

## 3. UTILIZATION OF WATER AND LOCATION OF HEADWORKS.

Water shall be used under this license solely for the purpose of generating electricity up to a maximum capacity of 4 kilowatts at 230 volts direct current, and shall be taken from the said river at the point in part Section 3, Block V, Tiriraukawa Survey District, indicated on the plan marked P.W.D. 101963, deposited in the office of the Minister of Public Works.

## 4. GENERAL DESCRIPTION OF WORKS.

The licensee is hereby authorized, subject to the conditions hereof, to construct, maintain, and use the following works for the purposes of this license, the positions of the said works being indicated on the said plan P.W.D. 101963:—

- (a) Headworks consisting of a dam and intake with a tunnel, and pipe-line leading to the water-wheel, and power-house hereinafter referred to, giving a static head of approximately 20 ft.
- (b) A power-house with all necessary equipment, for generating electricity.
- (c) A tunnel leading from the said water-wheel to the Turakina River.
- (d) Lines adapted for supply as prescribed in these presents leading from the power-house aforesaid, on part Section 3, to the licensee's premises consisting of farmhouse, cottages, and outbuildings, including two crossings of the Turakina Valley Road and a crossing of the said river; the said lines being more particularly delineated on the said plan by means of black dotted lines.

## 5. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (d) of clause 21-01 of the Electrical Supply Regulations, 1935. The generating voltage and the transmission voltage shall be approximately 230 volts direct current.

## 6. DURATION OF LICENSE.

Unless sooner determined, this license shall continue in force until the 31st day of March, 1960, or until electrical energy is available from an Electric-power Board or other public source of supply whichever is the earlier.

## 7. RENTAL.

For the purpose of assessing the annual rental payable in respect of this license, the licensee may install a suitable maximum-demand indicator to the satisfaction of the Inspecting Engineer of the Public Works Department, and failing such installation, the rental shall be assessed on the maximum generating capacity of the plant installed. The present plant is rated at 4 kilowatts.

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

(P.W. 26/2991.)

*Licensing Walter Robert Rope to use and occupy a Part of the Foreshore at Te Kopuru, in Kaipara Harbour, as a Site for a Wharf and Slip.*

GALWAY, Governor-General.

## ORDER IN COUNCIL.

At the Government House at Wellington, this 30th day of August, 1939.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

**P**URSUANT to the Harbours Act, 1923, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby license and permit Walter Robert Rope (hereinafter called "the licensee," which term shall include his executors, administrators, and assigns unless the context requires a different construction), to use and occupy a part of the foreshore at Te Kopuru, in Kaipara Harbour, as shown on plan marked M.D. 3696, approved on the twenty-ninth day of August, one thousand nine hundred and eleven, and deposited in the office of the Marine Department at Wellington, for the purpose of the use of a wharf and slip as shown on the said plan, such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

## SCHEDULE.

## 1. In these conditions the terms—

"Foreshore" means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides:

"Low-water mark" means low-water mark at ordinary spring tides:

"Minister" means the Minister of Marine as defined by the Shipping and Seamen Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to that part of the foreshore occupied by the said wharf and slip as shown on the plan marked M.D. 3696.

3. In consideration of the concessions and privileges granted by this Order in Council, the licensee shall pay to the Minister the sum of £1, and thereafter an annual sum of £1 10s. in advance, payable on the 1st day of April in each year, the proportionate part of such rental in respect of the period from the 29th day of August, 1939, until the 31st day of March following to be paid on the licensee being supplied with a copy of this Order in Council.

4. All persons shall, at all reasonable times, upon payment of proper dues, have free and full liberty to use the said wharf and slip, and all rights of ingress and egress thereon and therefrom.

5. His Majesty or the Governor-General, and all persons in the Government service, acting in the execution of their duties, shall at all times have free ingress, passage, and egress into, through, over, and out of the said wharf and slip without payment.

6. The licensee shall maintain the above-mentioned wharf and slip in good order and repair, and shall at all times exhibit therefrom and maintain at the licensee's own cost suitable and necessary lights for the guidance of vessels: Provided that no light shall be exhibited until after it has been approved by the Minister.

7. Any person authorized by the Minister may at all reasonable times enter upon the said wharf and slip and view the state of repair thereof; and upon such Minister leaving at or posting to the last-known address of the licensee in New Zealand a notice in writing of any defect or want of repair in such wharf and slip requiring the licensee within a reasonable time, to be therein prescribed, to repair the same, the licensee shall with all reasonable speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the licensee to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulation of the Minister of Customs, or with any provisions of the Harbours Act, 1923, or its amendments, or any regulations made thereunder and that are now or may hereafter be in force.

9. The master of each vessel discharging ballast at the said wharf and slip shall have all such ballast taken away and deposited above high-water mark, or at such place as may be approved of by the Minister, or by any person appointed by the Minister for that purpose.

10. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for fourteen years from the 29th day of August, 1939, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensee shall not assign, charge or part with any such right, power, or privilege without the written consent of the Minister first obtained.

11. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the said wharf and slip at the licensee's own cost, without payment of any compensation whatever on giving to the licensee three calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister and delivered at or posted to the last-known address of the licensee in New Zealand.

12. The licensee shall be liable for any injury which the said wharf and slip may cause any vessel or boat to sustain through any default or neglect on the licensee's part.

## 13. In case the licensee shall—

- (1) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;
- (2) Cease to use or occupy the said wharf and slip for a period of thirty consecutive days;
- (3) Fail to pay the sums specified in clause 3 of these conditions; or
- (4) Become bankrupt or be brought under the operation of any law for the time being in force relating to bankruptcy—

then, and in any of the said cases, this Order in Council and every license, right, power, or privilege thereby conferred