

REPORT.

To His Excellency the Right Honourable Arthur William de Brito Savile, Earl of Liverpool, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor-General and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its Dependencies.

MAY IT PLEASE YOUR EXCELLENCY,—

Your Warrant dated the 17th day of September, 1917, appointed us a Commission to inquire into and report on the following matters:—

1. Whether the said groynes are necessary either for protection of the banks of the Waikato River, or to improve the river for the purposes of navigation or discharge of flood-waters effectively.
2. Whether the said groynes cause the Waikato River to silt up at the outlets of the said drains in such a manner as to prevent the free egress of water carried by the said drains.
3. Whether the channel now groyned will have an adverse effect on navigation to mouth of Akaaka Stream, or will prejudice the construction of the Waikato-Manukau Canal.
4. Whether, if the said groynes have so caused the silting-up of the Waikato River as to prevent the free egress of water from the said drains, any substantial damage to the lands drained by the said drains has already been or is likely to be caused thereby.
5. Whether, in the event of substantial damage having already been caused as aforesaid, or in the event of any such damage being likely to be caused by the existence of the said groynes, it will be possible in any way to remedy or prevent such damage at a reasonable cost without removing the said groynes; and, if so, by what means could this be done.
6. Whether, in the event of its not being possible to remedy or prevent such damage without removing the said groynes, the removal of the said groynes would cause more material damage both to lands bordering the river and to navigation than the silting-up of the Waikato at the outlets of the said drains.
7. Whether legislation is necessary or desirable to enlarge or restrict the powers of either or both the Waikato River Board and the Akaaka Drainage Board in order to cope with any difficulties that have arisen through the separate existence and separate operations of those local bodies.

These matters have received our most careful consideration. We now have the honour to submit to Your Excellency our report thereon.

In pursuance of Your Excellency's instructions, we advertised a sitting of the Commission to be held at the Courthouse, Waiuku, at 10 a.m. on the 22nd September, 1917. The Akaaka Drainage Board was represented at the sitting, but although members of the Waikato River Board, including the Chairman, were present, they decided that officially they could not appear on behalf of the River Board, but would give evidence simply as ratepayers thereof. In this attitude they were guided by the advice of their solicitor, whose opinion is attached hereto [not printed]. None of the interested parties employed counsel, but Mr. H. E. R. L. Wily, one of the owners of land in the Akaaka, represented the Akaaka Drainage Board and conducted their case. Mr. Glass was the principal mouthpiece of the ratepayers of the Waikato River Board.

Before proceeding further it would be as well to state that the Commission confined its inquiries entirely to the region between what is known as the Devil's Elbow and Oteata Point, and particularly the influence which the River Board's works may have had on the works and lands under the control of the Akaaka Drainage Board.