

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**  
**MINUTES OF PROCEEDINGS**  
**No. 12**  
**WEDNESDAY, 21 JUNE 2017**

**1. Meeting of Council**

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

**2. Death of Hon Lyla Daphne Elliott — Motion of Condolence**

The Leader of the House moved, without notice —

That this Council expresses its deep regret at the death of Hon Lyla Elliott, a former Member of the Legislative Council for the North East Metropolitan Province, and places on record its appreciation for her long public service and tenders its profound sympathy to her family in their bereavement.

The motion supported by several Members including the President and was carried in silence, Members standing in their places.

**3. Paper**

The following Paper was laid on the Table by —

**President**

*Auditor General's Papers —*

Timely Payment of Suppliers (Report No. 10) (June 2017)..... 288

**4. Environmental Protection Amendment (Banning Plastic Bags and Other Things) Bill 2017**

Hon Robin Chapple: To move on the next day of sitting —

That a Bill for “An Act to amend the *Environmental Protection Act 1986* to —

- restrict the supply of plastic bags, balloons, plastic drinking straws and polyethylene and polystyrene packaging; and
- prohibit the supply of products containing plastic microbeads and, for incidental and related purposes.” be introduced and read a first time.

**5. Climate Change and Measures for Amelioration**

Motion No. 1 having been called, Hon Robin Chapple continued his introductory remarks in moving the motion as follows —

That the House note the impact of climate change and give consideration to measures that may be introduced to ameliorate its damaging and long term effects on Western Australia’s social, economic and environmental prosperity.

Hon Robin Chapple, by leave, tabled *The Greens (WA) 2017 Climate Change Policy*. (Tabled paper 289).

Debate ensued.

## 6. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Seniors and Ageing tabled the Alliance for the Prevention of Elders Abuse's *Elder Abuse Protocol — Guidelines for Action*, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 290).

The Parliamentary Secretary to the Minister for Health tabled a letter from the Minister for Health to the Child and Adolescent Health Service, in response to a question without notice asked by Hon Tjorn Sibma. (Tabled Paper 291).

The Minister for Regional Development, by leave, incorporated into *Hansard* information in relation to total expenditure of the Royalties for Regions funding programs from 2009-10 to 2015-16, in response to a question without notice asked by Hon Dr Steve Thomas.

The Leader of the House representing the Premier tabled the Government's *Inquiry into Government Programs and Projects — Terms of Reference*, in response to question on notice No. 9 asked by Hon Martin Aldridge. (Tabled Paper 292).

## 7. Climate Change and Measures for Amelioration

Debate resumed on the motion of Hon Robin Chapple (*see item 5 above*).

*Interruption pursuant to order.*

## 8. Joint Standing Committee on Delegated Legislation — Membership

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 10

The Legislative Assembly acquaints the Legislative Council that for the present Parliament the Legislative Assembly has appointed the members for Geraldton, Joondalup, Murray-Wellington and Vasse as members of the Joint Standing Committee on Delegated Legislation.

Mr I.C. Blayney

Acting Speaker

Legislative Assembly Chamber

Perth, 20 June 2017

## 9. President's Ruling — Legislative Assembly Message No. 9 — Appointment of Members to the Joint Standing Committee on the Corruption and Crime Commission

The President ruled as follows —

Yesterday in the House, Hon Nick Goiran raised a point of order in relation to Message No. 9 from the Legislative Assembly and sought a ruling on that Message. I provide that ruling. Standing Order 229, "Messages from the Assembly", states —

- (1) Every Message from the Assembly shall be received without delay at the Bar, or by the Clerk if the Council is not sitting, and shall be reported by the President at the earliest convenient opportunity.
- (2) A Message containing a resolution from the Assembly shall be read and ordered for consideration —
  - (a) at the next sitting of the Council; or
  - (b) by order of the Council, immediately or at a later stage of the sitting.

At the start of yesterday's proceedings, I announced the receipt of Message No. 9 from the Legislative Assembly. The Message advised that the Assembly had appointed two of its Members to the Joint Standing Committee on the Corruption and Crime Commission. The question before me was whether the Standing Order requires Legislative Assembly Message No. 9 to be ordered for consideration by the House. On a literal reading of the Standing Order, the Message indeed reports a resolution of the Assembly, being the appointment of its Members to a joint committee. However, Members will be aware that the Standing Orders must always be interpreted in accordance with past rulings and the custom and practice of the

House. It has never been the practice of this House to make all Messages received from the Legislative Assembly an order of the day for further consideration. It is generally only when the Message requires some further action by the Council, such as its concurrence or to pass a resolution in similar terms that a Message is ordered to be made a business item of the House. Messages simply advising of the appointment of Assembly Members to various joint, domestic, parliamentary or statutory committees require no action by this House.

In the past few weeks, as is typical of the start of a new Parliament, this House has received several such Messages. In accordance with the usual custom and practice, none have been listed as an order of the day for further consideration. The most obvious reason for this is that no action is required by this House. In addition, the question as to which Members of the Assembly are appointed by that House to a joint committee is a matter entirely for the Assembly and does not concern the Council. As a result, the Message does not contain debatable matter. For the aforementioned reasons, Legislative Assembly Message No. 9 is not required by the Standing Orders to be ordered for consideration.

#### **10. Statement by President — Parliamentary Precinct Master Plan**

The President made the following Statement —

During his valedictory speech to this House on 18 May 2017, the former President, Hon Barry House, tabled the *Parliamentary Precinct Master Plan Report—Document A: Findings and Recommendations*. The master plan is in two parts. In order to provide a measure of completeness to this vision, and for the records of the Council, I now table the *Parliamentary Precinct Master Plan Report — Document B: Strategic Master Plan*, which presents a number of colour concept illustrations on the planning work completed for the future needs of the parliamentary precinct.

The President tabled the *Parliamentary Precinct Master Plan Document B: Strategic Master Plan*. (Tabled paper 293).

#### **11. Order of Business**

Ordered — That Orders of the Day Nos 1, *Firearms Amendment Regulations 2017 — Disallowance*, and 2, *Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017 — Disallowance*, be taken after Order of the Day No. 3, *Constitution Amendment (Demise of the Crown) Bill 2017*. (Minister for Environment).

#### **12. Loan Bill 2017**

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. Debate resumed.

*Interruption pursuant to order.*

#### **13. Members' Statements**

Statements were taken.

#### **14. Adjournment**

The Council adjourned at 6.43pm until Thursday, 22 June 2017 at 10.00am.

#### **Members present during the day's proceedings**

Attendance: Present all Members except Hon Matthew Swinbourn and Hon Darren West.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON KATE DOUST MLC**  
President of the Legislative Council