

*Authorizing the Westport Coal Company, Limited, to use Water for the Purpose of generating Electricity and to erect certain Electric Lines within Portion of the County of Buller, and revoking certain Orders in Council.*

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 31st day of March, 1937.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Public Works Act, 1928, 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 Orders in Council described in the First Schedule hereto; and, subject to the terms and conditions set forth in the Second Schedule hereto, doth hereby grant to the Westport Coal Company, Limited, being a company duly incorporated under the Companies Act, 1933, and having its registered office at Water Street, Dunedin (hereinafter referred to as "the licensee"), a license to obstruct, impound, or divert the waters of Granity Creek at the points hereinafter described, and take and use therefrom for the purposes hereinafter set forth a stream of water not exceeding one cubic foot per second at any one time, and to lay, construct, put up, place, and use the electric lines described in the Third Schedule hereto.

FIRST SCHEDULE.

ORDER in Council dated 19th January, 1920, and published in the *New Zealand Gazette* No. 10 of 29th January, 1920.

Order in Council dated 11th September, 1922, and published in the *New Zealand Gazette* No. 68 of 14th September, 1922.

Order in Council dated 24th October, 1923, and published in the *New Zealand Gazette* No. 75 of 25th October, 1923.

Order in Council dated 24th April, 1925, and published in the *New Zealand Gazette* No. 27 of 30th April, 1925.

Order in Council dated 11th May, 1929, and published in the *New Zealand Gazette* No. 38 of 23rd May, 1929.

SECOND SCHEDULE.

1. IMPLIED CONDITIONS.

THE conditions directed to be implied in all licenses by the Electrical Supply Regulations, 1935, and the Electrical Wiring Regulations, 1935, and by Regulation 6 of the Water-power Regulations, 1934, except clauses 1 and 2 thereof, shall be incorporated in and shall form part of this license except in so far as the same may be inconsistent with the provisions hereof.

2. LICENSE SUBJECT TO REGULATIONS.

This license is issued under the Water-power Regulations, 1934, and is subject thereto and to the Electrical Supply Regulations, 1935, and the Electrical Wiring Regulations, 1935, and to any regulations made or to be made in amplification or amendment thereof or in substitution therefor: Provided that the licensee shall not by virtue of this clause be required, except in the normal course of alteration, repair, or maintenance, to reconstruct in conformity with the regulations hereinbefore mentioned any electric lines which were erected prior to the 6th day of September, 1935, and which conform to the regulations in force at the time of construction.

3. UTILIZATION OF WATER AND LOCATION OF HEADWORKS.

Water shall be used under this license solely for the purpose of generating electricity, and shall be taken from the said stream at the headworks situated in Block VI, Ngakawau Survey District, at the points indicated on the plan marked P.W.D. 52760, deposited in the office of the Minister of Public Works.

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 positions of the works being indicated on the plan marked P.W.D. 52760 hereinbefore referred to:—

- (a) Headworks consisting of dams and necessary intakes on both the right and left branches of Granity Creek.
- (b) Water-races and pipe-lines leading from such dams to the power-house hereinafter referred to and tail-race leading to Granity Creek.

(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) The electric lines described in the Third Schedule hereto.

5. DURATION OF LICENSE.

Unless sooner determined, this license shall continue in force until the 31st day of March, 1964.

6. SYSTEM OF SUPPLY.

The system of supply shall be the system described in paragraphs (a) and (f) of clause 21-01 of the Electrical Supply Regulations, 1935.

In respect of the lines authorized by paragraphs (a) and (b) of the Third Schedule the generating voltage shall be 3,300 volts between terminals, and the transmission voltage shall be 3,300 volts between phases; the voltage of the transmission-line described in paragraph (c) of the said Schedule shall be stepped up at Denniston from 3,300 volts to 11,000 volts for transmission purposes.

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 4s. per annum per kilowatt of maximum output as recorded by the watt-hour meter 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. 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 be not less than £10 per annum.

8. CHARGES ON SALE.

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.

9. CONSUMERS ENTITLED TO SUPPLY.

The licensee shall supply and sell to any person, company, or corporate body within the area of supply requiring the same, for any purpose within that area, electricity to the extent to which it may be available; provided that such person, company, or corporate body pays the cost of connecting his or its premises with the transmission-line erected by the licensee in pursuance of this license, or, alternatively, pays a line rental at a rate not exceeding 15 per cent. on the cost of such connecting line together with any additional transmission-line required to supply such person, company, or corporate body.

10. 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.

11. 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 to enable the licensee to construct and maintain the various works authorized by this license.

12. PLAN REFERENCES.

The plans referred to in this license are all plans which have been deposited in the office of the Minister of Public Works at Wellington and are there recorded under the symbols and numbers by which they are referred to in this license.