

*License authorizing the Westland Electric-power Board to use Water from the Wainihinini Creek, Kawhaka Creek, and McPherson's Creek for the Purpose of generating Electricity, and to use Electric Lines within Portion of the Westland Electric-power District.*

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of July, 1927.

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 others 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—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, on 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 (such regulations which are deemed to be incorporated herein, being hereinafter collectively referred to as “the regulations”)—hereby grant to the Westland Electric-power Board, being an electric-power Board duly constituted under the provisions of the Electric-power Boards Act, 1918 (hereinafter with its successors and assigns referred to as “the licensee”), a license to take and use from Wainihinini Creek, Kawhaka Creek, and McPherson's Creek (hereinafter referred to as “the said rivers”), in the Westland Land District, 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 respectively at any one time; and also to erect and use electric lines for power, lighting, heating, or other uses within that portion of the Westland Electric-power District (as at present constituted) outlined in red on plan marked P.W.D. 69033 (hereinafter referred to as “the said plan”), and deposited in the office of the Minister of Public Works at Wellington, such electric lines at present proposed to be used being indicated on the said plan by blue and yellow lines. Nothing herein shall be held to guarantee that the said rivers contain sufficient water to supply the volume of water hereinbefore referred to; and all rights hereby granted shall be subject to all existing rights heretofore granted under the Mining Acts or otherwise.

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 weirs;
- (b) Drawings showing how and in what manner the water diverted is to be returned to the said rivers;
- (c) Contour-plans showing difference in level of water due to the construction of the headworks;
- (d) Drawings giving full particulars of any tunnels, aqueducts, and pipe-lines used in conveying the water from the headworks to the power-stations.
- (e) Drawings showing the arrangement of the generating, switching, and transforming plant in the power-stations;

and none of the said works or any portion thereof shall be commenced before the said approval is obtained.

2. UTILIZATION OF THE WATER.

The said water (less such volume of water as is otherwise authorized to be used for mining purposes, and less such volume as is required to be supplied to the Kumara Borough Council in terms of an agreement about to be entered into between the Westland Electric-power Board and the Minister of Mines) shall be used solely for the purpose of generating electricity, and the whole of such water shall be conveyed to the Teremakau River at or near the power-house.

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said rivers at the headworks as indicated on the said plan.

4. GENERAL DESCRIPTION OF WORKS.

The licensee is hereby authorized, subject to the conditions herein contained, to construct, maintain, and use the following works for the purposes of this license, the position of the said works being indicated on the said plan.

- (a) Headworks consisting of weirs and necessary intakes;
- (b) Races, penstocks, and pipe-lines leading from such weirs to the power-houses hereinafter referred to; also tail-races from the power-houses to the Teremakau River;
- (c) Power-houses 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 blue and yellow lines on the said plan after compliance with the provisions of clause 18 hereof;
- (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. Any extensions or alterations of lines pursuant to this paragraph shall be made only after compliance with the provisions of clause 13 of the regulations.

5. MAINTENANCE OF WORKS.

The licensee shall maintain the works used under this license in proper working order during the continuance of such license.

6. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of thirty 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.

7. 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; payment to be made yearly on the 31st day of March in each year, the first payment to be made on the 31st day of March next succeeding the day on which electrical power is first supplied. For the purpose of this clause “maximum output” means twice the number of units generated and recorded in the half-hour during which the output is the maximum for the year. Wattmeter readings shall be recorded half-hourly throughout each day. The minimum rental shall not be less than £10 per annum.

8. 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 streams, 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 streams.

9. VARIATION IN CONDITIONS OF LICENSE.

The terms and conditions of this license may 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.

10. SURRENDER OF LICENSE.

The licensee may at any time, with the consent of the Minister surrender this license, and shall thereupon remove from the ground (if so required by the Minister, and subject to the terms of any mortgage between the licensee and the Minister of Mines) 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 of compensation, vest in and become the property of the Crown.

11. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraphs (c) and (e) of clause 2 of the regulations.