

License authorizing John Barker, of Waimarama, Farmer, to use Water from the Waingongoro Stream for the Purpose of generating Electricity, and to erect Electric Lines.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of November, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred upon him by the Public Works Amendment Act, 1908, and 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 John Barker, of Waimarama, Farmer (hereinafter, with his executors, administrators, and assigns, referred to as "the licensee")—subject to the terms and conditions set forth in the Schedule hereto and to the regulations dated the ninth day of October, one thousand nine hundred and twenty-two, and published in the *New Zealand Gazette* of the twelfth day of the same month, or any regulations hereafter made in amendment thereof or in substitution thereof (hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein—a license to take and use from the Waingongoro Stream, in the Land District of Hawke's Bay (hereinafter referred to as "the said stream"), for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding two cubic feet per second at any one time; and also to erect and maintain electric lines for power, lighting, heating, or other uses along the routes hereinafter described; but nothing herein shall be held to guarantee that the said stream contains sufficient water to supply two 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 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 in Section 2G pt. 2, D.P. 2860, Waipuku Block, Block X, Kidnapper South Survey District, at a point indicated on the plan marked P.W.D. 55152, deposited in the office of the Minister of Public Works at Wellington, in the Land 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. 55152, hereinbefore referred to:—

- (a.) Headworks consisting of a dam and necessary intake.
- (b.) Conduit 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, switch-boards, switches, exciters, and other appliances for generating electricity.
- (d.) Transmission and other lines over the routes shown by means of black lines on the said plan.

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. 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.

8. 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; payment to be made yearly on the 31st day of March of each year, commencing from the date the electrical power is first supplied.

9. 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.

10. 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.

11. CHARGES FOR ELECTRICAL ENERGY.

The charges, for electrical energy shall not exceed 1s. per unit for lighting 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 after due date the charges shall not exceed 10d. per unit for lighting purposes and 5d. per unit for motor-power, cooking, or heating purposes.

12. EXTENSIONS.

Notwithstanding anything contained in the regulations incorporated herein, no extensions or lines other than those along the route hereinbefore described shall be deemed to be authorized by this license.

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. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (a) (1) of clause 2 of the regulations.

The generating voltage shall be approximately 230 volts between the terminals.

15. DATUM TEMPERATURE.

For the purpose of calculating stresses as provided in clause 32 of the regulations, the datum temperature shall be taken as 20 degrees Fahrenheit.

16. REQUIREMENTS OF HAWKE'S BAY COUNTY COUNCIL.

Notwithstanding anything hereinbefore contained, the licensee shall not be entitled to erect, maintain, or use any electric lines within the Hawke's Bay County except subject to such conditions, not inconsistent with the provisions of this license and the regulations relating thereto, or any variation of this license or the regulations, or new regulations which may take the place of these regulations, as may from time to time be agreed upon between the licensee and the Hawke's Bay County Council.

F. D. THOMSON,
Clerk of the Executive Council.