

1910

[AS REPORTED FROM THE COMMITTEE ON THE BILL.]
House of Representatives, 22nd September, 1910.

Mr. Mander.

NEW ZEALAND PORTLAND CEMENT COMPANY (LIMITED) RECLAMATION AND EMPOWERING.

[PRIVATE BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to authorise the New Zealand Portland Cement Company (Limited) to reclaim certain Parts of the Foreshore of an Island called Limestone Island. Title.

5 WHEREAS the New Zealand Portland Cement Company (Limited) is the owner of the lands more particularly described in the *First* Schedule hereto, which said lands comprise the greater portion of the island known as Matakohē or Limestone Island: And whereas the said island contains valuable mineral deposits of hydraulic limestone: And whereas the company has erected upon the said island extensive plant and machinery, at a cost of sixty-three thousand pounds or thereabouts, for the purpose of converting the said mineral deposits into lime and cement of a first grade: And whereas the company is desirous of depositing the surface soil, ashes, and other *débris* resulting from its operations upon those portions of the foreshore surrounding the said island between high-water mark and low-water mark more particularly described in the *Second* Schedule hereto: And whereas the depositing of such surface soil, ashes, and other *débris* will cause to be reclaimed the said portions of the said foreshore more particularly described in the said *Second* Schedule hereto: And whereas it is expedient to vest the said land when so reclaimed in the company *on the terms hereinafter appearing*:

25 BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the New Zealand Portland Cement Company (Limited) Reclamation and Empowering Act, 1910. Short Title.

2 *New Zealand Portland Cement Company (Limited)*
Reclamation and Empowering.

Interpretation.

2. In this Act "the company" means the New Zealand Portland Cement Company (Limited), and "the Registrar" means the District Land Registrar for the Land Registration District of Auckland.

Company to have certain powers of reclamation.

3. The company may, *subject to the provisions of section one hundred and fifty of the Harbours Act, 1908*, from time to time fill up and reclaim from the sea the lands described in the *Second Schedule* to this Act, or any part thereof; and may for that purpose, if it thinks fit, enter into any contract with any person for the execution of all or any works which may be necessary or expedient in or about the filling-up or reclamation of such lands as aforesaid, upon such terms and conditions as may seem to it proper and reasonable. 5 10

Vesting reclaimed land in company.

4. *The Governor in Council may vest in the company* the said lands described in the *Second Schedule* to this Act ~~shall~~, when reclaimed as aforesaid, ~~vest in the company~~ *on payment to the Crown* 15
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of such an amount as may be agreed upon between the company and the Minister of Marine, or, in the event of failure to agree, on payment of such an amount as may be fixed by arbitration under the Arbitration Act, 1908, one arbitrator to be appointed by the company and one by the Minister, the two arbitrators to have power to appoint an umpire; always excepting from the area of 4 acres 1 rood 27·7 perches described in the second part of the said *Second Schedule*, a strip of land about thirty links wide, being a prolongation of the present road access forming part of the land vested in the Education Board of the District of Auckland mentioned in the *First Schedule* to this Act, and extending from the present high-water mark to the seaward boundary of the said reclamation; and, upon proof being furnished of the ~~completion~~ *vesting* of such reclamation as aforesaid, or of any part thereof, the Registrar is hereby authorised, at the cost of the company, to issue to the company a certificate of title under the Land Transfer Act, 1908, or any amendment thereof, for the lands so reclaimed. 20 15

Issue of certificate of title.

5. The deposit in the Land Registry Office at Auckland of a plan of any land reclaimed in terms of this Act, accompanied by the declaration of any licensed surveyor as to the fact of such reclamation, shall be a sufficient authority to the Registrar for the issue of any certificate of title in terms of this Act. 25

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that piece or parcel of land, situated in the Provincial District of Auckland, in the Dominion of New Zealand, containing by admeasurement 93 acres, more or less, called or known by the name of Matakoho Island, and being Allotment No. 214 of the Parish of Ohiwa, in the County of ~~Marsden~~ *Whangarei*, bounded on all sides by high-water mark on the shore of the said island; excepting thereout that portion of the said island, containing 1 acre and $9\frac{4}{10}$ perches, more or less, vested in the Education Board of the District of Auckland, and conveyed to such Board by deed of conveyance registered in the Deeds Register Office at Auckland as No. 174337,

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as the same is delineated on the plan marked M.D. 3536, deposited in the office of the Marine Department, at Wellington, in the Provincial District of Wellington.

SECOND SCHEDULE.

ALL that piece or parcel of land containing 15 acres 1 rood $17\frac{6}{10}$ perches, more or less, and being portion of the foreshore of the Whangarei Harbour adjoining the Island of Matakoho (commonly called Limestone Island), the boundaries being defined as follows: Commencing at the most western corner of the base of the company's wharf, the proposed reclamation is bounded on the south by lines bearing respectively $256^{\circ}39'53''$ and $283^{\circ}8'$, 3748.6 links and 280.2 links; on the west by lines bearing respectively $331^{\circ}39'$, $6^{\circ}21'30''$, and $355^{\circ}1'30''$, 236.4 links, 464.75 links, and 414.4 links, to a point at high-water mark on the shore of the Island of Matakoho; on the north by high-water mark along the shore of the Island of Matakoho easterly to the point of commencement; high-water mark being defined as follows: By lines bearing respectively $104^{\circ}34'$, $120^{\circ}37'30''$, $106^{\circ}40'30''$, $89^{\circ}21'$, $55^{\circ}59'30''$, $78^{\circ}16'30''$, $97^{\circ}54'30''$, $85^{\circ}34'30''$, and $261^{\circ}42'$, $81^{\circ}42'$, 789.8 links, 659.6 links, 201.3 links, 881.8 links, 383 links, 460.05 links, 322.8 links, 572.85 links, and 48.4 links.

Also all that piece or parcel of land containing 4 acres 1 rood $27\frac{7}{10}$ perches, more or less, and being portion of the foreshore of the Island of Matakoho (commonly called Limestone Island), the boundaries being defined as follows: Commencing at a point distant 178.1 links, bearing $40^{\circ}40'$, from north-east corner of base of said wharf, the proposed reclamation is bounded on the east by a line bearing $11^{\circ}11'44''$, 2585.5 links, to a point at high-water mark on the shore of the Island of Matakoho; on the west by high-water mark along the shore of the Island of Matakoho generally southerly to the point of commencement; high-water mark being defined as follows: By lines bearing respectively $201^{\circ}11'$, $209^{\circ}9'$, $178^{\circ}18'$, $173^{\circ}34'$, $83^{\circ}34'$, and $182^{\circ}9'$, 557 links, 863.1 links, 589.2 links, 237.9 links, 93 links, and 448.5 links.

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Be all the above-mentioned areas, bearings, and linkages either more or less as the same are delineated on the plan marked M.D. 3536, deposited in the office of the Marine Department, at Wellington, in the Provincial District of Wellington.