive the original offer which was made in an attempt to assist Mr. Purdy. It must be remembered that resumption valuations are on a clearly understood and defined basis. It should also be understood that the owner has the right to refer the matter to arbitrators mutually agreed upon; and, if such a procedure is not finally adopted, he can go to the Valuations Appeal Court if he is not satisfied with the price finally offered by way of resumption valuation.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

Second Reading

MR. O'CONNOR (Mt. Lawley—Minister for Transport) [2.33 p.m.]: I move—

That the Bill be now read a second time.

The term of appointment of five of the seven members who comprise the Taxi Control Board expires on the 5th May next. Three of these five members, one of whom represents the W.A. Taxi Operators' Association, one of whom represents taxi owners and operators, and one of whom represents the M.T.T, have each given notice that it is not his intention to seek reappointment

These three terminations of service, particularly those representing the taxi industry, are considered a substantial loss of experienced personnel to the board at any one time A purpose of the Bill is to obviate to some extent a similar loss of personnel in the future. This can be done by staggering the term of appointment of each of the three industry representatives.

It is proposed that as a result of the 1970 elections, of the two persons elected to represent taxi owners and operators, the one who receives the least number of votes will, in the first instance, be appointed for one year and the other one, in the first instance, will be appointed for a term of two years. Thereafter each person will be appointed for three years. The Act already provides for the representative of the association to be appointed for a term of three years.

This will ensure that one of the industry representatives will retire each succeeding year. A similar provision to the one proposed is contained in the legislation relating to the appointment of members of several boards; that is, staggering the term of appointment.

The Bill also seeks to amend the subsection of the Act which provides for the appointment of a person to represent the Local Government Association.

Recently the three major local authorities in the taxi control area—that is, the Perth City Council, the Fremantle City Council, and the Shire of Perth—have withdrawn from membership of the Local Government Association. I ask members to bear in mind that these three local authorities have the most direct contact with the members of the taxi organisation in the metropolitan area. It is understood that the constitution of this association requires that a person nominated by it to a board must be serving as an elected member of a member body of the association.

As the Act is worded at present this precludes these three local authorities—that is, the Perth City Council, the Fremantle City Council, and the Shire of Perth—from submitting the name of a person to the Minister for appointment to the board, thus depriving all that area, in which the greatest number of taxis operate, from local authority representation on the board. The Bill seeks to overcome this problem by enabling each local authority in the control area to submit a name.

Although the Act provides that persons nominating to represent, or voting for, taxi-car owners and operators must themselves be taxi-car owners or operators, it is felt that the qualification is too broad. A

person can register as a taxi-car driver today and be eligible to nominate or vote tomorrow. In the interests of more experienced representation it is proposed that a person nominating should have been an owner or operator for at least two years immediately prior to nominating for election. As an elector he should, if an owner or a full-time operator, have owned or operated a taxi-car for at least three months and if a part-time operator he should have driven a taxi-car for a least six months.

Some members may feel we should have the same qualifications for voting as for nominating. If members feel this way, I would be quite willing to give some consideration to the matter.

In connection with private taxi-cars I would also like to make some comments. Having regard to the rapid expansion in industry and commerce which is taking place in Western Australia, with the consequent increase in the number of important persons visiting Perth who require specialised chauffeur-driven hire cars, the Government feels the time has arrived when consideration should be given to the issue of a limited number of taxi-car licenses for this purpose. As this type of taxi-car will not ply for hire on the streets but will operate from an off-street depot, it will be known as a private taxi-car.

Although there is no impediment in the existing Act to the issue of this type of taxi-car license it is felt that efforts should be made to include in the license certain requirements which will add to the prestige of the taxi service in this State and provide the visitor with a means of communication whilst a passenger in the taxi, if this becomes necessary. To do this a clause has been included in the draft Bill. This is not a mandatory provision but will enable the board, under certain circumstances, to require a private taxi-car operator to provide a uniformed chauffeur and install two-way radio capable of communicating with a receiving base. Apart from enabling the passenger to send a message, the two-way radio does assist to make the taxi-car more readily available to prospective clients.

The Bill also contains a clause to assist in overcoming a passenger transport problem which recently occurred when M.T.T. buses may have been forced, through lack of fuel supplies, to discontinue operations. In such circumstances it seems advisable to utilise taxi-cars to provide an alternative transport service. However, having regard to the present definition of "taxi-car" in the Act it is not legally possible to authorise the use of taxi-cars at separate fares. The proposal in this Bill enables the Minister to authorise the operation of taxi-cars in prescribed circumstances at separate fares which fares will also be prescribed for that purpose.

I might point out that in an effort to facilitate some of the problems during the recent bus strike—

Mr. Graham: It was not a bus strike.

Mr. O'CONNOR: During the strike when the buses were out of action, then. I stand corrected by the Deputy Leader of the Opposition. During that strike the problem arose whereby members of the public were greatly inconvenienced, and in an effort to try to overcome the problem I gave authority for taxis to multiple hire, which is what we term it. However, on investigation, I found that I virtually had no legal authority to do this. Nevertheless, I do feel that in some circumstances, such as during a similar strike, during the Royal Show, or on any occasion when there is a heavy demand on public transport, it might be desirable to authorise multiple hiring, and for this reason I ask members to support this particular provision. I commend the Bill to the House.

Debate adjourned, on motion by Mr. Graham (Deputy Leader of the Opposition).

LOCAL GOVERNMENT ACT AMENDMENT BILL, 1970

Second Reading

Debate resumed from the 22nd April.

MR. NORTON (Gascoyne) [2.40 p.m.]: This Bill deals virtually with two points only. Firstly, it will amend that section of the Local Government Act which provides for the retirement of councillors: and, secondly, it will amend the section of the Act which deals with the rating of mineral leases used for the production of iron ore, solar salt, and coal.

With respect to the first amendment, which deals with the retirement of shire councillors, it has been understood for many years that one-third of the councillors of a shire shall retire every year. That has not always been practicable where the number has not been divisible by three, but the situation has been overcome by an agreement within the shires so that a greater or lesser number can retire.

It appears that in recent times the Perth Shire Council has adopted a new method. Whilst I understand the new method was not outside the provisions of the Act, it was not within the meaning of the Act. The Chief Justice has given a ruling that those shire councillors should, with respect to the Shire of Perth, retire in two groups every three years. That means once every three years there will be no election. I understand that seven shire councillors retire in one year, six retire in the next year, and none retire in the following year.

The present amendment has been introduced to clarify the position, and to give the Minister the right to set out the order of retirement when the terms of office are upset by the amalgamation of shires. As I said, the present Bill will clarify the position. I see nothing wrong with the provision and I give it my support.

The second amendment which I mentioned has become necessary because of the agreements between the Government and the companies which are producing iron ore and salt. Those agreements override various Acts, and in particular they override the powers in respect of rating. It has become necessary to clarify the position.

It is possible for the iron ore companies and the salt producing companies to come under one of two methods of rating. The first method is referred to in section 533 (3) (c) of the Act which sets out that the rate shall be a sum equal to 20 times the annual rent of the particular area. That is illustrated in the appendix to the report which was tabled.

The second method is set out in paragraph (g), which states that the annual rental value is to be set at $1 per acre of the area of the lease. Because of the large areas of land involved in the leases, setting the rate by the second method would impose a very high charge.

The Shire of Carnarvon has sent me a telegram which reads as follows:—

> Council opposed to Texada reduction and any proposal which could place mining valuations on acreage basis.

If we examine the result of the two rating systems, as far as the Texada company is concerned, it will be seen that under the first method—that is, 20 times the annual rental—the company would pay rates amounting to $12,320. If the same company was rated under the second method I have described the rates charged would be $15,000.

The amendment contained in the Bill before us allows for a graduation in respect of the valuation. The first 100,000 acres will be rated at $1 per acre, and the second 100,000 acres will be rated at 75c per acre. Under this system the amount payable to the local shire by the Texada company would be $8,750. So the shire will be losing between $2,000 and $3,000 each year.

I also have within my electorate another solar salt project which will not come within the orbit of this measure. That company will be rated under the conditions set out in paragraph (g) to which I previously referred. The company will not be affected by this Bill because the area involved is under 100,000 acres. I think the Minister said that the area will eventually be in the vicinity of 20,000 acres, whereas the Texada company has 550,000 acres—a very big area.

Local government has a certain part to play in development, and as far as Carnarvon is concerned it has a greater part to play with respect to the Texada company than is the case with iron ore companies. Under the terms of the Texada agreement, where roads had to be reformed and realigned between the salt works and the town, the Government paid two-thirds of the cost and the company paid one-third.

Another road involved in the agreement runs from the wash plant, where the salt is accumulated, to Cape Cuvier, a distance of some 15 miles. The road runs through pastoral country and is generally known as a haul road. For the formation and development of that road, the company paid two-thirds of the cost and the Government one-third. As main roads funds are used in the construction of the roads, I take it that they are virtually public roads. If that is the case, somebody will have to maintain them. As far as I can see there is no provision in the agreement which specifies who will maintain the various roads.

The majority of the employees of Texada will live in the town of Carnarvon itself and will be transported to and from the wash plant and the port site. At the moment a bus runs every day between Carnarvon and the wash plant. It takes the workers out in the morning and brings a few children back to school. On the return trip in the afternoon the bus returns the children and brings back the workers. I understand that the bus runs to the port site at Cape Cuvier. Therefore, there is a considerable amount of transport using the various roads.

Also, large quantities of fresh water are taken from Carnarvon to the wash plant and the port site, because there is no fresh water on the site. Consequently, the road is being used extensively by the heavy trucks which cart the water. Further, fuel and other commodities are transported over the roads.

Mr. Nalder: Is there not some arrangement between the company and the shire?

Mr. NORTON: I am talking on the provisions in the Bill and endeavouring to convey the feelings of the local authorities on this matter. There is nothing in the agreement to show who will maintain the roads. The Bill clearly sets down provisions with regard to construction, but it does not set down any provisions with regard to maintenance.

I am trying to point out that, under other agreements, the companies maintain the roads to a great extent, but in this case it appears that the shire will be responsible for the maintenance of most of the roads. It is 40 miles from Carnarvon to the wash plant and 15 miles from the

wash plant to the port. Alternatively, the distance straight down the coast road is 65 miles.

Mr. Nalder: Is not part of that road the responsibility of the company?

Mr. NORTON: Possibly 10 miles from the turn-off from the coast road to the wash plant is the company's road in so far as it goes over the lease.

Mr. Nalder: The company maintains that.

Mr. NORTON: It would be only 10 miles, which is quite a short distance. The other roads from Carnarvon to Cape Cuvier could involve a distance of 65 miles and these roads would be the responsibility of the shire. I want to point out on behalf of the shire that a higher rating of 20 times the annual rental—which is referred to in section 533(3)(e)—would be more applicable to Carnarvon, because the company does not provide anywhere near the number of amenities and services that other companies provide.

As a matter of fact, it is stated in the agreement that the majority of employees will be housed in the town of Carnarvon. The company has built houses in the town and, naturally, the properties will be rated under a different set-up altogether. That aspect has been taken care of.

The point is that somebody will have to maintain the long distances of roads, some of which go through quite bad country. I think the shire is quite entitled to receive something extra in the way of rates for this purpose.

Mr. Court: The vehicles which travel over the section to which you are referring from the town to the wash plant are all licensed vehicles.

Mr. NORTON: Yes, they are licensed. I am glad the Minister mentions this point. I understand that the vehicles which travel over the section from the wash plant to the port are not licensed. The vehicles to which I refer carry big loads and, I understand, are now being turned into road trains. Because they are not licensed, they would not be paying road maintenance tax or a shire license.

Mr. Court: The Government does not have any responsibility for the road.

Mr. NORTON: According to the agreement, the Government has undertaken to pay one-third of the cost of that road. I cannot give the precise reference, at the moment, but I looked up the agreement before I made the statement. It will be found that details of road construction and the percentages of cost are set out in it.

I am speaking on behalf of the shire and, as I see it, the shire is entitled to receive the extra $3,000 which represents the difference between the two types of rating.

The other point which I wish to bring up is that there is nothing in the Bill to say whether there will be retrospective payments where *ex gratia* payments have been made, and there is no reference to when the Bill will be proclaimed. I support the second reading.

MR. NALDER (Katanning—Minister for Agriculture) [2.55 p.m.]: I have listened with interest to the comments made by the members who have spoken to the measure and I wish to express the appreciation of the Minister for Local Government for the remarks made. Each speaker referred to the responsibility of the local authorities in the area and some comments were passed as to whether or not the legislation will be fair to the mining companies.

I have sought some information from the Department of Local Government on the points raised and I have been assured that there is an understanding between the local authorities and the mining companies and that the latter are very happy indeed with the arrangements that have been made.

Under section 543 of the Act, local authorities have authority to approach the companies in this regard. Further, the information given to me is that the local authorities have the power to insist that the companies comply with their request. Section 543 states that local authorities are empowered to amend the rate book in respect of ratable property which has been omitted, and this power extends to the current year and to the last preceding five years. If the present situation is not satisfactory to the local authorities concerned, power already exists in the Act to allow the authorities to take this action.

The information given to me indicates that there has been a clear understanding between the local authorities and the company and that both parties have co-operated fully.

The member for Pilbara mentioned this matter, although he said there appeared to be some arrangement and agreement between local authorities and the company. If, for argument's sake, some companies have not played the game—and I do not know of any that have not—there is authority under the Act for the local authorities to take the necessary action.

With regard to the point raised by the member for Gascoyne, I think there might be a clear understanding between the salt companies and the local authority in the area to which he refers. It is quite obvious that the companies have some responsibility for roads which run across their own properties. The same thing applies in any area whether it be companies or farmers who are involved.

When a road runs across private property the owners are responsible for the road unless they make some arrangement with the local authority. From what I can gather, most local authorities are quite happy to assist private individuals or companies in the construction of a road. This is done on the basis of an agreed payment to the local authority for the work which it undertakes. I think local authorities are to be commended for their work in this respect. It helps to upgrade the roads in use on private property and it also brings about a better spirit of co-operation between the people concerned.

I have no doubt that if a road is required by the company referred to by the member for Gascoyne, the local authority will be prepared to help. I am sure that if the company approached the local authority for assistance something would be worked out by mutual arrangement.

Mr. Norton: That is a different matter. The distance is only 10 miles.

Mr. NALDER: Coming back to the other point the honourable member made, where there is a considerable length of road which is used mainly by the company and not by the travelling public, the Minister, through the Main Roads Department, can give consideration to any request. I am not speaking without some knowledge of this, because this happens on many occasions when a case is presented by the local authorities to the Main Roads Department. In most cases the matter is considered by the Main Roads Department and very often assistance is given. I have no doubt—although I have no proof of this, because I did not have any information about it prior to this debate—that this situation will continue as it has in the past.

If the honourable member feels the legislation does not cater for this, we will have to defer the matter until I am able to get further information, but I hope that what I have said will satisfy him. I was not clear on the point he made in regard to the telegram he received yesterday from the local authority; that is, whether there was a point that had not been cleared up by the local government authority or whether this Act did not make the situation clear.

Mr. Norton: The local authority was in favour of 20 times the rental value in preference to the amendment in the Bill.

Mr. NALDER: That is a matter for negotiation and consideration if it is outside the points that have been raised by the member for Pilbara. I do not think there is any question as far as the mining companies in this particular field are concerned. If there is a point here, and the honourable member is not satisfied, we shall have to seek further information. I would take the Bill into Committee and report progress and endeavour to seek this information. There is no necessity to push the legislation through if it is not clearly understood by the members of the House. It is not a matter on which we would want any division, because it is aimed to help local authorities, and as I understood it, agreement had been reached in the matter.

I do not think it is necessary to make any further comment on that but I want to make a brief comment on the points made by the member for Collie. According to the file, the Collie local authority has been in touch and has had conferences with the Minister for Local Government, and it is obvious in this situation that it is prepared to accept this proposal.

The other point made by the member for Collie—and I am doubtful, Mr. Speaker, whether you will allow me to continue indefinitely on this point—was on the subject of rating of country used by the Forests Department. That matter does not come into this amending Bill at all, but I want to make the point that a considerable amount of discussion has been brought about by deputations from local authorities in places where there are large forestry areas which are the responsibility of the Forests Department.

There have been deputations to the Premier and to the Minister, and a great deal of detailed consideration has been given to the whole matter. I therefore want to comment that in this legislation no reference is made to that situation. However, it is noted; and I think the honourable member knows that everything possible has been done as far as the Government is concerned up to this point of time, although perhaps it is not entirely satisfactory to the local authorities.

Mr. Jones: What is the policy? I had a letter from the Donnybrook Shire this morning stating that the Government or the Forests Department is resuming more land. If this continues the shires will have little ratable land left.

Mr. Bovell: The Forests Department is not resuming any land. It might be purchasing land but it is not resuming land.

Mr. NALDER: That is another subject. If the member for Gascoyne is not satisfied with the provisions contained in this Bill, I ask him to indicate that to me when we get into Committee. I have no detailed information about the effect this is likely to have in the situation that he has mentioned. I would be prepared to report progress and endeavour to ascertain this information.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Amendment to section 41—

Mr. NALDER: It was agreed by the Minister in another place that this very small amendment would be made. It is merely the substitution of one word for another. I move an amendment—

> Page 2, line 10—Insert after paragraph (b) the following new paragraph to stand as paragraph (c):—
>
> (c) by substituting for the word "is", in line thirteen of subparagraph (iii) of paragraph (a) of subsection (7), the word "are";

The CHAIRMAN: The new paragraph will go between the semicolon which appears after the subsection designation (7) and the word "and."

Amendment put and passed.

Clause, as amended, put and passed.

Clause 3 put and passed.

Clause 4: Section 533B added—

Mr. NORTON: To clear up the point I was trying to make with the Minister, the company works under the rating which is set down in the Local Government Act, section 533 (3) (e), which reads—

> other land held under a Crown lease not being a conditional purchase or pastoral lease under any of the Acts mentioned in paragraph (b) of this subsection—a sum equal to twenty times the annual rent but if the land is within a city, town, or townsite, means the unimproved value of the land in fee simple;

Apparently that is the one that was being negotiated—although I am not absolutely certain of that—because, as mentioned by the committee, that was the method that was being discussed; that is, 20 times the annual rental. The annual rental as far as Texada is concerned is $4 per 100 acres. Worked out on the 550,000 acres they had, that gives a valuation of $440,000 for rating purposes. As the rate is 2.8c, that gave them $12,320.

However, clause 4 of this Bill sets out an alternative method of rating. In line 27 the clause states that the rate shall be $1 per acre for each 100,000 acres or part thereof, and provides for a sliding scale under which the companies holding large areas will not be highly rated. In line 21 it is stated in clear terms that the owner of any land, "may, by giving 31 days' notice in writing to the council in whose district the land is situated, elect to have the whole of that land valued for the purpose of imposing rates under this Act," and it then gives the sliding scale.

So the shire virtually has no chance to negotiate. The clause provides that the company may, by giving 31 days' notice, adopt these new valuations, and not the one set out in the parent Act. That is what I am endeavouring to point out.

Also, the clause does not state whether the council has a right of appeal to a third party. If the company asks for this method of valuation, it shall be mandatory, and I feel some negotiation should be allowed.

Mr. NALDER: I can see the point made by the honourable member. It is quite obvious this legislation was designed to cover the situation regarding mining companies. They will be rated under a different system. The honourable member stated that there is no provision for appeals. I have not the Act in front of me, but it contains provisions for these matters to be referred to the Minister. Although this is not stated directly in this clause, I am almost certain —and I would be open to correction here —that appeals can be made to the Minister in every situation concerned with the Local Government Act.

Mr. Norton: But what about the wording from line 21 onwards?

Mr. NALDER: That is what this legislation was designed for—to cater for mining companies; otherwise the measure would not be before the House.

Mr. Norton: I am aware of that, but there is no room for negotiation.

Mr. NALDER: I cannot agree with that. The measure was designed for one purpose, and the Minister in another place said —and I think I mentioned it when introducing the Bill here—that the Bill was introduced more or less as an emergency measure in an effort to cover the situation.

As the honourable member knows, a committee was set up to study this matter and as a result of discussions with local authorities and companies it was agreed to bring forward this legislation. I am advised that the clause caters for the present position, and I would urge the Committee to agree to it.

Mr. NORTON: I have no intention of moving an amendment. The Minister wanted some clarification of what I said in my second reading speech, and I also wished to bring before the Minister and the Chamber what I considered to be an anomaly in the legislation so that it could be noted for future reference. I intend to support the clause.

Mr. Nalder: I appreciate that.

Clause put and passed.

Title put and passed.

Bill reported with an amendment.

MINING ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st April.

MR. MOIR (Boulder-Dundas) [3.16 p.m.]: This is a Bill which has caused widespread consternation amongst a large section of the mining industry and the people who are connected with it. It causes me considerable concern that such a measure should be before the House. If it is carried in its entirety it will have far-reaching effects, do much damage to the mining industry, and it will be detrimental to the people engaged in that industry.

In his introductory remarks the Minister who introduced the Bill into this Chamber quoted figures to indicate the huge expansion of late in the metalliferous mining industry. I do not intend to repeat those figures, but I wish to point out that the Minister said the return from the metalliferous mining industry had grown from $38,500,000 in 1958 to $259,500,000, and in 1971 the return is expected to be $400,000,000. That is not surprising to anyone who is connected with the mining industry and who has seen the terrific expansion that has taken place.

I never thought I would see in my time an upsurge in mineral exploration such as has taken place. Of course, we have had much activity in the iron ore industry, but I think the upsurge that has occurred in the nickel mining industry impinges more upon the imagination. The exploration for nickel and associated minerals has become almost State-wide. I know that tenements are held, and exploration is going on, right throughout the State, almost from Hopetoun in the south to Nullagine—and probably other areas further north, for all I know—in the north-west.

I know that it would be very hard to find a piece of land that has not been pegged for mineral exploration from below Norseman to some hundreds of miles north of Kalgoorlie. Of course, substantial discoveries have been made and some areas have been located which have promising potential.

This has brought immense benefits to mining centres which, owing to the unfortunate price for gold, have been steadily declining for a number of years despite the efforts of those people engaged in the goldmining industry to cope with the rising costs with which they have been confronted, and despite the fact that they have had to sell their product at almost a fixed price.

The position has become so serious that recently, together with other people, I attended a conference at the Chamber of Mines, Kalgoorlie. At the meeting, representatives of the mines managements disclosed that the goldmining industry was in an extremely lamentable state. It is common knowledge that the Great Boulder Gold Mine, which is known in goldmining circles all over the world, has now ceased producing gold. Fortunately it is able to turn to the treatment of nickel, because it has developed very rich nickel deposits, and the Fimiston treatment plant, previously used for the treatment of gold, has now been converted for the treatment of nickel.

In this evening's newspaper one will note that the North Kalgurli Gold Mine at Fimiston is to continue its operations on a one-shift basis only. Overall, the goldmining activities on the Golden Mile have been reduced considerably and inevitably the production of gold, if the present situation continues, will come to a standstill. It is a well-known fact that Lake View & Star Ltd. is able to plan only four years ahead at present.

Therefore it is most fortuitous that nickel mining has been responsible for taking up the slack of labour and plant in the goldmining industry. Those men who lost employment in the goldmines are finding new positions on the nickel mines, and many others are being employed in the nickel treatment plants.

The Kalgoorlie township itself has had a terrific shot in the arm as a result of increased nickel mining activities. If one visits that town one will be astounded to see the development that has occurred. A large building programme is well under way and many big commercial companies are erecting substantial structures at great cost with a view to expanding their commercial activities in that centre. Even the State Housing Commission has a plan to build a large number of houses at Kalgoorlie. I think the Minister said that 800 houses were to be built over a period of five years.

Mr. O'Neil: Not all by the Housing Commission; but that is the plan.

Mr. MOIR: There is a plan for a complex of shopping centres, schools, and attendant facilities. Building has now commenced. Also, hundreds of houses have already been built at Kalgoorlie where at one time people expected houses to become a drug on the market. Now the value of houses has increased out of all recognition and many people are astounded at the prices that are being asked for homes. All this new development is the result of increased nickel mining exploration and production.

Many of the old goldmining towns have also been affected. A few years ago many of them were derelict, but now they are being revived. Leonora and many other goldmining towns are among those which have had a new lease of life. Hundreds of people are visiting these centres in the hope of finding nickel, and so it came as a nasty shock to many when the Minister for Mines declared that all pegging of mineral claims would be banned

in these areas until the Mines Department had caught up with the backlog of administrative work. One can readily understand that the department would be confronted with a great problem as a result of the upsurge of mining in the mineral fields. Nevertheless, it was not entirely unexpected.

For some years it has been apparent that such a situation could easily come about. Following the first discovery of large nickel deposits at Kambalda a few years ago one could readily anticipate that there would be an upsurge in the activity of exploring for this mineral. After the discovery of nickel at Kambalda, and when further exploration had disclosed large deposits, everyone realised what a bonanza it was and, of course, several mining companies turned their attention to the area to commence exploration. They were quite prepared to spend millions of dollars to explore not only this but other fields where nickel may be found.

I would point out that these companies are carrying out an exploration programme in the hope of finding not only nickel but also other minerals which today are fetching a very good price. With the advance of science a demand has been created for many new minerals, and of course it therefore becomes worth while for mining companies to prospect for them. If companies are fortunate enough to discover mineral deposits they soon become engaged in the production of those minerals.

As I said before, many hundreds of people are searching for minerals. In fact, the activity over the last few years is almost unbelievable. At one time one could travel hundreds of miles through almost isolated country, with the exception of a few pastoral stations, and meet hardly anyone on the roads. Today the traffic on these roads is heavy. All this activity has been brought about by the upsurge in the search for minerals. This has now been brought to a halt because of the ban that has been imposed by the Minister on the pegging of leases.

The Minister's action to ban pegging has not only brought about considerable disquiet among those interested in mining; it has had more far-reaching effects, because one does not merely peg an area and then begin to search for minerals. One carries out an investigation of the area to ascertain if any geological and other indications exist to show that the area is worthy of development. If these indications are present one then pegs a mineral claim to protect one's interests. This is most important. Not only the date of pegging has to be recorded, but also the time. All this information is shown on the application for the lease.

A considerable amount of disquiet has been created among those interested in mining which has been brought about not only by the Minister's action to prevent further pegging. There are more far-reaching effects, because one does not merely peg an area and then begin to search for minerals. One carries out an investigation of the area to ascertain if any geological and other indications exist to show that the area is worthy of development. If these indications are present one then pegs a mineral claim to protect one's interests. This is most important. Not only the date of pegging has to be recorded, but also the time. All this information is shown on the application for the lease.

Of course, inevitably, when other people discover some activity in the new mineral fields they immediately flock to the area in an endeavour to peg claims as close as possible to the original claim in the hope that nickel will be discovered on them also. Inevitably, disputes arise as to who pegged a claim first, the overlapping of one claim on another, and so forth. The Minister gave his reason for taking the serious step of placing a ban on the pegging of claims. The reason he gave was that the Mines Department had become overwhelmed with work and was well behind in the processing of applications.

I can well understand that the Mines Department would be confronted with a huge volume of administrative work in comparison with what it had to do in past years. Over the years the department has had to deal with applications for prospecting areas for mineral claims; it has also had to deal with applications for temporary reserves and the like and these applications have come forward in the normal manner and at the normal rate and the department was able to keep up with them.

The great influx of applications for mineral claims which has been made recently has apparently caught the department completely flat-footed, because these applications mounted up and, finally, the department was overwhelmed to the extent that the Minister eventually came to the conclusion that he would have to take the desperate step of banning pegging altogether.

Mr. Bovell: The action by the Minister for Mines was the only logical course he could adopt. The department was not caught flat-footed.

Mr. MOIR: I am not here to enter into an argument with the Minister for Lands. If he has the answer to what I am asserting, he can tell us all about it when he replies to the debate. I do not want him to try to make a second reading speech while I am supposed to be making mine.

Mr. Bovell: I just want to keep you on the rails.

Mr. MOIR: I was never off the rails; I have always been right on course. Surely some steps should have been taken to reconstruct the department, to employ more

people if necessary, or even to borrow staff from other departments. Surely to goodness such men are available even in the field of key personnel!

Desperate efforts should have been taken to ensure that the department had sufficient staff to process all the applications that were coming in, without the Minister taking the unprecedented step of banning pegging altogether. I think the present Minister for Mines will go down in history as the only Minister for Mines who has ever banned pegging in the State. I have never heard of such a step being taken before.

I would like to take members back to the great activity which occurred in the field of mining in this State before the turn of the century, when gold discoveries were being made. These discoveries were being made from Halls Creek in the north to Ravensthorpe in the south. The discoveries were not all made at the one time; they were spread over a number of years. There were tremendous discoveries made and in those days there was alluvial gold, in some cases spread over large areas and in others concentrated in one place—and I refer to Nannine on the Murchison and Coolgardie on the Coolgardie goldfields.

There must have been an unprecedented rush in those days by men who were pegging small alluvial claims. An alluvial claim is not a claim consisting of 300 acres as is the case with a mining claim, or of 24 acres as is the case with a prospecting area; it is an area of land 25 feet by 25 feet.

Mr. Burt: There were no aeroplanes or helicopters to cover thousands of square miles in a day.

Mr. MOIR: That is right; but literally thousands of people must have pegged these small areas in places like Nannine, Coolgardie, Daydawn, Cue, Meekatharra, and others. As I say, there must have been a tremendous amount of work coming before the department and there must also have been a lot of work for the various wardens who dealt with these matters on the goldfields.

There must also have been disputes between prospectors who felt that their neighbours were coming over the line and pegging their ground. In spite of this, however, the Mines Department did not falter in its work. Apart from all I have said there was also the question of disputes between alluvial miners, reef miners, and the mining companies who had mining leases pegged, because all the lodes or reefs containing gold were underground and there were two separate sections of the Act which enabled a miner to peg areas to work alluvial ground leased by mining companies which carried out deep mining.

But in spite of the disputes that must have taken place in those days, the Mines Department was able to handle the spate of applications. I might add, here, that in those days the department did not possess the facilities it does now; or which the Mines Department should possess now. I am not aware that the Mines Department has everything it requires at the moment, but I do feel, when we consider how important the industry is to Western Australia, that the Mines Department should be one of the best equipped of the Government departments. It should have up-to-date mapping appliances, copying machines, and other facilities necessary to cut down the work of the staff.

I will be interested to see whether the Minister can tell us that the department's inability to handle the situation is due to the fact that it lacks the necessary equipment.

Together with a lot of other people I cannot understand why the Mines Department has got itself into this sad predicament of not being able to process the claims coming forward, or to keep up with them to some extent, in order that this drastic step taken by the Minister might have been avoided.

There is little doubt that the action taken by the department will cause quite a lot of trouble, because I am sure litigation will arise as a result of people continuing to contest areas which have been worked by others and which have given an indication of containing nickel and other minerals. The Minister will find that he will have a considerable number of headaches with which to contend once the ban is lifted.

Mr. Bovell: From the information I have, there were about 4,000 areas pegged in the days to which you refer, whereas last year there were 24,000 areas pegged in Western Australia. So there is a difference between those days and the present.

Mr. MOIR: I was talking about the days before 1900. We are now living in the year 1970. Since then there has been considerable improvement in all fields. For example we have developed beyond the Coolgardie cooler and now use refrigeration.

Mr. Bovell: But the State is still the same size.

Mr. MOIR: I would now like to stress the importance of the prospector. We hear a good deal about mining companies and all that they do. While I appreciate that they do quite a lot, we must not lose sight of the fact that these companies have the money to carry out the work they undertake; they can employ skilled men to investigate their mining tenements. The people engaged in the mining industry would be the most efficient it would be possible to find anywhere in the world.

Mr. Bovell: This Bill is not detrimental to the interests of the prospector.

Mr. MOIR: But we still have the prospector with us, and I do not refer to the prospector of the 1890s; the man who went out in the desert or bush with a water bag and a pick and shovel. Today the prospector is well equipped. He has a four-wheel drive vehicle and a good deal of sophisticated machinery to carry out his work; he has a two-way radio, and that sort of thing. This of course means he has quite a considerable sum of money invested in his equipment.

I want to stress that prospectors were responsible for the four largest finds of nickel that were made. We have heard a good deal about the Western Mining Corporation and its activities at Kambalda, but we have heard very little about men like Morgan and Counsell. They were the people who found the nickel and who showed the Western Mining Corporation where it was.

Mr. Bovell: That was what Paddy Hannan did.

Mr. MOIR: We have all heard of Scotia and Carr Boyd Rocks where two mines are being opened up. One is now in the production stage; it has considerable deposits of nickel, with very good percentages of this metal. Nickel is the main mineral to be mined, but I believe the deposits also contain a certain amount of platinum, and that there are payable quantities of copper. This mineral area was discovered by a prospector named Jones who lived at Bulong just east of Kalgoorlie.

Then there is the most famous of all the deposits which have been discovered; it is the Poseidon find which has received world-wide publicity. It was discovered by a prospector named Shirley who, I believe, has also located promising deposits and mining tenements in other areas.

We are aware that in addition to those deposits, others are being worked by various mining companies. One is the deposit at Nepean, south of Coolgardie, and another is the very promising deposit at Widgiemooltha. I do not know exactly what happened in these two instances: whether the locations were discovered by prospectors, or by geologists employed by mining companies.

I have indicated the four main finds, and I would point out that they were all discovered by prospectors. So we can see that the prospector plays a very important part in the mining industry, and will continue to do so despite the fact that wealthy mining companies with very sophisticated machinery and methods of searching for minerals are operating. The prospector does not belong to the past; he is still a very important person in the mining industry.

Mr. Bovell: The Minister and the Government are very well aware of that, and this Bill is in no way detrimental to the prospector.

Mr. MOIR: I am very glad the Minister told me that, because on reading the Bill one would not have thought so. My understanding of the Bill is that the small man will be eliminated completely.

Mr. Bovell: On the contrary, I think the Bill is to his advantage.

Mr. Tonkin: Any more funny stories from the Minister?

Mr. Bovell: The Leader of the Opposition might have a perverted sense of humour.

Mr. MOIR: I cannot believe that the Minister for Lands is serious in his remarks at all. If he is serious, then all I can say is he has very little knowledge of the situation. This Bill is designed to do a number of things, but let me say that I do not condemn the whole of the Bill, because I think it contains some desirable provisions.

Mr. Tonkin: You think it is a little like the curate's egg.

Mr. MOIR: No, I do not think so, because it is said that the curate's egg is good in parts. I do not say that the Bill is good in parts, but I say it is passable in parts.

The Minister has introduced an entirely new concept into the Mining Act by way of the Bill; that is, he is seeking to include a new section which makes provision for what is termed "exploration licenses." I have heard various opinions on this expressed by a limited number of people who have had access to the Bill. Let me add that very few people knew much about it before it was introduced. After it was introduced the news spread gradually, and as copies of it became available the public were given the opportunity to study it and become aware of its implications.

Quite a number of people have come to me to express their concern in respect of the Bill. I have received many trunk-line telephone calls from people who are engaged in the mining industry; and they also expressed their concern. I have before me a circular letter which has been sent to members of Parliament by a very prominent firm of geologists, in which it expresses concern. Later on I will read this circular letter to the House.

The exploration license appears to me to be designed to do several things. It appears to add legality, if that is necessary, to what the Minister has done in imposing a ban on the pegging of mineral claims. Personally I think he was acting within the provisions of the Mining Act when he did that; I think he has the power to do that. However, I am not a legal man, and the Minister might have received legal advice that the legality of his action was in doubt.

Sitting suspended from 3.45 to 4.4 p.m.

Mr. MOIR: Before the afternoon tea suspension I was commenting on the reasons which might have guided the Minister in regard to these amendments and, particularly, proposed new section 116D which appears on page 4 of the Bill. I venture to suggest that he may have received legal advice that the action he took in banning pegging, under section 176 I think it is, may have been open to challenge, so he has taken this step in effect, to validate what he has done. However, I wonder whether the Minister was fully aware of the widespread effects this action would have.

I just want to digress for a moment to say that the Minister has for some time expressed his intention to amend the Act and has introduced this amending Bill. However, he has stated that he intends still further to amend the Act. If the Minister is contemplating further amendments, and they are on a par with those contained in this Bill, I shudder to think what they may be and the serious consequences they could have on the mining industry, in addition to the consequences as a result of this measure. However, the Minister has foreshadowed further amendments. In other words, this is only a stop-gap measure, and it appears to me to have been introduced in considerable haste, without due regard being given to its implications. I am sure he would not have introduced this Bill had he realised the hardship it will cause to people, and the consternation which abounds in the industry at the present time as a result of its introduction. I might add that not only are the small men concerned; some of the bigger and more influential people are concerned also.

I noticed in his introductory remarks that the Minister said the Bill had the approval of some mining interests. I would like to know what those interests are which have approved of this Bill. I can readily understand that some mining interests might be in favour of it because it could work very considerably to their advantage. It would depend on how fortunate they are. However, I believe it will be detrimental to quite a number of others; and I will proceed to indicate how detrimental it could be to those people. Proposed new section 116D reads—

> 116D. (1) An application for an exploration license shall—
>
> (a) be made in an approved manner and in accordance with an approved form;
>
> (b) be accompanied by a fee calculated at the rate of eight dollars for each square mile of land to which the application relates;
>
> (c) be accompanied by particulars of—
>
> (i) the financial resources available to the applicant;
>
> (ii) the technical qualifications of the applicant and of his employees and the technical advice available to the applicant;
>
> (iii) any other matter relevant to the ability of the applicant to explore the land effectively and to comply with the provisions of this Part relating to exploration licenses;
>
> (iv) a detailed programme of the proposed operations for the exploration of the land to which the application relates; and
>
> (v) the amounts of money the applicant proposes to expend in fulfilling the programme referred to in subparagraph (iv) of this paragraph.
>
> (2) Every programme of proposed operations submitted with an application pursuant to subparagraph (iv) of paragraph (c) of subsection (1) of this section shall, unless in any particular case the Minister otherwise directs—
>
> (a) provide for a geological, geophysical, geochemical or other survey of the land to which the application relates to be carried out to the satifaction of the Minister under the direction of a person approved by the Minister; and
>
> (b) specify the surveys and other operations, including drilling operations, which the applicant proposes to carry out, the periods within which all those operations are to be carried out and the sums of money which the applicant proposes to expend on the respective operations.

It goes on further to say—

> (3) An application for an exploration license shall not be made—
>
> (a) in respect of more than one hundred square miles; or
>
> (b) where a period has been specified for the making of applications pursuant to paragraph (b) of section one hundred and sixteen C of this

Act, after the expiration of that period or such further period as the Minister allows.

(4) Where an application for an exploration license is refused, lapses or is withdrawn by the applicant, the application fee shall be refunded to the applicant, less a recording fee of twenty-five dollars or ten per centum of the application fee, whichever is the greater.

Let me comment on proposed new subsection (4). It will mean that the application fee could be very considerable and therefore the amount of the recording fee could be very considerable, too.

Mr. Norton: It could stop the small prospector.

Mr. MOIR: I would say the prospector has no possibility of meeting these contingencies.

Members must keep in mind that the Minister is going to reserve large areas of the State which no-one will be able to peg at all. As he sees fit, he will release portions of that reserved land in order that people might apply for exploration licenses.

Let us have a look at the mechanics of this. How will the Minister determine what section he will throw open? Will he have a plan drawn up, with all the sections numbered and have the corresponding numbers placed on pieces of paper and then put into a hat from which one will be drawn, and that one will be thrown open?

Mr. Bovell: The Minister has expert advisers, you know.

Mr. Tonkin: Who are the advisers? The companies?

Mr. MOIR: I would like to know who advised the Minister with regard to this Bill. I cannot believe it was the officers of his department, and I cannot believe that this measure was referred to the mining community in general. I think the Minister would have been told very quickly that some of the provisions are completely obnoxious. I can understand some of the large mining companies being in favour of it; I can well imagine that. However, I cannot imagine the medium and small mining companies or syndicates, or the individuals engaged in prospecting, whether singly or in partnership with others, being in favour of the Bill.

How will a single prospector meet the requirements when an area is thrown open? When he makes an application he has to state his technical qualifications, his financial resources, and the technical advice available to him. How would such an applicant be able to supply particulars of any other matters relevant to his ability to explore the land effectively and comply with the provisions relating to exploration licenses? How would he be able to supply a detailed programme of his proposed operations and particulars of the amounts of money he proposes to expend in fulfilling his programme?

I ask: If one of the minor companies or syndicates, or prospecting partnerships, applies for an exploration license in a particular area, how do those people compete with the big companies which might make an application for the same area? The large company would state what it was prepared to spend, and state the technical advice available to it. It must be remembered that in Western Australia we have some of the foremost mining experts employed by some of the greatest mining companies in the world. How would a small man fare when he makes an application at the same time as a large company? Who will the Minister decide in favour of?

Quite frankly, I would not be in the Minister's shoes for anything. I would not like to have the responsibility at any price, and I have been a Minister for Mines. I know what has to be done when administering the Mining Act, and when people apply for concessions. As I have said, I would not like to have the responsibility of administering a measure such as this. The pressures applied to the Minister will be considerable, and they will not be from the small people but from the large companies—those who are able to publicise their efforts and so on.

For the life of me I cannot understand how the Minister would undertake that responsibility. The thought which occurs to me is that the present incumbent of the office does not intend to hold the position for very long. I have heard it mentioned that he would not be averse to accepting a very high position overseas. Be that as it may.

Mr. Bovell: That certainly is not in the Bill.

Mr. MOIR: That is not in the Bill, and neither is the interjection. I say it is absolutely impossible for the Minister to carry out the provisions set out in the Bill. We know that under the present Act the Minister can grant temporary reserves for exploration, and there is practically no limit to the size of those temporary reserves.

The Minister has granted temporary reserves, as I granted them when I was in the Mines Department. I want to congratulate the Minister on the principle he adopted; that where large areas were granted as temporary reserves to mining companies, half the area had to be relinquished at the end of 12 months. That was a very wise provision and it may have come about because of the opposition to the granting of temporary reserves. There has always been opposition to the granting of temporary reserves, but there are times when such reserves are warranted. To

witness the fact, when we on this side were the Government we granted a temporary reserve to Western Mining Corporation to examine the possibility of mining bauxite on the Darling Range escarpment. Had the company been granted a mining tenement people would have flocked to the area and pegged leases and would have held the company to ransom for the purchase of those leases.

I wonder how the Minister proposes to carry out the provisions of subsection (2) of proposed new section 116D. which reads as follows:—

> (2) Every programme of proposed operations submitted with an application pursuant to subparagraph (iv) of paragraph (c) of subsection (1) of this section shall, unless in any particular case the Minister otherwise directs—
>
> (a) provide for a geological, geophysical, geochemical or other survey of the land to which the application relates to be carried out to the satisfaction of the Minister under the direction of a person approved by the Minister;

I ask: Where will the Minister get these people with sufficient qualifications to observe the mining operations which will be carried out and the activities taking place? Where will he get people with sufficient knowledge to see that the geophysical, the geological, the geochemical, or other survey is carried out?

Apparently at the present time the Minister cannot get highly qualified men to replace those who have left his department. It was mentioned that the Mines Department has been depleted of some of its most experienced men. The mining companies are snapping them up, and I do not wonder why. The officers of the Mines Department are very efficient. They are experienced, and the mining companies would certainly welcome them with open arms. I cannot see where the Minister will get the men who will be able to report to him on the activities of the people who take out exploration licenses. An unqualified person could report to the Minister that so many men were employed, and certain items of machinery were being used, but he could not report on what was really being done unless he was highly qualified to do so.

At the present time, with the granting of a temporary reserve, the Minister has the power to lay down almost any conditions he thinks fit. I notice the Bill provides that the occupier of a exploratory reserve shall make a report to the Minister at the end of 12 months. He is allowed two months to do so. Well, the Minister has that power at the present time. Why is it necessary to require a formal report from an occupier of a temporary reserve when the Act already states that the Minister can grant a temporary reserve on whatever conditions he lays down?

Section 276 of the Mining Act states, in part—

> The Minister may, with the approval of the Governor, authorise any person to temporarily occupy any such reserve on such terms as he may think fit, but subject to the provisions of section two hundred and seventy-seven.

Of course, section 277 is fairly lengthy and sets out quite a number of conditions. So we see that the Minister can lay down whatever conditions he thinks fit when granting a temporary reserve.

The exploration licenses are to be granted for a period of three years but under the temporary reserve system the Minister can grant a reserve for 12 months and terminate it if he is not satisfied. The exploration license will be granted for three years and the Minister certainly has the right to cancel it within that period. However, I say the Minister will not be fully cognisant of what is happening because of the difficulty of supervision. These licenses will be for areas that are spread not over hundreds of miles but over thousands of miles of Western Australia. How will the Minister obtain information and arrange for people to supervise on his behalf?

Mr. Burt: Exploration licenses will be granted only in the remote areas where there is no activity.

Mr. MOIR: If and when the measure becomes law, it will operate all over the State. It does not refer only to the remote areas.

Mr. Burt: The Minister stated that point quite definitely when he referred to the ultra-basic areas.

Mr. MOIR: I do not read into legislation something which is not included; I read what is in the legislation. I know perfectly well that legal men and courts can probably read more into some Acts of Parliament than Parliament ever intended.

Mr. Grayden: It will operate in the ultra-basic areas in respect of the relinquishment of temporary reserves. These are right in the heart of the ultra-basic areas.

Mr. MOIR: As the member for South Perth says, it will operate in the ultra-basic areas. I assume the Minister is principally concerned at the present time with nickel and the allied minerals which are, one might say, co-partners with nickel.

This is practically an impossible situation. I say that the smaller mining man will not have any hope at all under the provisions of the measure. The Minister intends to reserve to himself the right to

parcel areas out as and when he thinks fit—not according to the demand which may exist.

I wonder how a small mining company will fare if it is interested in an area and approaches the Minister to release it. I wonder whether it will be released or whether the Minister will say that he is not prepared to release the area at the present time We can well imagine when the areas will be released. This will not be effected when there are one, two, or three applications but when there are a whole host of applicants. I assume that the most powerful applicant, in terms of money and resources, would be the logical man to receive the area

Exploration in any area can go on for a long time. Many years ago when there was not the demand for nickel which there is today—in fact, it was mined in only two places in the world at that time —I remember reading an article in a reputable publication about one mining company which practically had a world monopoly of nickel. The company in question carried out exploration in various parts of the world and, when a discovery was made, it secured the area and closed it off. The company did not go on mining for the express purpose of keeping nickel in short supply. In this way the company was able to sell all of the nickel from the mine it was operating. I have never seen a challenge made to the article in that publication.

A different situation exists today because there is a tremendous demand for nickel for many projects. However, the situation could arise. If a big mining company discovers new deposits of nickel and is already engaged in developing and working other deposits, we can well imagine that the company would not worry too much about opening up the new deposits. This kind of situation will happen with some of the areas held at the present time. Certain holdings will be developed but others will be left. I realise that it probably would not be beneficial, or within the bounds of possibility, to develop all holdings at once, but there is the danger of the mineral resources of the State falling into the hands of a select few. If this happens there would be a consequent tying-up of the minerals and of the areas involved, which would have a detrimental effect upon the State and the people in it.

Why did not the Minister consult the people in the industry before he decided to go ahead with the legislation? He should have consulted them to ascertain their feelings. After all, they are the ones who will be vitally affected. A tremendous number of people in the State will not be affected directly by the legislation, but they will be affected indirectly. There are, of course, many people who will be affected directly. Why were they not consulted?

When other measures have come before the House, frequently the Ministers handling the Bills have said that the people concerned approved of them, or that the majority approved. We have received no such assurance on this measure. We have been told that some mining people approve. I can well believe that statement, because some mining people will be in the fortunate position of being able to take advantage of it.

The fact that the provision will cover all minerals is, to my mind, obnoxious. Previously, when a reserve was granted it was granted for some particular mineral or an associated mineral. It certainly was not granted for all minerals. I have never known a temporary reserve to be granted in relation to all minerals. This has certainly applied during the time I have been a member of this House and I am sure it applied in the time of my predecessors. The provision will leave the position wide open, because it covers all minerals, including coal.

I will not dissect the whole of the Bill, but only the provisions which I consider obnoxious.

The time is long overdue, as far as I am concerned, for protection to be given to farmers, graziers, and the owners of private land. Previously they enjoyed a certain measure of protection under the Act, but the amending legislation will give them wider protection. Some of the provisions relating to private land may be a little too farfetched. I have had it said to me that the legislation will practically hand over the minerals to the property owner. I do not know whether that will be the case. Probably we will have to watch the legislation in operation to see the full effect, but I know some mining people are critical of these provisions.

I have always believed that the private property owner should be protected. I was quite perturbed to read what has been occurring on private property so far as mining companies are concerned. Some mining companies have been entering properties without telling the owners of their intentions. Not so long ago I read a Press report of a farmer in the great southern district. He heard a noise and came out to investigate. He saw a helicopter land on his property amongst a flock of sheep. When he went over to investigate he found out that the helicopter belonged to a mining company which was officially prepared to peg out an area of the land. I think this is a shocking state of affairs.

If people have applied for a permit to enter private property they should have the courtesy and decency to inform the owner of the property of their intentions, and they should disturb the property as little as possible. I am extremely pleased to see that provisions which will curb this kind of action have been included in the measure. It is high time it was curbed.

How it will work, I do not know. We all know that at times we have to make a decision whether minerals or private property are more valuable to the State.

We also know that at times the Government resumes private property for particular purposes. Perhaps a decision will have to be made whether valuable minerals should be worked, although it may run counter to the interests of private ownership. I think we will have to look at that aspect.

Consideration will have to be given, too, to whether mining will be carried out all over the State, irrespective of the location. We know that mining is being undertaken in various areas.

I have been concerned about which is the more valuable to the State—mining in forest areas or the forest itself. I think we must take a good look at that. There is also the question of conservation. Mining operations should not be carried on willy-nilly, just because they are payable propositions, when beauty spots and areas that should be preserved are being destroyed. I am rather perturbed about this whole matter.

Is the power going to rest in the hands of the Minister for Mines? The Government has stated that it intends to appoint a Minister for conservation, but it has not said when that will happen. Who will have the authority over flora and fauna reserves—the Minister for conservation or the Minister for Mines? I would say the Minister for Mines would have the overriding power. I should be very pleased if the Minister for Lands would deal with that point in his reply.

Mr. Bovell: I will reply now—

Mr. MOIR: He is very concerned, being the member for Vasse. He represents a beautiful part of the country, at Busselton, and mining companies have hungry eyes on certain areas of it. I want to know whether the Mines Department or some other authority will decide whether those areas will be mined. Is it desirable to mine everything that is mineable or payable, or do we intend to have some regard for the natural beauty and features of this State and not allow them to be destroyed? We have already made some mistakes in this regard. We have allowed unsightly quarries to be operated on the Darling Range escarpment, when they could quite easily have been situated somewhere out of sight and the stone would not have had to be carted very much farther. Not only are the quarries unsightly but, more importantly, they are detrimental to the health of the people who live nearby. The Minister heard my views on that when I was speaking on other matters previously.

Mr. Bovell: Does that include Wundowie?

Mr. MOIR: I am critical of conservation coming under the Mines Department, because the present Minister has allowed mining tenements to be established on the flora and fauna reserve at Kalbarri, which is a beautiful area at a certain time of the year. I think that if we decide to set an area of country aside for a special purpose it should not be violated unless there are some very particular reasons for doing so. There might be some justification for it in time of war if a rare metal was required.

Mr. Bovell: What is the basis of your information that approval has been given to mine on Kalbarri Reserve?

Mr. MOIR: I understand there are mining tenements on the Kalbarri Reserve.

Mr. Bovell: You should be sure of your statements.

Mr. MOIR: Will the Minister say there are no mining tenements on any "A"-class reserves?

Mr. Tonkin: That is a fair question.

Mr. MOIR: I am not getting an answer.

Mr. Bovell: I would have to be an outstanding person to be able to say 'on any "A"-class reserve'. There have been a number of applications made but they have not always been granted. Of course, that is where the discretion of the Government comes in. As far as the bauxite in the Darling Range is concerned, I understand some approvals were given by a former Government.

Mr. MOIR: That may well have been so; but not on any reserves, as far as I am aware.

In regard to private ownership of land, I notice that when a permit is applied for and granted it has to be served on the owner. Only certain land will be open to that. The definitions laid down in the legislation regarding the privately owned land that can be entered are very circumscribed but the permit must be in the possession of the applicant and he has to serve it on the owner and let him know what he intends to do.

There is one rather peculiar thing in the Bill. I notice that the Minister is to allow prospecting on a portion of the area he has reserved. That is presumably a sop to the prospector, but a prospecting area is only 24 acres, so that will not be of much use to him. He can certainly mine for gold, if there happens to be any in that area, but that does not seem to give much help to the small man.

I am in the position of giving qualified support to this Bill but I believe that it should be referred to a Select Committee. At the appropriate time I propose to move that a Select Committee be appointed by this House to take evidence from people who will be vitally concerned with this

measure, and from people with very expert knowledge who will be only too anxious to give evidence before such a committee.

I mentioned earlier that it is not only the small man who is vitally concerned and considerably upset by this legislation but also some of the bigger guns in the mining industry. I have here a letter written by one of the principals of Burrill and Associates Pty. Ltd. The way it is addressed it is evidently a circular to all Government members, and I propose to read it out. The address is Suite 7, Capitol House, 10 William Street, Perth, Western Australia, and the circular is dated the 22nd April, 1970. It reads—

> We have enclosed a copy of a telegram sent yesterday to the Premier, Sir David Brand and to the Minister for Mines.
>
> It was our intention to distribute to Members of the Government our itemised reasons for such a request but we find that the second reading in the Legislative Assembly is on today's Notice Paper.
>
> Please be assured of our most genuine concern at the effect of several of the proposals. There are many points which should be investigated perhaps by a Select Committee but in brief:—
>
> Mr. Griffiths, as Minister for Justice, is obliged we believe, to take the determinations of the Courts of the land; now as Minister for Mines he proposes the exact opposite and will make his own determinations under Section 267A (Hansard 18 p. 3050), and is not obliged to give any reasons.
>
> We will have the situation that cases for damage for several thousands of dollars are governed by the due processes of law, whereas decisions possibly involving millions will be made by a Minister with no recourse to legal action.
>
> The change in procedure for gaining access to private property, and for advising pastoralists are cumbersome to the point of being unworkable in some aspects. We quite agree that the rights of the land owner should be protected but would much prefer that the farmer be granted mineral rights to his land than implement new proposals. In this way the prospectors approach is clear cut and not snagged by dealing with an owner and a government agency.
>
> "Varying Conditions" as in 116G is of course, changing the rules whilst the game is in progress.
>
> The Minister proposes to relax his pegging ban only in a piecemeal manner and in fact his amendments do not really approach a solution to the pegging problem.
>
> In the meantime he will set himself up as "Director of Exploration" for the State and will therefore deny the discoverer's rights established by the Eureka Stockade and which became a firm underlying principle of Australia's various Mining Acts.
>
> Much has been made of conservation—might we comment that we are conservation minded but find it strange that Mining is so much attacked. Mining destroys an extremely low proportion of flora and fauna compared to say:—
>
> the clearing of farm land,
> overstocking,
> industrial pollution,
> governmental agencies.
>
> There are other unsatisfactory features but we offer these points for your consideration in the hope that you may press for a Select Committee to investigate the proposed Amendments and the Mining Act in general.
>
> Your faithfully,
>
> W. R. K. JONES
> Burrill and Associates Pty. Ltd.

Mr. Bovell: That is a biased opinion of self interest.

Mr. MOIR: Those people are not miniatures in the game; they are the geological advisers to the Poseidon company.

Mr. Court: They are very much under attack by one of your colleagues in the Federal Parliament.

Mr. MOIR: I cannot help that; that was because Burrill was supposed to have had prior knowledge.

Mr. Tonkin: What does the Minister for Industrial Development think about the company?

Mr. Court: I am just reminding your colleague that they are under attack in the Federal Parliament.

Mr. MOIR: What does the Minister think about it?

Mr. Court: I agree with the comment made by my colleague, the Minister for Lands, that the letter was written purely out of self interest.

Mr. MOIR: Of course; I think selfish attitudes motivate a great many people in this world and I take it that even mining companies are susceptible to that motivation. Companies go out into the country to discover minerals and to work in order to make a profit.

Mr. Court: That is fair enough.

Mr. MOIR: They do not do that to create employment for the people in the district or to distribute money around the State; they try to make a profit.

Mr. Court: Of course, if there were other circumstances it would suit your convenience to interpret that letter in exactly the opposite way.

Mr. MOIR: I have also a copy of a telegram sent to both the Premier and the Minister for Mines. It is headed "Confirmation of telegram sent 21st April, 1970, 10.30." and states—

> Most earnestly request you do not present Mining Act Amendment to Legislative Assembly until exploration industry has had opportunity to consider implications stop your Minister is reported as requesting members of industry to advise opinions stop there has not been time since issue of amendments stop believe many most undesirable features of new act not in best interests of industry or state as whole stop as example major overseas groups with whom we work considering diverting funds out of state if tenure cannot be guaranteed.

I do not doubt that is quite correct; I do not doubt that some companies will not be bothered staying here or even coming here if we have measures such as this.

Mr. Court: You should be flattered that the writer of the letter you quoted included you amongst Government members.

Mr. MOIR: As a matter of fact, the letter came into my possession shortly before I started to speak, and it was given to me by a member on this side of the Chamber, the member for Collie. I told him that I had not received a copy, and I was rather mortified that I was not considered important enough to get one. Then I saw the heading which stated it was "A Circular to all Government Members of the Legislative Assembly and Legislative Council" and I realised straightaway that these people knew that we on this side of the House would not support a nefarious measure such as this.

Mr. Bovell: Surely the member for Collie is not classed as a member of the Government!

Mr. Jamieson: They made at least two mistakes.

Mr. MOIR: In any case, I read the letter to show that these people are concerned. An important mining man phoned me long distance at lunch time and told me he was most concerned about the measure. He said he had a copy of the Bill in his possession for a matter of only a couple of days and he had been writing down his thoughts about it. He told me he was coming to Perth on Monday to have an interview with me. However, I told him that it was too late because the measure was before the House at the moment. He was most concerned about the legislation.

Mr. Bovell: The Bill has been before Parliament for weeks.

Mr. MOIR: The Minister says, "weeks" but I think it is only a fortnight, or a little over—maybe three weeks. However, it is not sufficient time for knowledge of it to become widespread amongst mining people.

I wish to refer briefly to the section of that letter which indicates that the Minister can vary the provisions he lays down. Even after a successful applicant puts forward all the necessary guarantees, lodges whatever sum of money the Minister requires as a guarantee, and embarks on the course of operations laid down by the Minister in the agreement for the license, the Minister can, at any time during the currency of the license, alter it in any respect that he wishes, because this amending Bill says so. That is, if the Bill becomes law.

I cannot imagine anybody exercising that power arbitrarily, but the fact that the legislation exists would be a cause of concern to the people who have to operate under it. I think I have indicated quite clearly that I intend to move for the appointment of a Select Committee at the appropriate time. With those remarks, I will give way to other speakers.

MR. GRAYDEN (South Perth) [4.48 p.m.]: This Bill was introduced on the basis that the proposed amendments to the Mining Act were relatively minor. Instead of that, of course, we find the proposed changes are far-reaching in the extreme. If they are approved the entire basis of prospecting and mining in Western Australia will be drastically changed and curtailed.

The Mining Act was framed by individuals who knew something about mining. However, as far as I am concerned, this Bill cuts completely across that Act in a way which is nothing less than sacrilegious. As I said to Don Smith of *The West Australian* yesterday, if this Bill is passed the Mining Act would become a savage, hotch-potch document bursting with a potential for corruption and malpractice that would shake and defy the imagination. I will enlarge on that as I proceed.

I would like to go further and say that I cannot believe a Bill which so grievously affects the mining industry of Western Australia could be so lightly introduced. The very fact that it has been introduced shakes my confidence in the Mines Department and its officers. I do not know whether Mines Department officers were the instigators of this Bill, but for very good reasons I do not think for one moment that they were. However, the fact that the officers of that department could not dissuade the Minister for Mines from introducing a Bill of this kind is in itself an extraordinarily serious thing.

I have never heard the Minister lay claim to any practical knowledge of mining, but he has introduced this Bill and apparently no officer in the Mines Department has made any attempt to dissuade him from doing so. That fact alone is extremely serious, and prompts me to suggest that a Royal Commission should be appointed into the Mines Department of Western Australia to make inquiries, firstly, into its administration; secondly, into the security of the department because of certain acts that have happened in the past, to which some members could point; thirdly, to inquire into allocations of reserves in the past; and, fourthly, to inquire into the ability of officers of the Mines Department of Western Australia effectively and satisfactorily to advise the Government of the day on matters that affect mining in this State.

In making this suggestion for the appointment of a Royal Commission to make these inquiries I may appear to be extremely unkind to the officers of the Mines Department; but, on the other hand, I think I am being kind to the Minister, because he was responsible for the introduction of the Bill. He should go before the people of Western Australia to make it clear that he accepts the responsibility for this measure.

Mr. Bovell: Of course he accepts responsibility for it!

Mr. GRAYDEN: The Minister himself must accept responsibility for this Bill. I go further by saying that the person who inspired the Bill, in the main, was none other than Mr. Brodie-Hall of Western Mining Corporation Ltd.

Mr. Bovell: Nonsense!

Mr. GRAYDEN: The Minister says, "Nonsense," but let me show how factual that statement is. When he introduced the Bill in another place the Minister for Mines stated that he had accepted advice from the Chamber of Mines in respect of the ban on pegging. He drew attention to the fact that he had accepted advice not from those engaged in the industry, generally, but from the Chamber of Mines.

I will now turn my attention to the Bill. It proposes to put into effect a ban on the pegging of mineral claims in three-quarters of the whole area of Western Australia, unless at some time the Minister—

Mr. Bovell: You are putting into the mouth of the Minister for Mines words that he did not utter.

Mr. GRAYDEN: I will read the actual words.

Mr. Tonkin: The Minister for Lands knows that that is the true position.

Mr. GRAYDEN: The following are the words of the Minister for Mines in another place:—

> The Western Australian Chamber of Mines has requested me—

The SPEAKER: There is a Standing Order, is there not, which refers to the reading of a report on any debate in another place during the current session?

Mr. GRAYDEN: I am very sorry, Mr. Speaker.

The SPEAKER: You will desist until I check the Standing Order. You can continue to speak on something else.

Point of Order

Mr. TONKIN: On a point of Order, Mr. Speaker, will you please indicate what the member for South Perth has to desist from doing?

The SPEAKER: Until I check the Standing Order I am not sure whether it does prevent any honourable member quoting the report of a debate in another place during the current session.

Mr. TONKIN: That does not prevent him from referring to what has occurred in another place.

The SPEAKER: The member for South Perth was reading from *Hansard*.

Mr. GRAYDEN: I was not quoting from Hansard, Mr. Speaker, but from a statement.

The SPEAKER: What is the statement?

Mr. GRAYDEN: It is a proof.

The SPEAKER: That is still a *Hansard* report. Let us have it straight; it is a production from *Hansard*. Is that correct?

Mr. GRAYDEN: It is a pull of the statement that was made.

The SPEAKER: Taken by the *Hansard* reporters?

Mr. GRAYDEN: Yes.

The SPEAKER: Do you know whether it has been corrected by the Minister?

Mr. GRAYDEN: I am not sure.

The SPEAKER: Standing Order 124 reads as follows:—

> No member shall allude to any debate, during the current Session, in the other House of Parliament.

That is clear enough, surely.

Debate Resumed

Mr. GRAYDEN: I am sorry I overlooked the existence of that Standing Order. As I stated earlier, the inspiration behind the Bill comes from Mr. Brodie-Hall of Western Mining Corporation. This is borne out by the following statement he made a

few weeks ago at a summer school held at the University of Western Australia:—

> Only the big companies would be able to develop W.A's mining potential to its maximum. They had the technical expertise and continuing sources of money needed to carry out thorough searches.
>
> These were the concerns that should be given the opportunity to peg big tracts of land which they could explore till they found something or proved that there was nothing there.

Obviously, in view of that statement, Mr. Brodie-Hall did not want to see any small prospectors interfering with the activities of big companies. Needless to say, I was horrified when that statement was brought to my knowledge. We then find, following that statement, the Minister introducing a Bill which embraces precisely what Mr. Brodie-Hall has advocated.

If passed, the Bill will have an effect upon the State in four main ways. At the moment the State is exploring every possible avenue to obtain more funds for the State by way of taxation, but if agreed to, the Bill will result in the State losing millions of dollars annually from mining fees. That is the No. 1 effect. I shall enlarge upon that shortly to indicate how this figure runs into millions of dollars every year.

Secondly, the Bill will prevent holders of miner's rights from pegging mineral claims and leases in virtually three-quarters of the State unless, at some time in the future, and entirely at the whim of the Minister, the decision is made to throw open additional areas in which mineral claims can be pegged.

Thirdly, the substitution of 100-square-mile reserves for mineral claims which must be granted by a warden's court, increases the patronage of the Executive, and provides unlimited opportunities for corruption and malpractices.

Fourthly, the Bill represents an attempt to overcome the problems of the Mines Department of Western Australia by allocating the mineral resources of this State among a handful of favoured recipients. Those are the four principal factors that will have an effect on the State if this Bill is passed.

Mr. Burt: That is assuming everything.

Mr. GRAYDEN: I would point out to the honourable member that I have another half hour within which to corroborate these statements. Firstly, I stated that the Bill, if agreed to, will cost the State millions of dollars. Every member knows that Western Australia is extremely short of revenue. We know that the Government has introduced a road maintenance tax to increase its funds. We realise it is short of money for the provision of hospitals, schools, and other important services.

Therefore, the State is definitely short of money. Up to now, every prospector who pegs a mineral claim pays, annually, 25c an acre in rent for the lease. That is possibly the freehold value of the land. I can recall that, a few years ago, a proposition was put forward that land should be sold at 20c an acre freehold for the development of an area at Balladonia.

We must remember that every little prospector throughout the State who has a mineral claim pays 25c per acre per year for the right to that land. So the land is not being given to him.

Let us now compare this position with that of the pastoralist. Under the Land Act of Western Australia the Pastoral Appraisement Board is able to recommend any fee at all so far as a station is concerned, but the Act lays down that no station will be allocated at less than $4 a year. I am now not talking about an acre but about possibly 1,000,000 acres. It is not possible to allocate a station at less than $4 a year. Some stations of course pay much more than this; they pay something like 50c per 1,000 acres. Holders of pastoral properties in the Kimberley can pay up to $1 a thousand acres, and in the case of the goldfields areas they pay 30c a thousand acres.

The Minister has the power at any time, as a result of a recommendation from the Pastoral Appraisement Board, to reduce that amount. This is done throughout Western Australia. I know many stations which have been paying no more than $4 a year which have hundreds of thousands of acres. This is what the pastoralists pay, but the prospector pays 25c a year per acre.

Mr. Bovell: The ratio of income is very different.

Mr. GRAYDEN: Let us have no red herrings. The Minister has indicated that there are currently 40,000 mineral claims in Western Australia, nearly all of which are of 300 acres in extent. The Minister has also indicated that 12,000,000 acres of land are held under mineral claims in this State at the present moment.

This means that from those 12,000,000 acres, the State receives $3,000,000 in rents alone; that is from the 40,000 mineral claims in Western Australia. In addition, when those 40,000 mineral claims were pegged, survey fees were extracted which ran into approximately another $3,000,000. Accordingly in the first year $6,000,000 was paid. But as long as these claims are held the State will be getting $3,000,000 a year.

Had the Minister allocated a comparable area consisting of a reserve of 100 square miles, the State would have received $149,600. That area would have been divided into 187 reserves and $800 a year would have been paid for each, and the State would have received $149,600 as compared with $3,000,000. This is in respect of the claims which are already pegged.

The Minister anticipates there will be a spate of pegging. Let us assume we have another 40,000 claims. This will mean another $3,000,000 a year rent to which must be added, in the first year, a further $3,000,000 by way of survey fees.

Yet we find the Minister wants to forgo this $3,000,000 and grant temporary reserves which will bring in the paltry amount of $149,600. If we are going to throw away that amount of money, then how can we persist with our road maintenance tax?

Mr. Bovell: A moment ago you talked about red herrings. You are now dragging the biggest red herring across the trail.

Mr. GRAYDEN: This will prevent the holders of mining rights from pegging mineral leases in three-quarters of the State. The Minister has said he is prepared to exclude the ultra-basic areas of Western Australia from the vast reserve which this Bill will create. But the ultra-basic areas would not cover more than one-fortieth of the State.

The Minister goes further and says he will exclude an area of about 240,000 square miles, which is about a quarter of the State. If he excludes the 240,000 square miles, it will embrace a tremendous amount of land which is not ultra-basic; it will embrace a tremendous amount of agricultural land, because these areas extend into the agricultural areas.

The area of the State is approximately 1,000,000 square miles. The Minister has indicated that he will excise 240,000 square miles from that. The South-West Land Division comprises only 100,000 square miles, of which approximately 50 per cent. is cleared. So in the South-West Land Division we would have 50,000 square miles of uncleared land.

So, when I say that three-quarters of the State will not be available for pegging, I am completely accurate. I have the figures here and they can be checked. What will be the position in the remaining three-quarters of the State, which embraces almost the entire north-west and the area east of Norseman? Throughout these areas there are small sections of ultra-basic rock.

However, it is not the Minister's intention to do anything about these areas. All he is concerned with are those areas where there is intense activity, from Norseman to Leonora, and thence to the west. He does not propose to make any provision for the smaller ultra-basic areas throughout the State; nor will any provision be made for the numerous dykes. I refer particularly to the dyke at Norseman which is about 60 miles long. Again the Minister will make no provision at all for the precambrian undertermined areas marked on our geological maps. The precambrian areas could well be ultra-basic but sufficient work has not been carried out to establish that fact.

Right through Western Australia—and getting away from the ultra-basic areas—one can stumble across copper mines, lead mines, and tin mines, and one can also find tantalite, beryl, and many of other minerals. Nobody, however, will be permitted to peg any discoveries of this type, with the one exception I will mention in a moment.

In the three-quarters of the State which has hitherto been open for pegging, the Minister will from time to time throw open certain areas for which he will invite applications for reserves of 100 square miles. The first effect this will have will be to concentrate the mineral exploration in the area thrown open by the Minister, which is precisely what he tells us he wants to avoid. This, however, is exactly what will happen. When the people concerned have made their applications, the Minister will decide which person is to be granted an exploration license.

We can take the case of, say, some station hand who is 100 miles from Marble Bar or in some other remote area and who in the course of his work finds a copper deposit. Let us assume it is 1,000 feet in length; but nothing can be done about this find, no matter how important it is to the State. He would have to wait five or 10 years, or perhaps longer, until the Minister, in his wisdom, saw fit to throw open that particular portion of the State for the granting of applications for exploration reserves. When the Minister does that prospectors will converge on that area, and virtually the whole of it will be taken up in exploration licenses. The original finder would put in his application, together with thousands of other applications—that is, if he puts in an application at all—then it would be up to the Minister to decide who got the area. Therefore it will result in the complete cessation of prospecting, as we know it in Western Australia, if the Bill is agreed to.

This is an impossible situation. The Minister has talked glibly about prospecting areas. He has said, "I have looked after the little man. I will enable him to peg a prospecting area." Let us see what that implies. It means that an individual will be able to peg one, and not more than one, area of 24 acres. In certain circumstances, if he is outside a proclaimed mineral field or goldfield—and virtually all the State is proclaimed as a mineral field or a goldfield—he can peg 48 acres. Generally he will be able to peg 24 acres only.

A prospecting area gives the right to a person to prospect, and he is limited to mining 50 tons of ore. If he wants to mine more than that quantity he has to go before the warden who can allow

him to mine a greater quantity, and permit him to convert the area into a lease or mineral claim. However, there is no provision in the legislation to enable that person to convert, but let us assume he can convert it.

Mr. Burt: He can.

Mr. GRAYDEN: That remains to be seen. Let us assume that he can convert. I will not be adamant, and it is possible that he can convert; but I cannot see that he can.

Mr. Bovell: Look at the Act.

Mr. GRAYDEN: A person is permitted to peg 24 acres only. These are days of extensive nickel exploration, and companies have pegged entire fields. Under those circumstances nobody wants to peg only 24 acres. That is absolutely and utterly ridiculous. A P.A. imposes all sorts of obligations on the individual to work the leases. The Mines Department is infinitely stricter with the holders of prospecting areas than it is with any other form of mining tenements, because the holder of a prospecting area is not paying 25c an acre annually—as is the case with mineral claims—but a figure of $1 a year. The right conferred under a prospecting area is the right to prospect for minerals. It is idle for the Minister to express the view that he is looking after the little man. The fact that virtually no prospecting areas have been granted in the past few years is a clear indication that they are no longer of consequence in this State. That is the first point.

The member for Murchison Eyre, who interjected while I was speaking, said that in respect of the 100-square-mile reserves the Minister will only grant these in remote areas. Of course, that is utter rubbish, and what I have said cannot be refuted. I will be very interested to hear the Minister for Lands attempting to refute it. The whole object of this Bill is to do away with pegging in three-quarters of the State, and to substitute in lieu the pegging of 100-square-mile areas. That is the whole object.

Mr. Bovell: The whole object of this Bill is to be fair to all sections of the community.

Mr. GRAYDEN: Getting back to the remote area provision, the Minister has also made it clear that he will reserve the right to grant prospecting licenses over 100 square miles on temporary reserves when they have been relinquished.

These reserves extend from Norseman right through the ultra-basic areas; they are huge reserves. The companies which have been granted prospecting licenses are obliged to relinquish 50 per cent. of the area each year; so, if they cannot prospect quickly enough they will have to relinquish some of the area.

In such circumstances what the Minister will do is to call applications for the granting of prospecting licenses for the relinquished areas. There will be prospecting licenses granted over 100 square miles on temporary reserves which are right in the middle of the zone of intense activity in mineral search. How then can the member for Murchison-Eyre say that these areas of 100 square miles can only be granted in the remote areas?

We could have this iniquitous situation: Out of Norseman, in a zone of tremendous interest, where people are falling over themselves to peg mineral claims, one individual might be granted 100 square miles at an annual rental of $800, and alongside him another individual, a company, or a group of individuals might peg a comparable area as mineral claims; but this individual, company, or group would have to pay $16,000 annually. How iniquitous would such a situation be? It is as cut and dried as that. This talk about the granting of 100 square miles in remote areas is absolute rubbish and smacks of hypocrisy.

Under the Mining Act the Minister already has ample power to grant temporary reserves of any size under any conditions he thinks fit. He has that power, and he has used it in the past. For instance, he has granted one temporary reserve of 3,000 square miles in the north, but I do not know what the holder paid for it. However, I have contacted other people who have been granted huge areas as temporary reserves, and they inform me they are paying something like $30 per annum. Yet other people around them are paying only $75 a year in rent for every 300 acres that they have pegged. That is how the system of temporary reserves operates.

For those reasons the Minister had to discontinue the granting of temporary reserves many months ago. He discontinued doing so, because the system was iniquitous. However, under the Act the Minister still has power to grant these areas; he does not have to come before Parliament to seek the right to grant 100 square miles as prospecting licenses. He is aware that he cannot, under the present circumstances, grant temporary reserves except in remote areas because of the criticism that will result; so he wants Parliament, either wittingly or unwittingly, to insert in the Act a provision to enable him to grant 100 square miles in areas where there is mineral activity. I do not think that anyone except the Minister will go along with a proposition of this kind, because already he has power under the Act, and he can use it again if he wishes. For those reasons I cannot, under any circumstances, agree with the 100-square-mile proposition.

Temporary reserves have their place in the Mining Act and in the mining industry of Western Australia, but they are

largely outdated. Years ago, before the advent of nickel when the Government was trying to induce companies to explore for base metals in Western Australia, it was possibly a reasonable proposition for the department to grant temporary reserves—but certainly not huge temporary reserves.

That situation has changed, and today the State is swamped with mining companies and individuals searching for minerals. In these circumstances the granting of huge areas to individuals for a pittance is unthinkable. The Minister is aware of this, and therefore he wants Parliament, wittingly or unwittingly, to give him permission to grant 100-square-mile areas. I suggest that if he is given such power he will not grant the prospecting licenses in the area he has indicated—the major portion of the ultra-basic zone—except in the circumstances I have mentioned when temporary reserves have been relinquished. However, there are many areas in Western Australia in which tremendous possibilities exist for the finding of minerals of consequence, and these are the areas in which the 100-square-mile reserves will be granted.

Time is moving along and I have a lot to say so I will try to hurry up.

Let us just contemplate what the granting of 100 square miles of reserve means, and the Minister is asking this House to give him that permission. Recently Mr. Hancock, with whom people are familiar, said he has three new iron ore deposits in the north-west. Someone pointed out at the time that these three new deposits were within an area of 100 square miles. If he says they are huge, they are. Let us assume that they might be each worth $1,000,000,000 in profit. This is on the assumption he will make a profit of $2 a ton which would be quite reasonable, and each deposit contains 500,000,000 tons. As I said he has three deposits each of $1,000,000,000 in one area of 100 square miles, which totals $3,000,000,000. The Minister is asking for the sole right to allocate the mineral resources of Western Australia when they are of that consequence.

This is a serious matter. Let us take Poseidon, stretching, say, over one mile—not 100 square miles, but one mile by half a mile valued at $500,000,000, or even possibly $1,000,000,000. How many Poseidons could one get into 100 square miles? Is this the way to allocate natural resources? Could anyone in this House go along with a proposition of this kind? Of course not!

I sincerely hope that later on everyone will vote to refer this Bill to a Select Committee because we could then go back to the industry and be supplied with reasonable propositions in respect of amending the Mining Act of Western Australia.

Now, if we go ahead with this Bill and permit the Minister to take unto himself the sole right to decide from possibly 100 applicants who is to get a special area, who would be the successful applicant? Let us have a quick look at the Bill and what a person must do before he applies for one of these areas. We can see it completely excludes the small mining man. An application has to be accompanied by particulars of—

(i) the financial resources available to the applicant;

(ii) the technical qualifications of the applicant and of his employees and the technical advice available to the applicant;

(iii) any other matter relevant to the ability of the applicant to explore the land effectively and to comply with the provisions of this Part relating to exploration licenses;

(iv) a detailed programme of the proposed operations for the exploration of the land to which the application relates; and

(v) the amounts of money the applicant proposes to expend in fulfilling the programme referred to in subparagraph (iv) of this paragraph.

Further on it says that the applicant must—

(a) provide for a geological geophysical, geochemical or other survey of the land to which the application relates to be carried out to the satisfaction of the Minister under the direction of a person approved by the Minister; and

(b) specify the surveys and other operations, including drilling operations, which the applicant proposes to carry out, the periods within which all those operations are to be carried out and the sums of money which the applicant proposes to expend on the respective operations.

That is what anyone who contemplates applying for one of these 100-square-mile reserves has to do. He must first of all comply with all those strictures. Only the mining entrepreneur or the experienced or big mining companies could begin to think of a programme which would meet the requirements of the Mines Department.

If 100 applications are received for one particular area, who will be granted it? It would be granted to the biggest company because it would be able to supply the most detailed plan of what it proposed to do. We have had this sort of thing happen in the past when temporary reserves in Western Australia have been granted. To my mind it has been nothing

short of a disgrace that many of them have been granted in extraordinary circumstances.

Quite briefly let me mention one, but I could quote others. When the ban on the pegging of iron ore was introduced by the Minister, he declared certain areas as ministerial reserves. These areas contained certain known iron ore deposits. One of the areas included the Weld Range area. Possibly a couple of years, or it may have been longer, after the ban was lifted some individual went along to the Mines Department apparently and received permission to go onto that ministerial reserve. He contacted a group of individuals who brought out some Japanese representatives. These Japanese for seven months, I understand, conducted a feasibility study of those well-known iron ore deposits, notwithstanding the fact that they were on a ministerial reserve.

Then, at that stage, the Government threw open that particular area and called for applications for it. It was stated that applications would close after 30 days. This meant that any representative of a mining company in Western Australia would first of all have had to write to his principals overseas who would then send out geologists to Western Australia to look at the deposits and carry out a feasibility study. The application would then have to be in within the 30 days.

When I heard of this I wrote to the department and pointed out how stupid the situation was and the date for the closure of applications was extended to three months. Within that time another company carried out a feasibility study and submitted an application, but it was not successful. The original group was. However, the original group had had the opportunity to carry out a feasibility study for seven months. It was up to the Minister for Mines to decide which of these two applicants would be granted that reserve and the Minister granted it to the group which had for seven months been carrying out a feasibility study.

It was reported in *The West Australian* the other day that the individuals who obtained that reserve now believe that there are 250,000,000 tons of ore in that general area. That huge iron ore deposit was granted under those circumstances. It is an extraordinary thing if the mineral resources of Western Australia are to be disposed of in that fashion.

Now, I am not criticising for the sake of criticising; I am just saying that this is a light-handed way in which to dispose of the mineral resources of Western Australia. Here was an area declared a ministerial reserve so that no-one could go onto it. The Mines Department and everyone else knew it contained a huge iron ore deposit. The information had been published in mining brochures for years, but no-one could go near the area because it was the subject of a ministerial reserve.

Mr. Burt: It was 33,000,000 tons.

Mr. GRAYDEN: The member for Murchison states that it contained 33,000,000 tons. Let us accept his figure. I was quoting the figure published within the last few days. I think that at the time the area was allocated it was 20,000,000 tons, but that is an amount of consequence. Subsequently it was found that this might prove to be infinitely larger. It might be the 250,000,000 tons that was mentioned.

We must remember that for some time the Government has been carrying out a feasibility study in respect of the establishment of a pelletising plant at either Geraldton, or Dongara, or possibly even in the Perth area. I do not know. However, it is hoped to bring ore from Koolyanobbing, Tallering Peak, Weld Range, and other places, and upgrade it at the pelletising plant.

So it can be seen that the deposit to which I have referred, even though it may be only 33,000,000 tons, is a deposit of significance.

The SPEAKER: The honourable member has five more minutes, and I have allowed him an additional three minutes for the intervention of the point of order.

Mr. GRAYDEN: Thank you very much, Mr. Speaker; I greatly appreciate that. So we can see a deposit was allocated in the way I have pointed out, yet the Minister now wants this House to give him permission to allocate the remainder of the mineral areas of the State to those who, the Minister considers, are fit to receive the 100-square-mile reserves.

I am suggesting that proposition is absolutely absurd; that it is quite unacceptable. I will be amazed if any member of this House can bring himself to grant that sort of power when, as I have already mentioned, 100 square miles of reserve could be worth, possibly, $3,000,000,000. That would be the situation, and that was the situation in respect of the Lang Hancock iron ore deposits. That will undoubtedly be the situation with regard to other deposits found in Western Australia.

There are a number of other aspects I want to touch on, but I want to emphasise that I am not concerned with some of the amendments, and I am quite prepared to go along with them. There are certain aspects of the Bill I do not like, particularly the one with regard to a person not being allowed to peg a claim without the consent of the owner of uncleared land. Possibly, 50 per cent. of the south-west of this State is uncleared privately-owned land. I am not certain, but the uncleared area is possibly 50 per cent. The Minister

proposes to double the area of land on which no pegging is allowed without the permission of the owner.

Another point which I certainly go along with is the provision in the Bill respecting areas of public interest. Naturally, the Minister should be in a position to be able to do something about those areas, and he should be able to do it quickly. Of course, the Minister already has this power at the present time because any application which is recommended by a warden's court can be refused by the Minister. The Minister is going a little further and he wants to be able to quash an application for a mineral reserve when it first reaches the warden's court. As I have said, I go along with that provision. The Minister will be given power to preserve places of interest.

However, those amendments are relatively simple. If they had been introduced by means of a Bill they would have received the approbation, possibly, of every member in this House. However, what the Minister intends in respect of preventing pegging, except in the circumstances I have outlined—100-square-mile reserves—is something I find completely unacceptable, and I hope every other member in this House finds it unacceptable.

I will not continue because my time has almost expired. Obviously, I will get an opportunity during the Committee stage of the Bill, and during the move for a Select Committee, to take up the other issues I have in mind. There will be opportunity to debate the Bill clause by clause, and an opportunity for the Minister to reply to the arguments put forward.

MR. T. D. EVANS (Kalgoorlie) [5.35 p.m.]: As the fourth speaker in this debate it may seem a little late for me to recall the state of the mining industry as it existed five years ago and compare that situation with the present day conditions. Nevertheless, I feel that the industry of five years ago is a fitting prospecting era from which I might try to develop my argument in opposition to the measure before us.

It is true that during the past five years this State has experienced a great upsurge—probably unprecedented—in mineral exploration and development. This phenomena has brought with it a great feeling of excitement and, no doubt, our State is the richer for it.

The parent legislation—the Mining Act of 1904—was largely framed to meet the situation which was geared to the discovery of gold at a time when the means of transport, the communications, and the methods of mining were less sophisticated than they are today. It is little wonder that the provisions of the Mining Act have been strained in the various efforts to use it as a fitting vehicle to deal with the conditions which exist today. It is also little wonder that we have found obvious weaknesses in the machinery of the Act, and those weaknesses have become extremely manifest.

Nevertheless, it is my view that in any review of the mining legislation, and certainly one is due, by the body politic—whether it be the State of Western Australia or any other State of Australia, or the Commonwealth of Australia, having regard to its move to take over the interests in offshore minerals—there should be embodied in the principal legislation and the amending legislation of that body politic a golden thread or a central theme. The Mining Act, in its present form, complies with that view. The theme is that exploration for, and mining of, minerals should be regulated and, indeed, encouraged to ensure the maximum advantage and return to the State. When I speak of the State, I speak of the State as being for the corporate benefit of its citizens, and this is the prime purpose of any mining legislation.

The mining legislation should be framed so as to return maximum benefit to the State and to the corporate well-being of all its citizens. To achieve this object it is obviously necessary to ensure that the interests of the State are protected. It is also necessary to provide a scheme within which the risks taken by individuals, by syndicates, and by companies searching for minerals should be rewarded adequately.

I think it is safe to say, based on statistics that have been made available over the years, that the total amount of money which has been expended in exploration for, and the development of, minerals—and this includes gold—is very little below the total monetary reward which has been won through mining and from the sale of the minerals obtained.

This may seem a bold statement to make, but if one analyses it one will realise it is true. There has been, of course, the Western Mining Corporation venture at Kambalda and, in recent times, the exciting Poseidon discovery at Windarra. However, for the very few successful ventures that we see today and that have occurred in the past, there have been a considerable number of other mining ventures where money has been poured in with little or no return.

If we are to retain an interest in exploration, obviously the rewards available to those who undertake these risks must be higher than those available to the people who pursue purely industrial, manufacturing, or commercial enterprises.

The interest of the State, which, again, I qualify as meaning the interest of the corporate body of all the citizens of the State as a whole, can be resolved only

by putting our priorities into proper order. The incentive for going into mineral exploration must be, and always has been, the chance of making a large capital profit out of a mining venture. Any legislation which prevents the risk-takers from obtaining such a large reward would disastrously dampen down the mineral search with all its attendant benefits to our State. Under the parent legislation there has always been—as there should be—a balance between the public interest and private interest.

The Act should be retained in such a form as to ensure the maximum economic development of the State's mineral resources. Above all, the initiative of the prospector should always be encouraged. Against this background, I would like to analyse the basic features of the amending legislation which is now before the Chamber.

I have subjected the amending legislation to serious examination and I have come to the conclusion that it seriously offends the very principles which I have tried to enunciate. I think it would be true to say that the major feature of the Bill is the introduction of the new concept of exploration licenses.

The Minister, acting under section 276 of the Mining Act, has placed an embargo on applications, with the exception of those of persons who wish to apply for a prospecting area on Crown land. At the present time, there is this embargo on the marking-out of other mineral tenements. I have read the remarks made by the Minister when he moved the second reading and it appears that he has developed a plan whereby part of the State will be retained under the present ban on marking-out until such time as he decides to invite applications from interested bodies for exploration licenses within the areas.

The Mining Act was conceived and given legislative breath in 1904. Since that time, it has always been the latent principle that a prospector—whether an individual or a company—was expected to exercise initiative. He was to go out into the field, find something, mark it out in accordance with regulations, and then apply for it. He has had to run the gauntlet of a recommendation from a warden and, finally, to run the gauntlet of obtaining the Minister's decision. If he was successful, the prospector was rewarded with a mining tenement; he then went in and developed it. The basic principle has been that a prospector must exercise initiative. As I say, he had to go out and find something worth worrying about before he made an application.

Under the new concept of the exploration licenses, if a prospector goes out and finds something, he will have no guarantee that he will ever have the right to develop it. If he intends to make an application, he will have to wait until the Minister exercises the initiative and calls for applications to go in and develop certain areas.

Mr. Rushton: Would not a P.A. change this?

Mr. T. D. EVANS: I am speaking in terms of exploration licenses. A P.A. covers 24 acres; I am speaking in terms of 100 square miles.

Mr. Rushton: It would not be the case if minerals were found on areas up to 24 acres.

Mr. T. D. EVANS: As I said, a prospecting area of that size has been an economic possibility only with gold.

Mr. Bovell: The area of 100 square miles will apply to the outback.

Mr. T. D. EVANS: I have already mentioned that the Minister will release part of the State under the system of exploration licenses. I realise from the Minister's words that he will release for normal marking-out purposes a portion of the State; namely, the area known as the ultra-basic rock area. I am speaking of the area where the concept of exploration licenses will operate. It is in this area that the principle of the Mining Act, as we have understood it, will be seriously offended. No longer will it depend upon the initiative of the prospector; the initiative of the Minister will become the foremost principle. The practical effect will be to restrict mineral exploration activities by all people except the few who are successful in obtaining exploration licenses. The initiative of a prospector to mark out a reasonably-sized mining tenement around a discovery will be lost. Accordingly the opportunity for prospectors to obtain some return for their initiative by either selling the right or allowing it to be taken out under option will be destroyed.

Mr. Rushton: Do you have any ideas on what would be a reasonably-sized area to peg?

Mr. T. D. EVANS: The principle of the present Mining Act is that, if a person wishes to apply for a prospecting area, he can apply for 24 acres. Obviously that would not be an economic proposition for any mineral known to us other than gold. Unfortunately, there is not much gold around. In terms of minerals other than gold, the present law allows for a mineral claim of 300 acres. Obviously, this claim will be denied to persons in certain parts of the State where exploration licenses will operate. In the first instance a prospector will not be able to apply for a mineral claim; he will have to wait upon the initiative of the Minister. In the past, a prospector did not need an invitation from the Minister. He had a natural right to explore at any time: now he will have to wait until the Minister invites applications.

Mr. Rushton: I am seeking the size of the area which the honourable member would like to see.

Mr. T. D. EVANS: In general, I would like the law to remain as it is. Admittedly, certain sections of the Mining Act have shown the results of growing pains but, generally speaking, I do not approve at all of this provision. I do not think it meets the needs of the industry or the needs of the State as a whole.

Later on I shall conclude by supporting the move that has been anticipated by the member for South Perth for a Select Committee to examine the needs of the State and the needs of the mining industry so that those needs might be reflected in the mining legislation of this State.

Getting back to the analysis of the Bill, it appears to me that as a result of having to wait until the Minister invites applications, many private individuals will be denied the just fruits of their efforts and their accumulated knowledge and experience over some years. I have always understood that this Government was one which was married to private enterprise. It would appear that private enterprise will be spelt out in practice as being enterprise by wealthy companies rather than by individuals.

Where an application is made for a prospecting area under the conditions set out in the proposed section 116 and associated sections, obviously only a wealthy company will win the favour of the Minister. I am not necessarily speaking of the present Minister. This new concept of the exploration license will come under the jurisdiction of the Minister no matter how much the present incumbent of that office might disagree with it. It is my view that if these provisions are enacted the Minister will in future be able to direct the tempo at which the mining industry, and particularly the exploration aspect of it, will proceed. If the Minister wishes to slow down the exploration side of mining, he will just cease to call for applications in a given area.

In *The West Australian* newspaper bearing yesterday's date a correspondent described the effect of this mining Bill as being one of zeal for authority absolute vested in the Minister. I think those words sum up the effect of these provisions relating to exploration licenses.

I would now like to pass to an explanation as to why a proposed amendment to clause 21 of the Bill appears on the notice paper under my name. Clause 21 follows a typical formula which has been used in legislation when it has been intended that natural justice should be denied to persons who become aggrieved under the legislation.

As you would know, Mr. Speaker, it was long ago decided, by a judgment of Lord Atkin in the case of The King v. The Electricity Commissioners of the United Kingdom, that where a Minister or a person in authority makes a decision which has the effect of depriving a person of some right, unless the legislation clearly expresses the principle that the Minister or person in authority is expected to act judicially or in a judicious manner, the aggrieved person has no rights whatsoever, even though he may have been deprived of some basic right that previously he had enjoyed.

Clause 21 has the effect of introducing a new section into the Act, to be known as section 267A, and it reads—

> Where the Minister is of opinion . . .

No-one else; just "where the Minister is of opinion." The section continues—

> . . . that an area to which an application for a mining tenement relates, should not, in the public interest, be disturbed, he may, by notice served on the warden to whom the application has been made, refuse the application irrespective of whether the application has been heard by the warden.

I am sure that most members realise that with one exception—and that relates to prospecting areas, which are only for 24 acres in any event—where a person applies for a mining tenement, his application must first of all run the gauntlet of receiving the recommendation of the warden. The warden hears the application, hears evidence, receives any objections, and comes to a decision, that decision being a recommendation to the Minister. The warden recommends that the application be either granted or dismissed, but it is not for the warden to say whether it is to be granted or not. The warden makes the recommendation to the Minister. The present law provides that the Minister always has the last say.

We are here being asked to condone a scheme whereby the Minster not only has the last say; he also wants to have the first say. He wants to be able to dismiss an application even before it comes before a warden. This is the crucial situation where natural justice, according to the action of the Minister, can be denied. Suppose the Minister receives notice of an application for a given area. Suppose he receives an objection from one quarter—one section of the community throws its arms up in horror. The Minister listens to that quarter of the community. I am not speaking of the present Minister necessarily. When I speak of the Minister, I point out that this legislation has perpetual operation.

The Minister might completely ignore the rights of the individual who applied for the area. He might not listen to him. He might not invite an application. He might act in response to the wishes of the

persons who are objecting. Under the wording of this section the aggrieved person has no rights whatsoever.

If the words that I have placed on the notice paper were inserted, having regard to the dictum of Lord Atkin in the case previously quoted, the Minister, if he had listened to one side of the question, would be required to listen to the other side.

Mr. Bovell: But the Ministers do listen.

Mr. T. D. EVANS: If he had not listened to any side he would not—

Mr. Bovell: You have not had ministerial experience. Ask anybody on your side of the House who has had ministerial experience. The Minister listens to all sides of a question.

Mr. T. D. EVANS: All right. Fair enough.

Mr. Bovell: He is not worthy of being a Minister if he does not.

Mr. T. D. EVANS: The Minister has tacitly told me he is going to accept the amendment. So the Minister will listen to both sides. I am trying to uphold natural justice, *audio alteram partem*.

Mr. Bovell: That is inherent in the ministerial oath.

Mr. T. D. EVANS: I am asking that it be written into the mining law of this State, and if the Minister is sincere he will accept the amendment. I am asking for no more than that.

Mr. Bovell: The Leader of the Opposition, the Deputy Leader of the Opposition, and the member for Boulder-Dundas have all taken this oath. They know.

Mr. Tonkin: It didn't make much difference to the T.A.B.

Mr. T. D. EVANS: I am gratified that the Minister has acknowledged the fact that the Minister for Mines will adopt, and always has adopted, under tradition, the practice of hearing both sides of a question. That is all I am asking. I am asking that the principle of *audio alteram partem* be upheld. If the Minister does not hear one side, he is not obliged to hear the other side either. I hope the Minister representing the Minister for Mines will, in accordance with his own principles, accept the amendment.

I think I have spoken long enough. I have tried to analyse the basic provisions in this Bill—it contains other provisions with which I have not concerned myself—and compare them with what I feel should be the golden thread or the central theme of the mining legislation of any body politic. I have weighed the provisions against that principle and have found them wanting.

The member for South Perth has anticipated a move for a Select Committee, and I feel that this House will be well advised to allow this Bill to remain for further consideration, and invite evidence from the mining community and all other persons interested. Then let us return to the task of reviewing the legislation in the light of evidence given to the Select Committee.

MR. BURT (Murchison-Eyre) [6.1 p.m.]: I rise to support this Bill with, perhaps, some qualifications. I regard it as a fair attempt to comply with the wishes of the mining industry as a whole. Mention has been made not only of the reasons which prompted the amendments to the Mining Act now sought by the Government, but also of the situation which was created towards the end of last year by the unprecedented upsurge in prospecting which resulted originally from the discovery of nickel at Kambalda in 1966.

Reference has been made also to the inability of the department to cope with this situation, and the member for Boulder-Dundas referred to the position at the beginning of this century. We have all read about that and know that quite a deal of prospecting for gold went on with tremendous activity in towns which are now no more than memories or, at the best, ghost towns.

However, I feel that never before has activity been known over such a wide area as has been the case in Western Australia, particularly in the last 18 months or so, and more particularly in the period following the discovery of the Poseidon deposit last September.

When the member for Boulder-Dundas was speaking I referred by interjection to the fact that in the old days there were no aeroplanes or helicopters to aid the prospectors and explorers. I would like to instance an event whch occurred last year in an area north of Laverton, when a well-known American company carried out a pegging campaign, with the use of helicopters, that was reminiscent of an aerial attack by an army. Over 400 claims, each of 300 acres, were pegged in one day. Employees of the company descended upon the area in helicopters early in the morning and the occupants jumped from the machines and systematically and very carefully and efficiently pegged over 400 mineral claims of 300 acres each. They completed their task before dark.

Mr. Moir: Were the claims pegged in accordance with the provisions of the Mining Act which states that the boundaries should be marked out?

Mr. BURT: The regulations under the Mining Act do lay down how boundaries should be marked. No doubt the member for Boulder-Dundas knows only too well that the method has been varied a little; however, I will mention that later because I have rather strong feelings about the way certain areas have been pegged since the start of this boom. I mentioned that event to give members, generally, some idea of the impetus and the

keenness of companies which have thousands of dollars to spend to obtain land which they consider worthy of investigation.

I think in some way that example explains how the Mines Department, hitherto—or until a few years ago—geared to handle only occasional pegging of goldmining leases and prospecting areas, suddenly was hit by an avalanche of mineral claims and it was physically impossible for the department to cope. So the Minister did what I consider was the only possible thing to do in the circumstances: he placed a ban on pegging to allow his department time to catch up with the tremendous backlog not only in granting the claims—as we know, there is still a big delay on that side—but also in putting the claims onto a common master plan so that confusion would be cut to a minimum.

The Minister has also seen fit to discontinue the granting of temporary reserves although, of course, there was then—and still is—a number of this type of holding in evidence. I understand that the department has now got a grip on the matter as far as putting the mineral claims onto a master plan is concerned. The officers of the department have more than three-quarters accomplished their task and it is to be hoped that the time is not far distant when the ban will be lifted—on certain areas, it is true—to allow companies which have been prospecting and have in some cases been carrying out illegal pegging throughout this period, once again to peg and apply for the areas they feel are worthy of this prospecting.

The mining boom has been a most healthy factor in the economy of this State. It is of tremendous importance that the boom has attracted to this State, to search for minerals, literally hundreds of companies with reputations that are world-wide. Despite the fact that, in some instances, speculators have had their fingers burnt on the share market, and the hopes of all of us have taken a tumble recently, we must bear in mind that such factors are inseparable from any mining boom. In the last century one could point to similar happenings at Broken Hill and Mt. Lyell, and the booms in the goldfields of this State in the early part of the century and from 1933 onwards; but I repeat that a mining boom represents a healthy factor in the economy of any country.

Of all the mining ventures entered into, I suppose only about 1 per cent. become operating mines. That is the situation in regard to all mining exploration and the successful mining companies make up for the failures. That is, the number of mines that become operative offset all the unsuccessful prospecting that has been conducted hand-in-hand with the successful ventures.

Generally, the Mining Act of this State has always granted tremendous powers to the Minister for Mines holding office and who is administering the Act during that time. The granting of such powers is essential if mining activities are to be conducted in a satisfactory manner. I know that mining Acts in other States and countries grant extremely wide powers to the persons who administer the legislation in those places. Another feature of the mining industry is that companies or individuals are encouraged to enter into isolated and uninhabited parts of the country at great cost to themselves. Possibly they may earn a reward not only for themselves but also for the country in which the search is made. To achieve this objective, they must be granted certain rights.

The only way such rights can be granted is to give, perhaps, dictatorial power to the man who is responsible for administering the Act, and he, in most instances, is the Minister for Mines. This Bill is no exception. As has been amply illustrated today, its provisions will grant to the Minister for Mines at present holding office extremely wide powers; similar to those that have been granted to Ministers in the past prior to the introduction of this Bill.

The member for Boulder-Dundas stated that he would not like to accept the responsibility the present Minister for Mines is taking upon himself if this Bill is passed. I have had a good deal to do with Ministers who have held the Mines portfolio in Governments of various political colours, and I have every faith in the man who will be handling this Mining Act in the future in the same way as he has administered the existing Act. I also consider that other Ministers who follow him, on the advice of the officers of the Mines Department will, with discretion, administer this legislation in an efficient manner.

I can recall that when I was elected to this Parliament the Minister for Mines at that time was the member who now represents the electorate of Boulder-Dundas. In his wisdom he granted to a mining company a temporary reserve close to the township of Mt. Magnet. I was soon inundated with complaints from prospectors asking me if I could make representations to have the temporary reserve lifted because they could not make an honest crust, and so on. Eventually the mining company completed its exploration, which proved to be unsuccessful, and the temporary reserve was surrendered, following which not one person made any move to carry out prospecting in that area. I have never forgotten that incident, because it was a genuine attempt by a Minister of the Crown to make available to a mining company an area of land in which it could carry out highly technical exploration work, but in this instance, as I have said, the efforts of the company were unsuccessful.

As I stated a few moments ago, only about 1 per cent. of the mining ventures entered into are successful. During the ban that has been placed on the pegging of mineral claims, many persons have taken advantage of it to peg around in the more remote parts of the State. Reference has been made to Burrill and Associates. As most members know, that firm publicly advised its clients to go ahead and peg ground despite the ruling of the Minister. In other words, the advice given to its clients was to disregard the law and the Minister, and bludgeon their way through. I only mention this because Burrill and Associates circulated among many members of this House a copy of a telegram that was sent out by that firm, and today I too received a letter from it.

So far as I am concerned that was an extremely poor attitude to adopt, and therefore the less I say about that firm of geologists the better. I do not know whether it was as a result of the recommendation made by Burrill and Associates, but a number of companies have pegged ground, waiting for the day when they can rush in and put their applications on the pegs and appear before the warden to have the applications granted. Since the Minister placed a ban on the pegging of mineral claims, the wardens on the various goldfields have had a little respite.

I am pleased to learn that something will be done to alter the system of pegging which will mean that those companies who have acted during the ban will have to commence pegging their claims all over again. On the other hand, there are a number of companies who have recognised the ban that has been imposed by the Minister, but who, in the meantime, have discovered areas that are well worth while, and will do what they can to peg their claims when the ban is lifted.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BURT: Before the tea suspension I was saying that a number of persons, organisations, and parties have been pegging illegally during the ban. I have no doubt the Minister will prescribe conditions for repegging after the ban is lifted and I hope these will cause some discomfiture to the people I have mentioned.

It will also be the Minister's job to define what are in fact ultra-basic areas. It has been said they will cover approximately 250,000 square miles or about a quarter of the State. They will naturally embrace all the areas of activity which have been the Mecca of prospectors during this great upsurge in mineral exploration.

At this point I feel I must refer to the very exaggerated claims made by my parliamentary colleague and occasional supporter of the Government, the member for South Perth. He said there would be a tremendous loss of revenue to the Government and that prospectors would be squeezed right out of ever taking part in mineral investigations in this State. I want to show how very exaggerated were the expressions of the honourable member.

We have been told there are approximately 40,000 mineral claims in existence in Western Australia, in addition to certain temporary reserves. Assuming that every one of those claims was of 300 acres, which is the maximum allowed—and I can say here quite definitely that a number of them would be much less than that—the arithmetic which I did while the honourable member was talking indicates that would equal 18,700 square miles; less than 19,000 square miles. Yet we have the member for South Perth saying there would be no room within the 250,000 square miles in which prospectors could carry out pegging.

Mr. Grayden: I said 12,000,000 acres would be pegged.

Mr. BURT: I do not know where the 12,000,000 acres came from. The ultra-basic areas are areas of extreme activity in this State today. When the ban on pegging is lifted, 99 per cent. of future pegging—and this will be tremendous—will take place in these ultra-basic areas where the prospect of finding nickel is evident.

Let us suppose that twice as many claims as now exist are pegged. This will still only cover an area of something like 40,000 square miles. Yet we are told that 250,000 square miles will be available for pegging, less certain temporary reserves that are now in existence.

Mr. Grayden: What about those outside the mineral areas?

Mr. BURT: Outside the mineral areas no-one would be very interested. Even if the Minister does impose a right to apply for a license to explore in areas which are given up by holders of temporary reserves it will be apparent to all of us that these portions of the temporary reserves will only be given up by a company after they have carefully been prospected and found to be inferior in quality to the area in which the company intends to continue its operations.

If 50 per cent. of these temporary reserves are given up and the larger companies, or anybody else, is asked to apply for a license to prospect in that particular area, it will be considered as only second rate by the company which gives it up voluntarily.

I do not think there is any substance in what the member for South Perth says, that ultra-basic areas, and only ultra-basic areas are not sufficient to allow prospecting to be carried out.

Mr. Bickerton: This Bill covers more than nickel.

Mr. BURT: The Bill covers all minerals under the Mining Act. I am at variance with the Minister over one aspect, and I

am in agreement with other members who have spoken. I consider that outside the ultra-basic areas it should be an open go and anybody should be permitted to peg. Applications should be called for licenses to explore under the terms of this Bill, but I can see no harm in allowing the small prospectors, or the companies for that matter, to peg and prospect the areas and the like. It will do no harm at all.

My knowledge of companies, both large and small, is that they welcome prospectors; they are happy to have prospectors in their areas, because there is no-one other than the prospector with the ability or knowledge to find, initially, a mineral area.

This has been said by other members and I agree with them entirely. The company with which I am concerned employs prospectors on a full-time basis if it is able to get them. We—the company and I—value them very highly, because we consider they are the only people capable of finding areas which are worth investigating. It stands to reason that the geologist and the highly-paid technical man have not the time or the knowledge to go about the initial job of prospecting land.

Inside the ultra-basic areas we know that people are allowed to apply for whatever tenement they wish, but I consider that anybody should be permitted to investigate land which is outside the ultra-basic areas; there should be no restriction on pegging in such areas. These will be less attractive areas, and I cannot see any fear of there being an influx of pegging such as will be experienced inside the ultra-basic areas. Nor do I think that the prospectors and the companies will get in each other's way.

The idea behind these licenses is to encourage the companies to prospect the less attractive areas; and, after all, we must face the fact that it is the larger companies which are responsible for at least turning the initial discoveries of the prospectors into operating concerns.

The more companies we can bring into the so-called barren areas of this State the better it will be for the whole of the mining industry; and, in my opinion, that is just what the Bill will do. The Minister will call for applications from those equipped to go to these areas which are unpopular at present. The people concerned will apply for the right to investigate the areas, though admittedly they will do so under strict conditions—which, of course, is only right—and at the end of each year they will be asked to submit details of what has been done; and, if they are sufficiently enamoured of the prospect, they will take up the areas in question for a second and third year and they will be given the chance to carry out whatever type of activity they feel is necessary or, alternatively, give up the areas altogether. I cannot go along with the suggestions made by members on both sides of the House who have spoken in the debate so far that the prospectors, or small explorers, will be affected in any way at all.

There is one matter in respect of which I would criticise the department, and that is the delay in processing mineral claims to the stage that they become the property of the applicants. What is done is that the prospector or mining company pegs an area and applies for it, and in due course the warden in the district recommends to the Minister the granting of it. Unfortunately, with the present tremendous upsurge in the number of applications, the department has not found it possible to keep pace in any way with the huge demand for processing; so we find a very large percentage of the areas that have been recommended by wardens are still without certificates of registration.

Under the present system the issue of certificates of registration takes some time, because all types of possible interference with the holdings have to be looked into to ascertain that they do not contravene any Act, whether it be the Land Act, the Forests Act, or any other Act, before the applicants can be granted the certificates. This means that as far as an applicant is concerned, he is not compelled to comply with any labour conditions on the area. This being so, a lag in the work which is to be done by the prospecting company is caused.

However, until a certificate of registration is issued the applicant does not have to carry out any work at all. So we find at the present time thousands of mineral claims lying idle, because the companies concerned—many of which have pegged the areas in order to reap a nice little profit out of the shares—have done nothing on them; and until certificates of registration are issued they do not have to do anything.

What concerns me even more, and concerns me parochially, is that in the electorate I represent a number of local authorities cannot rate such areas; and throughout the Murchison and the north eastern goldfields there are local authorities which are just about bankrupt, through lack of population, lack of vehicle registrations, and the like. They are hard pressed to make ends meet.

Mr. Bickerton: They are not able to rate the exploratory license areas.

Mr. BURT: I am referring to areas of greater mineral activity. At present there are thousands of claims in respect of which local authorities would—had the claims been processed in the ordinary way—be deriving much needed revenue. After all many of these areas are being investigated, and some of them are being sold for six-figure amounts, yet the local

authorities are unable to rate them because the companies do not legally own the areas. That again illustrates that the department is very slow in catching up with the very big lag. Whilst the lag is quite understandable, I feel some effort should be made to overcome it.

I would draw the attention of members to a letter, which appeared on the feature page of *The West Australian* of Tuesday last, written by Mr. C. R. Elkington. In it he gave some very sound suggestions on the way in which the Mines Department might attempt to overcome this big lag in processing the claims. He mentioned the installation of photocopying machines, the reduction in the type of forms that are used, the fact that claims can be transferred onto a plan in each district, and that a photocopy of that plan can be sent to Perth to be transferred onto a master plan. I do not pretend to know how this can be done, but it seems to me there are much quicker ways of getting the claims into order, of having them processed, and finally of issuing certificates of registration.

We are all aware that great inroads have been made into the matter of attracting employees of the department by private industry, and that private enterprise has offered fantastic salaries to surveyors, draftsmen, and planners. Because the department is subject to the Public Service Act it cannot meet the inducements offered by private enterprise. Human nature being what it is, many of the employees of the department are attracted by the lucrative salaries; consequently the department has lost them.

Surely some form of farming out of certain of the work, which is not confidential, should be made to a number of the mapping companies, the surveying companies, and the planning companies which have sprung up in Perth and Kalgoorlie since the mineral boom. I feel this would be one way in which the lag in processing claims could be overcome, and some consideration should be given to it.

I would like to refer to the effect of the mining boom on pastoral areas. The pastoralists in Western Australia have the right to graze their leases; and that is all. Despite the fact that a number of pastoralists have cashed in, so to speak, on the mining boom, a number of others have suffered tremendously because of the influx of prospectors all over their leases—particularly leases in the eastern goldfields where the stock depend on catchment water.

A station known as Woolibar on which Kambalda is sited has virtually lost half of its economic woolgrowing area. Very little protection is provided in the Mining Act to pastoralists. One section of the Act provides that no prospector, or anybody else, can come within a quarter of a mile of a water—whether it be a dam or a well—on a pastoral lease. In the main this provision has been respected by the prospectors, but that only covers a very small part of the problem. A number of pastoralists have had to peg their own land, including the land on which their shearing sheds and yards are located, as mineral claims in order to prevent people from trespassing on the land.

The prospectors come, and unless they find something they eventually go. To a great extent they have shown courtesy and consideration to the pastoralists. When I refer to prospectors I am talking about the mining companies and their employees, but such acts as leaving fences down and broken, digging trenches and costeans in the paddocks, and behaving as though they owned the land and the pastoralists should not be there, have caused hardship to a number of the pastoralists.

Whilst I am familiar with the position in respect of Kambalda and Woolibar Station, and have mentioned it, I must also make reference to a property known as Mt. Vetters on which the Scotia mine was discovered. That property has virtually lost the whole of its breeding country, because the Scotia mine is right in the middle of it. Although the actual area which is affected by the mine and the town is only 2,000 or 3,000 acres, at least 100,000 acres of this breeding country has been rendered useless because of the traffic coming to and from the town, and because of the people who go out shooting at night and who help themselves to a sheep or two when they are hungry. No attempt is now made to breed on Mt. Vetters, and the property is running dry sheep. No compensation is granted to the pastoralists.

I understand that compensation could be granted if the Land Act were amended, but nothing is being done at present.

One clause in the Bill makes it obligatory for an applicant for a mining tenement to advise the pastoralist concerned and send him a copy of the application, and I believe this is fair enough. With regard to the owner of private land, something similar is being done, although there is not a great deal of difference in the amendment; it merely reverses the order of words, but the definition of "cultivated land" has been amended to include a certain amount of bushland which, particularly in the last season or so, became very valuable to farmers because it was possibly the only feed they had for their stock. I am very glad to see that such an amendment has been made.

But let us face facts. Particularly since wool prices have gone down, most farmers would probably be quite willing or glad to do a deal with a mining prospector or company in regard to any minerals found on their properties. In most cases I am sure they would avail themselves of this opportunity.

Finally, I would like to state that I do not favour the appointment of a Select Committee. I do not think it is necessary at all for any organisation connected with Parliament to look into the Mining Act. I do believe it needs inquiring into. As a matter of fact a number of phases of the Act should be studied thoroughly, overhauled, and brought up to date. If members feel that a committee of some sort is necessary, I would agree to an independent committee of men in the mining field to be appointed, similar to that which recently inquired into the liquor situation.

Mr. Bickerton: You were on one.

Mr. BURT: That was not a Select Committee, although it was a parliamentary committee, and it was a very depressing venture. I think other members of it would agree. In 1965 we were appointed to inquire into the goldmining industry and all we saw on every side was despair and frustration which, fortunately, has been overcome with the miracle of Kambalda.

However, there are persons connected with the mining industry who are far more competent than members of Parliament to look into the future of the industry and, possibly, a revision of the Act; and I would certainly go along with the appointment of such a committee from the industry, but not a Select Committee. I conclude by saying again that I support the Bill.

MR. BICKERTON (Pilbara) [7.53 p.m.]: I will take this opportunity to add a few words to what looks like developing into some sort of talkathon on this particular measure. I find myself very much in accord with many of the remarks made by the first speaker in this debate, the member for Boulder-Dundas, and also with some of the remarks of the member for South Perth.

I am not happy with the Bill as it stands. I think it contains ministerial power—plus. Whilst I realise that Ministers must have power, I am always loath to give them more than they possess at present because I think they are quite adequately catered for in that regard, and I say that from my own experience.

Much has been spoken of the mining boom which has taken place over the last few years. Personally, I do not like the word "boom," because it sounds like something temporary whereas I like to think of the mining industry as we know it now going on to bigger and better things. However, this increased activity has occurred, principally brought about, as previous speakers have stated, as the result of nickel and iron ore discoveries—and I do not put those in any order of priority. But we do know—and this has also been touched on and I will therefore not deal with it at length—that the goldfields were in a very sorry state until such time as the discovery of nickel, which has proved to be their salvation, up to this point anyway.

I have no doubt that there are certain fly-by-night organisations engaged in mining at present, and many have pegged purely for the reason that they hope the company which is floated and which has leases adjoining well-known deposits, will enable them at least to make their money on the Stock Exchange. However, this is something we must always put up with. It has ever been thus and, I suppose, always will be so. I certainly do not believe that the Mining Act is the type of Act which should be interfered with to overcome this problem.

As a result of this increased activity, the Mines Department has no doubt had its problems employment-wise; that is, to maintain sufficient staff to carry out the added activities which were necessary within the department. Nonetheless, I must agree with those speakers who have pointed out from time to time that it was not something which descended upon us overnight. There was, from the early days of iron ore activity, quite obvious proof that mineral production must increase within the State, and it is regrettable that the Mines Department, for whose officers I have always had the greatest respect, was unable to keep up with this activity without having to place a pegging ban right throughout the Crown lands of this State, which involve a considerable area.

Personally, I have always considered the Mining Act to be one which operates very well. It has stood the test of time and I believe it could continue to do so. No doubt all of us, some from a selfish point of view or with selfish motives, can see ways and means by which it could be improved; but, generally speaking, it is an Act which possibly would be better left alone, particularly in regard to the amendments before us at the moment. Some effort at least should be made to maintain the department in a state so that it can cope with the added mineral activities taking place here at present.

I mentioned that my main objection to the amendments in this Bill is the great amount of power vested in the Minister. I will not read out, because they have already been included in *Hansard* as a result of their being quoted by other speakers, the requirements of the Minister under these exploratory licenses. However, they are considerable; and I also agree with those speakers who have criticised the fact that the conditions under which an exploratory license can be granted are so restrictive, and yet so vast in many ways, in their requirements, that the smaller man or syndicate will definitely be inconvenienced and restricted. Whatever assurances the Minister may give me to the

effect that this will not be so will not alter my opinion. I am still of the firm belief that it will be so.

The word "prospector" covers a fairly broad field. We think of the old prospector as someone with a donkey and a couple of washing pans who went around the countryside; but perhaps those responsible for many mineral finds today are more the groups of individuals, syndicates, and smaller companies. I would rather call them perhaps the finders of these minerals, than prospectors.

To enable these minerals to be found it is necessary that the least number of restrictions be placed in the way. Many finds have been made in recent times by the part-time prospectors—perhaps a syndicate of school teachers, the local grocer or butcher, and this type of person—who go out prospecting at the weekend.

Naturally, the prospector must have country in which to explore and the more the area in which he can move is restricted the greater is the deterrent which is placed upon him and the less inclined he is to do anything about finding or, as we generally refer to his occupation, prospecting. The member for Murchison-Eyre dealt with the ultra-basic area which could be opened up for pegging, but even at this stage that area has been fairly well gone over.

I take exception to the provision for an exploration license which will grant an area of 100 square miles. The exploration license will tie up a great deal of territory, and, as was mentioned by the member for Murchison-Eyre, it will prevent prospecting by the very people who have the time to prospect. In other words, the area will be tied up for use by the more affluent companies which are probably well equipped with geologists and mining engineers. That will practically be a requirement before the Minister will grant an exploration license.

A restriction is placed on an area which is the subject of an exploration license and that restriction prevents someone from coming along and, perhaps, making a valuable mineral find. To restrict the small prospector one must place in the hands of the bigger companies the greatest advantage as far as mineral exploration is concerned.

I am not against big companies; I realise that big mining ventures require big companies, and I realise, too, that large sums of money are necessary to produce minerals. However, a great deal of money is not always required to find the minerals. I do not want to be too obvious in my remarks by saying that the minerals must be found before they can be produced, but that is very true. Once the finding group is restricted then, naturally, there is interference with the mineral industry. The companies which have the money to carry out the production side would be denied that opportunity to gain the necessary knowledge from the finding side.

This is a very important matter and the Bill which is before us does, without a doubt, place restrictions on those who are capable of finding minerals. Whilst that provision remains in the Bill I find it extremely hard to support and, indeed, I go along with the thoughts of the first speaker on this measure that, surely, a better way can be found to solve the problems.

One method would be to hold a full inquiry into the possibilities of other methods, and I do not agree with the member for Murchison-Eyre that the form of the inquiry should not be a Select Committee. I think it should be a Select Committee.

Over the years parliamentary Select Committees have done very valuable work inquiring into matters affecting the State. Once a committee of experts is formed there is always the doubt, in some people's minds, whether the experts are working for the benefit of the State or for the benefit of the experts. Those people referred to by the member for Murchison-Eyre as being desirable people to have on a committee are also available to a Select Committee, and their knowledge would be available to it. A Select Committee would have the power to call those experts before it and seek their advice. That advice would be beneficial to the committee and would be included in the findings which would eventually be brought down.

I think that the provision in clause 13 of the Bill, which deals with private property, is possibly overdue. I have a fair amount of sympathy for those who have farms and pastoral leases, and who have suffered considerable inconvenience at the hand of the booming mining industry. The task has not been easy for them. The provisions of clause 13 go a fair way to wards alleviating the problem. Power is given to the Minister and it will be up to him to decide. To an extent, clause 13 will give the mineral rights of freehold land to the freeholder. I do not know that that was ever intended as far as freehold property is concerned, but the fact that a person wishing to enter a property has first to obtain the right of entry before lodging his application with a warden does place the freeholder in the position where he could deny the State access to certain minerals by refusing to give that permission.

I do not think enough emphasis has been placed on restoration and royalties with regard to freehold property. I remember a personal experience of something which occurred in New South Wales in connection with an open-cut coalmine shortly after the war. The coalmine was on private property, and whilst I am not

well acquainted with the conditions of the New South Wales Mining Act I do know that the person who had the freehold to the property objected very strongly to mining operations being carried out on his property. The contracting firm arranged to pay royalties to the owner of the land, and guaranteed to restore the land to its original condition. I do not know the amount of the royalty, but I know the arrangement worked out very well.

Only a small seam of coal was involved —about four feet deep—and the royalty worked out at about $100 per acre. The land in that area, at the time, was worth in the vicinity of about $20 to $25 per acre. In actual fact, the owner of the land was receiving $100 per acre in royalty and his land had to be restored to its original state so that it was suitable for grazing. The landowner had no objection whatsoever.

The point is I do not think we have concentrated enough on the subject of royalties as far as our own farming lands are concerned. I do not believe a State should be denied its mineral wealth, and I do not believe that anyone who owns property containing minerals should be denied his rights, either. If it is possible to restore country in other States to its original condition, then it is possible to do it in Western Australia. If a farmer were to receive a royalty for the inconvenience caused to him, I feel sure he would see the matter in an entirely different light.

I emphasise particularly the restoration of the land because I do not think we have given this matter sufficient thought. Even in war torn Britain, during the war years, some of the best grazing land had to be sacrified for the production of coal. However, because of the restoration methods used, within 12 months the land was carrying the same number of stock as it carried before the coal was removed.

The system was to remove the topsoil and to stockpile it. The subsoil was stockpiled separately again. The soil from a few feet further down was also stockpiled separately, as was the rock. Each part of the official fill went back in the reverse order. This was carried on progressively, and within 12 months the first areas opened up were again running stock. If such a system were to operate, it would protect the landowner and also it would have a deterrent effect upon mining operators. If they knew that it was necessary to carry out this work, they would look more closely at the economics of the mining venture. Where they would normally race in and plough up everything they could see, they would have to satisfy themselves that it was an economic venture that would enable restoration and a royalty payment.

Such a practice would save much of the fly-by-night type of mining which we know where holes are left in the ground and costeans are left open. I do not consider there has been sufficient investigation into this side of the matter. Attention has been directed more towards restricting people from obtaining minerals. We have to explore and exploit our State's mineral wealth. We cannot place our State in the situation where it is poorer after the operation than it would have been had the operation not taken place. There is room in this State—and doubtless in every other State—for both the agricultural industry and the mining industry. They can work side by side; they will have to work side by side.

The treatment which has been received up to date by the agricultural industry and the pastoral industry has not been good, and, for that reason, I am pleased to see included in the measure some provision for their protection; but I still think this could be the subject of a much deeper inquiry, particularly on the restoration side, so that the State would not be denied its mineral wealth and the person who owns the land would receive sufficient protection in that his livelihood would continue and he would receive some benefit, in terms of royalties, from the minerals on his land.

Mr. Burt: Consent to enter private land is already in the Act.

Mr. BICKERTON: I realise that and I see a little more in the legislation now. I repeat what I have said; namely, a Select Committee on this matter would do a great deal of good. In an interjection, the Minister for Lands mentioned that the Bill has been before Parliament for some three weeks. Matters do come before Parliament and they stay before it for much longer periods than that without people outside knowing very much about them. It is only when there is some form of kerfuffle—if I may use that word—that the public is made aware of what is going on.

Of the three weeks to which the Minister has referred, I suppose at least one would be accounted for in the giving of notice and the first reading, which do not mean anything. It is not until the Bill reaches the second reading stage that anyone, outside the Cabinet and the Minister handling the Bill, knows what it contains. So it is not until the second reading debate that members of the public are aware of what is going on, assuming the measure has received any publicity at all in the Press.

I meet and speak with many mining people and I must say that I have not yet struck one who has had the chance to look at the measure who is happy with it. I received two telephone calls today. One person is in mining in what I would call a reasonably big way and the other is in it in a much smaller way. Neither of these people was thrilled about the legislation. Indeed, the last thing they

want are the provisions in the measure. They received copies of the Bill only two or three days ago.

I have no doubt that the Minister will tell us at some appropriate time who is happy with the measure. Four or five speakers have expressed their views today, but not one of them is completely happy with the legislation—not even the member for Murchison-Eyre, who sees merit in some form of investigation. The other speakers do not like the power given to the Minister and I share that view to a large extent. Who does like it? It must be the Cabinet. Admittedly we are to hear from other speakers both in the second reading debate and in the Committee stage. We may find someone who can find no fault with the legislation but, up to date, we have no evidence of that.

If the mining people, whom I know as well as those known to other members who have expressed their views tonight, do not like the measure, who does like it? It must be the Minister for Lands. Doubtless he will tell us in his reply from where the support came for this Bill.

I personally believe that the suggestion made by the member for Boulder-Dundas is extremely good and the House should give it every consideration. This is not urgent legislation. The State has operated under the Mining Act, as it exists, for a great number of years. No-one will be seriously inconvenienced through not being able to obtain an exploration license next week. Only a small number of companies would be involved and, after all, they have been inconvenienced in recent months. Therefore, it will not hurt them to wait a little longer.

An inquiry of this nature could bring out some extremely valuable material. This would be available to members of Parliament, who could make up their minds before the measure became law. With those few remarks, I intend, at the appropriate time, to support the move for a Select Committee, because I do not like the Bill in its present form.

MR. GAYFER (Avon) [8.18 p.m.]: I am somewhat diffident at rising in such select company as we have heard discussing the legislation up to date. Indeed, I think I almost deserve a medal for entering into this scrap where the big guns have been volleying from side to side. I am afraid it was almost over my head. At least I am still here and so far unscathed. I suppose that sooner or later each member will have to commit himself and I think I might as well do this at the onset.

Mr. Dunn: What are your feelings?

Mr. GAYFER: The member for Darling Range will also follow me and commit himself likewise. I am very pleased with the measure as it affects the area I represent. Naturally, because I am a farmer, I have been a little distressed at the activities involved in the mad scramble to gain land on which to carry out more mining. I suppose it might be said that I am a little biased. Then, again, I have heard utterances here tonight which were almost biased on the other side. Therefore, if I signify my approval of the measure in the sphere which I know, I do not think I can be said to be supporting a Bill purely and simply because it suits my own ends.

I fully realise there have been some good arguments put up by both sides of the Chamber. I know that the worthy Minister handling the Bill in this House will be able to clarify all the points that have been made up to this stage. However, I am not going to give him any points to clarify, because I simply want to support what the Minister and the department have done in the interests of the farmers in this State.

In the first instance, I refer to the permit to enter. Before a prospector can enter a property he is obliged to call at the homestead of the farmer, or landowner, or what-have-you, and, if the farmer is there, inform him that he is about to enter the property—a good move. If the farmer or landholder is not there, he has to nail in a prominent position on the house, or building, or recognised place of abode, a notice stating that he has been on that land. In any case, 48 hours afterwards he must forward to the last-known address of the owner or occupier a paper signifying that he has been on the property.

This is very important. What we have been through in the electorate of Avon over the last few months has led to an almost chaotic position as far as farming is concerned—stock mixed up, fences knocked down, and all this sort of thing that should not have been allowed to continue. Before that we had the helicopters, about which the member for Boulder-Dundas spoke. These things should not be permitted when all we want to do in these difficult times is to settle down and make a living quietly and peacefully. We are not interested in what is under the ground, unless it be water. In my opinion, the Bill will alleviate a lot of the worries and suffering that my farming community has been undergoing in the last few months.

The determination of when a mining tenement can be granted and the new definition of "cultivated land" are equally satisfying to us farmers, who hold our land in pride and esteem. I congratulate the Minister for doing as much as he has been able to do in what must have been a very difficult set of circumstances. I have been to him and made several suggestions. I thought it would be easy, but I can see now, with all these guns shooting from

left, right, and all over the place, exactly how difficult his job must be in trying to please everybody in this booming enterprise that we have. I hope for this State that it continues to boom for a long time, and that it does not suffer the recession that our farming enterprises are suffering at the present time. The Minister does not have to please everybody, I know; but he is pleasing me.

Mr. Tonkin: He is pleasing the big companies, too.

Mr. GAYFER: I am not going to enter into the debate that the learned gentlemen who spoke before me, with all their knowledge of mining, entered into. I can see some difficulties; I acknowledge these. I do not wish to support the appointment of a Select Committee, because it must undoubtedly defeat the Bill. I think that if the Bill is passed and the Minister gives consideration to the various arguments that have been put forward, some degree of harmony between the knockers of the Bill and those who support it will be brought about. I support the second reading of the measure.

MR. JONES (Collie) [8.25 p.m.]: Unlike the previous speaker, it is not my intention to give full support to the Bill. There may be some minor parts of the legislation with which I concur but in the main I think the Bill leaves a lot to be desired, because provisions that should have been included have not been inserted. In the time available to me, I would like to say how I feel about the Bill, without being repetitious and covering ground that has already been covered.

I consider that Parliament has a duty to ensure that the Mining Act is framed on the principle and with the purpose of regulating the mining exploration activities in the State, and at the same time protecing the interests of the people of Western Australia. The provisions of the Act should also ensure that the State receives the best advantage from the mining interests and that the State's natural assets, which belong to the people, are given adequate protection.

A previous speaker touched on the question of royalties. This Bill does not deal with royalties; they are covered by a separate Act. However, I must ask whether members consider that the State is being adequately compensated by the royalties that are being received for minerals. I think it is true that there are no revision clauses in the numerous Bills that have been passed in this House. I am not suggesting that mining companies are not entitled to profits, but I think the level of profits must be considered, and that the question of profit and gain to the State should always be a major consideration of this Parliament.

Unlike the previous speaker, I do support the proposal for a Select Committee. I recall that recently the member for Murchison-Eyre indicated that he was pleased with the way the present Minister had approached the Mining Act and the provisions contained in the Act, and with the manner in which he was carrying out the duties of his portfolio. I would remind the member for Murchison-Eyre that Ministers change, in the same way as Parliaments change. It is my firm view, after giving close consideration to the amendments contained in the Bill, that the Minister has too much power and too much responsibility. I intend to deal with these matterrs while I am on my feet.

The member for Boulder-Dundas mentioned this afternoon that a report from some consulting geologists had come into my possession. There was some quip that it was addressed to members of the Government, but by some means a copy was addresed to me. I wonder how many other companies find themselves in this position. Is this a general position? Are mining interests generally unhappy with the provisions contained in the Bill? Have those interests been approached to ascertain their feelings in relation to the legislation or the general provisions contained in the Act? After hearing the telegram read by the member for Boulder-Dundas, it is quite evident that Burrill and Associates are not happy with the position, and it was made known that that company called on the Premier to take some remedial action.

I consider it is very timely to call for a Select Committee to investigate the Act and mining interests generally in this State, and I support the move by the member for Boulder-Dundas.

It is not my intention to go into the problems encountered in the iron ore industry. I shall take the opportunity to refer to problems encountered in the south-west. The previous speaker, the member for Avon, indicated, in the main, general support for the provisions contained in clause 13 of the Bill. That is natural because he represents farming interests.

However, I think that we in this Parliament should consider not only the farming interests, but also the general application of this Bill and its effect on the State of Western Australia, generally. To this end I would like to record my disapproval of the requirements in proposed new section 116D. In my opinion that section will result in the small man being squeezed out completely. Its requirements are so stringent that a small man without financial backing will not be able to continue in the field of mineral exploration.

The provisions of proposed new section 116D are probably very well known to the members of this Chamber; however, without indicating them all, I will briefly

list some of the general requirements. A person making application for an exploration license must advise the Minister of: his available financial resources; his technical qualifications and those of his employees, and the technical advice available to him; any other matter relevant to his ability to explore the land effectively and to comply with the conditions relating to exploration licenses; and he must provide a detailed programme of the proposed operations for the exploration of the land to which the application relates, and the amounts of money he proposes to expend in fulfilling the programme.

Mr. Speaker, you will realise how difficult it will be for a small man to survive under the legislation before the House because he is also required to provide for a geological, geophysical, geochemical, or other survey of the land to which the application relates to be carried out to the satisfaction of the Minister under the direction of a person approved by the Minister. The proposed new section goes on further to indicate additional requirements in respect of surveys and other operations, including drilling and other factors appropriate to mining, generally, in Western Australia.

So it will readily be appreciated that the small man will find it most difficult to exist unless he has good financial backing. Also, I do not think it would be denied that the small man has been very successful in the past in discovering rich deposits of ore in this State. I do not think anyone associated with mining in this State would disagree with me when I say the little man has been responsible for the furtherance of mining activities in a number of instances. So members will appreciate why I show opposition to the provisions in proposed new section 116D, which are not in the interests of the small man.

I turn now to clause 13. The member for Avon indicated that he was very happy with this provision and, of course, this is the only part of the Bill to which I can give my support. I think anyone representing an agricultural area will understand the position which has pertained in the past. Geologists simply went onto farmers' properties and pegged claims, and there was an ever-pressing need for something to be done. Helicopters were used in the pegging of land, and they landed on properties unbeknown to the farmers concerned. Some people even went so far as to fell trees on farmers' properties in order to cut pegs for use in the marking-out process. Of course, the plastic which is associated with the marking also caused a problem to stock; and, as has been indicated, gates were left open and stock became mixed up, which added to the difficulties of the farmers. Naturally this caused a great deal of concern to farmers and farming interests.

As you probably know, Mr. Speaker, protest meetings were held in most farming areas, and the meetings indicated that the Government should do something about the matter because the existing legislation did not give the farmer any protection and did not clearly indicate his rights. So it will readily be appreciated why I join with the member for Avon in supporting clause 13, because it indicates quite clearly the rights of the farmer and requires that his concurrence must be obtained before a prospector enters onto any cultivated land. The clause also clearly indicates what is meant by cultivated land.

This point gave rise to much concern during the argument about which we have heard so much recently regarding the pegging of leases for the purpose of prospecting for bauxite. I feel this clause will give the farmer the protection he requires.

The Bill contains other references which will give the farmer added protection in relation to the pegging of his land. These include the question of notification before a person enters onto certain types of land and the requirement that the shire in the area must be notified. I think these provisions, coupled with those in clause 13, represent a great improvement on the existing legislation. Certain costs are also available to a farmer if he is required to attend a warden's court convened for the purpose of hearing a claim concerning minerals.

A thing that puzzles me—and I was amazed when I read the Bill—is that the measure contains no mention of conservation in relation to the mining of mineral sands. A reference to the notes of the Minister in another place will indicate that when he introduced the Bill he referred to the discovery of bauxite and titanium sands and I am at a loss to understand why there is no provision for this type of mining in Western Australia.

If we cast our minds back for a moment, we will recall the turmoil that occurred in the Busselton district—and I am sure the member for Vasse would be aware of the situation—when pegging took place from Busselton right down as far as Dunsborough, I understand, and even further south. My understanding of the position is that the Minister for Mines went to Busselton and the Premier, in his Press statement, indicated that the Mining Act was to be reviewed and certain conditions would be applied to give the State some protection concerning the mining of beach sands.

However, if we look at the Bill we will find that with the exception of clause 21, which gives the Minister powers which he already possesses under the existing Act, there is very little mention of the matter. I would have thought that, as a result of the problems which arose in the Busselton area, the representations made to different members, and the visit of the Minister for Mines to Busselton, some

provision would have been made in this legislation to lay down what shall be done in relation to mining operations along the beachfront in Western Australia. However, it is lacking; it is not mentioned in the Bill. As I said, it was mentioned in the opening remarks when the Minister presented the Bill but there is no further mention of the matter.

Mr. Bovell: What about the Minister's powers to release areas?

Mr. JONES: The powers are there but, of course, the Minister got into trouble on the last occasion when pegging took place. Perhaps we could look for a moment at the powers of the Minister. We might know the views of the existing Minister, but what will be the views of the next Minister and the ones to follow? Let us have a look at proposed new section 267A, and I will quote it for the sake of the record—

> 267A. (1) Where the Minister is of opinion that an area to which an application for a mining tenement relates, should not, in the public interest, be disturbed, he may, by notice served on the warden to whom the application has been made, refuse the application irrespective of whether the application has been heard by the warden.

To come back to the point I made earlier: this is yet another reason for the appointment of a Select Committee.

After reading the Bill, I was amazed when I could not find any provision to cover this point. I am sure the people who reside in the electorate represented by the Minister for Lands expected the Bill to contain such a provision, because promises along those lines were made publicly. I do not think it will be denied that the Premier made the statement that the Mining Act was to be overhauled and that, to give our beaches some protection, such a provision must be inserted in the new legislation. I understand that the Minister for Mines also made a visit to Busselton to give a similar assurance.

Mr. Bovell: The clause you read out grants the permission.

Mr. JONES: I put this question to the Minister for Lands: What would be the position if the warden granted a mining lease on the Busselton foreshore and the Minister for Mines approved of it? There would be no question of conservation and restoration, so what would follow then?

The member for Pilbara pointed out that it is all very well to provide under the Bill that the Minister can refuse to grant a lease, but what if the lease is granted by the warden? Would the company be under any obligation in the matter of conservation and restoration?

Mr. Bovell: Only the Minister would have the authority to grant the lease; the warden could not grant it.

Mr. JONES: Very well. If the Minister does grant the lease, will the company have to comply with any conditions? Would it be obliged to consider the question of conservation and to restore the land to its former state? This is the point that is worrying the people of Busselton, who are represented by the Minister for Lands. They were under the impression that some assurance would be given that conditions would be inserted in the Bill that is now before us; but they are not there.

The regulations made under, or the provisions of, the Queensland and New South Wales Mining Acts contain such conditions. The member for Pilbara referred to open-cut mining operations in the Eastern States, but there is no need to refer to what happens there. One has only to refer to the township of Collie. One coalmining company at that centre, following its open-cut operations, has left scarred, the country right in the middle of the town. Do members consider that such action is right? I know that the State must be certain that its coal supplies are maintained but is it right for mining companies to extract the minerals of its choice and leave the ground in such a state?

As the member for Pilbara has said, it is not good enough, and therefore there should have been some provision in the Bill to require any mining company to keep in mind the question of conservation and restoration generally. It is readily appreciated that the people in the south-west of the State are extremely concerned about the existing situation. Referring once again to the Busselton area, one can imagine the effect of mining operations on seaside towns, camping areas, and fishing resorts. One could go on and on giving illustrations of the problems that could arise as a result of granting leases to mining companies that have no consideration whatsoever for the question of conservation and restoration.

To my mind the Government is lacking by not including in the Bill a specific provision to protect the people from the general operations of mineral sands mining.

Mr. Bovell: The Minister for Mines will have powers to grant such protection.

Mr. Bickerton: How will he use them? How would the Minister for Lands know that? Go back to your notes!

Mr. JONES: The position is quite clear. One Minister would use those powers according to how he thinks they should be used, and another Minister may use them in an entirely different way. Perhaps the present Minister for Mines has ideas on how the Busselton area will be opened up for mining in the future; but, if another situation arises, such as that which was foreshadowed this evening, the Minister following him might have different ideas.

If a certain area of the coastline should be thrown open for mining, this would create a problem. It would have been better for the Government to define clearly what obligations are to be placed on mining companies in respect of any mining operations. I have made my position quite clear. I am certain the people in the Busselton area will not be happy about this Bill after having been given an assurance that they would be afforded some protection. No doubt they will consider the matter at a later date and make themselves heard.

I am also concerned about the question of bauxite mining in the south-west. I agree with the statements that have been made by the member for Warren that some control is necessary for the restoration of land after bauxite has been extracted. Members are aware that pegging of bauxite mineral claims is being carried out through the Collie, Duranillin, and other areas in the south-west, and I hope some move will be made to protect the interests of the shires and the farmers in those areas. As I indicated earlier, the Bill vests too much power in the Minister and it would be in keeping with the demands of the people that an investigation of all aspects of mining operations should be made. Therefore I will have much pleasure in supporting any move for the appointment of a Select Committee.

MR. I. W. MANNING (Wellington) [8.46 p.m.]: My interest in the south-west has been brought about by the bauxite mining operations and the exploration being carried out for titanium and mineral sands in particular. As most members know, the situation in regard to the exploration for these minerals in the south-west is most unsatisfactory. The people who are searching have obtained permits from the warden to explore certain areas which embrace private farm holdings. In many instances these people have entered private properties, without any reference to the landowner, or without any notification being made to him, to peg mineral claims. I admit that this is not so in all instances.

The local companies, which are known to be reputable and which in many instances are personally known to the landowners involved, have made every effort to inform them that they intend to explore the land and that they have a permit to do so. I know that the Mines Department, when it has issued exploration permits, has requested the permit holders to adopt this line of action towards the owners of private properties, but unfortunately, particularly when the exploration companies are strangers to the area, this instruction has not always been carried out.

Such companies go ahead and peg claims and the landowner is unaware of such pegging until such time as he accidentally discovers a peg on his property. Another very unsatisfactory feature of mining operations which has persisted is the pegging of 300-acre leases which cover the properties of several landholders. In some cases it is possible that one landholder could be quite unaware of the fact that portion of his land has been pegged as a mineral claim, because on one side a peg could be on a neighbour's property and another peg, indicating the distant boundary of the claim, could be on the property of a neighbour on the other side. Therefore it can be realised that the farmer who owns the property in between could be quite unaware that the mineral claim embraces his land. So I am very pleased to see a provision in the Bill which will rectify such a situation in regard to both the points I have mentioned.

Firstly, a much better arrangement is provided under which a landholder is informed that a permit has been granted to explore a certain area and that his property will be subject to exploration. I could, perhaps, have suggested words more simple than those which appear in the Bill. My reason for saying this is that oil companies that are exploring in the area I represent have approached landholders with a permit asking for written permission to enter their land. Although they have authority to enter private land, and they know that this cannot be denied to them, as a matter of courtesy the representatives of these oil companies have approached the landholders with a form seeking permission to explore the land. In view of the action taken by these companies it suggests that it is quite possible and feasible to legislate for this to be done; and such a provision is written into the Bill, but in slightly different terms, and it has my full support.

I also support the provision that every landholder within the permit area is to be informed that his land is to be explored for minerals. This is absolutely essential. It is beyond the realms of anything that is reasonable to expect all the people who might be concerned in the south-west to check all the mining applications as listed in the newspapers. In any case I think that is a highly unsatisfactory manner of informing a landholder that his area is to be explored and that a permit has been issued for purposes of exploration. Surely it is reasonable in any situation that a landholder be informed that someone has been given authority to enter onto his land and carry out exploration activities.

The other point in which I am interested is that which deals with conservation. I regard the provisions contained in the Bill—and here I join issue with the member for Collie—as very satisfactory for the circumstances. There is a genuine desire written into the measure which seeks to protect all aspects of conservation.

Mr. Tonkin: Do you think an "A"-class reserve should be thrown open to mining without reference to Parliament?

Mr. I. W. MANNING: I do not think that is the issue.

Mr. Tonkin: That is not the issue; you do not care about that?

Mr. I. W. MANNING: I do care.

Mr. Tonkin: Then it is the issue, surely.

Mr. I. W. MANNING: The issue, which I support, is the authority which is given to the Minister to grant or withhold permission to explore or mine land that should be conserved.

Mr. Tonkin: So you would be satisfied, if the Minister thought it was all right, to let it go.

Mr. I. W. MANNING: I have sufficient faith in the Minister.

Mr. Tonkin: I see.

Mr. I. W. MANNING: I certainly have sufficient faith in the present occupant of the office and I feel sure he will not do anything undesirable in that respect.

Mr. Tonkin: Who is going to have the say? The Minister for conservation that your Government is going to appoint, or the Minister for Mines?

Mr. I. W. MANNING: The point I was about to make is that what the Bill seeks to achieve merits support. We should support the attempt that is made to protect the natural environment.

The two particular aspects of the Bill in which I am interested are those associated with mining in the south-west where closer settlement and cultivated land are involved. I feel that at long last adequate protection is being provided for the landholder.

Mr. Bickerton: That clause has not been opposed.

Mr. I. W. MANNING: I am very pleased to find that not only do I have, but that the Bill also has, the support of the member for Pilbara, if only in this respect.

The other point I wish to make is that I think the Government has done the correct thing in writing into this amending legislation provision for the Minister to protect the natural environment and those things which should be conserved. I support the measure.

MR. H. D. EVANS (Warren) [8.54 p.m.]: The succession of speakers here tonight has shown that the upsurge of mining in this State has been general and its activities have extended into the south-west, perhaps not in as spectacular a manner as in other parts of the State, but, nevertheless, these mining activities have brought with them a series of problems.

The problems involved are not those that have been outlined by other speakers—the problems of actual mining as they apply to the operative miner and the operative explorer for minerals—but they are rather of a consequential nature; I refer to what has happened after the mining ventures have become active in an area.

As the question related to the operation of the industry has been dealt with fairly extensively, I would like to refer to a number of points which are applicable to the south-west in a more general way. One of the things the amending Bill does is to define available land which is shown as "Crown land other than Crown land exempted from occupation under section 29 of this Act."

Section 29 of the Mining Act empowers the Governor to exempt from occupation all holders of miners' rights. But Crown land not exempted from the Governor's specific direction, issued in his discretion, includes State forests. So we have the situation where State forests at the present time are not protected in any way; nor does the amending Bill seek to provide this protection.

The situation has reached the point that at the moment some 65 per cent. of State forests has been pegged as a mining lease of some kind. We find that the most damaging mineral exploration to State forests is that connected with bauxite, because of the method of operation needed in its extraction. This is amply illustrated in the area between Armadale and Pinjarra. There we find that the extraction of bauxite is from an area approaching something like 200 acres a year; and once the Pinjarra refinery becomes fully productive we will find that more than three times that amount of land will be utilised in the course of each year.

With the passage of time the relatively rich deposits of bauxite may peter out—they may thin out—and we will find that areas which are not economic to mine may come into production and, accordingly, larger areas will become involved. It is unfortunate that the richer deposits of bauxite happen to coincide with the remaining prime stands of jarrah forest.

I think it is also worthy of note that timber does mean something to us, not only in actual production—we do import $2,000,000 worth of timber products a year—but there are other ancillary advantages which we cannot disregard. I hope to make some further reference to this aspect when we deal with the inquiry by the Select Committee foreshadowed by the member for Boulder-Dundas.

"Available land" also includes "B"-class and "C"-class reserves. Under the amendment it excludes land which has been designated Class "A" under section 31 of the Land Act, and also temporary reserves. But at the same time, by virtue of section 4(2) of the Land Act, "available land" places a Class "A" reserve in much the same category as a Class "B" and a Class "C" reserve. So in their own right, State

forests which are Class "A," Class "B," or Class "C" reserves are not inviolate; they have no inherent protection of their own.

In my opinion this provision is far too loose and we should not leave it in this manner, because it throws too great a responsibility on the Minister. I am perfectly willing to concede that over the years the administrative wisdom and the tradition that has grown up among the top echelon of our civil servants has protected reserves and, to some extent, the State forests, as well as has been possible in the circumstances. The point I make is that these areas have no inviolate right of their own.

To my mind this is something that has a very dire consequence. I am not the only one who has expressed concern in this way. A series of articles, letters, and general dissertations has appeared in the Press in recent months. I introduce one article by way of illustration. It is headed "Backlash to the W.A. Mining Boom." This article lists ten separate areas in which groups have become active and vocal in joining the chorus calling for control of indiscriminate mineral claim-pegging to protect the State's natural resources as they exist at the moment, because this amending Bill does nothing to ease the situation.

The issue of restoration is another matter that has been raised. Both the member for Collie and the member for Pilbara referred to it. In the Eastern States—in New South Wales and Queensland, in particular—there is an obligation on the part of the company to restore the land to its former condition. I do know that in some mining agreements which have been written in recent times this provision is embodied, but it needs to be general.

Every time I make a trip from the south-west to this House I pass through one mining town, in particular, where the scars and ravages of mining can be seen on either side of the South-Western Highway. I do not think this is at all desirable, and it is something that needs some rectification. While the Mining Act is being amended the opportunity is with us to rectify the position; the opportunity should not be relinquished without making any attempt in this direction.

To some extent the question of mineral sands on beaches has been dealt with by the member for Collie and the member for Wellington. Both of them have been involved in this issue firsthand, and they are aware of the situation that prevails on the south coast, particularly from Bunbury around to Yallingup. It is true that the Minister will have the power, by virtue of clause 21 of the Bill, to declare in the public interest any area that he considers proper to be exempt from mining activities. This is desirable, but I do not think it goes far enough. I have no objection to the actions of the present Minister; but, as has been indicated, Ministers are only transient. It is the law, or the provisions within legislation, that must be made permanent.

I was pleased to see that some effort had been made to provide for the rights of private landholders. We do find that two very desirable amendments have been included in the Bill before us. The first defines property in such a way as to make the term unambiguous. It states categorically what comprises private property; and there can be no disagreement in this regard.

Before mining operations can proceed, the written consent of the owner of the land affected is required. I realise that certain objections can be raised, and some have been raised by several speakers, in particular the member for Pilbara. This at least shows an attitude of mind that is very acceptable in most parts of the south-west.

Much was made of the fact that the present Government will investigate the possibility of establishing a ministry of conservation. This has been proposed, but it has been proposed in such a way that the issue is still very clouded. There is no indication of the manner in which such a ministry will work, or precisely how it will stand in juxtaposition to the Mining Act.

At present there is no suggestion of legislative restraint on beaches, reserves, or forests. This is rather disturbing, and it shows an attitude of mind on the part of the Minister which leaves room for some doubt. I feel that if the announcement on the establishment of the ministry of conservation was made in full sincerity and genuiness, then full regard would have been given to the inclusion of the methods in the Bill to amend the Mining Act. Surely while the amending Bill is before us this is the time to deal with the matter.

I would like to add something to the proposal put forward by the member for Murchison-Eyre. He said that while he was not prepared to support the appointment of a Select Committee to inquire into the matter he was prepared to support the establishment of a committee of inquiry composed of men from various sections of the mining industry. Such people would certainly know all about mining, but I do not think they would be competent to deal with conservation and all its ramifications. So I cannot agree with the member for Murchison-Eyre that a committee of inquiry comprising purely mining men will do what is best for the State in the long term when they see the glitter of minerals in the proximity of their deliberations.

As far as I am concerned the only solution is the appointment of a Royal Commission, as suggested by the member for South Perth, or the appointment of a Select Committee, as foreshadowed by the member for Boulder-Dundas. I certainly

will be very pleased to support the member for Boulder-Dundas in this move, and it is my intention to speak at some length on the various matters I have raised. With those comments I give my support to the proposal of the member for Boulder-Dundas.

MR. HARMAN (Maylands) [9.8 p.m.]: There are two aspects of this amending Bill upon which I wish to comment. Initially I refer to clause 21 which gives the Minister power to refuse an application for a mining tenement if it is not in the public interest. This power, of ccurse, is already contained in the current legislation, although I agree that it does not refer to a prospecting area.

Mr. Bovell: Where does it appear in the existing legislation?

Mr. HARMAN: What I want to know is this: What will be the guidelines that the Minister for Mines will adopt when he comes to decide which claims are not in the public interest? Will the Minister refer to the report which has been made on national parks and nature reserves in Western Australia by a subcommittee of the Australian Academy of Science? Will he refer to this report which was made some years ago and which was presented to the Government in 1963? Will he accept the recommendations that have been made in this report on a vast number of areas in Western Australia?

I know the attitude of the Minister for Lands towards this report, because yesterday afternoon, in reply to a question by me in regard to the preservation of geological sites, he said that only one out of 26 had been reserved under the Land Act. There are, of course, another 25 sites in regard to which he has taken no action. They are sites which are of great significance geologically, and some of them contain the only instance of a particular feature in Western Australia. All the Minister for Lands has done is to record on the public plan that the other sites are geological sites, but they are open to the world for any violation from any source.

The Minister went on to say that this particular report, which I believe is the only report the Government has in its hands from a competent source, was not a Government report. Well, I suppose that is true. The Government did not sponsor the report, but it is interesting to note that eight of the 12 members of the committee were senior Western Australian Government servants.

Mr. H. D. Evans: It is recognised as an outstanding effort.

Mr. HARMAN: That is true. The members of the committee were as follows:—

Dr. Ride (Chairman), Director of the Western Australian Museum.

Mr. Balme, Senior Lecturer in Geology.

Mr. Brockway, Superintendent, Forests Department.

Mr. Cleave, Deputy Surveyor-General.

Mr. Fraser, Chief Warden of Fauna.

Mr. Gardner, former Western Australian Government Botanist.

Mr. Harris, Conservator of Forests.

Miss Lukis, State Archivist.

Mr. Main, Reader in Zoology.

Dr. Playford, Supervising Geologist, Geological Survey of Western Australia.

Mr. Royce, Botanist and Curator of the State Herbarium.

Mr. Wilson, Reader in Geology.

The committee was further assisted by Mr. Shugg from the Fisheries and Fauna Department and Miss Williams, who was research assistant to Dr. Ride. Of the committee of 12, eight were employees of the Government, but the Minister says it was not a Government committee. Incidentally, the whole report of 266 pages was printed by Mr. A. B. Davies, the Government Printer of Western Australia.

Are we to predict that the Minister for Mines will adopt the same attitude as the Minister for Lands towards this very important report? We can do nothing else but predict this if we consider what has occurred in the past and the actions taken by the Minister for Mines in the last four to seven years, and certainly since this report has been available to him.

The Minister for Mines has been aware that one of the areas which was recommended by the report of the Australian Academy of Science committee as a site for a national park was the Mt. Manning Range area, which is still under consideration by the Minister for Lands; but the Minister for Mines is aware that this area is under consideration as a proposed reserve for flora and fauna. It is situated some 50 miles east of Mt. Jackson which is north of Southern Cross.

The whole of the Mt. Manning Range is the subject of a temporary mining reserve. Three mineral claims have already been granted in the area and 97 mineral claims are pending a decision. Therefore the only conclusion I can reach concerning the Mt. Manning Range as an area for a national park is that that is the end of it.

Let us consider another area known as the Bremer Range locality, which is west of Norseman and also recommended by this committee to be set aside as a national park because of certain features of growth and vegetation that it contains. This area is likewise the subject of a great number of mineral claims, although I am not sure how many have been approved or how many are pending.

Another area recommended by the committee as a site for a national park is in the Hamersley Range. It is to the credit

of the Government that it did reserve almost the acreage which was recommended by the committee, but here again I am told that this area is already covered to the extent of some 25 per cent. by temporary mining reserves which are the subject of agreements passed by this House. I am referring to the Iron Ore (Hanwright) Agreement Act of 1967 and the amending Act of 1968. If we look at the plan of the Hamersley reserve we will find that it is an "A"-class reserve but it has big chunks—amounting to some 25 per cent. of the reserve—the subject of mineral claims under the agreements to which I have referred and which were passed by this House.

I would now like to refer to a provision contained in clause 4 of the Bill which deals with exploration licenses. It refers to "available land" which means—

> any land reserved to Her Majesty under section twenty-nine of the Land Act....

This is not "A"-class reserve land. Further down the Bill states—

> (2) The Governor may from time to time by proclamation declare any land that is reserved to Her Majesty under section twenty-nine of the Land Act, 1933 and classified as of Class A under section thirty-one of that Act, to be available land for the purposes of this Part.

Section 31 of the Land Act sets out quite clearly that a proclamation can be made stating that certain areas of land will be "A"-class reserves and that a decision of both Houses of Parliament is required before any "A"-class reserve can be used for any purpose other than that which is stated in the proclamation.

However, under this Bill, the Minister for Mines will have the authority to disregard the procedure of bringing the matter to both Houses and will therefore be able to inform any company that it can prospect on an "A"-class reserve.

I have tried to find a word to describe this section. I abhor it. I feel it gives too much power. If it has been the intention of previous legislation that both Houses should have the right to decide the use of any "A"-class reserve, then I do not feel we should pass legislation which gives any one man the power to disregard that previous legislation so that he can make—

Mr. Bovell: What is this "one man" business? It is the Governor-in-Executive-Council who decides matters concerning "A"-class reserves.

Mr. HARMAN: The land will be mined because further on in the amending Bill clause 8 provides that the holder of an exploration license will be able to mark off that land and apply for a mining tenement thereon in accordance with the Act. If an exploratory area includes an "A"-class reserve, previously proclaimed for a special purpose, the holder of the exploratory license could peg out a mining tenement on the "A"-class reserve and then apply for a mineral lease or mineral claim. I agree the warden has to make a recommendation to the Minister.

Mr. Bovell: The legislation will give the Minister greater authority with regard to the warden's activities.

Mr. HARMAN: But the warden did not have authority, and he does not have it under the amending Bill, to grant a lease. All he can do is recommend.

Mr. Bovell: The Minister can refuse the application under clause 21 of the Bill.

Mr. HARMAN: In view of the record of the present Minister how do we know he will refuse to allow mining on an "A"-class reserve? How do we know that, in view of what I have been saying?

I feel it is wrong to take away from this Parliament the right to refuse permission to prospect and mine on an "A"-class reserve. Lord knows how the Minister for conservation will operate if we have legislation such as this on our Statute book. He would have to be a superman to be able to cope with the situation. The Minister for conservation could declare that certain areas of the State were "A"-class reserves and then find that through the back door his colleague, the Minister for Mines, was granting exploratory licenses over country which is so desperately needed for conservation purposes. The mining companies would desolate the country and destroy the vegetation.

Obviously, the announcement by the Premier some weeks ago that a Minister for conservation would be appointed was only a means of getting some pressure groups off his back. While reading an article during the weekend I found that this very appointment of a Minister for conservation was suggested to the Liberal Party by the Country Party. It is on record that the Country Party put the suggestion to the Liberal Party.

Mr. Rushton: Where did you get that information?

Mr. HARMAN: It was quoted by A. T. Brendish.

Mr. Rushton: What party does he belong to?

Mr. HARMAN: The Country Party.

Mr. Rushton: That is a good recommendation.

Mr. HARMAN: That information is contained in a letter he wrote to *The Record*. The letter appeared in the political columns and the writer did not deny that his party recommended the action to the Government. So it is quite obvious the Liberal Party has no plans or thoughts with regard to conservation.

Mr. Bovell: What a lot of rot!

Mr. HARMAN: The Minister for Lands and the Minister for Mines have shown their attitude in recent years. That attitude is borne out by the number of claims and temporary mining reserves which have been granted over the important areas listed in the report which I quoted. I abhor this piece of legislation and I hope this House will *not* pass it.

MR. GRAHAM (Balcatta — Deputy Leader of the Opposition) [9.24 p.m.]: I am afraid it is impossible for me to generate any enthusiasm for the Bill which is before us. I want to assure members that it is not my intention to seek to invade the territory of those who are familiar with mining practices and procedure. My colleagues are well qualified, as has been demonstrated by their contributions this evening, to deal with that phase.

The only point in the Bill which appeals to me is that which gives some protection —sadly missing previously—to those who are owners of property. Hitherto, and, indeed, up to now, it has been possible for those involved in the mad, hysterical rush to ignore completely, in the pursuit of riches of one sort or another, what one would imagine were the rights of property holders.

We have had outlined to us tonight some of the desolation and frustration which has been vent upon the farmlands and the farmers. Nobody can complain about the proposition that there should be a more orderly approach, and that the owner of property has some rights which should be protected. I am concerned with what I regard as outstanding omissions from the Bill. If one can overlook the mad rush of applications with which the Mines Department has been inundated, one can see that the necessity for legislation has become apparent on account of the factor just mentioned; namely the effect that the mining activities and exploration activities are having on the owners of private property. Legislation has also become necessary as a result of the public indignation which has been aroused because of the onslaught on the public estate. In this respect, the Bill does exactly nothing.

I would have thought that when it was demonstrated in so many different ways that so many of the natural features of our State which should be regarded as being sacrosanct and available to the public because of their natural features, and because they are pleasure spots or have some historical significance, were being lost, this Government would have been seized with the urgency and the necessity to protect those places for the people.

It is remarkable that in a vast State like Western Australia, so recently discovered and being developed, there is a chronic shortage of public open space and reservations. It is not my intention to dwell upon that aspect; surveys have been carried out and publications are available in the Parliamentary Library. The reports are all along the same lines: compared with older countries we have made very little preparation indeed for the days when the population of this State will be much greater than it is today. If we allow opportunities to pass then it will be too late.

It is remarkable when, speaking in the metropolitan sense, one has regard for cities some thousands of years old, and the number of parks, reservations, and beauty spots which have been retained. However, in this State, where we have so much open land, even in the comparatively uninhabited parts, there appears to be a reluctance to set aside areas for specific purposes to remain for the public for all time.

It is true that, in clause 21 of the Bill, there is something which says that the Minister has power to prevent certain public lands from being disturbed when he considers that it is in the public interest to do so. I suppose the word "disturbed" covers a multitude of sins. I do not say this in any personal sense but, in my view, the Minister for Mines is the last person in Western Australia who should be entrusted with this task. Very largely, the purpose of a Minister for Mines is to promote, encourage, and generally play a part in generating mining in its very many aspects. What is necessary is for a brake to be applied to the Minister for Mines and his department in the public interest by people who are well-qualified and who have some regard for the present and future requirements of the public. Somewhat naturally, those who are charged with the most important responsibility of ensuring that the best possible is done in the direction of mining will be biased in their outlook—biased in favour of mining interests. Again, I do not say that disrespectfully; it is natural; it is inherent in the job with which they have been entrusted.

Like so many of my colleagues, I am starting to wonder whether the ministry of conservation is just so many words or whether the Government is sincere. In this respect it indicates to me that it is not, because the arbiter as to whether any public estate is to remain with the public —without bulldozers going in and other operations being carried out—is the Minister for Mines, the very person whose job it is to push mining with all the vigour of which he is capable.

I was a Minister for a few short years and all those who have been Ministers as well as those who are Ministers now will, I think, agree with me when I say that a Minister tends to become enthusiastic—perhaps over-enthusiastic—about the point of view of the department or departments which he is administering.

The call is to preserve the areas of public estate for the people. We do not want to see despoiled our glorious beaches, the scenic aspects of certain parts of the State,

the rivers, such mountains as there are, playing reserves, sacred or semi-sacred sites, and points of historic interest, simply because "There is gold in them thar hills." Surely we are not to be expected to lose all the assets of which I have spoken. We are custodians for the generations to come. After the job has been done and the desecration has been carried out, it is too late.

Mention has been made of the Darling Range escarpment on the verge of the metropolitan area. These ugly scars are getting bigger and bigger which, to my mind, is terrible. Surely the operations could have been carried out on the other side of the hill.

Mr. Bovell: It is all very well to be wise after the event.

Mr. GRAHAM: Exactly. I am not putting the blame on any Government.

Mr. Bovell: Your Government was just as blameworthy.

Mr. GRAHAM: Of course it was.

Mr. Bovell: As long as the Deputy Leader of the Opposition admits it.

Mr. GRAHAM: What I want is for us to learn from the mistakes of the past, but apparently that is something this Government has not done. There has been a greater outcry against despoliation and in support of conservation over the past 12 months or so than at any time in the previous history of the State.

Mr. Rushton: On a world basis.

Mr. GRAHAM: That is so. Surely, therefore, if we have legislation before us we should not see the power of yea or nay placed in the hands of the ministry of despoilers. It should be given to the Minister for Tourists, the Minister for Lands, or a Minister for conservation. One of these Ministers should be the watchdog and the custodian of the public interest to ensure that the lands are not used in the way in which they will be used for mining purposes but, instead, retained in the public interest.

Mr. I. W. Manning: Surely the Minister who issues or approves the permit would be the best one to withhold permission.

Mr. GRAHAM: I am one who believes it should be written into a Statute that Class "A" reserves, many Class "B" reserves, beachlands, and rivers and the environs thereof, should not be desecrated—if I might use that term—for mining purposes without the prior approval of Parliament.

We talk about a national trust. We are the people who have this trust; it is our job and our responsibility. It should not be played with for any particular purpose. Surely, it is inherent that these lands should be retained for the public. They cannot be alienated, but it would appear that it is possible for all sorts of operations to take place upon them.

As the Minister said, I know it is easy to be wise after the event. One has only to go to Greenbushes and have a look at what has happened there. I do not know how many thousands of acres have been despoiled. There are great holes, mounds of earth, and felled trees. One would think that the First World War had been conducted in that locality and that the despoliation I have mentioned was once vast shell holes, trenches, and the rest of it. It is a shocking state of affairs. Surely we should not allow that sort of a thing to go on, perhaps in State forests and perhaps on Class "A" reserves.

Incidentally, I think I omitted to say earlier that there should be a reference to the Parliament before mining operations are allowed in State forests. The person to bring them to the Parliament should be the Minister for conservation. When he has satisfied himself that no damage to the public interest would be caused by mining operations he should then come to Parliament with a recommendation that, within certain confines, certain operations under prescribed conditions could be carried out. Should this responsibility be vested in the Minister for Mines? One thousand times no! I say that, irrespective of who is the incumbent of that office.

The mining of metals and sands is surely not the most important consideration in the affairs of Western Australia. Doubtless it is vitally important and economically beneficial. However, it is a matter of a sense of proportion and proper values. More and more people are forming the opinion that, here in the metropolis, we are sacrificing far too much of the natural charm and beauty of the city in the interests of the motorcar. I think some rethinking is necessary in respect of this matter; otherwise, the metropolis will be a conglomeration of underways, overways, and the rest of it. The motor vehicle has taken charge.

We go to broader horizons and I say the same thing with regard to mining operations. The whole point about mining is that it is so final. Unlike farming where the grass grows every year, with a little bit of luck; unlike cropping where the crops grow every year with the same proviso; and unlike forests where trees grow for generation after generation, once the mineral is extracted from the ground, that is the end of it. There is nothing left but a big hole.

Therefore, for the sake of some temporary advantage—not only to the company and those employed in it, but doubtless to the community at large—and for some temporary monetary gain, something which was intended to serve the interests of the public has been lost for all time. I think that is a tragedy.

Recently we had the opportunity to see some operations in forest country where bauxite was being mined or excavated, and where some tree planting had taken place. Up to the present moment it appears that the experiment or exercise was quite successful but we have no idea what it will be in the long term. Members will know that it is possible to grow a jarrah tree in a pot, but there would be no possibility whatsoever of its growing to commercial proportions. As the habitat has been disturbed in the areas where excavations for bauxite are taking place, one has no idea whether the trees will reach a size and state of maturity that will make them a commercial proposition. Time will tell. At the present moment, the important thing is the extraction of that mineral. In the process we may be sacrificing millions of dollars worth of timber.

Mr. Lewis: Let us not be pessimistic.

Mr. GRAHAM: No, but when it is a matter of public estate, I think we should be exceedingly careful. I say this advisedly because, contrary to opinions and information given to us earlier, this demolition of the State forest is taking place at an accelerated rate and is reaching the proportions of many thousands of acres.

I do not want to give a history of forestry and timber matters here, but those associated with the industry will tell us—as successive Ministers have been told by enthusiastic conservators of forests—that in our south-west area far greater economic wealth is produced on that land as native forest, let alone the exotic forest by way of pines, than would be produced on the same land if it were developed into farms.

We have a comparatively small area where commercial timber is growing; yet, in the interests of mining and without knowing for certain the position regarding the land that is being deforested, we are allowing the forest to be cut down at an ever-increasing tempo, and perhaps that will be the end of commercial forest for all time in that area. We sincerely hope not, but that could be the position. I have discussed this matter with highly qualified forestry officers and with some of the most prominent sawmillers in Western Australia.

Mr. Ross Hutchinson: You do not know the full story if that is what you believe.

Mr. GRAHAM: That is entirely the position. Quite unconsciously the Minister has summed up the situation. Nobody knows for certain. We know that some small trees that were planted comparatively recently appear to be thriving.

Mr. Ross Hutchinson: That is right.

Mr. GRAHAM: As I said earlier, we do not know, and nobody knows at this stage, whether those trees will grow to a commercial size.

Mr. Lewis: At least the effort is being made.

Mr. GRAHAM: That is so, but if it is unsuccessful, with the best intentions in the world, some thousands of acres are being sacrificed for a temporary benefit, and the acreage is ever-increasing.

Mr. Ross Hutchinson: Have you seen these areas?

Mr. GRAHAM: Yes, thanks to the efforts of the Minister for Industrial Development in arranging for a bus load of members of Parliament to inspect a new industry associated with these areas in the Pinjarra locality.

I say no more than that. It should be apparent to all that an arbitrator, an umpire, or an independent authority is required. I can think of no better authority than Parliament, because the proposition can be ventilated and at least the public can be made aware of what is being done. I think most Parliaments, irrespective of who is occupying the Treasury bench, are responsible and would scarcely be likely to come forward with a proposition amounting to desecration of public estate, unless the best reasons imaginable were advanced in order to satisfy and convince members.

I conclude on the note on which I opened; that is, I am exceedingly disappointed with the Bill. There were protests and utterances of alarm from two sectors. Some provision has been made for the owners of private property. On the other hand, for those who have concern for the public interest nothing whatever has been done, other than to allow the Minister for Mines to come in a little earlier than he does under the existing Statute.

Finally, because this is so important, I repeat that of our almost 1,000,000 people in Western Australia the Minister for Mines is the last person who should be charged with the responsibility of deciding an issue in the interests of the public which could be counter to the interests of mining—the interests of the public not only now but for all time.

MR. TONKIN (Melville—Leader of the Opposition) [9.47 p.m.]: I consider that the case has been very well put by those who are opposed to the Bill but there are two matters which in my opinion have not received sufficient treatment and I desire to refer to both of them.

I was somewhat mystified by a statement made by the member for Avon that if the motion for this Bill to go to a Select Committee were carried that would be the end of the Bill. Normally that does not mean the end of a Bill at all. So the member for Avon must have some inside information which is not available to us—some threat from the Minister, possibly.

Mr. Bovell: We do not do what you might do. We do not threaten our people.

Mr. TONKIN: If that is not the basis for his statement, it is all the more remarkable, because I can recall many instances when Bills have been referred to Select Committees and it has not meant the end of the Bills. I can remember an occasion when, on the motion of the Government, a Bill for the registration of chiropractors was referred to a Select Committee, which was subsequently turned into a Royal Commission, and the upshot of it was that the Bill was introduced by the Government and actually became law. So when a member gets up and states in no uncertain terms, as the member for Avon did, that to refer this Bill to a Select Committee would mean the end of the Bill, he knows something that I do not know.

Mr. Ross Hutchinson: It was not the Government that introduced the Chiropractors Bill.

Mr. TONKIN: That is all I want to say about that.

Mr. Ross Hutchinson: They were different circumstances.

Mr. TONKIN: The other matter is whether all this extra power and responsibility can safely be left in the hands of the present Minister for Mines, a gentleman for whom I have a great respect but nevertheless a gentleman who I will show has been guilty of some very inconsistent decisions. He will recall quite well an occasion in 1962 when I moved for a Royal Commission because I considered that the action taken by the present Minister for Mines was without precedent and was indeed unlawful.

There are some members in the House who will recall the circumstances. Two cases were involved; in one case the Minister upheld the warden's decision, and in the other he waited five months before he made a decision, and then he rejected the recommendation of the warden. Before he made the decision to reject the warden's recommendation he refused to answer questions of mine on the ground that the matter was *sub judice*. It was *sub judice* because he made it so by not making a decision—not because the matter was before any court, but because he deliberately refrained from making a decision.

Mr. Bovell: You have no basis for saying the Minister deliberately refrained from making a decision.

Mr. TONKIN: Oh, yes I have; every basis. The Minister for Lands either knows nothing about the case, or else his memory is not good enough. I am referring to mineral claim 90 which the Minister finally granted. He sent a surveyor to Whim Creek to survey the claim, and when the surveyor went there the only pegs he could find were metal pegs which looked like aerial bombs, and one of them had fallen on a rock. The surveyor brought back as evidence two of those aerial bombs and a piece of the rock that had been cracked. But the Minister refused the recommendation of the warden and gave the claim to the party against whom the warden had made his decision; and it took the Minister five months to decide. In order to get this matter straight, I propose to read a letter which sets out the situation.

Mr. Ross Hutchinson: What is the relevance? Is this connected with the early 1962 case?

Mr. TONKIN: Yes. I am saying that it is not wise to leave all this power in the hands of the Minister who made the kind of decision to which I refer. It is all very well to say that we can trust Ministers; that they will always do the right thing. I am proceeding to show that here was an instance in which the Minister did not do the right thing and, as he did not do the right thing in one instance, one cannot be sure that if faced with similar circumstances he will not repeat what he did before. That is the whole point about this.

Mr. Ross Hutchinson: You know, I often doubt that when you were a Minister you were 100 per cent. right all the time.

Mr. TONKIN: Can the Minister show me the relevance of that comment to this question?

Mr. Ross Hutchinson: You have just said it.

Mr. TONKIN: The Minister is strengthening my argument.

Mr. Ross Hutchinson: Not a bit.

Mr. TONKIN: Oh yes he is, because he is saying that there was another Minister who could not be relied upon.

Mr. Ross Hutchinson: No-one can be relied upon—

Mr. TONKIN: Oh, I see. So now the Minister is further strengthening my case.

Mr. Ross Hutchinson: —to be 100 per cent. right all the time.

Mr. TONKIN: Well, I did not expect such support! Under those circumstances, fancy leaving it to the Minister to decide whether or not an "A"-class reserve shall be mined.

Mr. Bovell: It is not the Minister who decides; it is the decision of the Governor-in-Executive-Council.

Mr. TONKIN: It is the Governor-in-Executive-Council! Fancy telling me that!

Mr. Bovell: I am telling it to you.

Mr. TONKIN: As if I have not had nine years' experience of the Governor-in-Executive-Council.

Mr. Bovell: If, as a Minister, you put something through Executive Council without the approval of the Government, you would be in trouble.

Mr. TONKIN: I thought the Minister was suggesting it was the Governor, and not the Government.

Mr. Bovell: I said it was the decision of the Governor-in-Executive-Council.

Mr. TONKIN: That simply means it is the recommendation of the Minister.

Mr. Bovell: But it is the decision of the Council.

Mr. TONKIN: Of course it is.

Mr. Graham: Words!

Mr. Bovell: You put things through Executive Council against the decision of Cabinet, and see what happens to you.

Mr. TONKIN: The Minister will have an opportunity to speak as soon as I sit down. In order to illustrate my point I propose to quote a letter—or a portion of it; there is no necessity to quote the lot—from Mr. H. H. Telfer, the then Under-Secretary for Mines, addressed to Messrs. Lavan and Walsh, dated the 30th October, 1961. It reads as follows:—

> Dear Sirs,
>
> Re mineral claim 90 West Pilbara.
>
> I acknowledge receipt of your letter regarding the position of the above mineral claim.
>
> It is a fact that our Government Surveyor was unable to find the pegs of Mineral Claim 90 when he went on the ground to survey the block . . . .
>
> A search through our records has disclosed that the only description available is that of an old application for Mineral Lease 56 (later Mineral Lease 242) which is identical with the application for Mineral Claim 90. A copy of the application form for Mineral Lease 56 is enclosed for your information, from which you will see that our information regarding both the position and the length of the boundaries of the mineral claim are very vague. It would appear from the sketch that the sides are in the proportion of 2:1 which would make the distance about 14 chains by 7 chains.
>
> As the Mining Act requires that a mining tenement must be pegged and the pegs maintained, it is suggested that perhaps you could advise the holders that the area should be properly pegged and the pegs maintained in accordance with the requirements of the Mining Act.

That was never done, so the Minister directed a surveyor to go there and do the pegging. The surveyor did that and, subsequently, the Minister turned down the warden's recommendation and granted the claim which was not properly pegged.

Mr. O'Connor: Are you sure it was never done?

Mr. TONKIN: Yes; that was the evidence in the court. It took the Minister five months to make the decision.

Let me refer to the other case, the Henderson case. The Mining Act requires that when one gives a description, one is supposed to mention the adjacent features. Now, a feature 10 miles away could not ordinarily be regarded as being adjacent. Henderson mistakenly referred to a feature which was not at all an adjacent feature, and in his description he said his claim was 10 miles south-south-east of Mt. Edgar homestead when, in fact, it was 10 miles south-south-east of Mt. Edgar. That error cost him his claim. He applied to the warden for power to amend the description, and the warden declined to give it to him and recommended that the claim should go to the objectors. In that case the Minister upheld the decision of the warden.

I do not quarrel with that; what I do quarrel with is that when a similar case concerning descriptions came before the Minister he directed a surveyor from the Mines Department to go to the area and do what the claimant should have done in the first place: properly peg the claim. It has been established that the area which was subsequently pegged by the surveyor was not the area which the claimant said he had pegged. However, the Minister gave him the decision.

I am stating the facts of this case, and in view of that inconsistency we would be unwise to grant to the Minister for Mines all this power that is proposed in the Bill, no matter who the Minister for Mines may be. So bearing those two matters in mind, if we refer the Bill to a Select Committee many weaknesses will be found in it.

Representations have been made to me by geologists and prospectors. Mention has been made of the remote areas of the State. Whilst there may have been some slight exaggeration, I have been told by some of these men that the remote areas today are like Hay Street. People are running around all over the place and if one puts down a can of petrol unattended it will not remain on the spot for long. I was told that whilst pegging was being carried out the place was really alive.

I agree with my colleague who drew attention to Class "A" reserves. The powers contained in the Bill, in my opinion, should repose in the Parliament. Normally, a Minister has to bring a Bill before Parliament to affect a Class "A" reserve. Therefore, why should the same not be done if a mining tenement is sought on a Class "A" reserve? If it is left to Parliament to allow use of a Class "A" reserve for any other purpose, why should not the granting of a mining tenement in a Class "A" reserve come back to Parliament also?

Therefore I consider it is only right and proper that this Bill should be the subject of an inquiry. The member for Murchison-Eyre did not altogether express opposition to an inquiry into the Bill by experts, so I fail to see why he cannot see the wisdom of having the Bill made the subject of an inquiry by a Select Committee. Surely a Select Committee could call these experts before it to give evidence. It could call mine managers, geologists, and prospectors to obain their views on the legislation; but it seems to me that in accordance with this Government's policy the attitude that should be adopted is that we should listen to the big, fat men, embody their views in the legislation, and push the little people around.

MR. BOVELL (Vasse—Minister for Lands) [10.3 p.m.]: The debate on this Bill has turned out to be almost a marathon. I think it was at 2.45 p.m. that the member for Boulder-Dundas rose from his seat to speak officially on behalf of the Opposition. Since that time there have been numerous speakers from both sides of the House and, being a democratic State, those opinions are welcomed. I merely wish to add that I do not agree with all the opinions that have been expressed.

In the first place, perhaps I might be permitted to deal with the remarks made by the Leader of the Opposition, the Deputy Leader of the Opposition, the member for Maylands, the member for Warren, the member for Wellington, the member for Collie, and the member for Avon, who referred to the protection of private property and the matter of conservation. What the member for Avon has said is what he thinks himself, and, so far as I know and so far as the Government is concerned, the suggestion made in regard to the appointment of a Select Committee is his own. No such information was conveyed to him by the Government. Nevertheless, perhaps he can speak for himself at a later date.

As for the Leader of the Opposition recounting events that happened years ago, and casting some reflection on the action taken by the Minister for Mines, I think it is all to the credit of that Minister that he took five months to make his decision. This shows that he approaches any problem that comes within his portfolio with conscientiousness.

The Government realised the need for conservation and therefore the Premier announced recently that a ministry of conservation would be formed as soon as the necessary procedures have been finalised. The Public Service Commissioner and others responsible for the establishment of this new ministry have been engaged in considerable activity to bring this about. Nobody knows more than the Leader of the Opposition, the Deputy Leader of the Opposition, and the member for Boulder-Dundas, who were Ministers under a previous Government, the amount of work that is involved in creating such a portfolio.

However, in the meantime the Government has been mindful of the need to reserve areas for public use. As a matter of fact, during the period that the Government has been in office an area of approximately 12,000,000 acres has been reserved for various purposes. This is a vast area of land, and compared with the release of land for mineral development, which involves approximately 10,000,000 acres, this shows the Government's awareness of the need to preserve land for public use.

In addition, the Government has a Cabinet subcommittee comprising the Minister for Industrial Development, the Minister for Mines, the Minister for Fisheries and Fauna, and myself, as Minister for Lands and Forests. I am the chairman of that subcommittee. In our deliberations we have accepted certain recommendations of the advisory councils established by the Government; and matters referred to in other areas, including the one mentioned by the member for Maylands, are under consideration. I would point out that these matters can be given further consideration by the ministry of conservation when it is established.

Provision for granting extra powers to the Minister for Mines is, of course, contained in clause 21. Under this provision the Minister will be able to protect any area which he considers should be protected in the public interest. In the time available it has not been possible to obtain a clear picture to present to Parliament, but the Government has taken action, in this part of the session, to submit a Bill to Parliament which covers two very important aspects. One is the protection of private property referred to by the member for Avon and by members on the other side of the House, and the other is the additional security that will be afforded in the matter of conservation. We have gone a distance along the way to give effect to these purposes.

I will now mention, in effect, the advice that has been given to me by the Minister for Mines. He said that consideration would be given to further amendments which could tidy up the position and bring perhaps, to Parliament, some proposal which, after due consideration and examination, could be of advantage to the people of Western Australia. That, of course, is the main concern of the Government.

Mr. Graham: In what particular respect do you mean "be of advantage to the people of Western Australia?"

Mr. BOVELL: I refer to the general legislation; so that it can be considered by this House.

Mr. Moir: You used the expression "tidy up." Does that mean you are referring to the Bill?

Mr. BOVELL: No, not to the Bill. The Minister for Mines is to be commended for bringing this Bill to Parliament so soon. The amendments contained in the measure are in the interests of the public, in the interests of conservation, and in the interests of the private property owners.

Mention has been made of the appointment of a Select Committee, and in this regard I would say that the Government will give consideration to the appointment of an independent committee which will consider all aspects of this matter, after which further consideration can be given by the Government to any other action which it might consider necessary to take.

Mr. Moir: To what type of committee do you refer?

Mr. BOVELL: To an expert committee; a committee composed of people who know all the aspects of this exercise.

Mr. Graham: Would you say farmers, pastoralists, conservationists, and also mining people?

Mr. BOVELL: I am not saying anything at this time.

Mr. Tonkin: So I gather.

Mr. BOVELL: The Government will decide what type of committee it will be, but it will be one that will be aware of, and capable of considering, the problems under discussion at the moment.

Having mentioned the matters of conservation and the protection to private property, I woud now like to refer to the remarks of the member for Boulder-Dundas. Here again, the general theme of the Opposition was that a Select Committee be appointed. This, of course, was also referred to by the member for South Perth, and I will deal with his comments later.

The member for Boulder-Dundas complained that the ban on pegging had caused widespread consternation. In view of the fact that 40,000 applications were before the Mines Department last year, I think the Minister for Mines took the only possible and logical course he could take. In dealing with the matter the member for Boulder-Dundas referred to the horse-and-buggy days. I would mention, however, that in those days 4,000 claims were pegged whereas last year 24,000 claims were pegged.

Mr. Moir: That is not much of a comparison.

Mr. BOVELL: It is a 500 per cent. increase.

Mr. Moir: That was over 70 years ago.

Mr. BOVELL: It does not make any difference. There has been a 500 per cent. increase in the number of claims pegged last year as compared with those pegged in years gone by.

It is quite evident, therefore, that the Minister for Mines had no alternative but to take the action he did. He took the only logical course open to him and suspended all pegging, because the position was becoming quite alarming. As a result of the pegging that has taken place over the entire State, legislation has been introduced to protect the private property owner, and this is a most urgent matter which needs immediate attention.

Matters connected with conservation are also receiving attention, and in this regard I repeat that no Government in the past has taken action similar to that taken by this Government; and I do not refer to the action taken in recent months when there has been some concern expressed by the public over conservation; I refer to the action that has been taken by the Government during its entire term of office. I repeat, the area reserved by the Government for public purposes is in the vicinity of 12,000,000 acres.

Mr. Tonkin: Why did you destroy Slope Island as a fauna reserve?

Mr. BOVELL: I did not destroy anything. The Leader of the Opposition might quote minor cases that could be examined, but we must consider the overall effect on the community and also the fact that these reserves have been created in Western Australia. I think I am correct in saying that the total area reserved in this State is in excess of the area of the State of Victoria.

The member for Pilbara said that his main objection was the Minister's authority under this Bill. The Minister for Mines has always been vested with similar authority and I feel that the authority contained in the Bill before us is in keeping with the principle of the existing Act.

While the actual administration of the Act is in the hands of the Minister for Mines, the final responsibility rests with the Government to ensure that that Act is administered to the advantage of the people of Western Australia, generally.

I would like to thank the member for Murchison-Eyre for his contribution to the debate. He made a most reasoned and temperate speech. As we know, of course, he has a very wide and extensive personal knowledge related to mining activities.

Mr. Tonkin: Not only a personal knowledge but also a personal interest.

Mr. BOVELL: That is fair enough.

Mr. Ross Hutchinson: Have you got anybody who has?

Mr. Tonkin: If it is fair to mention one, it is fair to mention the other.

Mr. BOVELL: If, as the Leader of the Opposition has said, the member for Murchison-Eyre has a considerable interest in this matter, I feel it is all the more reason why we should consider his comments on the Bill as important.

Mr. Tonkin: Then why complain because I mentioned it?

Mr. Ross Hutchinson: It is the way you mentioned it.

Mr. BOVELL: I think it is important to show that the honourable member's interest is favourable in the main to the general principles included in the measure. The member for Murchison-Eyre referred to remarks made by the member for South Perth and I, too, would like to say something about the member for South Perth and the remarks he made this evening.

To me it is always a matter of regret that a member should use such extravagant language and employ a fertile imagination and, in the process, castigate officers of a department and also, as in this case, the Minister for Mines.

Point of Order

Mr. TONKIN: On a point of order, Mr. Speaker, when the Minister started in this strain he said he was going to make some remarks about the member for South Perth. I understand what he can do is to make remarks about what the member for South Perth said; but he is precluded from castigating the member for South Perth.

The SPEAKER: Is he castigating the member for South Perth? In my opinion he is not. He is merely interpreting the remarks made by the member for South Perth; he is not castigating him. If in the process a little mud sticks it is bad luck for the member for South Perth.

Mr. Williams: The Deputy Leader of the Opposition should know a bit about this because of the remark he made about the member for Mirrabooka.

Debate (on motion) Resumed

Mr. BOVELL: Thank you, Mr. Speaker. I was referring to the extravagant language and what appeared to be the fertile imagination of the member for South Perth. In his remarks he drastically charged the officers of the Mines Department and the Minister with virtually—I will use this word—corruption. The staff of the Mines Department and the Minister for Mines have worked long hours and worked arduously during this upsurge in mining activities in this State. I do not think it becomes a member of this Parliament to criticise officers of a department who have no opportunity to defend themselves here. The Minister for Mines is a member of another place, and neither has he the opportunity to defend himself here.

I believe it is the responsibility of the member for South Perth, when the opportunity presents itself, to rise and withdraw the remarks that he has made insinuating that the officers of the department and the Minister were corrupt in their dealings within the Mines Department. He supported his remarks by saying that he considered it was necessary for a Royal Commission to be appointed to inquire into the activities of the Mines Department.

This evening I listened to the news which was broadcast over the A.B.C., and I was most concerned with the way in which the report came over the air, because the remarks of the member for South Perth had made the same impression on the reporter for the A.B.C. as they made on me; that was, that he charged the officers of the Mines Department with corruption, although that word might not have been used.

Mr. Grayden: That is the interpretation you place on my remarks.

Mr. BOVELL: He said that a Royal Commission should be appointed—

Mr. Grayden: Yes, and I gave the reasons why one should be appointed.

Mr. BOVELL: —to examine the operations of the Mines Department. I think he used the word "malpractice." In my opinion the remarks he made were most unbecoming of a member of this House; he made those remarks against the officers of the department when there was not a tittle of evidence to show there had been malpractice or corruption on the part of any officer, a number of officers, or the Minister himself. Therefore I feel it is my duty to bring to the notice of the House the concern of the Government with the use of those words by the member for South Perth, who placed the officers of the Mines Department in an invidious position.

Mr. Grayden: You are distorting my remarks.

Mr. BOVELL: I am not. That was the impression I gained, and my impression has been confirmed. I went home for my evening meal, and on my return journey I listened to the news over the radio. The impression I gained was also the impression given over the radio. This impression is not confined to the four walls of this Chamber; it is conveyed all over Western Australia. I do not think it is becoming of this Parliament or any member of it to imply, so that the people can infer that the officers of the department are corrupt—

Mr. Grayden: I said it would open the way.

Mr. BOVELL: —or have engaged in malpractices. Why did the member for South Perth propose the appointment of a Royal Commission, if the suggestions he has made are that there is no suspicion of corrupt practices?

Mr. Tonkin: That is not a fair deduction. There was a Royal Commission into the University, but it was not because of any suggestion of corruption.

Mr. BOVELL: The words he used in connection with his proposal for the appointment of a Royal Commission included malpractices; and the inference is there was something corrupt in the Mines Department. That is not so. I repeat that

I think the member for South Perth should, at the opportune time, rise and withdraw the remarks he has made in regard to suspecting officers of the Mines Department and the Minister for Mines. If he has any evidence of malpractices let him present it to the House.

Mr. Grayden: If I do anything at all it will be to add to my remarks; that is, if you give me the opportunity to do so by agreeing to a Royal Commission.

Mr. BOVELL: I do not think I will comment further on what the member for South Perth has said. I feel that his remarks were untimely, unwarranted, and uncalled for. The words used by other members, including the member for Kalgoorlie whom I have not mentioned, were moderate. They put forward their ideas for the appointment of a Select Committee. The proposal for the appointment of a Select Committee has been put before this House on many occasions, but on this occasion neither the Government nor I believe that a Select Committee is warranted. The appointment of one could embarrass the existing mining operations, and could cause delays for some considerable time; further it would hinder the operations of the Mines Department and the Minister by placing them in a very difficult position during this upsurge in mining activities.

As I have said, the Government believes that an independent committee—and every consideration will be given to selecting the personnel—should be appointed to advise it on matters affecting the Mining Act and the operations carried out under it. It is not unusual for the Government to appoint an independent committee. It did so in respect of liquor and the licensing laws, and as a result a Bill is now before the House. I quote that as an instance that in taking action of this nature the Government had a responsibility, and in due course a detailed report was presented to Parliament for consideration.

I commend the Bill to the House. It has been passed without amendment in another place, and I hope this House will agree to its passage, because I believe this is a genuine attempt to assist the community to meet these most pressing needs.

Question put and passed.

Bill read a second time.

Reference to Select Committee

MR. MOIR (Boulder-Dundas) [10.30 p.m.]: I move—

> That the Bill be referred to a Select Committee.

I want to say I was convinced before that a Select Committee was necessary, and after hearing the Minister's attempted reply to the debate I am more convinced than ever. I listened carefully to the Minister and did not hear him produce one valid reason why a Select Committee should not be appointed. As a matter of fact, in my opinion he did not reply to the debate at all. He merely used a lot of words.

I want to refer to the remarks made by the member for Avon concerning the appointment of a Select Committee. He said that he did not have any intention of supporting a Select Committee because such an appointment must undoubtedly defeat the Bill.

Mr. Gayfer: I will still have two bob with you on the outcome!

Mr. MOIR: The honourable member might have, but I would suggest to him that this is a very serious matter for many people and it is not something which should be treated in a jocular manner.

Mr. Gayfer: I am sorry about that.

Mr. MOIR: Having referred to the provisions in the Bill which protect the private owner of property—and I made it quite clear in my remarks that I agree with those provisions—the member for Avon washes his hands of all the rest of the features of the Bill. He is not concerned with them at all. I am rather surprised about that because I thought he would have concern for people outside the industry in which he is particularly interested.

If I heard the member for Murchison-Eyre correctly, he said that if a committee were appointed it should be composed of outside experts and not be a Select Committee. He forgets that a Select Committee, appointed by Parliament, has the power to meet and call witnesses. I take it that, except for those who had a knowledge of conservation, it would not call people who were not connected with the industry. A Select Committee would no doubt call people with experience of conservation in order to gain their views on the conservation question, which is a live issue in this State and has been for some time—and rightly so. A Select Committee would invite people to give evidence, but it would invite only those who had the most expert knowledge of the mining industry.

For the information of those members who may not have had much experience of Select Committees, if an Opposition member is the mover of the motion, he nominates three members from his side and, in consultation with the Leader of the House, two are nominated from the Government side. If the mover of a Select Committee is a Government member, the position would be reversed. Therefore, it is not a matter of anyone being appointed to serve on a Select Committee. To all intents and purposes, the members of the committee are appointed by the House. Indeed, in our Standing Orders there is provision for a ballot to be held. I have never known that to be done, but the provision is there.

I am sure that if a Select Committee were appointed to inquire into this matter, we would not have to request people to

come forward to give evidence. Many people would request those on the Select Committee to hear their evidence. I am quite sure that many from all sections of the mining industry would volunteer. I might add that the industry has some very able spokesmen, too.

A remarkable aspect of this debate was that we heard from the member for Avon only in regard to the provisions in the Bill relating to private land, with which he was very pleased. Then we heard the member for Murchison-Eyre in support of the Bill. Of all the other members on the other side of the House only the member for South Perth spoke against it. No-one else spoke in favour of it, except the Minister.

Mr. Bovell: What about the member for Wellington?

Mr. MOIR: I was amazed when the Minister said that a Select Committee could embarrass the mining industry. I want to inform him that such is not the case. A Select Committee would not embarrass the mining industry as much as the pegging ban imposed by the Minister for Mines.

Mr. Bickerton: It might embarrass the Government!

Mr. MOIR: It would not embarrass the mining industry, or indeed, hurt it as much as this Bill will if it is passed. That will be a big embarrassment—a far bigger one than a Select Committee would ever be.

I am quite sure that the appointment of a Select Committee would meet with the approval of 90 per cent. of those in the mining industry. It would certainly have the support of the companies. Indeed, I have already read the letter forwarded to members of the Opposition by a prominent firm in which it requested us to support the appointment of a Select Committee. I have also read a copy of the telegram which those people sent to the Premier and the Minister for Mines requesting that they delay this Bill until they had time to gain more information from the mining people concerned.

This is a very drastic measure and it is the usual thing when measures affecting a particular industry—and especially one so large as the mining industry in this State—are being considered to refer the proposals to those concerned. I can remember innumerable instances when such was the case. I can remember provisions affecting the mining industry being referred to the leaders of that industry. I can also remember provisions affecting that industry being referred to the Mine Workers' Relief Board, which comprises representatives of the workers and the employers, when amendments to the Act under which they worked were under consideration. Indeed, it is written into the Mines Regulation Act that before any alteration to it can take place, such alteration must be referred to the associations of employers and employees.

However, here we have a measure which is absolutely revolutionary and which will be very widespread in its effects. It will hit a certain section of the community, but we do not know what advice the Minister for Mines has had, because the Minister representing him in this House gave us no word concerning such advice. All he said was that the Minister for Mines had introduced this Bill in another place and that he was introducing it here. I would have thought some information would be submitted concerning those who wanted the amendments.

If a Select Committee were appointed, we would find many people would advocate very far-reaching reforms to this measure. For this reason I trust the House will support my motion.

MR. BOVELL (Vasse—Minister for Lands) [10.39 p.m.]: As indicated in my second reading speech, I must oppose this proposal. The Minister for Mines has already stated that on the passing of this measure—

Mr. Tonkin: You are not allowed to allude to a debate in another place.

Mr. BOVELL: I did not refer to it as a debate.

Mr. Tonkin: You said that the Minister for Mines—

Mr. BOVELL: He has indicated this to me. I am not quoting from *Hansard*.

Mr. Tonkin: I beg your pardon!

Mr. BOVELL: He has indicated to me in his own handwriting, if the Leader of the Opposition would like to know.

Mr. Tonkin: A little private conversation.

Mr. BOVELL: No. I have, in his own writing, some notes he has given to me. He has indicated to me his intention to release, on the passing of this Bill into an Act, the previously known ultra-basic areas of this State. This communication is in his own writing.

Mr. Bickerton: You are lucky to get a letter from him.

Mr. BOVELL: It is not a letter. Furthermore, the Minister has informed me that action will be followed by a release of other land, which will enable pegging to proceed. Here again, under the powers contained in the Bill, the Minister will be able to decide which areas will be released.

The member for Boulder-Dundas said that I did not give any indication why this Bill was presented and who requested it. I thought I gave two reasons, and one was that it would assist, to a very great

degree, the problem confronting private property freeholders. Secondly, the Bill will give the Minister more power to protect certain areas of the State, if he thinks fit, in the interests of the State. Those are two reasons, and two urgent reasons.

Mr. Moir: What about the restrictive provisions in the Bill?

Mr. BOVELL: The point is a Select Committee would quite obviously take considerable time to investigate, reach a decision, and report to Parliament. The committee would probably have to report next session during August or September of this year. That would harm the operation of the mining industry in this State. I believe it is not in the best interests of the State that any delay should occur in regard to the legislation which we have before us.

A Select Committee, in my opinion, would achieve nothing and would cause unnecessary delay and embarrassment to the mining industry. As I have already said, the Government will give consideration to the possibility of setting up a committee which could advise the Government if and when it thought necessary.

I believe, because of the two factors to which I have already referred, it is in the interests of the State that this Bill be passed now, and that there should be no delay. The reasons are all-important, particularly the protection for private property holders. I ask the House to allow this Bill to proceed, and to reject the proposal by the member for Boulder-Dundas for the appointment of a Select Committee.

MR. GRAYDEN (South Perth) [10.43 p.m.]: I hope the House will agree to this motion for the appointment of a Select Committee. I had occasion to say some unkind things about the Minister for Mines, but most of those remarks were brought about as a consequence of his obviously being ill-advised by the officers of his department and by other individuals in this community who may have contacted him. That is the point I made when I criticised the Minister.

I suggest that if a Select Committee is appointed it will have an opportunity to contact all sections of the mining industry. The committee will be able to come back to the House and submit a report which will be most helpful to the Minister and his officers.

Some time ago the member for Murchison-Eyre was extremely perturbed regarding the situation of the goldmining industry in Western Australia. The goldmining industry was declining, so the member for Murchison-Eyre moved for the appointment of a committee of inquiry. Certainly, his motion was not for the appointment of a Select Committee. The motion moved on that occasion, I think, is relevant to this debate and it reads as follows:—

> That in view of the refusal of the International Monetary Fund at its meeting in Tokyo last week, to agree to any increase in the world price of gold, and bearing in mind the tremendous importance of the gold mining industry to Western Australia and the difficulties which the industry is facing due to rising costs of production, an all-Party Parliamentary Committee be appointed with the object of examining and exploring means by which the industry in Western Australia can be assured of stabilisation and expansion in the future.

I think an amendment to the motion was subsequently moved, which suggested that three members from each House be appointed to the committee. I think two members from the Government side were appointed, and one from the Opposition side. In any case, it was a six-man all-party committee which travelled all over Western Australia. The members of the committee discussed, with those engaged in goldmining, the problems which beset the industry. The committee made a report to the House.

The member for Murchison-Eyre took that action in 1964 because he was concerned with the situation of the goldmining industry. At the present time many members in this House are more concerned with what will happen to the mining industry, generally, than was the member for Murchison-Eyre when he moved his motion. In those circumstances it is a reasonable proposition to appoint a Select Committee, just as an all-party committee was appointed on the occasion I have mentioned. Two members could be appointed from the Opposition side of the House, and two members from the Government side. I expect that one member would come from the Liberal Party, and possibly one from the Country Party. The mover of the motion would become the chairman.

The committee would take evidence from all sections of the industry and submit a report to Parliament. The members of such committees do not get together and play politics. Any member of the committee can submit his own report, so the question of politics is not involved. As I mentioned earlier, the report of the committee would assist the Minister.

It was suggested that I implied the Minister was guilty of malpractice. I certainly did not suggest anything of the sort,

and I certainly would not suggest that anyone in the Mines Department was guilty of malpractice. What I said is as follows:—

> I have never heard the Minister lay claim to any practical knowledge of mining, but he has introduced this Bill and apparently no officer in the Mines Department has made any attempt to dissuade him from doing so. That fact alone is extremely serious, and prompts me to suggest that a Royal Commission should be appointed into the Mines Department of Western Australia to make inquiries, firstly, into its administration;—

I will interpolate and say I had in mind the shocking state of affairs that the Mines Department had got itself into with the backlog of claims and the failure to cope with those applications. To continue my earlier remarks—

> —secondly, into the security of the department because of certain acts that have happened in the past and to which some members could point;—

Possibly, that could have given the Minister the impression that I was alluding to malpractice. I was alluding to information leaks from the department regarding the release of temporary reserves in this State.

There has been a lot of criticism on this score—that certain individuals seem to know when temporary reserves are to be released.

The SPEAKER: I think I have allowed the honourable member to go far enough. The motion is for the appointment of a Select Committee.

Mr. GRAYDEN: Thank you, Mr. Speaker. I referred to that matter to allay the fears of the Minister.

If the motion is agreed to, a Select Committee, instead of a Royal Commission, could inquire into the administration of the Mines Department to find out whether there is any solution to the shocking state of affairs which has developed. Possibly the committee would come up with a simple recommendation. If some additional personnel are necessary, it might suggest that the Minister should make a trip to the Eastern States and make overtures to Ministers in Victoria, where there is no mineral boom, to obtain some officers from the Lands Department or the Mines Department of that State. This could be a solution to the problem. We do not know whether the Mines Department has advertised extensively overseas for officers, but this is another matter into which a Select Committee could inquire. It could inquire into all aspects of the administration of the Mines Department.

A Select Committee could go infinitely further than that. Obviously the Minister does not realise the consequences of what he intends in respect of exploration licenses for areas up to 100 square miles. It is obvious, too, that the member for Murchison-Eyre does not realise the consequences. If they are not apparent to those two individuals, what chance have other members in the House to realise the consequences of what will come about if the legislation is passed?

I have said that the member for Murchison-Eyre does not understand, because he said two or three times that the areas of 100 square miles would be allocated only in the remote areas.

Mr. Burt: Of course they will be.

Mr. GRAYDEN: The member for Murchison-Eyre says, "Of course they will be." What he is overlooking is that the Minister has designated three-quarters of the State as a reserve. If they are to be allocated only in the remote areas—in the most far-flung portions of the State—what will happen in the areas in between? Obviously no mining of any kind will take place.

The member for Murchison-Eyre says they will be granted only in remote areas and nowhere near current mining activity. How stupid is this? In other words, we are going to declare three-quarters of the State a reserve and no mining will take place in that great area except in the very far-flung portions of the State where the Minister may grant exploration licenses of up to 100 square miles. Of course, that is not the position at all. This is the kind of thing into which a Select Committee could inquire and it could make it quite clear in the report that this is not the way it would operate. Such a report would obviously be of help to the member for Murchison-Eyre and to the Minister who obviously do not realise what will happen under the Bill. That is one advantage of a Select Committee.

We could go much further than that. The Minister has made it clear that he thinks he is helping the little man through the licenses to prospect 24 acres. I wonder what an all-party committee—that is what a Select Committee is—would have to say on that score. Again, the members of the committee would make it quite clear to the Minister and to anyone else who thinks this is a solution and will be of help to the little man that, in fact, it is not.

Again, because a Select Committee would go to places in the State where mining is conducted, it could go into the question of opening up the State for pegging. If the Bill is passed and the vast majority of the State is declared a reserve, the Minister will not permit pegging in that great reserve. A Select Committee would make it very clear in a report that it would be

a terrible thing, so far as mining in Western Australia is concerned, not to permit pegging in the normal way in the vast area which the Minister is creating, ostensibly for the purpose of throwing open certain sections so that he might grant exploration licenses for areas of up to 100 square miles. That is only another aspect of work which could be undertaken by a Select Committee.

The appointment of a Select Committee would not affect the provision in the Bill which relates to the Minister's powers in respect of places of public interest. The fact that the legislation would be delayed would not matter in the slightest, because the Minister already has power, under the Act, to protect places of public interest. This provision has been in the Act for many years and the Minister could have acted under this power at any time in the past. The fact that there would be a slight delay would not affect the situation.

Similarly, a slight delay would not affect the position in respect of private land. Again, the Minister has tremendous power, because any applications which are recommended by the warden have to be approved by the Minister who can withhold his consent. Consequently, that aspect is covered completely.

The Bill before the House briefly refers to pastoral leases and one or two members have commented upon the difficulties which face some—and I emphasise the word "some"—pastoralists. Many of the pastoralists who are affected, as well as many who are not, are the very prospectors of whom we are talking. In many cases, pastoralists have actually left their properties in the management of others and are prospecting in various parts of the State. They are in the forefront of the group which is seeking minerals in Western Australia. A Select Committee could confer with pastoralists and come up with suggestions in respect of compensation for them. Of course, everyone would go along with that.

A tremendously important issue at this time, and one which affects the entire mining industry in Western Australia, is the fact that one individual—namely, the Minister for Mines—should be responsible for deciding the future of the mining industry in this State. We know what has happened in the wool industry. For months—in fact, for years—hundreds of individuals in that industry have been conferring with the object of bringing about a more equitable method of marketing wool. One Minister has not decided the entire fate of the wool industry. Precisely the same thing has happened with wheat.

The SPEAKER: The honourable member has five more minutes.

Mr. GRAYDEN: For years hundreds of individuals throughout Australia have been conferring in an endeavour to arrive at something which is equitable as far as the wheat industry is concerned. Despite the immensity of the problem under discussion some members in the House are prepared to allow one individual to decide the future of the huge mining industry in Western Australia. That is the situation.

We know what has happened with this measure; the Minister has not conferred with the industry. Had he conferred, the Bill would not be before the Chamber. Certainly he has conferred with Mr. Brodie-Hall, and with some officers in his department but, if the latter have given any advice, the Minister obviously has not taken it. In addition, he has conferred with some individuals from the Chamber of Mines. He has not conferred with all of them, because I have heard tremendous criticism from members of the Chamber of Mines. After conferring with such a small coterie the Minister has brought forward a Bill of this kind which will grievously affect the mining industry in Western Australia, not only for the present time but for as long as the legislation stays on the Statute book.

In these circumstances I cannot see how members of the House can do other than accept the motion which has been moved by the member for Boulder-Dundas and jump at the opportunity to appoint an all-party committee which could go into the mining areas of Western Australia and confer with the industry on a non-party basis. This matter is bigger than that. The future of the mining areas in Western Australia is at stake on this issue.

The Opposition in these circumstances, I am sure, would drop any desire to play a party line and would become part of an all-party committee that could make recommendations to the Minister. Surely that is the way to approach an issue of this kind. Are we going to play politics on something like this? If we do, that is not the end of the issue. The fact that this legislation goes through does not mean an end. It means it will be constantly before the people of Western Australia until some time in the future when the amendments are expunged from the Statute book. That is what it means.

If I were the Minister for Mines, I would jump at an opportunity like this to divorce the thing from politics, to get all sides to come together, to confer, and make recommendations. One can be sure they would be good recommendations, because no members of the two major parties in this House who have been Ministers for Mines over past years have attempted to do things which would grievously affect the mining industry. The amendments

they have made have been relatively minor ones, and the only amendments required in this instance are relatively minor ones. In these circumstances, a Select Committee could well come forward with something really worth while.

I realise my time has expired and in those circumstances I shall conclude.

MR. BICKERTON (Pilbara) [11.2 p.m.]: I mentioned in my second reading speech that I had not struck anyone in the mining industry who was keen on the provisions concerning exploration licenses, which, I gather from most members' speeches tonight, are the main bone of contention. I said that perhaps I would hear someone in this Chamber saying that exploration licenses were a good thing. Unfortunately I have not heard one person agree with that particular portion of the Bill, except the Minister who is handling the Bill for the Minister for Mines.

People have spoken in favour of parts of the Bill; mainly those concerned with farming have agreed with clause 13, which looks after the interests of the people on the land. I mentioned in my second reading speech that I also agreed with that clause. However, it is the contentious sections of the Bill, which we who have spoken against it believe will do the most damage to the mining industry, that we want investigated by a Select Committee. For that reason I support the motion moved by the member for Boulder-Dundas. A Select Committee would be able to inquire fully into this matter and no doubt the information obtained during its inquiries would be of great value to the Minister as far as any future legislation is concerned. That is the purpose of a Select Committee.

The Minister for Lands said that the Minister for Mines had informed him that he might give consideration to forming a committee once this measure went through, if I have got his words correctly. Once this measure is passed neither the Minister for Lands nor the Minister for Mines has to do anything unless he wants to. Neither of them is under any obligation to form a committee. That undertaking may have been given in order to get the Bill through this House. I can see the purpose of it.

The member for Murchison-Eyre spoke along these lines. I have had some pressure from people in my area, and the member for Murchison-Eyre, who represents mining areas, has undoubtedly had similar approaches made to him. Is this offer to set up a private committee some sort of a handout in exchange for favours rendered—in exchange for the "No" vote against the Select Committee by members who normally support the Government?

Let us consider why a Select Committee would be superior to a private committee, even if the Minister did set it up. This Government, strangely enough, is against committees if they happen to be formed from members of Parliament and have a responsibility to report to Parliament; but the Government is not against committees—it is very pro-committee when it suits it. When a decision has to be made which may not be very favourably viewed by the public, this Government cannot set up a committee quickly enough. It then says, "We are only acting on the recommendations of the committee." That is rather an old trick in politics; it has been going on for years.

We are not interested in a committee formed by the Government, for the Government, and to get the Government out of something that it has got itself into. The type of committee we are interested in is one which will make a complete investigation of this matter all around the State, and which will report to the members of this Parliament so that they in turn can make up their minds whether or not something should be done in this regard.

A private committee comprises members chosen by the Minister concerned. A report is issued to the Minister. He can please himself whether he makes it public or not and he can please himself whether he takes any notice of it or not. That is an entirely different thing from a Select Committee. To my way of thinking, this Bill does not do the right thing by the mining community as a whole. If this matter requires investigation, as I believe it does, it should be thoroughly investigated, and the only way it can be thoroughly investigated is by a Select Committee. This is a very important issue and, as has been pointed out by other speakers, it affects the future of the whole mining industry in this State.

There have been occasions when we have had other investigations. Only a short time ago a wool firm which was trading in a certain manner upset half a dozen farmers in the south-west. I thought the firm's methods of trading were poor indeed and my sympathy went to the farmers. The Government had no difficulty then in setting up a Royal Commission—not a Select Committee—to investigate a matter affecting half a dozen farmers. We now have an issue which affects the entire mining industry in Western Australia and the Government says, "We do not agree to a Select Committee, but we might give consideration to a small committee appointed by the Government to look into this."

The member for Murchison-Eyre said he was not keen on a Select Committee. He was keen on a Select Committee at the time

when the goldmining industry needed investigation, but it must have been politically favourable at the time for the Government to agree to a Select Committee, even though it affected only one section of the mining industry. I did not disagree with the appointment of that Select Committee—indeed, I agreed with it—and I think many things were brought to light as a result of its investigation.

Surely if a Government agrees under those circumstances, when one portion of an industry has its future at stake it must, if it is consistent, agree to the appointment of a Select Committee on this occasion, particularly as it can so readily set up all sorts of committees and even Royal Commissions when, perhaps, the coalition is a little shaky and the Government feels that an investigation should be made. In the case of a recent Royal Commission, I think it was a good thing it was held; but do not tell me that if it is good enough for a Government to agree to a Royal Commission because a small number of farmers were robbed—which I think they were—Parliament can be denied a Select Committee when the entire mineral industry of the State is involved. I support the motion.

MR. BURT (Murchison-Eyre) [11.12 p.m.]: I shall be brief because I think after 8½ hours debating the sooner we wind up this matter the better it will be. I want to make reference to the fact that despite what a number of members have said, and despite the fact that I move in mining circles more than most members, and represent a mining district, not one approach has been made to me regarding the legislation before the House.

Mr. Bickerton: Do your electors know about it?

Mr. BURT: I think the mail coach has got through to Cue by now, and my constituents are beginning to be aware of this issue.

Mr. Bickerton: Do they know about the exploratory licenses?

Mr. BURT: No-one has come to me about exploratory licenses or, for that matter, about the crazy matters referred to by the member for South Perth.

Mr. Grayden: I hope your electors hear of your comments.

Mr. BURT: They will, because I will be amongst them this coming weekend.

Mr. Bickerton: It will be too late then.

Mr. BURT: I have not the slightest desire to support this motion for the appointment of a Select Committee. I think it is completely unnecessary; the matter has been thoroughly ventilated, and I support the Bill. I still go along with the fact that there are certain sections of the Act that could be improved, and I feel the Government should set up a committee—not a parliamentary Select Committee—composed of a legal man conversant with the Mining Act as its chairman, and representatives from the mining industry and prospectors' associations. The committee should take evidence which could assist in improving the Act, as I feel that is much desired. However, so far as this Bill is concerned I see nothing wrong with it and, once again, I express my opposition to the motion.

MR. MOIR (Boulder-Dundas) [11.15 p.m.]: Mr. Speaker—

The SPEAKER: Order! The honourable member has spoken. He has no right of reply on this occasion.

Question put and a division taken with the following result:—

Ayes—19

Mr. Bateman	Mr. Jamieson
Mr. Bertram	Mr. Jones
Mr. Bickerton	Mr. Lapham
Mr. Brady	Mr. May
Mr. Burke	Mr. Moir
Mr. H. D. Evans	Mr. Taylor
Mr. Fletcher	Mr. Toms
Mr. Graham	Mr. Tonkin
Mr. Grayden	Mr. Norton
Mr. Harman	*(Teller)*

Noes—22

Mr. Bovell	Mr. Mitchell
Mr. Burt	Mr. Nalder
Mr. Cash	Mr. O'Connor
Mr. Gayfer	Mr. O'Neil
Dr. Henn	Mr. Ridge
Mr. Hutchinson	Mr. Runciman
Mr. Kitney	Mr. Rushton
Mr. Lewis	Mr. Stewart
Mr. W. A. Manning	Mr. Williams
Mr. McPharlin	Mr. Young
Mr. Mensaros	Mr. I. W. Manning *(Teller)*

Pairs

Ayes	Noes
Mr. Davies	Sir David Brand
Mr. McIver	Mr. Craig
Mr. Sewell	Mr. Court
Mr. T. D. Evans	Mr. Dunn

Question thus negatived.

In Committee

The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Bovell (Minister for Lands) in charge of the Bill.

Clauses 1 to 3 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr. I. W. Manning.

House adjourned at 11.19 p.m.