

PORTFOLIO COMMITTEES

Budget Estimates Guide 2023-2024



Upper House
Committees



Portfolio Committees

Budget Estimates Guide 2023-2024

Contact the Budget Estimates secretariat

Email BudgetEstimates@parliament.nsw.gov.au

Telephone

Kara McKee, Principal Council Officer: 9230 2809

Kate Mihaljek, A/Director – Committees: 9230 3368

Julianna Taahi, Senior Council Officer: 9230 2581

Tina Mrozowska, Council Officer: 9230 3775

Gareth Perkins, Administration Officer: 9230 2296

Location

Budget Estimates Secretariat
Room 812K
Level 8
Legislative Council
Parliament House, Macquarie Street
Sydney NSW 2000

Website www.parliament.nsw.gov.au/budgetestimates

Table of contents

| | | |
|------------------|---|-----------|
| Chapter 1 | Budget Estimates resolutions | 1 |
| | Referral by the House | 1 |
| | Budget Estimates resolution – initial hearings | 1 |
| | Budget Estimates resolution – supplementary hearing | 3 |
| | Budget Estimates resolution – additional hearings | 4 |
| Chapter 2 | Committee membership | 7 |
| | Substitute members | 7 |
| | Participating members | 7 |
| | Quorum | 7 |
| Chapter 3 | Hearings | 9 |
| | Attendance of ministers, parliamentary secretaries and public servants | 9 |
| | Hearing procedures | 10 |
| | Role of the Chair | 10 |
| | Swearing in witnesses | 10 |
| | Chair's opening statement | 11 |
| | No opening statement by witnesses, including the minister | 11 |
| | Tendered documents | 11 |
| | Time limits for witnesses to answer questions | 11 |
| | Documents in the possession of witnesses | 11 |
| | Orders for the production of documents | 12 |
| | Private (<i>in camera</i>) evidence | 12 |
| | Broadcast of proceedings | 12 |
| | Dissent from a ruling of the Chair | 12 |
| | Questions on notice | 13 |
| | Transcripts of evidence | 13 |
| Chapter 4 | Questions to witnesses | 15 |
| | Rules governing questions | 15 |
| | Questions must be relevant | 15 |
| | Questions relating to current committee inquiries | 15 |
| | Questions to public servants | 15 |
| | Objections to questioning | 16 |

| | | |
|-------------------|--|-----------|
| Chapter 5 | Role of committee members | 17 |
| | Attendance at deliberative meetings | 17 |
| | Prior to the Budget Estimates inquiry | 17 |
| | Before the hearing | 17 |
| | Supplementary questions | 17 |
| | Lodging supplementary questions | 17 |
| | Format for supplementary questions | 18 |
| Chapter 6 | Role of ministerial contact officers | 19 |
| | Responsibilities before the hearing | 19 |
| | Responsibilities after the hearing | 19 |
| | Return of answers to questions on notice and supplementary questions | 19 |
| | Requests for answers to be kept confidential | 20 |
| | Transcripts of evidence | 20 |
| Appendix 1 | Committee Membership | 21 |
| Appendix 2 | Schedule: Hearings – by date | 25 |
| Appendix 3 | Schedule: Hearings – by committee | 33 |
| Appendix 4 | Budget Estimates Resolutions | 39 |

Chapter 1 Budget Estimates resolutions

The Budget Estimates resolutions agreed to by the House establish the annual inquiry into Budget Estimates. The resolutions set out the key rules for how the inquiry will be conducted.

Referral by the House

- 1.1 On 12 September 2023, the Legislative Council referred the Budget Estimates for the 2023-2024 financial year to the portfolio committees for inquiry and report.¹
- 1.2 On 10 May 2023, the Legislative Council resolved that initial hearings for Budget Estimates 2023-2024 be held over 12 days from 24 October to 26 October and 31 October to 10 November 2023.² The hearing schedule was amended by the House on 12 September 2023 to provide that initial hearings for Budget Estimates 2023-2024 be held over 11 days from 24 October to 26 October, 31 October to 3 November, and 7 November to 10 November 2023.³ The hearing schedule was further amended by the House on 11 October 2023 to add an additional hearing and make consequential amendments.⁴
- 1.3 On 22 November 2023, the Legislative Council resolved to hold a supplementary hearing for the portfolios of Agriculture, Regional New South Wales, and Western New South Wales in 2023.⁵
- 1.4 On 30 November 2023, the Legislative Council resolved that additional hearings for Budget Estimates 2023-2024 be held over 12 days from 20 February to 23 February, 27 February to 1 March, and 4 March to 7 March 2024.⁶
- 1.5 Transcripts, tabled documents, answers to questions on notice and supplementary questions will be published on the [Budget Estimates webpage](#).

Budget Estimates resolution – initial hearings

- 1.6 The Budget Estimates resolution and schedule for the initial hearings was agreed to by the House on 12 September 2023, referring the Budget Estimates and related papers for 2023-2024 to the Portfolio Committees for inquiry and report. The resolution and schedule was amended on 11 October 2023, and is reproduced as follows:

- (1) That, upon tabling, the Budget Estimates and related papers for the financial year 2023-2024 presenting the amounts to be appropriated from the Consolidated Fund be referred to the Portfolio Committees for inquiry and report.

¹ *Minutes*, NSW Legislative Council, 12 September 2023, pp 448-450.

² *Minutes*, NSW Legislative Council, 10 May 2023, p 64.

³ *Minutes*, NSW Legislative Council, 12 September 2023, p 449.

⁴ *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

⁵ *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

⁶ *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.

- (2) That, further to the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar, the 2023-2024 initial budget estimates hearings be scheduled as follows:

| | |
|--------------------|---|
| Day One: | Tuesday 24 October 2023 |
| PC 3 | Education and Early Learning, Western Sydney |
| PC 4 | Small Business, Lands and Property, Multiculturalism, Sport |
| Day Two: | Wednesday 25 October 2023 |
| PC 1 | Premier |
| PC 4 | Agriculture, Regional New South Wales, Western New South Wales |
| Day Three: | Thursday 26 October 2023 |
| PC 2 | Health, Regional Health, the Illawarra and the South Coast |
| PC 1 | Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research |
| Day Four: | Tuesday 31 October 2023 |
| PC 1 | Treasurer |
| PC 8 | Customer Service and Digital Government, Emergency Services, Youth Justice |
| Day Five: | Wednesday 1 November 2023 |
| PC 2 | Water, Housing, Homelessness, Mental Health, Youth, the North Coast |
| PC 6 | Regional Transport and Roads |
| PC 3 | Skills, TAFE and Tertiary Education |
| Day Six: | Thursday 2 November 2023 |
| PC 7 | Climate Change, Energy, the Environment, Heritage |
| PC 1 | Finance, Domestic Manufacturing and Government Procurement, Natural Resources |
| Day Seven: | Friday 3 November 2023 |
| PC 7 | Planning and Public Spaces |
| PC 5 | Women, Seniors, Prevention of Domestic Violence and Sexual Assault |
| Day Eight: | Tuesday 7 November 2023 |
| PC 1 | The Legislature |
| PC 6 | Transport |
| PC 5 | Police and Counter Terrorism, the Hunter |
| Day Nine: | Wednesday 8 November 2023 |
| PC 1 | Industrial Relations, Work Health and Safety |
| PC 8 | Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections |
| Day Ten: | Thursday 9 November 2023 |
| PC 6 | Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism |
| PC 5 | Families and Communities, Disability Inclusion |
| Day Eleven: | Friday 10 November 2023 |
| PC 5 | Attorney-General |
| PC 8 | Local Government |

- (3) That the remainder of the Budget Estimates 2023-2024 hearings be held during the first half of 2024,

as determined by further resolution of the House.

- (4) That for the purposes of the 2023-2024 initial budget estimates hearings:
- (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm,
 - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 2.00 pm until 5.30 pm.
- (5) That for the purposes of the 2023-2024 initial budget estimates hearings:
- (a) the committees must hear evidence in public,
 - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure,
 - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session,
 - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions,
 - (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript, and
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.⁷

Budget Estimates resolution – supplementary hearing

1.7 The Budget Estimates resolution for the supplementary hearing was agreed to by the House on 22 November 2023 and is reproduced as follows:

- (1) That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023-2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar, Portfolio Committee No. 4 - Regional NSW hold a supplementary hearing in 2023 to examine the portfolios of Agriculture, Regional New South Wales, Western New South Wales.
- (2) That for the purposes of the 2023-2024 supplementary budget estimates hearing:
 - (a) each portfolio be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required,

⁷ *Minutes*, NSW Legislative Council, 12 September 2023, pp 448-450; *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

- (b) the committee must hear evidence in public,
- (c) the committee may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure,
- (d) the minister be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session,
- (e) witnesses, including the minister, may not make an opening statement before a committee commences questions,
- (f) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript, and
- (g) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.⁸

Budget Estimates resolution – additional hearings

1.8 The Budget Estimates resolution and schedule for the additional hearings was agreed to by the House on 30 November 2023 and is reproduced as follows:

- (1) That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023-2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 21 November 2023 adopting the 2024 sitting calendar, the 2023-2024 additional budget estimates hearings be scheduled as follows:

| | |
|-------------------|---|
| Day One: | Tuesday 20 February 2024 |
| PC 3 | Education and Early Learning, Western Sydney |
| PC 4 | Small Business, Lands and Property, Multiculturalism, Sport |
| Day Two: | Wednesday 21 February 2024 |
| PC 1 | Premier |
| PC 4 | Agriculture, Regional New South Wales, Western New South Wales |
| Day Three: | Thursday 22 February 2024 |
| PC 2 | Health, Regional Health, the Illawarra and the South Coast |
| PC 1 | Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research |
| Day Four: | Friday 23 February 2024 |
| PC 6 | Transport |
| PC 5 | Police and Counter Terrorism, the Hunter |
| Day Five: | Tuesday 27 February 2024 |
| PC 7 | Planning and Public Spaces |
| PC 5 | Women, Seniors, Prevention of Domestic Violence and Sexual Assault |

⁸ *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

| | |
|--------------------|---|
| Day Six: | Wednesday 28 February 2024 |
| PC 2 | Water, Housing, Homelessness, Mental Health, Youth, the North Coast |
| PC 8 | Customer Service and Digital Government, Emergency Services, Youth Justice |
| Day Seven: | Thursday 29 February 2024 |
| PC 1 | Industrial Relations, Work Health and Safety |
| PC 6 | Regional Transport and Roads |
| Day Eight: | Friday 1 March 2024 |
| PC 1 | Treasurer |
| PC 8 | Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections |
| Day Nine: | Monday 4 March 2024 |
| PC 5 | Families and Communities, Disability Inclusion |
| PC 1 | The Legislature |
| Day Ten: | Tuesday 5 March 2024 |
| PC 6 | Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism |
| PC 3 | Skills, TAFE, Tertiary Education |
| Day Eleven: | Wednesday 6 March 2024 |
| PC 5 | Attorney-General |
| PC 8 | Local Government |
| Day Twelve: | Thursday 7 March 2024 |
| PC 7 | Climate Change, Energy, the Environment, Heritage |
| PC 1 | Finance, Domestic Manufacturing and Government Procurement, Natural Resources |

- (2) That for the purposes of the 2023-2024 additional budget estimates hearings:
- each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required, and
 - the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 9.15 am to 11.00 am, and from 11.15 am to 1.00 pm.
- (3) That for the purposes of the 2023-2024 additional budget estimates hearings:
- the committees must hear evidence in public,
 - the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure,
 - ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session,
 - witnesses, including ministers, may not make an opening statement before a committee commences questions,

- (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript, and
- (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.⁹

⁹ *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.

Chapter 2 Committee membership

2.1 Each of the eight portfolio committees has seven members, comprising:

- three government members
- two opposition members
- two cross bench members.¹⁰

2.2 The membership of each committee is listed at **Appendix 1**.

Substitute members

2.3 Under the standing orders for the 58th Parliament, members may substitute for other members, whether for a particular meeting or for a whole inquiry. A substitute member has the same rights as a substantive member and may question witnesses, vote and be counted for the purposes of a quorum or division.

2.4 Nominations for substitute government or opposition members may be made by the Leader of the Government or Leader of the Opposition, or Government or Opposition Whips or Deputy Whips, as applicable. Nominations for substitute crossbench members are to be made by the substantive member or another crossbench member.¹¹

2.5 Nominations for substitute members should be submitted by email to the [Budget Estimates](#) secretariat prior to the commencement of the hearing or meeting.

Participating members

2.6 Unless a committee decides otherwise, a member of the House who is not a member of the relevant committee may take part in the public or private proceedings of a committee, question witnesses and, once they have formally communicated their intention to participate in the inquiry, have access to all committee evidence and documents but may not vote, move any motion or be counted for the purpose of any quorum or division.¹²

2.7 Members wishing to participate in a meeting should advise the committee by email to the [Budget Estimates](#) secretariat prior to the commencement of the meeting.

Quorum

2.8 The quorum of a portfolio committee is three members.¹³

¹⁰ *Minutes*, NSW Legislative Council, 10 May 2023, p 66.

¹¹ Standing Order 223 Substitute members.

¹² Standing Order 225(1) Participation by members of the House and others.

¹³ Standing Order 221(1) Quorum.

Chapter 3 Hearings

The Budget Estimates initial hearings were held over 11 days from 24 October to 26 October, 31 October to 3 November, and 7 November to 10 November 2023. The Budget Estimates additional hearings are scheduled to be held over 12 days from 20 February to 23 February, 27 February to 1 March, and 4 March to 7 March 2024. The schedule of hearings is shown by date in **Appendix 2** and by committee in **Appendix 3**.

Attendance of ministers, parliamentary secretaries and public servants

- 3.1 The Budget Estimates resolutions provide that committees may ask for explanations relating to the items of proposed expenditure from ministers and parliamentary secretaries, as well as officers of departments, statutory bodies or corporations.¹⁴
- 3.2 It is standard practice for ministers of both Houses to appear during the initial round of hearings, although a Council committee cannot compel current ministers to appear before it.
- 3.3 Ministers who are members of the Legislative Assembly should follow the procedures established by the committee. If a minister does not wish to comply with these procedures, they may decide to leave the hearing at any time.¹⁵
- 3.4 For the initial hearings, committees wrote to ministers to request that they provide a list of witnesses, including department officers, they wished to nominate to appear before the committee to answer questions relating to each portfolio. The committees then considered these nominated witnesses and, in some cases, resolved to request the attendance of additional witnesses.
- 3.5 For the supplementary and additional hearings, committees will write to ministers with a list of witnesses they wish to appear to answer questions relating to each portfolio.
- 3.6 For any session that the minister is not required to attend, it is within the power of the committee to resolve whether to accept or decline any request from a minister or parliamentary secretary to also be in attendance during the session. Where the committee declines such a request, the minister would not be prevented from viewing proceedings from the advisers' table or the public gallery.
- 3.7 While public servants are normally invited by the committee and appear voluntarily, there is no restriction on committees summoning public servants as witnesses, if requested.

¹⁴ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

¹⁵ NSW Legislative Council, Clerk's Advice, *Advice to General Purpose Standing Committees in relation to Budget Estimates hearings*, September 1999, reproduced in [Budget Estimates Guide 2001-2002](#), Appendix D.

Hearing procedures¹⁶

Role of the Chair

- 3.8** The role of the committee Chair is analogous to that of the President in the House, having powers necessary to conduct the Committee's proceedings in an orderly and expeditious manner.¹⁷ The Chair is responsible for guiding the inquiry process and presiding over meetings, including conducting votes. During hearings, the Chair is responsible for maintaining order and ruling on the admissibility of questions and points of order. The Chair also has a role in ensuring [procedural fairness](#) is provided to witnesses, including that they are treated with courtesy.¹⁸ The Chair is also able to ask questions of witnesses in the same way as other committee members.
- 3.9** Where the resolution appointing a committee and the standing orders are silent on a matter, the procedures of the House should be used for guidance. For example, the rules of debate under Standing Order 96 in relation to offensive words, reflecting on a resolution of the House and making personal reflections on members or officers should be used to guide committee proceedings. Where remarks are considered to be offensive, the Chair may request that the offensive remark be withdrawn. However, only the House can take action in relation to disorderly conduct.
- 3.10** The Deputy Chair acts as Chair when the Chair is absent from a meeting. In the absence of both the Chair and Deputy Chair, a member of the committee is elected by the members present to act as Chair for that meeting.¹⁹
- 3.11** The Chair, Deputy Chair or other member acting as Chair at a meeting of a committee has a deliberative vote, and in the event of an equality of votes, a casting vote.²⁰

Swearing in witnesses

- 3.12** All witnesses from departments, statutory bodies or corporations are sworn prior to giving evidence.
- 3.13** Ministers and parliamentary secretaries do not need to be sworn because members of Parliament have previously sworn an oath to that office.
- 3.14** If a witness makes more than one appearance **before the same committee**, the witness does not need to be sworn at each subsequent hearing. Witnesses need only be reminded that they are giving evidence on their former oath or affirmation. However, if a witness appears before multiple committees, the witness will need to be sworn once before each committee.

¹⁶ Also see the NSW Legislative Council [Procedural Fairness Resolution](#), which outlines procedures to be followed by committees to provide procedural fairness for inquiry participants.

¹⁷ Standing Order 218(2) Chair and Deputy Chair.

¹⁸ *Minutes*, NSW Legislative Council, 25 October 2018, pp 3138-3140.

¹⁹ Standing Order 218(3) and (4) Chair and Deputy Chair.

²⁰ Standing Order 218(7) Chair and Deputy Chair.

Chair's opening statement

- 3.15** At the start of a hearing the Chair normally makes a short statement. The Chair will then declare the proposed expenditure open for examination.

No opening statement by witnesses, including the minister

- 3.16** The Budget Estimates resolutions stipulate that witnesses, including ministers, may **not** make an opening statement before the committee commences questions.²¹ This differs from the standard practice in other inquiries where witnesses are usually invited to make an opening statement.

Tendered documents

- 3.17** Witnesses may tender documents during a hearing. The committee will decide whether to accept and publish such documents.
- 3.18** A witness seeking to tender a document should identify the document and state clearly why the document is being provided. It is not desirable for documents that are publicly available to be tendered as part of a committee inquiry. However, a witness may request that such documents be circulated to members for their information.
- 3.19** Committee members are able to table documents during Budget Estimates hearings, for example if a member wants to question the witnesses on a matter referred to in a document. If the document identifies an individual, the committee should confirm that the member has the consent of that individual to table the document.

Time limits for witnesses to answer questions

- 3.20** A committee has the power to limit the time taken by a witness to answer a question. However, any time limits should be applied flexibly, and the committee should allow the witness to apply for an extension of time if required.²²

Documents in the possession of witnesses

- 3.21** In previous Budget Estimates inquiries an issue has arisen as to whether a committee can compel witnesses to provide *immediately* material in their possession, such as briefing folders.
- 3.22** Witnesses appear voluntarily at Budget Estimates hearings, and therefore by convention, witnesses should only be requested to produce documents voluntarily during a hearing.

²¹ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

²² NSW Legislative Council, Clerk's Advice, *Advice to General Purpose Standing Committees in relation to Budget Estimates hearings*, September 1999, reproduced in [Budget Estimates Guide 2001-2002, Appendix D](#).

- 3.23** If a witness declines to produce a document during a hearing, the committee should ask the witness to state their reasons. Unless the committee determines immediately that the request should not be pressed, the committee should consider in private whether to order the production of the document.

Orders for the production of documents

- 3.24** Consistent with established practice, committees are encouraged to request documents in the first instance. However, in the event that a request is declined, a committee may seek to order the documents.
- 3.25** Guidance on the administrative arrangements for an order is to be taken from those that apply under Standing Order 52 for orders made by the House. For example, the terms of an order agreed to by a committee should specify the inquiry to which the order relates and the date by which the documents are to be returned.

Private (*in camera*) evidence

- 3.26** The Budget Estimates resolutions require Budget Estimates hearings to be held in public. This prevents the committees from hearing evidence in private (*in camera*).²³

Broadcast of proceedings

- 3.27** The Budget Estimates hearings are streamed live on the Parliament's website and are open to the media, in accordance with the [Broadcast of Proceedings Resolution of the House](#).²⁴
- 3.28** The Broadcast of Proceedings Resolution states that the House authorises the filming, broadcasting and photography of members and witnesses in committee proceedings by representatives of media organisations, including from around the committee meeting table, and by any member of the public, from the position of the audience.²⁵
- 3.29** However, a committee may adopt conditions in relation to the filming, broadcasting, rebroadcasting and photography of committee proceedings. A committee may also order that part of its proceedings not be filmed, broadcast or photographed.²⁶

Dissent from a ruling of the Chair

- 3.30** A member may move dissent from a ruling of the Chair by moving a motion 'That the committee dissent from the ruling of the Chair'. In this case, the Chair requests that witnesses,

²³ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 692; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

²⁴ *Minutes*, NSW Legislative Council, 19 October 2022, pp 3747-3749.

²⁵ *Minutes*, NSW Legislative Council, 19 October 2022, p 3749.

²⁶ *Minutes*, NSW Legislative Council, 19 October 2022, p 3749.

members of the public and the media leave the room, and the committee considers the matter in private.

- 3.31** Once the room has been cleared, the dissenting member must state the objection in writing, in accordance with the pro-forma available from the committee clerk. The Chair will inform the committee of the member's grounds for dissent, and debate may ensue. The question on the motion will be put and the committee decides whether to uphold the dissent. If resolved in the affirmative, the ruling of the Chair is overturned. If resolved in the negative, the ruling stands.
- 3.32** Once the matter has been decided witnesses, members of the public and media will be readmitted. Where appropriate, the Chair may advise the audience of the outcome of the dissent motion.

Questions on notice

- 3.33** There are two ways in which questions may be placed on notice.
- During a hearing: if a witness is unable to answer a question, the witness may undertake to provide the answer at a later time. It is important for the Chair to confirm if a witness has agreed to take a question on notice.
 - After a hearing: members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript.²⁷
- 3.34** On receipt of the proof transcript of evidence, the Budget Estimates secretariat will highlight the questions taken on notice during the hearing and email the transcript to the witnesses through the relevant minister's office, together with any supplementary questions received from committee members. It is the responsibility of the relevant minister to distribute the marked up transcript and ensure that all answers to questions taken on notice and supplementary questions are provided by the due date.
- 3.35** All answers to questions on notice and supplementary questions must be provided within 21 calendar days of the date on which questions are forwarded to the witness, or as otherwise determined by the committee.²⁸
- 3.36** All answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested.²⁹

Transcripts of evidence

- 3.37** A proof transcript of evidence will be published on the committee's website as soon as it is available.

²⁷ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

²⁸ *Minutes*, NSW Legislative Council, 10 May 2023, p 67.

²⁹ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

- 3.38** Witnesses will be given the opportunity to correct transcription errors in their transcript of evidence. Amendments to or clarifications of evidence may be requested in writing.
- 3.39** Proof transcripts will be forwarded to the relevant minister's office. The minister's office is responsible for distributing the transcripts to witnesses for correction.

Chapter 4 Questions to witnesses

Rules governing questions

- 4.1 Budget Estimates is a broad-ranging inquiry and wide latitude is allowed in the asking of questions, subject to the following guidance.

Questions must be relevant

- 4.2 Questions must be relevant to the matter that has been referred to a committee for inquiry and report.³⁰ In the case of the Budget Estimates inquiry, this refers to the estimates of expenditure from the Consolidated Fund and other matters covered by the budget papers.
- 4.3 The budget papers and related documents not only contain information about the estimates of expenditure but also refer to the activities of government agencies and the implementation of policy. Information from a number of other sources can also relate to expenditure from the Consolidated Fund and therefore be relevant to the Budget Estimates inquiry, such as policy announcements by ministers or other government officials, and reports by the Audit Office.³¹

Questions relating to current committee inquiries

- 4.4 The Budget Estimates inquiry is usually one of several current committee inquiries. There may be a degree of overlap with other inquiries.
- 4.5 Questions asked during the Budget Estimates hearings should not attempt to debate the unreported proceedings of other current committee inquiries. However, this does not prevent members from asking questions that deal with the subject matter of other inquiries.³²

Questions to public servants

- 4.6 Public servants should not be asked to express an opinion on the merits of a government policy. By convention, committees should direct such questions to the responsible minister. This is because public servants should not be held accountable for the actions or policy decisions of ministers.
- 4.7 Public servants may, however, be asked to explain government policy, to describe how it has been formulated and how it differs from past policies.

³⁰ For further discussion see Evans H and Laing R (ed), *Odgers' Australian Senate Practice*, 14th ed, Canberra, Department of the Senate, 2016, p 482.

³¹ Legislative Council, Clerk's Advice, *Advice regarding questioning in Budget Estimates with respect to Committee's other terms of reference and the content of questions*, June 2001, reproduced in [Budget Estimates Guide 2002-2003](#), Appendix E.

³² Legislative Council, Clerk's Advice, *Advice regarding questioning in Budget Estimates with respect to Committee's other terms of reference and the content of questions*, June 2001, reproduced in [Budget Estimates Guide 2002-2003](#), Appendix E.

Objections to questioning

- 4.8** Under the *Parliamentary Evidence Act 1901*, the Council and its committees have extensive powers to compel a witness to answer a 'lawful question'. Generally speaking, a question of fact, as opposed to an opinion, relevant to the committee's terms of reference, would be a lawful question.
- 4.9** Where witnesses object to answering a question, they should be invited to state the grounds for their objection. If a member seeks to press the question, the committee should consider whether to insist on an answer, having regard to:
- the grounds for the objection
 - the relevance of the question to the inquiry terms of reference
 - the necessity to the inquiry of the information sought.
- 4.10** If the committee decides that it requires an answer, it should inform the witness of the reasons why.
- 4.11** In the past, witnesses have raised objections to answering questions or providing documents on a number of grounds:
- the question asks for an opinion from a departmental officer on a matter of government policy
 - the question or request for papers raises issues of commercial-in-confidence
 - the question breaches the *sub judice* convention
 - the question seeks adverse reflection on another person
 - the question is not relevant to the inquiry terms of reference
 - the disclosure of information required by the question would be prejudicial to the privacy or rights of others
 - the question or request for papers raises issues relating to public interest immunity (previously known as Crown privilege)
 - the question or request for papers raises issues relating to legal professional privilege
 - the witness claims privilege against self-incrimination.

Chapter 5 Role of committee members

Attendance at deliberative meetings

Prior to the Budget Estimates inquiry

- 5.1 Each committee considered the Budget Estimates resolutions and its approach to inviting witnesses during the lead-up to the Budget Estimates inquiry.

Before the hearing

- 5.2 A short deliberative meeting will be held at the start of each day to deal with procedural matters, including any advice of substitute and participating members. Meetings will be scheduled 15 minutes prior to the advertised commencement time for the hearing.

Supplementary questions

Lodging supplementary questions

- 5.3 The Budget Estimates resolutions provide for supplementary questions to be lodged by members with the committee clerk by 5.00 pm within two business days following receipt the receipt of the hearing transcript.³³ Members will be reminded by email of the deadline for lodging supplementary questions for each hearing.
- 5.4 Supplementary questions will not be accepted after the deadline. Late questions may be lodged on the Questions and Answers paper in the House in the usual manner.
- 5.5 Supplementary questions must be emailed to BudgetEstimates@parliament.nsw.gov.au. The subject line should specify the committee number, the hearing date, and the portfolio, eg: 'PC 5 – 22 August – Attorney General'.
- 5.6 Members should proofread questions prior to lodgement. Unlike questions lodged through the House, questions will not be checked for typographical or grammatical errors before they are forwarded to the relevant minister.
- 5.7 Unless there is a clear request for confidentiality, answers to questions on notice and supplementary questions will be published on the committee's website after they have been circulated to members.³⁴ Any requests for confidentiality are to be considered by the committee.

³³ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

³⁴ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

Format for supplementary questions

- 5.1** Supplementary questions should follow the format of questions lodged on the Questions and Answers paper, as shown in the example below.

Money contributed by parents to public schools

- (1) (a) Does the Department of Education keep any records of the unit of money that parents contribute to public schools, such as:
- (i) Nominal school fees?
 - (ii) Additional school fees for special purposes, for example specialist teachers for music, sport, languages?
 - (iii) Library fund contributions?
 - (iv) Fundraising monies for school asset acquisition?
- (b) If so, can details of those figures be provided?
- (c) If not, is any such information provided to the department by individual public schools that could be collected?
- (d) Has this ever been considered in the past?
- (e) If so, when and by whom?

Chapter 6 Role of ministerial contact officers

Responsibilities before the hearing

- 6.1** Each ministerial office nominates a contact officer to co-ordinate matters between the minister, parliamentary secretaries, the agency or agencies under their direction and the Budget Estimates secretariat.
- 6.2** Ministerial contact officers liaise with, and ensure the attendance of, witnesses from departments, statutory bodies or corporations.
- 6.3** Before each hearing, the ministerial contact officer is responsible for:
- advising of any requests by witnesses in relation to the time of their appearance (for example, a witness request to leave the hearing early to attend another engagement)
 - advising of any witness who requires a holy book other than the Bible for taking the oath.
- 6.4** Requests regarding witnesses should be emailed to BudgetEstimates@parliament.nsw.gov.au.
- 6.5** If a witness proposes to tender any documents during the hearing, the ministerial contact officer should ensure that there are 10 copies of each document.

Responsibilities after the hearing

Return of answers to questions on notice and supplementary questions

- 6.6** As soon as possible after a hearing, the ministerial contact officer will be emailed a proof copy of the transcript. The questions taken on notice will be highlighted in the transcript. A list of supplementary questions submitted by members will also be attached.
- 6.7** Answers to questions on notice and supplementary questions are due 21 calendar days from the date when the questions are sent to the ministerial contact officer, unless the committee decides on another timeframe.³⁵
- 6.8** Answers should be provided in two separate pdf documents (one for answers to questions on notice and another for answers to supplementary questions). Both documents should be sent by email and in hard copy, to:
- Email – BudgetEstimates@parliament.nsw.gov.au
 - Hard copy – delivered to the Budget Estimates secretariat in Room 812K, Level 8, Parliament House.

³⁵ *Minutes*, NSW Legislative Council, 10 May 2023, p 67.

- 6.9** Answers must be accompanied by a cover letter signed by the relevant minister. There is no need for the minister to sign every page of the answers. It is acceptable for the minister to provide an electronic signature.

Requests for answers to be kept confidential

- 6.10** Answers will be automatically published on the committee's website, unless there is a clear request that a particular answer be kept confidential.³⁶ If there is a request for confidentiality, it is the decision of the committee whether to agree to the request.
- 6.11** Any request for confidentiality should be noted on the cover letter enclosing the answers. Confidential material should be clearly identified and separated from material to be made public.

Transcripts of evidence

- 6.12** Ministerial contact officers should distribute proof Hansard transcripts to the minister and other witnesses who appeared at the hearings so they can make any necessary corrections. The usual rules regarding corrections to Hansard transcripts apply. Alterations should only be made if they are necessary to correct a transcription error, not to improve style or sentence construction. Substantive amendments to or clarifications of evidence may be requested in writing through a separate letter to the committee.
- 6.13** Transcript corrections are due at the same time as the answers to questions on notice and supplementary questions.
- 6.14** Proof transcripts will be published on the committee's website shortly after the hearing is held.

³⁶ *Minutes*, NSW Legislative Council, 12 September 2023, p 450; *Minutes*, NSW Legislative Council, 22 November 2023, p 693; *Minutes*, NSW Legislative Council, 30 November 2023, p 788.

Appendix 1 Committee Membership

Portfolio Committee No. 1 – Premier and Finance

| | | |
|--------------------------------------|-------------------------------------|---------------------|
| The Hon Jeremy Buckingham MLC | Legalise Cannabis Party | <i>Chair</i> |
| The Hon Robert Borsak MLC | Shooters, Farmers and Fishers Party | <i>Deputy Chair</i> |
| The Hon Dr Sarah Kaine MLC | Australian Labor Party | |
| The Hon Stephen Lawrence MLC | Australian Labor Party | |
| The Hon Bob Nanva MLC | Australian Labor Party | |
| The Hon Chris Rath MLC | Liberal Party | |
| The Hon Damien Tudehope MLC | Liberal Party | |

Portfolio Committee No. 2 – Health

| | | |
|-----------------------------------|------------------------|---------------------|
| Dr Amanda Cohn MLC | The Greens | <i>Chair</i> |
| The Hon Susan Carter MLC | Liberal Party | <i>Deputy Chair</i> |
| The Hon Mark Buttigieg MLC | Australian Labor Party | |
| The Hon Greg Donnelly MLC | Australian Labor Party | |
| Ms Cate Faehrmann MLC | The Greens | |
| The Hon Emily Suvaal MLC | Australian Labor Party | |
| The Hon Bronnie Taylor MLC | The Nationals | |

Portfolio Committee No. 3 – Education

| | | |
|-----------------------------------|-----------------------------|---------------------|
| Ms Abigail Boyd MLC | The Greens | <i>Chair</i> |
| The Hon Rachel Merton MLC | Liberal Party | <i>Deputy Chair</i> |
| The Hon Mark Buttigieg MLC | Australian Labor Party | |
| The Hon Anthony D'Adam MLC | Australian Labor Party | |
| The Hon Tania Mihailuk MLC | Pauline Hanson's One Nation | |
| The Hon Sarah Mitchell MLC | The Nationals | |
| The Hon Emily Suvaal MLC | Australian Labor Party | |

Portfolio Committee No. 4 – Regional NSW

| | | |
|-----------------------------------|-------------------------------------|---------------------|
| The Hon Mark Banasiak MLC | Shooters, Fishers and Farmers Party | <i>Chair</i> |
| The Hon Emma Hurst MLC | Animal Justice Party | <i>Deputy Chair</i> |
| The Hon Greg Donnelly MLC | Australian Labor Party | |
| The Hon Taylor Martin MLC | Liberal Party | |
| The Hon Sarah Mitchell MLC | The Nationals | |
| The Hon Cameron Murphy MLC | Australian Labor Party | |
| The Hon Peter Primrose MLC | Australian Labor Party | |

Portfolio Committee No. 5 – Justice and Communities

| | | |
|---|-------------------------------------|---------------------|
| The Hon Robert Borsak MLC | Shooters, Fishers and Farmers Party | <i>Chair</i> |
| Ms Sue Higginson MLC | The Greens | <i>Deputy Chair</i> |
| The Hon Greg Donnelly MLC | Australian Labor Party | |
| The Hon Wes Fang MLC | The Nationals | |
| The Hon Stephen Lawrence MLC | Australian Labor Party | |
| The Hon Natasha Maclaren-Jones MLC | Liberal Party | |
| The Hon Cameron Murphy MLC | Australian Labor Party | |

Portfolio Committee No. 6 – Transport and the Arts

| | | |
|-----------------------------------|-------------------------------------|---------------------|
| Ms Cate Faehrmann MLC | The Greens | <i>Chair</i> |
| The Hon Sam Farraway MLC | The Nationals | <i>Deputy Chair</i> |
| The Hon Mark Banasiak MLC | Shooters, Fishers and Farmers Party | |
| The Hon Anthony D'Adam MLC | Australian Labor Party | |
| The Hon Dr Sarah Kaine MLC | Australian Labor Party | |
| The Hon Bob Nanva MLC | Australian Labor Party | |
| The Hon Natalie Ward MLC | Liberal Party | |

Portfolio Committee No. 7 – Planning and Environment

| | | |
|-----------------------------------|--------------------------|---------------------|
| Ms Sue Higginson MLC | The Greens | <i>Chair</i> |
| The Hon John Ruddick MLC | Liberal Democratic Party | <i>Deputy Chair</i> |
| The Hon Mark Buttigieg MLC | Australian Labor Party | |
| The Hon Anthony D'Adam MLC | Australian Labor Party | |
| The Hon Scott Farlow MLC | Liberal Party | |
| The Hon Jacqui Munro MLC | Liberal Party | |
| The Hon Peter Primrose MLC | Australian Labor Party | |

Portfolio Committee No. 8 – Customer Service

| | | |
|-------------------------------------|------------------------|---------------------|
| The Hon Emma Hurst MLC | Animal Justice Party | <i>Chair</i> |
| Dr Amanda Cohn MLC | The Greens | <i>Deputy Chair</i> |
| The Hon Mark Buttigieg MLC | Australian Labor Party | |
| The Hon Aileen MacDonald MLC | Liberal Party | |
| The Hon Peter Primrose MLC | Australian Labor Party | |
| The Hon Emily Suvaal MLC | Australian Labor Party | |
| The Hon Bronnie Taylor MLC | The Nationals | |

Appendix 2 Schedule: Hearings – by date

Initial hearings:

Day One: Tuesday 24 October 2023 (PC 3 & 4)

| Portfolio | PC | Room |
|--|----|-----------------|
| Education and Early Learning, Western Sydney (Car) | 3 | Macquarie |
| Small Business, Lands and Property, Multiculturalism, Sport (Kamper) | 4 | Preston Stanley |

Day Two: Wednesday 25 October 2023 (PC 1 & 4)

| Portfolio | PC | Room |
|---|----|-----------------|
| Premier (Minns) | 1 | Macquarie |
| Agriculture, Regional New South Wales, Western New South Wales (Moriarty) | 4 | Preston Stanley |

Day Three: Thursday 26 October 2023 (PC 2 & 1)

| Portfolio | PC | Room |
|--|----|-----------------|
| Health, Regional Health, the Illawarra and the South Coast (Park) | 2 | Macquarie |
| Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research (Harris) | 1 | Preston Stanley |

Day Four: Tuesday 31 October 2023 (PC 1 & 8)

| Portfolio | PC | Room |
|--|-----------|-----------------|
| Treasurer (Mookhey) | 1 | Macquarie |
| Customer Service and Digital Government, Emergency Services, Youth Justice (Dib) | 8 | Preston Stanley |

Day Five: Wednesday 1 November 2023 (PC 2 & 6)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Water, Housing, Homelessness, Mental Health, Youth, the North Coast (Jackson) | 2 | Macquarie |
| Regional Transport and Roads (Aitchison) | 6 | Preston Stanley |
| Skills, TAFE and Tertiary Education (Whan) | 3 | 814 |

Day Six: Thursday 2 November 2023 (PC 7 & 1)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Climate Change, Energy, the Environment, Heritage (Sharpe) | 7 | Macquarie |
| Finance, Domestic Manufacturing and Government Procurement, Natural Resources (Houssos) | 1 | Preston Stanley |

Day Seven: Friday 3 November 2023 (PC 7 & 5)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Planning and Public Spaces (Scully) | 7 | Macquarie |
| Women, Seniors, Prevention of Domestic Violence and Sexual Assault (Harrison) | 5 | Preston Stanley |

Day Eight: Tuesday 7 November 2023 (PC 1, 6 & 5)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| The Legislature (Franklin) | 1 | 814 |
| Transport (Haylen) | 6 | Macquarie |
| Police and Counter-Terrorism, the Hunter (Catley) | 5 | Preston Stanley |

Day Nine: Wednesday 8 November 2023 (PC 1 & 8)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Industrial Relations, Work Health and Safety (Cotsis) | 1 | Preston Stanley |
| Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections (Chanthivong) | 8 | Macquarie |

Day Ten: Thursday 9 November 2023 (PC 6 & 5)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism (Graham) | 6 | Macquarie |
| Families and Communities, Disability Inclusion (Washington) | 5 | Preston Stanley |

Day Eleven: Friday 10 November 2023 (PC 5 & 8)

| Portfolio | PC | Room |
|---------------------------|-----------|-----------------|
| Attorney-General (Daley) | 5 | Macquarie |
| Local Government (Hoenig) | 8 | Preston Stanley |

Supplementary hearing:**Wednesday 13 December 2023**

| Portfolio | PC | Room |
|---|-----------|-------------|
| Agriculture, Regional New South Wales, Western New South Wales (Moriarty) | 4 | Macquarie |

Additional hearings:**Day One: Tuesday 20 February 2024 (PC 3 & 4)**

| Portfolio | PC | Room |
|--|-----------|-----------------|
| Education and Early Learning, Western Sydney (Car) | 3 | Macquarie |
| Small Business, Lands and Property, Multiculturalism, Sport (Kamper) | 4 | Preston Stanley |

Day Two: Wednesday 21 February 2024 (PC 1 & 4)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Premier (Minns) | 1 | Macquarie |
| Agriculture, Regional New South Wales, Western New South Wales (Moriarty) | 4 | Preston Stanley |

Day Three: Thursday 22 February 2024 (PC 2 & 1)

| Portfolio | PC | Room |
|--|-----------|-----------------|
| Health, Regional Health, the Illawarra and the South Coast (Park) | 2 | Macquarie |
| Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research (Harris) | 1 | Preston Stanley |

Day Four: Friday 23 February 2024 (PC 6 & 5)

| Portfolio | PC | Room |
|---|-----------|-------------|
| Transport (Haylen) | 6 | Macquarie |
| Police and Counter-Terrorism, the Hunter (Catley) | 5 | Jubilee |

Day Five: Tuesday 27 February 2024 (PC 7 & 5)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Planning and Public Spaces (Scully) | 7 | Macquarie |
| Women, Seniors, Prevention of Domestic Violence and Sexual Assault (Harrison) | 5 | Preston Stanley |

Day Six: Wednesday 28 February 2024 (PC 2 & 8)

| Portfolio | PC | Room |
|--|-----------|-----------------|
| Water, Housing, Homelessness, Mental Health, Youth, the North Coast (Jackson) | 2 | Macquarie |
| Customer Service and Digital Government, Emergency Services, Youth Justice (Dib) | 8 | Preston Stanley |

Day Seven: Thursday 29 February 2024 (PC 1 & 6)

| Portfolio | PC | Room |
|---|----|-----------------|
| Industrial Relations, Work Health and Safety (Cotsis) | 1 | Macquarie |
| Regional Transport and Roads (Aitchison) | 6 | Preston Stanley |

Day Eight: Friday 1 March 2024 (PC 1 & 8)

| Portfolio | PC | Room |
|---|----|-----------------|
| Treasurer (Mookhey) | 1 | Macquarie |
| Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections (Chanthivong) | 8 | Preston Stanley |

Day Nine: Monday 4 March 2024 (PC 5 & 1)

| Portfolio | PC | Room |
|---|----|-----------------|
| Families and Communities, Disability Inclusion (Washington) | 5 | Macquarie |
| The Legislature (Franklin) | 1 | Preston Stanley |

Day Ten: Tuesday 5 March 2024 (PC 6 & 3)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism (Graham) | 6 | Macquarie |
| Skills, TAFE and Tertiary Education (Whan) | 3 | Preston Stanley |

Day Eleven: Wednesday 6 March 2024 (PC 5 & 8)

| Portfolio | PC | Room |
|---------------------------|-----------|-----------------|
| Attorney-General (Daley) | 5 | Macquarie |
| Local Government (Hoenig) | 8 | Preston Stanley |

Day Twelve: Thursday 7 March 2024 (PC 7 & 1)

| Portfolio | PC | Room |
|---|-----------|-----------------|
| Climate Change, Energy, the Environment, Heritage (Sharpe) | 7 | Macquarie |
| Finance, Domestic Manufacturing and Government Procurement, Natural Resources (Houssos) | 1 | Preston Stanley |

Appendix 3 Schedule: Hearings – by committee

Portfolio Committee No. 1 – Premier and Finance

| Date | Portfolio | Room |
|-------------------------------|--|-----------------|
| Initial hearings | | |
| Wednesday 25 October 2023 | Premier (Minns) | Macquarie |
| Thursday 26 October 2023 | Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research (Harris) | Preston Stanley |
| Tuesday 31 October 2023 | Treasurer (Mookhey) | Macquarie |
| Thursday 2 November 2023 | Finance, Domestic Manufacturing and Government Procurement, Natural Resources (Houssos) | Preston Stanley |
| Tuesday 7 November 2023 | The Legislature (Franklin) | 814 |
| Wednesday 8 November 2023 | Industrial Relations, Work Health and Safety (Cotsis) | Preston Stanley |
| Additional hearings | | |
| Wednesday 21 February 2024 | Premier (Minns) | Macquarie |
| Thursday 22 February 2024 | Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research (Harris) | Preston Stanley |
| Thursday 29 February 2024 | Industrial Relations, Work Health and Safety (Cotsis) | Macquarie |
| Friday 1 March 2024 | Treasurer (Mookhey) | Macquarie |
| Monday 4 March 2024 | The Legislature (Franklin) | Preston Stanley |

| | | |
|--------------------------|--|-----------------|
| Thursday 7 March 2024 | Finance, Domestic Manufacturing and Government Procurement, Natural Resources (Houssos) | Preston Stanley |
|--------------------------|--|-----------------|

Portfolio Committee No. 2 – Health

| Date | Portfolio | Room |
|-------------------------------|--|-----------|
| Initial hearings | | |
| Thursday 26 October 2023 | Health, Regional Health, the Illawarra and the South Coast (Park) | Macquarie |
| Wednesday 1 November 2023 | Water, Housing, Homelessness, Mental Health, Youth, the North Coast (Jackson) | Macquarie |
| Additional hearings | | |
| Thursday 22 February 2024 | Health, Regional Health, the Illawarra and the South Coast (Park) | Macquarie |
| Wednesday 28 February 2024 | Water, Housing, Homelessness, Mental Health, Youth, the North Coast (Jackson) | Macquarie |

Portfolio Committee No. 3 – Education

| Date | Portfolio | Room |
|------------------------------|--|-----------|
| Initial hearings | | |
| Tuesday 24 October 2023 | Education and Early Learning, Western Sydney (Car) | Macquarie |
| Wednesday 1 November 2023 | Skills, TAFE and Tertiary Education (Whan) | 814 |
| Additional hearings | | |
| Tuesday 20 February 2024 | Education and Early Learning, Western Sydney (Car) | Macquarie |

| | | |
|-------------------------|--|-----------------|
| Tuesday 5 March 2024 | Skills, TAFE and Tertiary Education (Whan) | Preston Stanley |
|-------------------------|--|-----------------|

Portfolio Committee No. 4 – Regional NSW

| Date | Portfolio | Room |
|-------------------------------|--|-----------------|
| Initial hearings | | |
| Tuesday 24 October 2023 | Small Business, Lands and Property, Multiculturalism, Sport (Kamper) | Preston Stanley |
| Wednesday 25 October 2023 | Agriculture, Regional New South Wales, Western New South Wales (Moriarty) | Preston Stanley |
| Supplementary hearing | | |
| Wednesday 13 December 2023 | Agriculture, Regional New South Wales, Western New South Wales (Moriarty) | Macquarie |
| Additional hearings | | |
| Tuesday 20 February 2024 | Small Business, Lands and Property, Multiculturalism, Sport (Kamper) | Preston Stanley |
| Wednesday 21 February 2024 | Agriculture, Regional New South Wales, Western New South Wales (Moriarty) | Preston Stanley |

Portfolio Committee No. 5 – Justice and Communities

| Date | Portfolio | Room |
|----------------------------|--|-----------------|
| Initial hearings | | |
| Friday 3 November 2023 | Women, Seniors, Prevention of Domestic Violence and Sexual Assault (Harrison) | Preston Stanley |
| Tuesday 7 November 2023 | Police and Counter-Terrorism, the Hunter (Catley) | Preston Stanley |

| | | |
|-----------------------------|--|-----------------|
| Thursday 9 November 2023 | Families and Communities, Disability Inclusion (Washington) | Preston Stanley |
| Friday 10 November 2023 | Attorney-General (Daley) | Macquarie |
| Additional hearings | | |
| Friday 23 February 2024 | Police and Counter-Terrorism, the Hunter (Catley) | |
| Tuesday 27 February 2024 | Women, Seniors, Prevention of Domestic Violence and Sexual Assault (Harrison) | Preston Stanley |
| Monday 4 March 2024 | Families and Communities, Disability Inclusion (Washington) | Macquarie |
| Wednesday 6 March 2024 | Attorney-General (Daley) | Macquarie |

Portfolio Committee No. 6 – Transport and the Arts

| Date | Portfolio | Room |
|------------------------------|--|-----------------|
| Initial hearings | | |
| Wednesday 1 November 2023 | Regional Transport and Roads (Aitchison) | Preston Stanley |
| Tuesday 7 November 2023 | Transport (Haylen) | Macquarie |
| Thursday 9 November 2023 | Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism (Graham) | Macquarie |
| Additional hearings | | |
| Friday 23 February 2024 | Transport (Haylen) | Macquarie |
| Thursday 29 February 2024 | Regional Transport and Roads (Aitchison) | Preston Stanley |

| | | |
|----------------------|---|-----------|
| Tuesday 5 March 2024 | Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism (Graham) | Macquarie |
|----------------------|---|-----------|

Portfolio Committee No. 7 – Planning and Environment

| Date | Portfolio | Room |
|-----------------------------|--|-----------|
| Initial hearings | | |
| Thursday 2 November 2023 | Climate Change, Energy, the Environment, Heritage (Sharpe) | Macquarie |
| Friday 3 November 2023 | Planning and Public Spaces (Scully) | Macquarie |
| Additional hearings | | |
| Tuesday 27 February 2024 | Planning and Public Spaces (Scully) | Macquarie |
| Thursday 7 March 2024 | Climate Change, Energy, the Environment, Heritage (Sharpe) | Macquarie |

Portfolio Committee No. 8 – Customer Service

| Date | Portfolio | Room |
|------------------------------|---|-----------------|
| Initial hearings | | |
| Tuesday 31 October 2023 | Customer Service and Digital Government, Emergency Services, Youth Justice (Dib) | Preston Stanley |
| Wednesday 8 November 2023 | Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections (Chanthivong) | Macquarie |
| Friday 10 November 2023 | Local Government (Hoenig) | Preston Stanley |
| Additional hearings | | |

| | | |
|-------------------------------|---|-----------------|
| Wednesday 28 February 2024 | Customer Service and Digital Government, Emergency Services, Youth Justice (Dib) | Preston Stanley |
| Friday 1 March 2024 | Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections (Chanthivong) | |
| Wednesday 6 March 2024 | Local Government (Hoenig) | Preston Stanley |

Appendix 4 Budget Estimates Resolutions

BUDGET ESTIMATES 2023-2024

TERMS OF REFERENCE

Initial hearings

1. That, upon tabling, the Budget Estimates and related papers for the financial year 2023-2024 presenting the amounts to be appropriated from the Consolidated Fund be referred to the Portfolio Committees for inquiry and report.
2. That, further to the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar,³⁷ the 2023-2024 initial budget estimates hearings be scheduled as follows:

Day One: Tuesday 24 October 2023

PC 3 Education and Early Learning, Western Sydney
PC 4 Small Business, Lands and Property, Multiculturalism, Sport

Day Two: Wednesday 25 October 2023

PC 1 Premier
PC 4 Agriculture, Regional New South Wales, Western New South Wales

Day Three: Thursday 26 October 2023

PC 2 Health, Regional Health, the Illawarra and the South Coast
PC 1 Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research

Day Four: Tuesday 31 October 2023

PC 1 Treasurer
PC 8 Customer Service and Digital Government, Emergency Services, Youth Justice

Day Five: Wednesday 1 November 2023

PC 2 Water, Housing, Homelessness, Mental Health, Youth, the North Coast
PC 6 Regional Transport and Roads
PC 3 Skills, TAFE and Tertiary Education

Day Six: Thursday 2 November 2023

PC 7 Climate Change, Energy, the Environment, Heritage
PC 1 Finance, Domestic Manufacturing and Government Procurement, Natural Resources

Day Seven: Friday 3 November 2023

PC 7 Planning and Public Spaces

³⁷ *Minutes*, NSW Legislative Council, 10 May 2023, pp 64-65.

PC 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault

Day Eight: Tuesday 7 November 2023

PC 1 The Legislature

PC 6 Transport

PC 5 Police and Counter Terrorism, the Hunter

Day Nine: Wednesday 8 November 2023

PC 1 Industrial Relations, Work Health and Safety

PC 8 Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections

Day Ten: Thursday 9 November 2023

PC 6 Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism

PC 5 Families and Communities, Disability Inclusion

Day Eleven: Friday 10 November 2023

PC 5 Attorney-General

PC 8 Local Government

3. That the remainder of the Budget Estimates 2023-2024 hearings be held during the first half of 2024, as determined by further resolution of the House.
4. That for the purposes of the 2023-2024 initial budget estimates hearings:
 - (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm
 - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 2.00 pm until 5.30 pm.
5. That for the purposes of the 2023-2024 initial budget estimates hearings:
 - (a) the committees must hear evidence in public
 - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
 - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session
 - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions

- (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.
6. That the committees report by 28 June 2024.³⁸

Supplementary hearing

1. That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023- 2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar, Portfolio Committee No. 4 - Regional NSW hold a supplementary hearing in 2023 to examine the portfolios of Agriculture, Regional New South Wales, Western New South Wales.
2. That for the purposes of the 2023-2024 supplementary budget estimates hearing:
 - (a) each portfolio be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required
 - (b) the committee must hear evidence in public
 - (c) the committee may ask for explanations from the minister, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
 - (d) the minister be invited to appear for the morning session only unless requested by the committee to appear also for the afternoon session
 - (e) witnesses, including the minister, may not make an opening statement before a committee commences questions
 - (f) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
 - (g) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.³⁹

³⁸ *Minutes*, NSW Legislative Council, 12 September 2023, pp 446-450; amended, *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

³⁹ *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

Additional hearings

1. That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023-2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 21 November 2023 adopting the 2024 sitting calendar,⁴⁰ the 2023-2024 additional budget estimates hearings be scheduled as follows:

Day One: Tuesday 20 February 2024

PC 3 Education and Early Learning, Western Sydney
PC 4 Small Business, Lands and Property, Multiculturalism, Sport

Day Two: Wednesday 21 February 2024

PC 1 Premier
PC 4 Agriculture, Regional New South Wales, Western New South Wales

Day Three: Thursday 22 February 2024

PC 2 Health, Regional Health, the Illawarra and the South Coast
PC 1 Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast,
Medical Research

Day Four: Friday 23 February 2024

PC 6 Transport
PC 5 Police and Counter Terrorism, the Hunter

Day Five: Tuesday 27 February 2024

PC 7 Planning and Public Spaces
PC 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault

Day Six: Wednesday 28 February 2024

PC 2 Water, Housing, Homelessness, Mental Health, Youth, the North Coast
PC 8 Customer Service and Digital Government, Emergency Services, Youth Justice

Day Seven: Thursday 29 February 2024

PC 1 Industrial Relations, Work Health and Safety
PC 6 Regional Transport and Roads

Day Eight: Friday 1 March 2024

PC 1 Treasurer
PC 8 Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections

Day Nine: Monday 4 March 2024

PC 5 Families and Communities, Disability Inclusion
PC 1 The Legislature

⁴⁰ *Minutes*, NSW Legislative Council, 21 November 2023, pp 666-667.

Day Ten: Tuesday 5 March 2024

PC 6 Special Minister of State, Roads, Arts, Music and the Night-time Economy,
Jobs and Tourism

PC 3 Skills, TAFE, Tertiary Education

Day Eleven: Wednesday 6 March 2024

PC 5 Attorney-General

PC 8 Local Government

Day Twelve: Thursday 7 March 2024

PC 7 Climate Change, Energy, the Environment, Heritage

PC 1 Finance, Domestic Manufacturing and Government Procurement, Natural
Resources

2. That for the purposes of the 2023-2024 additional budget estimates hearings:
 - (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required
 - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 9.15 am to 11.00 am, and from 11.15 am to 1.00 pm.

3. That for the purposes of the 2023-2024 additional budget estimates hearings:
 - (a) the committees must hear evidence in public
 - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
 - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session
 - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions
 - (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.⁴¹

⁴¹ *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.



Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

www.parliament.nsw.gov.au
Ph (02) 9230 2778