



ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE

29 November 2019

The Hon Matthew Swinbourn MLC
Chair, Standing Committee on Environment and Public Affairs
Legislative Council Committee Office
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Via email: env@parliament.wa.gov.au

Dear Mr Swinbourn

Inquiry into the functions, processes and procedures of the Standing Committee on Environment and Public Affairs

Thank you for your letter of 25 October 2019 inviting the Senate Environment and Communications References Committee (the committee) to make a submission to the inquiry into the functions, processes and procedures of the Western Australian Legislative Council Standing Committee on Environment and Public Affairs.

The committee's submission provides an introduction to the history and operation of the committee, including a brief overview of the committee's practices and procedures in relation to the inquiry process and procedures when a petition is brought to the notice of the committee.

History and operation

The Senate's legislative and general purpose standing committees were first established in 1970. The eight pairs of legislative and general purpose standing committees cover all areas of government responsibility and inquire into policy and administrative issues within their relevant portfolio areas. The Senate, through its Standing Orders and resolutions, determines which powers will be delegated to these committees and for what purpose.

The committee is established under Standing Order 25 which defines its powers and functions and prescribes its size, composition and operations (as is its counterpart, the Senate Environment and Communications Legislation Committee (the Legislation Committee)). The committee conducts general inquiries into matters falling within two broad portfolio areas: Environment and Energy; and Communications and the Arts—while the Legislation Committee undertakes inquiries into proposed legislation, annual reports and conducts the estimates process.

The committee has had the following recent name changes which have reflected changes to the portfolios allocated to the committee:

- 1994–1998: Environment, Recreation, Communications and the Arts;
- 1998–2008: Environment, Communications, Information Technology and the Arts;
- 2008–2010: Environment, Communications and the Arts; and

- 2010–present: Environment and Communications.

Inquiry process—practices and procedures

The committee may only inquire into and report on matters that have been referred to it by the Senate. This occurs when a notice motion is passed by the Senate, usually including the complete terms of reference and a date by which the committee is to table its final report. The terms of reference may be drafted by the committee or by an individual senator.

The committee can elect an alternative chair or deputy chair for a particular inquiry referred by the Senate. In these cases, the senator who was the chair or deputy chair will usually be appointed as a participating member for that inquiry, while still remaining the chair or deputy chair for other inquiries and the committee as a whole.

The committee undertook several inquiries in the last parliament where the chair was elected by the committee through these arrangements. For example, Senator Peter Whish-Wilson was elected chair for the committee's inquiry into the *Great Barrier Reef 2050 Partnership Program*. A list of the committee's current and completed inquiries is available here:

www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications.

Stages of an inquiry

Once the Senate has referred an inquiry, the committee meets to agree on its conduct. The committee usually agrees on matters including:

- advertising for an inquiry (usually on its website);
- the organisations and individuals to be invited to make a written submission; and
- the date for return of written submissions.

Following the receipt and analysis of the submissions, the committee will then decide on a program of public hearings to receive further evidence from submitters, as well as other individuals and organisations that may provide valuable input. The committee will often travel throughout Australia to hear directly from individuals and organisations that may have a particular interest in the inquiry. The committee prefers to take all evidence in public, however it is able to treat material confidentially if necessary.

Evidence provided in submissions and at public hearings may be supplemented by briefings from departments and key organisations, site visits, seminars and other research undertaken by the secretariat or the Parliamentary Library. For example, as part of its inquiry into the *Rehabilitation of mining and resources projects and power station ash dams as it relates to Commonwealth responsibilities*, the committee conducted ten site visits to mine and power station operations across Australia, in order to gain a first-hand understanding of how various companies were approaching site rehabilitation.

Petitions

Petitions received by the Senate are provided to the committee under an administrative arrangement (they are not referred by the Senate). If a petition is relevant to a current inquiry it can be considered and reported on as part of that inquiry. If the committee wishes to pursue a matter in a petition which is not related to a current inquiry, it will need to seek a specific reference from the Senate. For further information in relation to the Senate's procedures when petitions are presented, see [Guide to Senate Procedure No 7 – Petitions](#).

If you have questions regarding the matters raised in this submission, please do not hesitate to contact the Committee Secretary on (02) 6277 3526 or by emailing ec.sen@aph.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Hanson-Young', written in a cursive style.

Senator Sarah Hanson-Young
Chair