

PERSON: This has been a hearing of an application to assess compensation in respect of Authorisation No. 72 and Coal Lease No. 60 held by Clutha Development Pty. Ltd. in respect of lands owned by the Hancock Pastoral Company of which Mrs. P.M. Reid appears to be a principal.

It is obvious from what has been put before me that other landowners namely Mr. Dagg, Mr. Wild and Mr. Barry, whose lands are in the near vicinity or which adjoin Hancock's lands, have received the sum of \$21 per bore hole and that Clutha has offered Mrs. Reid the sum of \$20 per bore hole. On the other hand Mr. Minter, Solicitor, on behalf of Mrs. Reid has claimed that the company Perko Wallsend Ltd. has paid or will pay the sum of \$50 per short bore hole and \$100 per long bore hole in respect of holes to be sunk or which have been put down in other lands owned by Mrs. Reid's company, which are nearby. These figures, incidentally, as to what landowners have received are not disputed, i.e. all agree that \$21 was paid to Messrs. Dagg, Wild and Barry and the sums of \$50 and \$100 respectively was paid by Perko.

Now as to the payment by Perko it is claimed that such sums included premiums for expedited access and there is also the suggestion that the land in respect of which those payments have been or will be made is closer to the Hunter River. It would be inappropriate, I therefore feel, in this case to rely upon what another company is willing to pay for other lands, as an absolute guide in assessing compensation. Similarly what the Electricity Commission is prepared to pay for easements for power poles and lines also must have limited bearing on what figure I arrive at for a mining company to carry out the activities envisaged by Authorisation No. 72 and Coal Lease No. 60.

On the other hand what other persons who are landowners and whom I assume are most conscious of what values prevail and what compensation should be paid are prepared to accept from the applicant company is most pertinent to the outcome, in my opinion.

There is no doubt that at least for the present time land values, both pastoral and otherwise, have generally stabilised and that over the last 2 years or so this situation has maintained especially as to rural land. Further, what the future holds cannot be forecast; but a landowner is entitled to recompense for damage or disturbance of the land.

Clutha has offered \$20 per bore hole and \$20 for a trig station site. The trig station will be of a permanent nature apparently of a concrete base. Evidence suggests that some of the subject land is under cultivation. Contour banks have been constructed apparently to minimise erosion and it seems from what has been put that the improvements to the lands may be greater and the subject lands may be marginally more valuable than those of the other persons who have been paid \$21 per bore hole.

Bearing in mind the factors put to me I am of opinion that the sum of \$40 should be paid for the site of the trig station and that compensation in the sum of \$25 per bore hole should also be forthcoming from the applicant company.

I make the following order : PAYMENT TO BE MADE BY CLUTHA DEVELOPMENT PTY. LTD. IN THE SUM OF \$40 FOR THE TRIG STATION SITE TOGETHER WITH THE SUM OF \$750, BEING 30 BOREHOLES AT \$25 EACH IN ADVANCE AT LEAST 72 HOURS BEFORE INITIAL SINKING OF HOLES. THEREAFTER PAYMENT TO BE MADE IN ADVANCE FOR EACH INTENDED 20 BOREHOLES AT A TIME CONVENIENT TO BOTH PARTIES BUT TO BE AT LEAST 72 HOURS BEFORE SINKING OF ADDITIONAL BOREHOLES.

EXHIBITS MAY BE RETURNED. THE REPRESENTATIVE OF EACH PARTY TO BE SUPPLIED WITH A COPY OF THIS ASSESSMENT, WITHOUT FEE.