

New Zealand.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Corporation empowered to construct dam on Waipori River.</p> <p>3. Saving existing mining privileges.</p> | <p>4. Power of entry on lands for purpose of executing works.</p> <p>5. Compensation for rights injuriously affected.</p> <p>6. Saving of rights over Waipori River as sludge-channel.</p> |
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1920, No. 12.—*Local and Personal.*

Title.

AN ACT to enable the Corporation of the City of Dunedin to construct a Dam or Weir in the Waipori River for the Purpose of impounding the Water of the River for generating and supplying Electricity. [28th October, 1920.]

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

Short Title.

1. This Act may be cited as the Dunedin City Corporation Empowering Act, 1920.

Corporation
empowered to
construct dam on
Waipori River.

2. The said Corporation is hereby empowered to construct and erect in accordance with the plan deposited in the office of the Public Works Department, at Wellington, as number 49402, and at all times thereafter to maintain, a dam or weir across the Waipori River at a point in such river shown on the said plan, and to impound, collect, and use the water of the said river for the purpose of generating electricity and supplying the same as motive power and for lighting and other purposes in the manner provided by the Waipori Falls Electrical Power Act, 1904.

Saving existing
mining privileges.

3. Nothing in this Act shall be deemed to take away, abridge, or interfere with any mining privilege held at the commencement of this Act, or the right to any renewal thereof from time to time, or to the grant from time to time of any mining privilege or privileges in accordance with the mining laws for the time being in force :

Provided that no new water-race license shall be granted under the provisions of the Mining Act, 1908, or otherwise so as to confer on the owner or lessee thereof the right to divert water from the Waipori River, or any tributary thereof, in such manner that the

quantity of water in such river above the said dam or weir may be substantially diminished.

4. All officers, workmen, and others employed by the said Corporation may in accordance with and subject to the provisions of the Public Works Act, 1908, enter on any land, with or without horses or vehicles, for the purpose of constructing or erecting the said dam or weir and of examining or repairing the same.

Power of entry on lands for purpose of executing works.

5. Every person having any estate or interest in any lands or in any mining privilege, or engaged in any mining operations, who is injuriously affected or likely to be injuriously affected by, or suffers any damage from or by reason of, the exercise of the powers by this Act conferred upon the Corporation shall be entitled to full compensation for the same, to be ascertained in manner provided by the Public Works Act, 1908, the provisions of which Act shall apply in all respects to any claim against the said Corporation, except that for the purpose of any such claim section thirty-seven of the said Act shall be read as if the words "five years" were contained therein in lieu of the words "twelve months":

Compensation for rights injuriously affected.

Provided that no claim for compensation may be made in respect of any mining privilege (other than a privilege granted by way of renewal as hereinbefore provided) granted after the commencement of this Act.

6. Nothing in this Act shall be construed as in any way affecting the continuance of the use of the Waipori River as a sludge-channel.

Saving of rights over Waipori River as sludge-channel.