

*License authorizing Alfred James Harris, of Rere, Sheep-farmer, to use Water from Wharekopae River for the Purpose of generating Electricity, and to erect and use Electric Lines within Wharekopae 1A and 1B2 Blocks, Blocks VII and XI, Ngatapa Survey District, Waikohu County.*

BLDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 27th day of March, 1933.

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 hereby grant to Alfred James Harris, of Rere, Sheep-farmer (hereinafter with his successors and assigns referred to as "the licensee"), a license, subject to the conditions hereinafter set forth, to take and use from the stream known as Wharekopae River (hereinafter referred to as "the said stream"), in the Gisborne Land District, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding five cubic feet 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 set forth: Provided that nothing herein shall be held to guarantee that the said stream 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. REGULATIONS.

This license is subject to the Electrical Supply Regulations, 1927 (hereinafter called "the regulations"), the Electrical Wiring Regulations, 1927, and any regulations made or to be made in amendment of or in substitution for either the Electrical Supply Regulations or the Electrical Wiring Regulations.

2. PLANS.

The licensee shall 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 is diverted:
- (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-station:
- (e) Drawings showing the arrangement of the generating, switching, and transforming plant in the power-station:

3. UTILIZATION OF THE WATER.

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

4. LOCATION OF HEADWORKS.

The said water shall be taken from Wharekopae River situated in Block XI, Ngatapa Survey District, Waikohu County, as indicated on the plan marked P.W.D. 84509 (hereinafter referred to as the "said plan"), deposited in the office of the Minister of Public Works at Wellington.

5. 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 dam and necessary intakes:
- (b) Pipe-line leading from head-race to the power-house hereinafter referred to; also tail-race from the power-house to the said stream.
- (c) Power-house with all necessary equipment, including water-turbines, generators, transformers, lightning-arresters, switchboards, switches, exiters, and other appliances for generating electricity:
- (d) Transmission and other lines over the routes shown on the said plans:

(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 Electrical Supply Regulations.

6. MAINTENANCE OF WORKS.

The licensee shall maintain the works used under this license in proper working-order during the continuance of such 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 ten 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 District Engineer, Public Works Department, Gisborne, a yearly rental of 4s. per kilowatt of maximum output generated during each and every year from 1st April, 1932, with a minimum of £1 12s. per annum. The output 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. The existing plant is rated at 230 volts 35 amperes.

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 enable such person or body corporate 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 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. 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.

12. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (c) of clause 5 of the Electrical Supply Regulations.

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

13. CROWN NOT LIABLE TO PAY COMPENSATION.

Nothing in this license shall be held to impose any liability upon His Majesty the King or upon the Government of New Zealand to pay compensation to any person, corporate body, or local authority by reason of the exercise by the licensee of the authority hereby granted; but the licensee shall be liable for any loss or damage which any person, corporate body, or local authority may sustain as the result of the exercise by the licensee of any of the powers granted by this license.

14. BED OF STREAM NOT LEASED.

Nothing herein shall be held to constitute a lease from the Crown of the bed of the stream shown on the said plans, nor shall the provisions of Part IX of the Property Law Act, 1908, apply to this license.

15. DEFAULT.

If the licensee fails or neglects to observe any of the conditions or obligations imposed by this license, then and in any such case the provisions of clauses 229 and 230 of the Electrical Supply Regulations shall apply to the breach of any such condition or obligation.