

*License authorizing the Hydro-electric Engineering Company (Limited) to use Water from the Waikohu River for the Purpose of generating Electricity, and to erect Electric Lines within the Waikohu, Uawa, and Portion of the Cook County.*

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this fifth day of May, 1920.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section five of the Public Works Amendment Act, 1908, it is enacted that the Governor-General may from time to time by Order in Council grant to any person or body corporate a license to use water from any fall, river, stream, or other source for the purpose of generating electricity for electric light, mechanical power, or other uses, and to exercise in respect of that license any of the powers and authorities specified in that behalf in the said section: And whereas it is further provided by the said section that any such license may confer upon the licensee a right at any time or times during the continuance of the license (but subject to such conditions and restrictions as are expressed in the license) to enter upon any road, railway, or other land, whether vested in or occupied by the Crown or any other person or body corporate, and there to construct, erect, lay down, maintain, renew, or repair all such cables, wires, and other things as are required for the transmission of electricity between the fall, river, stream, or other source aforesaid and any place to which the licensee is authorized to transmit electricity in pursuance of the license:

And whereas the Hydro-electric Engineering Company (Limited) (hereinafter, with its successors and assigns, referred to as "the licensee"), has applied for a license under the said section to take and use water from the Waikohu River, in the Land District of Hawke's Bay (hereinafter referred to as "the said river"), for the purpose of generating electricity as aforesaid, and it is expedient to issue such license accordingly:

Now, therefore, in pursuance and exercise of the powers conferred upon him as aforesaid, and of the powers conferred by section two of the Public Works Amendment Act, 1911, and of all other powers in anywise enabling him in that behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby grant to the licensee (subject to the terms and conditions set forth in the Schedule hereto) a license to take and use from the Waikohu River aforesaid, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding one hundred and sixty cubic feet per second at any one time; and also to erect and maintain electric lines for power, lighting, heating, or other uses within the area of supply hereinafter described; and subject also to the regulations dated the twenty-second day of September, one thousand nine hundred and nineteen, and published in the *New Zealand Gazette* dated the twenty-fifth day of September, one thousand nine hundred and nineteen, or any regulations hereafter made in amendment thereof or substitution therefor (hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein; but nothing herein shall be held to guarantee that the Waikohu River contains sufficient water to supply one hundred and sixty cubic feet per second hereinbefore mentioned.

SCHEDULE.

1. PLANS.

THE licensee shall, before the works hereby authorized are commenced, forward for the approval of the Minister of Public Works (hereinafter referred to as "the Minister")—

- (a.) Full detailed drawings and specifications of the diverting weir and dam.
- (b.) Drawings showing how and in what manner the water diverted is to be returned to the said river.
- (c.) Contour-plan showing difference in level of water due to the construction of the headworks.

2. UTILIZATION OF THE WATER.

The said water shall be used solely for the purpose of generating electricity, and shall be returned to the said river at or near the power-house.

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said river at the headworks, situated in Sections 1 and 3, Block XV, Motu

Survey District; as shown on the plan marked P.W.D. 46338, deposited in the office of the Minister at Wellington, in the Provincial District of Wellington.

4. GENERAL DESCRIPTION OF WORKS.

The licensee is hereby authorized to construct, maintain, and use the following works for the purposes of this license, the position of the said works being indicated on the plan marked P.W.D. 46338 hereinbefore referred to.

- (a.) Headworks consisting of a dam and necessary intake.
- (b.) Tunnel and pipe-line leading from such dam to the power-house hereinafter referred to.
- (c.) A power-house with all necessary equipment, including water-turbines, generators, transformers, lightning-arresters, switchboards, switches, exciters, and other appliances for generating electricity.
- (d.) Transmission and other lines over the routes shown by means of green and blue lines on the said plan.
- (e.) Such further transmission and other lines within the area of supply as may from time to time be required within such area of supply, and after compliance with the provisions of clause 48 of the regulations.

5. INSPECTION OF WORKS.

The Inspecting Engineer, both during and after the construction of the works, shall have free access to and liberty at any time to inspect the same so as to ensure that the provisions of this license are given due effect to.

6. MAINTENANCE OF WORKS.

After the said works have been completed, the licensee shall maintain the same in proper working-order during the continuance of this license.

7. RIGHT TO ENTER LANDS, ETC.

The licensee shall have the right at any time or times during the continuance of this license, with the consent of the Minister, to enter upon any road or other land, whether vested in or occupied by the Crown or any other person or body corporate, and there to construct, erect, lay down, maintain, renew, or repair all such transmission-lines, poles, or other things as are required for the transmission of electricity between the generating-stations and any of the sub-stations to which this license applies.

8. POWER TO TAKE LAND.

The licensee is hereby empowered to take, under the Public Works Act, 1908, as for a public work such land as may, in the opinion of the Governor-General, be necessary to enable the licensee to construct and maintain the various works authorized by this license.

9. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of forty-two years from the date hereof. Upon the expiry of the said term, or upon the sooner determination of this license by revocation or otherwise, but subject to clause 16 hereof all rights hereby granted to the licensee shall thereupon cease and determine; but such expiration or determination shall not relieve the licensee of any liability theretofore incurred under this license.

10. RENTAL.

The licensee shall, in respect of this license, pay to the Public Works Engineer for the district, or otherwise as the Minister may from time to time require, a rental at the rate of 4s. per annum per kilowatt of maximum output, as recorded by the wattmeter to be installed by the licensee at the power-house mentioned in clause 4 (c) hereof, payment to be made yearly for the period ending on the 31st day of March in each year, commencing from the day electrical power is first supplied. "Maximum output" means twice the number of units generated in the half-hour during which the number of units generated is a maximum for the year. For this purpose the units generated shall be recorded at the end of each half-hour commencing from noon of each day.

11. CHARGES FOR ELECTRIC ENERGY.

The charge for electrical energy shall not exceed 6d. per unit for lighting purposes, and 3d. per unit for motor-power, heating, or cooking purposes; provided that "lighting purposes" shall include the operation of motor generators for lighting purposes. In the case of wholesale supply the charge shall not exceed £12 per horse-power per annum. "Wholesale supply" for this purpose shall be held to be a supply in respect to which the consumer shall guarantee to pay not less than £75 per annum.

Provided further that, in the event of a number not less than twenty-five per centum of the consumers at any time