

view to giving effect to any proposals which could be provided for in a scheme under this Act, the request shall be referred to the Commission, and no such action shall be taken under the enactment unless the Commission so recommends."

The section then goes on to say that the Commission may deal with such proposals under the Local Government Commission Act and may "hold a public inquiry as to whether a reorganization scheme should be prepared to provide for the matters referred to it in the proposals"

Acting under the belief that the Local Government Commission Act gave to the Commission power to hear proposals which had originated under the Soil Conservation and Rivers Control Amendment Act, 1946, the Soil Conservation and Rivers Control Council asked the Local Government Commission to provide for the abolition of the Manawatu-Oroua River District.

The Commission thereupon decided to hold a public inquiry, which was held in Palmerston North on the 25th February, 1948, and the following day. At that inquiry the operations of the River Board and its future proposals for river protection were fully inquired into, and the evidence was conclusive that the River Board was not prepared to carry out in its district the major river-control schemes which had been recommended over a considerable period. It is rather interesting to notice in passing that over the past forty years seven Commissions of Inquiry have considered problems of the lower Manawatu River and practically all have agreed that the only permanent solution was a major diversion scheme. Evidence was available to show that the Manawatu Catchment Board had considered the major scheme and had tentative plans drawn for the operation of that scheme.

At the inquiry the question of the jurisdiction of the Commission, in view of the provision for a special Commission under the Soil Conservation and Rivers Control Act, 1946, was raised. This jurisdictional question was considered by the Commission, and its decision that it considered that it had jurisdiction was incorporated in the provisional scheme subsequently issued by the Commission.

The provisional scheme, which was issued on the 12th March, 1948, provided that the powers and functions of the Manawatu-Oroua River Board should be transferred to the Manawatu Catchment Board, and the River Board dissolved.

Subsequently the Manawatu-Oroua River Board objected to the scheme, on the grounds of lack of jurisdiction of the Local Government Commission. The final scheme was issued on the 26th April, 1948, and transmitted to the Soil Conservation and Rivers Control Council. The implementation of this scheme is a matter for the Council to discuss with the Government.

(2) *Extension of Boundaries : Hutt River District*

A proposal was submitted to the Local Government Commission that the boundaries of the Hutt River District should be extended to include the whole of the Petone Borough. The grounds of this petition were that the Petone Borough had, in terms of the River Boards Act, 1908, received and would continue to receive "substantial benefit" from the operations of the Hutt River Board and therefore it was just and equitable that its ratepayers should contribute towards the cost of the operations of the River Board in proportion to the benefits they received.

It should be mentioned that for a number of years a small part of Petone immediately abutting the lower reaches of the river on the western bank has been in the river district.

The case turned on the substantiality of the benefit which Petone had received and would receive from further works which are to be carried out. The Commission considered that Petone had derived substantial benefit, and will derive still further substantial benefit when the additional proposed works are completed, and therefore decided that the balance of the Petone Borough should be incorporated in the river district. It was also provided that the various small streams running through Petone which up to the present had been the responsibility of the Petone Borough should in future become the responsibility of the Hutt River Board, thereby relieving Petone of that liability.