

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

22nd October, 1917.

Mr. Statham.

DUNEDIN WATERWORKS EXTENSION.

[LOCAL BILL.]

ANALYSIS.

- | | |
|--|--|
| <p>Title.</p> <p>1. Short Title.</p> <p>2. Power to do certain works.</p> <p>3. Not empowered to compensate.</p> | <p>4. Compensation for land taken.</p> <p>5. Saving of existing rights.</p> <p>6. Assessment of compensation.</p> <p>7. Restriction of grant of mining privileges.</p> |
|--|--|

A BILL INTITULED

AN ACT to enable the Corporation of the City of Dunedin to take, divert, impound, collect, use, and appropriate for the Purpose and as Part of the Waterworks for the Time being of the said City the Waters known as the "Lee Stream" and all and every of the Tributaries thereof. Title.

5

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 Waterworks Extension Act, 1917. Short Title.

2. The said Corporation is hereby empowered to take, divert, impound, collect, use, and appropriate for the purpose and as part of the waterworks for the time being of the said city the waters known as the "Lee Stream" and all and every of the tributaries thereof and all and every waters that may from time to time be diverted or brought into or connected with the Lee Stream or the waters thereof. Power to do certain works.

15

3. Save as hereinafter provided the said Corporation shall not make any compensation in money or otherwise to any person (if any) whose rights shall be extinguished, abridged, interfered with, or otherwise prejudicially affected by the exercise of the powers hereinbefore given to the said Corporation to take, divert, impound, collect, use, and appropriate the waters hereinbefore mentioned. Not empowered to compensate.

20

Compensation for
land taken.

4. Compensation for and in respect of land taken under or 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; provided, however, that in respect of land injuriously affected no claim for compensation shall be made after a period of *twelve* months from the passing of this Act. 5

Saving of existing
rights.

5. The powers hereinbefore given to the said Corporation shall be subject to the rights (if any) of Fred. William Knight, of Dunedin, land agent, Mary Snell Knight, his wife, and William Edward Short Knight, of Dunedin, private hotelkeeper, who allege that they are the proprietors of a water-race held under License No. 1698, dated the twenty-seventh day of April, eighteen hundred and sixty-eight, under the Mining Act, 1908, and as such proprietors are entitled to six sluice-heads of water from Shepherd's Creek, a tributary of Lee Stream, and also to the rights (if any) of James Bolton, and Thomas Bolton, both of Waipori, miners, who allege that they are the proprietors of a water-race held under License No. 9001, dated the fifteenth day of January, eighteen hundred and ninety-five, under the Mining Act, 1908, and as such proprietors are entitled to eight sluice-heads of water from Shepherd's Creek aforesaid. 10 15 20

Assessment of
compensation.

6. If the parties concerned do not come to an agreement the amount of compensation shall be fixed by a Court composed of the Warden of the district and two expert assessors, to be appointed by the Governor-General in Council. Compensation for water rights shall be fixed in accordance with the provisions of paragraph (i) of section one hundred and fifteen of the Mining Act, 1908, but shall be payable by the Dunedin City Corporation and not by the Government. 25

Restriction of grant
of mining privileges.

7. From and after the passing of this Act no licenses for water-races or other 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 waters of the Lee Stream or any of the tributaries thereof or in, over, or upon the watersheds thereof respectively, which might in any way affect the rights or powers of the said Corporation under or in respect of this Act. 30 35