

New Zealand

ANALYSIS

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1944, No. 2—*Local and Personal*

AN ACT to amend the Dunedin City Corporation Empowering Act, 1924. Title.
[4th April, 1944]

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 was 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 Preamble.

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 Corporation is desirous of raising the height of the said dam or weir by an additional three feet, and it is expedient to confer on the said Corporation additional power to that end:

BE IT THEREFORE 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 Amendment Act, 1944, and shall be read together with and deemed part of the Dunedin City Corporation Empowering Act, 1924 (hereinafter referred to as the principal Act).

Corporation empowered to raise height of dam on Waipori River.

2. (1) The said Corporation is hereby empowered to raise the height of the said dam or weir to one hundred and thirteen 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 118337, in lieu of the maximum height of one hundred and ten feet authorized by subsection one of section three of the principal Act.

(2) The raising 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 Works.

Provisions of principal Act to apply to this Act.

3. The provisions of the principal Act shall, *mutatis mutandis*, apply to the exercise by the said Corporation of the powers conferred by this Act:

Provided that no person who has already received compensation from the said Corporation in respect of the exercise or contemplated exercise of the powers conferred upon it by the principal Act, or any of them, shall be entitled to further compensation under this Act save in respect of any cause of action arising by reason of the additional increase in height of the said dam or weir from one hundred and ten feet to one hundred and thirteen feet authorized by this Act.