



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SEVENTH PARLIAMENT, FIRST SESSION
NO. 7/2020: 15 – 24 SEPTEMBER 2020

September 2020				
M	T	W	T	F
14	15	16	17	18
21	22	23	24	25

This document provides a summary of significant procedural events and precedents in the Legislative Assembly. It is produced at the end of each sitting period. Where applicable the relevant Standing Orders are noted.

CHAMBER

In the September sitting period Members continued to adhere to social distancing guidelines while in the Chamber. The Speaker's Gallery was utilised as an extension of the Chamber, allowing a further eight Members to participate in proceedings of the House.

Votes and Proceedings: 28/7/2020, p. 711.

Speaker's statement – California wildfires

On Tuesday 15 September 2020 the Speaker, the Hon. Jonathan O'Dea MP, made a statement in relation to the wildfires burning in the state of California in the USA. The Speaker noted that this year marked the twentieth year of the exchange of firefighters between Australia and the United States.

Votes and Proceedings: 15/9/2020, p. 786.

Speaker's statement – Death of the Hon. John Fahey AC

On Tuesday 15 September 2020 the Speaker informed the House of the death, on 12 September 2020, of the Honourable John Joseph Fahey, a former Premier of the State and also Federal Minister for Finance. Members and officers stood as a mark of respect.

Votes and Proceedings: 15/9/2020, p. 787.

BUSINESS

Question Time

On Tuesday 15 September 2020 the Leader of the House, the Hon. Mark Speakman MP, moved that Standing and Sessional Orders be suspended to provide that Question Time comprise five questions only for the next two sitting weeks. The motion was agreed to on the voices.

The motion agreed to by the House continued the amendment to procedures that has taken place this year in light of COVID-19. As with Question Time in earlier sitting weeks, the Opposition asked four of the five questions and the Cross-bench asked the remaining question, with the rotation of the fifth question being arranged by agreement between Cross-bench Members.

Votes and Proceedings: 15/9/2020, p. 787.

Standing Orders 131 and 365.

Koala Habitat Protection Policy – Order for Documents

On Tuesday 15 September 2020 the Manager of Opposition Business, Mr Ryan Park MP, gave notice of a motion that the House order Ministers to table papers in relation to the State Environmental Planning Policy (Koala Habitat Protection). The terms of the notice were:

That this House, pursuant to Standing Order 269, orders to be laid before it within 14 days of the passing of this resolution, the following documents in the possession, custody or control of the Minister for Planning or the Department of Planning, Industry and Environment:

- (1) All papers, correspondence, reports, minutes and any other documentation relating to the development of the State Environmental Planning Policy (Koala Habitat Protection) 2019.
- (2) All correspondence between the Office of the Minister for Planning and any Member of Parliament from the NSW Nationals in relation to the State Environmental Planning Policy (Koala Habitat Protection) 2019.

Business Paper: 16/9/2020, p. 2165.

Standing Orders 133 and 269.

(Procedural note: Both Houses have the power to compel the production of papers from the Executive Government. However, the Legislative Assembly, as the House controlled by the Government, has rarely exercised this power. An exception to this was during the 50th Parliament, which was a hung Parliament, when in 1994 the House resolved on 14 occasions that papers be ordered from the Government.)

Motion of no confidence in the Deputy Premier

On Tuesday 15 September 2020 the Leader of the Opposition, Ms Jodi McKay MP, gave notice of a motion of no confidence in the Deputy Premier and Minister for Regional NSW, Industry and Trade, the Hon John Barilaro MP.

On Wednesday 16 September 2020 the Leader of the House moved that Standing and Sessional Orders be suspended to provide for amended speaking time limits on the motion of no confidence. The suspension was agreed to on the voices and the motion of no confidence was subsequently debated and negatived on division.

Votes and Proceedings: 16/9/2020, pp. 800-2.

Standing Orders 112, 118 and 365.

(Procedural note: A motion of no confidence in a Minister constitutes Business with Precedence in the Routine of Business. Standing Order 112 sets out the speaking limits for a motion of no confidence motion in a Minister. The mover of the motion and the Minister named in the motion initially have an unlimited time to speak, and any other Member is allowed up to thirty minutes to speak to the motion. In conclusion, the Minister named and Member who moved the motion of no confidence have 30 minutes each to respond. The suspension of Standing and Sessional Orders on this occasion limited the debate to a total of 50 minutes each for Opposition and Government speakers and 25 minutes for Cross-bench Members.)

Sitting extended to following day

On Wednesday 23 September 2020 the Legislative Assembly continued to sit until after midnight with the House adjourning at 12.41 am.

Votes and Proceedings: 23/9/2020, p. 835.

(Procedural note: It is the practice of the House to consider a sitting as the period in between the opening of the House by the Speaker and its adjournment, pursuant to a motion or order of the House. A sitting that continues after midnight is therefore only one sitting day. Similarly, a sitting that is suspended by the Speaker leaving the Chair and resumed on a later day or days is considered to be one sitting day.)

BILLS

Liquor Amendment (24-Hour Economy) Bill 2020

The Minister for Customer Service, the Hon. Victor Dominello MP, introduced the Liquor Amendment (24-Hour Economy) Bill on Tuesday 15 September 2020.

The bill introduces:

- demerit and incentive schemes to reward well-run licenced venues, and minimise violence and contraventions of liquor laws
- 'cumulative impact assessments' to help manage the density of licenced premises in areas of concern
- a new regulatory framework for same day deliveries of liquor.

The bill is one part of the Government's response to the recommendations of the Joint Select Committee on Sydney's Night Time Economy, whose [report](#) was tabled in the Legislative Assembly in November 2019.

Following debate, the bill was agreed to with one amendment, relating to controlled purchasing operations. The amended bill was sent to the Legislative Council for consideration on 23 September 2020.

Further details of the [bill](#) can be found on the Parliament of NSW website.

Votes and Proceedings: 23/9/2020, p. 821, p. 824, pp. 826-9.

Standing Orders 188 and 203.