

ROYAL COMMISSION ON
MUNICIPAL BOUNDARIES

REPORT by E. H. ROSMAN, Esq.

Local Government Boundaries

ROYAL COMMISSIONER'S REPORT

Box J634, G.P.O., Perth.

Lytic House (Second Floor),
223 Murray Street, Perth
2nd February, 1949

To His Excellency the Honourable Sir James Mitchell, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia.

May it Please Your Excellency:

Having been commissioned on the 9th day of December, 1947, the 23rd day of December, 1947, and the 19th day of May, 1948, to inquire into certain stated Municipal Boundaries and generally, as set out in the gazetted Terms of Reference (see annexure marked "A"). I now have the honour to report:—

EXPLANATORY

All the Municipal Councils included in the Terms of Reference were requested, in the first place, to submit to me, in writing, their applications, with particulars of desired extensions of boundaries, the reasons therefor, and what advantages there might be in such extensions, if granted. This was to afford opportunity to the adjoining Road Boards to consider the requests, and, in due course, to reply in writing as to their attitude in regard to such. Naturally, this procedure took some months, and a considerable time elapsed before the representatives appointed by the Local Authorities could be called to Perth to give evidence to the Commission. Those witnesses who attended were interrogated as thought desirable, as will be seen in the accompanying complete copy of the evidence.

I refused to allow newspaper cuttings concerned with any District Control controversy to be admitted as evidence.

After the taking of evidence in Perth, on behalf of all the Local Authorities affected, the necessary arrangements were made for inspections of the various districts, and such were carried out, in the company of the representatives of the Local Authorities, opportunity being given to them to make any explanation and afford information as seen fit.

While the Commissioner of Public Health was not called to give evidence, he has supplied, in response to my request, a valuable contribution on health control generally (annexure marked "B"), and it deserves the consideration I have given it.

Moreover, the recent announcement through the Hon. the Minister for Works, of the Government's intention, when practicable, of undertaking sewerage work in many of the country towns, including all of those embodied in the Terms of Reference, intensifies the need of satisfactory district health control. The establishment of deep drainage schemes, in conjunction with sewerage construction, which must come in the future, will thus be an important factor in Local Government. The possible establishment of sewage farms and the profitable use of sewage sludge in the outskirts of townships, where the land is low-lying and the soil is suitable, will probably be incidental to such. These conditions will certainly make for the desirability of undivided health control.

Certain statistics as to areas, population and revenue of the districts concerned were supplied, on request by

the Department of Public Works (annexure marked "C"), notwithstanding that the officers of some of the Local Authorities, when giving evidence, afforded figures in the same connection.

I have seen fit, realising the important bearing town planning has on the determining of Local Authorities' boundaries, to make available to the Town Planning Commissioner, copies of all the evidence taken by the Commission, so that he could make a review of the whole position, prior to being called as the latest witness to give evidence.

I propose, after dealing with the specific recommendations in regard to the respective districts, to add to the report a general statement as to my views on future Local Government legislation, and the need of a general overhaul of Local Authorities' boundaries.

The copies of evidence given and taken, as to the boundaries of Kalgoorlie, Geraldton, Northam, Albany, Bunbury, Busselton and Collie Municipal Councils, and Kalgoorlie, Geraldton, Northam, Albany, Bunbury, Sussex and Collie Road Boards are enclosed (annexure "D").

Any plans considered necessary in support of and to show my recommendations as to future boundaries of the respective Local Authorities, are also enclosed (annexure "E").

COMMENTARY

While the evidence recorded in the Commission's enquiries is of a lengthy nature, and in order to bring such into relationship with my deductions and recommendations, it will be necessary for you to carefully peruse and give thoughtful consideration to same, in conjunction with the district plans submitted, yet I am desirous of avoiding as much as possible, the dissection of and comment on detailed paragraphs in each Local Authority's evidence, aiming rather to convey to you the warranted conclusions, especially as inspection of the districts had an important bearing on my decisions, and proved necessary, evidence given often having conflicted according to the attitude of the Local Authorities affected.

KALGOORLIE

I am of the opinion that there is no need for me in this report to traverse the detailed evidence given on behalf of the Kalgoorlie Municipal Council and Kalgoorlie Road Board. After careful review of such, in conjunction with the inspection of the districts, I recommend as follows and as shown on the accompanying plan (included in annexure "E").

1. (a) The present southern boundary of the municipality should be altered, so as to continue from the existing boundary in George Street in a southerly direction from Wilson Street to the centre of George Street, thence in a westerly direction as far as the centre of Lane Street, thence in a northerly direction to the centre of Hocking Street, thence southward to include the whole of the Rosenberg Crescent reserve (thus relieving the Kalgoorlie Road Board of any contribution to the future cost of the maintenance of the reserve), and thence northward to the centre of Hocking Street and westward to the centre of Lionel Street, thence in a southerly direction to the centre of White Street, thence in a westerly direction to the western side of Charles Street, and thence in a northerly direction to the existing boundary in Charles Street.

(b) The existing boundary in George Street to be continued eastwards to the centre line of Boulder Road, thence in a northerly direction along Boulder Road to the centre line of Hanbury Street, thence in an easterly direction along Hanbury Street to the Boulder railway line.

2. The south-western boundary of the municipality should be extended to include that section of land bounded by Egan Street, Throssell Street, Meldrum Avenue (apparently not named in the Council's plan), and the continuation of Congdon Street.

3. The existing western and northern boundaries of the municipality to the north of the Perth-Kalgoorlie railway line should be extended to include all that area requested in paragraph numbered 3 in the written statement, later confirmed as evidence, submitted by Kalgoorlie Municipal Council, together with that additional area suggested by the Kalgoorlie Road Board, and as shown in the accompanying plan. Why the residential section in this area bounded by Hawkins, Ward, Bourke and Russell Streets, was ever included within the Kalgoorlie Road Board's boundaries, I am at a loss to understand, and, this view, I think, is supported by the evidence tendered by the former Secretary of the Road Board, Mr. R. H. Bennet. In my opinion, it is essentially a part of the Kalgoorlie Municipality.

4. That portion of the district bounded by Kitchener Road, Gordon, Rydal and Elizabeth Streets, lying to the east of the Kalgoorlie-Menzies railway line, at present included within the municipal boundary should be transferred to the Kalgoorlie Road Board. This would certainly straighten up the eastern boundary of the municipality.

While paragraphs numbered (1), (2) and (4) provide for desirable boundary adjustments, that numbered (3) will afford ample area for any possible extension of the Kalgoorlie Municipal Council's needs for very many years to come.

If the foregoing recommendations are given effect to, personally, I believe that the two Local Authorities concerned can continue to function separately and effectively, and in a spirit of goodwill, in the interests of their respective districts, notwithstanding that the two administrative offices are within the one township, which means a certain economic loss, but about which I will have more to say later in this report.

GERALDTON

Geraldton, as a port with future industrial demands and enterprises, must have increased area for expansion.

It came out clearly in evidence that such should necessarily be eastwards, which will naturally have a serious effect on the adjoining authority, the Geraldton Road Board.

That area at present within the Geraldton Road Board's boundaries, known as Wonthella, is the principal cause for conflict of opinion between the two authorities. While evidence was given that a line of sandhills definitely alienated Wonthella from the Geraldton Municipality, yet an inspection of the district revealed that the present eastern boundary of the municipality is already beyond the eastern side of the sandhills. In the future, I am of the opinion that ways and means, in clearing and building of approaches, will be found for the establishment of attractive residential sites and erection of homes on such sandhill slopes.

Scope, in providing increased area, must be taken into account with the likely establishment of industrial activities, and, after careful consideration, I have decided to recommend that the future boundaries of the Geraldton Municipality should be as shown on the attached plan (included in annexure "E").

Descriptively, the present northern boundary of the municipality at what is known as Bluff Point, should

be extended eastward so far as the town planning boundary (on record with the Town Planning Board), then directly south along that boundary to Utakarra. The present southern boundary of the municipality to be extended due eastward to a point directly south of Utakarra and thence northward to Utakarra. The Geraldton Municipality would thus be much more symmetrical in area and will allow of any future necessitous expansion.

Until recently, the employment of a part-time secretary of the Road Board, resulted in a somewhat perfunctory attention to the Board's affairs, in the rating of property and collection of traffic licence fees, and conditions thus became more or less chaotic. The activities of the newly-appointed full-time Secretary have led to a marked improvement.

With the small annual revenue of the Geraldton Road Board, because on the evidence, the latest year's collections were not a true reflection of a regular average, having included arrears, it raises the question, especially if the district of Wonthella is ceded, to the Geraldton Council, with consequent loss of revenue to the Board, whether the latter could continue to function effectively.

In the event of such inability, consideration would have to be given as to the wisdom of the abolition of the Board and inclusion of portions of its present area within the boundaries of the adjoining local authorities.

NORTHAM

In this consideration, I believe one authority could be constituted to control the areas at present administered by the Northam Municipal Council and Northam Road Board. As with Mr. Letch, the chairman of the Road Board, when giving evidence, I see no reason why one administrative authority could not effectively and economically operate.

If Katanning Road Board district with an approximate area of 586 square miles, a population of from 3,500 to 4,000 and a yearly revenue from general rates and licence fees only, of approximately £7,900, can be administered satisfactorily, then I believe Northam district as a whole, with an area of, say, 452 square miles, a population of about 7,000 and a yearly revenue on the same basis, of, say, £13,160, could be similarly well cared for.

Both in evidence and from personal approach, there appears to be opposition from the Northam Municipality through its representatives at the Commission's hearings, to such a proposal, but I am of the opinion that the Hon. the Minister controlling Local Government could always exercise his prerogative, to see that all portions of the district had adequate representation on and fair treatment by the constituted body, if the two authorities were merged.

Nevertheless, dealing specifically with the Northam Municipal Council's request, if granted, it should only be to a limited extent. The Northam Municipal boundary at Dorcas Street, instead of being continued as at present along Kennedy Street, could be taken along the main road so far as Inkpen Street, and thence eastward until it reaches the present boundary at Clarke Street. This, taking into account the more or less limited movement in population and erection of homes in Northam for many years past, should provide adequate satisfaction for such needs for many years to come, while at the same time, making the way clear for extended health control, including the sewerage service, also electricity facilities, in conjunction with State Housing Commission's building projects, and allowing for a town planning scheme.

As shown by the evidence given by the Northam Road Board, there is a considerable quantity of vacant land at present within the municipal boundary available for building requirements, and with the lifting of restric-

tions on land sales, such land, if rated on the unimproved value instead of annual value as at present, could be forced to sale or use. The alternative is already provided in Local Government legislation for either method of valuation, as is most advantageous or desirable.

ALBANY

In submitting its application for extended area, the Albany Municipal Council certainly did not make the position very clear, for it made available a plan only of its present boundaries, without showing the portions extending into the Albany Road Board's district it desired, to coincide with the description detailed and presented to the Commission. Consequently, in order to get the proper lay-out of the proposals, other plans have had to be obtained and considered in conjunction with the evidence and district inspection.

While the evidence indicated, and press announcements have confirmed, that various industrial and commercial projects are likely to be undertaken at Albany, it is of course, difficult to say when they will materialise. In therefore making any recommendations in this report, it need not necessarily mean that they should be given effect to immediately. In this connection, it can be borne in mind that the Albany Municipal Council has now decided to adopt the method of valuation on the unimproved value of all land within its district, the same as in operation within the Albany Road District.

Possibly the existing boundaries of the two Local Authorities might be allowed to remain as they are for the time being, but in the first place, health control will have to be borne in mind. In this instance, as with all the other affected districts covered by the Terms of Reference, I am definitely opposed to any conflict between adjoining Local Authorities on the important matter of health administration, and it is essential that there should be smooth functioning in keeping with the administration and wishes of the Commissioner of Public Health.

With the promulgation of various enterprises at Albany, undoubtedly suitable sites will have to be chosen, and I have been influenced in my conclusions by the views enunciated in this respect by the Town Planning Commissioner. Thus an extension of the Council's south-western boundary becomes necessary so far as industrial works go.

The area sought by the Council on the north boundary is, in my opinion, and this became pronounced on the district inspection, essentially a part of the Municipality, and should come under the Council's control.

Generally, it may appear that the contention of the Albany Municipal Council as to a very large increase of population in the near future is excessively optimistic and the Albany Road Board's witnesses thought this, but when the likely industrial and commercial undertakings are proceeded with, expansion of area and increased residential requirements must inevitably follow. As a matter of fact, Albany, with its harbour and natural setting, lends itself excellently to the proposed extension of its present boundaries.

As indicated on the marked plan herewith, I recommend approval be given to the inclusion within the Albany Municipality of all that land commencing at the junction of the existing western boundary of the municipal district with the shore of Princess Royal Harbour, thence along the said shore to the drain reserve near the most southern angle of Lot 134 of Plantagenet Location 33, thence westerly along the drainage reserve to its intersection with Robinson Road, thence northward to the south-west corner of Location 2, thence following the western boundary of Location 2 to the north-west corner, thence eastward

by Cuming Road and northward by Cull Road to the Marbellup Road, thence eastward by Marbellup Road and northward by Le Grande Street to the southern boundary of Location 222, thence eastward along the said boundary of Location 222 to its junction with the Albany Highway, thence easterly to the King River Road at its junction with Hudson Road, thence easterly by Hudson Road, northerly by Range Road, easterly by Bond Road to the north-east corner of Lot 87 of Location 42, thence southerly along the eastern boundary of the said Lot 87 to Ulster Road, thence following Ulster Road in a south-easterly direction to the most southern angle of Lot 38 of Location 43, thence along the south-western boundary of Lot 18 of Location 43 to the existing municipal boundary of Collingwood Street, thence south-westerly by Collingwood Street, north-westerly by North Road, southerly by Macdonald Road, westward by Gray Street West, and Ware Road to the north-west corner of Reserve No. 500 and thence south to the commencing point at the shore of Princess Royal Harbour.

BUNBURY

The Bunbury Municipal Council has sought an extension of its present boundaries to synchronise with its existing health area, and, in doing so, advanced its arguments why such should be granted. The testimony of the Commissioner of Public Health, accompanying this report, has to be borne in mind so far as district health control is concerned.

In relation to the requested extended areas, prominence was given in evidence to those closely adjacent residential portions of the district known as "Rathmines" and "Mangles." The recent inspection of the Bunbury district certainly convinced me that they are contiguous to and should essentially be part of the Bunbury Municipality. It was agreed by the witnesses for both the Bunbury Municipal Council and the Bunbury Road Board, that if the extensions requested were granted, the annual revenue of the Road Board would at least diminish to approximately £700, which would make it futile for the Board to continue to function.

Apart from health control, consideration has been given to the question of undertaking a drainage scheme, in conjunction with the laying down of a sewerage system which must come in the future, when practicable.

While I know that the Municipality has already its electricity power plant in operation, capable of satisfying increased demand for current, also that the personnel of Bunbury Council and the Bunbury Water Board is the same, and that electric and water supplies could be made available to residents in the Road Board District under a reciprocal arrangement, yet I have strong views as to the unsatisfactory state of affairs which exists and develops under divided or dual control.

Already the Bunbury Municipality has endowment lands extending southwards into the Road Board's area, and, in order to satisfy the requirements of the State Housing Commission, as to road approaches, water and electricity supplies, a portion of the Road Board land on the southern boundary of the Municipality has been relinquished to the Council for control.

In advocating the abolition of the Bunbury Road Board, and that the whole of its present district shall be comprehended in that of the Bunbury Municipality, I am strongly of the opinion that the time has arrived for the establishment of a greater Bunbury. With a port, and as a Regional Local Authority, it must come under a definite town planning scheme, and I feel confident that if my recommendation is approved, such a scheme will be provided for. It may appear visionary, but, in the years ahead, I believe there is a great future possible for Bunbury industrially and commercially.

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With the promulgation of various enterprises at Albany, undoubtedly suitable sites will have to be chosen, and I have been influenced in my conclusions by the views enunciated in this respect by the Town Planning Commissioner. Thus an extension of the Council's south-western boundary becomes necessary so far as industrial works go.

The area sought by the Council on the north boundary is, in my opinion, and this became pronounced on the district inspection, essentially a part of the Municipality, and should come under the Council's control.

Generally, it may appear that the contention of the Albany Municipal Council as to a very large increase of population in the near future is excessively optimistic and the Albany Road Board's witnesses thought this, but when the likely industrial and commercial undertakings are proceeded with, expansion of area and increased residential requirements must inevitably follow. As a matter of fact, Albany, with its harbour and natural setting, lends itself excellently to the proposed extension of its present boundaries.

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In relation to the requested extended areas, prominence was given in evidence to those closely adjacent residential portions of the district known as "Rathmines" and "Mangles." The recent inspection of the Bunbury district certainly convinced me that they are contiguous to and should essentially be part of the Bunbury Municipality. It was agreed by the witnesses for both the Bunbury Municipal Council and the Bunbury Road Board, that if the extensions requested were granted, the annual revenue of the Road Board would at least diminish to approximately £700, which would make it futile for the Board to continue to function.

Apart from health control, consideration has been given to the question of undertaking a drainage scheme, in conjunction with the laying down of a sewerage system which must come in the future, when practicable.

While I know that the Municipality has already its electricity power plant in operation, capable of satisfying increased demand for current, also that the personnel of Bunbury Council and the Bunbury Water Board is the same, and that electric and water supplies could be made available to residents in the Road Board District under a reciprocal arrangement, yet I have strong views as to the unsatisfactory state of affairs which exists and develops under divided or dual control. Already the Bunbury Municipality has endowment lands extending southwards into the Road Board's area, and, in order to satisfy the requirements of the State Housing Commission, as to road approaches, water and electricity supplies, a portion of the Road Board land on the southern boundary of the Municipality has been relinquished to the Council for control.

In advocating the abolition of the Bunbury Road Board, and that the whole of its present district shall be comprehended in that of the Bunbury Municipality, I am strongly of the opinion that the time has arrived for the establishment of a greater Bunbury. With a port, and as a Regional Local Authority, it must come under a definite town planning scheme, and I feel confident that if my recommendation is approved, such a scheme will be provided for. It may appear visionary, but, in the years ahead, I believe there is a great future possible for Bunbury industrially and commercially.

The constitution into one authority then, I think, will be a move in the right direction.

If effect be given to my suggestion, it should, however, be conditionally on the Bunbury Municipality being impressed with its increased responsibilities and the obligations it will have to fulfil. The Municipality will have to give fair representation on its Council to those outlying portions of its enlarged area; it will have to provide proper health control to the whole district; it will have to provide water and electricity services where possible and practicable; and it will have to embark on its deep drainage and sewerage undertakings as early as possible. These works will necessitate, undoubtedly, the raising of loan money on a long-period plan, as the ordinary rating revenue will not permit of same. With one administrative office, there will be a certain economy, yet it is inevitable that additional staff expenditure will be necessary, and I think favourable consideration could be given to the absorption of some of the present Road Board employees where thought desirable and advantageous.

Some of the ratepayers in the present Road Board district may be reluctant to submit to increased rating that will follow amalgamation of the two districts, but they must be prepared to come into line with all other residents, if they are to share in the mutual benefits and amenities provided.

The evidence given on behalf of the Bunbury Council indicated that a reasonable attitude could be assumed as to the adoption of the alternative methods of valuation for rating purposes, as applicable to the settled and business parts and the more sparsely populated and rural areas of the district, if the Bunbury Road Board ceased to continue. While I know one Council cannot bind each succeeding Council to such a course, yet it is to be commended that the different conditions prevailing, merit just and impartial treatment in the interests of all.

BUSSELTON

According to the evidence tendered, the Busseton Municipal Council has been in existence since 1871, and its boundaries as a Municipality determined some 16 years earlier, since which there has been no alteration in the town boundaries. The Sussex Road Board, originally named "The Vasse" Road Board, was brought into existence in 1843.

The principal portion of the Sussex Road Board's area desired for inclusion within the Busseton Municipality is known as the "West Busseton" Ward, and is the most thickly populated part of the Road Board's district. "West Busseton," although slightly less in area than that of the Busseton Municipality, is stated to have about the same population, approximately 1,000.

The additional suggested extensions have been outlined in the application presented by the Council.

After the Busseton Municipal Council's representatives had given their evidence, and the Sussex Road Board had had the opportunity to state its case, a transcript of such was made available to the Municipal Council. Subsequently, the Council put in as evidence a very lengthy sworn affidavit dealing with the Board's evidence.

Naturally, with so much evidence, and principally of so conflicting a nature, it has had to receive very careful scrutiny. Many phases of Local Government administration have therefore come under review, and the district inspection which followed has been a vital determining factor.

I have been impressed with the evidence put forward strongly by the representatives of the Sussex Road Board, that amalgamation of the two authorities concerned offers the most practical solution to all the

difficulties and differences of opinion bearing on the important matters of district health control, water and electricity supplies, etcetera.

I agree with that part of the evidence given by the Secretary of the Sussex Road Board, Mr. L. M. Powell, that with the existing modern telephonic and transport facilities, residents of outlying and rural areas are kept in close touch with all the activities of the district's settled town and business centre, and that amalgamation of the two authorities, rather than in this instance the requested cession of portion of the Road Board's area to the Busseton Municipality, should afford the means of removing the principal causes of friction which, by the evidence recorded, only too plainly exists.

There are many large towns, closely settled, with shopping centres already comprehended, in conjunction with outlying rural and more sparsely populated country, within Road Board districts in Western Australia, and there is no reason why, in my opinion, Busseton township should not be incorporated as a Town Ward of the Sussex Road Board. The residents of all portions of the new authority, through their elected representatives, could thus be instrumental in ensuring satisfactory Local Government for the district as a whole.

If the recommendation is approved, I do think a great improvement will eventuate in the district's health control, water and electricity supplies, divided control will cease, and with such an arrangement, opportunity will be provided for proper town planning, the undertaking of a sewerage scheme, when practicable, and any other district work thought desirable.

The newly-constituted authority could apply rating based on unimproved or annual values as thought advisable and applicable to the outlying and inner properties of the district.

I have already made it clear, I think, that there should be economy effected by having one administrative office, and the amalgamation should make for better staff organisation, and smooth running of the authority's affairs.

COLLIE

According to the evidence tendered to the Commission, the population as at 30/6/1947 was stated as 4,507 for the Collie Municipality and 2,203 for the Collie Road Board district.

The Collie Municipal Council has requested that its present municipal boundaries shall be extended to take in all that area within the Collie townsite, a large portion of which is at present within the Road District's boundaries.

It was admitted that all of the coal mines, with the exception of a portion of the WallSEND cut were located within the Road Board's boundaries (and this is confirmed by the geological map showing the coal deposits, I have sighted), but that the majority of the Council's ratepayers worked on the mines.

As the result of my inspection of the Collie district, I am of the opinion that the area on the present south-west boundary of the Municipality, taken over by the State Housing Commission, and included within the Collie Road Board's boundaries, is sufficiently close and adjacent as to be a part of the Collie Municipality, as also do I consider that that portion of the Collie Board's area bounded by Atkinson, Hutton and Forrest Streets, and a line from Newbold to Forrest Street, should be. These places are comprehended in the extensions desired by the Collie Council.

Important as Collie is to the State of Western Australia at the present time, because of its coal deposits, yet with the impending South-West Power Scheme and Collie's potentialities in mind, its future value will be of infinitely greater importance.

Due regard must paramountly be given to making provision for the development of an elaborate town planning lay-out.

Health control of the district as a whole must receive the attention considered desirable by the Public Health Department. In the course of my inspection of the district, a visit was paid to the sanitary depots of both authorities, adjacent to one another, and located in the Road Board district, and the following extract of an entirely unsolicited communication I received from the Commissioner of Public Health confirms entirely my own conclusions in the connection. The Commissioner's letter is dated 10th December, 1948, and the text reads thus:—

"Adverting to my letter of 18th October, 1948, I feel I should direct your attention to conditions affecting the health administration in the Collie area, which have, for some time, been occasioning this Department no little concern.

"Recently the night soil and rubbish disposal services of the Collie Municipality and the Collie Road Board were the subject of inspection by Mr. Flower of this Department. These two depots are but 200 yards apart.

"Inspector Flower described the Collie Municipality disposal area as a model one.

"Concerning the Collie Road Board disposal area he reported as follows:—

"There is no plant provided for washing or disinfecting pans. One trench was open and filled to the surface with night soil. The depot site is littered with rubbish—it is low-lying and close to the Collie-Brunswick Road. I consider it unsuitable for the purpose and I recommend that a new depot be established on higher ground equipped with a depot shed containing the necessary equipment for the efficient cleansing and disinfection of pans. I further recommend that the disposal of night soil be carried out strictly in conformance with the requirements of the by-laws."

"Two years ago I attended a conference with the Collie Municipal Council and the Collie Road Board, when it was agreed that the latter authority would make available a suitable area for use as a depot by the Collie Council. Provision of the equipment necessary for the proper disposal of night soil and cleansing of pans is not only expensive but also in these days of material shortage, difficult. It is with the utmost difficulty that this Department is able to induce even a small proportion of Local Health Authorities to provide themselves with the means of implementing this objectionable and unsafe method of night soil disposal with the minimum of nuisance. Obviously under the conditions obtaining at Collie, the provision and equipment of such Local Health Authorities, and where one authority has conscientiously discharged its obligation, there is no sound reason why another should not co-operate in the use of the one depot. Particularly is this so, when the methods of disposal sponsored by the second authority are such as to defeat the precautions towards safety of the general population, taken by the first.

"There appears to be some deeply-rooted but wholly unwarrantable administrative antagonism between these two authorities, and I have found it impossible to have the Board co-operate in the common interest with the Municipality.

"I am not satisfied with the health and meat inspection facilities at Collie.

"The Collie Road Board has a Secretary holding a Health Inspector's certificate, but it is logical to assume having regard to Inspector Flower's report on the Road Board's sanitary depot, that the quality of health inspection in the Collie Road Board's district is poor, and in fairness to the officer concerned, one may suppose that

his duties as Secretary prevent his functioning efficiently as a Health Inspector.

"Meat for the Collie Municipality and Road Board is slaughtered in the Preston Road District, too remote from Donnybrook for economical inspection by the Preston Road Board's inspector. Carcases of dressed meat are inspected in Collie by the Collie Municipality's Health Inspector but this officer has no access to the offal appertaining to the respective carcases inspected.

"From the viewpoint of efficient health administration, I feel that the Health Inspector of the Collie Municipality requires assistance and it would be logical for this assistance to be afforded by an officer of Collie Road Board.

"Since co-operation between the two authorities appears impossible to obtain, a solution suggesting itself would be unification of the health areas.

"Whether this suggestion is desirable from other aspects of Local Health Authority administration, I am, of course, not in a position to say, but I feel that I should set out for your information the problem as it confronts this Department."

If the extensions sought by the Collie Council were granted, it would mean a loss in revenue annually, according to a sworn declaration on behalf of the Collie Road Board, of approximately £1,650, while in evidence submitted to the Commission, the Board's annual total revenue amounted to £4,000 to £5,000, which would leave a sum of approximately £2,350 to £3,350 per annum, without other financial assistance, for the Board to carry on.

I must admit that the present relative boundaries of the two authorities are so deviating and encroaching on one another, that it would be very unwise to allow this state of affairs to continue.

In view of the apparent lack of district co-operation at present prevailing, I believe the wiser course would be that instead of revising the Collie municipal boundaries to co-incide with the Collie towns site as requested, the Collie Municipality should absorb the whole of the Road District, and that the Collie Road Board should cease to exist, especially in view of the more or less impoverished position in which the Board would be placed, and I recommend accordingly.

If my recommendation is given effect to, as with Bunbury Municipal Council, so with Collie Municipal Council, it should be impressed with its increased responsibilities and obligations.

Provision should be made for equitable representation on the Council on behalf of the outlying district ratepayers, and consideration given to the alternate methods of valuation in relation to the present Road Board ratepayers and those within the Collie Municipality rated on the annual value, although it was indicated in evidence that the Council may adopt rating on the unimproved value in the near future.

An appropriate Town Planning scheme should be developed under the approval of the Town Planning Board; health control improved and exercised to meet with the approval of the Public Health Department; and attention given to the extension of water and electricity supplies where practicable, so as to make the ratepayers of the whole district as happy and contented as possible. To ensure these amenities, together with the installation of a district sewerage scheme, long-term loan money will be necessary and desirable.

TOWN PLANNING

As intimated to the Town Planning Commissioner (Mr. D. L. Davidson), he was called as the last witness in connection with the Commission's enquiries, because

of the important and inseparable nature of Town Planning and its link with Local Government. The Local Authorities included in the Terms of Reference, through their representatives, when giving evidence, stressed the desirability of the Town Planning Commissioner being asked to give evidence, and the adjoining Road Boards indicated their willingness to such. Such evidence is now included with the copies of other evidence accompanying this report, and has proved of very great value to me as the Royal Commissioner.

I particularly draw attention to Mr. Davidson's reference to the provision under Section 7 of the Town Planning and Development Act for the establishment of town planning schemes to carry out all the works necessary to build a town or to control the urbanisation of rural lands by including in the area of a municipal town planning scheme land within any adjacent Local Government district, with the approval of the Minister, on the recommendation of the Town Planning Board. Where there is a willing co-operation between two adjoining authorities, joint Town Planning should be possible and practicable. Unfortunately, judged in the light of the evidence given on behalf of the Local Authorities comprehended in the Terms of Reference, there has been a serious lack of reciprocity in this respect. Generally, therefore, in my recommendations I have taken the existing state of affairs into account, with a view to their prevention so far as possible in the future.

Mr. Davidson, in his evidence, and indicative of Departmental and Governmental knowledge of the future potentialities and development of Albany, has recommended an extension of the boundaries of Albany Municipality to synchronise with a Town Planning area now under Departmental consideration. I visualise, as borne out by such evidence, that the extensions to the Albany Municipality sought by the Council and recommended by me, will fall short of the requirements, and I would recommend that favourable consideration might be given to the greater expansion suggested by the Town Planning Commissioner.

FUTURE OF LOCAL GOVERNMENT

In my opinion, and this has been forcibly impressed on my mind during this Commission's enquiries, the time has arrived for serious consideration to be given to the future of Local Government in Western Australia.

From the commendable action taken by the Honourable the Minister for Local Government, in an endeavour to merge the present Municipal Corporations and Road Districts Acts into one Local Government legislative measure, it should ensure a firm foundation for a further progressive overhaul of Local Government generally, including adjustment of boundaries.

At the present time, according to my records, there are 128 Road Districts and 21 Municipalities within the State of Western Australia. In a number of instances the administrative offices of both the Local Municipality and Road Board are within the one township, with a duplication of staffs, and generally speaking there is a serious and unnecessary economic waste. Frequently, this could be overcome by the one Local Authority administering the enlarged district's activities and functions, provided there is adequate representation in the executive body for all portions of the district, so that individual and sectional interests must be forgotten and dismissed in the essential consideration of the welfare of the whole.

In my enquiries, it has become apparent that, as between adjoining Authorities, there is an often unsatisfactory state of affairs prevailing regarding health administration, electricity and water supplies, etcetera, where district interests conflict. Naturally progress and efficiency suffer under dual control, and thought should

be given to the removal or minimising of this wherever possible.

To rectify the existing state of affairs, it may be necessary to adjust the boundaries of a number of the Local Authorities within the State, even to the extent of merging some Municipalities and Road Boards, thereby reducing the present number of Local Authorities, but with the probable incoming comprehensive Local Government Act, this would have much to commend it.

As a matter of fact, some Local Authorities should not now be in existence. With very limited annual income, the major portion of it is exhausted in administrative costs, and the remainder leaves little money, failing Government help, for district requirements. While I am aware that there may be, in isolated instances, the need of the creation and retention of a Local District Authority with limited income, generally speaking, I consider that without an annual income of at least £3,500 to £4,000, there should be a limit to the continuance of a controlling body. With larger total revenue, there should be greater opportunity for more effective work.

I submit to you for favourable consideration the suggestion that in the near future a special Committee might be constituted for the purpose referred to in the preceding paragraphs. Such a Committee might, to advantage, have as its Chairman, the Town Planning Commissioner because of the vital and inseparable relationship of Local Government and Town Planning.

CONCLUSION

In studying the evidence given to the Commission, as a whole, and in arriving at my submissions, I have given thought, not so much to an improvement in the differences of opinion as to the boundaries, as they exist today, as to the potentialities and needs of the various districts for a long term of years ahead.

As night follows the day, so can it be expected that a number of my recommendations will meet with opposition from district interests, if attempt is made to give effect to them, but I can assure you that they have been arrived at impartially and with a view to an improvement in Local Government generally.

I have the honour to be, Sir,

Your Excellency's Obedient Servant,

(Signed) E. H. ROSMAN

ANNEXURE "A"

WESTERN AUSTRALIA

TO WIT

JAMES MITCHELL,

Lieutenant-Governor.

(L.S.)

By His Excellency The Honourable Sir James Mitchell, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia.

TO Emanuel Horace Rosman, Esq., of Lyric House, Murray Street, Perth, Chartered Accountant:

I, the said Lieutenant-Governor, acting with the advice and consent of the Executive Council, do hereby appoint you the said Emanuel Horace Rosman to be a Royal Commission to inquire into any report upon—

(a) Whether and to what extent (if any) there should be an extension of the existing municipal boundaries of the municipalities of Bunbury, Busselton, Collie or Northam.

- (b) The effect of any such extension on the municipalities and road board districts respectively concerned (including their respective finances and future operations) and on the well-being and finances of their respective inhabitants.
- (c) The wishes and viewpoints of the municipal councils and road boards concerned.
- (d) Whether and to what extent the best interests of the State generally and the probable future development of the municipalities and districts concerned support or detract from the desirability of any such extension.
- (e) Generally the advantages and disadvantages of any such extension and the consequences or probable consequences thereof.
- (f) Any other matter incidental to or arising out of any of the foregoing subject matters which you, with the approval of the Minister for Local Government, should consider it expedient to inquire into and report upon.

And I declare that you shall by virtue of this Commission be a Royal Commissioner within the Royal Commissioner's Powers Act, 1902, as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1928, and that you shall have the powers of a Royal Commission and of the Chairman thereof under that Act.

And I hereby request you as soon as reasonably may be to report to me in writing the result of this your Commission.

Given under my hand and the Public Seal of the said State, at Perth, this 9th day of December, 1947.

By His Excellency's Command.

(Sgd.) H. S. W. PARKER,
for Premier.

God Save the King!

ANNEXURE "A"

WESTERN AUSTRALIA
TO WIT
JAMES MITCHELL,
Lieutenant-Governor.
(L.S.)

By His Excellency The Honourable Sir James Mitchell, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia.

TO Emanuel Horace Rosman, Esq., of Lyric House, Murray Street, Perth, Chartered Accountant:

I, the said Lieutenant-Governor, acting with the advice and consent of the Executive Council, do hereby amend the Commission dated the 9th day of December, 1947, published in the "Government Gazette" on the 12th day of December, 1947, and given by me to you, Emanuel Horace Rosman, by inserting after the word "Collier" in paragraph (a) of the subject matter of the inquiry to be made by you the word "Kalgoorlie," and the said Commission shall be read and construed accordingly.

Given under my hand and the Public Seal of the said State, at Perth, this 23rd day of December, 1947.

By His Excellency's Command.

(Sgd.) ROSS McLARTY,
Premier.

God Save the King!

ANNEXURE "A"

WESTERN AUSTRALIA
TO WIT
JAMES MITCHELL,
Lieutenant-Governor.
(L.S.)

By His Excellency The Honourable Sir James Mitchell, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia.

TO Emanuel Horace Rosman, Esq., of Lyric House, Murray Street, Perth, Chartered Accountant:

I, the said Lieutenant-Governor, acting with the advice and consent of the Executive Council, do hereby amend the Commission dated the 9th day of December, 1947, published in the "Government Gazette" on the 12th day of December, 1947, and amended by the commission dated the 23rd day of December, 1947, published in the "Government Gazette" on the 9th day of January, 1948, and both given by me to you Emanuel Horace Rosman by inserting after the word "Northam" in paragraph (a) of the subject matter of the Inquiry to be made by you, the words "or of Albany or Geraldton"; and the said Commission shall be read and construed accordingly.

Given under my hand and the Public Seal of the said State, at Perth, this 19th day of May, 1948.

By His Excellency's Command.

(Sgd.) A. F. WATTS, Acting Premier.
God Save the King!

ANNEXURE "B"

(Statement by Commissioner for Public Health, re: District Health Control, dated 18/10/1948.)

Health administration must cover the whole State, the various By-laws and Regulations made under the Health Act being applicable in greater or less degree to all persons whether they live in settled communities or in rural districts.

It is the policy in this State that health administration shall be the responsibility and function of the Local Health Authority, the Commissioner of Public Health exercising a general supervision and direction.

Health administration in the hands of the Local Authority may be visualised as falling broadly into two categories, the one affecting sanitation—the disposal of wastes, scavenging, drainage, the abatement of nuisances, etc., and the other, not sharply delimited, involving the control of infectious disease, the inspection of food, the organisation of immunisation clinics and the like.

The first category is predominantly of town application, the second is equally applicable in townships and in rural areas. The Local Health Authority must, therefore, exercise its jurisdiction both over the more densely settled urban community and the sparsely settled rural district, but by reason of the wide gradations in the relative importance of the different health functions in the different types of settlement it is important that the line of demarcation between the latter should be as far as possible carefully and clearly defined.

I quote comments upon this subject made in my annual report for the year 1946:—

"However suitable as administrative sub-divisions for Road Board purposes, Road Board boundaries are so delimited as in many cases to be wholly unsuitable as health area boundaries.

"On the other hand the less pecunious neighbour, common administrative problems under the Health Act may overlap from a municipality into a contiguous Road Board area. Alternatively a country town may be predominantly in one Road Board area