



LEGISLATIVE ASSEMBLY

Procedural Digest

Fifty-eighth Parliament, First Session

No. 3/2025: 6 – 15 May 2025

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.

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Members

Swearing in of the Member for Port Macquarie

As noted in [Procedural Digest No.1/2025](#), on 11 February 2025, the House resolved to declare the seat of Port Macquarie vacant after the retirement of the Hon. Leslie Williams. Following on from that, in accordance with section 76(1) of the *Electoral Act 2017*, the Speaker issued a writ for a by-election to fill the vacancy.

On Tuesday 6 May, the first day of the May sitting period, the Speaker informed the House of the election of Mr Robert Dwyer as the Member for Port Macquarie after being successful in the by-election held on Saturday 15 March 2025

Immediately after the Speaker's announcement, Mr Dwyer took the oath of allegiance, signed the Roll of the House, and took his seat as member for the electoral district of Port Macquarie. He gave his inaugural speech in the Chamber the following evening.

Votes and Proceedings: 06/05/2025, p. 1176, 07/05/2025, p. 1195

Hansard (Proof): 06/05/2025, p. 2 and 07/05/2025, p. 60 - 64

Standing Order 63 (Inaugural or valedictory speech)

Procedural note

Under section 12 of the *Constitution Act 1902*, new members of the Legislative Assembly cannot sit or vote in the House until they are sworn in (taken the pledge of loyalty or oath of allegiance) before the Governor or other person authorised by the Governor, such as the Speaker of the Legislative Assembly.

Bills

Bills related to the Northern Beaches Hospital PPP operating model

The Northern Beaches Hospital, which opened in 2018, is a hospital operating under a public-private partnership (PPP). Concerns about the PPP operating model have been raised by members in both Houses of Parliament through procedures including, Private Members' Statements (on 9/5/24, 15/11/24, 18/5/25), Questions without



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notice (on 8/5/24, 5/6/24, 27/3/25, 7/5/25), a 2019 inquiry by the Council, and a new inquiry by the Public Accounts Committee.

More recently, two bills, one Government and one private member's bill, were introduced into the Assembly. During the March sitting period, the Minister for Health, Mr Ryan Park, introduced the Health Services Amendment (PPP Prohibition) Bill. That bill aims to prohibit new public-private partnership arrangements for the provision of acute hospitals and services; and for related purposes.

On 7 May, Mr Michael Regan, Member for Wakehurst, the electorate in which the hospital is located, gave notice of his intention to introduce the Northern Beaches Hospital (Voluntary Contract Termination) Bill with the following long title: 'An act to provide that no compensation is payable by or on behalf of the State by reason, or on the occurrence, of the voluntary termination by the State of the contract for the operation of the Northern Beaches Hospital; and for related purposes.'

Later that day, the House resolved to suspend standing orders to give precedence to the introduction of the bill during the time allocated for General Business Notices of Motions (for Bills) on Thursday 8 May.

In practice, this meant that Mr Regan was able to introduce and give his second reading speech before all other private members bills were called on that day, including before the resumption of an interrupted second reading speech which would ordinarily have been given precedence. The Northern Beaches Hospital (Voluntary Contract Termination) Bill was then, as per standard practice, placed at the end of the Business Paper list for orders of the day for the resumption of adjourned second reading debates.

Votes and Proceedings: 8/5/25 p. 1203, 7/5/25 p. 1190

Hansard (Proof): 7/5/2025, pp. 21- 22, 8/5/2025, pp. 1 – 3

Standing Orders 140 (Precedence of motions) and 365 (Suspension of Standing Orders)

Abortion Law Reform Amendment (Health Care Access) Bill 2025

The Abortion Law Reform Amendment (Health Care Access) Bill 2025 ('the Bill') was introduced in the Legislative Council by Greens Member, Dr Amanda Cohn MLC, on Wednesday 19 February 2025. The private member's bill aimed to amend the *Abortion Law Reform Act 2019* by increasing access to abortion health care, including by making further provision about health practitioners. Government and Opposition members were given a conscience vote on the Bill in both Houses.

The Bill was amended in the Council and passed the third reading late on the night of Thursday 8 May 2025. The amendments added an annual report requirement, restricted the definition of 'prescribed health practitioner' and removed the requirement for health practitioners with a conscientious objection to refer a patient to another practitioner.

The Speaker reported the message forwarding the Bill for concurrence in the Assembly on Tuesday 13 May 2025 and advised that the Member for Newtown, Ms Jenny Leong, would have carriage. On the same day, the House resolved to allow the private member's bill to be considered during the time allocated for Government Business. At the commencement of Government Business, Ms Leong gave the mover's second reading speech. The second reading debate resumed later that day and continued on Wednesday 14 May 2025, with a further 39 members rising to make contributions. The House agreed to the second reading of the Bill on division (64 – 20).



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Consideration in detail then ensued, having been requested by the Member for Wagga Wagga, Dr Joe McGirr and the Member for Wairoa, Mr Alister Henskens. Dr McGirr moved two amendments. The first amendment, which was negated on the voices, sought to adjust the requirement of a nurse practitioner or endorsed midwife who is able to prescribe medical abortions to someone who has had two years' experience.

Dr McGirr's second amendment sought to introduce a training requirement for endorsed midwives or qualified nurse practitioners performing terminations under the Act. Mr Henskens moved to amend Dr McGirr's proposed amendment by omitting its reference to a specific company, the inclusion of this reference having been noted by a number of members during the consideration in detail debate.

As it was, and in unusual circumstances, the House concurred to amend, without a question being put, Dr McGirr's amendment in line with what had been proposed by Mr Henskens. Nevertheless, the amendment was negated on division (15 – 66).

Mr Henskens then moved an amendment replacing 'medical practitioners' with 'registered health practitioners' to ensure the terminology was consistent with the intention of the Bill. This amendment was agreed to on the voices. The House agreed to the third reading on division (65 – 20) and the Bill was returned to the Council with an amendment.

Votes and Proceedings: 13/05/2025, pp. 1211, 1212 – 1213, 1214, 1217; 14/05/2025, pp. 1219 – 1220, 1221, 1222 – 1226

Hansard (Proof): 13/05/2025, pp. 1, 12, 13 – 36, 47 – 65; 14/05/2025, pp. 3 – 8, 21 – 28, 34 – 45

Standing Order 154 (Same question not to be put)

Minutes (LC): 19/02/2025, p. 2066; 08/05/2025, pp. 2295 – 2304

Procedural note

Both Dr McGirr and Mr Henskens circulated identical amendments regarding the replacement of 'medical practitioners' to 'registered health practitioners'. However, only Mr Henskens' amendment was put to the House. Under Standing Order 154, an amendment which is the same in substance as any question already determined by the House, in the same session, cannot be put again. Practice dictates that whichever member circulates their amendment first, as indicated by time stamps on each amendment sheet, has first right to move that amendment during the consideration in detail. When one of the identical amendments is moved, regardless of whether it is agreed to or negated, the other identical amendment automatically lapses.

Amendments drafted by Member for Community Improvement Districts Bill

The Community Improvement Districts Bill 2025 ('the Bill') was introduced by the Minister for Roads and Regional Transport, Ms Jenny Aitchison, on 19 March 2025. The bill establishes 'community improvement districts' that allow groups of local businesses to form entities and develop proposals to provide services, activities and projects in defined geographical areas.

The second reading debate for the Community Improvement Districts Bill took place on Wednesday 7 May. The member for Willoughby, Mr Tim James, led for the Opposition and indicated the Opposition would support the Bill, albeit with the intention to move six amendments, noting that 'the overall thrust of the bill is something we are



pleased to support'. A number of other members contributed to debate with the members for Pittwater, Wakehurst, and Sydney also indicating they wished to move amendments to the Bill, all of which had been circulated prior to the conclusion of the second reading debate. The last Opposition member to speak on the Bill was the member for Lane Cove, Mr Anthony Roberts. Mr Roberts foreshadowed that he wished to move some amendments on behalf of some of his colleagues (in addition to the Opposition amendments proposed by Mr James). Mr Roberts then provided his self-drafted amendment sheet just prior to the commencement of the consideration in detail stage.

Consideration in detail of the Community Improvement Districts Bill subsequently commenced. Mr James moved four of his six amendments in globo and they were agreed to on the voices. The member for Pittwater, Ms Jacqui Scruby moved two amendments in globo which were negatived on division. Ms Scruby then moved a further four amendments in globo and these were agreed to on the voices.

Mr Roberts then moved his two amendments in globo. The amendments, which sought to allow individuals to opt out of Community Improvement Districts, were negatived on division (73 – 8), with only one other Opposition member (member for Castle Hill, Mr Ray Williams) supporting Mr Roberts' amendments. The amendments also drew support from the Members for Barwon, Newtown, Pittwater, Balmain, Ballina and Kiama.

The Member for Wakehurst, Mr Michael Regan, moved one amendment which was agreed to on the voices. Mr James moved his remaining two amendments, both of which were negatived on division. Lastly the Member for Sydney, Mr Alex Greenwich, moved two amendments in globo which were agreed to on the voices.

The Bill was read a third time following a minority division (with five members opposing the third reading) and forwarded to the Council for concurrence.

Votes and Proceedings: 07/05/2025, p. 1188, 1191, pp. 1192 – 1194, 1195 – 1202

Hansard (Proof): 07/05/2025, pp. 2 – 4, pp. 47 – 48

Standing Order 210 (Amendments relevant)

Procedural note

Members who wish to move amendments to a bill will contact the Parliamentary Counsel's Office (PCO), who draft amendments in consultation with each member confidentially. When drafting amendments, PCO will ensure the proposed amendments are legally sound and will consider how the amendment would operate within existing legislation and fundamental common law and constitutional rights. Further information is available on the [PCO website](#).

Members then share their proposed amendment sheets with the Table Office who publish them to Parliament's website and prepare a 'loq' (or script) for members to use when moving their amendments.

The standing orders do not preclude members from drafting their own amendments, however, if time permits, best practice is for PCO to review amendments drafted by members to ensure that there are no unforeseen consequences if the amendments are incorporated into legislation. Had Mr Roberts' amendments passed they would have been forwarded to PCO for urgent advice on these issues.



Closure motion on the Electoral Amendment (Voter ID and Electronic Mark Off) Bill 2024 (No 2)

The last Procedural Digest [No. 2/2025](#) discussed how, on 27 March 2025, the House agreed to a closure motion on the second reading of the Electoral Amendment (Voter ID and Electronic Mark Off) Bill 2024 (No 2) ('the Bill'). As noted in that Digest, while the closure motion was agreed to, the time allocated for General Business Orders of the Day for Bills expired before the Member for Kiama could commence his reply, and the Bill was set down as an order of the day to be considered at a later time. The Bill, which was set to lapse on 13 May 2025, was afforded precedence in the Business Paper above all other General Business Orders of the Day for Bills.

The next and only available opportunity for the Bill to be considered was on Thursday 8 May, at which point the Member for Kiama, as the Member in charge of the Bill, delivered his speech in reply. While a member speaking in reply on a bill would usually have unlimited time, the Member for Kiama's speaking time was limited to up to 30 minutes due to the operation of Standing Order 87 which comes into effect once a closure motion has passed. In any event, Mr Ward's reply on the Electoral Amendment (Voter ID and Electronic Mark Off) Bill 2024 was less than 30 minutes. Once he concluded, the question was put and negatived on division (47 – 37) and the bill was defeated.

Votes and Proceedings: 8/5/2025, p. 1204

Hansard (Proof): 8/5/2025, p. 4

Standing Orders 86 (Motion "That the question be put") and 87 (Closure – right of reply)

