

Dunedin City Corporation Empowering Amendment Act 1927

Local Act 1927 No 14
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An Act to amend the Dunedin City Corporation Empowering Act, 1924.

Preamble

WHEREAS by The Dunedin City Corporation Empowering Act 1920, the Corporation of the City of Dunedin was empowered to construct and erect, in accordance with the plan deposited in the office of the Public Works Department at Wellington as Number 49402, a dam or weir across the Waipori River at a point in such river shown on the said plan: And whereas by The Dunedin City Corporation Empowering Act 1924, the said Corporation is empowered to raise the height of the said dam or weir to one hundred and ten feet above the bed of the said river as shown on the plan

deposited in the office of the Public Works Department at Wellington as Number 60375, and at all times to maintain the said dam or weir and to impound, collect, divert, and take away for its absolute use and benefit all the waters in the Waipori River for the purpose of generating electricity and supplying the same as motive power and for lighting and for any other purpose whatsoever: And whereas the said Corporation proposes to erect in the Waipori River a dam or weir in lieu of or in addition to and below the site of the said dam or weir mentioned in the said Act:

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

1 Short Title

This Act may be cited as the Dunedin City Corporation Empowering Amendment Act 1927, and shall be read together with and deemed part of The Dunedin City Corporation Empowering Act 1924 (hereinafter referred to as the principal Act).

2 Power to construct dam across Waipori River

(1) The said Corporation is hereby empowered to construct and erect a dam or weir across the Waipori River at any point in such river to be determined by the Corporation below the site of the said dam or weir mentioned in the principal Act:

Provided, however, that nothing herein shall empower the said Corporation to raise the level of the water of the said river at the site of the said dam or weir mentioned in the principal Act to a greater height than one hundred and ten feet above the bed of the said river as shown on the said plan deposited in the office of the Public Works Department at Wellington as Number 60375.

(2) The construction and erection of the said dam or weir shall be carried out in accordance with detail working drawings and specifications to be submitted by the said Corporation and approved by the Minister of Public Works.

3 Application of principal Act to works authorized by this Act

- (1) The said Corporation and all persons employed by it shall, in respect of the works authorized by this Act, have the same powers, duties, and obligations as it or they have in respect of the works authorized by the principal Act.
- (2) The right to compensation conferred by section five of the principal Act in respect of the works authorized by that Act are hereby extended to apply in respect of the works authorized by this Act.
- (3) Section seven of the principal Act shall, after the said Corporation has fixed the site of the dam or weir authorized by this Act, be construed as if the references therein to “the said dam or weir” were references to the dam or weir authorized by this Act.
- (4) The provisions of section eight of the principal Act shall apply with respect to all deeds or instruments executed for the purposes of the principal Act as amended by this Act.
- (5) Nothing in this Act shall limit the protection afforded by section nine of the principal Act in respect of the mining privileges and other interests therein referred to.