LOCAL GOVERNMENT AMALGAMATIONS

Motion

HON KEN TRAVERS (North Metropolitan) [2.04 pm]: I move —

That this house —

(a) expresses its view that the Local Government Act 1995 never contemplated the use of boundary changes to amalgamate local governments;

(b) believes that the correct approach under the act is to abolish existing local governments and to create new local governments as this ensures that local communities are given a voice as intended by the Dadour provisions of the act;

(c) is of the view that any attempt to force local government amalgamations by using boundary changes to circumvent the intent of the Dadour provisions is an abuse of the act; and

(d) therefore calls on the government to ensure that any proposals for amalgamation of existing local governments involve the abolition of all affected councils and the creation of new councils.

Point of Order

Hon NICK GOIRAN: I have in my possession a document from the Supreme Court of Western Australia. I hasten to add that it is a copy of a sealed copy of an application for a judicial review. It is CIV 1923 of 2014. The applicants are the City of Subiaco, the City of South Perth, the Shire of Serpentine–Jarrahdale, and the fourth applicant is a Mr Ian Kerr. The first respondent is Hon Anthony James Simpson, MLA, and the second respondents are Councillor Mel Congerton, Ms Mary Adam, Mayor Ron Yuryevich, Councillor Helen Dullard and Dr Shayne Silcox. Mr President, I draw this matter to your attention in accordance with the longstanding principle in this place and in all Parliaments under the Westminster system on sub judice. In particular I draw to your attention standing order 52. Although at first glance it may be the case that some members may suggest to the President that there is no real and substantial danger of prejudice to the adjudication of that particular case, if we are to consider this motion this afternoon I respectfully submit that this is a matter worthy of the President's consideration. This particular document lodged in the Supreme Court is dated 2 July 2014, and is under the signature of John Hammond, a very experienced legal practitioner in this state.

When you have had the opportunity, Mr President, to read this particular document, which I will be quite happy to hand up to you, you will see that all 14 pages go into some detail on a current case that I understand is before the Chief Justice of the Supreme Court. In that case, when you have had the opportunity to read it, Mr President, you will see that at the very heart of it is the consideration of the intent of Parliament at the time with respect to the very matters that Hon Ken Travers brings to our attention this afternoon. Mr President, although it may be said that there is no substantial danger of prejudice to the adjudication of this case, I would ask that you give consideration to the rulings that have been previously made on this matter. Indeed, Mr President, I draw to your attention a ruling by President Griffiths on 11 April 2006, which I note was actually a point of order that you raised at the time. That was in respect to the Yallingup Foreshore Land Bill 2005. That ruling by President Griffiths was clarified by comments made by Hon George Cash. In effect, that ruling was talking about the importance of knowing whether a trial date has been set down for civil matters. In the limited time I have had to research this matter, noting of course that it was only the decision of the house yesterday afternoon to bring this matter to our attention for today—I was away on urgent parliamentary business for the remainder of the day—I have been unable to ascertain whether the matter has been set down for trial, but I do note that in the limited research I have done there is some suggestion of a date being provided in November. My respectful submission, Mr President, is that this is a matter that may require you to make some enquiries with the Chief Justice of the Supreme Court to ascertain exactly the status of that matter.

Mr President, even if you are not inclined to do that, I want to draw to your attention a couple of other matters for consideration. The motion moved by Hon Ken Travers has four limbs, the first three of which are all problematic, in my view, with the matter currently before the Supreme Court. You will see that, at paragraph (a) there is an intent for this house to express a view about what was or was not contemplated by the Local Government Act, which is precisely the point before the Supreme Court. Paragraph (b) refers to whether the correct approach has been taken under the act as intended by the Dadour provisions. That is also a matter specifically before the Supreme Court. Thirdly, there is a suggestion that the way the government is proceeding might be an abuse of the act, which is also something on which the applicants are asking the Chief Justice to provide a determination.

Mr President, I appreciate that you will not have had the opportunity to familiarise yourself with all the documents, as I have had, so you may need to stand down this matter. For what it is worth, the matter could proceed at some later stage of today's sitting or indeed next week. In the event that Hon Ken Travers is inclined to desist with limbs (a), (b) and (c) of his motion, which, in my respectful submission, would breach the sub judice convention, we could proceed with only limb (d), which states —

> therefore calls on the government to ensure that any proposals for amalgamation of existing local governments involve the abolition of all affected councils and the creation of new councils.

That would not seem to be a problem with respect to the Supreme Court application. We could usefully debate that if that is your determination and, ultimately, the will of the house.

The PRESIDENT: A point of order has been raised. I will need to consider that point of order and I foreshadow that I will leave the chair until the ringing of the bells, but if any other member wishes to make a contribution specifically on that point of order, I will take that now before I adjourn.

Hon KEN TRAVERS: I want to make a brief submission on the point of order. Firstly, standing order 52 makes it clear at the outset that the Legislative Council will also maintain the right to debate any matter it deems appropriate, and yesterday the house certainly made its decision to bring on this matter. Secondly, it states —

> ... a matter before any court of record may not be referred to in any motion, debate or question ...

My motion does not mention any of the matters before the court and I can assure you, Mr President, that I have no intention of canvassing the issues before the Supreme Court in my contribution to the debate this afternoon. I am seeking an expression of the view of the house, which I think this house is capable of making. That is completely irrelevant to the matters in the Supreme Court, and I do not see how this house expressing a view provides any substantial danger of prejudice. I do not think that part of the standing orders would come into play unless the court case is referred to in the motion or during the debate, and that would be the appropriate time for you to give consideration to whether there is a substantial danger of prejudice in the adjudication of the case. No action has occurred to invoke standing order 52 at this stage.

The PRESIDENT: Are there any other brief comments from any member on the point of order?

Hon DARREN WEST: I am not sure whether I am quite in line with standing orders, but I make the observation that if this precedent is to be set, we would discuss no motions at all because there would always be some court case going on somewhere that is obscurely related to each motion brought before this house.

Hon ADELE FARINA: Hon Nick Goiran in addressing the chamber indicated that he would table the report that he was referring to. I ask that that be tabled.

The PRESIDENT: Hon Nick Goiran, did you indicate that you were prepared to table that report? I heard you say that you were prepared to make it available to me, but did that imply you wanted to table it?

Hon NICK GOIRAN: I am happy to seek leave to table this document, "Supreme Court of Western Australia: No: CIV 1923 of 2014". It is an application for judicial review and it is 14 pages long.

Leave granted. [See paper 1891.]

Sitting suspended from 2.14 to 2.45 pm

Ruling by President

THE PRESIDENT: Hon Nick Goiran has raised a point of order in relation to the motion moved by Hon Ken Travers dealing with proposed local government amalgamations. The essence of the point of order is that in debating the matter the house would be in breach of the sub judice convention. This is dealt with in standing order 52, which reads —

> Subject always to the right of the Council to debate any matter it deems appropriate, a matter before any court of record may not be referred to in any motion, debate or question if it appears to the President that there is a real and substantial danger of prejudice to the adjudication of the case.

Firstly, I have checked with the Supreme Court Registry and the civil action referred to by Hon Nick Goiran has been listed for trial for 25 November 2014. I quote from a previous ruling from President Clive Griffiths, dated 11 June 1987, in which he states —

> The sub judice rule has its origin in Parliament's reluctance to be seen to interfere with the judicial process by publicly commenting on matters pending adjudication in courts or record. In terms of parliamentary history, the rule is of fairly recent origin and its development parallels the constitutional understandings best described as the "separation of powers" doctrine. The rule operates, not as a gag,

> but as a self-imposed restraint on Parliament's right of free speech. As such, it is an acknowledgement that the courts must be free from improper or undue influences in their adjudications.

I rule that the house in debating this matter would not breach the sub judice convention as set out in standing order 52. There is no evidence presented that in my view would result in any real or substantial danger of prejudice to the adjudication of the case. This matter will be heard before a judge of the Supreme Court without a jury. I am confident in the professional capacity of the court in this case to discharge its duty in an impartial manner and will not be influenced by any debate that occurs in this chamber.

The point of order is not upheld.

Debate Resumed

Hon KEN TRAVERS: At the outset, I thank the house for allowing this motion to be brought on for debate today. I accept that seeking to have a motion brought forward on the order of business is unusual and should occur only in exceptional circumstances. But I believe we need a timely expression of the view of this Council on the debate going on in the broader community and prior to the Minister for Local Government taking action subject to the advice he will receive from the Local Government Advisory Board.

I believe local government reform is important and should occur in Western Australia. However, I want to preface that by pointing out that amalgamation is not of itself the answer nor is it a reform. I believe many other more important reforms should occur and amalgamation will be an element of reform only where it is freely entered into by the local governments concerned, with the voice of the people being in a position to determine whether it is the right decision for their local community.

I think the problem we have faced for some considerable time is that significant time and finances of local government and of local government staff and their elected members have been diverted to this issue. I note also that the issue of amalgamating councils has been a long and contentious one. I will go through some of the history this afternoon because I think it will help to inform the debate for why I believe it is reasonable for the house to come to the conclusion that I have written into the motion we are debating today.

The final point I want to make in my introductory remarks is that if the government wants to amalgamate, it should do it properly and, in my view, in the way in which the act intended. Governments should not try to find a legal loophole in an act to do something that was clearly never intended by this house and the other place when the original legislation was passed. Governments need to set an example as model litigants by model behaviour. With something as important as local government amalgamations, we need also to ensure that the community is brought along. I accept that that is often difficult but we need to be careful that we do not corrupt the process to a degree that will damage the integrity of the local governments involved and will lead to people believing that the social contract has been broken. As I said, over the years numerous debates have taken place in this Parliament and numerous acts of Parliament that dealt with the way in which local government reform should occur have passed through this place. It is because of some of that history that we ended up with the 1995 Local Government Act. Prior to that, a constant complaint was that the minister had too much power when it came to local government reforms and that the minister could override the wishes of the local community. If people take the time to read the debates that occurred in this place back in the 1970s and even before that, they will understand the long history of who should have the final say in determining whether local governments should be amalgamated.

The 1995 Local Government Act contains provisions that are now most commonly referred to as the Dadour provisions. They are the provisions that I refer to in my motion as the Dadour provisions, although they are not the same provisions that were originally moved by Mr Dadour, the then member for Subiaco, during one of the many previous contentious debates about local government reform and local government amalgamations in this state—forced amalgamations in particular. Over time, a number of acts have varied those provisions slightly so that we now have the provisions that are in the act today, which, in essence, give the local community a voice and a say. The provisions are contained within schedule 2.1 of the Local Government Act 1995. Having gone through the act, I can say that, in essence, they provide for the minister, the affected local government and the local electors to put a proposal on an amalgamation to the Local Government Advisory Board. The Local Government Advisory Board can then consider that proposal and, having considered it, if the advisory board recommends proceeding with the proposal, the minister can either accept or reject the recommendation. A final proviso before the recommendation can be presented to the Governor for implementation is contained in clause 8 of schedule 2.1. Clause 8, headed "Electors may demand poll on a recommended amalgamation", states in subclause (1) —

> Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (the ***districts*****)** and amalgamate them into one or more districts, the Board is to give notice to

> affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.

It then goes on in subclause (3) —

> If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board's recommendation be put to a poll accordingly.

It is therefore very clear that when the residents seek a referendum in one of two or more districts—districts being local governments—that are to be abolished, there should be a poll, and that poll will be binding if certain thresholds and procedures are met. Those thresholds and procedures are outlined in clause 10 of schedule 2.1, which requires that at least 50 per cent of the electors of one of the districts vote and that, of those electors of that district who vote, a majority vote against the recommendation. That is a quite high threshold, I might add. The government has sought to argue that rather than abolish two local governments and create a new one that would clearly invoke clause 8, as I outlined, it can achieve abolition by moving the boundaries of one local government to completely consume the second local government and therefore clause 8 would not apply.

I have spent quite a bit of time in recent weeks considering this matter, and even earlier when a bill came before this house. There is still a bill before this house, and I certainly do not want to foreshadow the debate on that bill, as the government has not brought it back for debate. I am still wondering whether it will be brought back in light of the fact that it was about facilitating the amalgamations of metropolitan councils, which it would appear are now coming to a conclusion. However, that bill sought to change the way in which the act operates to make it easier for the government to amalgamate metropolitan councils. The issue at hand, though, and the point I make in paragraph (a) of my motion, is whether the drafters of the Local Government Act contemplated at the time it was written the notion of using boundary changes to amalgamate local governments.

I read the debates back in 1995 when the bill was introduced into this place and the other place when Mr Omodei was the Minister for Local Government. Sadly, in those days bills were not introduced with an explanatory memorandum, which would have been very useful. I note that this house now requires EMs for bills that come before us. An EM would have been a good way of helping inform the Parliament about intent. I want to read a couple of quotes from the second reading speech given in the other place on 31 August 1995 that I think are relevant to the debate this afternoon. In the minister's opening remarks, he said —

> The intent of the Bill is: More efficient and effective local government; greater accountability of local governments to their communities; better decision-making by local governments; and greater community participation in the decisions and affairs of local governments.

Clearly, the purpose of the bill was to give the community greater involvement. That is stated in the first paragraph of the second reading speech. But later in the second reading speech, at page 7549 of *Hansard*, the minister makes this comment —

> The Bill includes also provisions for the use of polls, including indicative polls to evaluate community attitudes and binding polls by which the advisory board recommends the amalgamation of two or more districts. The provision for binding polls on amalgamations reflects the high degree of community concern about such issues.

In that part of the second reading speech, the minister was not talking about the abolition of two or more councils. The minister states very clearly that if the Local Government Advisory Board recommends the amalgamation of two or more districts, the intent of the bill is to give the community a voice by enabling the community to demand a poll of the local district before that decision can be ratified.

It is interesting that when that 1995 bill went through both houses of Parliament, the issue at that stage was very much focused around the splitting of local governments. That is because the then Court government had recently made the decision to split the City of Perth into the four smaller councils that exist today. I might add, while I am talking about the City of Perth, that even to this day, issues are still arising out of the way in which that split was done, and people are still trying to resolve those issues. The government itself is still making payments to the Town of Cambridge from issues that arose and can be tracked back to the original split. That split was done by an act of Parliament, clearly against the wishes of the local community of the day.

During the debate on clause 2.2 of that 1995 bill, both the minister and his representative in this place consistently made reference to the fact that the purpose of the bill was to increase local participation and increase the voice of the local community. That can be combined with the comments made by the minister about the amalgamation of two councils. The simple fact is that if the government expands the boundaries of one council

to incorporate the area of a second council, it is amalgamating those two councils. Members can look back at the comments that were made during the committee stage of that bill and get a clear indication that the minister and the Parliament at the time were looking towards the way in which the community would have the final say if it was proposed to get rid of a council or amalgamate two councils.

During the debate in the Legislative Assembly on 17 October, Mr Omodei said, at page 9104 of *Hansard* —

> Obviously if they were about to have a significant investigation into a boundary change they would take advice from public hearings in the local municipalities.

To which Mr Riebeling responded, "One would hope so". Mr Omodei then said —

> That is the way the member's concerns will be placated.

Of course we know that public hearings have not been held in the local areas as part of the current process.

Later, at page 9105 of *Hansard*, there was talk about a previous issue, during the time of the Tonkin government, about amalgamating part of Melville with Fremantle. It is instructive to read how history repeats itself in these matters. Towards the end of that debate, Mr Marlborough said —

> I understand the poll will be required if there is an amalgamation of the whole, but there will be no need for a poll if part of each municipality is to be amalgamated.

To which Mr Omodei responded, "That is correct." It is clear from those comments that if the whole of a municipality were to be subsumed into another, a poll would be available to the local community.

I note that a lot of other members want to speak on this motion, so I will try to restrict my comments. But I need to raise a number of other comments that have been made throughout the debates in this place on these matters, because I think that would help inform the Parliament.

I have been outlining the history of the way this legislation came about. It is clear from the comments of the minister at that time that the purpose of the 1995 bill was to update and modernise the existing legislation, and to strengthen the role of the local community. It is interesting to look also at the debate that occurred in March 1975, when Mr Rushton, the then Minister for Local Government, introduced a bill to amend the Local Government Act 1960–1974. He states in his second reading speech, at page 499 of *Hansard* of 27 March 1975, that —

> The measure has two principal aims: Firstly, to require a petition before two or more municipal districts can be united to form one municipality; and secondly, to make it mandatory for ratepayers in districts which would be affected, to be given the opportunity to demand a poll where a petition seeks certain boundary alterations and for the alterations to be prohibited if the poll negates the proposal.

The minister then went on in that second reading speech to outline the provisions in clause 5 of the bill, which is a particularly important part of that legislation —

> Clause 5 makes detailed provisions requiring the conduct of polls at the demand of ratepayers on a proposal in a petition which seeks the exercise of a power to —
>
> (i) Sever from a district a portion of the district and annex the portion to a district which the portion adjoins, except in the ease of a petition where all the municipalities which would be affected by the exercise at the power are parties to the petition. The fact that all the municipalities were parties to a petition would of course indicate that there was complete agreement on the question.
>
> (ii) Unite two or more adjoining municipalities —

Again, this is not talking about the abolition; it is talking about the uniting —

> to form one municipality, again except in the case of a petition where all the municipalities which would be affected by the exercise of the power are parties to the petition.

The third point is very instructive for the debate this afternoon, because this is what would occur under the boundary change model that has been put forward by the government —

> (iii) Abolish a district and dissolve the municipality of the district. A petition of this nature may be presented only by electors of the district. Although this action does not constitute a change in boundaries in the usual sense, there are other provisions in the Local Government Act which allow the land contained in a district so abolished to be attached subsequently to an adjoining municipality. Because a combination of these actions would give exactly the same effect as

> a union of municipalities, it is considered that the initial proposal to abolish a district should be subject to the mandatory poll provisions.

Mr President, that was the way in which the 1995 act was constructed. I think those comments make it abundantly clear that when that act was written by the Parliament, the intent was to establish a process whereby if two districts were being amalgamated, we would expect them both to be abolished and a new district created. In those circumstances, when two districts are being amalgamated I believe the clear intent of the Parliament was that people should be given the right to have a poll. I believe all that legislation and history has helped us reach our view of the intent at the time. Of course, it is only our interpretation of the intent at the time, but I think those previous debates, the language used by Mr Omodei, and the previous history that had built up to the circumstances on which the 1995 bill was written all add up to a very clear story. I cannot find anything to contradict that the detail of the bill was written in anything other than a way to achieve the outcomes outlined in the minister's second reading speech. I note that it is interesting that the Parliament passes the law and then others are left to interpret it, and I think it is useful for the Parliament to, from time to time, give its view about how it sees a bill constructed. That is why I put paragraph (a) in the motion.

Paragraph (b) of my motion reads —

> believes that the correct approach under the act is to abolish existing local governments and to create new local governments as this ensures that local communities are given a voice as intended by the Dadour provisions of the act;

Hopefully, members will now agree with my comment that the original intent of the act was to allow for local communities to have that say.

Since the passage of the 1995 act, how have amalgamations of two or more local governments occurred? Contrary to those who say that there is no capacity to get local governments to amalgamate without them being forced, there are many examples of local governments in Western Australia that have decided that amalgamation is the best outcome for their communities. I will talk about it a little later, but South Perth and Victoria Park recently made it very clear that as long as it is done in a certain way, they see benefit in amalgamation for their local communities. The local elected members in those communities have gone through a process of community consultation and put forward a proposal for consideration by the Local Government Advisory Board. A past example of a local government amalgamation under the 1995 act was the City of Geraldton and the Shire of Greenough. That occurred in the middle of the last decade. A proposal was put before the Local Government Advisory Board, and a report was completed in August 2006. That proposal was put forward with the agreement of the Shire of Greenough and the City of Geraldton, and a significant amount of work was done by those councils leading up to it. I again urge members, if they have not already, to have a look at some of these reports that were done in the past. The recommendation of the Local Government Advisory Board, which I think again gives a clear indication of how this process should be undertaken, is on page 61 of that report, and reads —

> 1. In accordance with clauses 6 and 10A of Schedule 2.1 of the *Local Government Act 1995*, the Local Government Advisory Board recommends to the Minister for Local Government and Regional Development that orders be made to:
>
> a) Abolish the Shire of Greenough and the City of Geraldton and create a new local government from the amalgamation of the former Shire and City.

Other examples of amalgamations that have occurred in the same way exist, and from the work I have been able to do—I am happy to be corrected by members—all have occurred in a very similar way in that there has been a proposal for the abolition of two and the creation of a new one. One of the reasons I used Greenough–Geraldton as the example is because there is a further history in that area in that that amalgamated body went on to amalgamate on a voluntary basis with other councils. There had been a long history in that area of an amalgamation process, and there was also a request for a local referendum in the case of that amalgamation. The end result of that referendum was that although it was overwhelmingly not to amalgamate, it did not meet the threshold that made it a binding decision on the minister, and it therefore went ahead. The point I make in all that is that even if the government was to conduct itself in the way I believe it should, that of itself does not mean that that amalgamation may not go ahead, even in the circumstances when a poll is called because the number of people who vote may not be significant enough to make the final position binding. The debate around whether the threshold is too high is for another day in my view, and if the government believes the threshold is too low, that can be argued on another day. It should argue that by bringing a new bill to this place to change it. It should not try to manipulate what has been the longstanding practice and, in my view, the clear intent of the way in which the Local Government Act 1995 and its predecessor legislation was constructed. That gives us a clear view about how the process should occur.

If the media reports are correct about South Perth and Victoria Park, the Local Government Advisory Board has now adopted their submission rather than the submission put forward by the Minister for Local Government, which was for a boundary change that also saw the Burswood Peninsula excised from that future new City of Curtin, as was, I think, the working title in the original documentation submitted to the Local Government Advisory Board. I very much hope that the Local Government Advisory Board adopts that proposal from South Perth, and, if it does, it does it in a way that ensures that Victoria Park and South Perth are both abolished and a new city is created. I know there have been many suggestions as to the name of that new city. I believe we have the makings of a successful amalgamation there because the two parties have willingly worked together on that proposal for some considerable time.

But they need to be equal partners. If one council is expanded and the other disappears, that will not create a marriage of equals; it creates a marriage of one council being seen to have taken over the other council. I think that would destroy significant goodwill between local communities and their elected officials. Only through that cooperation and those positive relationships will we get the greatest successes out of the newly created local government. If amalgamation is forced, we will see people spending hours and even years settling disputes. As I say, since the forced split of the City of Perth, the disputes that arose have continued right up to the point that this government is still to make a payment to the Town of Cambridge that arose out of disputes that occurred during the time the commissioners were in place during the splitting of those councils.

In many cases, councillors will operate in the correct and proper way, but there is always the potential for others to use that window of opportunity whereby one council that is running the affairs of the other council area, without local representation, will take decisions that favour their area at the expense of other. It will be a sad and sorry day if that occurs. That is why I have moved that, firstly, we express our view that the Local Government Act 1995 never contemplated the use of boundary changes to amalgamate local governments. I have highlighted to the house this afternoon the history of the act and how it came to be, as well as going through the various second reading speeches, all of which make clear the reasons for boundary change. Those reasons were even clearer in the original act, but in attempts to modernise the legislation some of those key elements have been dropped out of the act. The language used by the minister at the time was that the government wanted to strengthen the role of local people and not to reduce it. If the intent was anything other than that I have proposed today, I am sure that a man of Mr Omodei's integrity would have made that clear to the house. He never made that clear; in fact, the words that Mr Omodei used indicated the complete opposite. The correct approach to local government reform is to abolish existing councils and create new ones. Although I used only one example today, there are many others and I hope that members will understand that is the way boundary changes have been conducted in this state since the Local Government Act was introduced in 1995. That is the correct approach and is clearly the intent in the act, and that is how the process should have gone. Any attempt to force local government amalgamations and to remove the ability for the local community to have a voice through boundary changes that try to circumnavigate the Dadour provisions is an abuse of the act; but, more importantly, it is an abuse of local communities and will ultimately create local governments that will be fighting fires internally rather than getting on with the job of governing local communities. We have already seen too much time and money wasted on the way this process has been conducted. If new councils come out of this process, we want them to be strong councils looking forward and not trying to argue about the past.

Finally, I hope this house will join with me in calling on the government to ensure that any proposals for amalgamations of existing local governments involve the abolition of all affected councils and the creation of new councils. That is not only the intent of the 1995 act but also the best way to proceed. If the government's view is that there is a better way and the act should be constructed in a different way to allow a different process, it should bring that into this house and we will have that debate—if it can get it through its party room, of course. Let us get that matter into the house and have that debate. Let us not have the situation we have today where, in anybody's language, the government of the day, in the way it has put proposals forward, has sought to manipulate the act to try to find a loophole. In my view, no loophole exists, but nonetheless that is what the government is attempting to do. That is not the way that a good government acts, and it will be doing a disservice to local government, local communities and the people we represent if that process is allowed to continue. I urge members to support my motion.

HON SIMON O'BRIEN (South Metropolitan) [3.23 pm]: Members of Parliament face all sorts of challenges. That is something we learn early on and that newer members, in particular, feel most keenly. Members have to learn when to stand up for a principle and when to be pragmatic. We have to learn in a whole lot of situations when to say no to people, bearing in mind the people they might have to say no to during their career. We all want to agree with people—our colleagues, the government we support, our constituents. It is not human nature to say no, but sometimes we have to.

An eminent journalist around the town called me last night and asked me if I would be crossing the floor on this matter today. My response is that the Liberal Party does not have a position on the substance of this motion. Although that is a technical argument in the eyes of the media no doubt, it is also the truth: the Liberal Party does not have a position on the substance of this motion. There was a well-publicised incident—I had nothing to do with publicising it—in which the leader of our party made it clear that matters relating to amendments to the Dadour provisions would not be discussed in our party room; they might have been, but they were being withdrawn. That is on the public record, members. Officially, the Liberal Party has no position on this.

In due course the minister representing the Minister for Local Government in this place—a delightful position to have on an occasion such as this—will tell us what the government's position is. It is not the Liberal Party's position, but the government's position. It may well be that members of the Liberal Party in this place want to identify with that position, which is a matter for them. I will tell members up-front, before I know what that position is, what my position is. I will tell members my position in just a moment. Perhaps the government will tell us that its position is that it agrees with the motion and it accepts the view that perhaps the approach it has taken is misguided and unwise and, on reflection, it ought to be doing it differently, but it needs a circuit breaker to do that. It may be that the government has got one in the form of the Local Government Advisory Board recommendations, most of which are sitting on a minister's desk somewhere. Perhaps the government will take the opportunity to look at where it is going as a government on this matter and why it wants to go that way, and where it hopes to arrive. Perhaps it will have to rethink the matters of substance in this motion—or perhaps it will not. I do not know. I have a feeling in my heart of hearts as I put those prospects forward that pigs are fuelled and ready for take-off, but I might be surprised and pleased by what we hear when the government tells us what its response is.

The motion invites the house to associate itself with the view that the Local Government Act never contemplated using boundary changes to amalgamate local governments. I am not sure if that is how I would have worded this motion if I had been the one behind it, but we all know what the mover means and we have had the benefit of further advice by way of his speech just now. I am on the public record, and have been for some time, in a range of forums available to me about what I think about that, and I have not changed my view. How did Hon Ken Travers express himself just now? Did he use the expression "a bit too cute"? If not, that was the intent of his criticism of what is happening and that the device of treating the amalgamation of councils or the total abolition of one council and the absorption of that council's area and all its assets and everything else into another council as boundary change is a contrived device which, as I have said before publicly, does not reflect well on those who conceived it as a tactic. It does not reflect well on those within government who have espoused it and it is not fooling anybody that that is what is intended in the Local Government Act as a way of changing council boundaries. To pick up on an example that has been used, the abolition of the City of South Perth, so that its affairs can be, in effect, taken over by the Town of Victoria Park, is not a minor event for a local government. It is not a boundary change, and to pretend it is is insulting to the intelligence and reflects very badly on those employing or supporting such a tactic. The irony is that that we do not need to do that, because the City of South Perth and the Town of Victoria Park have been working together for years in what is, for their elected members and staff, a risky operation to amalgamate naturally. They know that there are benefits; they have identified longer term benefits for the combined municipality, and it will also help insulate the new entity against the intentions of avaricious people or local governments from north of the river. There is always a risk of that happening. I will come to that in a minute.

Why on earth upset the people in South Perth and Victoria Park by saying that we will be using this silly tactic of calling it a boundary adjustment? It is very ill-advised. It was once described to me that there are two things in politics that are capital offences. One of them is saying things that are not true, and the other is being stupid. A couple of people in this town, associated with these tactics, should be hanged—twice—because they are not playing with a straight bat, they are not peddling the truth, and they are most certainly being stupid in the way they are going about it.

Whether the words are perfectly crafted or not, the intent of this motion is quite clear. It expresses a view about something. It is not only about the matter I just canvassed, but also people have access to the so-called Dadour provisions. We are all using this term as shorthand, but it means an opportunity for people in local governments that are prospectively to be part of an amalgamation or boundary change to have a say in the outcome, subject to meeting certain conditions. The provisions are imperfect, and we can discuss them in detail on another occasion if we need to. I recognise that those provisions are imperfect, and I certainly would not die in a ditch for them, but the principle is important. It is at least some sort of safety net against a government getting it horribly wrong. In most cases, even if people manage to call on a poll to oppose something—it is always the people who oppose things who call on these polls—it probably still would not succeed, but it is

important to have the safety net there so that if enough of the affected people can be roused they can have some say in their own future.

But that is not exactly the way things are working at the moment. A procedure is in place whereby the Local Government Advisory Board is required to report on a range of submissions that have been given to it. We are told by leaks and other sources that a number of those submissions have been reported on. In fact, I think the minister's office itself has acknowledged that it has recommendations in relation to about 34 of the 38 submissions. That detail does not concern us, but we know that a lot of recommendations are already at the minister's desk. Recently it was revealed by ABC radio and television news that some people in the town were not going to be happy about certain recommendations on the desk of the minister. The report, which I have sought to examine a little bit further with one or two people, insists that the government's preferred position on particularly the future of the City of Perth and its boundaries is not as the government would want it to be. We will find out in due course what those recommendations are, but there seems to be a significant prospect that the Burswood Peninsula will not be excised from the Victoria Park area, which I am very glad about because I have fought long and hard to stop that happening. A range of other measures affecting the City of Perth and surrounding local governments will not necessarily go the way the government might have liked.

We will see about that when the recommendations are released, but that will be a telling occasion because we will receive, at the same time, the government's response. We have been told all along the path that there is a process here. We know that; we have read it in the act. The Local Government Advisory Board will make recommendations to the government, and the government has some options available to it on receipt of those recommendations. It can either accept them and implement them or it can refuse them and do nothing. What it cannot do is a vary the recommendations to suit itself. This will be an interesting test for the government, will it not? If the advice that is received—the recommendations of the Local Government Advisory Board—are not to its liking, will the government simply accept those recommendations, or will it want to dig its heels in and try another approach to get its way, despite the views and advice to the contrary? We will see, but I will tell members now that that is going to be a test for the government in view of its record so far about what has happened with this process of local government reform.

I want to touch on another specific issue that affects the people I represent. It relates to the local government scenario in and around the City of Canning. I do not know whether all members have been privileged to come to the area that I am about to talk about, but they ought to.

Hon Kate Doust: Just a few times.

Hon SIMON O'BRIEN: Hon Kate Doust certainly has. Those who do not represent the area or do not have their principal places of abode there wish they did.

The City of Canning is sweating at the moment. The government policy is to destroy the City of Canning—to carve up its assets and its territory amongst surrounding local governments as part of this process. I am not sure why; I have asked but I have never been told.

I declare that I am a long-term resident of the City of Canning, incidentally. A very large portion of the City of Canning will go to the City of Gosnells, presumably through a boundary adjustment. Another very large portion, including all of Rossmoyne, Shelley and Willetton, will go to the City of Melville through another minor boundary adjustment, and other bits will go to the Town of Victoria Park and the City of South Perth. I can tell members that the City of Gosnells and the City of Melville are viable local governments now. The Town of Victoria Park and the City of South Perth are also viable local governments and, if and when they combine through whatever process, they will be a viable local government. I can also tell members that the City of Canning is also a viable local government. So what on earth are we doing it for? What is the benefit? What is the cost? Who has done the homework? No-one in government has, because we have all repeatedly asked and there is no answer. I have done a bit of homework. I will not give members a great deal of information now because other members want to contribute to the debate, but the City of Gosnells has looked at what is involved with taking on, basically, about two-thirds of the City of Canning and priced it.

We have all seen the shopping lists that perhaps overemphasise or exaggerate the cost of transition, but some very, very substantial costs are involved in the City of Gosnells combining with the City of Canning. Labour costs for one—to harmonise two large existing workforces costs a lot. It has been pointed out to me, and a number of members who sit in this house and elsewhere, that one of those local governments employs its inside workforce and its executive at pay rates that are higher than that of the other, and the other council employs its outside workforce at rates that are a bit higher than the rates of the other one. How do we harmonise that? Either people will have to lose their jobs or there will be the expense of pay rises for large workforces that are not justified other than simply to synchronise the arrangement. That is one example of the very significant costs that will be endured by ratepayers of both municipalities in the new municipality.

Again, I come back to the question of why. How could anyone have any confidence in this process until that question is answered? No-one in this chamber has that information. No member here—I am sure that I will be corrected if I am wrong—has the answer or even a part answer to the question of why we are doing this. What is the benefit? What is the cost? If any member here—government, backbencher, opposition, crossbencher, Callithumpian or whoever—has an answer to that, they should speak now or forever hold their peace. No answer to that question is available. It must be blindingly obvious that we do not go ahead with this exercise without that information and we certainly do not go outside the normal parameters to achieve the ends.

I want to conclude by offering a couple of observations. The Local Government Advisory Board has been under enormous pressure. I am not a very keen local government observer any more than others are; I am not a local government activist, but I am aware that the local government sector has been looking very, very closely at the Local Government Advisory Board to see whether it will dance to the government's tune or come up with independent recommendations. The board knows that and it has been under huge pressure. I have always had some confidence that the board will act collectively in a genuine and independent manner. Throughout this process that is what has given me some hope about the future of Burswood, for example. It is also why it is a bit premature to have this debate right now, before the official release of the recommendations. I acknowledge the pressures that the Local Government Advisory Board has been under of not only work but also expectation.

As a member who represents the City of Canning, and who has made a plea today for the future of the City of Canning on behalf of its residents whom I have the privilege to represent, I want to make an observation about the events of yesterday. Yesterday it was reported that the City of Canning council had been sacked. No surprises there; I saw the earlier reports. That is a matter for others to discuss on other occasions, but one of the subsequent acts, if not a consequent act, was that the commissioner who has been at Canning, Mr Linton Reynolds, also finished very abruptly as at midnight last night. I understand that he expected to stay in that role until June 2015 as part of an orderly transition. The question has been asked: why should Commissioner Linton Reynolds now be summarily cut out of the loop when he is a much admired person in the local government sector and has been honoured officially for his role as a civic and local government sector leader and was given this important role by the government? That is a very good question and a few people are rubbing their chin about that. I will make some further inquiries about that because, again—it is part of a recurring theme—it does not make the government look very good.

I do not know whether there was any malice or calculation in the government deciding to get rid of Reynolds now because he had been giving some advice that it did not like, but I will tell members that it certainly looks like it. I think it would be a very great pity if that was the case, because it would again reflect very poorly on the government if it had acted with such a motive to treat this distinguished Western Australian in such a shabby way. I acknowledge the service that Linton Reynolds has provided to the City of Armadale and in a range of other capacities. Although he is still a loans commissioner in local government or holds some other statutory office, it is a pity that his role at a local government should end on such an unfortunate note as it did at midnight last night. I compliment Mr Reynolds once again for the contribution that he has made and continues to make to the state of Western Australia.

I am looking forward to hearing the rest of this debate but I want to make a couple of things clear in conclusion. As members know, I have not been happy with the way the government has gone about this. I have not been happy with the motives, with the non-existent rationale nor the total absence of data in support of what is proposed. I have not been happy about the way government—I have said this before—has been too tricky by half pretending that getting rid of entire local governments requires just a boundary amalgamation. It is a very poor reflection on government and I say it again today. Members have to consider now what sort of message they want to send to a government that has one or two of its members pulling the strings and behaving in this way. Are they happy with that or is this a time for pragmatism to be outweighed by a decision to stand up for principle? I know where I stand on this. That is easy for me but other members may fancy that they have a future in this place and in this game, so now the decision is with them—the tough decision, the sort that had to be dealt with by the Local Government Advisory Board, the sort of decisions that had to be confronted by the likes of Mr Linton Reynolds and not shied away from. I will leave that as a matter for members. I, for one, will associate myself with the sentiments in this motion. I will not try to redraft it so that it is more technically correct, Hon Ken Travers will be glad to know!

Hon Ken Travers: Next time I'll get your advice before I table it!

Hon SIMON O'BRIEN: That might be seen as an unholy alliance!

I know where I stand on this. I will now listen with great interest to see where other members stand on it.

HON MARTIN ALDRIDGE (Agricultural) [3.51 pm]: I rise to make a contribution to the motion brought to the house by Hon Ken Travers and I thank him for doing so today. I must say at the outset that the future of local government in our state, particularly in our regions, is of great importance to us in the National Party. I also

thank Hon Simon O'Brien for his contribution once again in the debate today. Unlike Hon Simon O'Brien's party, our party has a position on local government, but that position has changed ever so slightly in recent times. I want to talk about some of those issues today. I will commence by considering some of the history associated with this issue. When I talk about history, I am not talking about the history Hon Ken Travers went into on the evolution of the legislation, but the history of the reform process that is before local governments in this state today. Following the last state election, I became a member of this place, a new Minister for Local Government was appointed and a new local government reform process commenced. The first I learnt of this process was following a cabinet meeting on the Monday of a sitting week, as I recall, when our then leader, Hon Brendon Grylls, made a statement to the media that he had secured a deal with the Liberal Party in cabinet that the Nationals would not oppose the reform process in the metropolitan area as long as local governments in regional Western Australia were not subjected to a similar reform process. I think the terminology that our then leader used was that he had "secured a deal that had ring-fenced regional local government". The next day a party room meeting was held to advise members of the reform process the government was embarking on and about the decision and the terms to which the National Party had agreed.

I must say there was general unease at that time about that decision but, at the end of the day, we had to consider a couple of key elements; one was that this reform process did not require changes to the legislation. I know that is subject to challenges in other places, but the local government minister considered that he could undertake this process within the powers given to him under the Local Government Act 1995. That was one consideration. The other was obviously the ability for us to express a different view about the impact of reform on local governments in regional areas. It was not long after this decision that we heard from the local government minister and the Premier that they had intentions of embarking on regional amalgamations as soon as the metropolitan amalgamations had concluded. I am pretty confident that that would have been the case had the Nationals not been at the cabinet table. In other words, if we had not been there representing the interests of regional communities, the reform process before us in Western Australia would occur in all local governments and not just metropolitan local governments.

In my view, the agreement the National Party thought had been reached in cabinet has not been honoured. Increasingly, we have seen an appetite, particularly from the Premier, to pursue local government amalgamations in our regions. This issue would not be before the house today if the commitment in cabinet had been honoured. The Premier has been challenged in the other place and in the media over the last week or two on this issue and it was suggested by my colleagues in the National Party in the other house that if he were to withdraw his comments on regional amalgamations, the Nationals would withdraw their current position of opposing the metropolitan reform process. That is the case today. We continue to seek an unqualified statement from the Premier in line with commitments he gave to the National Party that regional amalgamations would not occur on similar terms to those currently underway in the metropolitan area. Fundamentally, the two alliance parties have a different position on local government reform. Although we have little ability to oppose reforms in the metropolitan area, we intend to continue to pursue reforms of our own in the regions—reforms backed by the WA Local Government Association and local governments themselves.

In an attack last week on National Party members of Parliament, the Premier stated repeatedly that country people are telling him they want amalgamations and he suggested to members of my party that we should listen more carefully to our constituency. To be absolutely frank, I think we have without question a better understanding of our constituency than he does. Having a few acres and a few sheep in Toodyay does not qualify him in that regard, nor does coming out to a regional community every now and again for an opening or media opportunity. The Nationals have very hardworking local members in their electorates. Shane Love in Moore is not just the local member for Moore; he is also the recipient of an eminent service award from the Western Australian Local Government Association for his service to local government. Mia Davies in Central Wheatbelt and Tuck Waldron in Wagin are more connected to their community than this Premier will ever be. My electorate has somewhere in the order of 63 local governments. Spread across the three Assembly electorates I have just mentioned are probably somewhere in the order of 60 or an average of 20 per Assembly electorate. That is probably the greatest saturation of local government authorities in the state compared with those within an Assembly electorate boundary. I challenge the Premier, if he has the courage of his convictions, to take a leaf out of the book of Brendon Grylls and leave his safe seat of Cottesloe and challenge one of the members in these seats on his platform of forcing regional governments to merge. If he is not prepared to do that, he should ensure that the Liberal Party makes it clear to the regional constituency from this day forward that, should it win the 2017 state election, it will embark on an amalgamation process of our country local governments. I want to see the Premier at Dowerin next year with an outdoor banner at the front of his site, such as the one he had in 2012, stating, "We support tier 3 rail". I want the Premier to go to Menzies House, pull the banner out of the archive, turn it around and write, "I want you to vote for me because I am going to force the merger of local governments in regional Western Australia."

We need look only at the recent decision to allow Chevron to renege on its agreement to locate its operations camp in Onslow, on occupation health and safety grounds, and instead move it closer to the gas plant.

A government member interjected.

Hon MARTIN ALDRIDGE: It is coming; wait, minister!

Anyone with a basic understanding of regional development will know that this is a bad outcome for Onslow and the region. However, the irony is quite interesting. My National Party colleague and member for Kalgoorlie, Wendy Duncan, MLA, pointed out last week that the Premier has allowed this change to occur on safety grounds to avoid Chevron workers travelling 30 to 40 kilometres in a bus—I assume listening to their iPods and having a look out the window—yet he has outlined plans to amalgamate northern goldfields shires and expect shire councillors to travel hundreds and hundreds of kilometres for weekly or fortnightly council meetings. That is, I guess, only a small aspect when considering the whole context of structural reform in regional local governments; nonetheless, it is an important consideration in the mix of considerations and in particular when comparing regional reform with metropolitan reform.

The Nationals' interest in local government has not appeared overnight. It has not appeared since our state conference when our position on local government reform, as I said earlier, changed ever so slightly. We have consistently opposed forced amalgamations of regional local governments. That position has now extended to holding a view on metro reforms, given the constant and consistent language from the Premier, and to a lesser extent from his local government minister, such as, "Amalgamations are coming to a regional town near you". We understand and fully appreciate the value of local governments to our regional electorates, and that is why we have pursued these issues so vigorously. Members have talked in the debate today about the Local Government Amendment Bill 2013, which has been sitting on our notice paper since October last year. We played a pivotal role in ensuring that some amendments were made to that bill. We want our local governments to be sustainable and to continue providing the services that they so often are the only ones providing in our regional communities. We support reform—I want to make that point clear—and we acknowledge that a few local governments would like to merge. I have met with them but I want to stress that they are a minority. They say to me, as the previous speakers who have participated in this debate have said, that amendments to the Local Government Act are needed, particularly to the poll provisions of the act. I think Hon Simon O'Brien put it quite eloquently when he said that those provisions were imperfect, but that is a debate for another day.

In correspondence to me yesterday from the Western Australian Local Government Association, the president of the association stressed that country local governments are —

> … unlikely to gain any tangible benefit from traditional structural reforms; …

I will say that again: country local governments are unlikely to gain any tangible benefit from traditional structural reforms. He goes on —

> WALGA agrees that a pure amalgamation governance structure is not appropriate for country Local Governments, …

WALGA over the past 12 months has established the Country Reform Policy Forum. By attending a lot of the zone meetings that we as regional members had the opportunity to attend, we were often brought up to date with the work of that policy forum, and in 12 months it has been progressing. He goes on —

> The Policy Forum has been established to undertake research into appropriate governance models for country Local Governments …

One model of reform that WALGA has been advocating for some time is the regional subsidiaries model. Members would be aware that in the last Parliament the National Party introduced in this place a bill to amend the Local Government Act to allow for regional subsidiaries. We then saw the government introduce a bill in the other place, if my memory serves me right, and both bills did not pass both chambers of the Parliament before Parliament was prorogued. The same bill with minor amendments has now been introduced into this Parliament in the other place by Shane Love, the National Party's member for Moore, and I understand that some time was allocated last week to commence debate on that bill. The Nationals are responding and will continue to respond to what WALGA and our country local governments are telling us, and we eagerly anticipate the outcome of the reform policy forum that WALGA has well underway.

In concluding my remarks, I want to stress that the reform process occurring in Perth is not acceptable and to have it extended to regional Western Australia has never been acceptable to us in the National Party.

Hon Simon O'Brien: Why is it suitable for the metro area if it's not suitable for regional Western Australia?

Hon MARTIN ALDRIDGE: As I said, Hon Simon O'Brien, we entered into an agreement in cabinet, given that the Liberal Party represents electorates in Perth, that there was no requirement for any legislative change and that the minister could do this reform within all his existing powers, and that we would not and probably could not stand in the way of the minister doing what he has done. However, we thought we had secured an agreement, which I am arguing today has not been honoured, that the process would not be allowed to extend to regional local governments. We have a fundamentally different view from the view of the minister, and indeed from the view of the Premier, of reform for local governments in regional Western Australia. We believe that reform is important but that we have a better plan for reform. We believe that local governments with WALGA are working on a better plan for reform. We want to see our local governments remain sustainable, and that is why the National Party supported the motion yesterday to bring on the debate and why we intend to support the motion before the house.

HON DARREN WEST (Agricultural) [4.08 pm]: I, too, rise to speak in support of the motion. I congratulate Hon Ken Travers for his strength of character in bringing such an important motion to the house at a time such as this. I also thank those members of the house who had the courage to support the motion to bring forward this matter and debate it. In the vision yesterday it was quite obvious for all to see those who were prepared to debate the hard issues and those who cowered away from them. I therefore thank the house for the opportunity to rise and debate this motion today.

Local government, as members know and as I have spoken about in this place before, is the level of government closest to the people. It is the lifeblood of many communities, and especially the communities that I represent in the Agricultural Region—and for that matter right across regional Western Australia. It is also often the biggest employer in rural communities. It is for that reason, my view has never changed. I have always believed that the amalgamation, the boundary change, the bringing together or the reform of local governments with a blunt instrument—with a big stick—was never going to be beneficial for our communities. Local government is the biggest deliverer of services in many of our communities. For that reason, I will never be in favour of such a rudimentary way of achieving—what? The big question that we need to ask ourselves right at the beginning of this debate is: with all this proposed local government reform, what is the government trying to achieve? Around the rest of Australia, it is often said that we are dragging the chain; we are the last to do this. But we have seen around the rest of Australia that there have been no tangible benefits from local government amalgamations. There have been no financial benefits, no economic benefits and no social benefits from just bluntly amalgamating local governments for reasons that still have not been adequately explained to me. Given that democracy is of the people, for the people and by the people, no matter what changes are proposed to local government, or government of any form, it is always going to be my view, as a progressive politician, that that choice should be made by the people.

The reason that this motion that Hon Ken Travers has brought forward is so important is that the government, in a sneaky and roundabout manner, is attempting to circumvent the Local Government Act 1995 through tricky means—in fact, so tricky that there is now distrust between member parties of the coalition government. I am very pleased that my colleagues from the agricultural and regional areas of the National Party have now seen what our position has been all along—that is, that no good will come of this process for local governments in regional Western Australia by whichever means.

This has been a botched process from day one. I remember that several years ago, when this proposal was first floated, regional communities were aghast at the prospect of what that might mean for their local governments and for their rates, for jobs in their communities, and for the delivery of the services that their local governments provide in their towns. To this day, no-one from the government has put forward a meaningful explanation of what will be achieved from this local government reform and this tricky circumvention of the intent of the Local Government Act 1995. No-one really seems to know why the government is trying to do this. It has become apparent that, despite Hon Simon O'Brien's objection to debating the bill, Hon Simon O'Brien, as a member of the Liberal Party and a former minister in the Liberal government, does not know either. That says quite a lot about what is wrong with this debate. Nobody seems to know, nobody seems to understand and nobody seems to be able to explain exactly what the government is trying to achieve out of this so-called reform. It has now reached the unworkable point that nobody in local government seems to be willing to engage in the process—certainly in regional areas. Also, it has become apparent to me, as an onlooker in the metropolitan reform process, that there are not a lot of fans of the way in which the government is handling this attempt at reform. As Hon Simon O'Brien pointed out in his contribution, there will certainly be some big losers in metropolitan local governments.

During Local Government Week, I went to a breakfast that was held by the WA Local Government Association. It was certainly the view among the mayors and chief executive officers of some of the larger metropolitan councils that no good would come of this reform, and I was certainly well received among those mayors and

CEOs, because they know my view on reform and saw me as a rare point of support for what they have been trying to say. I must say also that although I am very pleased that the WA Nationals have now come across and understood that no good can come of this, I do not think, as Hon Martin Aldridge has pointed out, that that was always the case.

Debate interrupted, pursuant to standing orders.

[Continued on page 6413.]

Sitting suspended from 4.15 to 4.30 pm