

REMOVAL OF SAND FROM RIVER.

The coarse sands in the Waihou River have proved to be very suitable for concrete and other similar work, and large quantities are regularly removed from the bed of the river and taken to Auckland and sold there. It is not at all advisable to stop this traffic, but it is necessary that it should be supervised and regulated, as it is quite conceivable that the removal of such material from parts of the river might possibly do harm, whereas removing it from other parts might be very beneficial to the maintenance of a good navigable channel. Moreover, the sands seem to be of some value, and, as the necessities of the River Improvement Fund are very pressing, no opportunity should be lost to gather in revenue. As the Minister of Public Works is the controlling authority of the river just now, it is suggested that regulations should be made to supervise the traffic and to provide for the payment of royalty.

DUES FOR USE OF RIVER.

It also seems advisable, in the interests of the revenue of the River Improvement Fund, and as recommended by the Commission of 1910, that some dues should be payable for the right to use and navigate the river. This is all the more necessary because the steamers of the Northern Steamship Company do not use the Ngahina Wharf, but still continue to use the company's old wharf at Puke. This means that the large expenditure incurred in the erection of the former wharf is wasted in the meantime, as no revenue is derived from it, and that the steamers trading to the Puke Wharf do not contribute anything to the river-improvement revenue. We suggest that a tonnage rate be charged on all goods carried into or out of the river. If this is done it might not be necessary to charge any wharfage, and the Northern Steamship Company would then doubtless use the Ngahina Wharf.

LAND TAKEN FOR RIVER-IMPROVEMENT WORKS : BETTERMENT PRINCIPLE.

Section 10 of the Act empowers the Minister of Public Works to take any land required for the river-improvement works as for a public work, and section 11 provides that in assessing the compensation to be paid for the land the Court shall take into account, in reduction or mitigation of the claim, any benefit which has accrued or is likely to accrue to the claimant by reason of the construction of any work authorized by the Act.

Doubtless the betterment principle is a right one to apply in cases where a comparatively small area of land is taken, and where much larger areas belonging to the same owner are substantially enhanced in value, but in many cases where land has been taken for the river-improvement works the clause is stated to have worked inequitably. It frequently happens—generally, in fact—that the land immediately abutting on the river is higher than other lands lying farther back—sometimes as much as a mile or more farther back—and the result in such cases is that the riparian owner from whom the land is taken receives little or no compensation, on the ground that his remaining land is benefited, although the remaining lands of that owner may not be benefited to anything like the same extent as adjacent lands farther back from the river which belong to other owners. The owner receiving the lesser benefit is thus called upon to make a substantial donation to the cost of the scheme—to the extent generally of the full value of the land taken from him—whereas his more fortunate neighbour who receives by far the greater benefit entirely escapes contribution.

The matter was brought under the notice of the 1919 Commission, and they reported “that the betterment principle, as laid down by the Act, is inequitable and should be amended, it bearing unjustly on the riparian owners.” Notwithstanding this recommendation it is stated that nothing has been done, and the claim for an alteration in the law is strongly pressed.

Your Commissioners consider the matter can best be rectified by not actually taking the land at all—except in cases where the property is small and would be largely occupied or materially damaged by the stop-bank—but merely acquiring the requisite rights over it, thus allowing the owner to retain the title to his property and his riparian rights, and at the same time giving the Department all the powers it requires in respect of it.