

No. X.

An Act to authorize the reclamation of Land BLACKWATTLE BAY LAND RECLAMATION. in Blackwattle Bay. [26th March, 1873.]

WHEREAS it is expedient to reclaim and improve certain land Preamble. lying beyond high-water-mark in Blackwattle Bay Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. It shall be lawful for the Governor with the advice of the Reclamation and
Executive Council to cause to be reclaimed from the waters of Port improvement of land. Jackson the land lying beyond high-water-mark in Blackwattle Bay which is described in the Schedule hereto and either to let or sell the same or any part thereof by public auction in one or more lots and subject to such conditions as the Governor aforesaid may deem fit and to lay down construct or erect on the land so reclaimed or on any part thereof any streets roads jetties sewers or other public works or buildings or any dwelling-houses shops stores or warehouses and either to apply the same to any public purposes or to let or sell as aforesaid any such dwelling-houses shops stores or warehouses from time to time subject to any conditions as aforesaid Provided that a portion not Proviso. being

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being less than a fourth part of the entire area so reclaimed shall be set apart and dedicated in perpetuity for a park or place for public recreation Provided also that one month's previous notice of such reclamation and of every such work as aforesaid and of every such letting or sale shall be published in the *Government Gazette* And the whole net proceeds arising from any such letting or sale shall be paid to the Colonial Treasurer and shall be by him applied in the first instance and to the extent of such proceeds towards the repayment of the sum of ten thousand pounds or so much thereof as shall have been applied to the purchase of Blackwattle Bridge and Causeway and Pyrmont Bridge Company's Roads between Pyrmont Bridge and Camperdown in pursuance of the provisions in that behalf of the "Loan Act of 1872" And the balance of such proceeds (if any) remaining after such repayment and all such proceeds thereafter (if any) shall be carried by the said Treasurer to the Consolidated Revenue Fund of the Colony.

Compensation for
damage sustained by
reclamation.

Proviso.

Appraisement.

Appointment of
appraisers.

Declaration.

2. The owner of any land which shall be severed from immediate contact with the water by any such reclamation as aforesaid shall be entitled to compensation for the damage if any sustained by his property in consequence of such severance and such damage shall in every case be determined by appraisement in manner hereinafter provided regard being had in such appraisement to any increased value conferred upon such land by any public work or other improvements now in course of construction or which may hereafter be constructed or erected under the provisions of this Act And every such appraisement shall be made and the amount of compensation thereby awarded for such severance shall be ascertained before such severance shall be actually effected by reclamation as aforesaid And no such owner shall be entitled to any compensation for such severance other than such as shall be awarded in pursuance of the provisions of this Act And in such appraisement regard shall be had to the value of any reclamation or improvements made by the owners of such land provided the same shall not have been alienated under section nine or twelve of the Crown Lands Alienation Act of 1861.

3. Every appraisement under this Act shall be conducted as follows :—

- (1.) The Minister for Lands or some person authorized in that behalf by him and the owner of the land may concur in the appointment of a single appraiser or in default of such concurrence each such party shall appoint an appraiser And every such appointment shall be made by the respective parties under their hands in writing and delivered to the appraiser or the appraisers as the case may be and shall be attached to the appraisement when made and shall be deemed a submission to appraisement by the parties making the same.
- (2.) Before any appraiser or umpire shall enter upon the consideration of any matter referred to him under this Act he shall subscribe a declaration in the form following before a Justice of the Peace :—

"I A. B. do solemnly and sincerely declare that I am not directly or indirectly interested in the matter referred to me and that I will faithfully honestly and to the best of my skill and ability hear and determine the matters referred to me under the Blackwattle Bay Land Reclamation Act of 1873"

And such declaration shall be annexed to the appraisement when made.

(3.)

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(3.) And with respect to all matters not otherwise provided for or regulated by this Act such appraisement shall be conducted in accordance with the provisions of the Act of Council thirty-one Victoria number fifteen as if such appraisement were an arbitration under the provisions of the said last-mentioned Act.

4. All costs of and consequent upon every reference to appraisement under this Act shall be in the discretion of the appraiser appraisers or umpire by whom the matter is determined. Costs.

5. Every appraisement under this Act shall be in writing and Requisites of shall be transmitted to the Minister for Lands and deposited in his appraisement. Office.

6. This Act may be cited as the "Blackwattle Bay Land Short title. Reclamation Act 1873."

SCHEDULE.

That part of Blackwattle Bay lying to the south of the embankment on which the Pyrmont Bridge Company's road crosses the bay. Commencing at the eastern end of said embankment where it meets the original high-water-mark and bounded thence on the east south and west by the original high-water-mark of the bay to the western side of the aforesaid embankment and thence by the embankment to the point of commencement.
