

*License authorizing the Maniototo Hospital Board to use Water for the Purpose of generating Electricity, and to erect and use Electric Lines within the Borough of Naseby, and County of Maniototo.*

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of February, 1930.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, and of all other powers in any-wise 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 hereinafter set forth, and to the regulations made under section two of the Public Works Amendment Act, 1911, on the eleventh day of July, one thousand nine hundred and twenty-seven, 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 therefor (such regulations which are deemed to be incorporated herein, being hereinafter collectively referred to as “the regulations”)—hereby grant to the Maniototo Hospital Board (hereinafter, with its successors and assigns, referred to as “the licensee”), a license to take and use for the purposes hereinafter set forth, a supply of water (hereinafter referred to as “the said water”), not exceeding one-third of a cubic foot per second respectively at any one time; and also to lay, construct, put up, place, and use the electric lines hereinafter described on the conditions hereinafter appearing. Nothing herein shall be held to guarantee that the said supply contains 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.

CONDITIONS.

1. PLANS.

The licensee shall forward for the approval of the Minister of Public Works (hereinafter referred to as “the Minister”)—

- (a) Drawing showing how and in what manner the water is diverted;
- (b) Drawings giving full particulars of any tunnels, aqueducts, and pipe-lines used in conveying the water from the headworks to the power-station.
- (c) Drawings showing the arrangement of the generating, switching, and transforming plant in the power-station.

2. UTILIZATION OF THE WATER.

The said water shall be used under this license solely for the purpose of generating electricity.

3. LOCATION OF HEADWORKS.

The said water shall be taken from a pipe-line situated in Derwent Street, in the Borough of Naseby, as indicated on the plan marked P.W.D. 77039 (hereinafter referred to as the “said plan”), deposited in the office of the Minister of Public Works at Wellington.

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 necessary intake;
- (b) Pipe-line leading from such intake to the power-house hereinafter referred to; also tail-race from the power-house to sludge channel.
- (c) 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 dotted lines on the said plan;
- (e) Such further transmission and other lines within the premises of the licensee as may from time to time be required. Any extensions or alterations of lines pursuant to this paragraph shall be made only after compliance with the provisions of clauses 21, 22, and 23 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 twenty-one 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 District Engineer, Public Works Department, Dunedin, a yearly rental of 4s. per kilowatt of maximum output generated during each and every year from 1st April, 1929, with a minimum of 8s. per annum. The output either shall be recorded by means of a watt-hour meter installed by the licensee, or, failing such installation, it shall be determined on the maximum capacity of the generating-plant installed.

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 the same source 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 volume of the water which the licensee is by this license authorized to take from the said source.

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) 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 paragraph (c) of clause 5 of the regulations.

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

12. 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 power-house hereinbefore referred to and any place to which the licensee is authorized to transmit electricity in pursuance of this license.

13. POWER TO TAKE LAND.

The licensee is hereby empowered to take, under the Public Works Act, 1928, as for a public work, such land as may, in the opinion of the Governor-General, be necessary or advisable to enable the licensee to construct and maintain the various works authorized by this license.

14. COMPENSATION PAYABLE FOR LAND INJURIOUSLY AFFECTED, ETC.

In respect of all land injuriously affected, and in respect of all damages done by the exercise of any of the powers conferred upon the licensee by this license, the licensee shall from time to time, as and when any such injury or damage accrues or happens, pay compensation in accordance with the provisions of the Public Works Act, 1928, in the same manner (subject to all necessary modifications) as if the licensee were a local authority and the claim were one for injury or damage arising out of the construction of a public work.