

Board to preserve the national heritage in the soil. One final contention in favour of the Wellington City and Suburban Water Supply Board was that if a Catchment Board were constituted another local authority would be created.

It was elicited in evidence that the Wellington City and Suburban Water Supply Board is not a local authority for the purpose of the Local Bodies' Finance Act, 1921-22, Local Bodies' Loans Act, 1926, and the Local Government Loans Board Act, 1926, and has no rating powers, powers in this regard residing in the constituent local authorities. If the Wellington City and Suburban Water Supply Board is to have these powers it would need to be reconstituted, and, in fact, another local authority would in any case be created. If, for instance, it is to exercise the functions of a Catchment Board in relation to soil conservation it would most certainly need rating powers. Hence, to give the Water Supply Board the requisite powers also involves setting up another local authority, for which special legislation would be necessary.

The decision in this case caused the Commission some considerable concern. A provisional scheme providing for the setting-up of a Wellington Catchment District was issued on the 20th April, 1948. The Commission's reasons for not agreeing to recommend that the Wellington City and Suburban Water Supply Board should be given Catchment Board powers are set out at length in its judgment on this particular case. The provisional scheme was promulgated on 20th April, 1948, and subsequently a number of the local authorities lodged objections to the provisional scheme. In view of the important nature of the objections, the Commission has decided to hold a public inquiry to hear submissions and evidence on the objections, and until this further inquiry has been held a final scheme will not be issued.

E. RIVER DISTRICTS

(1) *Dissolution of the Manawatu-Oroua River District*

From a period shortly after its inception, the Manawatu Catchment Board has been anxious to commence large-scale capital works on the lower Manawatu River with a view to providing effectively for flood protection in that region. It early took steps under the Soil Conservation and Rivers Control Act to provide for the abolition of the Palmerston North River Board and the Manawatu-Oroua River Board. The Palmerston North River Board was abolished on 3rd December, 1945, and its responsibilities taken over by the Manawatu Catchment Board. Steps were then taken under the Soil Conservation and Rivers Control Act, 1941, to abolish the Manawatu-Oroua River District. Since this latter river district had been constituted by Act of Parliament, it was decided that action to abolish the district was not available under the Soil Conservation and Rivers Control Act, 1941.

In 1946 the Manawatu Catchment Board promoted a local Bill providing for the abolition of this district. Although the Bill was introduced and proceeded to a second reading, it was withdrawn when the Government announced that it was bringing down general provisions under an amendment to the Soil Conservation and Rivers Control Act to provide machinery for the abolition of such districts as were constituted by special Act of Parliament. This legislation was passed in 1946, and provided that if the River Board proposed to be abolished objected to the abolition, then a special Commission consisting of a Magistrate and two Commissioners, one of whom was to be appointed by the River Board, should be set up to inquire into and report on the proposed abolition.

The Local Government Commission Act was assented to on the same day as the Soil Conservation and Rivers Control Amendment Act, 1946, which provided as above. Section 24 of the Local Government Commission Act provides that "Where a request is made under any enactment other than this Act to the Governor-General or to any local authority or other person, whether by petition or in such other manner as may be prescribed or permissible, asking for any action to be taken for the purpose of or with a