

**IN THE STATE OF
WESTERN AUSTRALIA**

**ROYAL COMMISSION
METROPOLITAN MUNICIPAL
DISTRICT BOUNDARIES**

REPORT

**JUDGE LAURENCE FREDERICK JOHN JOHNSTON
ROYAL COMMISSIONER**

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ROYAL COMMISSION ON METROPOLITAN MUNICIPAL DISTRICT BOUNDARIES

R E P O R T

TO:

His Excellency Air Commodore Hughie Idwal Edwards, Victoria Cross, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Officer of the Most Excellent Order of the British Empire, Distinguished Flying Cross, Governor in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY :

I. By Commission dated the 7th day of August, 1973, His Excellency Sir Douglas Anthony Kendrew, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Commander of the Most Excellent Order of the British Empire, Companion of the Distinguished Service Order, who was, at that date, Governor in and over the State of Western Australia and its Dependencies in the Commonwealth of Australia appointed His Honour Judge Laurence Frederick John Johnston of Adelaide, a Royal Commission to do the following things, namely:

- (a) To inquire into and report whether it is desirable to alter the number of municipalities in the metropolitan area of Perth, or to alter the boundaries of the districts of any such municipalities for which purpose the metropolitan area of Perth should be considered as comprising the districts of: the Cities of Perth, Fremantle, Melville, Nedlands, South Perth, Stirling, Subiaco; the Towns of Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Gosnells, Mosman Park; the Shires of Armadale-Kelmscott, Bassendean, Bayswater, Belmont, Kalamunda, Kwinana, Mundaring, Peppermint Grove, Rockingham, Serpentine-Jarrahdale, Swan and Wanneroo, and in this respect, to have regard not only to the proposals made in the Local Government Boundaries Commission's Report on Metropolitan Municipal Boundaries 1972, but also to any evidence or submission in opposition thereto, whether made by alternative proposals or otherwise;

- (b) Where the Report recommends that there should be a new municipality or that the boundaries of the district of any existing municipality should be altered, to make a recommendation as to:
- (i) the boundaries of the new or altered municipality;
 - (ii) the name to be used by the new or altered municipality;
 - (iii) whether the new or altered municipality should have the status of City, Town or Shire;
 - (iv) the date upon which any new municipality should come into existence and on which any alteration to existing boundaries should take effect; and
- (c) To make recommendation as to anything considered necessary or desirable for the purpose of facilitating or expediting the implementation of the recommendations and in particular to advise as to the amendments to the Local Government Act 1960-1973, that are necessary to permit the recommendations to be implemented without the need for the presentation of petitions by the municipalities concerned.

I, the said Laurence Frederick John Johnston, now have the honour to report thereon.

II. After the appointment of the Royal Commission was made, the councils of each of the municipalities referred to in the Commission were advised of the terms of reference. Advertisements were inserted in the newspapers giving notice of the Commission and inviting any citizen who desired to give evidence, to communicate with the Secretary of the Commission.

The Councils of all the municipalities referred to in the Commission made submissions and most of them were represented by legal Counsel.

As a result of the advertisements, a number of people wrote to the Secretary setting out their views on some of the aspects which the Commission was required to consider. Most of such people indicated that they did not wish to attend, but asked that their comments might be noted. However, evidence was given by those persons who had asked to do so. There were twelve of these and I will refer to them

in the course of this Report. I express my gratitude to all who attended and put their views forward and I assure them that I have given careful consideration to what they have said.

In all, the hearing occupied 31 sitting days; 117 witnesses were called; the transcript of the evidence covers 2,807 pages and 136 exhibits were tendered.

It is pleasing to commence my report by referring to the splendid assistance given to me and to those assisting me, by Counsel and the officers of the various municipalities. The presentation of the submissions was of a very high standard and represented, as I well realise, many hours of careful and skilful preparation. Counsel appearing for the various municipalities co-operated fully in the presentation of the submissions and sometimes at some personal inconvenience attended the hearings. This enabled the taking of evidence to continue without interruption. All this has resulted in a very full record of local government as it exists in the Perth metropolitan area to be obtained. I express my gratitude to the Council staffs and their legal advisers for their work and for their ready co-operation.

III.

1. This Royal Commission is to have regard to the report made in 1972 by the Local Government Boundaries Commission. That Commission recommended as follows:

(at p.18) "The Local Government Boundaries Commission recommends that the metropolitan area should be in accordance with the attached plan, showing a reduction in the number of municipalities in the metropolitan area from 26 to 18.

The proposals for the central municipal districts give each of the recommended units a population in excess of 40,000.

The districts which it is proposed should be united with other districts are practically fully developed with no possibility of increasing their population to 40,000."

I will refer to the proposals as I deal with each municipality.

2. The Report of the Local Government Boundaries Commission was criticised very strongly and to a considerable extent there was much disagreement with the recommendations made and the comments which the Report contained. Whilst my views differ in a number of respects from those set out in the Report, I have regarded the Report as a sincere and carefully considered attempt to offer a solution to what is a most complex and difficult series of problems. It is inevitable that there would have been disagreement with the solutions which were suggested, but it will be realised that the whole matter is one concerning which there is a wide variety of opinion.

Most, though not all of the criticism came from people who were unhappy with the way the Report affected a particular area. The Boundaries Commission was and this Royal Commission is, concerned with a much wider aspect - namely to look at local government in the whole of the metropolitan area of Perth.

Whatever solutions are proposed can be criticised but it must be borne in mind that any examination of the districts and their boundaries must necessarily start with the districts as they are. If the task of creating municipalities in the metropolitan area were undertaken DE NOVO, I have no doubt that the result may well be very different from the present districts.

3. Any recommendation must of course have regard to the situation as it is today, to the history of the development of the area and to what might not inappropriately be called the "vested interest of the existing local government authority". It must have regard also to the very important question of what is a desirable solution, having regard not only to the individual municipality, but also to the neighbouring local government areas.

As this is done, so the whole of the area of metropolitan Perth is to be examined and not each council area in isolation. This is a matter on which Counsel agreed and indeed I have considered it to be an aspect on which there is little room for argument. I have referred to it however because of the criticism put forward of a passage in the Report of the Boundaries Commission where the Commission stated that it must "regard the metropolitan area as a region".

As I read that statement, I do not regard the criticism as wholly justified. I have perhaps expressed my view in different words, but I cannot accept the view that a separate examination of each separate council and its area is to be made without regard to its neighbours.

At p.7 of the Boundaries Commission's Report the following appears. "The aim to retain boundaries merely for the sake of retention of a municipal identity cannot be taken as a valid reason, nor as justification for not changing boundaries set more than a century ago, when viewing the metropolitan area in the broad spectrum of a region. We therefore directed our attention to the metropolitan area as a region rather than to twenty-six municipalities all self-contained, all with varying interest and all with varying planning ideas".

It seems to me that the first part of this statement is clearly correct and the latter portion, if it is read as I suggest it must be, is also a correct view.

IV. The first witnesses called were officers of Government Departments, and I will refer to their evidence at this stage: -

1. The Secretary for Local Government, Mr. Reginald Clarence Paust was the first witness to be called. He commenced his evidence by giving details of the history of the municipal boundaries of the districts included in the present metropolitan area and described the changes which have occurred since 1871, the date when local government was created. I was grateful for this background information and I will refer to parts of it as I deal with the various areas. He referred to the submission he had made to the Boundaries Commission on behalf of his Department and I will refer later to some aspects of that.

- 2, Mr. James Henry Vance gave evidence on behalf of the Main Roads Department. He is the Principal Research Officer in the Economics Section of that Department. The Department carried out "an investigation into the desirability and feasibility of possible amalgamations to reduce the number of metropolitan local authorities ...". (Transcript p.30).

At p.31 he said "The proposal which emerged from our studies, which is shown on the attached table, would reduce the number of local government units in the metropolitan region from 26 to 11.

At p.32 in reply to a question of whether the proposed plan overlooks the matter of community interest, Mr. Vance said "I feel I should answer that question by saying that our approach to this whole exercise is that of a road administration authority, and therefore we looked at the exercise from the point of view of equitability and efficiency in road administration. We would not deny that an affinity of interest is often an important criterion. On the other hand I feel that we did look at some of these criteria, as well, but nevertheless our main aim was from the point of view of road administration and we would admit that there are other factors which could perhaps be of equal importance."

Again at pp.118 and 119, Mr. Vance was asked "I take it that from your point of view, you are really only interested in dividing the area up for the purpose of allocation of your statutory grants on a more equitable basis. Is that right?". To this he replied - "Well, we did make the point previously that in putting forward these proposals we put them forward primarily from the point of view of efficiency in road administration. We did look at other items which we considered were important, but primarily the submission was put forward from the point of view of efficiency and equity in road administration."

I have given careful consideration to Mr. Vance's evidence. ^{and} To him the Department he represents, the proposals are based on sound lines, but when the matter of boundaries is looked at more widely, it is clear that the Main Roads Department's plan is based only on some aspects which are to be taken into account. They are only part of the many aspects to be considered and are not the main determining factors.

3. The Senior Planning Officer of the Town Planning Department, Mr. Alan Louis Norman Kiel, gave evidence on behalf of his Department.

He says (at p.59) "From the viewpoint of Town Planning administration, the multiplicity of local authorities has produced a number of problems. Almost without exception each council has sought to introduce provisions into its Scheme to deal with a situation considered peculiar to the district. Invariably the situation is not unique, but the introduction of these amendments has created problems for the State Government, the subdivider and the developer, in that a scheme has to be thoroughly perused before a project can commence. Uniformity in the application of scheme provisos would, it is considered, reduce delay, in checking each document with the resulting increase in cost to the developer."

And at p.58 "To summarise, it is considered from the Town Planning view that the following criteria should be borne in mind and met if possible when changes to municipal boundaries are being determined.

These are:

1. that the administration body should be of such a size to constitute a representative forum for the reflection of local views on development and zoning matters;
2. that the body should have sufficient financial ability to implement the service tasks it is responsible for;
3. that the boundaries of the administrative body should be determined in a manner that recognises physical and man-made features including zoning as well as community interests;
4. that the administrative body should be able to employ suitably qualified advisers and technical staff of sufficient calibre to advise it on matters of local and more important significance affecting the body's area of activity."

I do not propose to quote from the very extensive cross-examination of Mr. Kiel. I have given careful consideration to it. Whilst it has led to a more complete understanding of the matters with which Mr. Kiel has dealt, it has not altered the views that his Department regards as basic in the fixing of boundaries of municipalities.

V.

1. (a) Amongst those who accepted the invitation to give evidence were Professor Martyn Webb who is the Professor of Geography at the University of Western Australia and Mr. Maxwell Duncan Poole who is an architect and town planner. Mr. Poole holds the position of Honorary Secretary of the Western Australian Division of the Royal Australian Planning Institute and is also the Vice President of the Western Australian Federation of Ratepayers and Progress Associations. I refer to them together because to some extent the submissions made by them are on similar lines.
- (b) Professor Webb was called also by the Council of the Shire of Wanneroo and he gave that part of his evidence in dealing with the Wanneroo submissions. At this stage, I refer to his appearance as a witness who wished to place his views before the Commission. His evidence regarding Wanneroo will be dealt with when the submission of that Shire is being considered.

The Professor's suggestion is that there should be a complete restructuring of local government in Western Australia. This involves the creation of three levels of Government - The first or lowest tier would deal with services to property; the second would provide the services to people and the third he describes "as the provision of regional infrastructure, not works of transport, utilities and communication ...".

In his plan the first tier would be administered by a large number of small local authorities. The second or district government by an authority created by the joining of a number of the small authorities. The third tier would be a regional authority which would take over many of the responsibilities now controlled by the Government of the State.

Mr. Poole's suggestion is very much along the same lines.

- (c) Whilst it could be contended that it would be competent for this Commission having regard to the terms of reference to investigate this proposal, I have not thought it appropriate to do this. The plan put forward would require an investigation much wider than could be undertaken in the present proceeding and accordingly I have not thought it desirable to investigate the matter further. It is appropriate however, to point out that Section 329 of the Local Government Act, 1960-1973 provides for the constituting of county districts or regional districts at the request of the councils of two or more municipalities.

Whilst this is not entirely in accordance with Professor Webb's proposal or that of Mr. Poole, it provides the means for development towards the joining of municipalities into regions.

- (d) Mr. Poole's submission was very well prepared and showed clearly that he had devoted much time and thought to it.

I have referred in other portions of this report to aspects of Mr. Poole's evidence. He supports the creation of a metropolitan regional council and he has dealt at some length with the responsibilities of such a body and of the local councils as they would be then constituted.

As in the case of the submission of Professor Webb, I have not thought it desirable to investigate this portion of Mr. Poole's submission.

- (e) I am grateful to both these gentlemen for the evidence they gave. The fact that their views have been fully recorded in the transcript will mean that they are available for consideration in the future. Section 329 of the Local Government Act has been used by the councils only in a few instances. These were, I believe in country areas and were of limited application only, dealing with traffic and vermin matters. The suggestions made by Professor Webb and Mr. Poole may encourage councils to seek to use the provisions of the Section in order that they may join together to provide services which could not be provided or could not be provided without difficulty by one of the Councils acting alone.
- (f) Action under the provision of Section 329 would, of course, constitute the second tier which the Professor and Mr. Poole envisage. Since the Act already includes these provisions it could be said that the proposal is not a new one. The third tier does not require any comment from me - this would be a matter of government policy - It represents a very far reaching change and one that I feel could not possibly be considered until after a very complete study of the many factors involved.
- (g) The question of legislation to enable a large council to divide into a number of smaller councils and to retain the large council as the regional council - that is to reverse the process for which Section 329 of the Local Government Act provides, is discussed in dealing with the Wanneroo submission.

2. The invitation to give evidence was also accepted by the Western Australian Branch of the Association of Local Government Officers. The Branch was represented by their Counsel, Mr. Olney, and the Secretary of the Branch, Mr. Harrison, gave evidence.

I appreciated the opportunity of hearing Mr. Olney's clear statement of the provisions that apply to officers when municipalities are amalgamated and I appreciated the information that Mr. Harrison put before me.

At the date of Mr. Harrison's evidence there were 1850 members of the Western Australian Branch of the Association. While the branch did not express any views on the desirability or otherwise of altering boundaries or altering the number of municipalities, the fact that clear provisions exist to protect officers when areas are united has been important having in mind some of the recommendations I make. Although the situation is not so clear where a change is made in the boundaries of a municipality I think it is unlikely that any officer will be affected if the recommendations I make for changes of that nature are implemented.

3. (a) Mr. Alfred John Gray, architect and town planner was another who gave evidence. He referred to a number of aspects and he believes that there should be a "total restructuring and re-organisation of local government in the Perth metropolitan area ..." He favours a "two tier system".
- (b) Mr. Leslie John Sherwood who is a lecturer in Sociology at the Mount Lawley Teachers' College gave evidence. His comments had been most carefully prepared - I have given careful consideration to what he has said. I need not quote extensively from the transcript of his evidence, but the final passage is most important. He says "Finally, in more general terms, I believe that in order to encourage develop community relationships, every effort should be made to define local government authorities in terms of existing communities, with a strong emphasis on locality. As a Sociologist, I deplore the trend towards larger impersonal and non local government authorities."
- (c) Mr. Ernest Gustav Smith has had long and extensive experience in Local Government. He attended as a private citizen and I was impressed with his comments. I refer to these and to the various positions which Mr. Smith has held in dealing with the submission of the Shire of Peppermint Grove.
- (d) Mr. James Russell Baxter, architect, town planner and lecturer at the Western Australian Institute of Technology had prepared a joint submission with Mr. Manohar who is also a lecturer at the Institute.

I was interested to hear the submission and later to read it. I appreciate the thought that was put into it.

- (e) Mr. Henry Clifton Morris is the Senior Engineer of the Town Planning Department of Western Australia. He gave evidence not in that capacity and he said (at p.1055) "I am here on behalf of the Australian Planning Institute and the views which I express are essentially the views of the Australian Planning Institute and my own personal views". He dealt with many aspects and I have found his comments of importance. He considers that consideration of the amount of income is more important than the number of residents - that a local authority is better served by a town planning staff rather than by the employment of consultants. He dealt with the importance of suitable boundaries being fixed.
- (f) There were other people who attended and these will be referred to in dealing with the area with which they were concerned.

VI;

1. Whilst some municipalities sought additional area, it is important to note that most were satisfied with their present boundaries (subject in some instances to some minor adjustments). It would be correct to say that generally most councils would be content to remain as they are.

I formed the opinion on the evidence before me that the standard of council administration was reasonably efficient and was carried out with enthusiasm and keenness.

2. Before dealing with specific submissions made by various councils it will be appropriate to refer to certain topics each of which was discussed at considerable length during the hearing. These are - the role of local government, the size of municipalities, the desirable nature of boundaries, the importance of community interest, and the wishes of the people.

3. The Role of Local Government -

- (a) Defining the role of local government is a matter of very real difficulty. It is complex and allows for some variety of opinion.

Early in the hearing the Counsel took part in some discussion on this topic and from time to time in the course of the evidence references were made to it.

An appropriate starting point in considering the question is no doubt the long title of the Local Government Act and this reads "An Act to consolidate certain Acts relating to Local Government by repealing those Acts and re-enacting them with amendments in order to provide for the Good Rule and Government, convenience, comfort and safety of persons in municipal districts."

- (b) In the submission of the Shire of Armadale-Kelmscott the Council said "In broad terms, the aim of Local Government is to satisfy the basic social needs of the community and to improve the quality of life in each local area. Local Government is people, and at no other level of government are people closer than they are at the level of local government."
- (c) Mr. Scott, the Town Clerk of the City of Subiaco said (at p. 582) "At whatever level, government exists to serve man and not vice versa. Its function is to improve the quality of human existence. Local government is an important branch of government and it is submitted its main function is to bring an area of governmental activity close enough to the ordinary citizen to permit him to participate in government. True local government should provide the maximum scope for the ordinary citizen to participate in the process of local decision making. It is a mutual communication from the citizen to the governing body and from the governing body to the citizen - local government should serve the people effectively and efficiently, with active citizen participation and control; with an adequate and equitable revenue system".
- (d) Mr. T.J. Williamson, Shire Clerk of the Shire of Swan says (at p.1785) "The desirable objectives of a local authority should be -
 - (a) to preserve the health safety and comfort of the inhabitants of a municipal district.
 - (b) to provide efficient services for the benefit of the inhabitants of the district in particular and the public generally.

- (c) to develop the interest of the inhabitants in the identity of the district in general and in the various parts of the district in particular in order that a desirable society with a community of interest is fostered.
- (d) to plan for the orderly development of the district in co-operation with its neighbours, the State Government and service authorities in the region;
- (e) to make the State and Commonwealth Governments aware of firstly the needs and secondly the desires and views of the inhabitants with respect to matters of public interest in the district.

To attain these objectives there are two basic requirements:

- (i) adequate population, revenue and area;
- (ii) territorial stability.

(e) Mr. Cowan, Town Clerk of the Town of East Fremantle concluded his submission by saying "The purpose of local government is to develop persons, as individuals, binding them into the community and making them part of the nation."

(f) Mr. H.W. Walker, Town Clerk of the Town of Gosnells said (at p.1022) "Principally the duty (of Local government) lies in the creation and maintenance of a local community adequately served by roads, pleasant to live in and catering for the reasonable needs of all sections of the community. It is responsible to ensure a well planned, aesthetically pleasing locality, ample open spaces and free of pollution in all its forms. It is responsible to provide a whole range of educational cultural and physical facilities which will allow each citizen to realise his or her potential as a human being, requiring libraries, halls and buildings for the cultural activities of the municipality, creation facilities including playing fields, swimming pools and other amenities. The increase in leisure time which we now enjoy places great emphasis on these aspects. It is the responsibility of council to provide specialised requirements for individual community groups, ranging from the special attention required by youth to the particular needs of the aged."

- (g) Mr. H.C. Morris, Senior Engineer in charge of the Town Planning Department of Western Australia (said at p.1055) "First we see the function of local government as to satisfy the requirements of the ratepayers and not the officers concerned. A unit of local government municipality should perform its functions - namely roads, health, town planning, building control, parks and recreations, library services, social and community services, recreation."

None of these provide an exhaustive definition and none perhaps set out fully all the aspects. They do however, provide a basis for consideration of the many factors which are involved and which must be taken into account.

4. The Size of Municipalities -

- (a) Strong evidence was given in support of larger municipalities. That view was even more strongly attacked by the representatives of the smaller districts. Strong criticism was made of the portion of the Boundaries Commission Report, (conclusions - paragraph 13 at p.17) which sets out "the minimum size for central municipalities in the metropolitan area should be 40,000 population, and other metropolitan municipalities should have the area and propensity to expand to this figure within the near future."

The question of size is a very difficult one indeed and certainly one which causes widely conflicting views.

The evidence of Councillor M.H.G. Becher of the Council of the Town of Cottesloe at p.793 gave a very interesting background for the basis of what he describes as the 'magical size' of 40,000 people.

I will refer to some of the evidence given on this aspect.

- (b) I have summarised the evidence of Mr. Paust at p.24 as follows:

1. It is desirable that a municipality should have sufficient revenue to enable it to employ fully qualified personnel in all departments and that there is sufficient work available for them to be fully utilised.
2. For efficient operation it is undesirable that a district should be so large that too great a time is spent in travelling from the centre of administration

to the outskirts of the district. It is desirable that a district should be of sufficient size and population to be able to justify the provision of services usually provided by municipal councils - that is swimming pools, libraries, recreation facilities etc.

3. There should be adequate representation on the council.
4. The borrowing powers of a council is limited to \$400,000. This could react to the disadvantage of councils amalgamating.
5. The ability of ratepayers to have easier access to their representatives in small districts has not always achieved the good results that are often claimed. A council should have sufficient financial resources either to employ a public relations officer or to keep the residents informed by means of a publication distributed to them.

While Mr. Paust was questioned by the representative of the various councils at considerable length I think the matters I have set out were in no way disturbed.

- (c) The report of the Boundaries Commission, the evidence of Mr. Paust and the evidence of Mr. Vance of the Main Roads Department set the stage for much discussion on the question of size. It will be unnecessary to refer to all that has been said, but before setting out my views it will be appropriate to refer to some of the comments which were made.
- (d) Whilst Professor Webb contends as I have said for a complete change in the system of local government, he sees nothing wrong with small councils at what he terms the first level of government.
- (e) Professor Gates (~~200-11~~) says "At the more general level, it is clear that there are great advantages to be gained from the preservation of local self government in as small units as can be operated without ous inefficiency. It can contribute to the maintenance of a healthy and durable democracy. It can be a means of adapting public services to local needs and desires. In responding to the diverse preferences of people in different local areas it can widen the range of choices open to the individuals as to the kind of community in which he may live.

Within a metropolitan region, these advantages are large enough to justify the existence of a separate local authority for each area in which there is a distinct community of interest. My own experience, economic analysis and the voice of authorities all point to the need for small-scale local government in the metropolitan region. The indicated scale is smaller rather than larger than exists in some parts of urban Australia. I believe that the amalgamation of workable local authority areas in a city which has or can develop other means of serving its needs at the regional level would be contrary to the interests of its citizens."

- (f) Professor Geoffrey Bolton who is the professor of modern history at the Murdoch University was called by the Town of Claremont. He is strongly of the view that municipalities should not be too large. He concludes his submission with the words (at p.1208) "Perth has an unusually favoured environment and this has occurred partly because the decision making process is still on a human scale. In a time of predicted rapid growth it is more than ever necessary to avoid creating a gap between the administrators and the governed. The small or medium sized local authority established over two or three generations around a mature suburban nucleus is an obvious means of securing this sense of participation."
- (g) On the other hand, Mr. Williamson, Shire Clerk of the Shire of Swan says at p.1785 "The Council of the Shire of Swan supports the conclusion of the Local Government Boundaries Commission that there should be fewer and larger municipalities in the metropolitan area. Commissions appointed in other states and countries to study and report on local government in the last decade have all been predominantly in favour of creating fewer larger municipalities, e.g., population should be a major factor in determining the size of a local authority, the demand for services and the prospective economy with which those services may be provided. Although there are different levels at which the greatest economy may be attained with respect to different services, a large authority has the capacity to reach the level of greatest economy over a wider range of services. Larger authorities are able to set up more specialist class functions in all of

its fields of operating including the manual, technical and professional sections. Such authorities are able to acquire a comprehensive range and scale of plant, machinery and equipment and employ those assets consistently and economically. Larger authorities are able to deal more effectively with region town planning problems."

- (h) Mr. Brand who is an architect and also a councillor says at p.1140 "The various public utilities have laid great emphasis on the economics which could be effected with amalgamations and yet no actual figures have been provided to say just how much economy can be made. The question is, are they really very great and how important are these possible savings compared to the quality of life and other sociological reasons for retaining the smaller more intimate existing municipalities."
- (i) The City of Stirling has given a number of reasons for supporting larger areas, but concludes its comments on this aspect with these words: "The physical areas of the units may vary with the intensity of residential, commercial, industrial or rural activities and any particular geographical conditions that determine its predominant character or give it balance. The numbers of population that are preferable will also differ with the nature of each area".
- (j) Mr. M.G. Cowan, Town Clerk of the Town of East Fremantle, referred to "The philosophy of the present age - 'If it's bigger, it must be better'", and he says "I suggest that we should never lose sight of the fact that local government is only really local in its smallest unit and very frequently the smaller the unit the greater the efficiency".
- (k) Mr. Brinsden, QC counsel for the City of Subiaco in his final address said (at p.2605) "... efficiency in local government involves not only the unit cost of services, but also the quality of those services, including the extent to which their provision rests on local choice, participation and control. There is nothing, we submit, that is to be gained from bigness merely for the sake of bigness and bigness in fact helps to destroy some of the features which should be found in local government."

(1) Mr. J.G. Paterson, President of the Shire of Bassendean said "Abstract theories as to the benefits of size should not be made the criterion to justify change. Only evidence of likely benefit should be considered and in turn weighed against the disadvantages which flow from the loss of the efficiency provided to ratepayers by a well knit authority which provides much more personal service. Inevitably the larger the area, the more unwieldy the administrative organisation becomes. The larger local government districts become, the greater is the danger of one area or section benefiting at the expense of others. Modern management techniques recognise the value of decision making at the lowest practical level, nearest to the particular field of activity. Too much centralisation of control leads to inefficiency both of effort and time."

(m) Mr. E.G. Smith says "I must admit that in the last few years I have changed my views on the size of metropolitan local authorities: in the early 1960's I felt there was still a case for the retention of smaller local authorities but in view of the tremendous increase in local government salaries and the existing certainty of further substantial increase the retention of the very small local authorities is no longer desirable or economical."

(n) The report of the Local Government Act Revision Committee (South Australia) refers to a number of authorities and I quote some of these: At page 37 para.323 "The Committee believes that there is no such thing as an optimum size for local authority areas generally. Dame Evelyn Sharp, GBE, BA, Hon. DCL, Hon. LL.D. who was then Permanent Secretary of the English Ministry of Housing and Local Government, in her evidence to the Royal Commission on Local Government in Greater London, said:

'There is no doubt that the best chance for local government does lie in adjustments of areas and functions, so that each local authority, as far as practicable, has a clear job to do and resources to do it. That leaves the question of whether there is an optimum size for a local authority. I could not venture an opinion on that even if I had one. All I can say is that the idea would be to have clear responsibilities, room in which to discharge them, the resources to carry them out and, more important, scope for experiment':

The Town Planning and Local Government Guide vol.6 para.87. - "What would be an optimum size for one local authority would certainly not be so for another. The needs of each local authority - particularly its boundaries - must be considered separately in each case."

At page 38, para. 334 - The Committee agrees that amalgamations do not always produce the efficiency that is claimed for them. Mr. J.C. Slaughter, CMG, FIMA, AASA, formerly the Town Clerk of the City of Brisbane (which is the largest urban local authority in Australia), has said - 'I do not claim that efficiency automatically improves with size - the standard of efficiency is affected by many factors in a political body over which the administrator has little say:'

The Town Planning and Local Government Guide vol.14 para.18 'Indeed, in some cases the smaller bodies will prove to be more efficient and more economic.'

This is a point that has been made in many countries. In England, Mr. J.H. Davies, the Senior Assistant Solicitor of Guildford Rural District Council, has said:

'There are many small authorities which have managed to provide first-class services and have still kept the rate down to a figure at least as low as that of much larger units. Indeed study of the rate returns for the various types of authorities does not show that larger authorities mean lower rates; there is no logic about the actual figures to justify a general massacre of small authorities.'

The Town Planning and Local Government Guide vol.12 par.486.

In the United States of America, Mr. Charles T. Henry, City Manager of University City, Missouri, said in an article in the official journal of the International City Managers' Association: 'The notion that full-scale consolidation of municipal units in metropolitan areas automatically will save money is anything but obvious - Larger cities, because of the intensity of their problems, because of the administrative problems inherent in large organisations and employee groups, and because the public in larger cities necessarily demands more elaborate services, find many services to be much more expensive, per capita, than for cities of medium size.'

Public Management Vol. 43, p.107 quoted in the Town Planning and Local Government Guide, vol. 8 par.329:

"In New Zealand, Mr. C.L. Bishop said, upon his retirement from the secretaryship of the Municipal Association of New Zealand: 'My experience has been this - some of the smaller and medium sized authorities are just as efficient, if not more so, than the very big ones. When a smaller body has been amalgamated with a bigger one there is no evidence to show that any economies have been effected. In some cases it could be shown that the combined expenditure has not shown any decrease, nor have the rates':

The Town Planning and Local Government Guide, vol.13 p.314.

- (o) Other portions of evidence and other comments by persons experienced and learned in local government could be referred to. Those I have quoted are sufficient to indicate the wide variety of opinion that exists on this question. They show too how impossible and inappropriate it is to fix any specific size as being the most desirable size for a local government area.
- (p) The history of the area, its geographical situation, the nature of the terrain, the standard that its development has reached, the nature of the area, the size of the population, the nature of the activity carried on within the area, the degree of community interest, the tasks the authority is required to perform and its financial ability are all factors that are relevant in determining what is an appropriate size - no doubt there are other aspects too.

Clearly if an area is very big and its population large the connotation 'local' ceases to apply. On the other hand there can clearly be cases where an area is too small to be an effective unit of local government - so small that it is unable to carry out some of the tasks that local government is required to perform.

I have no doubt too that the ideal size varies having regard to the duties it is to carry out - the reference to the Redcliffe - Mana Report loses some effect because of the greatly different duties of the councils being considered.

- (q) The task of this Commission is essentially concerned with the councils and their duties in the metropolitan area of Perth. It is unnecessary and undesirable that there should be any attempt to lay down standards which might apply to other areas. I plan to look at each of the districts and to say on the evidence produced whether it is desirable that changes should be made. As part of this, I look at the size and I consider the factors I have set out.

If an area is too large having regard to those factors, an appropriate recommendation will be made - if an area is too small to be an effective member of the local government family, I shall recommend some alterations which can at least in part remedy the situation. I do not propose to follow the lead of the Boundaries Commission and say that a particular number of people are necessary or desirable because I do not regard that as a correct approach when dealing with local authorities which are already in existence.

5. The Desirable Nature of Boundaries

- (a) During the hearing there was much discussion and examination of witnesses regarding the most desirable type of boundaries. It will be unnecessary for me to refer in detail to the evidence and the comments, and it will be sufficient if I set out the conclusions to be drawn from them.
- (b) It is important that if possible, boundaries should be clearly defined and easily recognisable - for example, a river or a railway line. It was contended that where a road is fixed as a boundary, difficulties may arise because the Town Planning Scheme applicable to the one side may be different from that applying on the other. Apparently in practice, the approval given to the Town Planning Schemes has not always been able to ensure uniformity. The following then are regarded as being appropriate - railway reserves, freeways, large public reserves and rivers - but it is considered that lakes, major regional highways or roads bisecting shopping or commercial areas should not be fixed as these frequently create problems and difficulties.

- (c) Some criticism has been made of boundaries which were fixed along the boundaries of properties. I had regarded the back fences of properties in a built up area as not being appropriate but informed opinions voiced during the hearing did not support that view and it is said that where such boundaries have been fixed they have been satisfactory.
- (d) At p.1787 Mr. Williamson, Shire Clerk of the Shire of Swan put another point of view. He said, "Rivers and their foreshore ... are areas of common interest to people from both sides of the river. To ensure preservation of the environment in river localities, rivers should be regarded as common ground because of the common interest of the residents on each side of the river. Apart from physical features such as commanding ridges, controlled access highway alignments are admirable for the purpose of separating local authorities as they are certain alignments on the regional plan, are under the control of the Commissioners of Main Roads and Police and are unlikely to be the cause of disputes between the councils they separate...".

These are all matters to be kept in mind when considering the situation of a boundary.

6. Community of Interest

- (a) At p.8 of the Boundaries Commission Report the Commission said: "Community of Interest was a subject stressed by many councils, when visited by the Commission, but a precise definition of the term was never supplied. We find it extremely difficult to define "community of interest" and indeed this has been so in other cases which have been referred to us. This interest appears to increase to large proportions or diminish to almost complete insignificance, depending upon the claim of a council appearing before the Commission. A report by the Chairman of Local Government Boundaries Commission of New South Wales, also emphasized this point. The Commission found very little exact information relayed to it on what really constitutes community of interest in local government. Generally, we realised that people lived in one municipal district shopped in another, worked in another and often travelled for recreation and leisure to another. No evidence was produced

to establish the fact that most people actually feel they belong to any particular area. With the ease of travel in these times, it is considered that the majority of people would be more likely to consider the amount of rates they are called upon to pay, rather than select any one municipal district to live in. The Board of Inquiry into Local Government Finance in Victoria found that municipalities "are now providing works and services which benefit the community as a whole. Over the years there has been a movement away from works and services which are designed to provide access roads, sanitation and places of recreation primarily for local residents. In our modern mobile society the business, cultural and recreational activities of the community often bear little or no relationship to municipal boundaries".

At p.17 of the Conclusions, paragraph 9 reads "community of interest was stressed by some councils. The importance of this factor is diminishing" and para. 11 reads "The connotation 'local' should be preserved".

I have quoted these passages in full because I regard the question of whether community of interest is to be given any weight to be of great importance in this matter.

(b) Much criticism was voiced regarding the views expressed by the Boundaries Commission and I will refer to some of this.

(i) Some views expressed during the hearing are as follows:

At p.2681 Mr. Blaxell Counsel for South Perth said:

"In view of the South Perth City Council community interest or community spirit is a most important factor in local government. Without the existence of that community spirit or identity, local government cannot work effectively because it is in the co-operation between the people of the district and the local authority that effective local government lies. It is the submission of my council that the present boundaries have contributed to that community spirit and it is important that no change to those boundaries should take place which would result in the community spirit within South Perth being submerged or being adversely affected ...".

And at p.2687 "Now, it is the definite submission of my council that Victoria Park is a single community and has community interest at present and that no changes should take place which affect Victoria Park's community of interest, for the same reasons for which I have given with regard to South Perth".

- (ii) At p.971 Mr. Armarego, Town Clerk of the Town of Cockburn referring to community of interest said - "Council disputes that the importance is diminishing. It considers that it is important that the individual should have this community of interest to help in identifying his own position in society and council is attempting to improve this situation. It is trying to foster and encourage its revival through good public relations, the Domestic Sports Council and through the future proposed Cultural Council. We believe that community of interest is of great importance in all municipalities."
- (iii) Mr. A.L. Scott, Town Clerk of the City of Subiaco, said: (at p.379) "The Boundaries Commission Report seems to underplay the importance of community interest ... the submission is made that there exists in the City's area a community of interest created by the majority of its residents regarding the area of the city as the place in which they live and have social intercourse. If the Commission's view is correct, which the City does not concede, the fact that there has been a weakening of community of interest is a matter which should cause grave concern. It is submitted that it is important to preserve local community spirit and to strengthen local loyalties and the local sharing of responsibilities by expanding the functions and resources of government on an intimate scale. It is the preservation and enhancement of a spirit of community, operating through care of the disadvantaged, the sharing of cultural and recreational facilities and citizen participation in social decision making by which local government can make its largest contribution to the quality of urban life."
- (iv) Mr. M.G. Cowan, Town Clerk of the Town of East Fremantle said "The Town considers that community of interest is of the utmost significance in any local authority and joins issue with the Local Government Boundaries Commission that "the importance of this factor is diminishing."

- (v) Mr. S.V. Pries, President of the Shire of Armadale-Kelmscott said (at p.2523) "Today, local government in this State is finding itself more involved with the social problems of its ratepayers. We are entering a field of government which is bringing us closer to personal problems, therefore - notwithstanding anything written to the contrary - community of interest is a vital and important ingredient in the affairs of local government."
- (vi) Mr. D.A. Walker, Town Clerk of the Town of Mosman Park said (at p.1030) "It is the contention of the Mosman Park Council that community of interest is of the utmost importance to any area but maintains that in larger local authority areas, the community of interest is not as well defined as it is in smaller local units. The importance of the factor cannot be overstressed and the statement made by the Boundaries Commission that the importance of the community of interest was diminishing is most difficult to understand."
- (vii) In his very learned submission, Professor Gates says at p. 1700 {In conclusion 9, the commission asserts that the importance of the community of interest factor is diminishing. It is true that various causes have weakened the average citizen's sense of belonging to a community, whether local, metropolitan, State or national. The consequences of this alienation are fatal and serious. Contrary to the Commission's facile dismissal of this factor, it is important to preserve such local community spirit as exists and to strengthen local loyalties and the local sharing of responsibilities by expanding the functions and resources of government on an intimate scale. It is in the preservation and enhancement of a spirit of community, operating through care of the disadvantaged, the sharing of cultural and recreational facilities and citizen participation in social decision-making that local government can make its largest contribution to the quality of urban life."

- (c) There are many other references in the evidence, but the extracts I have quoted are sufficient to show that amongst the people who are directly concerned with local government administration, there is a very strong body of opinion that community interest is a matter of great importance. The existence of a healthy and constructive civic pride serves not only to promote a sense of belonging but also to encourage popular interest in the improvement of the area.
- (d) I do not agree with the comments of the Boundaries Commission. The importance of community of interest is not diminishing. It may well be that in some areas, and this I think applies to larger areas, the degree of community interest has been reduced. This to me does not mean that it has become less important. I believe it is a most important foundation upon which to build and to foster local government. One of the basic roles of local government is the fostering of a self-reliant community based on community spirit. As Professor Laske in "Local Government in the Post War period" says (p.20) "The aim of local government should not be purely administrative efficiency, but the evocation of a community spirit. We must strive to create a local pride in achievement and a local sense of shame in failure."
- (e) Mr. Gifford, QC, one of Australia's best known local government experts, in his book "The Australian Local Government Dictionary" under the title "Boundaries" says "the appropriateness of the particular boundaries must necessarily be determined in each particular case in the light of its own particular circumstances. There are however, basic principles which should be borne in mind. ... A test that is commonly applied in boundary revision is that of community interest." Under the title "Community of Interest" he says "One of the tests that is applied in determining the appropriate boundaries of the territory of a local government authority. Local government is government conducted locally by the local people for the benefit of the local area. It is desirable therefore that the boundaries of the territory controlled by any particular local government authority be so drawn as to ensure that, as far as practicable there is a community of interest between all ratepayers of that authority."

- (f) The Redcliffe-Maud Report (para. a p.3) says "Local authority areas must be defined that they enable citizens and their elected representatives to have a sense of common purpose". Whether this is described as community of interest, community spirit or a sense of local loyalty is not important. It may be described as a sense of common purpose and arises from sharing of points of view, culture and destiny.

I accept the view that its existence is important and I propose to have regard to it in considering the various submissions.

7. (a) The wishes of the people. A number of witnesses had urged that no change should be made to the boundaries of an area unless the change was in accordance with the wishes of the people. Some had put forward a proposition somewhat akin to this namely that if a council was operating to the satisfaction of its ratepayers then no change in its boundaries should be made.
- (b) I regard the wishes of the people as being of considerable importance. The views of those who live in an area are a very important factor to be considered, but I consider that they are only one of a number of factors to be considered.
- (c) The boundaries of municipalities are fixed by Parliament or by the Governor in accordance with the conditions laid down by Parliament. This has been the way local government areas have been created or varied for many years in all parts of Australia and England. In Western Australia the powers of the Governor and the ways in which these powers are to be exercised are specified in Section 12, and the Sections of the Local Government Act which follow Section 12 deal with these in detail. It seems unlikely that it would be practicable for the residents of an area to be fully informed not only of the details of their own area which might make amalgamation or altered boundaries desirable, but also informed of details of other areas which when viewing a region as a whole would make amalgamation or alteration of boundaries desirable.

Even assuming that difficulty were surmounted, what majority would be necessary to support or reject amalgamation? Would a simple majority be enough?

(d) I have used the word "resident", but perhaps it should be ratepayers who should decide these matters. The Act in its present state has been in force for many years. The provisions have been applied (e.g. Guildford, Midland and Swan amalgamation) without any objection on the grounds that some residents or some ratepayers might not wish it. The fact that some oppose a proposal is a factor to be considered. If there were many who opposed it the factor increases in importance but it does not become the sole factor to be considered.

(e) Professor Gates has supported the view that the people's wishes should be considered and he was cross-examined and his view is that "Some sort of survey" should be carried out (p.1711). He suggests a "spot-survey" to ascertain where communities of interest exist.

To me the idea of a survey to ascertain in what direction or to what area people are "looking" as the Professor suggests, would be a most valuable form of assistance to any tribunal whose task was to recommend on questions of boundaries. That however is not what those who urge that no change should be made "unless the people desire it", have been saying in this instance.

(f) I propose to give weight to the views of the electors where these are known - and if necessary substantial weight. I do not consider that this is the sole factor because amongst other things the views are often based on a knowledge of one municipality only.

8. Agreement on Boundaries

Where the councils of adjoining areas have agreed on the situation of a boundary, I consider that effect should be given to such agreement unless there are clear and important reasons for not doing so.

A number of instances have been referred to in the evidence of Councils reaching agreement. In some cases such an agreement had been made prior to the appointment of this Commission and in others the appointment of the Commission had caused a proposal for an alteration which was previously being considered to be completed.

The importance of neighbouring councils agreeing on minor boundaries adjustments need not be stressed. I propose that effect be given to such agreements.

9. (a) I look then at the submissions that the various councils have placed before me and having regard to many factors including:

- (a) the history and development of the area;
- (b) the current needs and problems and what is desirable for the individual municipality and its neighbouring local government area;
- (c) the existing community of interest;
- (d) the wishes of the people;
- (e) the role of local government in the community generally.

(b) At present in the metropolitan area of Perth there are twenty-six local government bodies. These vary greatly in area, population and revenue. The area of the largest, the Shire of Swan - is 397.2 square miles, whilst the smallest - the Shire of Peppermint Grove has an area of only .4 square miles. The Shire of Peppermint Grove has a population of 1,511, while the area with the largest population - the City of Stirling has 154,882 people.

The Report of the Boundaries Commission recommended a number of alterations to existing boundaries and the amalgamation of some areas and this would result in the number of municipalities being reduced to 18.

I will refer to these in dealing with the submission of the various municipalities.

30.

VII. THE CITY OF PERTH - and references to other areas concerned

1. The district of the City of Perth extends from the Indian Ocean in the west to the suburbs of Carlisle and Welshpool in the east, a distance of approximately 11 miles. The distance between the northern and southern boundaries varies between $\frac{3}{4}$ mile and $3\frac{1}{2}$ miles. On the South the Swan River provides part of the boundary and the remainder of the boundary comprises the adjoining local authorities. These include the City of Stirling and the Shire of Belmont to the north, the Town of Canning to the east and the municipalities of South Perth, Subiaco and Nedlands to the south. The present area is 21.97 square miles.

2. The Town of Perth was founded in 1829. On 23rd September, 1856, Perth was constituted a Cathedral City and two years later in 1858 the Perth Town Trust was dissolved and was replaced by the Perth City Council. On 2nd January, 1871, the City of Perth was incorporated by the passing of an Act (34 Victoria No.6). It then comprised Perth, West Perth and East Perth. The boundaries were extended in 1914 and in 1917 when the suburbs of North Perth, Leederville and Victoria Park were added to the City. In 1902, the Government granted the Council 2,287 acres of land adjoining the coast with a sea frontage of 3 miles as an endowment in perpetuity. In 1917, the Council purchased from Mr. Perry an area of about 1,290 acres of land known as the LIME KILNS ESTATE which was situated between the endowment lands and the city itself. Apart from minor adjustments, one in 1964 and another in 1969 the boundaries of the city have remained unchanged for 53 years. The population in 1971 was 97,546 people.

3. The report of the Boundaries Commission recommended the following:

- (a) That a large area north of the present boundary with the City of Stirling be excised from the district of that city and annexed to the district of the City of Perth.
- (b) That the area known as Hackett be excised from City of Nedlands and annexed to the City of Perth.
- (c) That the Maylands area be excised from the district of the City of Stirling and annexed to the City of Perth.

(d) That the whole of the City of Subiaco be added to the City of Perth.

(e) That the Carlisle-Lathlain area be excised from the City of Perth and added to the Shire of Belmont.

4. The recommendation of the Main Roads Department proposed that 6.75 square miles of the district of the City of Perth be excised and added to a district comprising the districts of South Perth, Belmont and Canning. This would form a district with an area of 54.78 square miles. The remainder of the district of the City of Perth would have added to it portion of the districts of the City of Subiaco and the City of Nedlands to form a district with an area of 22.95 square miles.

5. The Council considers these proposals to be unsatisfactory and Mr. Edwards, the Town Clerk, says (at p.167) -

"In a State growing in population and development as W.A., it is even more important that the capital city have an adequate residential population and that its districts have the potential for greater growth in population than now appears possible. The capital city needs to be not only the largest but potentially the largest. In any boundary rationalisation the first consideration must be to the centre to ensure that the heart of the capital is strong in every respect so as to cope with the increasing demands and carry out the necessary functions.

The new area: - The city has changed its views as to the boundaries which it is submitted should constitute the City of Perth. The area it now contends for is shown on plan No.3. It incorporates the City of Subiaco; the Shire of Belmont (except for small areas to the east of the standard gauge railway) and parts of the City of Nedlands; the City of Stirling, the Shire of Swan, the Shire of Kalamunda and the Town of Canning ...".

6. It will be appreciated that this proposal evoked very strong opposition indeed. I have quoted the passage in full because of its importance, but the many matters which are put forward in support of the proposals need not be quoted fully, and it will be

sufficient to quote parts and to refer to some others.

The contention is that the areas form natural extensions of the city and fulfil the need to strengthen the capital. In regard to Subiaco, Mr. Edwards (says at p.168) "The City of Subiaco is a relatively small wedge of land protruding into the existing boundary and is a logical extension of the West Perth area. Development of the area has an impact on the city and it is contended that it should be planned by the City of Perth."

The Wembley Downs locality which is presently part of the City of Stirling is said to be more readily identifiable with the City Beach area. The Mount Lawley area - the Maylands area - also part of the City of Stirling are "basically old established areas in close proximity to and with direct access to and identity with the City Centre and areas immediately adjoining it. Incorporation of the Shire of Belmont would extend the existing Victoria Park-Carlisle localities to the north in a logical and practical way. It would also ensure that in common with other major thoroughfares, the city would have jurisdiction of the eastern approach into the central area and link and identify the city with the Perth Airport."

The adjustment to the boundary with the Town of Canning is relatively minor.

7. The area created by these proposals would be 54.42 square miles and of that, 21.69 square miles would be non-rateable. The population would be 187,000 people. The proposal further envisages the division of the area into nine wards each of which would be represented by three councillors.

No detailed analysis of the rates to be levied has been made, but Mr. Edwards says (at p.170) "It cannot be stated that there would be no variation in the rates simply by virtue of the implementation of the recommendations. The possibility of rate increase in the incorporated areas (or some of them) is recognised. Any increase that may occur however would be offset by a wider range of services and types of facilities or amenities provided by the city or in some instances a proper equitable distribution of the cost of these in relation to user factor."

Mr. Edwards has dealt very fully with the many aspects which are relevant to the proposal. I have given careful consideration to these. He has referred to general matters which he contends should be considered in the local government picture. At p.176 he summarises the submissions as follows "It is submitted - The City of Perth municipal boundary should be amended to provide

for the special needs of the City because of the services it is expected to provide for the use of the inhabitants of other municipalities and for the State as a whole; an adequate residential population to enable it to perform its role and fulfil its functions; obtain maximum grants from such sources as Commonwealth Aid Roads Act and the Grants Commission to enable it to carry out its functions; the opportunity of using revenue produced in areas of high rateability to develop localities with less resources but greater needs."

8. Mr. Edwards was cross-examined at length on the proposal he had put forward. I summarise some of the information obtained:

- (a) No estimate has been made of the additional staff which would be required if the plan were implemented, nor any estimate of the cost likely to be involved. Nor any estimate of the additional rate revenue that the Council would receive.
- (b) The distance from the western boundary to the new eastern boundary would be about 15 miles.
- (c) The plan "could be construed" as an endeavour to spread the cost of the services rendered in the city over a greater number of people.
- (d) Whilst the fact that many people go to Perth creates problems, it also helps to establish the value of land in the area.
- (e) No detailed investigation has been made to see how the City of Subiaco could be integrated into the City of Perth.
- (f) That decentralised offices would be established for the benefit of people who can not readily go to the Perth offices.
- (g) That the number of councillors would not be increased although the number of people represented by them will be almost doubled. Representation would go from one councillor to 3,630 people to one to 7,000 people.

- (h) That a large staff numbering 1,066 is employed by the Council.
- (i) It is difficult to point to any benefits that would accrue to the residents of areas transferred to the City other than all-night street lighting and improved rubbish collection.
- (j) The transfer of the areas is desired to provide additional population and additional revenue as a means of guarding against the future needs of the city.
- (k) The areas sought from the City of Stirling are fully developed and are self-supporting.
- (l) The desire to take over the area of Belmont appears to be because the airport is known as the Perth Airport (p.269).
- (m) That no investigation has been made to ascertain whether the Council would benefit or lose financially if Belmont were taken over. No comparison was made of the rates payable in the two areas.

9. Evidence was given by Mr. Eric Sabin, the City Planner. He spoke of the reasons which made the transfer of the areas desirable. I summarise the reasons as follows:

- (a) Wembley Downs - an area substantially developed with good quality single residential development. This compares in character with the development of the Western part of the City of Perth and for this reason the area is seen as a logical extension of that city. "Occupants are able to take convenient advantage of the facilities provided by the City of Perth at City Beach."
- (b) Transfer of the area east of Herdsman Lake and north of Lake Monger would be logical in planning terms.
- (c) The present boundary between Perth and Stirling in the Maylands area is impossible to support on planning grounds and both sides of Walcott Street should be in the same Council area.

- (d) Belmont - Orrong Road should not be a boundary - both sides should be in the same district.
- (e) Most of the population of Belmont are nearer the City of Perth than are Floreat Park and City Beach.
- (f) Subiaco - The northern part has a greater affinity with the City of Perth. "There is a real danger that a continued separate planning administration in Subiaco may lead to excessive developmental opportunities in that area causing pressure to be brought upon the City of Perth to change its planning policies for its West Perth area...".
- (g) It is logical that Kings Park and the foreshore of Matilda Bay should remain with Perth and also should Crawley. The southern part of Subiaco is part of this and so should be transferred.
- (h) The northern part of Nedlands and the Hackett area cannot in planning terms be separated from the adjoining residential area of Floreat Park.

10.

- (a) The City of Stirling strongly opposes the excision of the area of Wembley Downs and the other areas on its southern boundary and equally strongly opposes the excision of the Mount Lawley and Maylands areas.
- (b) The transfer of the Hackett area is opposed by the City of Nedlands, but the main opposition to this proposal has come from the members of the Hackett Civic Association. The Association comprises the residents of the Hackett area.
- (c) The Subiaco City Council of course opposes the proposal that it should be "taken over" by Perth.
- (d) The Council of the Shire of Belmont of course opposes the proposal that it should be taken over by Perth. In addition it seeks to have excised from the Perth district the area of Carlisle-Lathlain.

- (e) The City Council of Nedlands seeks to have the Crawley area transferred to it.

11. It is surprising that so little investigation was done by the Perth City Council to obtain reasonably accurate estimates of the income and expenditure that would result from the transfer of the areas sought. I think it is to be regretted that no effort was made to do this. Such estimates could have been of considerable assistance in determining this matter and indeed they are surely an integral part of an application.

12. There is no doubt that the Perth City Council has many expenses of a special nature. These arise of course because its position as the Capital of the State. The fact that great numbers of people work in the city area go there to transact business of a wide variety creates problems, but of course, they are attracted there because of the facilities. As was agreed by the Town Clerk this has a real effect on the value of the land for rating purposes. However, there are the expenses of a special nature. It was urged during the hearing of the Commission that where expenses arise of a special nature some of these should be met by a Government Grant - that is be paid by the people of the State as a whole rather than by the ratepayers of the Perth City Council.

13. To say that the area of the municipality should be enlarged so that more money would be available to meet these special expenses seems an odd proposition. Whilst Mr. Edwards view that some economies could be made may be correct - although no figures were produced to support it - it must be that an increased area would bring an increase in revenue and also an increase in expenditure and responsibility. In those circumstances, I am not able to say that the people in the areas concerned will be better off.

Having regard to this, it is of interest to note that at p.42 of the White Report the following passage appears - "The City of Perth, under the scheme, would be considerably bigger than at the present time, and I think that this is justified both by the fact that it is the capital city of the State and the fact that it is advisable that the great wealth of the city should be available to assist in developing as much of the suburban area as is practicable."

In view of the reasons now advanced for increasing the size of the city the idea of using "the great wealth" of the city for suburban development seems strange.

14. I agree with Mr. Edwards that it is most desirable that there should be a strong Council "at the heart" of the metropolitan area. In no way has it been suggested that the Perth City Council does not comply with that requirement.

During the evidence it was suggested that the area of the Perth City Council was too large and that it would be desirable for it to concentrate its efforts on the city itself. On this aspect, I quote from the evidence of Professor Gates. He said (at p.1699) "There is another kind of change that might be envisaged. The City of Perth encompasses the central business district of a metropolis and the focal centre of a State. Thus, its Council has peculiar responsibilities not only to those who carry on activities within its boundaries, but also to individuals, business enterprises and governmental bodies throughout the metropolis and beyond. The Perth City Council's duties are onerous; and its functions are specialised in ways which distinguish it clearly from other municipal authorities in the metropolitan area. Nevertheless, it is also responsible for supplying ordinary local government services, to both property and people, for large areas which are wholly or predominantly residential. Situations such as this have led to inadequacies in the performance of capital city councils, in other Australian States, partly because of the ways in which clashes of interests have been resolved, and partly because of the diseconomies that arise when an organisation tries to be too many things at once. I do not know whether the Perth Council is at present vulnerable to criticism in such matters, but I think it likely that it will be in the future, as economic growth makes the governance of the central business district an even more specialised and demanding responsibility. For this reason, there is a case for removing from the jurisdiction of the Perth City Council those areas that are wholly or predominantly residential. Whether they should be added to existing, adjoining municipalities or whether at least one new municipality is needed is a matter to be resolved in the light of information about the community orientations of the residents concerned."

15. It is appropriate to follow that quotation with a reference to the proposal put forward by the Town of Canning, Mr. Noel Irvine Dawkins who has held the position of Town Clerk for 18 years said (at p. 2140) - "The principle proffered by the Canning Plan for local government administration of the south east urban core contemplates the City of Perth reverting to the west bank of the Swan River and it relinquishing the territory of the Carlisle and Victoria Park Wards."

16. I have been very impressed by the evidence of Professor Gates and it would be completely contrary to the views he has expressed to add land to the municipality which would create a district more than double its present size. This of course does not decide the matters to be considered, but it is an aspect - and I believe an important one to be kept in mind.

17. I turn then to the specific proposals and I deal first with the areas sought to be transferred from the district of the City of Stirling.

- (a) I have already referred to the reasons given by the Perth City Council for seeking the transfer.
- (b) The case for the City of Stirling is that the municipality would be seriously weakened if two completely developed areas were taken from it. The loss of revenue would be about 25% of the total and this must have an effect upon the efficiency of the authority and affect too its ability to continue to provide the high level of service to the people. The loss in population would represent about 23%. The effect of a sudden loss of 25% of the revenue would be serious indeed and to this must be added the additional factor that the costs of administration would not be reduced proportionately. Indeed Mr. Constantine, the City Treasurer, does not expect any significant reduction. His evidence on this aspect is set out at p.454. The burden upon the ratepayers in the remaining area of Stirling would be unreasonable.
- (c) I agree with the comment made by Mr. Smith, QC counsel for the City of Stirling that it is not in any way appropriate to take away "the fat of Stirling to bolster up or support another local authority - be it the City of Perth or any other" (p.2601)

In my view the request of the Perth City Council for the transfer of land from the City of Stirling should be refused.

18. The Hackett area. The fact that the Hackett area is part of the City of Nedlands seems to have arisen because the land was subdivided at a different time than the area which it adjoins. I was very favourably impressed by the representatives of the Hackett Civic Association who gave evidence and I believe I have a full understanding of the submission they made.

The Association had realised the likelihood of being ceded from the Nedlands City Council to the City of Perth some time ago. A submission was made to the Local Government Boundaries Commission and a copy was produced to me. The relationship of the Association with the Council of the City of Nedlands has been a very happy one and the desire of the Association and of the residents as evidenced by the signatures on the petition which has been tendered is that no change should be made. The submission deals also with the desirability of establishing civic associations and thus providing "an organisation which would encourage local residents to become involved in the decisions made on their behalf and this would stimulate the feeling of community." Whilst that part of the submission is not part of the task of this Commission, the idea has much to commend it.

The submission made to the Local Government Boundaries Commission "would necessitate a major re-appraisal of the role of local government and its organisation." A fear of the Association is the impersonal service which citizens receive "in large councils". While I have appreciated the views of the Association in regard to the organisation of local government they have overlooked some of the items I have set out in the earlier part of this Report.

The comments of Mr. Sabin to which I have already referred are repeated because I think they are of considerable importance in considering the Hackett area.

He said "The area of Hackett is a small residential area within the existing City of Nedlands boundary, but which in planning terms, cannot be separated from the adjoining residential area of Floreat Park."

There is no doubt that this is a fair comment and if one visits the area it becomes very clear that it is true in fact. I consider then that the area should be transferred to the area of the City of Perth. I have no doubt that the Association will continue to flourish and to fulfil its very useful role as it has in the past.

19. The Crawley area is at present part of the area of the Perth City Council. I will discuss the submissions regarding it at a later stage of this report, but I indicate now whilst dealing with the Perth City Council area that in my opinion Crawley area should remain part of Perth.

Kings Park is in the area of Perth and I think Crawley should remain with it. The maintenance of Mounts Bay Road is accepted by the Perth City Council (see p.173) The Town Clerk referred to Mounts Bay Road as "the proper responsibility of the City of Perth".

(see p.1276-2763), but if Crawley were removed from the City, the maintenance of the road could well become a problem. The boundary then in this area would be along Thomas Street, thence southerly along the western side of Winthrop Avenue to its junction with Mounts Bay Road, thence along the southern side of Mounts Bay Road to the foreshore and thence along the foreshore.

20. Subiaco: The recommendation of the Local Government Boundaries Commission's report and the submission of the Perth City Council was for the whole of the district of the Subiaco City Council to be transferred to the district of Perth.

I have referred to the reasons which the Perth City Council have advanced for seeking this transfer. The reasons for the recommendation of the Boundaries Commission are not before me and I have assumed that the reasons put forward by the City Council were accepted by the Boundaries Commission. The matters set out in the early paragraphs of this Report are very important when the question of Subiaco is being considered.

The City of Subiaco is one of the earliest local government bodies in the metropolitan area of Perth. Early development began in 1846 and with the opening of the Perth-Fremantle railway in 1881 a railway platform was built near the present Axon Street bridge. By 1885 the area had been surveyed and subdivided into building blocks and in April 1896, the Subiaco Road Board was proclaimed. The growth of the area was rapid and this led to the proclamation of the municipality in 1897. In 1952 it became the third City to be proclaimed in Western Australia following the cities of Perth and Fremantle.

The area of the City is 2.7 square miles. During the last five years the revenue has increased from \$560,846 in 1968-1969 to \$867,516 in 1972-1973, the estimate for the year 1973-1974 is \$867,900. The rate revenue is \$446,000 and the population 17,000 people.

The Boundaries Commission Report recommended that the City should be amalgamated with the City of Perth. The Main Roads Department submission was that the main portion should become part of the area of the City of Perth. Part of the district "is a neck of land running from the intersection of Aberdare Road and Thomas Street in a southern direction past the University to the river frontage. This has been referred to in the evidence as the "Subiaco Corridor".

The Council of the City of Subiaco opposes both these proposals, and I look first at the main portion of the district.

The question of the Corridor raises different aspects to the other part of the district and I will deal with that as a separate issue when dealing with the submission of the Council of the City of Nedlands.

In its submission the Council dealt with many aspects. Three of these are of considerable importance - the role of local government, the size of local government areas and community of interest. The Council contends that the role of local government must be considered before any decision can be made on the question of boundaries; the size of local government areas has been a matter on which much evidence has been given; community of interest was virtually rejected by the Boundaries Commission. Most Councils in their submissions to this Commission have strongly disagreed with the Boundaries Commission's view and a considerable amount of evidence has been given on this subject.

Since I have dealt with all three of these matters at the beginning of this report, it is not necessary to repeat them again. I will apply the views I have expressed and except where some specific reference is required (as for example the evidence of Professor Gates in dealing particularly with the City of Subiaco) I will not repeat what I have said earlier in this report.

In his address towards the conclusion of the hearing, Mr. Brinsden, QC of counsel for Subiaco suggested that there were four conclusions that might be reached -

1. That the City of Subiaco constitutes an identifiable community, is well served by its present local government and possesses population and financial resources enough for efficiency in the provision of municipal services.
2. That it is desirable to make local government an avenue for the participation of the ordinary citizen in social decision making and that it should be capable of adapting to the activities and different needs and preferences of different local communities.
3. That efficiency in local government involves not only the unit cost of services, including the extent to which their provision rests on local choice participation and control: that there is nothing to be gained from bigness merely for the sake of bigness and bigness in fact helps to destroy some of the features which should be found in local government.

4. That community of interest still exists and where it is proved to exist it should not be split up by division into different local authorities without an overriding necessity to do so and particularly without reference in some way or other to the persons whose lives are going to be disrupted.

I have no doubt that paragraphs 2, 3 and 4 properly set out the general position. Item 1. I agree is fully supported by the evidence.

Mr. Brinsden QC contends that Subiaco cannot be regarded as a "small local authority" when in addition to the actual area regard is had to the total revenue, the rate revenue and the population. He suggests it is more appropriately described as a "middle-sized authority".

I have already referred to the evidence of Professor Gates and the splendid assistance he has given to this Commission. Apart from the general matters he referred to in his evidence he had made a careful study of the City of Subiaco. (He expresses his observations of the roads in the area as they appeared "to an inquiring and careful if inexperienced eye"). I have the greatest confidence in placing the fullest reliance upon the Professor's evidence of his observations of the city. He says (at p.1696) "To an outsider, the most obvious characteristics of the municipality are its compactness, physical cohesiveness, and balance. The boundaries are for the most part well defined by man-made features. The exceptions are the isolated tongue of territory reaching south into Crawley, and the area lying to the north west of the railway line in Daglish and Jolimont ... It is unusual to find, so near to the centre of a metropolis, a municipal area which has such physical identity and which has so successfully avoided decay of its fabric and disruption of its land use pattern. It is also unusual to find one which is as successful in providing services to its residents and in stimulating them to collective endeavour ...".

There is no doubt that there is strong opposition to the proposal that the city should become part of the City of Perth.

The Public Meeting of residents called by the Council and the referendum held and the witnesses called to give evidence support this view. The comment of one of the witnesses - "We are Subi-ites" is the comment which sums up the view of the ordinary citizen. Messrs. Goddard and Foley have given evidence of the strong support that is given by people in the Subiaco to local activities.

I accept the view that there is a strongly developed community of interest in the municipality.

There is as I see it no reason to believe that the services which the residents and ratepayers currently enjoy in Subiaco will be improved if the area becomes part of the City of Perth - indeed there may be grounds for believing that it could deteriorate.

Indeed Professor Gates said "It is clear that for whatever reasons of efficiency and responsiveness the ratepayers of Subiaco are getting good value for their money."

A great deal of Professor Gates' evidence could be quoted and also a great deal of the evidence he referred to but the quotations I have made and the other matters to which I have referred make it very clear -

that I am not able to find any merit in the proposal that Subiaco should be transferred to the Perth area

and -

that the case put forward against such a transfer is very strong indeed.

21. A request had been forwarded by the residents of a small area just over the north western boundary of Subiaco. Their homes are in the area of the Perth City Council and they are seeking a change in the boundary to bring them into the Subiaco area. Whilst at first glance the matter would seem to be one of "cartographic tidiness", it is more than that. Subiaco Council has indicated its willingness to accept the area and the Perth Council raises no objection.

I recommend then that the boundary between the district of the City of Perth and the district of the City of Subiaco be altered in the following respect:-

The boundary at present runs southerly along Halesworth Road, across Cardigan Terrace thence westerly to Dakin Street, thence southerly and again westerly to the boundary between the area of the City of Perth and the area of the City of Nedlands.

My recommendation is that the boundary should run southerly along Halesworth Road, to Cardigan Terrace as at present and thence westerly along Cardigan Terrace to the City of Nedlands boundary. The effect of this will be a transfer of Lots 12/25/ 37/46 and 93 of Location 2103 into the City of Subiaco.

22. The Canning plan: A number of witnesses were called by the Perth City Council regarding the portion of the Canning Plan which referred to the City Council area west of the Swan River. I will deal with that when I discuss the Canning Plan generally later in this report.

23. The Shire of Belmont

- (a) I need not refer in any detail to the reasons why the Perth City Council seek to acquire the whole of the area of the Shire of Belmont.
- (b) Needless to say the proposal is opposed by the Council of the Shire. Whilst I will deal with other aspects of the Belmont submission at a later stage of this Report, it is necessary to refer to aspects of Belmont's submission which are relevant to the City Council's claim.
- (c) The population of the Shire at 30th June, 1972 was 32,800 people. It is estimated to have been 34,300 at 30th June, 1973. The present area is 15.4 square miles and there is residential, commercial and industrial development. The rate revenue was \$625,492 in the year 1971/72 and the total receipts was \$1,577,238 including \$237,701 in Road Grants. For the year 1973-1974 the rate revenue is estimated at \$ 707,000. After giving details of the Council and its affairs and resources, the Council sums up as follows - "The Shire of Belmont has considerable resources measured in population, area, plant, development, valuations, property and staff. Allied with these the Council and staff have the enthusiasm and drive to make Belmont an efficient unit of local government and an enjoyable place in which to live. This vitality and enthusiasm have stimulated Council to balance its area of administration so that Belmont can be developed efficiently to the best advantage of all residents and ratepayers".
- (d) It is perhaps somewhat surprising that a municipality such as Belmont should be required to defend its continuing right to exist as a local government unit. The Local Government Boundaries Commission's Report recommended an increase in the size of the Shire by the addition of certain other areas. The Council seeks to gain additional areas and these include,

as I have said the Carlisle-Lathlain area from the City Council. The submission made by the Shire reviewed in a very full and complete way the resources of the Council, the development of the area and the progress made. Special reference has been made of the enthusiasm and drive that together with the other items I have mentioned has created an efficient unit of local government an enjoyable place to live.

- (e) The Shire's submission includes the following paragraph -

"The existing efficiency and advancement of the Shire of Belmont was recognised in August 1973 when the Local Government Week Award Committee adjudged that in a very close contest with the Town of Canning and the City of Fremantle that Belmont Shire Council should receive a meritorious award in the large Authority section of the 1973 Local Government Week Award. The Belmont Shire Council operation has been based upon ratepayer contact and recognition of individual rights; to transfer the municipality to a 'greater' city of Perth would be the destruction of this civic recognition for no appreciable benefit to the people of Belmont. Additionally Schedule No.3 illustrates that no financial gain whatsoever would prevail upon Belmont if amalgamated. Injustice to an established municipality carrying more than its share of regional responsibility can be seen as the only result of the suggestion of the City of Perth.

- (f) Amongst those who accepted the invitation to give evidence before this Commission was John William Dallimore who has been the Councillor for Coast Ward in the Perth City Council for some six years. He had obviously given much thought to the matter of the City's boundaries and I have been most interested in what he has said. At p.2394 he said "I believe the interests of the ratepayers whom I represent and indeed those of the majority of the ratepayers of the municipality of the City of Perth would be best served if the boundaries of the City remained essentially as they are." He bases this contention on two main grounds - the first that "the delicate ombudsman role of the individual councillor ... would be nigh on impossible to fulfil" if the number of ratepayers were increased without any corresponding increase in the number of councillors. The second ground is that no economies

could be expected from an increase in size if as he believes there would be a corresponding increase in the number of employees. He expects that the addition of the Belmont area would require considerable expenditure. He says at p.2396 "My conclusion based on this is - based on these figures and these estimates it is my belief that if the outer areas are extended, the surplus funds from the central area will be spent more thinly. If the Council wishes to maintain its present standard in the municipality and to raise standards in the newly acquired area (if they were lower than in the PCC area) it would also have to raise rates overall to have sufficient funds to do so."

- (g) After giving full consideration to the proposal of the City Council and having regard to the matters submitted by the Shire Council, I can find no reason at all to support the City Council's request. Indeed all the material before me is against the adoption of the proposal. I am of opinion that the transfer of the area of the Shire of Belmont to the area of the Perth City Council would be much to the detriment of the City of Perth and its residents and also directly against the interests of the residents of Belmont.

I recommend that the proposal be rejected and that Belmont continue as a municipality.

- (h) The Carlisle-Lathlain locality has an area of 1,332 acres enclosed by the south-west railway line and the common boundary of the Town of Canning and the City of Perth on Briggs Street by a continuation of that common boundary along Briggs Street, Plane Street and Kew Street to Orrong Road, then west along Orrong Road to the Swan River thence around the river to close with the southwest railway line. It is claimed by the Shire that this area is physically separated from the City by the southwest railway line which divides Victoria Park and Lathlain and then again by the Swan River. The area is mainly residential - the houses are generally small and most were built prior to 1950. The eastern and western extremities have been developed for industrial use. Belmont Race Course is at the extreme western end. The City Council with the Perth Football Club has developed Lathlain Park as one of the premier ovals in the metropolitan area.

The Shire in its submission has reviewed the recreation and community facilities and the services available. The limitation of access by reason of the railway line is stressed. Access to the western part is difficult and it is claimed will be more so as a result of Freeway construction.

- (i) The Shire had submitted statistics of the area and these are as follows:

Area	1,332 acres
Population	9,855 people
Dwelling units	3,333
Commercial undertakings	60
Industrial undertakings	62
Ratepayers (estimated)	3,700
Schools	2 primary; 1 private
Valuation UCV	\$18,963,300

- (j) The new boundaries proposed for the Shire have been described, the reasons for seeking the transfer of the area of the Belmont Park Racecourse has been fully set out. It is urged that Carlisle and Lathlain are physically separated from Victoria Park and residents of the two Wards are less likely to have an affinity with the Perth City Council than with Belmont - examples have been cited of the current affinity between Carlisle and Belmont.

The submission deals very fully with many aspects and while I do not refer specifically to them I have given careful consideration to them.

- (k) The City Council strongly opposed the transfer of the Carlisle-Lathlain area from its district - a number of witnesses were called to support the City's opposition.

Councillor John Albin Edmund Lee is in his tenth year as the councillor for Carlisle Ward. He has lived in Carlisle since 1947 and has business interests there. He belongs to a considerable number of clubs and associations in the Victoria Park/Carlisle area. (The Lathlain area is part of the Carlisle Ward.) He considers that there are many people in the area who wish "to stay with the City of Perth" and he has referred to several public meetings which were called

to discuss the proposed transfer of the area to the Shire of Belmont. The first of this was in 1968 and the second of these was "some time ago". At the ratepayers' meeting on the evening before he gave evidence all present except 2 or 3 voted to stay with Perth. However in cross-examination it appears that only about 30 or 35 attended. He says that the people of Carlisle "generally associate themselves with Victoria Park through the City of Perth". He considers it is quite wrong to say that the people of Lathlain-Carlisle are more likely to have affinity with Belmont than with Perth. He does not agree that the railway line tends to divide the areas he has not thought of it as a barrier - there is a crossing place about every half mile. He agrees that some of the facilities now available in Belmont were not available when the proposal for transfer was made earlier.

Mr. William George Forwood was called as a witness. He has lived in Carlisle for 26 years and holds senior positions in a number of Cricket Clubs and in addition he is President of the Perth Junior Football Club. He is not in favour of the transfer of the area to the Shire of Belmont. Apart from his daughter going to high school in Belmont there is no affinity with Belmont. He says that he is a "Perth City person" and is very loyal. I think it is fair to say that Mr. Forwood is intensely interested in sport and this has been a major factor in the views he holds.

Mr. John Richard McKay has lived in Carlisle since 1968. He attended the meetings of which Councillor Lee spoke. He makes no comparison between the two municipalities and has "no knowledge of the Belmont Shire at all". He says he attended to give evidence because he sees "an identity in the Victoria Park-Carlisle area within the City of Perth".

I am grateful to these people for their comments. The points they have made are matters to be considered.

- (1) I have been impressed with the case put by the Shire of Belmont for the desirability of having a balanced area and I think the proposal to add Carlisle-Lathlain to the Shire would be very beneficial for the Shire and would have no significant effect upon the City. It would, I believe, be beneficial for the people who live there.

In my view then, the transfer of the Carlisle-Lathlain areas to the Shire of Belmont should be made and I believe that the boundaries of the land transferred should be as set out hereunder that is, in lieu of the boundary between the city and the shire being Orrong Road and its projection westward, the boundary of the Shire should be along Orrong Road to Kew Street, Oats Street, thence along Planet Street and Briggs Street to the south west railway line, thence along the railway line to the Swan River. This is less in area than the Shire has sought and has the effect of leaving the Belmont Race Course and the area south of it to continue to be in the City Council area and to connect with Victoria Park.

VIII. THE CITY OF STIRLING has an area of 42.75 square miles and has the largest population of the municipalities which are to be considered by this Royal Commission. At 30th June, 1973, this was estimated at 157,000.

The Boundaries Commission in its report recommended that the Northern and Eastern boundaries should not be changed, but that an area in the southern portion of the municipality should be excised and become part of the area of the City of Perth.

The Main Roads Department considered that the area should remain unchanged.

In the White Report of 1954 the opinion was expressed that the district "is too large and holds too many diverse elements without any core commanding any district loyalty, to enable it to function effectively as a single district. It should be divided and either part of it transferred to the City of Perth or alternatively, part of it added to a portion of the Bayswater district to form a separate centre in the Mount Lawley-Maylands area, as well as part of it being constituted as a separate authority based on Scarborough". These recommendations were not carried out and it is most interesting to see how different the picture of the district is almost twenty years later.

It will be recalled that the Council of the City of Perth has sought to have transferred to its area not only the area referred to in the Boundaries Commission's Report, but also the Mount Lawley-Maylands area as well. Apart from making its submission, the Council sought permission to show two films which had been made to show ratepayers and residents the various aspects of the district and the development that was occurring. I agreed to this and the films were shown. They were excellently produced and splendidly photographed and gave a graphic picture of the district and the developmental work and the facilities now provided.

From the films and from the evidence given it is clear that the problems arising from the extensive and rapid development in the area have been tackled in a very vigorous way by the Council and its officers.

The area was originally established as the Perth Road Board in 1871. It was later called the Shire of Perth and more recently the City of Stirling. The area was originally much larger, but the general outline of the district has continued in its present form since 1919. There were some boundary changes in 1973 involving a transfer of portion of the north-eastern sector of the City to the Shire of Swan and an adjustment with the Shire of Wanneroo to follow the new alignment of Beach Road.

The City contains 28 suburbs stretching from the Swan River at Mount Lawley and Maylands to the ocean at Scarborough, Trigg, North Beach and Waterman.

The municipality is principally residential in character with substantial commercial retailing centres and two significant areas of industrial land at Osborne Park and Balcatta. Some parts of the district are still used for primary production, but these are steadily diminishing with the increasing demand for residential land. The development has been rapid in recent years and the evidence shows that the Council's operations have increased in size and scope to keep pace with the development.

Special efforts have been made to encourage and promote interest in local affairs amongst ratepayers and the Council's Public Relations Committee is a very active one.

The Council supports the view expressed by the Boundaries Commission that there should be fewer and larger municipalities, but it does not support the proposed transfer of some of its area to the City of Perth.

Having regard to the adjustments made to the district by agreement with the municipalities of Wanneroo and Swan some loss of resources has occurred.

I need not refer further to the proposal of the Perth City Council as I have said earlier in this Report that I consider it should not be carried out and that I would recommend accordingly.

In my view the boundaries of the City of Stirling should not be changed.

IX.

1. The City of NEDLANDS, the Towns of CLAREMONT, COTTESLOE and MOSMAN PARK and the Shire of PEPPERMINT GROVE

West of the centre of Perth and north of the Swan River, there are five municipalities. I think it appropriate to discuss these together in one portion of this Report. I do this because of the recommendation of the Boundaries Commission and the submission of the Main Roads Department.

The Boundaries Commission report recommended that there should be a new municipality (referred to as UNIT 2 in the report) comprising portions of the Cities of Nedlands, Perth and Subiaco and the complete districts of the Towns of Claremont, Cottesloe and Mosman Park and the Shire of Peppermint Grove. The portion of Subiaco is of course the area referred to as "the Corridor".

The Main Roads Department submission followed the same pattern except that the small area of the City of Perth was not included.

Whilst evidence was given on behalf of all five of the municipalities, the City of Nedlands gave more detail than the others and put forward a proposal to which I will refer.

For convenience, I set forth the information regarding the municipalities in the form of a Table. It has been from Exhibit 3, tendered by the Secretary for Local Government, and are the relevant figures for the year ending 30th June, 1972.

<u>Municipality</u>	<u>Area</u> <u>Sq. M.</u>	<u>Population</u> <u>as at June, 1972</u>	<u>Rate Revenue</u>	<u>Total Rev.</u>
Nedlands	7.9	22,400	\$517,584	\$1,354,240
Claremont	1.94	9,179	261,388	486,331
Cottesloe	1.51	7,997	267,217	552,016
Mosman Park	1.67	7,199	187,478	280,313
Peppermint Grove	.4	1,511	57,130	84,961

All of the municipalities oppose the proposals of the Boundaries Commission and the Main Roads Department. Except Nedlands, each of them desires to remain as they are. Nedlands contends that there should be a new municipality comprising the areas of Nedlands and Claremont and including sections of the City of Perth, the City of Subiaco and the Town of Cottesloe.

2. HISTORY OF THE AREAS :

- (a) The Claremont Road Board was created in 1893. In 1898 approximately 2 square miles were excised to form the municipality of Claremont; the balance of the area remained the Claremont Road Board. In 1907 the Claremont Road Board lost the piece of land east of Broadway to Subiaco. (This is the area referred to in this Commission as "The Corridor".) The Claremont Road Board was unable to pay the cost of the tramline constructed along Broadway. Subiaco was prepared and able to pay and the land was placed in that area.

In 1932, following considerable residential development, the Claremont Road Board was renamed the Nedlands Road Board. In 1956 that body became the Municipality of Nedlands and in 1959 was created a City.

In 1961 the Municipality of Claremont became the Town of Claremont.

- (b) The Shire of Peppermint Grove was originally subdivided in 1891 and the locality was gazetted as a Road District in 1895. A portion of the district was transferred into the area of the Buckland Hill Road District when that was constituted in 1899 - that area is now known as Mosman Park.

- (c) Cottesloe - The district was named on 21st September, 1886 and in 1907 the Cottesloe Road Board became the Cottesloe Municipal Council. In 1961, it became the Town of Cottesloe.

3. Earlier in this Report, I have set out my views on the question of the size of municipalities. I have considered it appropriate to do this in some detail. At paragraph XXIII 12 in dealing with the Town of East Fremantle, I referred to this again. There are so many factors that must be taken into account that it is not possible to say what the optimum size of a municipality should be. Whilst, as I have said, it can be undesirable for a municipality to become too big, it cannot be doubted that it is undesirable also for a municipality to be too small.

The five smallest municipal districts in metropolitan Perth are the Shire of Peppermint Grove - .4 square miles; the Town of East Fremantle - 1.2 square miles; the Town of Cottesloe - 1.5 square miles; the Town of Mosman Park - 1.7 square miles and the Town of Claremont - 1.9 square miles.

I have dealt in this report with the Town of East Fremantle and I turn then to the other four, and I take them starting with the smallest.

(a) SHIRE OF PEPPERMINT GROVE

- (i) Two witnesses gave evidence on behalf of the Shire - Mr. James Drummond Clarkson, the President of the Shire and Mr. Oliver Francis Dixon, the Parliamentary Commissioner.

Mr. Clarkson has been a member of the Council for about 15 years and has held the office of President for approximately 6 years. He says that while the district is small, it has a very strong community interest. The residents "are strenuously opposed to any alteration in its boundaries".

On 13th October, 1973 a poll of electors was held pursuant to the provisions of the Local Government Act - the question submitted was "Are you in favour of the abolition of the Shire of Peppermint Grove?" The result of the poll was YES 7; NO 994 and informal 13 - a total of 1,014. The number of voters on the roll is 1,241, so that the percentage of votes polled was 81.7%. Mr. Clarkson says that a substantial percentage of the electors who did not vote were either overseas or otherwise absent from the district on polling day.

The staff comprises a Shire Clerk, a clerical assistant who is part-time and a female secretary. The outside staff total 7. In the year ending June 1973, the salaries paid amounted to \$16,425 and wages amounted to \$24,790.

Mr. Clarkson says "The district is able and willing to provide finance of an adequate level from its own resources to maintain the district at a high level".

The Shire has co-operated with other local authorities, an example being the joint library situated in Peppermint Grove, but created and maintained by co-operation between the Town of Cottesloe and the Shire of Peppermint Grove. He suggests that the fact that the Shire has existed for 78 years provides no basis for an argument that it should now be abolished, but suggests that a change should only be made on the very strongest of grounds. He submits that such grounds do not exist.

The Council has employed consultants to deal with particular problems. It has a co-operative arrangement with the Town of Cottesloe by which it shares the services of a health and building officer - an arrangement which has worked well.

- (b) Mr. Dixon has been a resident of Peppermint Grove for 18 years. In his capacity as Parliamentary Commissioner he has found that there are proportionately less complaints against small municipalities than against larger ones. As a resident, he has referred to the community interest and the close relationship between the residents and the Councillors. He considers that some of the community interest would be lost if the district became a ward in a large municipality. He believes the interest arises and grows largely because of the smallness of the area.
- (c) Mr. Kennedy, Counsel for the Shire in his final address dealt fully with all aspects of the Peppermint Grove submission and particularly of the importance of smaller local authorities. He stressed that the important tests to be applied was whether the service being provided to a community was what was required.
- (d) I believe that I understand the point of view of the people of Peppermint Grove, but the question is not whether it is suitable for them, but is it desirable to have as part of the local government family, a municipality comprising 600 ratepayers in an area of less than a half of a square mile. In modern parlance, this seems to be a "MINI- Municipality". As I have said earlier, it is to the benefit of metropolitan Perth and its people if local government is strong and effective as well as efficient. Although I recognise the benefit of small districts, I must surely have regard to a minimum size - that is they must not be too small.
- (e)
- (i) Towards the end of the hearing, evidence was given by Mr. Ernest Gustav Smith who attended as a private citizen. I found considerable interest in the evidence he gave and I am grateful for his attendance^{and} for the well prepared statement that he made. He had been a member of the Council

of the Mosman Park local authority for a continuous period of 21 years until he retired in 1968. He was Chairman of the Road Board for 11 years, later President of the Shire and then as Mayor of the Town. He was a foundation member of the Local Government Boundaries Commission and also a foundation member of the Metropolitan Region Planning Authority. For three years, he was vice-President of the Local Government Association of W.A., and was President for a similar period. He says at page 2398 "I therefore claim that my experience qualifies me to speak as a person well experienced in local government". I agree that it does.

- (ii) His proposal is that there should be an amalgamation of the Towns of Cottesloe and Mosman Park and the Shire of Peppermint Grove. I will deal with that proposal at a later stage. At this stage, I wish to refer to Mr. Smith's comments on Peppermint Grove. The passage of his evidence appears at page 2401 and I quote -

"Peppermint Grove: The future of this authority is most critical in your review which comprises the whole metropolis, as if the attitude of the Peppermint Grove residents and the Council is accepted, it would preclude any worthwhile amendments to boundaries in the whole metropolitan area. This Council would be the smallest in terms of population and area of any Council in the metropolitan area of our Capital Cities and if this Council is not amalgamated, it would be impossible to justify any other amalgamations in the metropolitan area. It is true that this Council and their residents have always been uncompromising to any amalgamation proposals, and it is equally true that they have been able to keep rates down and at the same time provide their residents with whatever limited amenities that the Council and ratepayers required. Actually Peppermint Grove has received local government "on the cheap" at the expense of ratepayers of neighbouring local authorities. For example, they have not employed a Health Inspector but used the Cottesloe Council Health Inspector in a spare time capacity. The Cottesloe Council to their discredit has permitted this situation to continue, apparently as it was a fringe benefit to their Health Inspector's income, but it is certainly an indictment against

our successive Public Health Commissioners that they have permitted a metropolitan local authority to operate without a salaried Health Inspector. Of course, when asked to vote on whether they wished to retain their identity, Peppermint Grove ratepayers emphatically answered in the affirmative which surely reflects their selfish attitude as it obviously does not occur to them that they are not making a satisfactory contribution to local government in the Cottesloe region. The area comprises a small section of highly valued land which local government wise such as roads, reserves etc. has not made any significant development in the last twenty years. This must surely be the smallest local authority in the Australian capital cities and the continued survival cannot be justified, if so why not let the highly valued areas of Mosman Park, Dalkeith and similar areas in other suburbs form their own little local authority. Surely an area of .4 square miles and comprising only 1,400 residents does not constitute a "real" local authority and in fact, the continued existence of Peppermint Grove makes a mockery of Local Government in Western Australia".

I have quoted this part of Mr. Smith's evidence somewhat fully. Whilst I do not necessarily accept it in its entirety, it sets out the considered point of view of an experienced Local Government administrator. It supports the view I have expressed and I propose to act upon it.

(b) MOSMAN PARK

- (i) Mr. Douglas Athol Walker, the Town Clerk, was the only witness for the Town of Mosman Park. On behalf of his Council, he referred to a number of aspects which appear in the report of the Boundaries Commission and commented upon them. I have given careful consideration to these comments and I need not refer to each of them.

Mr. Walker quotes various figures of income and expenditure including salaries to show that his Council operated economically compared with several larger councils.

The current population is estimated as being in excess of 8,000 people. Mr. Walker says (at page 1240) "For many years, Mosman Park Town Council has contended that it was

sufficiently large enough to render the service required by the ratepayers within the Town at reasonable cost and in addition, has been able to provide the amenities required from time to time without excessive borrowing and currently the Council is in a good financial position. Because of this and because of other reasons enumerated in this submission, it is still contended that the local authority area of Mosman Park should be allowed to remain as defined by its present boundaries and that such action would be in the best interests of local government and the general public.

The administrative staff consists of 6 officers and each of these possess technical qualifications appropriate to the position they hold.

The district is divided into twowards, each returning three councillors in addition to the Mayor. There are approximately 2,500 ratepayers.

(ii) Mr. E.G. Smith's evidence regarding Mosman Park. For the reasons he has indicated, he infers that there is little concern amongst ratepayers regarding possible amalgamation. He points out that the Annual Meeting held on 1st October, 1973, attracted only 41 ratepayers although "the Council publicised extensively throughout the District that the question of amalgamation would be discussed. On a show of hands, 25 voted in favour of remaining as at present and 16 voted in favour of amalgamation. Whilst the municipality is larger than Peppermint Grove, it is still a small one. Much of what I have said about Peppermint Grove applies to Mosman Park.

(c) COTTESLOE: Mr. Naughton who appeared as counsel for the Town of Cottesloe called four witnesses.

(i) The first of these, Mr. Cecil Leonard Harvey who is in his 13th year as Mayor of the Town and will shortly complete 40 years of unbroken service in local government as councillor and Mayor. He was a member of the Boundaries Commission for 6 years and a member of the Town Planning Board for 17½ years.

He says that the Council is of opinion that the present boundaries should remain. The size of the municipality is neither too large nor too small and the ratepayers (some 3,000) have the opportunity of consulting their councillors if they wish to do so. Whilst he is firmly of the view that changes should not be made, he considers that if alterations are to be made they should be as recommended in the White Report of 1954, namely the amalgamation of Cottesloe, Peppermint Grove and Mosman Park.

He then dealt in his evidence at length regarding the proposal put forward by the Council for the City of Nedlands and particularly the boundary proposed to the north of Cottesloe. I do not propose to discuss this aspect further at this stage, but will do so when dealing with the Nedlands proposals.

- (ii) The second witness was Councillor Michael Henry Geoffrey Becher. He has served as a member of the Cottesloe Council for about 13 years. His submission was in several parts - the first part refers to the Boundaries Commission's Report and he criticises strongly the proposal that "Municipalities with populations of over 40,000 should be aimed at". He says that this is a conclusion which is not supported by the information given in the report. Mr. Becker had clearly carried out a considerable amount of research and he is to be commended for the work he has put into his submission.

His calculations which appear at page 795A show that the cities of Melville and Stirling operate more economically per head of population than does the Town of Cottesloe.

I have found Councillor Becher's critical analysis of the Boundaries Commission report of particular interest, and I am grateful to him.

The second part of his evidence concerned a suggestion for amalgamation of Cottesloe, Mosman Park and Peppermint Grove together with some adjustments which involved parts of Claremont ^{and} Nedlands. He opposes the plan put forward by Nedlands as it involves the excision of a portion of the northern part of Cottesloe. I will leave this and return to it when I consider the Nedlands plan.

- (iii) Mr. Anthony Brand is an architect and has been a member of the Council of the Town of Cottesloe for about $3\frac{1}{2}$ years. He has been practising his profession for about 20 years. I have referred to some aspects of his submission earlier in this report and I need not refer to those again.

His evidence provides strong support for the view that municipalities should not be too large. He points out the differences between an area which is fully developed and one which is still in the process of being developed. I regarded Mr. Brand's evidence as a very thoughtful contribution.

- (iv) Councillor Arthur Rowland Pearce has been a member of the Council of the Town of Cottesloe for 15 years.

Amongst the items he dealt with was the Civic Centre and the use made of it by a large number of organisations and he followed this by dealing in some detail with the community spirit which exists in the district. He dealt too with earlier attempts to amalgamate the three municipalities and of course the Nedlands proposal.

- (v) Mr. E.G. Smith has pointed out that the Town of Cottesloe has for many years been willing to amalgamate and he has referred ^{to} various sources where this is clearly established.

- (d) The Nedlands proposal does not affect the Town of Mosman Park or the Shire of Peppermint Grove. It does affect the northern part of the Town of Cottesloe. Having considered the considerable amount of evidence regarding those three municipalities and bearing in mind the matters I have mentioned, it is my view that the Town of Cottesloe, the Town of Mosman Park and the Shire of Peppermint Grove should be amalgamated to form a new municipality to be known as the Town of Cottesloe. The boundaries of this new district will be set out hereunder following consideration of the Nedlands proposal.

In my opinion, this is a most desirable development for the people in the area and for local government generally. The Council should be strong and effective. The population will be about 20,000 with a growth potential of up to 25,000. This as Mr. Becker says is large enough to generate a substantial revenue, but still small enough to be administered by a Council of workable size. The Council members would not

be too remote from the electors. The area will be about $3\frac{1}{4}$ square miles and as I have said, I will specify the boundaries at a later stage.

4. NEDLANDS AND CLAREMONT:

- (a) The plan put forward by the Council for the City of Nedlands provides for the creation of a new municipality by amalgamating the present districts of the City of Nedlands, the Town of Claremont and also incorporating sections of the City of Perth, the City of Subiaco and the Town of Cottesloe.

The Council of the Town of Claremont opposes this plan. The figures set out in the table show that the area of the district of the Town is 1.94 square miles, the rate revenue is \$261,388 - the population as at 30th June, 1972 was 9,179 people. As set out in the paragraph dealing with the history of the areas, Claremont is one of the oldest of the municipalities having been created in 1898.

- (b) The comment of Nedlands regarding the recommendation is as follows: "This new municipality will be large enough to offer economic and efficient services and to have a broad view in planning. It will be small enough to maintain personal and friendly service. It will have entirely logical boundaries, promoting a sense of identification and community spirit. Its creation will be in keeping with the metropolis wide redefinition of municipal boundaries in accordance with these principles."

- (c) There was some suggestion in the early part of the hearing that the plan was put forward by Nedlands as an attempt to enlarge its own area. I have not only found no support for this, but on the contrary, the evidence before me shows that Nedlands would have no objection to the new municipality being called by the name of "Claremont" and one of the wards being known as "Nedlands". In my view, that effectively disposes of the idea that the plan was one put forward for the purpose of gaining additional territory. I prefer to regard it as a sincere attempt by the Nedlands Council to improve Local Government administration in the general area and perhaps partly as a counter to the wider proposal put forward by the Boundaries Commission.

- (d) The plan is opposed by the Council of the Town of Claremont and it believes that the "overwhelming majority" of the people favour the retention of the Town.

The submission claims that Claremont is a community in a very real sense. The Council has provided a high standard of municipal services for the convenience and enjoyment of its ratepayers and residents as well as for persons from the western suburbs and the metropolitan area generally. One of the facilities specially mentioned is the swimming pool which was built with some contributions from neighbouring councils. The population has increased during the last 20 years by an average of about 60 persons per year. It is considered this is largely attributable to the replacement of single family dwellings with apartment buildings and rental flat accommodation. It is considered that this trend will continue.

The Council staff consists of the Town Clerk, a Health and Building Surveyor and Town Planning Officer, an Assistant Health Surveyor and Town Planning Officer, an Assistant Health Surveyor, an accountant, 4 clerks and a caretaker/cleaner. In addition, there is a librarian and 3 library clerks employed in the library. The outside staff comprises 2 foremen and 37 assistants. From time to time as required, a consultant engineer and a Town Planning consultant are employed.

The rate is 12.75 cents in the \$ and the estimate of the rate revenue for 1973/74 is \$333,808 and the total revenue \$563,411 .

The necessity to retain and foster local community interest has been stressed and the Council refutes any suggestion that the people of Claremont would benefit from a change in the present organisation of local government in the western suburbs.

- (e) It is of some interest to note the reference to the municipality of Claremont in the White Report of 1954. At page 52, it appears that the Claremont Council had "asked that its territory should be expanded to take in the following:

- (a) the whole of Peppermint Grove Road District;
- (b) portions of Nedlands district including ...
- (c) that portion of Cottesloe municipal district below Parry and Mann Streets;
- (d) a portion of the City of Perth Endowment Lands north of Mount Claremont.

The effect of these proposals would be to increase the area to 4.46 square miles."

Mr. White at page 53 said "In my opinion, the municipality of Claremont is far too small ever to be a really satisfactory local government district. This view is shared by the Council itself and it has sought to increase its territory at the expense of others. The interests of the authorities in that vicinity appear to be so much tied in one with the other that the whole of the district could with advantage, be formed into one really good city."

The fact that the Council in 1973 takes a different view to that taken by its predecessors twenty years earlier is not significant. The fact that an earlier inquiry considered that the district was too small is clearly relevant.

5.

(a) I turn then to the Nedlands submission:

The Council of the City of Nedlands did not instruct counsel to present its case and the task was almost entirely placed upon the shoulders of Councillor D.C. Cruickshank.

The submission was prepared with care and skill and clearly represented many hours of devoted work. Whilst there were times when Mr. Cruickshank's lack of experience in advocacy caused difficulty, especially in the examination of witnesses. I thought he performed a difficult task very well indeed. The summary in his closing address I have found to be of very real assistance.

(b) The first part of the submission dealt extensively with the advantages which would accrue from a larger municipality. I do not propose to refer to them in detail. They are well set out and I have given careful consideration to them. From the evidence, it can fairly be said that the City of Nedlands is well and capably run - it does not in any way need extra territory to make it viable, but it is claimed that local government would be improved in the area if the proposed amalgamation were effected. The staff details of the proposed new authority are set out at page 34. These show no reduction, but the advantage would be the creation of "a positive and effective scheme of management."

- (c) I summarise what are said to be the main advantages which would arise from the union of the areas. I quote from page 2760 et. seq.
- "(a) The creation of an authority with logical and easily understood boundaries.
 - (b) The creation of an authority large enough to have an optimum staff with an adequate "back up" large enough to employ its own professional staff in preference to consultants and its own works staff in preference to contractors.
 - (c) A more equitable sharing amongst the community of expenses for the provision and maintenance of facilities and services.
 - (d) An authority capable of meeting the predictable future demands of local government to provide social welfare services: participating in collective schemes for utilising Commonwealth State funds and carrying out more comprehensive Town Planning.
 - (e) A reduction in the necessity for joint committees as these are not as responsible and effective as a single council.
 - (f) The formation of a local authority unit comprising people of essentially similar activities and social habits.
 - (g) These changes will form a suitable basis on which to develop a community of interest in the proposed area.
- (d) The comments on the objections raised by Claremont are: Claremont would retain its identity, the arguments regarding areas becoming too big do not apply to the proposed new authority - its total area would not exceed 10 square miles. The contentions and arguments regarding the proposal for a new authority have been put very fully and in great detail. I believe that it is desirable that the plan should be adopted, because the Council would be more effective. In my view it would be for the benefit generally of the people of Claremont and Nedlands. It would too be for the benefit of local government in the area and for local government generally.

(e) I recommend then that a new municipality be formed. The older of the municipalities is Claremont and the new authority should carry that name and thus be known as the City of Claremont. It will have an estimated population of about 39,000 people. The number of electors is estimated at about 13,000. The suggestion that there should be five wards will need to be further examined in the light of the boundaries which are fixed, but it is part of my recommendation that one of the wards be named "Nedlands Ward".

6. The two recommendations which I make are for two local Government bodies in the western suburbs instead of the existing five. If these are to be implemented it is necessary to specify the boundaries proposed for them:

(a) THE NEW TOWN OF COTTESLOE AND THE NEW CITY OF CLAREMONT

(i) The boundaries of the new municipality need some consideration having in mind the matters put forward during the hearing and particularly the matters raised by the Council of the City of Nedlands, by Councillor Becker representing the Council of the Town of Cottesloe and by Mr. E.G. Smith.

(ii) The only mention of the southern boundary - at present the boundary between Mosman Park and the City of Fremantle was made by Mr. Smith. He considers there should be "a slight amendment to the southern boundary of Mosman Park which merely places the whole length of McCabe Street within the Mosman Park area, as at present approximately 200 yards of McCabe Street adjacent to the Stirling Highway is included in the City of Fremantle which is most unsatisfactory".

There seemed to be no real support for this proposal either from Mosman Park or from the City of Fremantle. The suggestion appears to be a reasonable one, but on the evidence before me, there is not sufficient for me to agree or disagree that the alteration should be made. I therefore make no recommendation for any alteration and the southern boundary of the new area should be the present boundary of Mosman Park.

- (iii) The Nedlands submission included an area of the City of Perth. The area included some of the Endowment Lands which were vested in the Perth City Council by statute many years ago. During the hearing the representative of Nedlands withdrew that part of the submission. I need not refer to that further. It was discussed fully during the hearing and the comments have been recorded in the transcript. The Nedlands district at present includes an area of the coastline and the Council in its submission seeks to extend that area southwards. This would necessitate the acquisition of some of the district of the Town of Cottesloe. A good deal of evidence was given regarding this and I have given careful consideration to it. It is to be noted that Councillor Becher and Mr. E.G. Smith have reached solutions which are somewhat similar for the boundary in the northern section.

In effect, there are two proposals for the boundary before me. The first, the Nedlands proposal which seeks to alter the boundary from its present position in North Street to Grant Street on the western side of the railway line and Eric Street on the eastern side. The second proposal is that the area of Cottesloe should be extended to the northwards and that the northern boundary of the Town should be Alfred Road and its projection westward to the coast. The effect of this is that the Town of Cottesloe would have a long area of coastline and this would include all the parts in the vicinity which are developed. The portion left to Nedlands is undeveloped. I regard the placing of the beaches under the control of Cottesloe as desirable. The Council has the knowledge, ability and experience to develop a beach area and boundaries on the coast tend to become artificial. In my opinion the fact that the control and development of the seafront is to be under one council is advantageous. I consider then the new municipality should be bounded on the north by Narla Street and Alfred Road and the projection of Alfred Road to the coast. On the eastern side it would of course follow the shore of Freshwater Bay to the northern side of Osborne Parade and thence westerly along Osborne Parade to Richardson Avenue - thence northerly along Richardson Avenue and Central Avenue to Narla Street. Mr. Becher considered that it might be appropriate to make a deviation in the boundary as he has shown

in his plan to avoid dividing the land of Scotch College. This is a matter that perhaps could be taken into consideration and if it is thought desirable the boundary would be taken eastward at Shenton Road and along the edge of Creswell Park. The map attached to this Report shows both boundaries. I recommend the direct line along Central Avenue, but the matter I believe is of minor importance.

I now turn to the "Subiaco Corridor" - the piece of land which has been part of the municipality of Subiaco for almost 60 years. The area runs from the intersection of Aberdare Road and Thomas Street in a southerly direction past the University to the river frontage. The history of the way the area became part of the City of Subiaco was given and a document was produced giving the details. It is no doubt well known that the building of the tramway along Broadway was the reason for the land being placed in the Subiaco area. There is now of course no tramway and the care and upkeep of Broadway is undertaken by the Council of the City of Nedlands.

The "Corridor" area is described by Mr. Scott, the Town Clerk. A considerable part of the area is owned by the University and is non-rateable land. The Nedlands proposal is that the area should be transferred from the City of Subiaco and become part of the new municipality. In the Nedlands submission the following appears "Inspection of Map 3 showing existing local government boundaries demonstrates that in the area covered by this proposal, present boundaries are illogical to the point of absurdity. The area east of Broadway, particularly south of Stirling Highway, is "geographically" considered to be Nedlands rather than Subiaco. The residents identify with Nedlands and use many municipal facilities provided by Nedlands. Its transfer to Subiaco in 1907 because of the financing of a long-vanished tramline requires reversal on common sense grounds. A later passage reads "To summarise it is concluded by saying that there is a definite need to make municipal boundaries more logical and more easily understood by the public. The present boundaries of Nedlands, Claremont and Subiaco are illogical and indeed verging on the ridiculous, and action is very necessary to make improvements. The boundaries of the proposed municipality overcome the first five of the problems described above". The submission continues by describing the way in which the proposed boundary follows clear lines of demarcation.

When one has regard to the way in which the main area of Subiaco connects with the Corridor the comment which Nedlands has made gains much force. When to that is added the fact of the Hospital buildings which have now been erected on the northern sector of the Corridor, it becomes clear that although only two miles from the City's offices the corridor is cut off from the main part of Subiaco and this lends weight to the Nedlands contention. In his report Mr. White referred to the "long 'peninsula' connected by an 'ISTHMUS' only about 50 feet wide at Aberdare Road." He said it is difficult to see why this should not form an integral part of the Nedlands area..."

I have in mind the referendum which Subiaco held and as I have indicated this is a factor which must be kept in mind. It is appropriate to have in mind that the question submitted to the electors and the publicity regarding it dealt with the proposal that the whole of the city be incorporated into the City of Perth.

Professor Gates whose evidence has been such a valuable contribution to this Commission says (at p. 1696) "To an outsider, the most obvious characteristics of the (Subiaco) municipality are its compactness, physical cohesiveness and balance. The boundaries are for the most part well defined by man-made features. The exceptions are the tongue of territory reaching south into Crawley ... The Council offices, civic centre and other public facilities are situated in a green area near to the geographical centre of the municipality (if one omits the southern tongue)... That is not to say, however, that some boundary changes may not be desirable. In my view there is a prima facie case for moving the southern boundary of Subiaco from Aberdare Road to Verdun Street or Monash Avenue and for transferring to the City of Nedlands the tongue of territory that stretches into Crawley ..." (The Professor then refers to the desirability of ascertaining the attitudes of the residents.)

In opposing the ceding of the Corridor the Subiaco Council had sought to show that the population of the corridor was unusual in that of the total of 2,308 persons there were 763 who were married and 1,545 who were single and that 281 persons were under 15 years of age, and of those 147 were below 5 years of age. Mr. Brinsden, QC Counsel for Subiaco put these figures to Professor Gates in view of the comments which the Professor had made. At p. 1704 the Professor considered the question and then said "I would prefer I think, not to exercise a judgement as to whether this area ought to be in one municipality or another without the benefit of actual surveys of where the people who live there look and where they feel their loyalties be and so on".

I think it is clear that there is strong support for the inclusion of the area of the Corridor in the area of the proposed new municipality - as Nedlands claimed in the final address there is no real evidence that contradicts the original submission. I do not agree that the viability of the City of Subiaco is in any way dependent upon the retention of the Corridor. If that were so, I would have expected figures showing the actual details. I consider the linking of the area to Nedlands will be very much for the benefit of the residents. For them to be part of Subiaco in my view is inappropriate and I do not doubt that they use many of the facilities provided by the Nedlands Council. I find it difficult to believe that they would feel as one of the witnesses from the centre of Subiaco did when he said "we are Subi-ites".

I have thought well of the City of Subiaco and in regard to the main part of the case presented I have been favourably impressed. I consider however, that the area of the Corridor should be ceded to the proposed new municipality or if my recommendation regarding that is not accepted, then the corridor should become part of the district of the City of Nedlands.

The proposal to include the Crawley area in the new Council area has already been referred to in Section VII of this Report. There is little more that need be said about it, but the comments of Mr. Samuel, Counsel for the City of Perth might be quoted. At p.2761 he said "So far as the Crawley area is concerned, the city regards Mounts Bay Road as being properly its responsibility. It has been within the City of Perth for a very long time. It has been redeveloped rather considerably in the not-too-distant past ... The city believes that that is an appropriate point for its boundaries to commence ... The people who live in that particular part of Crawley have no particular physical attachment to any other residential area. It is our submission that whatever else Your Honour may do in respect of boundaries, in the Crawley area, the existing boundary, at least ought not to be interfered with".

I have already indicated my agreement with that view and so my recommendation is that Crawley should remain part of the area of the City Council of Perth.

The boundary then of the new municipality on the eastern side should be Aberdare Road from the railway to Winthrop Avenue, thence southwards along the western side of Winthrop Avenue to its junction with Mounts Bay Road, thence along the southern side of Mounts Bay Road to the foreshore and thence south westerly along the foreshore.

X. THE SHIRES OF KWINANA & ROCKINGHAM

The Recommendation of the Boundaries Commission is that these two areas should be unchanged except for a minor alteration to the boundary between them.

The Main Roads Department suggests that they be amalgamated and a portion of the area of the Town of Cockburn added to create a municipality with an area of 172.69 square miles.

1. THE SHIRE OF KWINANA - was established on 15th February, 1954. The area had been previously portion of the Rockingham Road District and the Shire was created to facilitate the establishment of the Kwinana Industrial complex and its associated residential development. The district was originally administered by a commissioner and the first council was elected in February, 1961.

It is contended that the reasons which justified the creation of the municipality still exists.

There is no reason to doubt that the municipality has the present capacity to fulfil the needs of the district and there is adequate provision for growth.

The area of the district is 45.64 square miles. The population at 30th June, 1973 is estimated to be 15,000 and there are 3,797 dwellings. A number of industries have been established and generally the municipality appears to have made considerable progress in its comparatively short existence. The unimproved value of the rateable land in the district is \$13,716,090.

The Council contends that the boundaries should remain unchanged except for a very minor adjustment to the boundary with the Shire of Rockingham - an adjustment with which that Shire agrees.

The Boundaries Commission in its report had recommended these alterations. In the submission made by the Shire of Rockingham the council of that shire dealing with the proposal of the Main Roads Department said - "The community of interest and the individual identity which has grown up in Rockingham and Kwinana would be adversely affected" (by a joining of the two authorities) "The towns are different in nature and purpose, and different considerations apply to them. Rockingham and Safety Bay are partially centres for a permanent population, some of whom work in the town and some of whom have retired there, and some of whom work in the industrial and light industrial development which exists in the Shire of Rockingham and the Shire of Kwinana and partially holiday and pleasure resorts". "The suburbs of Kwinana however, were established as dormitory suburbs for the vast Kwinana industrial complex".

The Shire Clerk of Kwinana, Mr. L.C. Baker agrees with that statement (See P.1294).

In my opinion there is no reason for any change to be made to the boundaries of the Shire of Kwinana except as set out below.

2. THE SHIRE OF ROCKINGHAM -was constituted a local authority on 21st May, 1897 and was originally an area of 146.54 square miles. On 15th February, 1954 an area of 45.64 square miles were taken to form the Shire of Kwinana.

The district now has an area of 100.9 square miles and the rateable value of the land within the district as at 30th June, 1974 was \$29,353,000. The population at that date is estimated to be 13,500 while there were 6,529 dwellings.

Some large industries have been established and development is taking place in the rural area where a large number of market gardens poultry farms and piggeries are now operating, where previously the land was used mainly for dairy farming and the grazing of stock.

New Council Chambers and administrative offices have been erected on a ten acre site and further facilities (library, art gallery and halls) are to be erected on the site.

The Council sees no benefit accruing to the people in the districts of Rockingham and Kwinana from the amalgamation of the districts as proposed by the Main Roads Department. Indeed it goes further and claims that it sees disadvantages.

I need not repeat the passage from the Council's submission which i quoted in dealing with the Shire of Kwinana. In my opinion, no change should be made to the present boundaries except the small adjustment on the boundary with the Shire of Kwinana.

This was recommended by the Boundaries Commission and is agreed by the Shire of Kwinana.

These adjustments are as follows:

The boundary between the Shire of Kwinana and the Shire of Rockingham be altered so that from Wellar Road southwards and then eastwards the boundary should be the railway line.

I am satisfied that the Council's confidence that "without any alteration to its boundaries other than mentioned above will be an economic local government authority, capable of implementing its responsibilities for the orderly growth and well-being of the residents of the Rockingham district" is justified.

XI. THE SHIRE OF ARMADALE-KELMSCOTT

The submissions of this Shire were made in two parts.

The first dealt with two proposals of the Boundaries Commission for the transfer of two areas on the northern boundary to the Town of Gosnells. The second is regarding the proposal to amalgamate the Shire with the Shire of Serpentine-Jarrahdale.

It will be appropriate if I commence by referring to the second of these proposals.

1. The Shire was first constituted on 14th December, 1894.

At that time the area was 199 square miles, but with several boundary adjustments and annexations has brought the area now to 276 square miles.

Whilst originally the area was a rural one, residential development in the last decade has led to a decline in primary activities.

The population is 23,500; there are 5,575 dwellings and the total income of the Council for the year ending 30th June, 1973 was \$908,161.

The Council had advised the Boundaries Commission that "no change whatsoever was desirable from its point of view and therefore the boundaries should not be altered".

I quote from the evidence of the Shire President, Mr. Stanley Vasse Pries at p.2526.

"It was considered that the municipality was sufficient in size to function as a viable unit. Its size, topography, potential for urban expansion in conformity with its Town Planning Scheme ... forming a well-balanced urban/rural ratio with the financial capacity - allowing for known development - to provide amenities and civic and social facilities as such to retain a community of interest in the district and a system of Local Government which would be close to the people ... On the other hand, the municipal district of Serpentine-Jarrahdale is predominantly rural and as such, Armadale-Kelmscott can see no real value in an amalgamation of the two municipalities. There is a community of interest in each district, the nature of activities differs in each district and lines of communication would be considerably lengthened, with the carrying out of works and undertakings over such a vast area".

Evidence was given of the Council and its affairs and the facilities it provides. I have no reason at all to doubt what Mr. Pries has said, and I consider that his evidence sums up the position very appropriately.

In my opinion it would be most undesirable to amalgamate the two Shires, and I recommend that no action be taken to do this.

2. The evidence of the Shire relating to the alterations proposed to the northern boundaries is at p.1046 et seq of the transcript. There are two areas involved - Area A - comprising 265 hectares located to the north of Terrence Road, Kelmscott, and Area B - comprising 926 hectares, located north of Kean Road in the Forrestdale area.

The severance of these areas is opposed by the Shire.

Area A is adjacent to Albany Highway and the South West railway line - it is fairly well developed and it is claimed "a definite potential for increased urban development". The present boundary with the district of the Town of Gosnells has been established for many years and is well defined. It is to be noted that it is also the State Electoral boundary for the electorates of Dale and Canning.

The Council claims that the boundary presents no problems.

I quote from the evidence of Mr. Pries at p.1047. "The area has a special attachment to the district from an historical point of view. The Shire commenced to grow from this area which has been commemorated by the naming of streets and localities after the pioneers and people who have played significant roles in the early days of its settlement and the subsequent constitution of the Shire. There are to this day, generations and relatives of the early settlers still resident in this area, and it would be their sincere wish for the attachment to remain with this Shire. This is not an emotional plea. It is something that has always been an integral part of the district, and should ever remain so."

Mr. Pries deals with the undesirability of the severance from the point of view of town planning and also with the effect on the revenue of the Shire.

Mr. Harold William Walker who has been Town Clerk for the Town of Gosnells for some 17 years gave evidence on behalf of his Shire. I will refer to his evidence which deals fully with the Town of Gosnells when I refer to that area. At this stage, I refer only

to his evidence on the two areas under discussion. Dealing with Area A. He refers to the physical value of the proposed boundary (p.1042) and he says "Council maintains that location boundaries provide the most satisfactory municipal boundaries. Council considers that this proposed boundary change does little to improve the shape of the Town area." Thus the proposed transfer of Area A has no support from the Town of Gosnells.

There is then no support at all for the proposal which the Boundaries Commission has made. Having in mind the evidence given on behalf of the Shire of Armadale-Kelmscott, it would seem to require strong reasons to enable the transfer to be recommended.

All the evidence before me clearly requires a recommendation that the area should remain as part of the Shire of Armadale-Kelmscott. I recommend accordingly.

AREA B Mr. Pries deals with his Council's view at p.1048. He says "The areas adjacent to Forrestdale townsite are low-lying and present drainage problems. This Shire has plans which are at an advanced stage to drain Forrestdale townsite through portion of Area B to Balinup Lake which is located on Ranford Road and on the present joint boundary. It would be reasonably safe to assume that another local authority would not be interested in constructing a comprehensive and expensive drainage system to drain water from the district of another local authority". He then referred to the matter of fire-fighting and he says "If the area were to be attached to Gosnells, it would become an outlying and isolated sector unable to receive the prompt attention it now enjoys".

In regard to town planning, he says "The retention of both areas is vital to the future town planning of the Shire".

In regard to Area B, Mr. Walker speaking for Gosnells said (at p.1043) that the proposal has been made "presumably with the intention of squaring off the plan". He added "Council has mutually agreed with the Shire of Armadale-Kelmscott that the boundaries below the Shire and the Town are satisfactory as at present. No material advantage would accrue to either municipality by the minor changes involved".

The comments which I made in regard to Area A that there is no support for the proposal which the Boundaries Commission has made, apply with equal force to Area B.

Nothing is before me which would in anyway justify a change to either of these two areas and I recommend that no alteration be made.

XII. THE SHIRE OF SERPENTINE-JARRAHDALE

The Boundaries Commission recommends that this Shire should be joined to a large portion of the area of the Shire of Armadale-Kelmscott to create Unit No.7 in the recommended proposals (The balance of the area of the Shire of Armadale-Kelmscott is proposed to be joined to portion of the Town of Gosnells and portion of the Shire of Kalamunda to form Unit No.8).

The Main Roads Department considers that no alteration should be made to the present boundaries. At P.31 Mr. Vance said "While some fringe Shires under this proposal have been amalgamated, the Shire of Wanneroo, because it is a fast-growing shire and Serpentine-Jarrahdale, because of its relative isolation and strong rural component have been left as separate entities ...".

The proposal of the Boundaries Commission is strongly opposed by the Council and by a number of ratepayers. Some of these gave evidence and some forwarded letters to the Secretary of the Commission indicating their opposition.

It is clear that the district is almost completely a rural area, as an example the milk production is 11,000 gallons per day. It is claimed that the Shire is well administered.

The area of the municipality is 287.6 square miles and since much of its industry is primary production it is claimed that it is best administered by people who are themselves in close touch with primary production.

All the witnesses called expressed themselves as being completely satisfied with the Council's administration and the view was expressed that the personal contact and efficiency would be lost by an amalgamation with another municipality already large in area. It is claimed (see p.2218) that there is a community of interest in the Shire and that the "attempt to marry an urban community to a rural community" is "not likely to be a happy union". It is feared that apart from creating disunity the superior numbers of urban population would have a very adverse effect upon the representation available to the rural community.

Mr. Ian George Atwell who is a member of the Shire Council expressed the view that the number of Councillors should be increased and that the Shire boundary should be placed further northward so that the township of Byford would be within the Shire. He contended that the new House of Assembly district of Rockingham would then include the complete Shires of Rockingham and Serpentine-Jarrahdale.

After this evidence, Mr. Peter Kargotich a member of the Council of the Shire of Armadale-Kelmscott was recalled. He is a ratepayer in the Shire of Serpentine-Jarrahdale as well as in Armadale-Kelmscott. He had given evidence opposing the union of the two Shires and supporting the submission of Serpentine-Jarrahdale.

His recall to the witness box was occasioned by the evidence of Mr. Atwell to which I have referred.

As a councillor for the Byford Ward in the Shire of Armadale-Kelmscott he had been collecting signatures to a petition seeking that the area of the ward be excised from the Shire of Armadale-Kelmscott and annexed to the Shire of Serpentine-Jarrahdale. He had not brought the petition with him, but he indicated that 240 ratepayers had signed. The Byford Ward is very large and represents about 2/5 of the area of the Shire of Armadale-Kelmscott.

The petition, of course, may never be presented. I have no doubt that if it is, it would be strongly opposed. I indicated during the hearing that in fairness to all parties concerned, as the matter stood, I did not propose to investigate the matter further. This is to be regretted as it would have been desirable to deal with any contentious matters, but I did not consider that I should encourage the completion of the petition nor on the other hand require it to be dealt with if it were incomplete. My comments to the parties are set out at p.2559 of the transcript.

To return then to the submission of the Council - of the total area of 287.6 square miles, only 1.2 square miles are zoned as urban land. Of the remaining 206.4 square miles approximately 136 square miles consist of State Forest land.

At p.2561 Mr. Dorrington, the Shire Clerk said "... because of our predominantly rural status, our ratepayers do not have a common interest with inner metropolitan cities, towns or shires, and it is not realistic to expect our shire to co-exist with the Shire of Armadale-Kelmscott which is experiencing a rapid rate of urban development". Mr. Dorrington went on to describe that at a special meeting of electors convened for the purpose of discussing the proposal of the Boundaries Commission "voting was overwhelmingly in favour of retaining identity". Mr. Herbert Clement Kentish gave evidence - He is in his tenth year as the President of the Shire and he has been in local government for almost thirty years. I need not deal in any detail with his evidence. I was impressed with what he said and with the evidence given by Mr. Frederic Senior, the Deputy President.

It seems to me that the case against any amalgamation as proposed is overwhelming. In my opinion, on the evidence before me, no change in the boundaries of the Shire should be made. I consider that the proposed amalgamation would be a disaster for the people of Serpentine-Jarrahdale, and I consider it should not be carried out.

XIII. THE SHIRE OF WANNEROO

The Boundaries Commission in its report recommended that no change should be made to the boundaries of the Shire of Wanneroo. Except for two minor alterations - the Shire Council agrees with this.

The evidence shows that Wanneroo is one of the most rapidly developing municipalities. The estimate of the population in December, 1973 is 34,765. In 1971 it was 8,606.

The area is 304 square miles and of this, 77.3 square miles is zoned as residential and 103.4 square miles is rural land. There is almost no industrial land (.3 square miles) and apart from the power station which occupies 4.7 square miles, the rest of the area is State forests, lakes, recreational areas (including two national parks) and public reserves.

On the evidence, the Council appears to have met the problems caused by the rapid increase in population with an appreciation of what was required. This has meant of course, a very substantial increase in the staff of the Council. In building up the staff necessary for a large and rapidly developing area the Council appears to have taken the appropriate action in regard to the various Departments such as engineering and town planning. The Council very wisely employed management consultants to investigate and recommend on the present administration. The revenue of the Council has increased from \$475,924 in the year 1968-1969 to \$2,870,392 in the year 1972-1973. The estimated revenue for the current year is \$3,106,582.

The Salvado Plan was before Parliament at the time when the Commission was taking evidence, and the Council was desirous of putting some views regarding the Plan. I considered that evidence regarding the Plan should not be admitted. Undoubtedly if the Plan were implemented in the form set out in the Bill it would have some effect on the Shire, but I did not wish the Commission to be used as a forum for the discussion of opinions regarding the Plan.

It is believed that the population will continue to increase and Miss Vida Jean Wright, the Town Planning Officer of the Council says (at p.1775) that within 2 or 3 years the population will be between 60,000 and 100,000.

The Shire Clerk, Mr. Noel Sydney Bennetts said in his evidence (at p.1745) - "Future of Wanneroo as a sub-region - over the past few years, this Shire has been aware of the debates for and against large and small local authorities. It is aware of the type of projects which can be undertaken by a large authority with its financial strength. However, it is equally aware of the close personal contact which can only be maintained between councillors staff and ratepayers in small units. In an endeavour to get the benefits from both types of administration, discussions have been held with Professor Martyn Webb of the University of Western Australia and, following the discussions, Professor Webb has been commissioned by this Council to prepare a report on the eventual division of responsibilities in what will ultimately be a large Regional County Council and a number of minor councils with a clear division of responsibilities. Professor Webb will be giving further evidence in this regard".

Miss Wright (at p.1775) said "In my opinion it would be a step backwards to break up Wanneroo into two or more small municipalities unless this is part of a two or three tier scheme. I wholeheartedly support the idea of a Wanneroo District Council to control the whole area and for Wanneroo eventually to have a small number of municipalities at the first tier level. Our planning is developing along these lines. We are creating districts and giving each of these districts a certain identity. They are being established with a certain identity. It is not only the work of the Shire; it is the work of the developers who are doing this. It is also the MRPA, which by its policy of establishing the routes and major roads does serve to subdivide the area into these district areas with their own shopping and other facilities. I can see this happening in the future. I do not think this is the right time for it. I feel each of these areas has to develop further before we think about setting them up as separate district or first tier municipalities".

Professor Webb's evidence when called by this Shire appears at p.1562 et seq. As was mentioned earlier, the Professor had been consulted by the Shire regarding its management and administration. He says at p.1565 "The study which I am undertaking is still at the design stage, at which we are attempting to set out the aims of the report for the detailed consideration by the Wanneroo Shire Council for adoption as a part of its programme. Accordingly, while I am here at the request of the Shire, what I have to say is not yet shire policy".

He foreshadows and he believes the Council will support his views that the present Shire could become a district or county council and some of the present wards would become first tier municipalities (p.1571).

There is of course no specific provision for such a proceeding in the Local Government Act - it may perhaps be somewhat loosely described as the process of Section 329 in reverse (p.1569).

It is clear that Section 329 is an important part of the Act and one which could well become of greater importance in the future. This being so, it seems to be reasonable that an amendment be made providing for a large shire to become the regional council and for the creation of first tier municipalities within it.

As Professor Webb says his views are as yet in the design stage only and as Miss Wright says "I do not think this is the right time for it ..." I agree with that view, but the shire is to be commended for its forward thinking and I suggest that it should be encouraged to continue its consideration of the plan. Whether it is possible for it to be implemented is a matter for the future.

Turning then to the alterations to the boundaries proposed in the Boundaries Commission's Report -

- (a) The southern boundary has already been adjusted with the City of Stirling. The alterations have been gazetted (The relevant Government Gazettes were tendered as exhibits). No further action is necessary.
- (b) The eastern boundary change proposed by the Boundaries Commission is not appropriate because one of the proposed roads has now been re-routed. The most suitable position of the boundary will depend on a further amendment which is proposed to the MRPA plan. This may not be approved for a year or so and accordingly both councils concerned - Wanneroo and Swan agree that rather than have an undesirable change in the boundary followed by a second change within a comparatively short time, no change should be made at this time.

In the area of the present boundary and the proposed new boundary the land is vacant and it is expected that the two councils will agree upon the new boundary when the position of the road has been finally determined.

I recommend that no change be made in the present boundaries at this time.

XIV. THE SHIRE OF BELMONT

1. The report of the Boundaries Commission recommends that the Shire of Belmont be increased in area by the addition of areas from the City of Perth, and the Town of Canning, the Shire of Swan, and the Shire of Kalamunda. The report also recommends the excision of a small area and its annexation to the Shire of Gosnells.
2. The Main Roads Department recommended an amalgamation of the City of South Perth, the Shire of Belmont, an area of the the City of Perth and the Town of Canning. The total area of the municipality so formed would be 54.78 square miles and the total population based on the 1971 Census figures would be 126,680 people.

I find no support for this proposal at all. It is opposed by all four municipalities and in my opinion understandably so. The proposal fails to take into account so many important aspects that I consider it is not necessary to say more than that it should be rejected.

3. The Council has made a submission for an increase in the area of the shire and I quote the summary;

"The Council of the Shire of Belmont presents its case for an amendment to its existing boundaries having made a careful analysis of the Shire's future role in metropolitan local government. In making this submission the Council has found that a City of Belmont which included areas presently contained within the City of Perth, Town of Canning and the Shires of Swan and Kalamunda, would be created to the betterment (economic and social) of all residents who would eventually enjoy a higher standard of civic, cultural and community life and provide for greater individual pride for all within its district.

In particular the Council considers -

1. that the proposed boundaries are completely logical in their containment of a naturally defined community.
2. that the area contained within the new boundaries can be planned logically and efficiently from both economic and land use aspects.
3. that an optimum degree of economic independence and efficiency should result from the scale and range of contained resources.

4. that Council's new resources and their dispersion would enable a higher degree of operational efficiency to be attained in the administration of Shire functions.
5. that an identity could be fostered which would make the community of Belmont an independent civic and community unit proud of its achievements and satisfied with its administration.
6. the Council's conclusions were confirmed by the recommendations of the 1972 study of the Local Government Boundaries Commission;
7. that the approval for enlargement of the district would be a most significant occasion to elevate the status to that of a city and to increase the council membership on new ward boundaries".

4. The Council's proposals for boundary amendments are -

- Area A - Lathlain-Carlisle to be annexed from the City of Perth.
- Area B - Canning-Welshpool to be annexed from the Town of Canning.
- Area C - Newburn-Maida Vale to be annexed from the Shire of /Kalamunda.
- Area D - South Guildford to be annexed from the Shire of Swan.
- Area E - A small area to be ceded to the Shire of Kalamunda.

The City of Perth in its submission has sought to annexe the whole of the area of the Shire of Belmont and I have dealt with that submission in a separate part of this report, together with the submissions regarding Area A as portion of that part.

It will be preferable to deal with Area B when I am considering the Canning Plan.

5. I turn then to Areas C & E. Area C is an area of 407 acres comprising two triangular sections west of the standard gauge railway and Newburn Road in the south and the Perth Airport in the north. Neither area is developed to any extent and the land is either in agricultural production or is vacant. The unimproved capital value is assessed at \$407,000. Because of the standard gauge railway both sections are physically separated from private land within the Shire of Kalamunda. With the proposed extensions to Perth Airport most of the land will be acquired by the Commonwealth.

Area E. This is a very small section of 37 acres to the east of the standard gauge railway reserve and fronting Newburn Road. The land is physically separated from land in Belmont and the Ceding of the area to the Shire of Kalamunda is considered to be appropriate for that reason.

The transfer of both Areas C & E has been agreed to in writing by both the Shires of Belmont and Kalamunda.

I recommend that the transfer be made of Area C from Kalamunda to Belmont and of Area E from Belmont to Kalamunda. The effect will be to strengthen the boundary between the two Shires and to use the standard gauge railway reserve as the boundary between them.

6. The proposal to annexe the area of South Guildford from the Shire of Swan has been very strongly opposed by the latter Shire.

A considerable amount of evidence was called regarding the many aspects which the Commission was asked to consider.

- (a) The present boundary between the Shires of Belmont and Swan runs in a south-east-northwest direction from the Swan River through the Perth Airport to a point just beyond the standard gauge railway line. The Boundaries Commission in its report recommended that the boundary should be further to the north-eastwards and should be the Helena River to the Great Eastern Highway, thence southerly along the Highway and thence south-easterly along Kalamunda Road and Adelaide Street to the standard gauge railway line.
- (b) The proposal of the Shire of Belmont is that the portion of the Shire of Swan situated between the existing common boundary and the Swan and Helena Rivers and the standard gauge railway should be annexed to the Shire of Belmont. The area of this portion is 2,736 acres and the population is 920 people. It contains 225 houses, 17 industrial establishments, 4 shops, a service station, 7 other commercial enterprises, a reception lodge, a lodging house and a smallgoods factory. There is a golfcourse and several agricultural processing plants and some sheep paddocking. A large proportion of the land is under the Commonwealth either for airport or defence purposes. The Department of the Army has held about 170 acres for an ordinance depot for many years.

(c) The present boundary between the two Shires is not a satisfactory one and this was recognised by the Boundaries Commission. The Shire of Belmont has stressed that the Helena River and the standard gauge railway are ideal boundaries. It has pointed out that the furthest part of the area would be less than six miles from the proposed town centre of Belmont. The fact that so much land in Belmont is held by the Commonwealth Government for the Airport creates an unusual situation in Belmont.

7. Mr. Williamson, the Shire Clerk of Swan gave evidence. He says that the children from the area attend schools in Guildford and a random sample check shows that 40% of the people do their weekly shopping at Midland and 60% at Guildford. All obtain their day to day needs from the shops at South Guildford. His council is confident that all the ratepayers wish to remain part of the Shire of Swan. The Shire of Swan agrees that the Perth Airport should be in one municipality and concedes that it should be located in the Belmont Shire. With this in mind it suggests that the new boundary between the Shires should be the Roe Freeway alignment. The adoption of this boundary would result in some 87 acres being transferred from Belmont to Swan - that is, an area between the western side of the Freeway alignment and the Swan River and 1,575 acres (being Perth Airport land) being transferred from the Shire of Swan to the Shire of Belmont.

Councillor Brian Derwent O'Shaunassy, is the Councillor for South Guildford ward - a position he has held for some four years. He says that from his contact with the people of South Guildford he believes they wish to remain in the municipality of Swan. He had made measurements of the distances to the various facilities and for the people in South Guildford to travel to Belmont would mean a journey of about twice the distance than if they travelled to Guildford. He considers that the distance from South Guildford to the Swan Shire offices is about the same distance as to the Belmont Shire offices.

8. I have given careful and earnest consideration to the proposals. As I have said and as has been conceded by the Shire of Swan the existing boundary needs to be altered. In my view the proposal of the Shire of Swan to add the balance of the airport land to Belmont is not sufficient at all and I consider that the proposal put forward by Belmont should be approved and

implemented. The effect of this on Belmont will be beneficial; the effect on the Shire of Swan I consider will be minimal and I think it will be to the benefit of the people in the area. They will of course not be separated from Guildford and they will become part of a more compact area. The boundaries are clearly defined and I have every confidence that the enthusiasm which is evident in Belmont will quickly embrace the people of South Guildford.

XV.

1. THE TOWN OF COCKBURN is a large area comprising some 53.2 square miles. The report of the Boundaries Commission recommended some alterations to the northern boundary. This proposal is strenuously opposed by the Council for reasons to which I will refer.

The submission of the Main Roads Department suggests that the district of the Town should be divided - approximately half (27.05 square miles) being annexed to the City of Fremantle and other Councils, and the other portion (26.15 square miles) being annexed to an area comprising the present districts of the Shires of Kwinana and Rockingham. I have already dealt with those two latter Shires and I consider for the reasons set out that they should not be changed.

Mr. Armarego, the Town Clerk, began his evidence by saying "The submission will demonstrate that the Town of Cockburn administers its affairs with optimum efficiency and gives its ratepayers and citizens, maximum service at a minimum but effective revenue."

The boundary alterations suggested by the Boundaries Commission would involve a loss to the Town of Cockburn of 250 acres of developed land on the northwestern boundary and 855 acres on the northeastern boundary of which 272 acres are rateable. It is contended by the Council that this loss would be detrimental to the community as a whole and would substantially retard the progressive development in the remainder of the district.

2. The present population is estimated at 27,500 and in the two areas referred to the population is estimated at about 19,300 (p.1672). The loss of rates on the two areas would be \$37,400-\$28,700 on the northwestern part and \$8,700 on the northeastern part.

Mr. Armarego says (at p.972) "The loss of rateable land and revenue will retard important council projects in particular the building of the District Civic Centre at Spearwood. The Administrative offices, the Function Hall and especially the Library are designed to accommodate the needs of the people of Cockburn; this project is based primarily on the strength of the present income over the entire district".

3. In February, 1973, the Council carried out a survey of the northwestern area by officers of the Council making personal contact with the owners of land. Each owner was asked to give a written reply to three questions. In all there are 585 ratepayers and of these 504 (that is, 86%) reside in the area. Of those 86% indicated that they preferred the area to remain in the Town of Cockburn, 1% voted "NO" and 13% did not answer.

The present boundaries of the district have remained in the present form since 1923 except for "very minor amendments".

The population is increasing at a considerable rate and the expected increase is at a greater rate than any other municipality except Wanneroo.

4. I am satisfied that the Council's administration is of a high standard and that it is meeting its increasing responsibilities in a very satisfactory way. In these circumstances it is difficult to see what reason can be advanced for excising the two areas I have referred to. It is difficult too to see in what way the ratepayers or the residents of the two areas could benefit in any way from the alteration. It is clear that the town planning proposals would be adversely affected by the alterations and the effect on the balance of the area may be sufficient to raise doubts whether it would "remain a viable entity".

I accept Mr. Armarego's final comment "It is in the interest of the people of Cockburn that the boundaries remain unaltered".

5. Mr. Allan Murray Thomas, the Mayor of Cockburn also gave evidence. He dealt with some aspects of the development of the area in an earlier day. I do not propose to quote from what he said, but I heard it and I later read it with great interest. It has provided a useful background and has shown some very clear examples of the community spirit which exists in the district.

6. The City of Fremantle's submission will be discussed in a separate section of this report. In general it contends that there should be municipalities much larger in size than those at present existing.

Mr. S.W. Parks, the Town Clerk in presenting the submission of the Fremantle City Council said (at p.845) "The Fremantle City Council has not at anytime, suggested that it should "take over" adjoining territory. It is the opinion of the Council that the present boundaries should be removed and metropolitan local authorities reconstituted as new districts appropriately centred". Thus it seems that the City of Fremantle has no particular interest in the two areas in the Cockburn district. It appears that these areas were recommended by the Boundaries Commission for transfer to Fremantle solely to enable that area to attain a population of about 40,000.

These aspects strengthen the view that there should be no transfer of these areas.

7. On the northern boundary of Cockburn there is a piece of land owned by the City of Fremantle and used as a rubbish disposal area. Some discussion took place during the hearing as to whether it would be appropriate to alter the boundary line thus transferring this piece of land into the Cockburn district.

I think that when the land ceases to be used for the disposal of rubbish such a transfer may well be appropriate. I see no necessity for it to be done now and as I understand the evidence there is no desire for a transfer until the rubbish disposal ceases. I make no recommendation regarding this.

8. The plan put forward by the Town of Canning has reference to a small area of land in the Cockburn district. I will refer to this when dealing with the Canning submission, but it will be appropriate to say that I do not recommend it. It is surprising to note that there has been no discussion with the Cockburn Council regarding this. The land is a small triangular piece to the south of the Melville Glades Golf course which is in the city of Melville. The land is between the golf course and the proposed Roe Freeway. Since it is not known when the Freeway will be built or whether when built, it will be in the position now shown on the map I agree with Cockburn that the land should remain in the Town of Cockburn.

9. An agreement has been reached between the Town of Cockburn and the City of Melville regarding several boundary changes to the south of the Murdoch University land. I will refer to these when dealing with the City of Melville's submissions.

XVI. THE SHIRE OF KALAMUNDA

1. The Shire of Kalamunda comprises an area of 136 square miles, of which 80 square miles is State Forest land. Ten square miles are zoned as residential and 36 square miles are zoned as rural land. The remaining 10 square miles is Regional Open Space and National Park.

2. The Boundaries Commission recommended some changes in the boundaries of the Shire. Having regard to the size of the area of the shire these changes are comparatively small, but they are considered by the Shire Council to be of some importance.

The Main Roads Department considers that a large part of the Shire of Mundaring should be added to the area of the Shire of Kalamunda to create a municipality with an area of 265.69 square miles.

3. The population of the Shire of Kalamunda in 1966 was 9,700: in 1971 it was 18,300 and it is estimated that by June, 1973, it had reached approximately 23,300. The development of the area is thus continuing and the population potential is considered to be 80,000.

4. Several minor alterations to the boundaries of the municipality have been made and the Council suggests that some additional alterations are desirable. These are as follows:

(a) Shire of Swan: In the north western corner of the Shire of Kalamunda, there is an area which by reason of its separation by the standard gauge railway might appropriately be transferred to the Shire of Swan.

In that same locality there is a small area of the Shire of Swan which lies to the east of the Standard Gauge railway. It is suggested that this area should be transferred to the Shire of Kalamunda. Both these areas are shown on a plan submitted. The transfers would make the Standard Gauge railway the boundary. This proposal has not been opposed by the Shire of Swan.

I regard these as very appropriate alterations.

(b) Town of Canning: The Council of that Shire has agreed to transfer to Kalamunda an area of land on the eastern end of the Kewdale Industrial area and east of the standard gauge railway reservation. The letter setting out the

agreement has been tendered. The request for the transfer was made because it is considered that if the railway is to be the boundary it should be adhered to.

- (c) Town of Gosnells - The Council of that municipality and Kalamunda have agreed to a minor exchange of land - the area comprising the National Fitness Camp at the Bickley Reservoir should be transferred to the Town of Gosnells because it is more easy of access from that authority for maintenance purposes. A minor area of land shown on the map tendered should be transferred to Kalamunda to overcome the anomaly of the boundary running through the middle of a block of land.
- (d) The Boundaries Commission's Report recommends an alteration to the southern boundary of Kalamunda which adjoins the area of the Town of Gosnells.

Neither municipality supports this proposal and it seems that the severance from Kalamunda would have an adverse effect upon that Shire. The residents of the area support the Council's view. Mr. O'Meara, the Shire Clerk says (at p.1257) "It is strongly contended by this Council that such an alteration would create concern and problems far in excess of the benefits to be gained".

In all the circumstances, I accept that view.

I consider then, that the alterations referred to in paragraphs (a) (b) and (c) should be carried out, but that the proposal for the transfer referred to in paragraph (d) should be rejected.

- (e) The transfer of two areas has been agreed with the Shire of Belmont. The first of these is an area of 407 acres comprising two triangular sections west of the standard gauge railway and Newburn Road in the South and Perth Airport in the north. Neither area is developed to any extent and the land is either in agricultural production or is vacant. The unimproved capital value is assessed at \$407,000. Because of the railway both sections are physically separated from land within the Shire of Kalamunda. It is expected that most of the land will be acquired later for extensions to the Perth Airport. I recommend that this land be transferred from Kalamunda to Belmont.

(g) The other land is a very small section of 37 acres to the east of the standard gauge railway and fronting Newburn Road. The land is physically separated from land in Belmont and the ceding of the area to the Shire of Kalamunda is considered to be appropriate for that reason.

(h) The effect of these transfers will be to strengthen the boundary between the two Shires and to use the standard gauge railway reserve as the boundary between them. I have of course referred to these in dealing with the Belmont area and what I have said in this part repeats the recommendation made in the Belmont Section.

5. An alteration of a minor nature is to be made to the boundary of the Shire in the Helena Valley area. This is set out fully in paragraph 17 at the end of the Section of this report which deals with the Shire of Swan.

XVII. THE SHIRE OF SWAN AND THE SHIRE OF MUNDARING

I deal with these two Shires in one section because of the matters raised upon which both have made submissions.

1. The Shire of Swan is the largest in area of the metropolitan municipalities, being 397.2 square miles. Its population at 30th June, 1971 was 25,682 people and at 30th June, 1972 was 27,200 people.
 2. The report of the Boundaries Commission recommended the excision of an area to Bayswater-Bassendean - this has been referred to as the Caversham and Lockridge area; the excision of the area known as Red Hill, the addition of a comparatively small area on the boundary with Bayswater; the addition of the area of the Helena Vale Racecourse.
 3. The Main Roads Department considered that the Shire should be amalgamated with the Shires of Bayswater and Bassendean and portion of the Shire of Mundaring to form a new municipality having an area of 500.28 square miles and a population (on the figures of the 1971 census) of 78,124 people.
 4. The transfer of the Koongamia area to the Shire of Mundaring has been strongly contested by the Shire of Swan and the Caversham and Lockridge area have been the subject of strong contention by the Shire of Bassendean.
- The Red Hill area is in the Shire of Swan. The Shire Clerk of Mundaring (Mr. Leggo), says that his Council "has no strong feeling about this area and it would probably be better retained by the Shire of Swan". The area does not seem to be of any real concern to the Council of either Shire and there is no reason before me for making any alteration to the existing boundary.
5. The area on the boundary with the Shire of Bayswater is regarded by the Council of that Shire as being of considerable importance. This area is considered to be vital to the Bayswater Town Planning Schemes and particularly "the fact that comprehensive drainage, sewerage and water reticulation is involved".

In view of this I consider that the proposal to alter the position of the boundary should not be implemented and I recommend that the boundary should remain as it is at present, that is, easterly along Benara Road to the eastern boundary of the Shire of Bayswater.

6; The proposal of the Shire of Swan is that an entirely new municipality should be created, centred on the Shire of Swan and taking in the whole of the Shire of Bassendean and portion of the Shire of Bayswater. The new municipality would be "centred on Swan because it has the administration to carry it out" (p.1782).

The plan envisages the ceding to the Shire of Belmont the area of the Guildford Airport. The new municipality would have a population of approximately 60,000. This is somewhat similar to the proposal put forward by the Main Roads Department.

7. I have already dealt with the proposal of the Shire of Belmont and have indicated that in my opinion the South Guildford area should be transferred to that Shire.

8. Swan is one of the oldest districts in the State. It was first formed as the "Swan Roads Committee in 1843. Guildford was formed as a "Town Trust" in 1840. In 1871 the area of the Swan District was some thousands of square miles, but at about the turn of the century new districts such as Mundaring, Bassendean, Bayswater, Chittering Gingin and other areas were created. Guildford was amalgamated with Swan in July 1960. Immediately prior to that the area of the Shire of Swan was 395 square miles. The incorporation of Guildford increased the size of the district by one square mile only and added 2,500 people to the population. The amalgamated district was called the Swan-Guildford Road District. In 1970 the Town of Midland, which had at one time formed part of the original Swan District, presented a petition seeking to acquire portions of the Swan-Guildford area. The petition was opposed and the ultimate recommendation of the Boundaries Commission was that Midland be amalgamated with the Swan-Guildford Shire. The amalgamation took place in April 1970 and the combined district was known as the Shire of Swan. Again the increase in the area was not large - only 2.5 square miles, but the gain in population of 9,700 people was substantial.

9. As each amalgamation occurred the Shire of Swan absorbed the administrative and manual staff of each town. Branch offices have been maintained in each area, but the amalgamated shire has continued to be administered from the administration centre at Middle Swan.

10. Three prior boundary amendments have been made within the last 4 years. These were made by agreement with adjoining municipalities - 1400 acres were transferred to the Shire of Mundaring - 27 subdivided lots were transferred from Mundaring and adjustments of boundaries were made with the City of Stirling and the Shire of Wanneroo.

11. In 1970 a petition by the Bassendean Shire Council sought the excision of portion of the Shire of Swan - the residential suburb of Lockridge. This was opposed by the Shire of Swan and the Boundaries Commission after hearing both Shires recommended that the excision and annexation should not take place.

12. The Shire is both residential and rural in character and whilst in 1961 the rural population outnumbered the urban population in 1970 the greatly increased urban population outnumbered the rural population. The estimated figures as at 30th June, 1973 showed that in a total population of 27,535 the urban population was considered to be 21,460 and the rural population 6,095.

The urban development however, has occurred mainly in the southern part of the district. The northern part is still mainly devoted to agricultural pursuits including wine growing.

13. The rate revenue for the year ending 30th June, 1972 was \$481,349 and the total receipts were \$1,373,909. There are 116 persons employed. Mr. Williamson says "The Shire has benefited by its ability through size and internal growth, to employ some of the economies and qualified personnel usually attributed to the comparatively large organisations". He says further "The Shire of Swan is functioning effectively within its present boundaries and considers that it can continue to do so provided that it does not suffer the excision of any substantial portion of its existing district. The present population of the Shire is minimal for its effective operation and any loss of any of its present limited residential and industrial areas would be detrimental without like compensating additions".

The Council considers it should have "both for geographical reasons and for the creation of a more effective local authority unit those portions of the district of the Shire of Mundaring known as Greenmount, Swan View and Helena Valley. ...Each of these areas is residential in character and each adjoins that portion of the Swan district known as Koongamia. This is one of the residential districts of the Swan Shire developed on a tongue of land extending from the boundaries of the Town of Midland to the foothills of the Darling Range. ...In the suburbs of Greenmount, Swan View and Helena Valley approximately 1,500 houses have been erected and there is at present a population of approximately 5,000 people. Annexation of these areas would increase the size of the Swan Shire district and would give the Shire a greatly increased urban population potential. The residents of the areas in question have a community of interest in that the majority shop in the Town of Midland and use the facilities provided in that portion of the Shire's district".

14. The plan for a new local authority - the Town of Swan is dealt with by Mr. Williamson in his evidence. I have already set out an outline of the area proposed. The present population of that area would be 55,000 - 60,000 people. Mr. Williamson says "The new municipality would be sufficient in size and population for creation as a Town and this would allow for an adequate representation of councillors for the combined area". I have given careful consideration to the proposal, but I cannot recommend it. Indeed I can find little merit in it at all. Whilst as I have said the appropriate size of a municipality depends on a number of factors a substantial increase of the Swan area which is already almost 400 square miles should be made only where there is clear evidence to support such an increase. The main basis for the proposal is the construction of the Beechboro-Gosnells Highway, the Bushmead Highway and the Roe Freeway. I can appreciate that the construction of those would bring changes in the area of them. At this stage, however, I do not regard as appropriate to create a new municipality in the expectation that they will be built.

I do not recommend the "Town of Swan" proposal.

15. The Lockridge Area. As I have noted earlier an application had been made by the Bassendean Shire Council in 1970 for the annexation of the Lockridge area. The area comprises some 325 acres of urban land on which there are at present 543 dwellings, 525 flat units and 160 town houses. The population is 5,000 and when the area is fully developed the population should be approx. 7,500 people.

Mr. Williamson has given some details of the facilities which the Council has provided. Information was given about the election in the area.

I do not propose to refer to the considerable amount of evidence that was given about Lockridge and the area surrounding it. I agree with the comments which Mr. Smith QC counsel for Swan made on this area in his address. I can see no good reason for excising the area from Swan at all. Indeed all the evidence before me supports the view that it should remain part of Swan. No one was called from Lockridge to give evidence of any desire to change or of any affinity with Bassendean. In my view no change should be made.

16. The Boundaries Commission's proposal to excise the Caversham area from the Shire of Swan is apparently linked with the Lockridge proposal. The Swan Council describes it as "most illogical, as the land is rural in character and traditionally part of the Swan Valley". The area comprises 330 acres of Crown Land, most of which is subject to flooding and is useful only for grazing. The remaining 370 acres is generally planted with vines. The Council adds - "There appears to be no valid reason for the proposed excision."

I agree with that view. The transfer of land from the Shire of Swan would not achieve any purpose and I am not aware of any reason for it to be made. I accept the view that it is "traditionally part of the Swan Valley". I recommend that it should remain within the Shire of Swan.

17. I have already referred to the Boundaries Commission's Recommendation to adjust the boundary with the Shire of Mundaring so that the Helena Vale Race Course, Greenmount and Helena Valley would be within the Shire of Swan. This is supported by Swan. The Council of that shire also seeks to include Swan View as well. The township of Koongamia is of course presently within the Swan Shire boundaries and that shire strongly opposes the excision of it and its annexation to the Shire of Mundaring.

In support of these matters, Mr. Williamson said - "Geographically the areas in question are on the western side of the Darling Range the escarpment of which together with National Park forms a natural barrier between those suburbs and the remainder of the Mundaring district."

18. THE SHIRE OF MUNDARING

It is preferable that the submissions of the Shires of Swan and Mundaring regarding the areas referred to in the preceding paragraph be examined together. To enable this to be done, I deal first with the general submission of the Shire of Mundaring.

- (a) The Shire of Mundaring has an area of 247.3 square miles and a population which has grown from 8,925 people in 1966 to 12,018 in 1971 and is estimated to be 14,000 at June, 1973.

The recommendation of the Boundaries Commission is firstly that certain areas on the western boundary should be transferred to the Shire of Swan and that some land now in the Shire of Swan be transferred to Mundaring.

The Main Roads Department submission contends that some 88.43 square miles should be transferred and a new district comprising the Shires of Swan, Bayswater and Bassendean should be formed. The balance should be transferred to Kalamunda to form a shire with an area of 295.69 square miles.

- (b) The residents of a small area of the Shire Helena Valley have sought to have their area placed in one shire rather than for the area to be partly in the Shires of Swan, Kalamunda and Mundaring.

The Council of the Shire of Mundaring agrees with some of the proposals of the Boundaries Commission and I will refer to these in detail. It opposes strongly however, the proposal affecting Greenmount and the transfer of the Helena Valley.

It claims that the township of Koongamia should be transferred from the Shire of Swan.

The Council contends that the Shire should continue as a Shire and that only minor alterations to its western boundary should be made.

- (c) The area was created as a separate municipality under the name of the Greenmount Road Board in 1902. In 1934 the name was changed to Mundaring Road Board and in 1960 to the Shire of Mundaring. It is claimed that the area of the Shire is sufficiently large and amalgamation with any adjoining authority would extend lines of communication and control beyond reasonably accepted limits. It is contended that the Shire measures up well to the various criteria expressed by Mr. Paust, the Secretary for Local Government.

(d) Dealing with the proposals of the Boundaries Commission in details:

- (i) The first proposal to which I refer takes the boundary in the north-east section further north-eastwards and this has the effect of excising the Red Hill area from the district of the Shire of Swan and including in the district of the Shire of Mundaring. The Shire Clerk, Mr. Leggo says, "The council of the Shire of Mundaring has no strong feelings about this area and it would probably be better retained by the Shire of Swan".
- (ii) The area west and south-west of Midland Cemetery bounded by Myles Road , Stribling Road, the standard gauge railway and Morrison Road. As I see it this area is in the Shire of Swan and the recommendation of the Boundaries Commission does not affect it. The proposal then is misleading.
- (iii) The proposed transfer of the area west of the standard gauge railway to the Shire of Swan. The Council agrees with this proposal because of the geology and the nature of the terrain. The standard gauge railway provides a suitable boundary. If the transfer is effected, the Council would wish to retain the ownership of the sports ground at Morrison Park for further development of the sporting complex. This is important because level ground is difficult to obtain in the Shire.
- (iv) The proposed changes for Greenmount and Helena Valley and the question of Koongamia.

The council strongly opposes this proposal. It is claimed that it would have the effect of removing a substantial part of a community identifying with the Shire.

I certainly agree that the Shire of Mundaring should continue to exist.

19. The Shire of Swan called several witnesses in regard to Koongamia:

- (a) The first of these was Mrs. Elsie May Wilkins who is the Secretary of the Koongamia Progress Association. She says that the residents look to Midland as their centre. The Association has not discussed the present proposal, but she believes the members would not be "very keen about it."

- (b) Mr. Peter John Hefron has lived in the Koongamia area for 18 years. He is a station officer with the Fire Brigade - works at Midland. He says that the residents of Koongamia look to Midland as a shopping centre. He is President of the Bellevue RSL Club. This is an active club and has 300 members. These are drawn from Greenmount, Swan View and Koongamia as well as Bellevue. There are some who come from Midland. The Shire of Swan gave them "a lot of help in getting our club going." He "would prefer to remain in the Swan Shire."

20. The comments of the Shire of Mundaring are in the evidence given by Mr. Leggo, the Shire Clerk, and this reads as follows:

"Proposed changes for Greenmount, Helena Valley and the question of Koongamia. Council entirely disagrees with this proposal which has the effect of removing a substantial part of a community identifying with the Shire. It would badly affect the area served by the Greenmount Library, sever the community of Helena Valley/Boya, place the Helena Valley Recreation Reserve on the Swan Shire side of a boundary road and reduce the rateable area supporting and benefiting from Greenmount Hall and Tennis Courts and the Bilgoman Olympic Pool at Darlington. Council further submits that the community of Koongamia is more of a "Hills community" identifying with people in the Shire of Mundaring. Facilities such as Greenmount Library have been designed to serve Koongamia and the general services offered by a "Hills" authority would be more satisfactory to the people of Koongamia than those presently offered by the Shire of Swan. Council submits that Koongamia should be transferred to the Shire of Mundaring". This followed a comment made earlier in the submission referring to the community of interest in a common background that exists in the individual settlements which maintains identity within the community as a whole."

21. I can appreciate that the nature of the area has required the Council to gain a different expertise in vital matters affecting local government such as road construction and maintenance, effluent disposal and building foundations. The interests of the people will be much better served if as a "Hills" community they are part of a "Hills" local government area. Until 1970 Koongamia was not part of the Shire of Swan. It became part of

that Shire upon the amalgamation of Swan and Midland. The people who live in the area do so in many instances because of the national parks and hills environment. This is entirely different from the coastal plains associated with the Perth region of which Midland must be regarded as an integral part. The Swimming Pool, a Library at Greenmount under arrangement with the State Library Board and various halls and sporting centres have been provided for the use of the people by the Shire of Mundaring. The Council's submission concludes "Council strongly submits that the Swan View/Greenmount/Helena Valley areas are an essential support to the cultural and economic development of the Shire of Mundaring and it would not be possible for the Shire to continue as a sound area of local government without those areas".

In summary then - the area is a unique one - 14 separate settlements and these have one interest in common, living in a hills environment - Hills are the basis of the Shire and as Mr. Leggo put it "we are specialists in Hills environment. In my opinion the boundary between the two shires should be altered and from Morrison Road to Purton Place it should be the railway line. It should then be generally eastward and then southward to meet the existing boundary at Wilkins Street. It should then follow the existing boundary to the point where the Kalamunda Road crosses the Helena River, from this point it should be south along Kalamunda Road and thence south eastwards as shown on the map Appendix C. The effect of this would be to transfer the area of the Helena Valley Race Course into the district of the Shire of Swan and to transfer the area of Koongamia into the district of the Shire of Mundaring.

22. In the latter part of the hearing, representatives of the Helena Valley/Boya Association attended, and Mr. Seaman, Counsel for the Association called two witnesses. The problem of the residents is that the settlement is on the boundary of three municipalities - Swan, Mundaring and Kalamunda. Evidence was given regarding the difficulties which this unusual situation created. I could appreciate the difficulty and since representatives of the three councils were present, I suggested a conference might be held in the hope that agreement on the boundary might be reached and the present difficulty overcome. I am pleased to report that at a meeting held on Wednesday, 23rd January, 1974, agreement was reached. The meeting was attended by Mr. Chick, representing the Association, Mr. O'Meara, Shire Clerk of the Shire of Kalamunda, Councillor Lloyd Penn and Mr. T.J. Williamson, Shire Clerk representing the Shire of Swan, and Councillors T. Broz and J.R.C. Walters and Mr. R.L. Leggo representing the Shire of Mundaring.

The agreement reached was in two parts - the first provided a solution if this Commission were to recommend the transfer of Swan View, Greenmount and Helena Valley areas to the Shire of Swan - the second if this Commission were to accept the submission of the Shire of Mundaring. The representatives of the Shire of Swan did not agree to this second arrangement nor did they oppose it. All others present agreed to it. My recommendation as set out in the preceding paragraph is that the submission of the Shire of Mundaring except as regards the area of the Helena Vale Race Course be accepted and accordingly I will refer only to the second proposal. The letter dated 25th January, 1974 sent to me, sets out the agreement as follows:

"Except for the Shire of Swan, all the parties agreed with the proposed boundary for the Shire of Mundaring which would incorporate the Helena Valley/Boya Association area within that Shire. This proposal if decided upon by your Honour would necessitate a small change to the boundary of the Shire of Kalamunda. Again this is shown on the plan and the land area consists of a Commonwealth rifle range - the old railway reserve which was referred to in the evidence of Mr. L.F. O'Meara (page 2502 transcript), last paragraph). The new boundary would approximately follow the line of road reserves currently dedicated for a future road freeway. The reason advanced for going slightly further west in the Helena Valley was supported by the contention that the Helena Valley Road is a major entrance to Helena Valley and Darlington areas of the Shire of Mundaring and it would be proper that the Shire of Mundaring bear the cost of future reconstruction and maintenance of that road".

Since the letter was accepted as part of the evidence, I have quoted it in full. I congratulate those concerned with the making of the arrangement.

The boundary shown in the map to which I have referred shows the boundary as I recommend it and if this is adopted the Helena Valley will be wholly within the Shire of Mundaring.

XVIII. THE SHIRE OF BAYSWATER AND THE SHIRE OF BASSENDEAN

1. The recommendation of the Boundaries Commission regarding these two shires is firstly that a new municipality (Unit 14 in the recommendation) be formed from a portion of the Shire of Bayswater and a portion of the Shire of Swan and the complete district of the Shire of Bassendean and secondly that a further new municipality be formed (Unit 11 in the recommendation) comprising portions of the districts of the Shires of Swan, Mundaring, Bayswater and Wanneroo.

The Main Roads Department recommendation is that the Shires of Bassendean, Bayswater, Swan and part of the Shire of Mundaring be formed into one municipality with an area of 500.28 square miles and a population (based on the figures of the 1971 census) of 78,124 people.

The Council of both Shires oppose this latter proposal, but the Council of the Shire of Bayswater agrees generally with the Boundaries Commission's recommendation. Partly because of these two recommendations and partly because of the submissions they have made it will be appropriate to deal with them in one section of this report.

2. THE SHIRE OF BAYSWATER

- (a) On 5th March, 1897, the area which had been already known locally as Bayswater was officially declared as the Bayswater Road Board district. The definition of the boundaries in the proclamation included most of the area that is now the Shire of Bassendean.

By proclamation on 10th May, 1901 an area was severed from the Bayswater district and was designated the West Guildford Road Board district - this was later to be named Bassendean.

Following a petition by 63 Bayswater ratepayers, a meeting of delegates from Perth, Swan, West Guildford and Bayswater Road Districts was held and unanimous agreement was reached regarding various boundary adjustments. As a result, the Perth and Swan Road Boards ceded to Bayswater an area to the north west, and West Guildford ceded back to Bayswater approximately one-third of the area ceded in May 1901.

Bayswater ceded an area to Perth Road Board. These alterations to the boundaries were gazetted on 2nd August, 1912. On 31st October, 1913 a further area was transferred from the Perth Road Board to Bayswater and in 1915 some 300 acres were transferred to Bayswater from West Guildford.

Only minor boundary adjustments have taken place since, the last being the transfer of 7½ acres from Bayswater to Bassendean on 19th April, 1962.

- (b) The present area of the Shire of Bayswater is 10.7 square miles and the rate revenue for year ended 30th June, 1973 was \$775,000 and the total revenue \$901,500. At June, 1973 there were 10,630 dwellings and the population was 38,500 persons. Mr. Wells the Shire Treasurer who gave evidence on behalf of the Shire said (at p.1877)

- "(a) The Council endorses the recommendation of the Boundaries Commission with the exception that the area bounded by Bunya Road, Widgee Road, Shire of Swan boundary on the east and Benara Road should remain within the Shire of Bayswater.
- (b) An amalgamation with the Shire of Bassendean would enable progressive development to be effected as Council is adequately equipped to carry out and complete schemes which are the subject of fragmented ownership as evidenced by the Shire of Bayswater No.10 Town Planning Scheme. This project had the minimal number of objectors.
- (c) Local authorities should be able to provide a full range of local government services which this Council has done ...
- (d) It is contended that overheads of the amalgamated district will in the short term remain constant with the sum of the overheads of the existing authorities but will progressively decrease;
- (e) The authority that would be created as proposed would have an area of 16.7 square miles in a consolidated form, which is considered a desirable size and one which can be adequately represented by becoming a Town.
- (f) It is anticipated that submission may be made by neighbouring Shires advocating boundaries along proposed controlled access or regional highways. This council contends that such futuristic proposals should not be considered as a boundary."

- (c) It is appropriate to note that the Council's proposal includes not only amalgamation with the Shire of Bassendean but also an area of the Shire of Swan which includes the Township of Lockridge.
- (d) The other witness called on behalf of the Shire was Mr. H.G. Campbell who is the Shire Planner - a position he has held for nine years. He referred to the various Town Planning Schemes which the Council has prepared for the Development of the area and gave details of some of them.

3. THE SHIRE OF BASSENDEAN

- (a) Evidence for the Shire of Bassendean was given by John George Paterson, the Shire President. The area of the Shire is 3.9 square miles and the population as at June, 1972 was 11,500. He produced a number of schedules in which the various figures of income and expenditure etc. of all the metropolitan municipalities are shown for the purpose of comparison.

He has dealt with the facilities which the Shire provides and he says "This Shire believes that, within the limits of local government operation, it has operated with considerable success and provided service to its ratepayers that has been well above average. Whilst it is conceded that there are some cases in which amalgamation may be a benefit by the supply of more amenities for a larger surrounding unit by the incorporation of a smaller unit (as may have been the case with the amalgamation between Midland and Swan-Guildford) this situation does not apply to Bassendean and surrounding areas. Such cases where such benefits have arisen involve a smaller unit which was a focal point of a large area showing common economic and social interests as a result of which amalgamation leads to a more equitable sharing of costs for local services."

Mr. Paterson has dealt in detail with the various facilities including recreation facilities and of the works programme being undertaken and projected. I have given careful consideration to these, but I need not refer to them in detail.

- (b) One portion of the report of the Boundaries Commission with which the Shire agrees is that dealing with the residential area of Lockridge. The report recommends that this should be linked with Bassendean and the Shire although opposing union with Bayswater seeks to have Lockridge incorporated into Bassendean. This is strongly opposed by the Shire of Swan and I have dealt with the question of Lockridge in

considering the submission of the Shire of Swan.

I will refer to that later in this section.

- (c) Mrs. Alic Dorean Price of Eden Hill - Secretary of the Eden Hill Progress Association opposes amalgamation and referred to the strong community spirit and the close personal relations the members of the Council have with the electors. She gave a number of examples of these.
- (d) Mr. Paul Calleja has taken a keen interest in local government affairs as part of his studies in sociology. He expresses the opinion that it is most desirable that members of a community should feel a sense of identity with that community and take an active interest in its development. He considers the proposed merger with Bayswater would be destructive of such development and he says "The amalgamated municipality would tend to become more impersonal and less democratic than that presently enjoyed by the residents of Bassendean".
- (e) Mr. Felix Calleja refers to the strongly developed community spirit and considers that the people of Bassendean have been well served by their present Shire Council. He fears that the qualities of the energetic and progressive council would be lost should any merger occur.
- (f) Mr. Ernest Wicks had been a member of the Shire Council from 1962-1969 he opposes any amalgamation, but suggests new boundaries and this would bring Lockridge into the district.
- (g) Mr. Ernest Frederick Simpson refers to Bassendean as a tightly-knit community that would become a minority group if it became part of a larger Shire. He speaks of the community enthusiasm that would wither "if we became part of a larger and less closely knit authority."
- (h) Mr. Rino Rossi has found the councillors encouraging, helpful and easily accessible and he has appreciated the personal communication between councillors and ratepayers.

I have appreciated the views of these people. Their evidence has assisted to give a picture of the affairs of the district.

4. I have given careful and earnest consideration to the matters submitted and in my opinion, the Boundaries Commission was correct in its view that the two municipalities should be united.

Even with the strong evidence of the community interest which exists in Bassendean it seems to me that it would be very much in the interests of the residents of both areas and of local government generally that there should be one municipality, financially strong, controlling a larger area and thus more effective. As was pointed out in the Bayswater submission the new authority would have an area of 16.7 square miles (the actual area may be slightly less bearing in mind the boundaries I propose to recommend) which is a desirable size. The present area of Bassendean is only 3.9 square miles and it is difficult to regard a municipality of that small size as a fully effective unit of local government and having "adequate population, revenue and area".

Whilst then I appreciate, as I have said, the views of the Shire of Bassendean, I accept the submission of the Shire of Bayswater.

5. I recommend then that the two Shires be amalgamated into one Shire to be known as the Town of Bayswater-Bassendean. The name I recommend is one I regard as suitable upon amalgamation, but I have no doubt that in the future a more suitable name can be found.

6. In dealing with the boundaries of the new municipality I consider that they should be - the present western northern and portion of the eastern boundaries of the Shires of Bayswater, the northern and eastern boundaries of the Shire of Bassendean. The present southern boundary of both Shires is the River Swan and this of course will be the southern boundary of the new municipality.

7. I have been mindful of the need to retain the present northern boundary of the Shire of Bayswater in view of the Town Planning Scheme of which evidence was given.

8. The Boundaries Commission recommendation that the Lockridge area and the Caversham area should be excised from the Shire of Swan and added to the Bassendean area has been dealt with in my comments on the submission of the Shire of Swan. In my opinion both areas should be retained in the Shire of Swan and as I have set out my views there I need not repeat them in this section.

XIX. THE CITY OF SOUTH PERTH

1. In its report, the Boundaries Commission recommended that the City of South Perth be enlarged by adding to it an area of the City of Perth (conveniently this might be referred to as the Victoria Park area) and an area of the Town of Canning.

2. The Main Roads Department took a somewhat similar view of those latter two areas but went much further and proposed that the whole of the area of the Town of Belmont be added also. This would create a municipality with an area of 54.78 square miles and a population of well over 100,000.

3. The Council of the City of South Perth maintains strongly that there should be no change to its present boundaries other than a very minor adjustment suggested by the City of Perth to which I will refer later.

It suggests however an alternative which it could be adopted if the present boundaries are to be altered.

4. There is no doubt that there is a high degree of civic pride in the South Perth district. The municipality was created in 1892 by the excision of the area from the City of Perth. The area is 7.67 square miles and the population 32,150. There are 11,500 ratepayers and the rate revenue for the year 1972-1973 was \$748.929.

5. The Council has a staff who hold qualifications and the administrative costs are such as to support the Council's claim that it operates in an efficient manner.

The Council provides a wide range of services and has constructed and maintains buildings for use in connection with the services.

6. I have been favourably impressed by the many ways the Council fosters a community spirit and a strong sense of pride in local affairs and local achievements. A notable example of this is the existence and continued work of the Community Centre Association which has been in existence for some thirty years. As Mr. Blaxell pointed out in his final address this is not a dissonant body of disgruntled ratepayers, but is a body of residents and ratepayers who are anxious to contribute to the good of the community and to assist it to progress - another manifestation of the community spirit which has always existed within South Perth (p.2681).

Another example is the existence, since 1962, of a panel of local resident architects and town planners to advise the Council on matters of building design and aesthetics.

7. Only two large areas within the Council's boundaries remain undeveloped - an area of approximately 171 acres owned by the State Housing Commission and War Service homes at present being developed. This will eventually house 3,000 people.

The second is approximately 182 acres owned by Clontarf Boys' Town and at present used as a farm school.

It is expected that by reason of continuing redevelopment the population will increase - the projections are - 1976 - 36,275 and 1989 - 46,300.

8. Of the total area of 4,909 acres, 2830 acres are non-rateable. This figure includes the Collier Pine Plantation 242 acres and the foreshore of the Perth Water 114 acres, both of which are regional open space. The present boundaries are well defined by the Swan and Canning Rivers and by large areas of open space on government use land. The boundary adjoining Perth City Council's Victoria Park Ward is the rear property boundaries of houses fronting Berwick Street and Gwenyfred Road. The Council claims that this has proved to be a satisfactory boundary in the past.

9. In regard to the recommendations of the Boundaries Commission the Council considers that the first "the use of Lawson Street, Hillview Terrace and Oats Street - as the new boundary for the Town of Canning" has merit as it is a straighter line than the present boundary and is marked by a well defined important road.

10. The Council does not agree with the second recommendation which would result in the division of Victoria Park into two parts for the following reasons:

- (a) the proposed division line (Rathey Street/Gresham Street) is not a well defined boundary.
- (b) the area of Victoria Park should be planned as a whole - this can best be done by one authority.
- (c) the commercial area of Victoria Park would be under the control of a different local authority from the adjoining and supporting residential area of East Victoria Park.

11. The suggestion for the alternative boundary has been made by the Council because it was realised that this Commission might well have considered that was desirable to increase the area and thus the population under the Council's jurisdiction. The adoption of the alternative proposal would make an increase in the potential growth of population to about 100,000 people.

12. Whilst there is much to be said for such an increase I have been very favourably impressed with what I have heard of the City of South Perth. In accordance with the views I set out in the early portion of this report, I am satisfied that the high degree of community spirit and the compact nature of the area and its financial strength enable me to say that this municipality should remain unchanged. The Main Roads Department proposal, I consider, neglects the community of interest so evident in this district and would assuredly destroy it. The addition of Belmont would create an area which I consider would be inappropriate and unworkable. As I have said in the section of this report dealing with Belmont, I consider that municipality with the alterations I recommend should operate efficiently and well it should not be linked with South Perth as suggested.

13. The proposal of the City of Perth that in lieu of the existing boundary between the areas of the two cities the boundary should be along Jarrah Road is regarded favourably by the City of South Perth. The Town of Canning has suggested alterations in the boundaries also. In my view the boundary between the area of Perth and South Perth should be along Jarrah Road between Kent Street and Hillview Terrace between the Town of Canning and the City of South Perth the boundary should be along Lawson Street to Hillview Terrace and thence along Hillview Terrace to Jarrah Road. I recommend accordingly.

XX. THE TOWN OF CANNING - "The Canning Plan"

1. The district of Canning was established on 25th January, 1871 and it continued until 1907 when the area divided to form the Queen's Park municipality and three road boards. In 1916 part of the area of the municipality was transferred to the South Perth municipality. In 1921 the name of the Queen's Park Road Board was changed to the Canning District Road Board. On several occasions land was added to the district and some areas were excised. The Canning Road Board was changed to a Shire in 1961 and Canning was granted the status of a Town in 1971.

2. The present area of the municipality is 24.9 square miles. Between the years 1945 to 1973 the population has increased from 3,988 people to 40,968 people and the dwellings from 963 to 10,860. The income of the Council was \$11,742 in 1945 and in 1973 it was \$2,489,144. The figures for intervening years were submitted, but those I have quoted will be sufficient to show the growth which has occurred.

3. The submission of the Council which was given by Mr. N.I. Dawkins the Town Clerk sets out clearly and fully the constitution and management of the Council, the services it provides and the facilities available. I was favourably impressed by the information provided. It is not necessary for me to refer in any detail to the various items. I accept the position that the Town of Canning is providing an efficient service and is a well conducted and viable local government unit.

4. The Council has presented what it describes as "its plan for the rationalisation of municipalities as lay within the south-east sector of the Metropolitan Region and Corridor plan. In doing so it will have regard to such alterations of boundaries for the municipality of Canning as will be necessary to implement the plan and the effect of these on adjacent local government units. The proposal has been referred to both by the Council and during the hearing as "The Canning Plan" and I will refer to it in that way in this Report.

The Plan is clearly the result of long and careful thinking but has not been received with a great deal of favour by the councils of the adjoining municipalities. I consider the council is to be congratulated upon the work it has put into the production of the Plan. Although I have referred to it in those terms I am not able to recommend much of it and in this regard I refer to the comments I have made in the early sections of this Report.

I must have regard to the existing municipalities as well as to the future - perhaps to a greater extent than the framers of the Canning Plan consider is necessary. Nevertheless, I regard the Plan as a matter of importance and one that may become of greater importance in the future.

5. The Plan - A brief summary is as follows:

- (a) There should be due regard for the Corridor Plan for Perth as this provides the pattern for future expansion and sets the periphery of the Urban Core - the limit of development for the inner metropolitan area. For the south-east sector, the plan contemplates the standard gauge railway as the division between urban and non-urban uses other than where the south-east corridor extends along the railway to Bunbury. The standard gauge railway creates the ideal outer boundary for the urban core municipalities in this sector.
- (b) The question then arises as to the most advantageous method of dividing the south-east sector urban core into viable units of local government and how to define clear lines of demarcation as boundaries for the respective units.
- (c) The Canning Plan proposes the establishment of three strong local government units to operate within the urban core of the South East sector of the region scheme "...". The three proposed are the City of South Perth, the Town of Canning and the Shire of Belmont.
- (d) Details of the three municipalities and the projected growth of them are given and the Plan continues "Exclusion of the City of Perth - the principle proffered by the Canning Plan for Local Government administration of the south east urban core contemplates the boundary of the City of Perth reverting to the west bank of the Swan River and it relinquishing the territory of the Carlisle and Victoria Park Wards.
- (e) "Canning submits the need to locate two local government units with similar capacity to administer the outer region of the Urban Core". It is considered that "with revised areas these would be the Town of Gosnells and a municipality comprising the present Shires of Armadale-Kelmscott and Serpentine-Jarrahdale.

- (f) The Plan then deals with the shape of the areas proposed and the situation of administration centres and works depots and then the Council says "It is submitted that the Canning Plan will ensure effective and economic service to the population within the south-east urban core by virtue of the comparative central location of centres and the reasonably low average radial distances to the respective borders. It would also be correct to say that the road-making plant and rubbish removal vehicles of the Perth City would no longer need to negotiate the restricted access of the Causeway nor would the residents of the Victoria Park and Carlisle Wards require to travel to the busy city centre to transact business with their local governing authority".
- (g) The next sections of the Plan deals with the details of the boundaries which are suggested for each of the municipalities concerned. I will deal specifically with each of these.
- (h) I quote from the concluding paragraph of the Plan -
- "In making this submission of the Canning Plan for the South East sector Urban Core and related Corridor, Canning fully appreciates that it has gone beyond the concern of its own territorial limits and in doing so is fully aware that the proposals of its plan may run counter to the submissions of other local governing bodies with an interest in the area. Canning has considered that it should take a much broader view in the interest of a sound local government structure not only for itself, but also its immediate neighbours. In doing this it has not been able to divorce from its assessment of the situation, the concept of the Statutory Metropolitan Region Scheme and subsequent Corridor Plan. Canning sees the operation of local government, in these well laid plans for a future thriving and important metropolis, to have a definite role and ever growing responsibility to the people it serves. The Canning Plan therefore incorporates the way this should be done."

6. The Plan was strongly criticised by Mr. Brinsden, QC counsel for the Town of Gosnells. I refer to some of his comments, particularly as they were adopted by other counsel. Mr. Brinsden QC said (at p.2631) that the Town of Canning has stressed that it is at the present time a viable local government unit - "the Canning Plan is really an attempt to make Canning an ideal local government unit."

As it does not need any of the additional land which it seeks to make it a viable unit, the question is whether it should have the territory it seeks in circumstances where, in granting its wishes, difficulty and sacrifice may be caused and unbalancing may be caused to its neighbouring local authority".

He contends that it is of no importance that part of a municipality is within and part is outside of the urban core. In any event he says there is no definition of sufficient clarity which shows where the urban core begins and ends - the core has been published as a guide only. He says then that so much of Canning's case as is based "on some supposed need for the whole of the urban core in this area to be within Canning" is irrelevant.

7. I now turn to the details of the boundaries which have been suggested:

- (a) The transfer of Victoria Park and Carlisle Wards of the City of Perth. This involves the transfer of the area as at present in the municipality of the City of Perth east of Shepparton Road to the Shire of Belmont and the transfer of that portion of the City of Perth west of Shepparton Road to the City of South Perth.
 - (i) Mr. Blaxell Counsel for the City of South Perth in his address said (at p.2687) "Now it is the definite submission of my council that Victoria Park is a single community and has community interest at present and that no changes should take place which affect Victoria Park's community of interest for the same reasons for which I have given with regard to South Perth: and it is therefore my Council's submission that if there are changes to take place, then the only change would be to take in the whole of Victoria Park as a community and this would involve an eastward extension to the railway line. It is for this reason that my Council opposes the proposition of the Boundaries Commission to split Victoria Park in two between the City of South Perth and the City of Perth because that would obviously involve the splitting of a community and similarly my council opposes the Town of Canning's proposal to have a boundary along Shepparton Road because, in my Council's submission the two sides of Shepparton Road include a single community and it is obviously undesirable to split that community in two".

(ii) In regard to the question of Victoria Park, Mr. Samuel, Counsel for the City of Perth called two witnesses, Mr. Ronald John Hall, a fire officer with the W.A. Fire Brigade and Mr. Clifford Style, a garage proprietor. Both have lived in Victoria Park for many years. Mr. Hall's interests have been in sport and in the formation and operation of a boys' club. Mr. Style is a member of a number of clubs and associations. Both the witnesses have spoken of the feeling of people in Victoria Park, of the way they identify themselves with the area and with the Perth City Council. They speak too of the assistance the Perth City Council has given to the activities with which they have been connected. The Perth City Council claims that there is no justification for excising Victoria Park and none for "cutting off the City at the Causeway" (p.2774).

(iii) In another section of this Report, I have indicated that I recommend the transfer of the Carlisle Lathlain area to the Shire of Belmont east of the standard gauge railway line. I need not repeat again what I said in that part of the report, but I had in mind the Canning proposal and the objection of the City of Perth and the City of South Perth to the part of the proposal that referred to Victoria Park.

(iv) In my view the City of Perth should not be "cut off at the Causeway" and Victoria Park should remain part of the City of Perth.

8. The next portion of the Canning Plan deals with an adjustment between Canning and South Perth. As this proposal is mainly based upon the transfer to South Perth of the Victoria Park area which I do not recommend, I need not deal with that in detail. However, as the City of Perth and the City of South Perth agree to an alteration to their common boundary so that between Kent Street and Hillview Terrace it should be Jarrah Road, the alteration which is part of the Canning Plan, to make the boundary along Lawson Street, thence along Lawson Street to Hillview Terrace becomes desirable and I recommend it.

9. The next proposal is an adjustment of the boundary between Canning and the Shire of Belmont. I have considered the matters put before me on this question and I consider the present boundary should not be altered.

10. The boundary between Canning and the City of Melville. The comments of the Town of Canning are as follows:

"The existing zig-zag boundary is amended to re-align it along the SEC transmission line between Bull Creek and the Roe Freeway. The transmission line, a clearly visible and surveyed route, provides an improved alignment for this boundary. The transmission line passes through as yet undeveloped land. A preliminary design jointly agreed upon by the Melville and Canning Councils for the Karel Avenue dual carriage road link between the Leach Highway and the Roe Freeway will closely follow the power line route. This adjustment will place Melville Glades Private Golf Club and course, established on a Crown Reserve (non-rateable) and adjacent land comprising a total of 800 acres, within the Town of Canning. This proposal follows the submission of Canning to the Boundaries Commission which was accepted in part, using a section of the SEC line as the boundary, but reverting to the zig-zag pattern of street alignments for the balance of the boundary. Canning re-submits that the SEC transmission line with its future relation to the Karel Avenue extension remains a preferable common boundary between the City of Melville and the Town of Canning".

I have quoted this passage from the submission in full because I regard the question raised as one of importance.

I have given careful consideration to the Canning proposals and I have considered the evidence given by Mr. J.A.D. Treloar on behalf of the City of Melville. At p.2199 et seq, he has given details of the work planned or already carried out in the area, the expenses already incurred, and the way the City of Melville will be affected if the boundary is fixed as Canning asks. The loss of rates, the loss of future rates, the loss of revenue on sand royalties, the loss of the rubbish tip and the loss of rental from the Melville Glades Golf Club (the Council has loaned a large sum to the Club) all combine to make the boundary sought by Canning a very inappropriate one from Melville's point of view. On the other hand the evidence of the Town of Canning for the placing of the boundary was as I have set out.

In his final address Mr. Franklyn, Counsel for the City of Melville made several points based on the evidence of Mr. Dawkins.

- (a) No attempt has been made to ascertain whether the ratepayers or the Golf Club has any views regarding the proposed transfer of land although the amount paid in rates would be approx. double.
- (b) The area is approx. 500 acres and the proposed acquisition of the area is in no way brought about because additional income is required (see p.2170).
- (c) The proposal is made only to straighten the boundaries.
- (d) The loss of rates to Melville would be approx. \$65,300: the gain to Canning with its higher rate would be about \$130,000.

I agree with Mr. Franklyn that for a proposal which comes forward only as one to straighten boundaries the price seems a high one for Melville to pay.

I have noted Mr. Franklyn's comments on the omission of Canning to give any notice of its proposals to Melville. I have thought it surprising in view of the earlier discussions between the two councils that no word of the proposals now made by the Canning Council were conveyed to the Council of the City of Melville. This appears at p.2173-4. Mr. Dawkins' description was of "a preliminary design jointly agreed upon by the Melville and Canning Councils ..."

It is understandable that this has led Mr. Franklyn to say (at p.2750) "... but it does lead Melville to feel that this is more in the nature of a land grab than a genuine attempt to deal with boundaries, particularly when one looks at Canning's proposal."

I have been very impressed by the evidence of Mr. Treloar and in my opinion the Canning proposal should be rejected and the boundary should be fixed as requested by the City of Melville - that is that South Street and the Roe Freeway is "the cut off line".

12. THE CANNING PLAN AND THE TOWN OF GOSNELLS

The present boundary between these two municipalities is along Williams Road, Lacey Street and Nicholson Road. The Canning Plan is that this should be replaced by the standard gauge railway.

This proposal was part of the submission which Canning made to the Boundaries Commission, but was rejected. The council of the Town of Canning resubmits the proposal and claims that the standard gauge railway is a more logical boundary and sets out a number of reasons to support that contention. I do not propose to set out the reasons in full and I summarise them as follows:

- (i) The railway forms the boundary of the urban core.
- (ii) "The railway restricts lateral access and creates a greater affinity between the residential and other development on its west side with that in the Canning area".
- (iii) The delcaration of the Canning Vale improvement Plan No.7 will have the effect of re-aligning Nicholson Road. This will be facilitiated if the development is within one municipality.
- (iv) Nicholson Road is to become a major arterial link serving the Canning Vale industrial area. The responsibility for its construction and maintenance would best be with the municipality concerned with the administration of the industrial area.
- (v) The Roe Freeway which runs parellel to the railway forms an additional barrier to convenient access between east and west of these two features.

13. The alteration to the boundary as proposed would result in the transfer of a large area of land from Gosnells to Canning. A considerable amount of evidence was given on this question. In reply to the Canning proposal three witnesses were called by the Town of Gosnells. The first of these, Wilfred Reynolds Grove has been the Town planner of the Town of Gosnells for five years. Prior to that he had been in private practice for fifteen years, much of this being overseas. He describes the area which the Town of Canning seeks to annexe as "a large fast-developing area ...

namely the two suburban neighbourhood centres of Langford and Beckenham."

Beckenham is part of the Kenwick Ward and Langford is part of the Canning Vale Ward.

Statistics relating to the areas sought to be annexed are:

LANGFORD - Area 1,400 acres, occupied houses 937, estimated population 3,250 estimated future population 9,000, unimproved valuation \$4,783,570.

BECKENHAM - Area 1,408 acres, occupied houses 1,256, estimated population 4,300, estimated future population 14,500, valuation \$8,161,410.

TOTALS - Area 2,808 acres, occupied houses 2,193, estimated present population 7,550, estimated future population 23,500, valuation \$12,944,980.

It is to be noted that the figure of the valuation represents 20% of the valuation of the town and the rate revenue "approximately 20% of the total revenue of the Town".

Mr. Grove gave details of the two areas. It will be necessary for me to refer to all aspects and I set out some of the more important aspects.

LANGFORD lies between the bounds of the Roe Freeway and Nicholson Road, is a comparatively new neighbourhood and comprises the State Housing Commission for single residential cottages, medium density town houses and flat units. It is fully sewered. The Council is negotiating with the State Housing Commission for a loan of \$75,000 for the erection of a community hall for the area. An amount of \$18,000 has been provided in this year's budget as development costs of the hall site.

BECKENHAM is a neighbourhood bounded by the Canning River, the Roe Freeway and the north-western boundary of the town - Lacey Street. The greater part of the area has been settled for many years as it lies between the Albany Highway and the south-western railway.

It is principally residential in character although a small section adjoining Albany Highway and Williams Street is zoned for industry.

In Beckenham, there are three crossing places where vehicles may cross the railway and two pedestrian crossings. On the Roe Freeway there is one crossing and the Albany Highway deviation. In Canning Vale there are three vehicular and one pedestrian crossings on the railway. Only one crossing exists on the Roe Freeway, but a bridge is to be built also.

In Gosnells a total of 415 acres is zoned for industrial purposes - the Canning Plan would excise 86 acres - that is 20.7%. Mr. Grove refers to the community of interest existing in the area and he says (at p.2234) "In my view it would be unwise to bisect a community of interest by transferring part of it to another authority unless it can be established that there is a greater community of interest between the group transferred and groups within the area to which they are to be transferred".

He says (at p.2235) "The Town of Gosnells would lose -
 (a) 7,566 persons (26.87% of the population; (b) 4.35 square miles of urban area; (c) 20% of total rate revenue; (d) approximately 25% of its allocation under C.A.R. grants for roads.

These losses would have a severe impact on the planned development programme".

Mr. Andrew Arthur Mills is the Mayor of the Town of Gosnells. He has been a member of the Council representing the Kenwick Ward since 1947. He stresses the close civic and community interest evident in the Town and particularly the two neighbourhood centres of Beckenham and Langford.

He spoke of the close ties between the two centres and of the sporting teams which the areas support. He says at p.2259 "The effect of the annexation of both centres by the Town of Canning will dramatically affect the balance of my Council's ward system and it will be necessary to completely revise the existing boundaries. At present wards are designed to incorporate both urban and rural sectors.

Mr. Keith William Gordon Thomas is the Town Engineer - a position he has held for 16 years and his evidence deals with the portion of Canning Vale that Canning is prepared to transfer to Gosnells.

The area is 2,035 acres and he says (at p.2263) "From aerial photographs, study of contour plans and personal inspection, the land consists of interconnected swamps, interspersed by several low sand ridges and occasional sand hills. Approx. 50 % of the land can be classed as swamp." He gave some figures of the cost of development of the land.

At p.2263 he said "The only properly constructed road is Acourt Road on the boundary with the Town of Cockburn. This is 1.6 miles in length constructed in limestone of approx. \$20,000 in value. Clifton Road consists of 0.5 miles of gravel track with no future value. Approx. 14.4 miles of surveyed roads serving lots which in the majority are 4 miles in area is unconstructed. Including the upgrading of Acourt Road, I estimate the current construction

costs for road construction to the standards mentioned is in the order of \$514,000. This figure is based on a basic rate of \$450 per chain and includes allowing for heavy earthworks in the more difficult swampy sections. Considerable drainage is required and this could be brought to the standard previously mentioned with an expenditure in the order of \$480,000. This figure is based on a basic rate of \$240 per acre which is supported by current development scheme costs in the Town of Gosnells."

The unimproved value of the land as given by the Town of Canning (p.2265) is \$657,700 and with a rate of 1.79 cents the total rates received is \$11,773 per year. Mr. Dawkins agreed that the land was largely swamp and that a good deal of work was required to be done on it.

Thus it seems that the Canning Plan proposes that the Town of Gosnells would lose a significant portion of its population and of its rateable land. It will lose 20% of its presently zoned industrial land and it will lose the whole of its share in the proposed industrial land which forms part of improvement Plan No.7. Mr. Brinsden QC at p.2635 said "Now in return Gosnells is to receive 3.26 square miles of rural land having a valuation of \$657,700 and a total rate collection on Canning's present rate of \$11,773". While this land has a future value the cost of developing it would be substantial.

It is not suggested by Canning that there should be any consultation with the residents and as Mr. Brinsden QC puts it "They are being bundled into this local authority without it being demonstrated that they have any real community of interest with the Canning area and in fact in the face of evidence that there exists community of interest with the area from which they are to be taken".

I am not impressed by either aspects of the Canning Plan. I see no reason to force Gosnells to take a piece of land that could produce many problems in the future and I see little that supports the Canning view when the Town of Gosnells should be seriously affected by the excision of so much that is essentially part of the Town.

When the various aspects of the proposal are considered the Canning proposal has so little merit when the other side of the picture is looked at.

In my opinion the boundary between the Town of Canning and the Town of Gosnells should remain as it is and I recommend accordingly.

14. I had indicated at the end of Section XIV of this Report that I would consider the proposal made by the Shire of Belmont regarding the Welshpool area when dealing with the Town of Canning.

The area which the Shire seeks to annexe consists of 435 acres and this is (and I quote from the Belmont submission) "between the conjoint boundary of the City of Perth and the Town of Canning and the narrow gauge railway line connecting the southwest line with the Kewdale Freight Terminal. The area is administered by the Town of Canning, but is physically divided from the balance of that Authority by the two railway routes mentioned above. Only two level crossings service the locality and the southern most at the intersection of rail, Rutland Avenue, Railway Crescent, Welshpool Road and Sevenoaks Street presents a hazardous situation."

The submission deals in some detail with the area, the land use and the services and transportation. It is not necessary for me to repeat the matters which are set out.

The alteration proposed was not agreed to by the Town of Canning. It was stressed by Counsel for the Shire of Belmont that the Town of Canning already had a large area of industrial land and that for this reason the loss of the Welshpool area would not have a serious effect. In my view, however, the Canning boundary should not be altered. Whilst the boundaries which are shown in the Belmont submission are a desirable type of boundary. I do not find that in itself a sufficient reason to recommend the alteration. Accordingly I consider that the area that Belmont has sought - referred to in the Shire's submission as Area B - should remain part of the Town of Canning.

XXI. TOWN OF GOSNELLS

It is contended by the Council of the Town of Gosnells that the Town is of sufficient size, adequately staffed and financially able to provide the needs of the populace, without any alterations to its boundaries.

The report of the Boundaries Commission recommended a number of comparatively minor alterations to the boundaries of the municipality.

The Main Roads Department recommended the amalgamation of the Town with the Shire of Armadale-Kelmscott. I have already dealt with the proposal for this amalgamation - I have recommended that it should not be carried out (see section XVI of this Report). The proposal was opposed by both councils and having considered their views I agreed with them.

The district of the Town of Gosnells has an area of 48.30 square miles. It came into existence as the Gosnells Road District on 26th April, 1907. The title was changed to the Shire of Gosnells on 1st July, 1961 and to the Town of Gosnells as from 1st July, 1973. For many years the municipality was predominately rural in character with considerable agricultural activity. However, more recently the agricultural activity has declined and there are many people who reside in the municipality and travel to other areas to work. The present zoning provides for an urban area of 10,608 acres. The industrial area is planned for 790 acres and there are approximately 800 acres of public open space.

The Council accepts the view of the Boundaries Commission that a minimum population of 40,000 is essential for the proper management of a local government district. It is expected that the population - at present estimated at 28,300 - will reach 40,000 by 1976. The rate revenue for the year 1971-1972 was \$635,377 and the total revenue \$1,411,745.

The Council's submission has been well prepared and sets out fully and in an informative way all the information that is required.

Four changes in the boundaries are recommended in the Boundaries Commission Report -

1. The first proposes to alter the northwest boundary with the Town of Canning from Lacey Street to William Street. This would excise from the Town of Gosnells an area of approximately 229 acres of which 23 acres are zoned for light industry, 42 acres for general industry and 164 acres for single residential. The area would of course become part of the Town of Canning.

2. The second proposes a change on the north-west boundary with the Shire of Kalamunda. The Town of Gosnells has agreed with the Shire that the present boundaries are satisfactory except that a small area of land surrounding the Bickley Reservoir should be transferred to the Town from the Shire and in return the Town cedes approximately eleven acres to the Shire to correct the boundary which bisects rural lots in Beckenham.

I have referred to this exchange already in dealing with the Kalamunda submission and I recommend it. (This is referred to in Section XVI of this Report).

3. The third proposal is opposed both by the Town of Gosnells and the Shire of Armadale-Kelmscott. It proposes the excision of 653 acres from the Shire and is presumably designed to allow the boundary to follow an existing road. The greater part of the area referred to is regional open space.

I referred to this in Section XI of this Report. For the reasons there set out the transfer is not recommended.

4. The fourth proposal changes the south eastern boundary from a location and road boundary (Ranford Road) to Keane Road, Armadale. The area thus excised from the Shire of Armadale-Kelmscott would be 2,300 acres. The Council of the Town and the Council of the Shire have agreed that the present boundary is satisfactory and that no material advantage would accrue to either municipality if the proposal were implemented.

As I said in Section XI of this Report, the transfer should not be recommended for the reasons there set out.

In regard to the first item recommended by the Boundaries Commission the Gosnells' submission says "There are 381 occupied houses in the residential section of the area with an estimated population of 1,320 persons. A plebiscite was recently carried out by correspondence to 437 land owners in the area resulted in 273 or 62% replies to 5th November, 1973 with a 90% vote to remain in the Town of Gosnells. Lacey Street provides the north western boundary of the newly created Federal Electoral District of O'Connor. The area forms part of a compact neighbourhood centre named Beckenham, with an estimated population of 3,040. The loss of the Lacey Street area would reduce this to 1,720 persons. The Town of Gosnells reiterates its contention that the present boundary of Lacey Street should be retained."

In its submission, the Town of Canning has not dealt with this item in any detail because of course, it seeks to annexe from the Town of Gosnells the whole of the area west of the railway line. I have dealt with the Canning Plan in Section XX of this Report, and I have referred to the reply which Gosnells has put forward.

I need not repeat again what I have said. My recommendation is that the boundary between the Town of Gosnells and the Town of Canning should not be altered.

Apart then from the two minor alterations set out in paragraph 2, above, I consider that the boundaries of the Town of Gosnells should not be changed.

XXII. CITY OF MELVILLE

1. The City of Melville was first designated the East Fremantle District Road Board and then in 1901 Melville Road Board. On 20th June, 1961, it became the Shire of Melville and on 28th September, 1961 was declared a Town. On 3rd May, 1968 it was declared a City.

2. The Report of the Boundaries Commission recommended that an area on the western boundary should be transferred to the City of Fremantle and that the southern boundary should be placed further to the south thus including in the district of the city, portion of the district of the Town of Cockburn.

3. The Main Roads Department submission recommends that the City be amalgamated with the City of Fremantle, the Town of East Fremantle and portion of the Town of Cockburn to form a new municipality having an area of 55.74 square miles and a population on the 1971 census figures of 109,129 people.

The Council opposes both these proposals.

4. The area of the City is 20.6 square miles of which all but 171 acres are classified for urban development. A considerable amount of the area is at present non-rateable due to the extensive holdings of the University of Western Australia for endowment land purposes. This is estimated at approximately 9,000 acres. It is expected however, that following the cancellation of forestry leases in 1978, development for urban purposes will proceed and eventually there will be approximately 750 acres of non-rateable land within the City.

The population at present is estimated at 54,000 people.

The rate revenue for the year ending 30th June, 1973 was \$1,199,219 and for the year ending 30th June, 1974 is estimated to be \$1,371,549. The total revenue figure for the year ending 30th June, 1973 was \$2,194,000.

5. Mr. J.A.D. Treloar, the City Planner who presented the City's submission dealt very fully with all aspects of the Council - its administration and its finances. I need not deal with the many aspects and the details placed before the Commission. The Council has shown that it operates and is administered efficiently and effectively: that it has met the problems caused by rapid growth in population with vision and keenness. The conclusions contain the following words "... in our opinion, that this municipality is

operating and will continue to operate at an optimum economic level providing its ability to do so is not impaired. ... Council submits that, taking into account factors of size, sewerage, zoning, servicing and factors relating to non-rateable land, the existing size of this City must be retained in the interests of efficient and economical management which in turn produces efficient and desirable services and amenities to our ratepayers and citizens".

I see no reason to doubt the statement that the Council operates efficiently and well.

6. The Council asks with these matters in mind that the boundaries of the City be retained in their existing form subject only to the several adjustments set out.

The Council adds that it would not object to the annexation to the City of the area of the municipality of the Town of East Fremantle.

The Council had agreed with the Town of Canning for an exchange of land (see p.1590). The two areas are delineated in the maps produced. (See p.1637.) The Canning Plan refers to the area of Melville and I have referred to the Melville-Canning boundary when dealing with the Canning Plan. I need not repeat the matters I have set out in Section XX of this Report.

In my opinion for the reasons I have set out the claim of the Town of Canning for the transfer of certain land in the City of Melville should be refused. However, the transfer of areas previously agreed between the two councils should be effected. These too are set out in Section ^{XX} and need not be specified here.

7. The proposal put forward by the Main Roads Department should be rejected. The Department's suggestion ignores many factors that I consider of real importance and I consider it is not one that need be further considered.

8. The proposal of the Boundaries Commission provided as I have said for the excision of an area of land on the western boundary of the City of Melville and its transfer to the City of Fremantle.

This is opposed by the City of Melville because it is claimed:

- (a) the area concerned - sections of Bicton and Palmyra - forms an integral part of the City's planned development.

- (b) the loss to the City of Melville would be substantial,
- (c) the people of the sections concerned would have little in common with the City of Fremantle.

For reasons which I set out in Sections XXIII of this Report I do not favour the transfer of the Bicton and Palmyra areas to the City of Fremantle. I need not repeat those views here.

9. As I have said the City of Melville does not seek to have an area of the Town of East Fremantle annexed to its area, but it would be prepared to accept such an annexation if it were offered. It points out that the rating structure and form of the Town is more compatible with the City of Melville than with the City of Fremantle. I do not favour the annexation of East Fremantle to the City of Melville. The evidence regarding East Fremantle was strongly against annexation with any other municipality and whilst some of the opposition was directed specifically against amalgamation with the City of Fremantle much of it was directed against amalgamation in any form.

The Town of East Fremantle in its submission seeks to continue as it is, but it asks as an alternative that it might have transferred to it some land in the City of Fremantle and portion of the area of the City of Melville.

10. Mr. Treloar points out that the severance of sections of Bicton and Palmyra "would be an extremely costly item in terms of settlement of liabilities already incurred by the Council" having in mind the provisions of Section 13(2) of the Local Government Act which provide for the adjustment of liabilities upon severance.

Apart from that aspect Mr. Treloar says (at p.1954) "... the annexing of these areas to the Town of East Fremantle would act to their detriment".

At p.1595 he deals with the loss in population which would result from the transfer of the areas and he says -

- "(a) A population loss of 1,012 males and 1,086 females would result if the Boundaries Commission's proposal were implemented to excise part of Bicton.
- (b) A population loss of 2,084 males and 2,134 females would result if the Town of East Fremantle's proposals were implemented to excise the whole of Bicton. (This is Bicton postal district).

- (c) A population loss of 1,302 males and 1,368 females would result if the Boundaries Commission's proposals were implemented to excise part of Palmyra.
- (d) A population loss of 2,829 males and 2,929 females would result if the Town of East Fremantle's proposals were implemented to excise the whole of Palmyra."

The proposals would then result in population losses as follows.

Boundaries Commission - Bicton 2,098 people

Palmyra 2,670 people

East Fremantle's proposals - Bicton 4,318 people

Palmyra 5,758 people

Based on the revenue figures for the year 1972-1973 the Boundaries Commission proposals would result in a loss in rates to the City of \$93,386. The loss on the implementation of the East Fremantle proposal would of course be greater.

11. Having in mind what I have said in section XXIII of this Report, I consider the retention of the Town of East Fremantle as a local government entity to be a matter of importance. It cannot however continue to exist unless it is allotted additional territory.

Whilst as I have said earlier in this report, it would be undesirable to weaken an area to bolster up another area.

I believe the transfer of some land from Melville to East Fremantle would be of great benefit to the people and would have some benefit to the people in the areas concerned.

The excision of the Bicton and Palmyra areas from the City of Melville would have some effect upon that municipality, but the City is financially strong. Notwithstanding Mr. Treloar's evidence, I believe that the loss would not be serious, nor would its effect be of a lasting nature. Because of the developments which are expected in the City of Melville I consider that those developments will more than offset the effect of the loss of the two areas.

In addition, I consider that the effect of adjusting the boundaries will be very beneficial to local government generally in this part of the metropolitan area.

I recommend then that the boundary between the City of Melville and the Town of East Fremantle be altered and that it should be as set out in the report of the Boundaries Commission namely Stock Road between Carling Street and High Street - thence westerly along High Street thence northerly along McKimmie Road and Point Walter Road to Ledbrooke Street and thence westerly to the foreshore.

An agreement has been made between the Council of the City of Melville and the Council of the Town of Cockburn to make minor changes to their joint boundary. I need not set out the details agreed upon. They are shown in the plan Exhibit No.77 produced by Mr. J.A.D. Treloar. The agreement involves a transfer of a small area to the district of the City of Melville from the Town of Cockburn and the transfer of a small area from the City of Melville to the Town of Cockburn. Whilst it is desirable to give effect to an agreement made regarding boundaries by the Councils of adjoining areas, in this instance the proposed boundary is along Farrington Road - a road which is planned, but which has not yet been surveyed. In view of this, I recommend that no action be taken in regard to the alteration of the boundary at this time.

In regard to the boundary on the eastern side - I have already indicated in Section XX paragraph 10 that the boundary should be fixed as requested by the City of Melville - that is, that South Street and the Roe Freeway is "the cut-off line."

XXIII. THE TOWN OF EAST FREMANTLE

1. The Boundaries Commission in its report recommended that the Town of East Fremantle should be amalgamated with the City of Fremantle to form, with the areas from the Town of Cockburn and the City of Melville, one municipality.

The Main Roads Department submission recommended the creation of a new municipality, but went further and included in the proposed new district the whole of the City of Melville.

The Council of the Town of East Fremantle opposes both these amalgamations very strongly.

I have already referred to the attitude of the City of Fremantle on this aspect. The Council of that City considers that there should be larger and fewer municipalities. By inference, it would regard an amalgamation with East Fremantle as inevitable if its views were accepted, but it has given no detail.

2. In the past, there has been from time to time, proposals to unite the two areas, but this has always been opposed by East Fremantle.

It is claimed that the Town of East Fremantle "is an active authority with unique features not necessarily shared by other authorities and an authority fully capable of looking after the interests of ratepayers and that it should continue to exist in its present form."

Mr. Cowan, the Town Clerk, says that East Fremantle is almost entirely residential but "by contrast Fremantle is now and to some extent always has been a non-residential complex -- first a port and as well more recently a commercial centre. Where in the past Fremantle had a "residential area to the south, there has been a heavy development of light industry, warehouses, commerce etc."

3. Clearly the fear is that if the areas were to be amalgamated East Fremantle could cease to be a residential area.

The origin of the town dates from 1897. Early in that year, a public meeting attended by about 200 people passed a resolution calling for the formation of an East Fremantle municipality and on 2nd April, 1897, a proclamation was published. The municipality continued until 1960 when it became the Town of East Fremantle.

4. The area of the town is 1.2 square miles and the population has increased from 1,280 in 1897 to 7,357 in 1971. Mr. Cowan considers that apart from the Naval Depot HMAS LEEUWIN, the present population

is between 7,500 and 9,000 people. At June 1971, the number of dwellings in the Town was 2,442.

Originally there were 9 councillors in addition to the Mayor. There are now 12 councillors, three for each of the four wards in addition to the Mayor. The rate revenue of the Council is approximately \$330,000.

5. The Council claims that there is a strong community interest in the district and gives as an example the attendance of 1,066 electors at a special meeting of electors held on a Sunday afternoon in February, 1973. The meeting was called to discuss the Boundaries' Commission recommendation that the municipality should be amalgamated with Fremantle. It was held at 3 p.m. on Sunday, 25th February, 1973 at the East Fremantle Oval. A copy of the minutes of the meeting have been tendered as evidence. The meeting unanimously declared its opposition to any action to amalgamate with any other local authority.

To me the fact that so large a number attended such a meeting is a significant fact to be considered.

Examples were given of the facilities which the district offers its people and people from other districts of the activities carried on and the presence of various sporting clubs and the support given to them.

6. The Council early in its submission poses the question - who is it that wants the alteration of the existing boundaries?

I am not required to answer this question, but it was put forth in good faith by good people who are opposing a step which they feel is a very serious one which would be likely to destroy the identity of their Town and its community spirit.

The answer then is that in 1954 the White Report recommended amalgamation and in 1972 the Boundaries Commission in its report recommended it. This Royal Commission was appointed "to inquire into and report whether it is desirable - to alter the number of municipalities - or to alter the boundaries of the districts of such municipalities - and to have regard to the Local Government Boundaries Commission's Report - and also to any evidence or submission in opposition thereto whether made by alternative proposals or otherwise".

The answer then is not that someone wants it - a recommendation has been made, this Commission is charged with the duty of inquiring into and reporting whether any alteration is desirable and in doing so it is to have regard to the Boundaries Commission's report and evidence or submissions in opposition to it.

7. I next refer to the evidence of witnesses which the Council called - These were: His Worship the Mayor, Mr. Ulrich, Councillor J.W. Andrews, Mrs. M.A. Green, Dr. H.J. Rowe, Messrs. L.F. Ricci, E.J. Barron and S.C. Gray.

I deal briefly with the evidence they gave -

- (a) The Mayor dealt with the advantages of a small municipality. Since I have referred to this aspect earlier in this Report, I need not deal here in detail with what he said. He refers also to the view held in the district that there should be no change without a referendum. This too, I have dealt with. His evidence supports the statements of Mr. Cowan that there is very strong opposition to any change in boundaries.
- (b) Councillor Andrews also gave further evidence of the strong opposition and of the advantages arising from small municipalities.
- (c) Mrs. Green has a keen interest in a number of local community affairs and is a member of a number of committees which are concerned with the operation of those projects. She fears that interest in these will fall if the district became part of a larger authority.
- (d) Dr. Rowe has lived in the area for 20 years and was Medical Superintendent of Fremantle Hospital for ten years between 1953 and 1963. He is now Assistant Principal Medical Officer in the Medical and Health Department, Perth.

I quote a passage from his evidence (at p.2269) "From the point of view of a resident of East Fremantle one of the major advantages is that the area itself is basically residential and contains no industry. The town is fully serviced and fully sewered. The footpaths are good. There are plenty of trees and generally it is an area extremely suitable for residential life. The Town of East Fremantle has always insisted upon this - that the quality of your life was much more important than the quantity and they did not like any stupid expansion just for the reason that progress was about to occur".

He then refers to the co-operative and helpful attitude of the Council and the ready way that councillors can be contacted and he continues - "In my view there is a substantial community affinity amongst the people living in East Fremantle. This can be demonstrated by the attitude of the people towards attempts that have been made over the years to take over the Town and absorb it into the City of Fremantle. I could elaborate on this but usually if there is a meeting and a referendum we get about an 80 percent turn-up. They just come in droves to say what they want".

I have quoted only some passages of Dr. Rowe's evidence, but all of it is testimony that is important.

- (e) Mr. Gray in his evidence referred to the close personal association between the East Fremantle ratepayers and the members of the council. He has spoken too of the assistance given to sporting clubs and honorary committees.
- (f) Mr. Ricci is the President of the East Fremantle Tricolore Soccer Club and in his evidence he spoke of the interest and help the Council has given to sporting clubs and particularly to his Club.
- (g) Mr. Barron dealt with the assistance and help given to the Sea Scouts.

8. Mr. Miller in his final address has of course dealt with these aspects and referred to many others which are dealt with in the evidence.

He makes these important points - the evidence shows that the Council is a viable local authority -

- (a) Population between 7,300 and 9,000 people.
- (b) Viable entity - rate revenue \$330,000 - the Town can support itself economically. The rate of 10.75 cents in the \$ is below that of many municipalities.

There is a strong community interest or community spirit. This is unique and is established by the following.

- (i) People were prepared to come to give evidence.
- (ii) The clearly established attendance at town and special meetings and especially the one held on 25th February, 1973.
- (iii) The production of the signed petitions of ratepayers

containing 2,026 signatures authorising the Council to "fight against" any proposal for amalgamation.

(iv) the interest of ratepayers in council elections.

The factors which contribute to Community of interest include the geographical situation of the town; the fact that it is entirely a residential area; the historical development of the Town since 1897; the keenness of the sporting bodies.

Mr. Miller referred also to the evidence of Professor Gates and quoted a passage from the transcript at p.1678. I have already quoted this in dealing with the question of the size of municipalities and I need not therefore quote it again. I agree with Mr. Miller that it is an important aspect in considering East Fremantle.

9. In all the circumstances, put before me I do regard it as appropriate that the area of the municipality should^{not}/be transferred to the area of the City of Fremantle. I accept the view that there is no affinity between the people of the two areas, and as I will set out when I deal with the submission made by the City of Fremantle it is in my view not desirable that the City should be linked with an area that is almost wholly residential.

The Town made an alternative submission that rather than be amalgamated it might be enlarged by the annexure of two areas - one to the south of its present boundaries - an area commonly called Fremantle East. The other to the east of its existing eastern boundary into the City of Melville and what has been referred to as the Bicton and Palmyra postal wards. The addition of these areas would increase the area of the municipality from $1\frac{1}{4}$ to 4 square miles and the population from about 9,000 to 25,000.

The Town Clerk of the City of Fremantle was cross-examined regarding the proposal regarding the area to the south. Whilst he did not agree that the area referred to had more in common with East Fremantle than with the City of Fremantle the City Council did not pursue the proposal in any way. Thus not only did the City exhibit little enthusiasm for annexing the area of East Fremantle, but it showed no specific concern over the possible loss of the southern area referred to in East Fremantle's alternative proposal. The City of Melville is opposed to the annexure of Bicton and Palmyra. Broadly the basis of the opposition was that the revenue from those two fully developed areas would not be available to assist in the development of undeveloped land nearer to the centre of the city. The evidence of Mr. J.A.D. Treloar on behalf of the City of Melville appears at p.1595.

10. Dr. Rowe referred in his evidence at p.2272 to the Bicton and Palmyra areas - He said - "I know that the Town of East Fremantle is making a submission that an alternative step to be taken is to take over the area below Petra Street and Stock Road which presently lies within the City of Melville. I have contact with people in that particular area and I know that they really associate themselves more with East Fremantle than they do with Melville".

11. At p.957 the Mayor, Mr. Ulrich said "I and other members of our council have been approached by residents of the City of Fremantle on our southern boundary and residents of Bicton and Palmyra on our eastern boundary to take steps to enlarge our territory. They have at all time been informed, that should they desire to give effect to such a move, they are the people to do so. Our council would not seek to interfere with any other local authority".

12. Earlier in this Report, I have set out my views on the question of the size of municipalities in some detail. There are so many factors that must be taken into account that it is not possible to say what the optimum size of a municipality should be. As I have said, I have been very favourably impressed by the evidence regarding the advantages of a smaller municipalities and I need not repeat my comments on that again. However, even with all this in mind, it is difficult to regard an area of $1\frac{1}{4}$ square miles as other than too small. On the other hand, I was very favourably impressed by the evidence and the submissions put forward by East Fremantle. I am satisfied that a strong community spirit exists and I believe it would be most serious if this were allowed to wither or even to be in danger of doing so. I therefore have given very careful and earnest consideration to the Council's alternative proposal.

It would be a very inappropriate solution to any boundary problem to strengthen a municipality by weakening another. I believe however that the excision of the Bicton and Palmyra areas from the City of Melville would not have a serious effect upon that municipality.

The loss of the Fremantle East area would in no way impair the viability of the City of Fremantle.

The addition of these areas to the Town of East Fremantle would preserve and strengthen that municipality and this will be beneficial to that municipality and its people, it will have some benefit to the people in the Bicton-Palmyra area and it will because of these matters be beneficial to local government.

In the words of the terms of reference given to this Royal Commission the two alterations are "desirable". I recommend them accordingly.

13. The City of Melville claims that the transfer of the Bicton-Palmyra area as set out in the Boundaries Commission Report would involve a loss to the City of 4,768 people and a potential loss of 7,176 people in the Ellis area. The proposal submitted by the Town of East Fremantle would produce a loss of 9,970 people (see p.1581). In making the recommendation, I have not overlooked the evidence given by Mr. J.A.D. Treloar on behalf of the City of Melville. I have said in Section XXII of this Report that I was favourably impressed with what he has said. In this instance I will repeat my comments - "The excision of the Bicton and Palmyra Avenue from the City of Melville would have some effect upon that municipality, but the City is financially strong. Notwithstanding Mr. Treloar's evidence, I believe that the loss would not be serious, nor would its effect be of a lasting nature. Because of the developments which are expected in the City of Melville I consider that those developments will more than offset the loss of the two areas. In addition, I consider that the effect of adjusting the boundaries will be very beneficial to local government generally in this part of the metropolitan area".

The boundary of the municipality of East Fremantle with the municipality is recommended to be Stock Road between Carling Street and High Street, thence westerly along High Street, thence northerly along McKimmie Road and Point Walter Road to Ledbrooke Street and thence westerly to the foreshore.

The southern boundary of the municipality is recommended to be altered by the addition to the area of the Town of the area bounded by East Street in the west, by High Street in the south and by Stock Road on the east.

XXIV. THE CITY OF FREMANTLE

1. The City of Fremantle made no specific proposal to this Commission. The submission which it had made to the Boundaries Commission was repeated as it was said that neither the opinion of the Council nor the factors on which the submission was based had changed.

It has been the view of the Council for many years that local Government in the Perth-Fremantle region would be more effective and efficient if there were fewer and larger municipal units. However "it believes that it is not the province of individual local authorities to start drawing lines on paper as suggested local government boundaries, without taking an overall view of the metropolitan situation. Council still holds this view and therefore does not wish to submit to the Boundaries Commission any proposition indicating the extent to which it believes there should be an amendment to municipal boundaries in the Fremantle and surrounding districts".

2. The Boundaries Commission's Report recommended that the area of the City of Fremantle should be enlarged by the addition of -

- (a) a portion of the Town of Cockburn - I have already referred to this in dealing with the Town of Cockburn's submissions.
- (b) a portion of the City of Melville.
- (c) the whole of the area of the Town of East fremantle.

3. The Main Roads Department in its submission considered that the whole of the area of the City of Melville should be added to the area of Fremantle as well as the whole of the area of East Fremantle and portion (approximately one-half) of the Town of Cockburn should be also added. This would produce an area of 55.74 square miles and a population on the 1971 figures of 109,129.

4. The Council considered that the report of the Boundaries Commission did not go far enough. The Council's conclusions included the following:

"The recommendations of 1972, if instituted would do little to rectify the present anomaly. The municipal district would still be a mere ten square miles with a population of some 38,000. The Fremantle City Council has not, at any time, suggested that it should "take over" adjoining territory. It is the opinion of the Council that present boundaries should be removed and metropolitan local authorities reconstituted as new districts appropriately centred....

The population which is serviced by Fremantle is entitled to contribute to the city's services through rates, contribution by a larger population, no matter how slight, will ease the burden which now falls on a mere 26,000 people. But the addition of 12,000 people to the municipality's population would still leave those 38,000 contributing more than their share to the cost of facilities enjoyed by a far greater number. So as to equitably distribute the cost of maintaining a regional centre with community services of a high standard, the area of which present Fremantle is part should be similar in size to the areas proposed by the Local Government Boundaries Commission for the City of Perth and the Town of Canning".

5. The area of the municipality is 6.9 square miles or 4,416 acres. Of that area, 2,175 acres is non-rateable land. The population is as has already been mentioned some 26,000 people. The rate revenue in 1971-1972 was \$921,598 and the total revenue \$803,698. The port of Fremantle is one of the busiest in Australia and it is unnecessary to stress its importance to the State of Western Australia. By its nature it attracts a large number of people to its area and the Council had taken considerable trouble to produce maps which show in graphic form the areas from which people who work in Fremantle come, and the areas from which people who go to Fremantle, for various reasons other than employment, live. The numbers of people in the various categories were shown also.

I appreciate that the collection of this information and the production of it in graphic^{form}/represented a great deal of time and research. The charts show very clearly the points the Council seeks to make.

6. I have set out my views in regard to the suggested expansion of the City of Perth and it seems to me that in many respects the problem that Fremantle has is similar.

I find some difficulty in saying that by expanding the areas, the problems facing the Council of a centre (whether one for business, pleasure or both) will be largely solved. It must be expected that an area which offers attractions whether a beach, a business centre, a port or a combination of some or all of those will attract people. The value of property in the area is of course enhanced by this. If then, the local authority finds that special financial problems arise this may well be a matter for a special form of assistance and representatives of the various municipalities have stressed this.

The addition of extra territory would bring additional responsibility. Unless the ratepayers in the newly acquired territory were required to pay more than they do at present, it is difficult to see in what way the extra territory could benefit the City of Fremantle or as the council puts it "ease the burden which now falls on a mere 26,000". Any areas which are added would of course be represented on the Council. It might well be considered that the most suitable representatives to administer Fremantle are those who are most intimately connected with it and whose knowledge of it is detailed. This is local government. To unite a port area with its special problems with an area such as Melville, would be to create an administrative body consisting of people with conflicting interests and this would not be desirable or in the best interests of the residents of either part of the area.

In view of this, I consider that any proposal for the extension of the area of the City of Fremantle should be considered with extreme care.

It will be noted that evidence was given claiming that the City of Perth should not be concerned with other than the City Centre. Examples were given of the city councils of Sydney, Melbourne and Adelaide, each of which control a comparatively small area. The evidence of Professor Gates and the matters put forward in support of the Canning Plan both deal with this aspect. I think much of what was said in that context applies to the City of Fremantle.

The evidence regarding the size of municipalities has already been reviewed in this Report and I need not refer to it again. I have already indicated that I do not recommend the extension of the area of the City of Fremantle. In my view, this could and I believe would, bring about results which are very undesirable.

The proposal of the Boundaries Commission for the transfer of the two areas from the Town of Cockburn namely Hamilton Hill and Coolbellup to the City of Fremantle has already been dealt with in Section XV when the submission of the Town of Cockburn was being considered. As the evidence shows the loss of those two areas would have a most serious effect on the Town and I recommend that the transfer should not be made.

For the reasons set out in Section XXII of this Report, I consider that the only alteration that should be recommended to the boundaries of the City of Fremantle is that the small area of the City bounded by East Street on the west, Marmion Street on the north, Stock Road on the east and High Street on the south should be ceded to the Town of East Fremantle.

XXV. LEGISLATION IN RESPECT OF BOUNDARIES

1. At present Section 12 of the Local Government Act, 1960-1973 provides powers for the alteration of municipal boundaries. Generally, the power is exercised upon a petition being presented to the Governor. The exceptions to this are set out in Section 12(4)(e) and 12(5).

2. Section 12(4)(e) gives power to unite two or more municipalities whose districts are adjoining so that they form one municipality. This power however is exercisable where that action has been recommended by the Local Government Boundaries Commission.

I understand that in almost every case where the sub-section has been used the inquiry by the Boundaries Commission had been initiated by one of the councils concerned.

3. Section 12(5) provides for alterations where portions of one parcel of land are within the districts of two or more municipalities. If the councils of any or all of those municipalities apply in writing to the Minister to decide in which district the whole of the land should be included the Minister may after complying with certain conditions which are specified, decide the issue.

4. Except for action under those sub-sections, all alterations to municipal district boundaries must originate from electors or ratepayers under Section 12(1) of the Act, from all the councils concerned under Section 12(2) of the Act, or from one of the Councils under Section 12(3) of the Act. This would of course apply to all alterations in boundaries other than by unifying districts as I have referred to in paragraph 2 above.

5. If the recommendations set out in this Report are to be implemented without the need for the presentation of petitions by the municipalities concerned it would be necessary to amend the provisions of the Local Government Act, 1960-1973. I suggest that this could be done by adding at the end of Section 12(4) the following new paragraph -

"(g) Where a Royal Commission appointed pursuant to the provisions of the Royal Commissions Act, ¹⁹⁶⁸ has recommended

(i) that two or more municipalities whose districts are adjoining be united;

(ii) that the boundaries of any of the municipal districts should be altered

give effect to such recommendations either wholly or in part as the Governor thinks necessary or desirable."

XXVI.

1. The answers to the matters detailed in the Terms of Reference then are as follows:

- (a) In my opinion it is desirable that the number of municipalities be reduced from 26 to 22 and that the boundaries of the various municipalities be altered in the manner I have set out in this Report.
- (b) The boundaries of the new municipalities are shown in the appropriate sections of this Report and the names which I recommend for them are also set out. I have in setting out the recommended name also included the proposed status of the proposed new municipality.
- (c) In view of the fact that an amendment to the Local Government Act, 1960-1973 will be necessary to give effect to some of the recommendations, I recommend that if such amendment is made this year that the new municipalities should come into existence at the commencement of the municipal year next following the enactment of the amendments. The alterations to the boundaries of the other municipalities could take effect at any time after the enactment of the amendment.
- (d) The amendments which I consider necessary to permit the recommendations to be implemented without the need for the presentation of petitions by the municipalities concerned are set out in Section XXV of this Report.

2. I attach a schedule setting out the names, addresses and occupation of the witnesses and a map which shows the existing boundaries of the various municipalities and the alterations which I recommend. A brief summary of the recommendations is also attached. In view of the bulky nature of the evidence and the exhibits these are forwarded under separate cover.

I have the honour to be Sir,
Your Obedient Servant


COMMISSIONER

20th March, 1974

APPENDIX A.

SUMMARY OF THE RECOMMENDATIONS AS THEY AFFECT THE
VARIOUS MUNICIPALITIES.

1. THE CITY OF PERTH (SEC. VII)

The recommendations are -

To be added

The Hackett area

To be excised

(a) The Carlisle-Lathlain area

(b) The small area on the north-west of the
municipality of Subiaco. Sec. VII par.21.

2. THE CITY OF SUBIACO (SECS. VII & IX)

To be excised - the "Corridor"

To be added the small area on the north west of
the municipality (Sec. VII par. 21)

3. THE CITY OF STIRLING (SEC. VIII)

No change is recommended.

4. THE CITY OF NEDLANDS AND THE TOWN OF CLAREMONT (SEC. IX)

The recommendation is that the two municipalities should
be amalgamated to form the City of Claremont". The
Subiaco Corridor is recommended to be included in this
municipality.

5. THE TOWNS OF COTTESLOE AND MOSMAN PARK AND THE SHIRE OF
PEPPERMINT GROVE (SEC. IX)

The recommendation is that these three municipalities
be amalgamated to form the Town of Cottesloe. (The
northern boundary of the new city is Alfred Road which
is north of the present northern boundary of Cottesloe.)

6. THE SHIRES OF KIWNANA & ROCKINGHAM (SEC. X)

The recommendation is for minor changes only as agreed
between the two councils.

7. THE SHIRE OF ARMADALE-KELMSCOTT (SEC. XI)

No change in the boundaries is recommended.

8. THE SHIRE OF SERPENTINE-JARRAHDALE (SEC. XI)

No change in the boundaries is recommended.

9. THE SHIRE OF WANNEROO (SEC. XIII)

No change in the boundaries is recommended.

10. THE SHIRE OF BELMONT (SEC. XIV)

The recommendations are:

- (a) The addition of the Carlisle-Lathlain area from the City of Perth;
- (b) The addition of the South Guildford area from the Shire of Swan;
- (c) Adjustments on the boundary with the Shire of Kalamunda as set out in para. 12 of this summary.

11. THE TOWN OF COCKBURN (SEC. XV)

The recommendation is for minor adjustments on the boundary with the City of Melville as agreed between the Councils.

12. THE SHIRE OF KALAMUNDA (SEC. XVI)

The recommendations are:

- (a) An adjustment on the north western corner of the Shire transferring an area to the Shire of Swan and transferring an area of that Shire to the Shire of Kalamunda;
- (b) A transfer of an area from the Town of Canning;
- (c) As agreed with the Town of Gosnells an exchange of land at the Bickley Reservoir and a minor area in Gosnells.
- (d) As agreed with the Shire of Belmont - the transfer of two areas the first west of the standard gauge railway to be transferred to Belmont - the second to be transferred from Belmont to Kalamunda.
- (e) An adjustment of the Boundary in the Helena Valley area.

13. THE SHIRE OF SWAN AND THE SHIRE OF MUNDARING

The recommendations are:

- (a) Red Hill area to remain in the Shire of Swan.
- (b) The South Guildford area to be transferred from the Shire of Swan to the Shire of Belmont.
- (c) An adjustment in the Helena Valley area to place the area in the Shire of Mundaring;
- (d) The transfer of the Koongamia area from the Shire of Swan to the Shire of Mundaring.

14. THE SHIRE OF BAYSWATER AND THE SHIRE OF BASSENDEAN (SEC. XVII)

The recommendation is that these two shires be amalgamated to form the Town of Bayswater-Bassendean.

15. THE CITY OF SOUTH PERTH (SEC. XIX)

The recommendation is for a minor adjustment only between the City of Perth and the City of South Perth.

16. THE TOWN OF CANNING (SEC. XX)

The recommendation is for the fixing of the boundary with the City of Melville at South Street and the Roe Freeway.

17. THE TOWN OF GOSNELLS (SEC. XXI)

- (a) No change is recommended on the boundary with the Town of Canning;
- (b) the transfer of the Bickley Reservoir area from the Shire of Kalamunda and the ceding of a small area by the Town to the Shire.

18. THE CITY OF MELVILLE (SEC. XXII)

The recommendation is for

- (a) the transfer of the Bicton and Palmyra areas to the Town of East Fremantle;
- (b) an adjustment of the boundary between the City of Melville and the Town of Cockburn as agreed.

19. THE TOWN OF EAST FREMANTLE (SEC. XXIII)

The recommendation is for

- (a) The addition of the Bicton and Palmyra areas from the City of Melville;
- (b) the addition of a small area on the southern boundary of the Town from the City of Fremantle.

20. THE CITY OF FREMANTLE (SEC. XXIV)

The recommendation is for the transfer of a small area on the southern boundary of the Town of East Fremantle to that municipality.

APPENDIX B

LIST OF WITNESSES

NAME	ADDRESS	OCCUPATION	TRANSCRIPT PAGE NO.
ANDREWS, J.W.	31 Fraser St East Fremantle	Union Representative	939
ARMAREGO, A.J.	16 Webber Street Willagee	Town Clerk Cockburn	967, 1672
ATWELL, E.R.	Kargotich Road Byford	Farmer	2214
ATWELL, I.G.	Deepdale, Mundijong	Poultry Farmer & Grazier	2220
BAKER, H.A.J.	52 Victoria St Guildford	Retired	2275
Baker, L.G.	Victoria St West Swan	Shire Clerk Kwinana	1289
BARRON, E.J.	75 View Tce East Fremantle	Retired	930
BAXTER, J.R.	South Guildford	Town Planner Lecturer & Architect	1100
BECHER, M.H.G.	5 Avonmore Tce COTTESLOE	Retired	793
BENNETTS, N.S.	11 Hooded Tce Sorrento	Shire Clerk Wanneroo	1737
BENNETTS, P.A.	16 Canning Pde South Como	Town Clerk South Perth	2063
BOLTON, G.C.	6 Melvista Ave CLAREMONT	University Professor	1205
BONKER, J.M.	121 Euclosia St Gosnells	Civil Engineer	2031
BRAND, A.	15 Mann St Cottesloe	Architect	1140
BRAY, G.S.	26 Shalom Dve Wembley Downs	Shire Engineer	1419
BRICKWOOD, G.C.	Armadale	Farmer & Business- man	2218
BURNETT, J.G.	53 Crescent St Como	Retired Baker	2077
CALLEJA, F.	94A Anzac Tce Bassendeen	Tiling Contractor	2047
CALLEJA, P.P.	"	Student Teacher	2050
CALNON, W.P.	Mount Lawley	Business Proprietor	1902

CAMPBELL, H.G.	Dianella	Shire Planner	1941
CHICK, A.A.	Scotch Street Helena Valley	Telecommunications Technical Officer	2471
CLARKSON, J.D.	22 View Street Peppermint Grove	Retired Hospital Administrator	1264
COLLINS, G.J.	48 Bulimba Rd Claremont	Acting Deputy Comm- onwealth & Govt. Statistician	138
CONSTANTINE, R.A.	49 Bondi St Mount Hawthorn	City Treasurer (Stirling)	451
COWAN, M.G.	146 Preston Pt. Rd East Fremantle	Town Clerk East Fremantle	893, 961
CRAWFORD, I.M.	5 Kirwan Street Floreat Park	Museum Curator	2369
CRUICKSHANK, D.C.	4 Edna Road Dalkeith	Company Director	472
CUTHBERTSON, D.J.	24 Houston St Rockingham	Shire Clerk Rockingham	324
DALLIMORE, J.W.	428 Cambridge St Floreat Park	Dentist	2394
DAWKINS, N.I.	78 Chapman Rd Bentley	Town Clerk Canning	2125, 2265
DIXON, O.F.	45 View Street Peppermint Grove	Parliamentary Commissioner	1333
DORRINGTON, J.E.	Lot 41 Anstey St Mundijong	Shire Clerk Serpentine-Jarrahdale	2560
EASTON, L.A.	14 Salisbury Ave South Perth	Town Clerk Stirling	393
EDWARDS, G.O.	5 Takari Cres City Beach	Town Clerk Perth	154, 248
ELLIOTT, I.G.	Keysbrook	Farmer	2217
FARDON, R.H.	20 Lamond St Melville	Shire Clerk Belmont	1301, 1345
FOLEY, M.F.	73 Heytesbury Rd Subiaco	Retired	670
FORWARD, W.G.	25 Planet St Carlisle	Senior Technical Officer PMG	1552
GATES, R.C.	48 Kersley Rd Kenmore, Brisbane	University Professor	1374
GIANATTI, B	Jarrahdale	Storekeeper	2216
GIPSON, G.C.	125 Riverview Ave South Guildford	Professional Fire Fighter	2302
GODDARD, A.C.	80 Derby Rd Shenton Park	Company Secretary	670

GOODWIN, B.R.	3 Gaunt St Eden Hill	Patrol Officer	2038
GRAY, A.J.	Karrinyup	Town Planning Lecturer	2344
GRAY, S.G.	157 Bolton Street East Fremantle	Advertisement Sales Manager	926
GREEN, Mrs. M.A.	15 View Tce East Fremantle	Housewife	933
GROVE, W.R.	80 Fremantle Rd Gosnells	Town Planner	2225
HALL, R.J.	95 Etwell St Victoria Park	Fire Brigade Officer	2056
HARRISON, B.G.	41 Queensville Ave Lynwood	Secretary	2312
HARVEY, C.L.	3 Federal St Cottesloe	Mayor (Cottesloe)	780
HECTOR, P.H.	Mundijong	Farmer	2215
HEFRON, P.J.	Koongamia	Fire Brigade Officer	1899
HERATY, Mrs.N	33 Schofield St Eden Hill	Housewife	2053
JEFFERYS, D.E.	241 Selby St Floreat Park	Town Clerk Claremont	686
KARGOTICH, P.	Byford	Haulage Contractor, Manager & Farmer	2206, 2551
KENTISH, H.C.	Keysbrook	Farmer	2563
KENTISH, J.L.	"	"	2210
KIEL, A.L.N.	19 Maudin St Wembley Downs	Snr. Planning Officer Town Planning Dept	36,54
KIRKEBJERG, P.A.	40 Riverview Ave South Guildford	Radio Technician	2285
KITCHER, A.H.	16 Riverside Dve South Guildford	Real Estate Salesman Business Manager	2290
LEE, J.A.E.	20 O'Dea St Carlisle	Companies Director	1539
LEGGO, R.L.	4 Mann St Mundaring	Shire Clerk Mundaring	2426
MENABB, I.S.L.	136 Robert St Como	City Planner	2101
MCKENZIE, W.A.	16 Kings Park Ave Crawley	General Manager	826
MACKAY, J.R.	23 O'Dea St Carlisle	Youth Agency Administrator	1558

MARSHALL, H.J.	3 Clarendon St Cottesloe	Retired Farmer	2320
MARSHALL, L.D.	West Swan Rd West Swan	Grazier	1851
MARTIN, T.S.	11 Gayton Rd City Beach	Town Planner	1454
MEWS, P.J.	8 Victoria Ave Claremont	Retired Public Servant	1217
MILLS, A.A.	458 Railway Pde Beckenham	Land Agent	2256
MOSES, S	60 Esther St Bassendean	Club Manager	2035
MORRIS, H.C.	3 The Avenue Nedlands	Senior Engineer Town Planning Dept	1055
MUTZIG, C	41 Third Avenue South Perth	High School Principal	1444
O'MEARA, L.F.	16 Bolt Court Lesmurdie	Shire Clerk Kalamunda	1252, 2501
O'SHANNASSY, B.D.	4 Riverside Dve South Guildford	Accountant	1817
PARKS, S.W.	509 Canning Hwy Melville	City Manager & Town Clerk	828
PATERSON, J.G.	2 Dalesford Road Bassendean	Research & Agricul- tural Scientist	1973
PAUST, R.C.	2 Winmarley St Floreat Park	Secretary Local Govt Dept	18, 228
PEARCE, A.R.	106 Napier St Cottesloe	Estate Agent	1166
PRICE, Mrs. A.D.	30 Mary Cres Eden Hill	Typist Clerk	2056
PRIES, S.V.	6 Turner Rd Kelmscott	Land Salesman	1046, 2515
POOLE, M.D.	Chester St Subiaco	Architect & Town Planner	2375
POWELL, K.	Mardella	Farmer and Businessman	2212
RICCI, L.F.	21 Ivermey Rd Hamilton Hill	Company Manager	929
RICHARDSON, A.T.	141 Kooyong Rd Rivervale	Building Quantity Estimator	1449
RIDLEY, P.E.	2 Beverley Terrace South Guildford	Life Underwriter	2297
ROBINSON, P.E.	59 Clarkson Rd Maylands	Company Director & Tavern Licensee	1961

ROSSI, R.	30 Third Avenue Bassendean	Shop Keeper	2040
ROWE, H.J.	215 Canning Highway East Fremantle	Medical Practitioner	2268
SABIN, E.	38 Shearn Cres Doubleview	City Planner	307, 328
SCOTT, A.L.	10 Excelsior St Shenton Park	Town Clerk Subiaco	579
SENIOR, F.	Mardella	Farmer	2568
SHERWOOD, J.L.	48 Barker Rd Subiaco	Lecturer	2573
SIMPSON, E.F.	5 Steele St Eden Hill	Mechanic	2041
SMART, R.N.	Lorimer Rd Lake Thompson	Watchmaker- Jeweller	1014
SMITH, E.G.	1 Sheila St Mosman Park	Divisional Manager	2397
SMITH, R.C.	8 Shann St Floreath Park	Bank Officer	2351
STIDWELL, M.J.	Lot 4 Glenlea Dve Helena Valley	Teacher	2488
STYLE, C	Sussex St East Victoria Park	Garage Proprietor	2059
THOMAS, A.M.	52 Hamilton Rd Hamilton Hill	Plumbing Contractor	1008
THOMAS, K.W.G.	29 Padbury Rd Darlington	Town Engineer	2263
TRELOAR, J.A.D.	6 Bedwell Cres Booragoon	City Planner	1581, 2199
ULRICH, V.	77 View Tce East Fremantle	Retired	955
VANCE, J.H.	89 Todd Avenue Como	Principal Research Officer MRD	30,117
WALKER, D.A.	48 Ranford St Menora	Town Clerk Mosman Park	1221
WALKER, H.W.	134 Wheatley St Gosnells	Town Clerk Gosnells	1022
WALKER, Mrs. J.S.	33 Herbert Rd Shenton Park	Housewife	2380
WARNER, L.E.	106 May St Bedford	Health Surveyor	1534
WEBB, M.J.	102 Circe Circle Dalkeith	University Professor	1107, 1562