

*Authorizing Sullivan Brothers, of Weheka, Hotelkeepers, to use Water from a Tributary of the Clearwater River for the Purpose of generating Electricity, and to erect and use Electric Lines within portion of the Westland County, and revoking certain previous Orders in Council in that behalf.*

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 30th day of November, 1938.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

**I**N pursuance and exercise of the powers conferred by the Public Works Act, 1928, 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 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 Sullivan Brothers, of Weheka, Hotelkeepers (hereinafter referred to as "the licensees"), a license to obstruct, impound, or divert the waters of a tributary of the Clearwater River in the Westland Land District, and to take and use therefrom for the purposes hereinafter set forth, a stream of water not exceeding eight cubic feet per second at any one time, and to lay, construct, put up, place, and use the electric lines described in the Third Schedule hereto; also such further lines as may be necessary for the supplying of electricity within the area of supply described in the said Schedule.

FIRST SCHEDULE.

(a) The Order in Council dated the 25th October, 1928, and published in the *New Zealand Gazette* of the 1st November, 1928; (b) The Order in Council dated the 10th December, 1934, and published in the *New Zealand Gazette* of the 13th December, 1934.

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, 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 thereof. Provided that the licensees 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 or works which conform to the regulations in force at the time of the construction thereof.

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 as indicated on the plan marked P.W.D. 72941, deposited in the office of the Minister of Public Works at Wellington.

4. GENERAL DESCRIPTION OF WORKS.

The licensees are hereby authorized to construct, maintain, and use the following works for the purposes of this license, the position of the works being indicated on the plan marked P.W.D. 72941 hereinbefore referred to:—

- (a) Headworks consisting of a dam and intake;
- (b) Pipe-line leading from such dam to the power-house hereinafter referred to; also tail-race from the power-house to the said stream;
- (c) A power-house with all necessary equipment for generating electricity;
- (d) The electric lines described in the Third Schedule hereto.

5. RENTAL.

The licensees shall in respect of their license pay to the District Engineer, Public Works Department, Greymouth, a yearly rental of 4s. per kilowatt of maximum output generated

during each and every year from 1st April, 1938, with a minimum of 5s. per annum; or, alternatively, the rental may be computed in accordance with the provisions of paragraphs (B) and (C) of Regulation 6 of the Water-power Regulations, 1934. The output shall be recorded either by means of an integrating watt-hour meter with a maximum-demand indicator attachment installed by the licensees, or failing such installation, it shall be determined on the maximum capacity of the generating-plant installed.

6. SYSTEM OF SUPPLY.

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

The generating and transmission voltage shall be approximately 3,300 volts between the terminals.

7. PURPOSES OF LINES.

The said lines may be used for lighting, power, and heating purposes.

8. DURATION OF LICENSE.

Unless sooner lawfully determined, this license shall continue in force until the 31st day of March, 1958, or until electrical energy is available from an Electric-power Board or other general public source, whichever is the earlier.

9. CHARGES ON SALE.

*Maximum Charges.*

(1) The licensees shall not in respect of electrical energy distributed under the authority of this license make any charges exceeding those set out hereunder:—

- (a) In the case of a supply for lighting purposes, of a sum of 1s. per unit, reducible on payment within fourteen days of due date to 9d. per unit.
- (b) In the case of supply for motor power, heating, cooking, or any purpose other than lighting, and other than a wholesale supply, a sum of 6d. per unit, reducible on payment within fourteen days of due date to 4½d. per unit.

*Minimum Charges.*

(2) Notwithstanding the foregoing provisions, the licensees may in the case of any supply make such minimum charge as may be authorized by regulations.

*Intervals of Payment.*

(3) Payment shall not be demanded from any consumer on dates at intervals apart of less than twenty-one days.

*Definitions for the Purposes of this Clause.*

(4) "Lighting purposes" includes the operation of motor-generators for lighting purposes and the charging of batteries or accumulators used solely or principally for lighting purposes.

THIRD SCHEDULE.

(a) Lines adapted for supply as prescribed in these presents for the transmission of electricity leading from the licensee's power-house, situated in Section R. 338, across the said stream and proceeding thence in a southerly direction generally through Section 839 to the licensee's premises situated in Section 842; all being situated in Block XIII, Waiho Survey District in the Land District of Westland, also a branch line leading from the line above described at a point in Section 839, in a westerly direction for the purpose of giving supply to several cottages situated within the area of supply hereinafter described; the said lines being more particularly delineated by means of dotted and plain red lines on plan marked P.W.D. 88085, deposited in the office of the Minister of Public Works at Wellington, and

(b) Such further lines as may from time to time be necessary for the supplying of electrical energy within a radius of two miles of the licensee's premises situated in the said Section 842, such area being shown bordered red on plan marked P.W.D. 88085, deposited as aforesaid: Provided that notwithstanding any provisions to the contrary elsewhere contained, no such electric lines may be erected within 20 chains of any telephone-line save with the consent in writing of the Chief Electrical Engineer of the Public Works Department.

C. A. JEFFERY,  
Clerk of the Executive Council.

(P.W. 26/1441.)