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[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]

House of Representatives, 20th September, 1920.

Mr. Statham.

DUNEDIN CITY CORPORATION EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Power to execute necessary works.</p> <p>3. The Corporation may enter upon lands for the purpose of executing works.</p> | <p>4. Court to assess compensation in accordance with the provisions of the Public Works Act, 1908.</p> <p>5. Mining privileges only to be granted under certain conditions.</p> |
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A BILL INTITULED

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.

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BE IT 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 Dunedin City Corporation
 Empowering Act, 1920.

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Struck out.

2. The said Corporation is hereby empowered to construct or
 erect, and from time to time hereafter to maintain, a dam or weir
 across the Waipori River at a point in such river shown on the
 plan deposited in the office of the Public Works Department, in
 Wellington, under No. , and to impound, collect, use, and
 appropriate the water of the Waipori 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.

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3. All officers, workmen, and others employed by the said
 Corporation may enter on any land with or without carts or other
 vehicles for the purpose of constructing or erecting the said dam or
 weir and of examining or repairing the same.

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4. Full compensation for or in respect of land injuriously
 affected by the said powers hereinbefore given to the said Corporation
 by this Act shall be assessed and disposed of in manner provided
 by the Public Works Act, 1908. Compensation to the owner
 of any mining privilege whose mining operations are injuriously
 affected by such powers shall be fixed by a Court composed of the
 Warden of the district in which such privilege is situated and two
 expert assessors to be appointed by the Governor-General in Council.

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Title.

Short Title.

Power to execute necessary works.

The Corporation may enter upon lands for the purpose of executing works.

Court to assess compensation in accordance with the provisions of the Public Works Act, 1908.

Mining privileges only to be granted under certain conditions

5. From and after the passing of this Act no licenses for mining privileges shall hereafter be granted to any person under the provisions of the Mining Act, 1908, or otherwise in respect of or from the water of the Waipori River or any of the tributaries thereof, or in, over, or upon the watersheds thereof respectively, unless the applicants for such licenses prove to the satisfaction of the Warden that the operations to be carried out by them shall not in any way damage the property of the said Corporation or interfere with the rights or powers of such Corporation under or in respect of this Act.

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New.

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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.

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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 :

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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.

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Power of entry on lands for purpose of executing works.

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.

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Compensation for rights injuriously affected.

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" :

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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.

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Saving of rights over Waipori River as sludge-channel.

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.