

Western Australia

**Kalgoorlie Electric Power and Lighting
Corporation Limited Act 1902**

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Kalgoorlie Electric Power and Lighting Corporation Limited Act 1902

CONTENTS

1.	The Governor may grant lease	1
2.	To be limited to a depth of 100 feet from surface	1
3.	Water right	2
4.	Supply of electric power or light to local authorities	2
5.	Settlement of disputes	3

The Schedule

NOTES

Kalgoorlie Electric Power and Lighting Corporation Limited Act 1902

An Act to authorize the Grant of a Special Lease to the Kalgoorlie Electric Power and Lighting Corporation, Limited.

[Assented to 20th December, 1902.]

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows: —

1. The Governor may grant lease

The Governor may grant to the Kalgoorlie Electric Power and Lighting Corporation, Limited, and its transferees (hereinafter referred to as the lessee), a special lease of the land described in the Schedule to this Act, for works for the production and supply of electric power and light, and for other purposes incidental thereto, for the term of ninety-nine years, at such rent and subject to such covenants and conditions as to the Governor may seem fit.

2. To be limited to a depth of 100 feet from surface

The lease shall be of the surface of the land and of the land below the surface to a depth of one hundred feet, but the Governor may authorize the lessee to sink for water on any part of the land to a depth greater than one hundred feet.

3. Water right

The lessee shall have the right in priority to all other persons at all times during the continuance of the lease authorized by this Act to take water from the main shaft marked "A" on a plan of Gold Mining Lease 3863 ^E deposited in the office of the Minister for Mines ², for use in connection with the said electric power and light works, and for that purpose, and, subject to such conditions as the Minister for Mines ² may prescribe, may —

- (a) At any time enter upon the said gold mining lease;
- (b) Construct pumping machinery and pipes in the said shaft;
- (c) Lay down pipes connecting the shaft with the boundary of the lease authorized by this Act; and
- (d) Maintain and keep the said shaft, machinery, and pipes in repair, and, if necessary, deepen the said shaft.

But in the exercise of such right the lessee shall not interfere with the lawful mining operations of any holder of the said gold mining lease, or other authorized holding of the land comprised therein, for the time being, or obstruct the use of the said shaft in connection therewith.

4. Supply of electric power or light to local authorities

The Council or Board of any municipality or road district situated within five miles of the land demised (hereinafter referred to as the "Local authority") may, by notice in writing, require the lessee to supply electric power or light at the lowest rates charged for the time being by the lessee to any consumer taking an equal supply under similar conditions.

On such notice being given, and an agreement being entered into by the local authority to take electric power or light, and to pay the cost of the installation, the lessee shall, within six months thereafter, or within such extended time as the Minister may allow, afford the required supply.

5. Settlement of disputes

Should any question or dispute arise between the lessee and any holder of the said gold mining lease, or other authorized holding of the land comprised therein, or between the lessee and any local authority, in relation to their mutual rights or obligations under this Act, the same shall be referred to and settled by the Minister for Mines², and not otherwise.

Sch.

The Schedule

The natural surface, and so much of the land as is below the natural surface to a depth of 100 feet, of all that piece or parcel of land containing 16 acres 1 rood or thereabouts, and being bounded by lines starting from the intersection of the South side of York Street with the East side of Lane Street, and extending $89^{\circ} 58' 3$ chains 99.7 links along the aforesaid South side of York Street; thence $140^{\circ} 38' 18$ chains $62\frac{1}{2}$ links along part of the South-West boundary of G.M. Lease 1087 E; thence $229^{\circ} 12' 5$ chains 90 links passing through the North-West boundaries of Boulder Town Blocks 1141 and 1142; thence 269 58' 8 chains 32 links; thence $50^{\circ} 38' 4$ chains 40 links; thence 320 38' 1 chain; thence $230^{\circ} 38' 4$ chains 56.2 links; thence 359 58' 11 chains 58 links; thence 269 58' 2 chains 25 links; and thence $359^{\circ} 58' 6$ chains along the East side of Lane Street aforesaid to the starting point. All bearings being true or thereabouts, and the measurements more or less.

Notes

- ¹ This is a compilation of the *Kalgoorlie Electric Power and Lighting Corporation Limited Act 1902* and includes all amendments effected by the other Acts referred to in the following Table.

Table of Acts

Act	Number and Year	Assent	Commencement	Miscellaneous
<i>Kalgoorlie Electric Power and Lighting Corporation Limited Act 1902</i>	45 of 1902	20 December 1902	20 December 1902	

- ² Now known as Minister for Resources Development.