

*License authorizing the Havelock North Town Board to use Water from the Maraetotara Stream for the Purpose of generating Electricity, and to erect Electric Lines within the Havelock North Town District and Portion of the Hawke's Bay County.*

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 22nd day of November, 1920.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Amendment Act, 1908, the Public Works Amendment Act, 1911, and of all other powers in anywise enabling him in this 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 revoke the Order in Council dated the twenty-second day of May, one thousand nine hundred and fourteen, authorizing the Havelock North Town Board to erect electric lines within the Havelock North Town District; and doth—subject to the conditions set forth in the Schedule hereto, and to the regulations made under section two of the Public Works Amendment Act, 1911, and dated the twenty-second day of September, one thousand nine hundred and nineteen, published in the *New Zealand Gazette* of the twenty-fifth day of the same month, or any regulations hereafter made in amendment thereof or in substitution thereof (and hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein—hereby grant to the Havelock North Town Board (hereinafter with its successors and assigns referred to as "the licensee") a license to take and use from the Maraetotara Stream (hereinafter referred to as "the said stream"), in the Hawke's Bay Land District, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding forty-six 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; but nothing herein shall be held to guarantee that the said stream contains sufficient water to supply forty-six cubic feet per second hereinbefore mentioned, and the lines already erected in the said area of supply shall be deemed to be erected under this license, and the provisions hereof shall apply as fully and effectively as if this were the license originally issued.

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 stream.
- (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 stream at or near the power-house.

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said stream at the headworks, situated between Lot 1, D.P. 3635, Block 12, Kidnapper Crown-grant District, and Waipuka 3A No. 2 Block, Block VII, Kidnapper Survey District, at a point indicated on the plan marked P.W.D. 49281, deposited in the office of the Minister at Wellington, in the Wellington Land District.

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 plans marked P.W.D. 49281 and 49282, deposited in the office of the Minister as aforesaid:—

- (a.) Headworks consisting of a dam and necessary intake.
- (b.) 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.) A transmission-line over the route shown by means of a red line on the said plan P.W.D. 49282.
- (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 substations 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, 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 1s. 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 on the 31st day of March in each year, commencing from the day electrical power is first supplied. For the purpose of this clause "maximum output" means twice the number of units generated in the half-hour during which the output is the maximum for the year. The said period shall be recorded at the end of each half-hour commencing from noon of each day. The minimum rental shall not be less than £10 per annum.

11. GRANTING OF OTHER WATER-RIGHTS.

Nothing herein shall prevent the Governor-General in Council from granting to any person or body corporate other than the licensee a license to take water from any portion of the said stream, except at the place where the licensee is by this license empowered to take it; provided that no such license shall so operate as to reduce the natural fall between the headworks and tail-water, or the volume of the water which the licensee is by this license authorized to take from the said stream.

12. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may at any time or from time to time, at the request or with the consent in writing of the licensee, be altered by the Governor-General by Order in Council.

13. SURRENDER OF LICENSE.

The licensee may at any time, with the consent of the Minister, surrender this license, and shall thereupon, if so required by the Minister, remove from the ground all removable equipment, machinery, buildings, poles, transmission-lines, and other plant herein authorized to be installed or provided. If the licensee fails or neglects so to remove the said plant within twelve months after being required so to do, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment or compensation, vest in and become the property of the Crown.

14. CHARGES FOR ELECTRIC ENERGY.

The charges for electrical energy shall not exceed 1s. per unit for lighting purposes, and 6d. per unit for motor-power, heating, or cooking purposes; provided that "lighting purposes" shall include the operation of motor generators for lighting purposes; and provided further that if accounts are paid within fourteen days of due date the charges shall not exceed 9d. per unit for lighting purposes and 4½d. per unit for motor-power, cooking, or heating purposes.

15. AREA OF SUPPLY.

The area of supply comprises the Havelock North Town District as at present constituted and portion of the Hawke's Bay County, as indicated by a distinctive border of broken