

*Authorizing the Otago Central Electric-power Board to Use Water from the Fraser River for the Purpose of Generating Electricity and to Construct, Maintain, and Use Electric Lines and Works in the County of Vincent*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 20th day of April, 1949

Present:

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Public Works Act, 1928, and the Electric-power Boards Act, 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby grant to the Otago Central Electric-power Board (hereinafter referred to as the licensee) a licence subject to the terms and conditions set forth in the First Schedule hereto, to take and use from the Fraser River (hereinafter referred to as the said stream), at a point approximately one mile below the confluence of the said stream with the Hawksburn River in the County of Vincent, Otago Land District, for the purpose hereinafter set forth, a stream of water not exceeding 60 cubic feet per second at any one time; and, further doth, subject to the said terms and conditions in the First Schedule hereto, hereby authorize the licensee to lay, construct, put up, place, and use the electric lines described in the Second Schedule hereto; and, further, for the purposes of section seventy-six of the Electric-power Boards Act, 1925, doth hereby authorize the licensee to construct, maintain, and use the said electric works.

FIRST SCHEDULE

1. IMPLIED CONDITIONS

The conditions directed to be implied in all licences 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 licence, except in so far as the same may be inconsistent with the provisions hereof, or with the provisions of the agreements, dated the 22nd day of July, 1947, hereinafter referred to, or of any agreements made or to be made in amendment thereof, or in substitution therefor.

2. LICENCE SUBJECT TO REGULATIONS

This licence is issued under the Water-power Regulations 1934, and is subject thereto, and to the Electrical Supply Regulations 1935, the Electrical Wiring Regulations 1935, and the Radio Interference Regulations 1934, and to any regulations made or to be made in amplification or amendment thereof or in substitution therefor.

3. LICENCE COLLATERAL AND CONCURRENT WITH AGREEMENTS

Subject as hereinafter appears, this licence shall constitute a contract between His Majesty the King and the licensee collateral with certain other agreements, collateral the one with the other, and bearing date the 22nd day of July, 1947, and made between the Minister of Works, acting for and on behalf of His Majesty the King of the one part, and the licensee of the other part, the provisions of which agreements shall be read together with and deemed to be part of this licence, and of which agreements copies have been deposited in the office of the Minister of Works at Wellington. This licence shall be concurrent with and supplementary to the said agreements and the provisions hereof shall be subject to the terms and conditions of the said agreements and of any agreements made or to be made in amendment thereof or in substitution therefor.

4. UTILIZATION OF WATER AND LOCATION OF HEADWORKS

Water shall be used under this licence solely for the purpose of generating electricity up to a maximum capacity of 3,000 kilowatts and shall be taken from the said stream at the headworks, situated in Run 249, Block XIV, Leaning Rock Survey District, as indicated on the plan marked S.H.D. 66, deposited in the office of the Minister in Charge of the State Hydro-electric Department.

5. GENERAL DESCRIPTION OF WORKS

(1) The licensee is hereby authorized, subject to the conditions herein contained or implied, to maintain, operate, and use the following works for the purposes of this licence:—

- (a) Headworks consisting of a diversion weir and necessary intake below the dam constructed by the Minister of Works, giving a static head of approximately 810 ft. as indicated on the said plan S.H.D. 66.
- (b) Pipe-lines leading from the intake to the power-house next hereinafter referred to.

(2) The licensee is hereby authorized, subject to the conditions herein contained or implied, to construct, maintain, operate, and use the following works for the purposes of this licence:—

- (a) Power-house situated on River Reserve, Block X, Leaning Rock Survey District, or on Run 249 adjacent thereto, with all necessary equipment for generating electricity.
- (b) Tail-race leading from the aforesaid power-house to the existing irrigation system of the Minister of Works.
- (c) The electric-lines described in the Second Schedule hereto.

6. TEMPORARY PLANT

Pending the completion of the works described in clause 5 hereof, the licensee is hereby authorized, subject to the conditions herein contained or implied, to maintain, operate, and use the following works for the purposes of this licence, the positions of the works described in subclause (1) hereof being indicated on the said plan S.H.D. 66:—

- (1) (a) Pipe-lines leading from the intake hereinbefore referred to, to the power-house next hereinafter referred to.
- (b) Pelton wheel and power-house situated in Run 249, Block X, Leaning Rock Survey District, with all necessary equipment for generating electricity, with a generating voltage of 400 volts, a maximum rated capacity of 500 kilowatts, and a static head of approximately 350 ft.
- (c) Tailrace leading from the aforesaid power-house to the existing irrigation system of the Minister of Works.
- (2) (a) Pipe-lines leading from the intake hereinbefore referred to, to the power-house hereinafter referred to.
- (b) Water turbine and power-house situated in the said Run 249, with all necessary equipment for generating electricity, with a generating voltage of 5,400 volts, and a maximum generating capacity of approximately 400 kilowatts.
- (c) Tailrace leading from the last-mentioned power-house to the existing irrigation system of the Minister of Works.

7. PLANS

Before any of the works described in clauses 5 and 6 hereof, and which have not already been constructed, are commenced, the licensee shall submit to the Minister in Charge of the State Hydro-electric Department, locality plans showing the positions of the said works, in addition to any other plans and drawings required under the Water-power Regulations 1934, or under the agreements hereinbefore referred to.

8. SYSTEM OF SUPPLY

The system of supply shall be as described in paragraph (f) of clause 21-01 of the Electrical Supply Regulations 1935. The generating voltage shall be 6,600 volts between terminals (except with regard to the temporary plant described in clause 6 hereof) and the transmission voltage shall be 33,000 volts between phases.

9. CHARGES FOR ELECTRICAL ENERGY

The licensee shall not in respect of electrical energy generated under the authority of this licence make any charge exceeding the corresponding charge which the licensee may from time to time be duly authorized to make in respect of electrical energy obtained by the licensee from other sources and distributed within the Otago Central Electric-power District.

10. DURATION OF LICENCE

This licence shall, unless sooner lawfully determined, continue in force for a period of twenty-five years from the date of the completion of the works hereby authorized to be constructed but, in so far as it authorizes the use of the works described in clause 6 hereof, shall cease and determine when the works described in subclause (2) of clause 5 hereof have commenced generating electricity after completion of testing.

11. RENTAL

The rental or annual sum payable in respect of this licence in accordance with the Water-power Regulations 1934, shall be assessed at the rate of £1 per kilowatt per annum, or such lesser rate as may be fixed after compliance by the licensee with the said regulations, on the half-hourly maximum kilowatt demand for the year of the licensee, as determined or assessed by agreement between the licensee and the Minister in Charge of the State Hydro-electric Department.

12. TIME FOR COMPLETION OF WORKS

The period for completion of the works hereby authorized shall be four years from the date of this licence.

13. NO RIGHT TO WATER CONFERRED

This licence shall not, of itself, confer upon the licensee any right to water.

SECOND SCHEDULE

Electric lines leading from the aforesaid power-houses across Section 17, Block X, Leaning Rock Survey District, to the licensee's existing transmission line on the Earnsclough-Clyde Main Road, Block X, Leaning Rock Survey District, the electric lines now proposed to be erected and used being indicated by blue lines on the aforesaid plan S.H.D. 66.

T. J. SHERRARD,  
Clerk of the Executive Council.

(S.H.D. 10/44/1.)