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PORT MORESBY, MONDAY, 25th MAY

[2009

*Land Act 1996*

## ACQUISITION OF LAND BY COMPULSORY PROCESS

I, Pepi Steven Kimas, OL., Secretary for Lands and Physical Planning, by virtue of the powers conferred by Section 12(1)c of the *Land Act 1996* and all other powers me enabling, hereby declare that the land referred to in the Schedule is acquired by Company Process for Public Utility Purposes, being, the construction and commissioning of a new Sewerage Treatment Plant and purposes ancillary thereto.

### SCHEDULE

All that piece of customary land containing an area of 0.061 hectares or thereabouts being part of a 20 metre wide road described as Portion 2647C, Milinch of Granville, Fourmil of Moresby situated at Kilakila in the National Capital District commencing at a point described as station 53 being an intersection survey point on the 20 metre access road delineated on cadastral survey plan 49/2568 running south on bearing 158 degrees 12 minutes 00 seconds for 70.03 metres being the eastern boundary of the said Portion 2647C thence on a north-westerly direction on bearing 342 degrees 55 minutes 00 second for 66.44 metres to a corner point described as station 54 thence on a north-easterly direction on bearing 49 degrees 28 minutes 20 seconds for 18.490 metres to the point of commencement be the said several dimensions all a little more or less and all bearings in Grid North as delineated on plan catalogue number 49/2568 in the Department of Lands and Physical Planning, Waigani, National Capital District, Papua New Guinea. Lands File No.

Dated this 22nd day of May, 2009.

P.S. KIMAS, OL.,  
Secretary for Lands & Physical Planning.

*Land Act 1996*

## CERTIFICATE OF NON-APPLICATION UNDER SECTION 13(6)

I, Pepi Steven Kimas, OL., Secretary for Lands and Physical Planning, by virtue of the powers conferred in me by Section 13(6) of the *Land Act 1996* and all other powers me enabling, hereby certify that there are special reasons why Section 13(6) of the *Land Act 1996* relating to the Acquisition of Land by Compulsory Process should not apply on the land described in the Schedule below hereto namely that the land is required by the National Capital District Water and Sewerage Limited for the construction and commissioning of a new Sewerage Treatment Plant and purposes ancillary thereto given that the appropriateness of the Topography and its location at Kilakila, Milinch Granville, Fourmil Moresby, National Capital District is topographically suitable for this purpose, given that NCD Water and Sewerage Limited's documented endeavors to negotiate with Customary Land Owners the purchase of the required land out of Portion 2647C, Milinch Granville, Fourmil Moresby, National Capital District, have not resolved a Sale/Transfer of the Land at a consideration deemed appropriate due to prolonged Land Ownership disputes, and given that Section 4 (Powers of the Company) of the *NCDC Water and Sewerage Act 1996* does, where necessary and justified, authorize NCDC Water and Sewerage Limited to access and utilize the Powers of the *Land Act 1996* in order to effect the acquisition of the Land within the National Capital District required for Water and/or Sewerage and ancillary purposes.

**Certificate of Non-Application Under Section 13(6)—continued****SCHEDULE**

All that piece of customary land containing an area of 0.061 hectares or thereabouts being part of a 20 metres wide road described as Portion 2647C, Milinch of Granville, Fourmil of Moersby situated at Kilakila in the National Capital District commencing at a point described as station 53 being an intersection survey point on the 20 metre access road delineated on cadastral survey plan 49/2568 running south on bearing 158 degrees 12 minutes 00 second for 70.03 metres being the eastern boundary of the said Portion 2647C thence on a north-westerly direction on bearing 342 degrees 55 minutes 00 second for 66.44 metres to a corner point described as station 54 thence on a north-easterly direction on bearing 49 degrees 28 minutes 20 seconds for 18.49 metres to the point of commencement be the said several dimensions all a little more or less and all bearings in Grid North as delineated on plan catalogue number 49/2568 in the Department of Lands and Physical Planning, Waigani, National Capital District, Papua New Guinea. Land File No.

Dated this 21st day of May, 2009.

P.S. KIMAS, OL.,  
Secretary for Lands & Physical Planning.

*Land Act 1996***ACQUISITION OF LAND BY COMPULSORY PROCESS**

I, Pepi Steven Kimas, OL., Secretary for Lands and Physical Planning, by virtue of the powers conferred by Section 12(1)(c) of the *Land Act* 1996 and all other powers me enabling, hereby declare that the land referred to in the Schedule is acquired by Company Process for Public Utility Purposes, being, the construction and commissioning of a new Sewerage Treatment Plant and purposes ancillary thereto.

**SCHEDULE**

All those pieces of customary land lying adjacent to each other described as Portions 2648C, 2650, 2651C, 2652C, 2653C, 2654C, 2656C, 2657C and 2658, Milinch of Granville, Fourmil Moersby, containing a total area of 7.674 hectares or thereabouts and situated at Kilakila in the National Capital District commencing at a point described as station 57 being a corner point on the 20 metre access road delineated on cadastral survey plan 49/2568 running on a northeasterly direction on secant line bearing 54 degrees 05 minutes 00 seconds for 20.00 metres thence on a south-easterly direction along the eastern boundary of the said 20 metre wide access road on bearing 142 degrees 55 minutes 00 seconds 32.87 metres thence 129 degrees 06 minutes 00 seconds for 70.77 metres both lines bounding the eastern boundary of Portion 2648C thence along the same line bearing 129 degrees 06 minutes 00 seconds for 4229.26 metres both lines bounding the northeastern boundary of Portion 2650 running through Portion 2649 thence on same line bearing 151 degrees 08 minutes 00 seconds for 6.35 metres, thence on bearing 144 degrees 50 minutes 20 seconds for 142.91 metres, thence on bearing 108 degrees 49 minutes 00 seconds for 8.09 metres to a point being the end and southeast corner of the 20 metre wide road described as Portion 2651C, thence on an easterly direction on bearing 72 degrees 47 minutes 00 seconds for 95.58 metres the line being part of the northern boundary of Portion 2652C, thence due south on bearing 162 degrees 47 minutes 00 seconds for total distance of 470.00 metres bounding the eastern boundary of Portion 2652C and 2653C respectively, thence due west on bearing 252 degrees 47 minutes 00 seconds for 35.00 metres to a point being the commencement and northeast corner of the 20 metre wide road described as Portion 2654C, thence due southwest on bearing 219 degrees 16 minutes 00 seconds for 8.34 metres, thence due south on bearing 185 degrees 44 minutes 20 seconds for 76.10 metres both lines bounding the eastern boundary of Portion 2654C, thence still on same bearing of 185 degrees 44 minutes 20 seconds for 47.65 metres, thence due southeast on bearing 141 degrees 57 minutes 20 seconds for 44.51 metres both lines bounding the eastern boundary of Portion 2656 running through Portion 2655 thence still on same bearing 141 degrees 57 minutes 20 seconds for 72.03 metres, thence due southwest on bearing 213 degrees 21 minutes 00 seconds for 131.87 metres, thence on bearing 221 degrees 50 minutes 00 seconds for 22.50 metres, thence on bearing 176 degrees 50 minutes 00 seconds for 22.50 metres, thence on bearing 221 degrees 50 minutes 00 seconds for 20.00 metres, thence on bearing 266 degrees 50 minutes 00 seconds for 14.14 metres to a point being the southern end corner of the dead-end of the 20 metre wide road, thence on bearing 311 degrees 50 minutes 00 seconds for 5.00 metres all lines bounding the eastern and southern boundary of Portion 2657C, thence on bearing 221 degrees 50 minutes 00 seconds for 1,041.32 metres being the southeast boundary of the ten metre wide Marine Outfall Pipeline into Joyce Bay described as Portion 2658, thence 311 degrees 50 minutes 00 seconds for 10.00 metres being the southwest boundary of the said ten metres wide Marine Outfall Pipeline, thence 41 degrees 50 minutes 00 seconds for 1,041.32 metres being the northwest boundary of the said ten metre wide Marine Outfall Pipeline into Joyce Bay described as Portion 2658, thence on bearing 311 degrees 50 minutes 00 seconds for 5.00 metres to a point being the western corner of the dead-end, thence 356 degrees 50 minutes 00 seconds for 14.14 metres, thence 41 degrees 50 minutes 00 seconds for 20.00 metres, thence 86 degrees 50 minutes 00 seconds for 14.14 metres, thence 41 degrees 50 minutes 00 seconds for 21.02 metres, thence 33 degrees 21 minutes 00 seconds for 113.49 metres, thence 321 degrees 57 minutes 20 seconds for 65.62 metres all lines bounding the western boundary of Portion 2657C, thence

**Acquisition of Land by Compulsory Process:—continued****Schedule—continued**

on same line bearing 321 degrees 57 minutes 20 seconds for 44.58 metres, thence due north on bearing 5 degrees 44 minutes 20 seconds for 44.58 metres, thence due north on bearing 5 degrees 44 minutes 20 seconds for 50.79 metres, both lines bounding the western boundary of Portion 2656 running through Portion 2655, thence on same line bearing of 5 degrees 44 minutes 20 seconds for 72.53 metres, thence due north on bearing 309 degrees 16 minutes 00 seconds for 5.52 metres both lines bounding the western boundary of Portion 2654C, thence due west on bearing 252 degrees 47 minutes 00 seconds for 893.28 metres to a point being the southwest corner of Portion 2653C, thence due north on bearing 342 degrees 47 minutes 00 seconds for a total distance of 470.00 metres bounding the western boundary of Portions 2653C and 2652C respectively, thence due east on bearing 72 degrees 47 minutes 00 seconds for 23.40 metres the line being part of the northern boundary of Portion 2652C, thence due north on bearing 18 degrees 49 minutes 00 seconds for 5.88 metres, thence on bearing 324 degrees 50 minutes 00 seconds for 137.54 metres, thence on bearing 331 degrees 08 minutes 00 seconds for 12.62 metres all three lines bounding the western boundary of Portion 2651C, thence on same line bearing 331 degrees 08 minutes 00 seconds for 220.20 metres, thence on bearing 309 degrees 06 minutes 00 seconds for 229.67 metres both lines bounding the western boundary of Portion 2650 running through Portion 2649, thence on same line bearing of 309 degrees 06 minutes 00 seconds for 72.19 metres, thence on bearing 322 degrees 55 minutes 00 seconds for 35.70 metres to the point of commencement be the said several dimensions all a little more or less and all bearings in Grid North as delineated on Plan Catalogue Number 49/2568 in the Department of Lands and Physical Planning, Waigani, National Capital District, Papua New Guinea. Land File Nos:

Dated this 22nd day of May, 2009.

P. S. KIMAS, OL.,  
Secretary for Lands and Physical Planning.

*Land Act 1996***CERTIFICATE OF NON-APPLICATION UNDER SECTION 13(6)**

I, Pepi Steven Kimas, OL., Secretary for Lands and Physical Planning, by virtue of the powers conferred in me by Section 13(6) of the *Land Act* 1996 and all other powers me enabling, hereby certify that there are special reasons why Section 13(6) of the *Land Act* relating to the Acquisition of Land by Compulsory Process should not apply to the land described in the Schedule below hereto namely that the land is required by the National Capital District Water and Sewerage Limited for the construction and commissioning of a new Sewerage Treatment Plant and purposes ancillary thereto given that the appropriateness of the Topography and its location at Kilakila, Milinch Granville, Fourmil Moresby, National Capital District is topographically suitable for this purpose, given that NCD Water and Sewerage Limited's documented endeavours to negotiate with Customary Land Owners the purchase of the required land out of Portions 2646, 2648C, 2649, 2650, 2651C, 2652C, 2653C, 2654C, 2655, 2656, 2657C and 2658 Milinch Granville, Fourmil Moresby, National Capital District, have not resolved a Sale / Transfer of the Land at a consideration deemed appropriate due to prolonged Land Ownership disputes, and given that Section 4 (Powers of the Company) of the *NCDC Water and Sewerage Act* 1996 does, where necessary and justified, authorize NCDC Water and Sewerage Limited to access and utilize the Powers of the *Land Act* 1996 in order to effect the acquisition of the Land within the National Capital District required for Water and/or Sewerage and ancillary purposes.

**SCHEDULE**

All those pieces of customary land lying adjacent to each other described as Portions 2648C, 2650, 2651C, 2652C, 2653C, 2654C, 2656, 2657C and 2658, Milinch of Granville, Fourmil of Moresby, containing a total area of 7.674 hectares or thereabouts and situated at Kilakila in the National Capital District commencing at a point described as station 57 being a corner point on the 20 metre access road delineated on cadastral survey plan 49/2568 running on a northeasterly direction on secant line bearing 54 degrees 05 minutes 00 seconds for 20.00 metres thence on a south easterly direction along the eastern boundary of the said 20 metre wide access road on bearing 142 degrees 55 minutes 00 seconds 32.87 metres thence 129 degrees 06 minutes 00 seconds for 70.77 metres both lines bounding the eastern boundary of Portion 2648C thence along the same line bearing 129 degrees 06 minutes 00 seconds for 232.55 metres thence on bearing 151 degrees 08 minutes 00 seconds for 229.26 metres both lines bounding the northeastern boundary of Portion 2650 running through Portion 2649 thence on same line bearing 151 degrees 08 minutes 00 seconds for 6.35 metres, thence on bearing 144 degrees 50 minutes 20 seconds for 142.91 metres, thence on bearing 108 degrees 49 minutes 00 seconds for 8.09 metres to a point being the end and southeast corner of the 20 metre wide road described as Portion 2651C, thence on an easterly direction on bearing 72 degrees 47 minutes 00 seconds for 95.58 metres the line being part of the northern boundary of Portion 2652C, thence due south on bearing 162 degrees 47 minutes 00 seconds for a total distance of 470.00 metres bounding the eastern boundary of Portions 2652C and 2653C respectively, thence due west on bearing 252 degrees 47 minutes 00 seconds for 35.00 metres to a point being the commencement and northeast corner of the 20 metre wide road described as Portion 2654C, thence due southwest on bearing 219

**Certificate of Non-Application under Section 13(6)—*continued*****Schedule—*continued***

degrees 16 minutes 00 seconds for 8.34 metres, thence due south on bearing 185 degrees 44 minutes 20 seconds for 76.10 metres both lines bounding the eastern boundary of Portion 2654C, thence still on same bearing of 185 degrees 44 minutes 20 seconds for 47.65 metres, thence due southeast on bearing 141 degrees 57 minutes 20 seconds for 44.51 metres both lines bounding the eastern boundary of Portion 2656 running through Portion 2655 thence still on same bearing 141 degrees 57 minutes 20 seconds for 72.03 metres, thence due southwest on bearing 213 degrees 21 minutes 00 seconds for 131.87 metres, thence on bearing 221 degrees 50 minutes 00 seconds for 22.50 metres, thence on bearing 176 degrees 50 minutes 00 seconds for 22.50 metres, thence on bearing 221 degrees 50 minutes 00 seconds for 20.00 metres, thence on bearing 266 degrees 50 minutes 00 seconds for 14.14 metres to a point being the southern end corner of the dead-end of the 20 metre wide road, thence on bearing 311 degrees 50 minutes 00 seconds for 5.00 metres all lines bounding the eastern and southern boundary of Portion 2657C, thence on bearing 221 degrees 50 minutes 00 seconds for 1,041.32 metres being the southeast boundary of the ten metre wide Marine Outfall Pipeline into Joyce Bay described as Portion 2658, thence 311 degrees 50 minutes 00 seconds for 10.00 metres being the southwest boundary of the said ten metre wide Marine Outfall Pipeline, thence 41 degrees 50 minutes 00 seconds for 1,041.32 metres being the northwest boundary of the said ten metre wide Marine Outfall Pipeline into Joyce Bay described as Portion 2658, thence on bearing 311 degrees 50 minutes 00 seconds for 5.00 metres to a point being the western corner of the dead-end, thence 356 degrees 50 minutes 00 seconds for 14.14 metres, thence 41 degrees 50 minutes 00 seconds for 20.00 metres, thence 86 degrees 50 minutes 00 seconds for 14.14 metres, thence 41 degrees 50 minutes 00 seconds for 21.02 metres, thence 33 degrees 21 minutes 00 seconds for 113.49 metres, thence 321 degrees 57 minutes 20 seconds for 65.62 metres all lines bounding the western boundary of Portion 2657C, thence on same line bearing 321 degrees 57 minutes 20 seconds for 44.58 metres, thence due north on bearing 5 degrees 44 minutes 20 seconds for 50.79 metres, both lines bounding the western boundary of Portion 2656 running through Portion 2655, thence on same line bearing of 5 degrees 44 minutes 20 seconds for 72.53 metres, thence due north on bearing 309 degrees 16 minutes 00 seconds for 5.52 metres both lines bounding the western boundary of Portion 2654C, thence due west on bearing 252 degrees 47 minutes 00 seconds for 83.28 metres to a point being the southwest corner of Portion 2653C, thence due north on bearing 342 degrees 47 minutes 00 seconds for a total distance of 470.00 metres bounding the western boundary of Portions 2653C and 2652C respectively, thence due east on bearing 72 degrees 47 minutes 00 seconds for 23.40 metres the line being part of the northern boundary of Portion 2652C, thence due north on bearing 18 degrees 49 minutes 00 seconds for 5.88 metres, thence on bearing 324 degrees 50 minutes 00 seconds for 137.54 metres, thence on bearing 331 degrees 08 minutes 00 seconds for 12.62 metres all three lines bounding the western boundary of Portion 2651C, thence on same line bearing 331 degrees 08 minutes 00 seconds for 220.20 metres, thence on bearing 309 degrees 06 minutes 00 seconds for 229.67 metres both lines bounding the western boundary of Portion 2650 running through Portion 2649, thence on same line bearing of 309 degrees 06 minutes 00 seconds for 72.19 metres, thence on bearing 322 degrees 55 minutes 00 seconds for 35.70 metres to the point of commencement be the said several dimensions all a little more or less and all bearings in Grid North as delineated on Plan Catalogue Number 49/2568 in the Department of Lands and Physical Planning, Waigani, National Capital District, Papua New Guinea. Lands File Nos:

Dated this 21st day of May, 2009.

P. S. KIMAS, OL.,  
Secretary for Lands and Physical Planning.