

REPORT ON PROCEEDINGS BEFORE

PUBLIC ACCOUNTABILITY COMMITTEE

**NSW GOVERNMENT'S MANAGEMENT OF THE COVID-19
PANDEMIC**

CORRECTED

At Macquarie Room, Parliament House, Sydney, on Wednesday 7 October 2020

The Committee met at 9:30.

PRESENT

Mr David Shoebridge (Chair)

Ms Cate Faehrmann
The Hon. John Graham (Deputy Chair)
The Hon. Courtney Houssos
The Hon. Trevor Khan
The Hon. Penny Sharpe
The Hon. Natalie Ward

The CHAIR: Welcome to the eleventh hearing of the Public Accountability Committee's inquiry into the Government's management of the COVID-19 pandemic. The inquiry is intended to provide ongoing parliamentary oversight of the Government's response to the unfolding pandemic. Before I commence, I would like to acknowledge the Gadigal people, who are the traditional custodians of this land, and pay my respects and those of the Committee and those in attendance to the Elders past, present and emerging of the Eora Nation, and extend that respect to those other Aboriginal persons present.

Today is an opportunity for the Government to respond to the evidence that the Committee heard at its last two public hearings. This morning we will hear from witnesses from the Communities and Justice portfolio, including the Minister for Families, Communities and Disability Services the Hon. Gareth Ward. In the afternoon Government witnesses will be invited to respond to the very concerning evidence we have recently received from peak bodies, industry associations and venue operators across live music, arts and the night-time economy. This will include evidence from the Minister for Customer Service the Hon. Victor Dominello; the Minister with responsibility for the arts the Hon. Don Harwin, MLC, and the Minister for Health and Medical Research the honourable Brad Hazzard, MP.

Today's hearing is broadcast via the Parliament's website. The transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with the broadcasting guidelines, while members of the media may film or record members or witnesses, people in the public gallery should not be the primary focus of any filming or photography. Of course, we have no-one in the public gallery because it is closed to the public today so I will put a line through that. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what Ministers may say outside of their evidence at the hearing, so I urge witnesses to be careful about any comments they may make to the media or to others after they complete their evidence. The guidelines for broadcast of proceedings are available from the secretariat.

All witnesses have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness can answer only if they had more time or with certain documents to hand. In these circumstances witnesses are advised that they may take a question on notice and provide an answer within 21 days. Of course, if answers can be provided before then that is much appreciated by the Committee. I remind everyone here today that Committee hearings are not intended to provide a forum for people to make adverse reflections about others. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. I remind the Minister that he does not need to be sworn as he has already sworn an oath to his office as a member of Parliament. Similarly, Mr Coutts-Trotter has already been sworn before this inquiry.

The Hon. GARETH WARD, Minister for Families, Communities and Disability Services, before the Committee

MICHAEL COUTTS-TROTTER, Secretary, Department of Communities and Justice, on former oath

SIMONE WALKER, Deputy Secretary, Strategy Policy and Commissioning, Department of Communities and Justice, sworn and examined

SIMONE CZECH, Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, affirmed and examined

PAUL VEVERS, Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, sworn and examined

The CHAIR: Mr Ward, did you want to start with a brief opening statement? Otherwise we will go straight to questioning from the Opposition.

Mr GARETH WARD: Yes, I would if that is all right, Mr Chairman. Can also join with you in acknowledging the traditional owners of the land and thank them of their custodianship of country. Can I firstly say an enormous thankyou to the social and community services sector across our State. I know that members of the Committee, in all of their various ways, are interested in this portfolio and the important role that it plays. But I think that it would be remiss of me to not say—I am sure on behalf of all of us here—an enormous thankyou for the wonderful work of our frontline staff during this very difficult time. It has been an incredible period in our history, and they have stepped up. It does not matter whether it is colleagues across the agency or the people who we have working so hard through our non-government organisations, we have seen an incredible response from the sector.

I have really appreciated particularly working very closely with not just members of Parliament from right across the political divide during this period, including my shadow Ministers, but also with the peaks themselves. I thank people like Katherine McKernan from Homelessness NSW, Mark Degotardi from Community Housing Industry Association NSW, Leo Patterson-Ross from the Tenants' Union of NSW. Also the unions that have been on my sector calls, particularly Narelle Clay from the Australian Services Union and Natalie Lang, as well as Stewart Little from the Public Service Association. Also organisations like the Office of the Children's Guardian and Janet Schorer, and Advocate for Children and Young People Zoe Robinson, the Ageing and Disability Commissioner Robert Fitzgerald. Also groups like the Association of Children's Welfare Agencies and people like Steve Kinmond. We have had such an important collaboration during this time, and they have been incredibly helpful in supporting me and my team, but also government agencies, work closer together. That collaboration has been really important.

I would be the first to say that there would be things, when I look back, that we may do differently. We may not have always got it right but I think that collaboration—that close working relationship that has been enjoyed—has meant that we have done the very best that we can through what has been a very difficult period. I thank the executive team at the table, led by Secretary Coutts-Trotter, who have also worked incredibly hard during what has been an horrendous time for the State, but also for our State's most vulnerable. I am sure that we would all agree that during events like this, it is often the most vulnerable who experience the greatest hardship. We have done our very best to ensure that we have responded to that as best we can. I reiterate my sincere thanks to all of the colleagues across the sector, who have done a phenomenal job.

The CHAIR: Thank you, Minister. I am sure that support for the vulnerable and what support is being delivered will be a focus of this morning's questioning. I will hand over to the Hon. Penny Sharpe.

The Hon. PENNY SHARPE: What would you have done differently, Minister?

Mr GARETH WARD: I thought I might be leading that question on. Look, that is for others to speculate on. I cannot change the past.

The Hon. PENNY SHARPE: It is not meant as a trap for you to walk into. I think that the reflection and the work that you have done with the sector and with the workforce has actually been mostly a very positive thing. I am actually genuinely interested in your reflection on what you would have done differently, given that you have had a bit of time to think about it.

Mr GARETH WARD: I am still reflecting on that. I am here to obviously answer evidence about what we have done, not what I would have done differently. I will leave that to my own personal reflection work over the coming weeks and months. But suffice to say, I am very grateful for your comments, particularly in relation

to the workforce, but the people who have done the hard work are the people on the front lines. I have worked as hard as I can over the last few months. I have worked as closely with the front line as I can, but I will be reflecting on what I could have done differently over the weeks and months ahead as I continue to consult with the sector.

The Hon. PENNY SHARPE: I might ask you again at estimates and see if you have had time for further reflection.

Mr GARETH WARD: I am sure that you will.

The Hon. PENNY SHARPE: Are you disappointed that there is no funding for social housing in the Federal budget?

Mr GARETH WARD: This is a committee on what has happened in relation to COVID, not the Federal budget which was handed down last night. We are meeting at nine thirty this morning. I think that it is outside of the Committee's remit to go to that particular point right now. I would say that I noted in the Federal budget anecdotally—if you are going to ask me on the fly—that there was an additional billion-dollar allocation towards the National Housing Finance and Investment Corporation for the expansion of the partnership between governments and the community housing sector. So any investment in social housing is welcome.

The Hon. PENNY SHARPE: But you acknowledge that there is no money in terms of infrastructure funding to build more?

Mr GARETH WARD: I acknowledge that the Federal budget is a matter for the Commonwealth.

The Hon. PENNY SHARPE: That is great. On a similar vein, and given your previous answer I am not sure that I am going to get an answer, there have been issues raised about the changes to JobSeeker and JobKeeper, and the rising level of poverty that will particularly impact families in western Sydney. Is your department thinking about that? And what are you putting in place to manage that?

Mr GARETH WARD: Absolutely. Can I indicate to you that the Community Services Ministers had not been getting together prior to COVID. It was at my instigation that colleagues from all States and Territories started to meet monthly with the Commonwealth. I am proud of the fact that we certainly lead on things like support for vulnerable families, but also things like child care and the need to provide—

The Hon. PENNY SHARPE: Sure, but that is not my question. My question is that we have reports about increasing poverty that is going to hit single mums, and particularly their kids, very hard in western Sydney. I want to know what you are doing about that.

Mr GARETH WARD: Subsidies for child care are not going to help families in western Sydney?

The Hon. PENNY SHARPE: Sure, that is fine, but that does not actually stop people who currently are not working, who cannot work and who are about to have their JobSeeker cut in half and they are single parents. That is what I am asking you about.

Mr GARETH WARD: I am sure you would appreciate, Ms Sharpe, that matters concerning JobKeeper and JobSeeker are matters for the Commonwealth, and I continue to have a dialogue with my Federal colleagues in relation to those matters. But in relation to poverty and supporting people, we announced very early on additional support for organisations like Foodbank and OzHarvest. There was an additional \$10 million to provide support.

The Hon. PENNY SHARPE: Yes, that was very welcome and very important. Given the need for that and, as you know, there is also a whole group of people who do not qualify for any Federal assistance who are making use of that, are you expecting that you are going to have to put more money into programs like that as a result of the changes to JobSeeker and JobKeeper?

Mr GARETH WARD: Obviously, we have not seen the impacts of any Commonwealth changes at this point, but I think, as I have demonstrated, Ms Sharpe, I am happy to argue for supports that I will believe will make a difference, and we have delivered those changes and investments. But I would hate to think that you would waste your time on questions concerning the Commonwealth rather than questions concerning my responsibilities as Minister during this period.

The Hon. PENNY SHARPE: I do not think worrying about poor single mothers in western Sydney is a waste of time.

Mr GARETH WARD: I think that would be an appalling mischaracterisation of what I was just suggesting and I think you know that.

The Hon. PENNY SHARPE: You trying to divert from what I am asking about is similar to that.

Mr GARETH WARD: No, I am suggesting you hold me to account for the things that I am responsible for.

The Hon. PENNY SHARPE: I want to ask about housing. Minister, the housing waiting list online, as I understand it, has not been updated since June 2019. Are you able to give the Committee the latest figures in relation to the housing waiting list?

Mr GARETH WARD: The latest information I have is that the crisis waiting list is around 4,600. Mr Vevers?

Mr VEVERS: The last published figure, Minister, yes.

The Hon. PENNY SHARPE: And the general applications?

Mr GARETH WARD: I would have to ask Mr Vevers that question.

The CHAIR: Sorry, did you say 4,600?

Mr GARETH WARD: Yes, for the crisis waiting list.

Mr VEVERS: Can I say that the waiting list is typically updated in November each year for the previous June.

Mr GARETH WARD: As part of the annual report.

Mr VEVERS: As part of the annual report, so it is not unusual.

The Hon. PENNY SHARPE: Yes, that is why I am asking; because I know that we have not had any figures since June 2019 and, obviously, things have changed a lot.

Mr GARETH WARD: The reason it is called the annual report is that it is published annually.

The Hon. PENNY SHARPE: Yes, thank you for that, Minister. I am well aware of that, but I am also aware that Mr Vevers is a very good public servant who actually knows what the figures would be currently and would be able to provide that to the Committee.

Mr GARETH WARD: An exceptional public servant. He does a great job.

The CHAIR: To be clear: The 4,600 was as at 30 June. Is that correct?

Mr GARETH WARD: The last published report.

The CHAIR: As at 30 June?

Mr GARETH WARD: I think it was.

Mr VEVERS: Correct, yes.

The CHAIR: And you do not have any updated figure?

The Hon. PENNY SHARPE: You do not have any—

Mr GARETH WARD: We published the figures in accordance with the way we have always published the figures.

The Hon. PENNY SHARPE: Yes, but I am not asking about the published figures; I am asking about the current figures, which I am sure you have.

Mr GARETH WARD: This is the accountability measures that we have in place that we publish and I am citing the most recent figures that I have available.

The CHAIR: But, Minister, one of the reasons we are having this hearing is to work out what the impact of the pandemic is, so Ms Sharpe is perfectly within her rights to ask what, if any, current figures you have.

Mr GARETH WARD: Certainly. I am not denying that. I am just telling you the latest figures that I have and I have just given those to you.

The CHAIR: Can you provide the most up-to-date set of figures—if not now, then on notice?

Mr GARETH WARD: I have just provided you the most up-to-date figures that I have.

The Hon. PENNY SHARPE: No, they are not the up-to-date figures; they are the published figures.

The CHAIR: Can you provide us with the current figures on notice?

The Hon. NATALIE WARD: Point of order: I have let a couple go through to the keeper but I think that in our enthusiasm it might be wise to have one person ask the question and to use a respectful tone in doing so. We have plenty of time.

The CHAIR: Thank you, and I appreciate that, but the Minister is not trying to answer Ms Sharpe's questions. I will let Ms Sharpe ask her question again. It is a perfectly reasonable question.

The Hon. NATALIE WARD: Chair, my point is that I ask, through you, that one member at a time ask a question.

The CHAIR: Yes, and I am inviting Ms Sharpe to ask again her very reasonable question, which she has now asked three times.

The Hon. PENNY SHARPE: As we are trying to oversight what has happened with COVID, we know that housing has been a massive issue. We know that people have been unable to pay their rent. We know that people have had to change their living circumstances. We know that there has been a massive effort, which I will get to in a minute, and which I am sure you will be very happy to talk about, Minister, around homelessness and what we have done with rough sleepers. My question is: Are there any further updated figures that you can provide to the Committee on what has happened to the priority list and to the general applications list for housing within New South Wales. The latest figures, which I have, and which were the most published figures are the 4,484 priority and the 46,530 general applications. I want to understand, and perhaps Mr Vevers can do it, even if you cannot give me the exact figure, what the movement in that has been over the COVID period.

Mr GARETH WARD: I am not trying to be tricky; I just gave you the latest figures that I had. I made that clear when I answered the question. I am happy to take the question on notice.

The Hon. PENNY SHARPE: I am not asking you. I am asking Mr Vevers.

Mr GARETH WARD: I am sorry. Mr Vevers?

Mr VEVERS: I have no further figures here. The figures are published every November.

The CHAIR: But, Minister, I understood that you would take it on notice to see if you have a more current set of figures?

Mr GARETH WARD: Yes, Mr Chair. I just said that I would.

The Hon. JOHN GRAHAM: Minister, does that mean you have not requested any updated figures since that June figure was published?

Mr GARETH WARD: Mr Graham, we have a process for reporting the data, which is transparent. Beyond what we have always done, I do not have anything in addition to that.

The Hon. PENNY SHARPE: But at no point during this hearing have you answered what is happening to the waiting list as a result of COVID, given that you have moved a lot of people—rough sleepers—into vacant premises. We talked about this last time you were here, Mr Vevers.

Mr GARETH WARD: That is a different question.

The Hon. PENNY SHARPE: No, I want to know how many people are now on the priority list and how many people are on the general list and what impact that has had?

Mr GARETH WARD: And I have advised you of the latest figures.

The CHAIR: I do not think you gave us the general list.

The Hon. PENNY SHARPE: No, you have not. I gave you the figure.

Mr GARETH WARD: No, I think if you review the *Hansard*, I indicated quite clearly, without even referring to my notes, what the latest figure was in relation to crisis housing.

The Hon. PENNY SHARPE: Not the general applications, though.

Mr GARETH WARD: Mr Vevers, do you have the answer to that?

Mr VEVERS: The latest figures, the published figures, are as you said.

The Hon. PENNY SHARPE: So the 46,530 would be accurate?

Mr VEVERS: Yes.

Mr GARETH WARD: Can I just answer Mr Graham's question? Yes, I have requested the data. To directly answer your question: Yes, I have.

The Hon. JOHN GRAHAM: Have you received it?

Mr GARETH WARD: No, I do not. That is why I have given the most up-to-date information that I have.

The Hon. JOHN GRAHAM: You have requested but have not received any updates on the figures?

Mr GARETH WARD: Not yet, but, as you can imagine, the data changes constantly.

The Hon. JOHN GRAHAM: Something that has not flown across your desk?

Mr GARETH WARD: Mr Graham, the housing data is released in a transparent way, as it always has been. I am not seeking to disguise anything. We are doing things as we always have. I have offered to take the question on notice and I am happy to update the Committee further.

The Hon. PENNY SHARPE: You take a lot of things on notice. You do not necessarily provide us with the information. But that is fine; I will move on.

The Hon. TREVOR KHAN: Oh come on.

The Hon. PENNY SHARPE: We will get to that later.

Mr GARETH WARD: I always respond to your questions on notice.

The Hon. PENNY SHARPE: No, you do not. So \$70 million was announced for COVID-related activities. Are you able to provide the Committee with a breakdown in the costing for the temporary accommodation since March?

Mr GARETH WARD: The \$70 million, just to be clear, was just in relation to the housing and homelessness response, \$34 million of which was for the immediate response, which related to things like temporary accommodation and the additional support for Rent Choice, Rent Choice Youth and Rent Choice Start Safely. Since 1 April, we have supported—I am sure Mr Vevers will correct me if I am wrong—about 23,000 people with either temporary accommodation or supports into some form of housing with Together Home. In relation to—

The Hon. PENNY SHARPE: Just to be clear, when you say 23,000 people, that is not 23,000 individual people?

Mr GARETH WARD: It is individual people.

Mr COUTTS-TROTTER: No, that is unique people.

Mr GARETH WARD: It is unique people.

The Hon. PENNY SHARPE: That is great. Okay, terrific.

Mr GARETH WARD: Just to be clear, around 3,300, Mr Vevers, are rough sleepers, off the top of my head?

Mr VEVERS: Yes, 3,320.

Mr GARETH WARD: That is the rough sleeper component. Just to put that into context, Ms Sharpe, that is a hell of a lot of work in a very short period of time. We have done that through upscaling assertive outreach. When I became the Minister, we were doing assertive outreach in Sydney. We have expanded that program to places like Newcastle, the Tweed and, I think, around 36 local government areas across the State. That was the component of the first—

The Hon. PENNY SHARPE: Could you—

Mr GARETH WARD: Sorry, can I just answer the question?

The Hon. PENNY SHARPE: You can, but could you provide us with a breakdown, particularly for the regional areas, in terms of where assertive outreach has actually reached people? I am very interested. It is a much-needed thing.

Mr GARETH WARD: There were 36 areas so I am happy to take that question on notice and provide you the data. The first announcement was the \$34 million, and that was in relation to the temporary accommodation and the immediate supports. The \$36 million—so that is the total of the \$70 million you are asking about—was for Together Home. Most of that money goes towards the wraparound support services that people need to sustain tenancies because, as you and I would both agree, people who are rough sleepers are there because of a symptom of another issue—domestic violence, drug and alcohol addiction, family violence, financial hardship, mental illness. So that money is going towards sustaining those tenancies and keeping people—

The Hon. PENNY SHARPE: How many people have gotten a tenancy under that program?

The Hon. TREVOR KHAN: Point of order—

The Hon. PENNY SHARPE: I am not trying to be tricky.

The Hon. TREVOR KHAN: I know you are not trying to be tricky.

The CHAIR: I think the point is well made so we can move on.

Mr GARETH WARD: I am happy to answer the question. In relation to Together Home we have supported, to date, 377 people who were rough sleepers, who are now in accommodation. To put that into context, I think to 2019—and again Mr Vevers will correct me if I am wrong—we helped about 700 rough sleepers into full-time accommodation.

Mr VEVERS: It was actually a bit more than that, Minister. Over the last year it was just around 1,000 rough sleepers.

Mr GARETH WARD: Just around 1,000. But to put that into context, 377 rough sleepers into accommodation in just a few months is a phenomenal effort, and it is a great credit to our assertive outreach teams and our homelessness teams across the State.

The Hon. PENNY SHARPE: Yes, that is terrific. Can I just clarify, when they are in the Together Home program, that is actually put into a tenancy as opposed to temporary accommodation arrangements?

Mr GARETH WARD: They are transitioned from temporary accommodation—

The Hon. PENNY SHARPE: Yes, that is what I am trying to get at.

Mr GARETH WARD: —to a tenancy which is headleased through community housing providers.

Mr COUTTS-TROTTER: And 377 people are either supported in temporary accommodation with wraparound supports or housed, so of that number 234 people are now in their own homes. The balance between that and 377 are in temporary accommodation but receiving wraparound supports and are soon to move into headleased accommodation.

Mr GARETH WARD: Some leases are yet to be finalised though, I think.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: That is fine. Do you have figures on how people have been able to maintain that? Do you actually have figures on numbers where the tenancy has broken down?

Mr GARETH WARD: Yes, that is a really good question. Look, it is still early days yet. I have some anecdotal stories of where people have moved back into homes and have gone back to sleep on the street. I do not have that but I am happy to take that on notice and get back to you.

Mr VEVERS: If I could add to that, in our normal assertive outreach programs, so this program aside, we retain about 95 per cent of people. It is an amazing figure. So once we stabilise people in temporary accommodation we have usually got them and we keep them. We do not keep everybody in temporary accommodation. Some people do disappear.

The Hon. PENNY SHARPE: That is good. They are very good figures. I have one more question on the housing stuff. Those that are not in the Together Home program—so we have got 377; you have housed about 3,320, so there is just under about 3,000 rough sleepers. How is the transition post-COVID? What are you doing? Is everyone still in temporary accommodation? What is the proposed rollback and timing of that?

Mr GARETH WARD: Obviously we are seeking to transition as many people as we can. There are some people that are still in temp—

The Hon. PENNY SHARPE: But you do not have 3,000 housing units that you can put people into.

Mr GARETH WARD: No, that is right. That is obviously going to be a challenge but it is still the largest single investment we have made in rough sleeping in the State's history.

The Hon. PENNY SHARPE: And you get a tick for that, Minister. I want to know how you are going to manage from here.

Mr GARETH WARD: Obviously we want to house as many people as I can, Ms Sharpe, and we are doing the best we can with what we have available and what we have been supported to provide.

The Hon. PENNY SHARPE: Sure. What is the timing in terms of the temporary accommodation arrangements?

Mr VEVERS: For people who are sleeping rough, as long as they work with us we maintain them in temporary accommodation until we have a housing solution. We do have 7,000 vacancies a year in public housing. People who are sleeping rough obviously are very high at the top of that queue. Some rough sleepers are also able to manage in private rental accommodation, not a huge number, but we have assisted around about 200 rough sleepers during COVID into private accommodation, sometimes boarding houses—

The Hon. PENNY SHARPE: Sorry, that is a different 200 than the Together Home program?

Mr GARETH WARD: Yes.

Mr VEVERS: Yes.

The Hon. PENNY SHARPE: So that is an additional 200?

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: Good.

Mr VEVERS: Sorry, I am exaggerating. It is 143 rough sleepers—

The Hon. PENNY SHARPE: That is okay. It is still pretty good.

Mr VEVERS: —who we have assisted into private rental accommodation.

The Hon. PENNY SHARPE: The money is finite. You have injected significant money, which is very welcome and has been very important during COVID. As things are, fingers crossed, getting better, surely you are not going to be able to maintain 3,300 people in temporary accommodation. What are the plans for transition out of that?

Mr VEVERS: If I can say the vast majority of people who come into temporary accommodation need temporary accommodation for a small number of nights to sort themselves out. These are sometimes people who have had a break-up with their family, sometimes young people who have broken up with their family. Sometimes five or six days in temporary accommodation is enough time for them to reconcile with their family and go back. Since COVID we have contracted Neami to contact everybody who comes in to temporary accommodation and ask them if they need support. Around about 20 per cent of people then ask for support which is either financial support into the private sector or into social housing. I am not just talking rough sleepers here; I am talking everybody. As at last night we had about 920 families in temporary accommodation. So the number of people in temporary accommodation has gone down from—

Mr COUTTS-TROTTER: About 1,500 at the peak.

Mr VEVERS: Yes. So it has reduced, and most of that is people resolving their own need; people who are in shared accommodation, for example. It fell over. They need a bit of time to get another shared accommodation arrangement. So because we got some additional funding this year as well as last year, we are able to sustain people in temporary accommodation either until they resolve their own need or we help them to resolve their need.

The Hon. PENNY SHARPE: That is very good news but my question still goes back to the rough sleepers. By the numbers you have given us there is probably about 500 you have got into long-term permanent housing. That is really good. There are still over 2,000 people there. Are you saying to me that essentially they will stay in temporary accommodation for as long as it takes to find them permanent accommodation? Is that the commitment?

Mr VEVERS: Last night we had 198 rough sleepers in temporary accommodation, so that number has dropped as some people have chosen to leave. But where people are working with us, our commitment absolutely is to keep them in temporary accommodation until we can house them. And yes, sometimes that means it is quite

expensive because we are keeping people sometimes for two months, sometimes a great deal more than two months, in order to get them into housing.

The Hon. PENNY SHARPE: My understanding is if people ring Link2Home they can get offered up to two days' accommodation initially, whereas the assertive outreach is up to 30 days. Can you explain to me if people are coming through Link2Home rather than assertive outreach whether they are able to get the extra 30 days?

Mr VEVEERS: The 30 days was pre 1 July. Since 1 July we have reverted back to business as usual. But we do have a variable amount of temporary accommodation offered by assertive outreach, because they are engaging face to face with the person and can assess them. For people who have come in through Link2Home, it is a short telephone assessment. They then have to call or they can come in to the local office. We prefer people to call and they will then go through a much fuller assessment than is possible on Link2Home. Then they will be allocated an amount of days according to what they need and we do also test people to make sure that they are actually actively looking for accommodation. So we might give them five or six days and we will say, "You've got to demonstrate to us that you have tried to go to real estate agents, that you have tried to house yourself." If they are actively pursuing housing we will renew their temporary accommodation again and they can do that by phone.

The Hon. PENNY SHARPE: And you are not making people move in and out of their temporary accommodation—

Mr VEVEERS: No.

Mr COUTTS-TROTTER: No.

The Hon. PENNY SHARPE: —which was happening previously.

Mr VEVEERS: Yes, it was. It was happening one night at a time previously. We extended that.

The Hon. PENNY SHARPE: Extended it to what?

Mr VEVEERS: Two nights. Two nights or until the office is open, so if it was last weekend somebody might have got five nights if they came in on Friday. But then we ask them to call before they have to pack their bags to leave the temporary accommodation so that we can work out with them where to go, and if there is a space in the Specialist Homelessness Service we ask them to go there.

The CHAIR: Continuing on that theme about rough sleeping and homelessness, Homelessness NSW welcomed the \$72 million and appreciated the outcomes but they were critical of how it was implemented. Their evidence stated:

As my colleagues said, one of the main issues was a lack of joined-up data and referral systems, which created gaps in supporting clients. We had overly administrative processes for accessing hotels, causing anxiety and uncertainty for clients and a huge amount of work for homelessness services and department staff in managing.

Minister, I am sure you would have received some of that feedback directly. What is your response to that and what has changed since?

Mr GARETH WARD: I suppose that goes to Ms Sharpe's earlier question of what things you would do differently but I would simply say, Mr Chairman, there has been no how-to guide to any of this. There is not chapter and verse on what you would do when a pandemic hit. We did the best that we could with the resources that we had available. Our intentions were always the best, which was about housing as many people as we could. I do appreciate and acknowledge the feedback from Homelessness NSW. They have been an absolutely tremendous partner to work with and to seek advice from. We will always listen to that advice and try to improve practice. Just so you are aware, I was having weekly sector calls with all of the peak bodies when COVID started, including Homelessness NSW and Ms Sharpe as shadow Minister. Any of that feedback we received we were seeking to act on as quickly as we could.

The CHAIR: What have you done to address their concerns about it being overly administrative? Homelessness NSW said that it did not get any additional resources to deal with this and that its staff are at risk of burnout and exhaustion. The pandemic has not gone away; the work is continuing. What is being done?

Mr VEVEERS: Can I describe what I think they are referring to? If we take 1 April as when it reached a crisis point, we had staff and Health colleagues out on the streets 50 times a week during April. That meant we were getting a lot of people sleeping rough who were frightened and wanting to come in, which we welcomed because some of them would not come in before. We pre-booked 350 hotel rooms in Sydney to receive them and

our on-the-street staff had to ring into our housing contact centre to get allocations of rooms. That took some time to do.

Within about 10 days all our staff had iPads and we were able to give them the hotel allocation on their iPads so that when they were face-to-face with a rough sleeper they could press a button and say, "You are in a Holiday Inn at Potts point. You can turn up there now and you will find room for you—they will allocate you a room number." We used technology to get over that initial bit of bureaucracy, which was unfortunate and, absolutely, as the Minister said, something we are learning from and developing a permanent IT system. I cannot comment on Homelessness NSW staff because I do not know enough.

The CHAIR: That iPad and that online booking is available to your staff but what about those NGOs who are out there working with homeless people who are often on the front line wanting to get some accommodation for a rough sleeper whom they are working with? Their evidence was very clear: there were a lot of gaps, it was very administrative, it was taking a lot of their time to identify a home and identify a place. What have you done to bridge that gap?

Mr VEVERS: In most cases those NGO staff—I am talking Sydney here, which is where there are the most rough sleepers—are out with our staff. We do it together. There are relatively few occasions when those NGOs are out on their own. But everybody can ring Link2home. We put on additional staff during the early COVID period to be able to deal with what definitely was an increase in calls and our waiting times were not that long during that period.

Mr GARETH WARD: Mr Shoebridge, we also developed a crisis accommodation register and I might ask Ms Walker if she wanted to elaborate on that work.

Ms WALKER: Thanks, Minister. There was a list put together because actually what we had during the COVID period was a huge amount of hotels that came forward wanting to offer opportunities for us, particularly around people who were either rough sleepers or leaving domestic violence. We were able to create a register and channel that into one place because we knew that providers were overwhelmed in a lot of cases by offers of help. That provided us a central system to be able to do that.

Mr COUTTS-TROTTER: Also, if you are a client of a specialist homelessness service, as opposed to temporary accommodation, every specialist homelessness service has a client information system that gives them information that they can see elsewhere in the system. What has come under pressure as a result of COVID is the interaction between Link2home, the allocation of temporary accommodation, the broader specialist homelessness service system and, increasingly, health care because increasingly our assertive outreach teams have a colleague from Health as a member of the team giving us support to better assess people's mental and physical health. There is a challenge there in better linking Health information and specialist homelessness service system client information and information about who is in temporary accommodation and where they are leaving to.

Mr GARETH WARD: Just to add to that, that accommodation register was developed in partnership with the peak bodies. I certainly acknowledge what you have repeated in relation to their evidence. I have a very good working relationship with them. Obviously, we will seek to make any improvements we can to make that easier.

The CHAIR: Going to that lack of a sort of coherent overall government service, they also made it clear that one of the concerns is "a lack of a joined-up approach between Health, Housing and Justice". Mr Coutts-Trotter, you acknowledge that that is a challenge and what that challenge has meant is that people are still falling through the cracks. What are you doing to join up those critical services?

Mr COUTTS-TROTTER: The big change in the recent period is including Health in our outreach efforts in 53 locations around New South Wales. The homelessness strategy that was initiated by the Government before the COVID identifies the key transition points that present people with a risk of homelessness coming out of institutions, including health institutions and mental health care.

The CHAIR: And prison.

Mr COUTTS-TROTTER: Yes, and prison. There is a lot of work going on to better plan for people's transition from prison, both in identifying earlier people's housing need—at least three months before they are released, when we know someone's release date—and also linking that for those people who need continuing mental health supports. We are now working in a different way and much more closely between Justice, Health, inside the prison system, local health districts [LHDs] and the additional staff the Government has funded for community mental health care to better plan people's transition out of prisons. We have a big challenge in developing an IT platform that facilitates this different way of working. We are working with systems that

basically support a more siloed approach to all of this and what we need is a system that, respecting people's privacy, provides better information about individuals across agencies. Mr Vevers' team has done work with other agencies in government to try to initiate that.

Mr GARETH WARD: If I could supplement the secretary's evidence, we also have an inner city homelessness task force that comprises the LHD and housing services and supports, including, I think, Neami as well. Neami provide the supportive transition engagement program which is the transition from temporary accommodation to more permanent, supported accommodation.

The Hon. PENNY SHARPE: Does that system pick up kids in Juvenile Justice [JJ]?

Mr GARETH WARD: They already have a plan, I think, for exiting—

Mr COUTTS-TROTTER: Yes, look, it has not been a strong focus. In part because, as the Minister said, planning there is—because there are 191 young people in detention—

The CHAIR: I think we will do JJ separately, rather than try to deal with it here.

Mr COUTTS-TROTTER: Okay.

The CHAIR: Homelessness NSW also points out that 30 per cent of all its clients are Aboriginal and that is consistent across the State. It points to the ongoing lack of an Aboriginal specialist service in the system, especially for homelessness services. Have you provided any additional allocation to Aboriginal homeless services?

Mr GARETH WARD: In fact, last week I was on the Central Coast and announced more than \$1 million to supplement the Together Home initiative there. We are only asking for Aboriginal-controlled organisations to tender for that work so that we can support homelessness in an area that has the fastest-growing rates of Aboriginal population anywhere in the State.

The CHAIR: But Minister, if that is going to be limited to the Central Coast, it is a big State and 30 per cent of all homeless people across the State are Aboriginal. I think you would agree with me that a program just for the Central Coast will not deal with that.

Mr GARETH WARD: No, I certainly agree. We have specialist homeless services for Aboriginal people as well that are doing tremendous work.

The CHAIR: I think the problem is that they are being grossly overworked.

Mr GARETH WARD: I think all homelessness services are, Mr Shoebridge.

The CHAIR: But particularly Aboriginal services. That is the evidence, not just from Homelessness NSW but the evidence you get if you talk to anyone in the community is that there are a lack of Aboriginal specialist services.

Mr COUTTS-TROTTER: Before Mr Vevers—who knows more about this than me—hops in, looking back to the reforms of 2014 to the specialist homelessness service system, since that time there has been a 70 per cent increase in the number of Aboriginal people getting a service from the specialist homelessness service system. One of the objectives of those changes was to do precisely that, recognising that Aboriginal people on average are at a high risk of homelessness and the service system did not respond well to their needs. Beyond that there is more to do but, quite specifically, the Government in those reforms identified that as an objective and sought to partner with organisations that could build the capability to provide culturally appropriate services to Aboriginal people.

The CHAIR: Mr Coutts-Trotter, you have the data that shows there has been a 70 per cent increase, can you give us the data that shows the actual proportion of Aboriginal people?

Mr COUTTS-TROTTER: I do not have it off the top of my head, but I am happy to take it on notice.

The CHAIR: And the numbers.

Mr GARETH WARD: I am happy to take that on notice. Mr Vevers may wish to comment on the additional funding.

The CHAIR: I am glad I did not skittle Mr Vevers on the zebra crossing this morning. You came out of a blind spot.

Mr GARETH WARD: I always worry when I cross a zebra crossing as well.

The Hon. TREVOR KHAN: You have a blind spot, do you?

Mr GARETH WARD: I just have one big blind spot, as we would all be aware. Innari also received additional funding, which is an Aboriginal organisation in the inner city to support assertive outreach. Perhaps Mr Vevers may wish to comment on it as it seems he has had a second chance in life.

Mr VEVERS: I am very grateful to you, Mr Shoebridge, for not knocking me down.

The CHAIR: It was the pace you came out of The Domain, Mr Vevers, that surprised me.

The Hon. NATALIE WARD: He was keen to get here.

Mr VEVERS: We do work with a number of Aboriginal organisations. If I give you the example of Innari. We are out together with Innari every week of the year and they particularly work with Aboriginal people sleeping rough and then they help see those people through, as do we, on their pathway, hopefully, into long-term housing. We also have a number of Aboriginal staff ourselves who work on assertive outreach.

The CHAIR: Minister, it is the constant refrain from your portfolio area when you ask about a statewide problem or systemic problem you get told about a pilot project or an individual service or an example that is doing well or a funding outcome on the Central Coast, whereas these are statewide problems. There never seems to be a statewide response where you say we are going to have 30 per cent of homelessness services being Aboriginal lead and Aboriginal directed because 30 per cent of people who are homeless are Aboriginal. We never seem to have that statewide response. That seems to be repeated with your Central Coast announcement.

Mr GARETH WARD: The only reason I use that example, Mr Shoebridge, is because I made that announcement last week following representations from the Parliamentary Secretary and local member, Adam Crouch, and one of your upper House colleagues as well. The argument is quite easily made out in an area where there is a fast-growing rate of Aboriginal people and it would not make sense that where there is a high proportion of Aboriginal people that you address those areas. I acknowledge your point. Obviously I want to see more of Aboriginal controlled organisations supporting Aboriginal people. I also want to make sure there is no wrong door so that when people walk through any door of any organisation they are supported regardless of ethnicity or race.

The CHAIR: We will get that data from Mr Coutts-Trotter on notice?

Mr GARETH WARD: Yes.

Mr VEVERS: We also have a statewide Aboriginal housing office which provides almost 5,000 social housing homes for Aboriginal people and means that an Aboriginal person on the priority list will get housed more quickly than a non-Aboriginal person, including rough sleepers.

The CHAIR: Minister, you said that over the course of the pandemic 1,000 rough sleepers have been helped into accommodation at one point or another. Is that 1,000 distinct individuals or is it some people washing in and washing out?

Mr COUTTS-TROTTER: No, distinct individuals. And the number my colleague Mr Vevers used was for the 2019-20 financial year. It is not quite the period of the pandemic.

The CHAIR: How does that compare to the previous financial year?

Mr VEVERS: I would have to take that on notice; I do not have that figure with me.

The CHAIR: Could you give a sense of whether it has been a substantial increase because of the pandemic homelessness work?

Mr COUTTS-TROTTER: Yes.

Mr VEVERS: It definitely would be an increase. If you go from three assertive outreach locations to 53, obviously we are going to pick up more people sleeping rough.

The CHAIR: I do not think there is any doubt. That is acknowledged across the sector. Given that this is like a homes first strategy.

Mr GARETH WARD: Housing First.

The CHAIR: We have seen the Housing First strategy have enormous success in long-term health, economic and social outcomes in places like Finland. Is this now going to be government policy, the Housing First policy?

Mr GARETH WARD: It is not the first time we have used the Housing First approach. You might recall Platform 70 from 2011 to 2013, if my memory serves me right. It is not the first time that we have engaged with this policy. But, certainly I think that it has worked incredibly well so far and I am very supportive of things that get outcomes for people who are vulnerable. There have certainly been some terrific outcomes that I have seen and I am very supportive of this approach and I am very grateful that the Treasurer has funded it so far.

The CHAIR: But you see, do we not run the risk of seeing in your portfolio again: We had this great pilot program, we ran it for six to nine months during a pandemic, the Housing First strategy, it was wonderful, look at all these great outcomes. Then, at the end of the six to nine months when the funding runs out, bang, we go back to business as usual. All of that learning, all of that potential benefit, is lost again. Minister, can you assure us that will not be repeated here?

Mr GARETH WARD: The reason we have a Premier's priority around rough sleeping is that we not only have a Premier that is committed, all of government is focused and I am personally invested in all of this and we have asked for an economic evaluation to occur as a result to get a home. It is fair to say it is important we evaluate. Every program I would expect and I would hope would have to answer questions about how the program has gone once it has been fully implemented to make sure we have done the right thing. I personally believe we have done a very good job. The Housing First approach is working. It is something that Katherine McKernan and the homelessness peaks have championed and I have been very keen to support it and seek funding from Treasury and I am very proud of the results that we are achieving.

The CHAIR: When you say assessment, who is undertaking that assessment and when are we going to have the first data released on the assessment?

Mr VEVERS: We have committed ourselves to be accountable in terms of the Premier's priority and that we will do a street count across the State every year. We did the first one last February. We acknowledged that the combination of bushfires and floods meant that was an undercount. We counted 1,300 rough sleepers across the State in a large number of locations but we think that is an undercount. The next count will be in February and we will do that every year. Those results have already been published for last February.

The CHAIR: What about the benefits, economic social and health, to the 1,000 people who have been moved into housing? It has almost been like a made-to-measure study of a Housing First strategy. Have you got somebody doing a longitudinal study of that and assessing the broader outcomes?

Mr COUTTS-TROTTER: My colleague Simone Walker.

Ms WALKER: Just on Together Home, we are appointing an evaluator in October. They will be looking at both the metro, regional and also the high needs packages which Homelessness NSW may have mentioned in their evidence where they are administering those 40 packages through that service. We will be keen to see the differences and also the similarities between how that has been applied, knowing that some of the regional areas in New South Wales rental properties are incredibly tight and that may have an impact.

The CHAIR: Given it is October, does that mean your intention is that sometime in the next few weeks you will appoint someone to do an analysis of it? It does seem rather like catch up, I would have thought. If you are rolling out a program like this that has the potential to provide such benefit, I would have thought you would have provided an assessment at the beginning.

Mr GARETH WARD: It is a great question. Just to answer it directly. We have not finished filling all of the vacancies. Once the program is fully rolled out it will make sense then to make sure that we do a proper evaluation of the program once it is concluded. Did you want to add anything to that, Ms Walker?

Ms WALKER: No, that is absolutely accurate.

The Hon. PENNY SHARPE: How many vacancies do you expect to fill, what is the total number?

Ms WALKER: As the Minister reported earlier, I think we are at 377.

Mr COUTTS-TROTTER: Capacity is 400.

The Hon. PENNY SHARPE: I wanted to ask you about risk of serious harm [ROSH] figures. I know that we have not got the reporting yet to June. There has been quite a lot of data come out of other countries in relation to, essentially, through various lockdown programs kids being caught in families where things are not good. I am wondering what your expectation is in relation to the June quarter reporting and whether you expect there to be a dip given there was around 10 to 12 weeks particularly where mandatory reporters, particularly schools and teachers, and to a lesser degree doctors and nurses, had less eyes on kids?

Mr GARETH WARD: Yes, you are right Ms Sharpe. World experience has been that these reports fell during the lockdown periods and you are also right that our second largest group of mandatory reporters is teachers. You are right, the data has fallen and increased. My understanding is whilst the numbers for July were down compared to June they were up on this time last year.

Mr COUTTS-TROTTER: They were. Just to take that period, looking at 2019 children screened in at risk of significant harm and 2020 the same measure: In 2020 ROSH reports were up in January on the year before, up in February on the year before, flat in March, slightly down in April—and this is the period you are talking about—flat again compared to the year before in May, up in June, up in July and up in August against the year before. But as the Minister said, there was a larger number of children screened in at ROSH in June than there was in July, which is probably something of a catch-up of the period when fewer children were at school.

Ms CZECH: Ms Sharpe, if I could just add to the Minister's comment, that the biggest reduction, as you would expect, was from the Department of Education and teachers in particular because children were not being seen in that setting.

The Hon. PENNY SHARPE: Of course. I am not trying to allocate any blame.

Ms CZECH: No, no.

The Hon. PENNY SHARPE: I am trying to get a handle on what it has actually meant for kids. That goes to my next question: I am aware of some work done in the UK that basically showed that during the lockdown in the UK the severity of injuries of small children, in particular, presenting to emergency departments was significantly increased, both in the number of kids presenting and the severity of their injuries. Have we been tracking that?

Mr GARETH WARD: Yes, we have.

The Hon. PENNY SHARPE: If so, how? Could you give us a bit of an update about that?

Mr GARETH WARD: Yes, we have, and my understanding is that those reports are up. Obviously, as you would be aware, emergency staff are mandatory reporters and they are fast-tracked if they ring through to the Child Protection Hotline, because obviously the circumstances are often more severe. But I do believe the presentations—

Mr COUTTS-TROTTER: Reports of sexual abuse or serious physical abuse are allocated to our Joint Child Protection Response teams, the highly successful partnership between NSW Police Force, Department of Communities and Justice [DCJ] and NSW Health. We have not seen an increase in the proportion of children, thankfully, who have been reported as experiencing significant physical abuse. We looked at the evidence from overseas as well and we concluded this is something we have to keep a close eye on. There is strong evidence out of the US that in previous economic downturns one of the features of those downturns was an increase in physical abuse of children. But we have not yet seen that borne out in reports to the Joint Child Protection Response group.

The Hon. PENNY SHARPE: Are you confident that you are picking up—again, I am just interested that we are actually picking up—there are emergency departments that might not be picking that up, do you think? Or is that just generally the case?

Mr COUTTS-TROTTER: I would be confident in normal times that they would. I would be particularly confident, actually, in COVID times, because the volume of people turning up at emergency departments has fallen. They have become less busy places, giving health staff more time, I guess, to assess these things.

Mr GARETH WARD: Ms Sharpe, I have just received a note. ROSH reports specifically from NSW Health for July 2020 are 2 per cent higher than June 2020 and are 20 per cent higher than July 2019.

The Hon. PENNY SHARPE: Yes, okay.

The CHAIR: Some 20 per cent higher than July 2019?

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: We will probably come back to you at a different point in terms of unpacking that.

Mr GARETH WARD: I understand.

The Hon. PENNY SHARPE: That is the concern. I place on record that I know caseworkers had an incredibly difficult time trying to see people when you are not allowed to see people and all of those things. But I have spoken to some caseworkers who have been fearful of what is happening to kids in homes and the issues in terms of presentation and being able to see them. That is why I asked the questions.

Mr GARETH WARD: If I can just jump in, and feel free to stop me if you do not want to know this, but we did develop some practice guidelines around visiting during that period, particularly using digital devices for digital visits to make sure that we could continue as much face to face as we could, but also to use other platforms as well.

Ms CZECH: In addition to that, there was guidance around children at risk of significant harm and caseworkers, where possible, checking in with families before they went. But then after that risk assessment, if it was determined that we still needed to conduct a face-to-face assessment they would use personal protective equipment [PPE] in order to go out and carry out that face-to-face assessment.

The Hon. PENNY SHARPE: That is not an easy thing to do, I would have imagined.

Ms CZECH: No. Our caseworkers are absolute troopers and they have done a phenomenal job.

The Hon. PENNY SHARPE: They are amazing.

Mr COUTTS-TROTTER: And actually they have significantly increased the number of children assessed in the last three months. At this stage it is more than 25 per cent above the number of children they saw in the same three months last year. They are doing an extraordinary job.

The CHAIR: What is the explanation for that? Is it as a result of more Zoom sessions or some productivity changes?

Mr COUTTS-TROTTER: We have a thesis. Partly we think we have got past some of the issues with people's ability to use ChildStory as a platform. The Minister has also indicated we are making ChildStory mobile, so we think that will improve. We have really embedded our child protection practice framework so that people really understand, I think, very clearly their roles. The role of the casework support officers in supporting caseworkers to get out and see children is proving to be really effective. There is great leadership at a manager-casework level and a real focus on undertaking safety and risk assessments quickly, so that people are able to move on where risk is low and moderate and we do not need to be working with that family. We think all those things in combination explain what is happening—plus we are really recruiting great people.

Mr GARETH WARD: Over this period we have also seen the number of alternative care arrangements continue to fall, which I know is of interest to Mr Shoebridge and Ms Sharpe.

Ms CZECH: If I could just add to the caseworker vacancies, that has been—

The Hon. PENNY SHARPE: Good. I was about to ask about those. It would help if the Minister would actually provide me with the information that I ask for, which I am sure you have dutifully provided to his office. But that is okay; you can let me know how that is going.

Mr GARETH WARD: I am not aware of not providing you that data.

The Hon. PENNY SHARPE: No, you have not. You have flicked it back again.

Mr GARETH WARD: I do not think that is right.

Ms CZECH: Ms Sharpe, maybe you could ask your question and then I can answer it.

The Hon. PENNY SHARPE: This is the third attempt I have been seeking this information, probably the fourth attempt if you count when I have asked questions on notice. In the last budget you said that you were recruiting 72 new caseworkers.

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: In a variety of meetings it became clear that really none of them had been in place until earlier this year. I have been seeking information not just on whether they were recruited but when they actually physically started work. No-one has been willing to prepare that information. I do not think it is an unreasonable question. I am happy for you to take it on notice if you are actually going to provide it to me. You crowed that in the budget 12 months ago you were recruiting 72 new caseworkers and I know that not one new person started until after March this year. I want to know when they started and where they were.

Mr GARETH WARD: For clarity, I would not crow about caseworkers.

The Hon. PENNY SHARPE: You made an announcement in your budget.

The Hon. TREVOR KHAN: Let him answer.

Mr GARETH WARD: Ms Sharpe, I think the success of a social safety net is not actually how many people are in it but how many people no longer need it. That aside, there are 2,333 funded caseworker positions. They are all full; that is my advice.

Ms CZECH: Yes, that is correct.

Mr COUTTS-TROTTER: We have, in the deadening jargon, a "negative vacancy". In other words, we have got more than 2,333 caseworkers.

The Hon. PENNY SHARPE: As of today?

Mr COUTTS-TROTTER: Yes.

Ms CZECH: And we have for the last few months. The next case—

The Hon. PENNY SHARPE: I am happy about that. The point that I—

The Hon. TREVOR KHAN: Sorry, can Ms Czech just answer the question?

Ms CZECH: I was just going to add that the next caseworker dashboard is scheduled to be released for the period up to the end of June at the end of this month. That will reflect exactly what the Minister and Mr Coutts-Trotter just—

Mr GARETH WARD: Ms Sharpe, your concern is a right one. I absolutely agree with you that it is unacceptable to have a caseworker vacancy rate. My commitment is to keep that at zero.

The Hon. PENNY SHARPE: Yes, I know.

Mr GARETH WARD: I just want to acknowledge your concern, because I think you are right to have it.

The Hon. PENNY SHARPE: Sure. The issue is that you have still got a figure where around 30 per cent of kids who are reported at risk of serious harm are actually seen by a caseworker. By what Mr Coutts-Trotter has said, we are looking forward to figures nudging up towards 40 per cent, if that is what I understood. You had a 25 per cent increase in the number of kids being seen; that is around 37 per cent, we would expect, in the next figures.

Mr COUTTS-TROTTER: It depends on the growth and the number of children reported at ROSH, of course, but yes.

The Hon. PENNY SHARPE: Yes, okay.

Mr GARETH WARD: More children are being seen.

Ms CZECH: Yes.

The Hon. PENNY SHARPE: Yes, that is right, and 72 new caseworkers was a good announcement welcomed by all. My concern is that the budget pressures on the department mean that the easiest way that you can meet some of your savings targets is not to fill those. I do not understand why it took—

Mr GARETH WARD: Not while I am the Minister.

The Hon. PENNY SHARPE: Why did it take over nine months for you to fill those positions?

Mr GARETH WARD: That is an operational question, but I have made it clear that I want a zero vacancy rate. I am sure, Ms Sharpe, it would not matter whether it was me in this role or you in this role or anyone else in this role. That is the expectation.

The Hon. PENNY SHARPE: I am not arguing about the vacancy rate. I am asking about 72 funded positions that were not filled for over nine months.

Mr GARETH WARD: That is what it relates to.

The CHAIR: Minister, you said it was an operational issue so maybe Mr Coutts-Trotter can give the operational answer.

Mr COUTTS-TROTTER: I am happy to take more detail on notice but the challenge that we had—and we have to continue to work on this. We had locational challenges in filling roles, so we would find ourselves with the Far West, Hunter New England and sometimes mid North Coast with the Joint Child Protection Response Team, because what we want there are experienced caseworkers. We have had to really hone in on the factors that are relevant in particular locations or, in the case of the Joint Child Protection Response Team, the kind of requirements for the work. That was a challenge for us in getting the 72 roles filled as quickly as we would like. We are fully filled now, as I say, overfilled across the system. The Minister quite literally asks us about it every week. It is an extraordinarily regular and powerful form of accountability.

The Hon. PENNY SHARPE: Considered that added to the list then. To help you with that, Minister.

Mr GARETH WARD: I appreciate your help.

The Hon. PENNY SHARPE: Ms Czech sort of talked a little bit about the issue of the digital divide, which really opened up during COVID, and the issue of kids in out-of-home care particularly or even kids within or getting out of the family and services not having access to devices. How many devices did the department end up actually giving out?

Mr GARETH WARD: We gave out 893.

The Hon. PENNY SHARPE: My understanding is that you had over 6,000 applications.

Mr GARETH WARD: A lot of those were duplicate applications.

The Hon. PENNY SHARPE: How many of those were duplicate applications?

Mr GARETH WARD: I don't know the answer to that question.

The Hon. PENNY SHARPE: Can you take that on notice?

The CHAIR: Not 5,107.

The Hon. PENNY SHARPE: I wouldn't think so.

Ms WALKER: I am happy to provide that at a later date because we do have the details. Not only did we have multiple agencies putting in for individual families but some agencies putting in multiple times for the same—

The Hon. PENNY SHARPE: Sure, but let us be clear that the demand massively overwhelmed supply.

Ms WALKER: I think that is a fair characterisation. It was an open call. It was an absolutely open call for people. What we know is that the Department of Education had 10,000 devices that they were handing out, prioritising kids who were in regional areas and also in year 10, 11 and 12. So we had to balance with that as well.

The Hon. PENNY SHARPE: Yes, that's great, but there was no carve-out specifically for kids in out-of-home care.

Ms WALKER: But we also know that out-of-home care providers including DCJ were also providing devices to children and young people.

Mr GARETH WARD: We did have criteria though which are related to—

The Hon. PENNY SHARPE: No, I am not asking that. I want to know how many—

The Hon. NATALIE WARD: Let him finish. With respect, he was trying to answer your question. I would like to hear the answer.

Mr GARETH WARD: I am happy to seek clarity from the member.

The Hon. PENNY SHARPE: I am trying to understand how many kids in out-of-home care ended up with a device through this process.

Mr COUTTS-TROTTER: We will have to take it on notice, but there were a number of ways in which children in care would be equipped with devices: firstly, for those in public schooling, the Department of Education itself; secondly, the mechanism you are asking about; thirdly, both DCJ and non-government care providers bought devices. Between March and August we spent \$1.7 million on additional educational supports which were not just devices. It also included tutoring and other educational supports. We know that our non-government partners have done the same but I was not able to get a number for you in anticipation of the question. We will try and answer it on notice.

Mr GARETH WARD: I will also just add that we are working with the Department of Customer Service to try and make this an ongoing feature, so that where we can repurpose devices for children that need them, we will. I think that is a very good use.

The Hon. PENNY SHARPE: Were the devices that you provided repurposed from elsewhere or were they new devices?

Mr GARETH WARD: They were often donated. They were repurposed from elsewhere. There was, I think—

The Hon. PENNY SHARPE: Did you get some from Transport?

Mr GARETH WARD: Yes, we did.

Mr COUTTS-TROTTER: For the 890-odd, but for the devices that we bought ourselves for children in DCJ care or our non-government partners bought—they bought devices as need be and particularly network connections.

The Hon. PENNY SHARPE: I mean data is the big issue.

Mr COUTTS-TROTTER: Data is the big issue.

The Hon. PENNY SHARPE: All of the community organisations are saying that it might be fine. Mum might have one phone in the house, but she might be doing TAFE and a whole range of other things. The idea that kids were doing schooling from home with one device—

Ms WALKER: Yes, the hardware is not really the issue.

Mr GARETH WARD: I am sure you would recall the conversations, Ms Sharpe, because I believe you or your staff member were on the calls when we were having these conversations with the sector more broadly.

The Hon. PENNY SHARPE: Yes, that is right. But my question ultimately is that if we have only been able to get about 800 devices—there is a bigger question here that COVID has really led to. People have been talking about the digital divide for quite a long time. We know that kids in out-of-home care particularly move around a lot. I am just wondering whether, upon your reflections of things that we might do differently, actually having a digital strategy to close that gap for kids in out-of-home care would be seen as a good thing.

Mr GARETH WARD: Correct me if I am wrong, I am not aware of other States doing anything similar. But what we are—

The Hon. PENNY SHARPE: My understanding is that Victoria—

The Hon. TREVOR KHAN: Let him answer.

Mr GARETH WARD: My understanding is that we were focusing on kids where there was a service that was provided but due to COVID they were not going to be able to get the service, so we rolled them out as a priority. Vulnerable children who were nought to five years old and people in rural and remote areas were the ones that were given priority.

The Hon. PENNY SHARPE: My understanding is the devices were not rolled out until about July. Is that right?

Mr GARETH WARD: I would have to ask Ms Walker.

Ms WALKER: I can get the dates on that.

The Hon. PENNY SHARPE: The kids were off school in March but no devices actually went out until at least after June.

Mr GARETH WARD: I think you were part of the conversations with that as part of the sector, Ms Sharpe, so you would be aware of when we were talking about it.

The Hon. PENNY SHARPE: I am just asking you to confirm that.

Mr GARETH WARD: Well, we have taken that on notice.

Ms CZECH: I will make a further comment about children in out-of-home care very early on in the lockdown period when schools were closed. Between Ms Walker and I, we made a decision to ask all DCJ and NGO caseworkers to contact carers to ask what they needed in order to homeschool children in out-of-home care. Now that can include provision of a laptop, network—we bought many a dongle from memory.

The Hon. PENNY SHARPE: Yes, the dongles are very popular.

Ms CZECH: And also tutoring where we were able to access it early on. That is in part reflected in the figures that the secretary just described. It is a significant increase in expenditure from the year before. I know myself because I had to approve many of them. It was new laptops and, like I said, some other school supplies or tutoring. The other thing which I think it is important to note is that many children in care already had a laptop or network connection, so it was not a case that all children in out-of-home care did not have access to those devices.

The Hon. PENNY SHARPE: No, I am not suggesting that for a minute.

Ms CZECH: No, I just wanted to make the point. I would say that the bigger issue for us was the connectivity or the network, particularly depending on where people lived.

Ms WALKER: So there were a number of processes is underway but I am happy for us to spell those out.

The Hon. PENNY SHARPE: That actually goes to my next question: What additional financial support for foster or kinship carers did you provide during COVID?

Mr GARETH WARD: My understanding is that we have the highest average payment for foster carers of any State.

Ms WALKER: Yes, highest fortnightly base rate pay.

The Hon. PENNY SHARPE: Which is?

Mr GARETH WARD: It depends on the category of carer.

The Hon. PENNY SHARPE: I know that.

The CHAIR: The base rate is 500 and something.

Ms CZECH: The allowances are aged based. As you expect—

The Hon. PENNY SHARPE: And there are categories. Sorry, I should not have asked that. I know that that is a complicated question.

The CHAIR: It is a table.

Ms CZECH: It is publicly available.

The Hon. PENNY SHARPE: It's that terrible table.

Mr GARETH WARD: It is a terrible table. There are three categories. But I would also say that—I think you would probably agree with this—it is about having good care plans and good leaving care plans. What is actually in the best interests of the child, what do they actually need and how do we support them? What is the focus on that child and family?

The Hon. PENNY SHARPE: Didn't answer my question though. Are you saying that beyond the normal pay that carers got there was no additional financial support provided to carers during COVID?

Mr GARETH WARD: I do not have anything to add to my previous answer.

The Hon. PENNY SHARPE: Right, so that would be the case. You are aware that Victoria, South Australia, Western Australia and the ACT provided one-off payments to carers.

Mr GARETH WARD: I am aware of that.

The Hon. PENNY SHARPE: But we did not.

Mr GARETH WARD: I have nothing to add to my previous answer.

The Hon. PENNY SHARPE: Well, yes or no, Minister?

Mr GARETH WARD: I think I have answered your question.

The Hon. PENNY SHARPE: You have got to be joking. Mr Coutts-Trotter, was there any additional funding allocation given to foster carers as an additional supplement during the COVID pandemic?

Mr COUTTS-TROTTER: I do not think I can improve on my Minister's answer.

The Hon. PENNY SHARPE: You have got to be kidding me. Seriously, just say no.

The Hon. JOHN GRAHAM: I think the Minister can improve on his answer though.

The Hon. NATALIE WARD: Point of order: There is procedural fairness—

The CHAIR: I think he is about to answer it.

Mr COUTTS-TROTTER: The payments directly to carers did not change. But there was capacity both in DCJ-supported places and non-government-supported places to provide additional brokerage contingency for particular needs that people have. That is usually the case but within COVID we sent the message very clearly to our own staff and also to non-government organisations that there was greater scope to make more of those crisis payments as required. From memory I think there was about \$300,000 or \$400,000 in those payments that were made by non-government organisations. I do not have the figure for DCJ - supported care.

The Hon. PENNY SHARPE: Will you take that on notice in terms of how much that would normally be the case or whether there was additional—

Mr COUTTS-TROTTER: Yes, sure.

The Hon. PENNY SHARPE: I am trying to ascertain whether there was a jump.

Mr COUTTS-TROTTER: Yes.

The CHAIR: Minister, going to juvenile justice and youth justice, I think you indicated there were just under 200 children—

Mr GARETH WARD: Yes, 191 Mr Shoebridge. It is I think the lowest in about 10 years.

Ms CZECH: I have a piece of additional good news, hot off the press this morning, it is 187.

Mr GARETH WARD: Sorry, I defer to Ms Czech. It is 187 as of very early this morning.

The CHAIR: Has some of that been because of active efforts during the pandemic to reduce numbers in detention or is it just other measures?

Ms CZECH: It is a combination of factors. I am aware that the Aboriginal Legal Service in particular made a number of applications for bail of Aboriginal children in detention centres and many of those were successful. We have not had as many children who have had final orders, if you like, made in respect of their criminal charges. The remand rate has hovered about 50 per cent released inside 24 hours, which you might remember from estimates is fairly consistent. If you look at the period March to September last year in custody it was, on average, 253, and the average for March to September is 217 noting the daily figure today is much lower.

The CHAIR: Ms Czech, you have obviously come with hard bunch of data on this. If there are 187 children in detention how many of those children are Aboriginal or Torres Strait Islanders?

Ms CZECH: It is about 50 per cent. I have not got the actual number with me on that measure.

Mr GARETH WARD: We will take that on notice.

The CHAIR: What proportion of those children are on remand?

Mr GARETH WARD: Remand generally hovers at about half.

Ms CZECH: Yes, it is about 52 per cent. I do have that with me. We can take it on notice.

The CHAIR: If you have got it there with you—

Ms CZECH: If you just bear with me for one minute, I will get it.

Mr COUTTS-TROTTER: The pattern we saw in adult corrections we saw in Youth Justice as well. So there was a fall in the bail refused rate or, rather, an increase in bail granted. But there was quite a marked fall in the population of young people who were sentenced as well which could just be a factor of the time expiring.

Ms CZECH: I do not have that Mr Shoebridge so I will take that on notice. I will provide that.

The CHAIR: Could you give the proportion on remand for both Aboriginal and non-Aboriginal?

Mr GARETH WARD: Absolutely.

Ms CZECH: Of course.

The CHAIR: Minister, the current policy for visits is that all family and social visits to Youth Justice centres remain suspended.

Mr GARETH WARD: As is Corrections as well.

The CHAIR: As it is for Corrections. My office, and I am sure your office, has received multiple representations asking for that policy to be reviewed and to allow children to see their parents, carers or siblings. What is the current status?

Mr GARETH WARD: Unchanged, but can I just make the observation that this also works both ways. There are plenty of instances where children were anticipating a visit from their parents that never showed. But they are now able to see those parents, particularly because of the long distances that involved travelling to some of our more regional facilities, via a device. So whilst I appreciate your question, which I know has come from a very good place, a lot of these kids like using devices and I am not saying for a second that that should replace contact with a parent, there is an upside to this and it is not all entirely down-sided.

The CHAIR: Well, I do not think that compares to getting a hug from your mum.

Mr GARETH WARD: I am not saying that it is.

The CHAIR: When will kids in detention be able to get a hug from their mum?

Mr COUTTS-TROTTER: We are working with our colleagues in Corrections and NSW Health to plan for a resumption of social visits. We do not have a timeline on that yet and I do appreciate there are costs associated with suspending social visits but the fact that we have had one adult detainee test positive for COVID-19 and no young people, and no other adults test positive for COVID-19 is, in part, evidence of the effectiveness of the decisions that people took very quickly. So they have come at a cost but they have delivered an enormous benefit. But the time is right to plan for a staged return of social visits.

The CHAIR: Given we have no identified community transmission now for many days, and in parts of regional New South Wales it has been months with no community transition, many of these facilities are in regional New South Wales, you say you are beginning planning for—

Mr COUTTS-TROTTER: We are planning.

The CHAIR: Have you got scheduled meetings with Health where you are going to sit down and work out a set of criteria that need to be met?

Mr COUTTS-TROTTER: Colleagues and operational leaders in Youth Justice and Corrections are having those discussions.

The CHAIR: In Melbourne clear markers are being set out for when lockdowns will be ended and when restrictions will be lifted. What are the markers, what can we look to, to say, okay, that is the point at which kids in detention will be able to have visits?

Mr COUTTS-TROTTER: Our agencies will need to provide advice to relevant Ministers and then I would think it would go through Cabinet or a sub-committee of Cabinet that manages the stance, the arrangements for public health orders and related protocols. So Ministers have to sign off on it and then a sub-committee of the Cabinet would need to endorse it.

The CHAIR: It has got to get to the Minister?

Mr COUTTS-TROTTER: Yes.

The CHAIR: What process do you have in place to get that to the Minister?

Mr COUTTS-TROTTER: Advice through myself and Simone Czech to Minister Ward in respect to Youth Justice, and advice through me and Peter Severin to Minister Roberts. The time frame I can take on notice and provide to the Committee.

Ms CZECH: If I could just add there are weekly meetings between the executive within Youth Justice, NSW Health and Corrective Services. This is a standing agenda item. As both the Minister and the Secretary mentioned, it is something we are working towards. The timeline has a question mark on it, but my hope is that we will be able to put something to the Minister, I am hoping, by the end of this month at the latest.

The CHAIR: Ms Czech do you attend those meetings?

Ms CZECH: I do not but the Executive Director—

The CHAIR: Who reports to you?

Ms CZECH: Who reports to me, of Youth Justice, is in those meetings along with Peter Severin and his staff, and colleagues from Health where we are taking our advice from.

The CHAIR: What is the advice you have received from your Executive Director about the position of Health on visits to Youth Justice centres?

Ms CZECH: As you would expect the Health advice changes as the pandemic is unfolding.

The CHAIR: You would hope so.

Ms CZECH: The most recent advice is that we can plan for a gradual resumption of face-to-face visits in detention centres. I am awaiting further advice from the Executive Director of Youth Justice on that plan.

The CHAIR: Minister, given that you have now heard that Health said that planning can happen, will you make this a priority to ensure that as soon as safe parent and sibling visits can be re-instated in Youth Justice centres?

Mr GARETH WARD: Absolutely, Mr Shoebridge. You are right to ask the question. I would like to see them resume as soon as possible. I would also like to canvass the possibility of actually continuing the option of using digital devices as well because I think for children that have missed out on visits, as I mentioned earlier, it will be good to be able to continue that, noting that nothing can replace human contact.

The CHAIR: You said canvass an option. Can we just accept going forward that that kind of online connection will always remain part of the contact arrangements? Why do we see it as an alternative?

Mr GARETH WARD: For the very point that you made earlier that obviously nothing can replace human contact but I would say, yes to that.

Mr COUTTS-TROTTER: There was a survey of nearly 2,500 family members and adults in Corrections about their experience of using video links of one kind or another to maintain social contact, 85 per cent of responders said that they found that really, really helpful and they wanted it to continue. The best examples of that are people being able to read to their children at bedtime—

The CHAIR: Mr Coutts-Trotter, I think in both the adult and juvenile systems, every report I have had is that that kind of online connection is extremely valuable.

Mr COUTTS-TROTTER: Yes, they can see the family dog, they can look around the child's bedroom.

The CHAIR: You are also having a connection in a space that is not in a fluorescent-lit visitor centre with plastic chairs and a broken Coke machine.

The Hon. PENNY SHARPE: And be strip-searched on the way it.

The CHAIR: And you are not being strip-searched. There are enormous benefits to that. Do I understand it your advice, Mr Coutts-Trotter, will be that that should remain in both systems going forward?

Mr COUTTS-TROTTER: That would be my personal advice, yes, absolutely.

The CHAIR: Minister or Mr Coutts-Trotter, have you had any discussions with Commissioner Severin about the position of Corrective Services?

Mr COUTTS-TROTTER: Yes, I have. And that would be Commissioner Severin's advice as well.

Mr GARETH WARD: Can I just update an earlier answer, Chair, in relation to your question about Aboriginal children? I am advised that there are 72 Aboriginal young people in custody today, at 38 per cent.

The CHAIR: Thirty-eight per cent?

Ms CZECH: Yes, down.

The CHAIR: That is a significant reduction.

Mr COUTTS-TROTTER: Yes, it is.

The CHAIR: I have to say, I celebrate that. In fact, all of those numbers are to be celebrated.

Mr GARETH WARD: Yes, I agree.

The CHAIR: Whilst any child in detention is one too many, the significant reduction is a meaningful achievement.

Mr GARETH WARD: There are a number of programs that you would be aware of, like My Journey My Life. There is Love Bites and a whole range of other programs that we run in our youth detention centres. Yarning circles are having a profound impact, as are having Aboriginal Elders inside our facilities, which I have seen firsthand. Our youth justice teams are very, very conscious of keeping kids connected to culture. I think that they do a great job.

The CHAIR: Do you expect those numbers to lift again once the criminal justice system gets back to its usual production levels?

Mr GARETH WARD: I hope not.

The CHAIR: You say that you hope not, but what is the—

Mr GARETH WARD: I do not have a crystal ball. I am pleased, like you are, that the numbers are where they are. My view has always been that we need to continue to work hard to invest in evidence-based targeted early intervention. Wherever that can happen, through programs like Youth on Track, which have been successful working with our PCYCs and our police. The Bail Assistance Line has been very successful, A Place to Go—these are programs that have changed lives. They have diverted children's behaviour early and I am very proud of them.

The CHAIR: Mr Coutts-Trotter, what is the assessment? What is the planning going forward?

Mr COUTTS-TROTTER: The general view of the agency would be—or rather of the NSW Bureau of Crime Statistics and Research, who hold the responsibility for these models and the estimations that come from them, is that there has been a large and sustained fall in the number of young people coming into detention, and an increase in the number of people who are successfully diverted from detention. We would expect that trend to be maintained. We do not expect the current significant fall in the adult prison population will be maintained. We think that will creep up again over time. But they are models only. We have to have some forward view in order to plan for improvements and changes to the system, but we think that in youth justice there is a sustainable reduction there.

Mr GARETH WARD: And the orders for young people and the community have worked really well, restorative justice programs—it is very heartening, and I am sure that everyone would agree that that is the direction we want to see continued.

The CHAIR: Moving to another issue, Minister. We had evidence from a number of providers of food and respite care services, including from St Francis of Assisi, who is providing, amongst other things, a food bank service in western Sydney. They said that during the pandemic period:

During this period alone referrals for our food bank service increased 296 per cent with our capacity to increase delivery of around 155 per cent, so we know there is a lot of unmet need in our community.

That evidence was repeated by a number of providers—this massive surge of people needing food. Will you undertake to provide some direct funding to those services such as Addison Road, St Francis and other services that are providing food?

Mr GARETH WARD: You mention Addison Road, they were actually able to work closely with—was it OzHarvest?

Ms WALKER: Yes.

Mr GARETH WARD: That was always the intention, to provide funding to OzHarvest and Foodbank and then to work with food providers across the State so that we could use their networks to get food and supports to where people needed it.

The CHAIR: Ms Barbero from Addison Road made it very clear that she was paying for the food being provided by Foodbank, and that there was limited, if any, direct funding coming to Addison Road from the State Government despite a direct request. I do not know if you have reviewed Ms Barbero's evidence but I urge you to, because her evidence was in stark contrast to the rosy picture that you have just presented.

Mr GARETH WARD: I do not want to be under any misapprehensions. Obviously, there was \$10 million allocated. We had \$10 million to invest in food supports. We made sure that it went as far as possible. Did you have anything that I might have missed?

Mr COUTTS-TROTTER: There is an additional \$8.3 million—

Mr GARETH WARD: Already in the budget.

Mr COUTTS-TROTTER: —identified in September, as you say, Minister, through to the end of this financial year. I read the evidence from the hearing and I asked questions of colleagues to understand the thinking behind the decision to engage with Foodbank and OzHarvest. Of course, Foodbank is—the reason the money went to Foodbank, which in turn, as you know, delivers food through non-government organisations is just—what they provide essentially is a logistics system. It was the judgement of people who understood the system that that is the best place to put the money to get the biggest bang for buck. I read the evidence, I acknowledge that, so we have asked some further questions about what more could be done in the work between Foodbank and the civil society organisations it works with.

Mr GARETH WARD: I am sure that you would be aware, there is an awful amount of philanthropic contributions. I was with SecondBite yesterday with the member for Penrith, Stuart Ayres, and FoodShare down in Albury-Wodonga, which I visited with Justin Clancy. There is also a huge community contribution. I saw this during the bushfires in my own electorate, where people come forward in addition to what the Government has provided.

The CHAIR: Addison Road in particular said that many of their ongoing donors—the restaurants and the supermarkets—have had to restrict what they are able to give, or cease giving, to Addison Road because of the business impacts of the pandemic. In fact, that pool of available support has actually shrunk during the pandemic. Are you aware of that, Minister?

Mr GARETH WARD: What I will do is I will undertake to review the evidence that you cited then. Full credit to the local members Jo Haylen, Ms Sharpe and Jenny Leong, who I know have also raised these issues with me, as have you. So I will review the evidence.

The CHAIR: Can I give you some stark figures, from Addison Road in particular? They have received some funding for their food support from the State Government but the funding came from the Environment Protection Authority [EPA], and it was \$26,000 to prevent food wastage. They have used all of that money to provide food for people who do not have food. Do you find it somewhat odd, if I can describe it that way, that in a pandemic the food aid is coming from the EPA for Addison Road?

Mr GARETH WARD: I do not think people mind which agency the support comes from.

The CHAIR: I can tell you that they are grateful for the \$26,000.

The Hon. TREVOR KHAN: Well, let him answer.

Mr GARETH WARD: I do not think that the people who are receiving that aid would actually care. I think that they are concerned about the support that they need. I am sure that you would agree with that. I would simply say that Addison Road, from all reports from local members, does a great job. As I have outlined to you, with the money that I have received from the Treasury we have tried to do the greatest good for the greatest number, and we will continue to do that.

The CHAIR: But you will review the evidence not just of Addison Road but also St Francis to see what, if any, direct assistance can be provided to those two organisations?

Mr GARETH WARD: And I am happy to have a further conversation with you once I have done that.

The CHAIR: In terms of unmet need, one of the categories of largest unmet need—well, there are two. There are people on refugee visas who have no Federal assistance and minimal State assistance. Are you looking to provide an expanded service to people on refugee visas? I will give you one example. The evidence that we have is that they were living in massively overcrowded housing and that massively overcrowded housing was producing both health and interpersonal violence risks?

Mr GARETH WARD: As I have just been rightly reminded, although I know my friend and colleague Minister Lee worked very hard to secure \$6 million through his agency to support the refugees and those who needed the support. He did a great job in order to provide it.

The CHAIR: But the evidence we had was that there were multiple families living in single dwellings in massively overcrowded houses, which is not only a health risk in a pandemic but also creates significant risk of interpersonal violence because of the massive overcrowding. The \$6 million had not addressed that. It was not going anywhere near addressing that. Is your portfolio looking to provide some additional assistance?

Mr GARETH WARD: Not at this point, because I am charged with looking after the citizens of the State. That is what we are seeking to do. I have already outlined the ways in which we are doing that, in addition to the extra support that Minister Lee has secured as the multiculturalism Minister.

The CHAIR: But there are a bunch of kids. Thousands of kids! Some estimates say that 5,000 kids are living in families who have refugee status—5,000 kids in this State. Are you saying that because they are not citizens, you are not providing any services to them?

Mr GARETH WARD: Obviously I have to fix my priorities on the responsibilities that I have. Obviously, I do not want to see any child living in any disadvantaged circumstance. Obviously, I do not want that, you do not want that, no-one in this room wants that.

The CHAIR: But do not—

The Hon. TREVOR KHAN: Let him finish.

Mr GARETH WARD: But I think we are doing the greatest good at a very difficult time, Mr Shoebridge, which has been a great challenge for everybody. As I say—I have said it once already—there is no how-to guide for any of this, but given the supports that we have provided, I think that we have gone a long way to meeting a lot of that disadvantage. Have we met everybody's disadvantage and challenge? No, but we are doing the very best we can.

The CHAIR: Minister, you say "greatest good" but concepts like "provide optimal funding"—those most in need should surely be receiving the first support and it is hard to imagine people more in need than the 5,000 refugee kids in the State who are living in grossly overcrowded housing, if they have a house, have no Federal support, are literally reliant upon Foodbank so they do not starve. You say the greatest need; why are they not on your radar?

Mr GARETH WARD: It is not that they are not on my radar. As I mentioned, I have had conversations with Minister Lee about that and I have already outlined what the Government is providing. Could I ask for a two-minute adjournment please?

The CHAIR: Yes.

(Short adjournment)

The Hon. PENNY SHARPE: I want to ask about the helpline and congestion and outages during the COVID period. There were some notes I saw on the website at various points around coronavirus. I am trying to get a sense of how many outages there were, how long they were for and what the issue was.

Mr GARETH WARD: All good questions.

The Hon. PENNY SHARPE: I am okay if you take them on notice. They were on your coronavirus page. It worried me that it was longer than—

Mr GARETH WARD: It was not a long period.

Ms CZECH: It was not long.

Mr GARETH WARD: I will take those on notice, Ms Sharpe, and get back to you.

The Hon. PENNY SHARPE: Okay. Will you be able to tell me how many outages there were? Congestion is normally not a problem for the helpline.

Mr COUTTS-TROTTER: No, and the major achievement for the helpline team—

Mr GARETH WARD: Productivity.

Mr COUTTS-TROTTER: They stopped coming into a call centre because that is a high-risk environment. They work from home and they have managed to increase their productivity while doing that—just an extraordinary achievement. We have seen a very significant increase in the proportion of mandatory reporters using the eReporting tool. That is now a really popular way of reporting to the helpline.

The Hon. PENNY SHARPE: Are you doing some analysis of that in terms of the quality of the information that is provided?

Mr COUTTS-TROTTER: Yes, we are. That is a proper concern because it becomes a less efficient way of reporting if you then have to find the eReporter and get back onto them and fill out the picture, so we are having a look at that.

Ms CZECH: We are, and just to add: Still today about 90 per cent of our staff at the Child Protection Helpline are working remotely, which is fantastic.

The Hon. PENNY SHARPE: What do you think that is going to look like in the post-COVID world? Will people be able to do that? I am assuming the staff have quite liked it.

Ms CZECH: Absolutely, yes. It will be a balance. It will not be 90:10, and I am not sure what the ratio will be, but, certainly, it will be a bit of both.

The Hon. PENNY SHARPE: And there is still that flexibility for people to do three days on and two at home?

Ms CZECH: Yes, and the feedback from staff surveys at the helpline and some of our other locations or offices has been that staff, in the main, through flexible working—that is, working from home—have a much, much better work-life balance. They can just run the errand or duck out for a cup of coffee—

The Hon. PENNY SHARPE: Not spend an hour on the train.

Ms CZECH: Yes, that is exactly right. I think it will be a balance. I think the challenge for us, while we have transitioned to virtual means for team meetings, supervision et cetera, is that some people, quite rightly, still want that face to face, either meeting with their supervisor or with their team. So, it is getting a bit of a balance of those two things, but the pandemic has certainly had a few silver linings, particularly around flexible work practices.

Mr COUTTS-TROTTER: And we have been asked to plan for and encourage those people who want to return to office locations, and they are the people who have been working remotely. At least 50 per cent or more of our staff have been at their usual place of work through the pandemic because they cannot do work from anywhere else, but we are beginning to encourage those people who want to return to the office. But the workplace is never going to look quite the same and in some really positive ways. People with disability, particularly in our organisation, have provided the most positive feedback about this period because, for the first time, the organisation has been forced to be purposefully inclusive.

Mr GARETH WARD: As it should be.

The Hon. PENNY SHARPE: Reasonable adjustments have actually been made, yes.

Mr COUTTS-TROTTER: Yes, as it should be.

Mr GARETH WARD: I am a testament of that.

The Hon. PENNY SHARPE: That is exactly the same feedback I have had. I will not keep you long, Minister. I want to ask some questions about disability. As you know, during the COVID pandemic, particularly at the beginning, there was a huge amount of issues for people with disability. I wrote to you about many of them. By general reflection, much of this is in the purview of the NDIS, but there remain concerns about—the question that I am trying to ask is really about your role at the Federal level with the ministerial council. What reflection is going on in relation to the response to the pandemic for people with disability?

I noticed in the budget last night that the quality assurance agency got more money, which is very welcome, but I am trying to understand—everyone had many concerns, everyone was learning as we go through. I accept that everyone is trying to do their best, but I do feel that people with disability were left out of the equation very early and had to fight to get some specific issues around support workers and all those things dealt with. Can you provide me with an update about where the national ministerial council is on that and what reflection is going on in relation to that?

Mr GARETH WARD: Thank you for the question. There are a number of things that happened. Firstly, the Disability Reform Council, which is the council of Ministers, was meeting monthly—

The Hon. PENNY SHARPE: Sorry, I have to keep up with the name.

Mr GARETH WARD: No, I was not having a go; I was just making an observation. There were a number of things that I took up to that council and sought clarification and support on, and I am sure they would be of interest to you. Certainly, getting people out of hospitals into supported disability accommodation was critical; making sure there was sufficient PPE, and I raised that continuously with Minister Robert and the Commonwealth Government for disability support workers. I am sure you would have heard the same thing. In fact, you wrote to me about that very issue. We also raised workforce continuity—having supports in place so that services could continue to provide those supports that were absolutely critical. Just by way of reflection, and tell me if you do not want this information, but in our system, with NDIS participants, there were 10 participants that were confirmed as having COVID-19, with one active case in addition to that right now that I think was detected at the end of last week, and there were 10 staff and two people in the NDIS in New South Wales—

The Hon. PENNY SHARPE: When you say "our system" you just mean across New South Wales; you are not talking about our residential facilities?

Mr GARETH WARD: Yes, in New South Wales, that are in the NDIS.

The Hon. PENNY SHARPE: You have just given me a heart attack, Minister.

Mr GARETH WARD: And two people tragically passed away as a result of COVID.

The Hon. PENNY SHARPE: The disability sector has been very active on this issue. I think they have been really quite angry about it. Through the Disability Reform Council is there a process of reflection around not so much what happened then but preparation for the future? Because there was a big gap between people raising the flag around the contagion issues, PPE and support workers before there was actually action, in my view. Not your issue, a Federal issue, but I am just wanting to know whether there is actually going to be some Federal assessment in relation to that through the council.

Mr GARETH WARD: My understanding is the NDIS Quality and Safeguards Commission is doing that work. But I think it is all of our issue. It is important that that is done. My understanding is that they are doing that as part of what has happened but also making sure that we are better prepared into the future for everything from the critical supports that are necessary immediately but also scenario planning around things like COVID in group homes.

The Hon. PENNY SHARPE: That is good. I have one last question. You may need to take it on notice. I want to know how many young people in foster and kinship care aged out during the COVID period.

Mr GARETH WARD: I would have to take that on notice.

The CHAIR: That is a terrible phrase. I hate it.

The Hon. PENNY SHARPE: I know. I hate it too. I should say, "reached the age of 18".

Mr COUTTS-TROTTER: COVID period I am not sure. The 2019-20 financial year, 850 young people turned 18 and left care.

The Hon. PENNY SHARPE: The period I am talking about is the very difficult lockdown.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: I do not know whether we want to say March to June—whatever you like. If you could provide that, I would be very interested.

Mr COUTTS-TROTTER: Sure.

Ms WALKER: I do have a number from April to August but it is all exits during that time. So there were 1,108 but we would have to break it down to children that aged out.

Mr COUTTS-TROTTER: That includes children being restored to families and the like.

Ms WALKER: That is right. So we can break it down to number of children who have aged out during the pandemic.

The Hon. PENNY SHARPE: Can I just say I have done some meetings with kids in care recently and I heard some pretty disturbing stories about those turning 18 being in residential facilities and then essentially having not really any planning for what was going to happen to them. They were never actually homeless but one person had been living happily at a residential facility for quite a long time, 18 months or so, and he turned 18 and they said, "Right. We're putting you in a caravan park." And he was there for four months and has only recently been given long-term housing. This is on the North Coast. It just worried me, particularly given COVID and all of those issues, what was being done to say, "Well, why don't you just stay here for the next couple of months until we get you something permanently?" It is only one example but it concerned me enough to be asking about it.

Mr GARETH WARD: I do not know if you are prepared to but I would love to know more about that particular case. My advice or my direction to the agency was, "Be as flexible as you can." There are obviously after-care support payments for certain young people. There are also education supplements for kids that are continuing their studies up to the age of 24. We can provide supports up to the age of 25. I would love it if you are able to connect me with that information so I can investigate it further.

The Hon. PENNY SHARPE: I will need to get permission from the young person, but yes.

Mr COUTTS-TROTTER: There was flexibility.

Ms WALKER: Yes, absolute instruction to have flexibility.

Mr COUTTS-TROTTER: Instruction to our non-government partners to say if a young person needs to stay where they are, even if they are older than 18, then in the current environment that is A-OK. Just ask.

Ms WALKER: And the leaving care planning should be starting well before they do anything.

Mr COUTTS-TROTTER: Yes. Absolutely.

The Hon. PENNY SHARPE: Yes, I know it should.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: Thanks. That is it from me.

Mr GARETH WARD: Can I make one correction to the record, Mr Shoebridge?

The CHAIR: Yes.

Mr GARETH WARD: I would like to correct the record on the social housing wait list. My office has asked for the latest data, as I indicated, some of which has been received but which I have not been briefed on at this point. My office has asked if the latest dashboard can be published ahead of my response to the question on notice on this issue of my good friend the member for Keira, Mr Ryan Park, to provide Mr Park with the latest and most up-to-date figures. But, as I indicated, I will take the question on notice.

The Hon. JOHN GRAHAM: One of the concerning bits of evidence that was put to the Committee was about the prediction from Equity Economics about an extra 16,000 people who might fall into homelessness. I am interested in your views on that research, whether you have any modelling and what your take on that concerning evidence is.

Mr GARETH WARD: Is this the NSW Council of Social Service report, Mr Graham?

The Hon. JOHN GRAHAM: It was Equity Economics. It was Homelessness NSW who referred to it in the course of their evidence to the Committee.

Mr GARETH WARD: It is a really good question, Mr Graham. Obviously I am concerned about what will happen as people struggle with the costs of living. I am aware of the modelling. I am not sure if Mr Vevers wants to add anything to it but certainly I am going to be monitoring the situation very closely together with the peaks and continue to work with them as best I can. I do not want to see anyone homeless. That is why we have a commitment which I think is jointly shared by everybody to see an eradication, eventually, of homelessness, particularly rough sleeping. Did you want to add anything to the report?

Mr VEVERS: Not much, Minister, only to say we do have some assistance available for people who fall into rent arrears as a matter of business as usual. But other than that, nothing to add.

The CHAIR: There is no planning to increase that pool for rental arrears assistance given that we know a series of income supports are going to be lifted in the next few months and you do not need an economic report to realise that is going to put a pressure on homelessness.

Mr VEVERS: At this stage, no plans in place but I do monitor the demand for that product very regularly. If we need to increase it, obviously I will be the first to put my hand up.

Mr COUTTS-TROTTER: The Australian National University study that you are probably familiar with from August showed that the increase to JobSeeker and the introduction of JobKeeper reduced the number of people living in poverty by 32 per cent. So obviously as those supplements change, the number of people living in poverty will increase. That is going to cause housing stress, no doubt.

The Hon. JOHN GRAHAM: Referring to that 16,000 number, I am really looking for a bit of an indication, Minister, of whether that order of magnitude is right or are there reasons why that evidence that was given to the Committee might not be right? Can you give us any sense of that?

Mr GARETH WARD: It is hard to crystal ball, Mr Graham. Obviously I am not sure at this point. I am just doing everything I can to house as many people as we possibly can. I acknowledge it is a really good question; I just do not have an answer for you that is probably going to suffice at this point.

The Hon. JOHN GRAHAM: Thank you.

The CHAIR: Minister, my office has received a series of reports from parents whose children are in out-of-home care that they have been refused visitation rights during the pandemic. When they have approached the department they have received conflicting and unhelpful advice about having visitation rights. Is there a policy in place about visitation rights?

Mr GARETH WARD: Absolutely. In fact we have got some practice framework that I think we developed for this period.

Mr COUTTS-TROTTER: Yes, Minister. I will turn to Simone Czech. But essentially unlike other States we have not taken a fixed or dogmatic view. We have tried to assess—

Mr GARETH WARD: The health risks.

Mr COUTTS-TROTTER: —the health risks but also the needs of particular children. So if you are a child who has restoration to your birth family as your permanency goal then we would be moving heaven and earth to maintain contact between that young person and their birth family, for example. My colleague Simone Czech might like to add.

Ms CZECH: Yes. Just to add to the secretary's comments, there is guidance provided to DCJ caseworkers that is updated regularly, based on health advice. There is also advice provided by the Office of the Children's Guardian on their website to all designated agencies, so that is more applicable for non-government organisations. It does change regularly, based on the health advice. So at the moment where we are at is, a bit like face-to-face assessments, a risk assessment. But we are, based on that risk assessment, resuming face-to-face visits where it is safe to do so, of course taking things like social distancing and other precautions into place. But I can certainly understand parents were very disappointed when we were in a period where early on we were just conducting virtual visits. But that has resumed to more of a balance. I do not know if you have anything to add, Ms Walker.

Ms WALKER: No, I think the other group we heard from as well were our carers who were, in some cases, very fearful about the contact visits, particularly our Aboriginal carers, many of whom are older. Their health concerns were greater so we needed to take both into account. But, as the secretary mentioned, we were concerned to see some of our other States make blanket decisions because we thought that would absolutely disrupt plans, for restoration particularly. We were really worried about that. Fortunately, when we look at the 2019-20 figures we can see that there are significant increases in those exits and we will be monitoring that.

The CHAIR: What is the current situation then?

Ms CZECH: The current situation is a risk assessment on a case-by-case basis. If it is considered, based on that risk assessment, safe and appropriate to conduct a face-to-face assessment—for instance, in a park where it might be open—then that is to proceed. There are some other considerations like Ms Walker just mentioned around carers and Aboriginal people. Again, we take that into account as part of the risk assessment. It will vary from one trial to the next in terms of what that might look like.

The CHAIR: Is part of the current system to allow visits but to retain social distancing—so no hugging, no physical contact?

Ms WALKER: From an NGO point of view we are leaving that with the agencies to make their risk assessment. A lot of our carers are family members of the birth that parents; they are close family members. We do need to leave some of those decisions with them.

The CHAIR: The feedback I have had is that it is very haphazard, it does not seem to be consistent across the State and people are not sure what the rules are. Is there any place they can go for a review or when they are getting these arbitrary decisions being made? Often they are arbitrary decisions being made by the carers, in reality. Is there anywhere they can get a review?

Ms CZECH: Absolutely. In the first instance, depending which agency is case-managing the child and the family, they should raise their queries in that arena. Secondly, particularly in the case of non-government organisations, if they try to raise their issue there and do not get a satisfactory resolution, every DCJ district has what we call child and family district units and a call can be made there. Depending on the situation we will advocate on behalf of a carer or a parent—or, for that matter, a child—to resolve that issue.

The CHAIR: Can I ask you, as a matter of urgency, to share with the Committee those contacts for the reviews because I am certain I am not the only member who is receiving these requests and calls about where those reviews can be lodged?

Ms CZECH: Sure.

Mr COUTTS-TROTTER: Sure.

Mr GARETH WARD: Absolutely we will do that, and perhaps I can undertake for the department to also give you a briefing directly on that, Mr Shoebridge.

The CHAIR: That concludes my questioning. Are there any questions from the Government?

The Hon. TREVOR KHAN: You will be unsurprised that I have no questions.

The Hon. NATALIE WARD: Minister, I want to thank you for coming today and also to thank your team during an extremely difficult time in our history. I am sure the pressures on you have been enormous. We have not explored those but thank you for your work on behalf of the people you are helping. It was really pleasing to see the numbers reduce in the way that they have during this difficult time and there have been some very innovative responses. I have had feedback from a range of people who have said that the homelessness initiative in particular, which probably got the most publicity, was an immediate and innovative response that was very helpful. I convey that from those members and thank you for those very helpful numbers.

Mr GARETH WARD: Thank you and thank you to all members of the Committee and members from all sides of Parliament who have been in contact during this time. I put on record my thanks to my ministerial team who have been working incredibly hard with me throughout this time. They have all been terrific.

The CHAIR: Thank you all for your assistance today.

(The witnesses withdrew.)

(Luncheon adjournment)

The Hon. VICTOR DOMINELLO, Minister for Customer Service, before the Committee

The Hon. DON HARWIN, Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts, before the Committee

ROSE WEBB, Deputy Secretary Better Regulation Division and Commissioner Fair Trading, on former affirmation

KATE FOY, Deputy Secretary, Community Engagement, Department of Premier and Cabinet, on former affirmation

PAUL SARIBAN, Director, Liquor and Gaming Policy, Better Regulation Division, affirmed and examined

KRISTEN DAGLISH ROSE, Director, Stakeholder Engagement and Regulatory Education, Better Regulation Division, affirmed and examined

LUKE WALTON, Executive Director, Policy, Department of Planning, Industry and Environment, affirmed and examined

The CHAIR: Welcome back to the first of two afternoon sessions of the Public Accountability Committee's Inquiry into NSW Government's Management of the COVID-19 Pandemic. This afternoon we will hear from two portfolio ministers, the Hon. Victor Dominello and the Hon. Don Harwin, as well as a variety of staff and senior public servants. Ministers, you will know that this hearing is in large part in response to the prior evidence we have had from stakeholders in your respective portfolios. If either of you wish to give a brief opening statement, now is your opportunity.

The Hon. DON HARWIN: Thank you, Mr Chairman. Yes, I noted your letter and I have certainly read through the transcript with interest. I have a couple of things to say. First of all, it is conceded that the arts and culture sector, in particular the performing arts, is without doubt one of the top three most impacted sectors—I will describe it that way—of any in Australia. It is severe and I am certainly well aware of that. I have to say and note in passing that, while I was engaged in the very early part of the pandemic response for the Arts portfolio, from Good Friday to 4 July I was not Minister.

The CHAIR: That was the interregnum period, was it?

The Hon. DON HARWIN: That was the interregnum period. During that period the Premier was the acting Minister and much of the work fell heavily on my deputy secretary, Kate Foy, who is here. So I will lean on her, in particular for some of the early stages of the response. I make the point that sometimes there is a view that in the arts and culture sector the arts Minister has responsibility from—for want of a better term—cradle to grave. That is simply not the case and never has been. I think that would have been obvious to members of this Committee who sat on an earlier committee that dealt with many things but included live music. Music is a good example. Music education falls within the Education portfolio. Emerging new music falls within the Arts portfolio. For-profit music and the venues they perform in is not something that the Arts portfolio generally has an overview of.

Having said that, it has been a deliberate strategy since I set up the artform boards after the election for contemporary music leading into the commercial sector for us to have a much stronger partnership. That is the reason why the Contemporary Music Artform Advisory Board was set up. That is the reason, for example, why Emily Collins, from MusicNSW, was put on that board, because of her role in terms of emerging artists and, if you like, the less commercial side of live music. That is the reason why I have appointed John Waddell to the Contemporary Music Art Form Advisory Board and Nick Pickard to the festivals board. Music, in effect, puts into sharp focus the fact that a lot of the things that are of interest are not always things that are in my purview. For example, a lot of the evidence that you heard from Kerri Glasscock, a person for whom I have great admiration, who also serves on one of the art form advisory boards, was mostly to do with the old 505 theatre, which is a for-profit venue which she personally owns.

For example, that venue would not be eligible for any funding either from our usual programs or our rescue programs. That might be a shortcoming that I am happy for the Committee to explore, but I am just pointing out some things like that. The last thing that I would say is that there was quite a bit of evidence on the day from various people about Create NSW. I thought a lot of it was quite unfair and I wanted to make sure that the Committee was aware of the media statement that Penelope Benton put out quite soon after that hearing where she apologises to Create NSW staff and self-evidently makes it quite clear that she gave evidence to the Committee that on balance she felt she could no longer stand by. I wonder if the Committee are aware of that and saw it.

The CHAIR: Perhaps you could table it, Minister.

The Hon. DON HARWIN: I am happy to table it. She makes it quite clear. She says, "Some comments were made about communications from the Create NSW team in regard to guidance on reopening that we retract and clarify." I would ask people to bear that in mind. Particularly I wanted to note the very outstanding work that Rebecca Dean has done as a member of the Create NSW staff heading the Project Awake task force, which does not trade under the name Project Awake, but is doing a lot of work and I am happy to explore some of that if Committee members want to. She is doing a great job. I will just leave it there.

The CHAIR: I do not think the inverted commas found their way onto *Hansard* but we note them.

Mr VICTOR DOMINELLO: Similar to what Mr Harwin has said, obviously my direct responsibility is in relation to liquor and gaming and there is a whole body of work that we have done in response to the pandemic there and I am happy to take questions on that. There is a whole lot of other cross cluster relationships that require movement. For example, we just set up the alfresco dining task force. From memory there are eight different agencies on that to get a venue opened up and opened out. We have, obviously, liquor and gaming, we have transport, we have health, we have police, we have the small business commissioner, we have local councils—

Mr WALTON: Planning.

Mr VICTOR DOMINELLO: —and planning of course, and the food authority; eight. I will answer things that I can in my patch, but obviously there are going to be a whole lot of other crossover issues that may be canvassed.

The Hon. DON HARWIN: I will make one other brief point, with your indulgence. We have been aware for some time that government is not as joined up as it should be on some of these issues. If I could include my colleagues, Minister Dominello and Minister Ayres, in this the three of us recognised, straight after the State election, that we needed to do quite a lot of work on this. The idea of having a joint select committee on the night-time economy was the initiative of we three Ministers, which we took to Cabinet. That joint select committee was very successfully chaired by a member of your Committee here, the Hon. Natalie Ward. You now see the outcome of our initiative and the Committee's good work, which was the strategy. This cross-portfolio work was in an advanced stage of preparation when COVID hit. I think a lot of the things that would have been rolled out have been delayed by COVID. I will just leave that there.

The CHAIR: I think that has been a repeating theme in all of the work that we have done. This has put strains upon those cross agency connections and that has been one of the greatest challenges. With that I will hand over to the Opposition.

The Hon. NATALIE WARD: Before you do, Chair. Can we table that strategy document?

The CHAIR: I think it is a publicly available document. If the Minister wants to table it.

The Hon. NATALIE WARD: It might assist.

Mr VICTOR DOMINELLO: I am happy to table it.

The CHAIR: We will accept it.

The Hon. JOHN GRAHAM: That is quite a useful discussion upfront to canvass some of the history. I acknowledge that it is a different discussion that we are having now to the one the Government was having two years ago. That is absolutely recognised. The Chair indicated the real reason that we are here, which is the evidence that was taken really as a range of venues turned up to the last hearing and I think all Committee members were impacted by what we heard, which was the worry that 85 per cent of them might close within 12 months if they do not get some sort of support.

The Hon. TREVOR KHAN: It was not within 12 months.

The CHAIR: Before the end of this year.

The Hon. JOHN GRAHAM: True. It might be regulatory, it might be financial support, and that was really the key thing that alarmed the Committee. We are grateful that you are attending to respond to those concerns. Minister Dominello, one of the good things that has happened since that hearing is that there have been changes to the capacity for entertainment venues. That was announced as kicking off on 1 October. I quote from one of the media reports, "Live music NSW venues to open at 50 per cent capacity from next month." That is 1 October. One of the concerns is that optimism was not reflected in the public health order. In fact, the capacity

changes were in a much smaller range of venues rather than music venues across the board, the sort of venues that turned up that we heard evidence from. Can you give us any background to those changes?

Mr VICTOR DOMINELLO: That is a matter for Minister Hazzard. I understand he is giving evidence after us this afternoon.

The Hon. NATALIE WARD: Yes, we have got him this afternoon, so we can ask him that.

Mr VICTOR DOMINELLO: I cannot speak for him, Mr Graham. I hear what you are saying.

The Hon. JOHN GRAHAM: We will certainly ask Minister Hazzard about this and the public health order. Minister Dominello, what I will ask you about is the licensing aspect of this. In the public health order what has essentially been allowed to move to 50 per cent capacity is an entertainment facility—that is a theatre, cinema, music hall, concert hall, dance hall and the like—but that does not include a pub or registered club. That is understood. Of the venues that turned up, though, the concern here is many of them are not going to fall in that definition. For example, we had Crowbar turn up. They are a primary-purpose music venue, they are putting on a lot of acts and they run in a range of States. They are on a full hotel licence. They will not be impacted by this public health order if that is the case. Is that your understanding, from a licensing point of view?

Mr VICTOR DOMINELLO: I am happy to throw to Ms Webb, because I do not have the specific details in relation to that case.

Ms WEBB: I do believe that is what the public health order says—the public health order for licensed venues. That is different to the one that you are speaking to.

The Hon. JOHN GRAHAM: Yes, so it is a pub under this—they have put on music, but really as a licence category they are a pub; they are not an entertainment facility. They do not get to move to—

Mr VICTOR DOMINELLO: Yes, so they are very different.

The Hon. JOHN GRAHAM: —50 per cent capacity.

Mr VICTOR DOMINELLO: Yes. But again, that has been crafted in the public health order.

The Hon. JOHN GRAHAM: Correct.

Mr VICTOR DOMINELLO: That is your primary instrument. That is your starting point, and then we lock in behind that. Again, that is dictated by health considerations, as you would appreciate—different venues, different capacities, indoor-outdoor, different activities. All these discussions are taking place.

The Hon. JOHN GRAHAM: To be up-front about my concerns here, the Committee was concerned—the public health order has been implemented, and we will talk about that with Health, but it is really the complex interaction of the public health order with the even more complex licensing system, of which Health is certainly not an expert. In fact, there are few experts as it is so complicated. That is really causing the problem here. These venues turned up worried they might close. They have been offered a lifeline, but certainly in many instances that interaction has meant they have not yet got it on the regulatory side. That is the concern here.

Ms WEBB: As I am understanding the issue, it is that there are two public health orders applying here. The actual licensing regulations themselves do not impact on the COVID-related capacity issues.

The Hon. JOHN GRAHAM: There is one public health order, but it obviously interacts with the definitions under the licensing scheme. That is the concern.

Mr VICTOR DOMINELLO: Sorry, Mr Graham, I am not quite following. Can you give me an example?

The Hon. JOHN GRAHAM: Yes. An entertainment facility moves to 50 per cent capacity. Music venues thought that might apply to them. It does not apply to Crowbar, which is on a pub licence, a full hotel—

The CHAIR: There is an express exclusion for small bars.

Ms WEBB: The one in four square metres rule would apply.

The Hon. JOHN GRAHAM: Yes, so they cannot move to that 50 per cent capacity that would make a real difference.

Mr VICTOR DOMINELLO: They are still limited by the four-square-metre rule.

The Hon. JOHN GRAHAM: Yes, exactly. For example, a very small venue—Gasoline Pony at Marrickville—a tiny venue that puts on a lot of music: again, it is on a hotel licence.

Mr VICTOR DOMINELLO: But again, where is the issue there? They would be limited by the four-square-metre rule.

The Hon. JOHN GRAHAM: Yes, and they will not be able to move to 50 per cent capacity under this public health order.

Ms WEBB: But that is the function of the public health orders, rather than the licensing regulation.

Mr VICTOR DOMINELLO: That is right. The primary thing is the four-square-metre rule and we have not deviated off that yet.

The Hon. JOHN GRAHAM: It is an interaction of the public health order and the licensing system.

The CHAIR: I think the question is about the dividing line. There is a fairly arbitrary dividing line. If someone is a music hall providing live music they can do the 50 per cent rule, which can make it viable to open. But if you are small bar providing live music you cannot do the 50 per cent rule, therefore it is not viable for them to open. That dividing line seems very arbitrary.

Mr VICTOR DOMINELLO: But does a music venue contain alcohol?

The Hon. JOHN GRAHAM: Yes, many of them do in order to keep the doors open.

Mr VICTOR DOMINELLO: And that is under the public health order?

The Hon. JOHN GRAHAM: Yes, you can be on either side of that dividing line and be serving alcohol. That will not be—

Mr VICTOR DOMINELLO: Again, I am not going to speak for Dr Chant or the health Minister, but one of the concerns is indoors, alcohol, people letting their guard down and the associated risk. Again, it is a matter for them to answer as—

The Hon. JOHN GRAHAM: Some are close to the line, like the Oxford Art Factory. This is an on-premises licence. It is clear that it is a theatre for public entertainment use. It would be classically thought of as probably the key contemporary music theatre venue. It is totally unsure whether it does or does not comply under the public health order and is unable to confirm that. Can you give us any confirmation?

Mr VICTOR DOMINELLO: Honestly, that would have to be a question to Minister Hazzard.

The Hon. JOHN GRAHAM: The problem is Minister Hazzard will be unable to answer questions about the licensing. These are questions about the complex licensing system in New South Wales.

Mr VICTOR DOMINELLO: No, it is not—

The Hon. DON HARWIN: If I may, Minister. With respect, the issue is not about the licensing. The issue is about how the public health order treats various categories of venues.

Mr VICTOR DOMINELLO: Correct.

The Hon. DON HARWIN: I think everyone concedes—and I am just speaking generally here, not about this specific instance—that there are anomalies at the edge of public health orders.

Mr VICTOR DOMINELLO: Trust me, we have those debates all the time.

The Hon. JOHN GRAHAM: Yes, and really I am asking for assistance on this one.

The Hon. DON HARWIN: But the problem is that it really is the public health order that determines, not the licensing.

The CHAIR: But the difficulty is the ambiguity in—

The Hon. TREVOR KHAN: Point of order: We had about three conversations going on over the top of each other.

The CHAIR: I accept that. Had the Ministers finished answering?

Mr VICTOR DOMINELLO: Just to back that in, I am literally sitting in crisis Cabinet and have been there from day one. I can tell you that the first question that gets asked is around Health. They frame up the orders. I accept without question, to your point, that there is always going to be friction around the edges. It is not just

whether it is in this regulatory environment; it could be other things, such as gaming machines and so on. There is always friction around the edges, but that goes to interpretation of the orders. They are the things that constantly get fine-tuned.

The Hon. JOHN GRAHAM: We are grateful for you coming. We are really asking for help on that issue, because this is not around the edges. Just to give you some examples: Crowbar on that pub licence; a tiny venue like Gasoline Pony on a pub licence, not eligible; Oxford Art Factory, probably not eligible but certainly uncertain; the venue Minister Harwin referred to, The Old 505, probably on a nightclub licence, certainly not eligible or—

The CHAIR: Enmore Theatre, Factory Theatre.

The Hon. JOHN GRAHAM: Exactly. The Dock in Redfern is a small bar that plays a lot of music: not eligible. Marys Underground, formerly The Basement, saved for music: a hotel licence. Lazybones in Marrickville has an on-premises licence; that has attracted some attention. The Committee went out to have a look at it. It is not eligible. This is not around the edges. This is a case where the stated—

The Hon. NATALIE WARD: Point of order: I am not trying to quibble at the important questions, and I think they should be asked. I am just trying to clarify what the question actually is. Are you looking for the Minister to undertake to provide clarification on those venues?

The CHAIR: We are coming to that.

The Hon. JOHN GRAHAM: Yes.

The Hon. NATALIE WARD: Okay.

The Hon. JOHN GRAHAM: These venues asked for help. This was a very welcome intervention, but because of the interaction between licensing and the public health order it has totally missed the mark for these venues. Is there anything we can do?

Mr VICTOR DOMINELLO: Yes. I encourage you—because I am on the Committee to open up the economy as much as I can, so I am on your side. There is a constant tension between us and Health. I encourage you to raise this with Minister Hazzard and I wish you all the best, because I want to open up the economy—

The CHAIR: You are not allowed to disclose what goes on in Cabinet, Minister.

Mr VICTOR DOMINELLO: I wish you all the best, because I want to open up the economy—but in a COVID-safe way.

The Hon. JOHN GRAHAM: I think, to defend Minister Hazzard's role, there is no way Health would be experts in this licensing. It is so complex. It is that interaction that is really providing this problem.

The Hon. DON HARWIN: Mr Graham, with respect, they might not be licensing experts but they are health experts.

Mr VICTOR DOMINELLO: Public health experts.

The Hon. DON HARWIN: Public health experts. Every decision is actually a public health decision. The difference between, say, the City Recital Hall and some of the venues—there is a qualitative difference. That is why I believe the public health order was formed in the way it was. I accept, therefore, that that is going to be a problem for those people who perform in those venues. It is important that they, as far as they can, prepare a COVID safe operating plan and take it to Health—just like Live Performance Australia did for venues such as the City Recital Hall, Belvoir Theatre et cetera. That is the process. Would you like to comment at all on that or have we got it covered, Ms Foy?

Ms FOY: Only to say that there is a corollary with some of the work that we have been doing with the live performances. It is a coordinated effort to understand and try and help those companies in the event of reopening. We are not in the space of licensed venues but are happy to take any information and provide it back to the Ministers.

The Hon. DON HARWIN: The key thing is that in terms of the public health order, they have to be ticketed and seated. If they are not ticketed and seated—

The Hon. JOHN GRAHAM: Yes, and these venues are prepared to do that.

The Hon. DON HARWIN: Not prepared to do that?

The Hon. JOHN GRAHAM: Are prepared to do that.

The Hon. DON HARWIN: Well, if they are prepared to do it and they have got a COVID-19 safety plan in terms of operation, then they should be bowling it up to the health Minister and NSW Health and doing what they can to try to reopen.

The Hon. JOHN GRAHAM: I appreciate those comments. It is really the contradiction between what has been announced, what they thought has happened and what is in reality the public health order. Minister Dominello, one of the issues is that quite a few venues have suspended their operations at the moment. Liquor & Gaming NSW is reporting 532 licences are being temporarily suspended. That is up significantly. Can you give us an idea of how much that is up, or any sense you have got from your available data about how many venues have suspended their operations?

Mr VICTOR DOMINELLO: I do not have the up-to-date data, but does Ms Webb or Mr Sariban have those?

Ms WEBB: No, I do not think we have that. We could probably take it on notice and get you some details.

Mr VICTOR DOMINELLO: Yes, take it on notice. Anecdotally, it has obviously had a catastrophic impact and we accept that. That is why I was part of the task force with the Treasurer and Deputy Premier at the time doing our best to open up the economy. As you would appreciate, Mr Graham, we actually opened up ahead of the schedule and the road map set out through National Cabinet. I think we are about a month or two ahead. In fact, if it was not for the outbreak in Victoria, we probably would not even be having these discussions. We were pretty much almost to the last gate. Then things happened and we had to respond accordingly, but even the task force I have just set up with the alfresco—they are absolutely on their knees, particularly in the city CBD. We accept that.

The Hon. JOHN GRAHAM: Which is appreciated. The issue that was put in front of the Committee—and this is true on the alfresco side of things and also true for these music venues—was that they were asking for financial support. That financial support has happened in Victoria: nearly \$30 million for specific music venues and \$87.5 million to activate outdoor dining that has not happened here. I note the City of Sydney announcement.

Mr VICTOR DOMINELLO: That was \$20 million. We put \$15 million into that.

The Hon. JOHN GRAHAM: Jointly, yes, so I note that.

Mr VICTOR DOMINELLO: Before that, we did put \$750 million in for the businesses right throughout the middle of the pandemic. The first tranche was \$10 million to keep people alive and then another \$3 million to reopen, so there has been business support right throughout. I know that through Service we were doing that in around 72 hours and getting money into their accounts. But the thing that the venues say to me when I speak to them is that they have had the financial support and they need to open up. That is why we did that task force. They need more people to come through. It is a confidence thing. Even Mr Speed from the Fortune of War pub was telling me that over the long weekend—he was one of the few that was opened—he was turning people away.

The Hon. JOHN GRAHAM: Yes, understood.

Mr VICTOR DOMINELLO: Because it was a confidence thing.

The CHAIR: He told the Herald that too.

Mr VICTOR DOMINELLO: Well, I'm glad he told me first.

The Hon. JOHN GRAHAM: Returning to Minister Harwin's points, these performance venues are the hardest hit. I accept what you are saying, but it is really any sort of performance venue that is absolutely—their economics are marginal at best and rely on a full house.

Mr VICTOR DOMINELLO: I accept that. It is devastating.

The Hon. JOHN GRAHAM: They were certainly turning up and asking for financial help. That specific funding for them has happened in Victoria; it has not happened here. Is any prospect—

Mr VICTOR DOMINELLO: There is a budget coming up and it is not for me to second-guess what the Treasurer will do.

The Hon. JOHN GRAHAM: Any prospect of hope?

Mr VICTOR DOMINELLO: We live in the best State in the country by a country mile and, if you look at our response to the pandemic where we have opened up the economy, kept it open and yet managed to deal with the pandemic and carried the lion's share of inward-bound passengers, it is just extraordinary. I just want to pay credit to the public servants. I have never been this close to them—in a COVID-safe way course. Their expertise is extraordinary. I am just so proud and we should all be very grateful for them.

The Hon. JOHN GRAHAM: I acknowledge those comments.

Mr VICTOR DOMINELLO: Is there hope? Absolutely. Our economy will be the very first to bounce back. Our economy will drive the country.

The Hon. JOHN GRAHAM: I take you back to that specific financial assistance question, because that is what was put to us.

Mr VICTOR DOMINELLO: Mr Graham, I repeat what I said: That is a matter for the Treasurer.

The Hon. JOHN GRAHAM: Can I ask you about outdoor dining though? The ask was \$100 million from Local Government NSW. Victoria provided \$87.5 million dollars. They just recognise this will not happen for councils unless they actually get some help to waive fees and make this happen on the ground. Won't the result in New South Wales be slowed down—getting people outdoors, all the things you are arguing for—without the financial help here? Don't we need to drive this?

Mr VICTOR DOMINELLO: Again, I am not the Treasurer. I would not want to be, particularly in this—

The Hon. JOHN GRAHAM: You are the alfresco king.

Mr VICTOR DOMINELLO: I am.

The Hon. JOHN GRAHAM: Don't you need some money?

Mr VICTOR DOMINELLO: We are slashing red tape and that is one of the great things that we have done. We have slashed red tape. On average it would take Liquor & Gaming NSW seven weeks—

The Hon. JOHN GRAHAM: And we will come back to that, Minister, but I do want to ask about the—

The Hon. TREVOR KHAN: Point of order—

The CHAIR: I think we know where it is going, so point well made.

Mr VICTOR DOMINELLO: And it has come down to three days. Sure, there is money. I accept that point. Time is money also. So if we can slash the time to get people through the front door, that is my job. It is a matter for the Treasurer and you would ask the Treasurer and the Minister for Local Government as to whether they have got anything in the pipeline in relation to that because I am quite frankly not across that and nor should I be.

The Hon. JOHN GRAHAM: But you would accept that it would help, so I think that is what you are saying.

The Hon. TREVOR KHAN: Point of order: The Minister should be allowed to finish his answer

The CHAIR: I think there was a semicolon there that you missed, so I will go back to the Minister.

The Hon. NATALIE WARD: He paused for breath.

Mr VICTOR DOMINELLO: I accept that absolutely, but those decisions are for other Ministers. My job is to get rid of as much red tape as I can.

The Hon. COURTNEY HOUSSOS: You make a point about the red tape, but that is only half of it. If you are actually asking businesses to take a risk in a very difficult environment already, to open up for longer hours, to pay staff wages, and if you are going to be the alfresco king, as you have said—

Mr VICTOR DOMINELLO: No, it's what you have said and I am happy to wear the crown.

The Hon. NATALIE WARD: John Graham said that.

The Hon. COURTNEY HOUSSOS: —surely we are going to we need to meet small businesses in particular halfway and say, "We are not just cutting red tape; we are actually going to assist you to do that."

Mr VICTOR DOMINELLO: Again, I have been on the task force. When I am speaking to industry, what they want most importantly are people through the front door. That is how they make their money. They want to get back to normal and my job is to help them open the doors. That is most important thing that we can do: get customers through that front door in a safe way. Having corporate welfare is not a long-term position. The short, quick fix is getting people through the front door. We did the government corporate welfare when we had to shut them down completely, which was just completely devastating for all of us. But now the priority must be to get people back into the streets and back in buying in a safe way.

The CHAIR: The evidence we had from the venues was pretty clear: They needed the opening. But without some additional cash support, they are going to face a whole series of—those for-profit venues are going to face closure. They were not saying "one or the other". They said they needed both.

Mr VICTOR DOMINELLO: Mr Chair, you have got the wrong Minister here for the second part of the equation, that is all. I can answer the first part of it.

The CHAIR: Minister Harwin, I think that you acknowledged that the scope of the Arts portfolio traditionally has ended where for-profit venues happen.

The Hon. DON HARWIN: Correct.

The CHAIR: Given so much of our culture and art happens in that for-profit space, do you accept that that also requires support and probably requires attention from your portfolio?

The Hon. DON HARWIN: Effectively you are asking me for an opinion, Mr Shoebridge. I will say this though, after the last election I made a number of changes to the way we do things in the Arts. One of the things that I asked Create NSW to focus on in a restructure of its activity was building up a partnerships and policy section of the agency that would work to start building better partnerships with other agencies within the New South Wales bureaucracies so that we could be more focussed on these issues. Work was starting to get underway when COVID hit. It has not advanced as far as we would have liked. It is the case that we need to have good joined up policy with other agencies that are working on that. The one who mostly works on that, may I say, apart from those that are actually dealing with the venues like planning and liquor and gaming is, in fact, Destination NSW, particularly where it is in the regions, but where they are festivals or large-scale commercial theatre or events like rock concerts.

They are in that space and, in a sense, it is because of the capacity to drive interstate visitor or intrastate visitation in the visitor economy. So we are working in that area and just recently, for example, I have appointed to my new festivals board a very senior member of the Destination NSW staff to ensure that we start getting a better synergy in that respect. I think what you are saying is conceded, Mr Shoebridge. What COVID has done has put that into sharp relief.

The CHAIR: It has put the blowtorch on those existing fractures in government policy?

The Hon. DON HARWIN: Correct.

The CHAIR: The two areas that said to us they were going to lose venues and permanently lose venues and those cultural assets were small bars which have light music, and those medium-sized venues, the metros, the Enmore Theatre, the Factory. They told us unambiguously unless they get some kind of cash funding to see them through this year they will be lost, permanently lost and will be replaced by apartments or other non-cultural venues. I suppose we are looking for comfort that you acknowledge the scale of the problem and you are not willing to let it happen.

Mr VICTOR DOMINELLO: Seriously, I wake up in sweats sometimes thinking about how bad this is not just for the country but for the world. It is deeply troubling and we acknowledge that. Again, talking about my portfolio, we waived about \$50 million of licensing fees. I am not saying it answers your specific question because in addition to the \$750 million weekend businesses you are saying is there more? I guess I am saying is I am not in a position to say that.

The Hon. DON HARWIN: The broadly defined arts sector is like a lot of sectors across the economy, frankly, we are losing too much and it is not good. I think certainly within the area of my portfolio, I have done my best to make sure we do not lose independent arts organisations. That is the particular area we fund. I am pleased and proud that there has not been a single independent arts organisation that has gone under because of what we have put in place, and, to be fair, to the Federal Government, what it has put in place with JobKeeper which is actually quite critical to the arts sector. Without JobKeeper we would be in a world of pain.

Ms CATE FAEHRMANN: Yes, pretty much every witness mentioned that JobKeeper has been a life saver for their businesses and their staff. A number of witnesses have talked about the concept, because they have to have less people in venues, the 50 per cent if you like, and even less in smaller venues, whether there has been any discussion around subsidies per ticket sales to assist venues break even or make a profit? Recently a number of witnesses told the Committee that a lot of venues are now doing ticket sales that includes two drinks of alcohol. I am sure you have heard about it. Unless they sell those tickets for a greater price with the alcohol they do not break even. That is not fantastic from a health perspective but also for the patron themselves having to spend more by having to buy two alcoholic drinks. Have you got any thoughts on that particular measure that venues are putting place? Have you discussed subsidising or assisting with those costs in any way?

The Hon. DON HARWIN: To which venues were you referring?

Ms CATE FAEHRMANN: Subsidising ticket sales. I think Ms Glasscock might have said one—

The Hon. DON HARWIN: Didn't Kerri say that to break even the ticket price plus the sale of two glasses would enable her to break even. I did not think she was actually requiring people to buy two tickets.

Mr DAVID SHOEBRIDGE: No, that is my recollection of the evidence.

Ms CATE FAEHRMANN: That people are buying tickets now which includes two drinks.

Mr DAVID SHOEBRIDGE: Which was to break even.

The Hon. DON HARWIN: Yes, I would make this point. There probably would not be very many performance spaces in New South Wales, even outside COVID, that frankly could get the return on capital they need to remain viable, if it were not for the sale of beverages and food as well to cross-subsidise their operations. In a sense that situation normal, it is obviously even more crucial now than it would otherwise be. As to subsidising tickets, I think the approach we have taken, I am very happy to go through the approach of our rescue package for independent arts organisations operating in performance venues, but if you are asking about what is happening in commercial venues for-profit activities that is really outside the scope of what the Arts portfolio is doing.

Ms CATE FAEHRMANN: I think it is both in some ways, for example, you have the funding to various organisations to assist them to set up the rescue package but the question is was there consideration to also assist by subsidising those ticket sales?

The Hon. DON HARWIN: Let me explain what is happening. I am happy to go through it in detail but just quickly in broad brush, our approach with independent arts organisations has been more not to do things like subsidise tickets but to say once they are getting to the point where they are worried about whether they will be able to escape voluntary administration, well prior to that we have been encouraging them to start interacting with Create, open your books, let us look, let us work out what you need and then when you get to the point where really you will fold unless you get it, we are not just subsidising tickets, we are subsidising everything to make sure they do not go under. We are not just subsidising tickets; we are subsidising everything.

Ms CATE FAEHRMANN: Is that for every single organisation that Create NSW is responsible for?

The Hon. DON HARWIN: At this point, if that is what you are asking, I am very happy to take you through, in some detail, how it works.

Ms CATE FAEHRMANN: This is the Rescue and Restart package?

The Hon. DON HARWIN: Yes, the Rescue part of it.

Ms CATE FAEHRMANN: Okay.

The Hon. DON HARWIN: Obviously, as I think I have explained before in the House—I probably should go through that but I do not want to take up your time.

Ms CATE FAEHRMANN: Feel free to table, for example, lists of organisations that have received the funding as opposed to reading that out.

The Hon. DON HARWIN: I will explain—I will get to that. I will try to keep it quick, but it is detailed. Obviously, stage one Rescue funding is \$25 million. We have allocated almost half of that already. It is to rescue those not-for-profit independent arts organisations that are in financial distress. Funding is undertaken on a case by case basis using consistent and objective principles that are universally applied across every single application. I will not go through numbers yet, I will just go through principles. The applications have come from a range of micro, small-to-medium and large companies covering a broad range of art forms. It is specifically designed to provide funds at the time when they need the funds the most. It is also the case that funds continue to flow if things

deteriorate further. If someone is assessed for the first time and is found not to need them, they are then monitored. If they get to the stage when they do need them, then they are included as well.

Ms CATE FAEHRMANN: In relation to the application process—

The Hon. DON HARWIN: I was just about to go through that.

Ms CATE FAEHRMANN: —have we got a 100 per cent success rate in terms of the organisations that are applying? Or to put it another way, how many are rejected?

The Hon. DON HARWIN: Well, no-one is rejected as such. It is not 100 per cent either. It is just a matter of timing. The only people who are rejected are people who effectively are not-for-profit independent arts organisations. No-one is actually rejected.

The CHAIR: Who are not not-for-profit?

Ms FOY: Who are for profit.

The Hon. DON HARWIN: I am sorry, people who are for profit.

Ms CATE FAEHRMANN: That is tricky.

The Hon. DON HARWIN: Thank you for helping me with that. Basically, Create NSW has worked with Treasury to develop a process of assessment model. For any allocations to companies that exceed \$100,000, we also have PricewaterhouseCoopers [PwC] come in to make sure that the assessment has been done correctly. The assessment model ensures that companies access all other applicable government funding support packages—that is important to make sure that they have not missed anything—make appropriate cost savings and access all of their relevant reserves. Eligible companies are requested to supply detailed historical and current financial information to establish a comparative base to assess the financial requirements of each company. It is applied on a case by case basis, and the amount recommended for funding is calculated objectively based on an assessment of need. It is effectively a forensic sort of accounting process rather than what would normally take place with the arts, where it was based on merit and impact.

Ms CATE FAEHRMANN: Minister's discretion.

The Hon. DON HARWIN: Merit and impact.

Ms CATE FAEHRMANN: Do you have a say over those final lists and what amount organisations get? Are they all recommended to you?

The Hon. DON HARWIN: I approve the recommended instalments, and Treasury endorses them based on the process that has been gone through by Create NSW and verified, where applicable, by PwC. Effectively, they come to me in a form where they recommend a figure and I will just sign them all off exactly as recommended—every single one of them.

Ms CATE FAEHRMANN: So none of that has been changed?

The Hon. DON HARWIN: No. Despite what you might hear, that is not a process that happens—despite some of the evidence given to this Committee. But we can pursue that another time, no doubt.

Ms CATE FAEHRMANN: So you are saying that every organisation has received some kind of financial support, what is the—

The Hon. DON HARWIN: No, that is not what I said. I said that where—it is all a matter of timing. If this goes on then probably some that were not given it in September, or whenever—it might become necessary to give it to them in April. Others, when they were assessed in September, needed it straightaway. Just so you know, what we have effectively done is if you had to get it in September then you were told what the figure would be to take you right through to—and correct me if I am wrong, Ms Foy—the end of February. Then, obviously, sometime between now and February we will look at the trajectory of the pandemic and decide whether that needs to be extended.

Ms CATE FAEHRMANN: Does the \$25 million that is Restart still need to be included in the State budget coming up? Or has that already been allocated in existing arts funding?

The Hon. DON HARWIN: No, I believe that is already allocated in this 2020-21 financial year. Obviously, it will appear in this year's State budget because we are spending it. Well, we are spending the Rescue. The Restart is there and we are, in fact, finalising the objectives, principles and programs of Restart at the moment.

Given that we are back up to 50 per cent—I know that we had 12 days in a row without community transmission. That was a good thing. Obviously, I am advised that that might not be the case tomorrow.

Ms CATE FAEHRMANN: Today, I think.

Mr VICTOR DOMINELLO: Three cases today.

The CHAIR: They are technically not in today's data.

The Hon. DON HARWIN: But anyway, if we go back and if we keep having lots of zero days then we might well go above 50 per cent in terms of capacity for venues. We all earnestly hope that happens as soon as possible.

Ms CATE FAEHRMANN: You might say that this is not technically within your remit, but support within New South Wales for freelance creatives and freelance artists—we have obviously heard a lot, and I hear a lot as arts spokesperson, and as we heard a lot during the last hearing, that this is a particular issue and people are falling through the cracks. Support is being given to organisations and many of these freelancers cannot get JobKeeper, if you like.

The Hon. DON HARWIN: Anyone who has an Australian business number [ABN]—

Ms CATE FAEHRMANN: Yes, which is a lot of them.

The Hon. DON HARWIN: —which, in my experience, most self-employed people have, can get JobKeeper.

Ms CATE FAEHRMANN: The evidence that I have heard—there was evidence in particular from the audiovisual people in terms of artists that many freelancers are falling through the cracks, and they do not have those ABNs. I assume that Create NSW would be lobbied by artists who are falling through the cracks during this pandemic?

The Hon. DON HARWIN: We are certainly well aware that there are some people who do not have ABNs. To the extent that they—obviously, that is a problem in terms of JobKeeper. I would say that all of our existing arts and culture funding programs are still being operated right now. In fact, we are and have been looking at beefing up the project rounds, which are exactly what those sorts of performers, musicians and artists that you are talking about access. They are their bread and butter in years outside of COVID.

Ms CATE FAEHRMANN: Can I just get some clarity around what "beefing up" means? When you say "beefing up"—because this is in the context of thousands of people.

The Hon. DON HARWIN: I do not have the figures, but I am happy to provide them to you on notice.

The Hon. JOHN GRAHAM: Lastly on that financial question, I want to acknowledge the support you have talked through, but for many of the venues, many of the organisations, that came to see us at that last hearing, really it goes back to the point you made up front, which is that this is not going to for-profit businesses. Almost all of those venues we heard from at the last hearing will have missed out on that support. That is just a product of—

The Hon. DON HARWIN: For-profit venues will all be able to—yes, okay. I am sorry, I did not quite follow what your—

The Hon. JOHN GRAHAM: I think it was really your point up front, Minister Harwin, that the support provided is significant, but it will not be going to these very marginal businesses that are, theoretically, for profit.

The Hon. DON HARWIN: Yes, no, I made that quite clear.

The Hon. JOHN GRAHAM: Exactly.

The Hon. DON HARWIN: The rescue funding is for not-for-profit independent arts organisations. However, there has been—I am not at liberty to go through—yes, I will just leave it there.

The Hon. JOHN GRAHAM: Alright.

The CHAIR: Feel free, Minister.

The Hon. DON HARWIN: I would make one point as to why we are not going—where is that note? Because I am sure people will want to know why I am not talking about individual examples. We are planning to release, of course, the complete list of people who receive funding under the package in the annual report of the Department of Premier and Cabinet. Obviously that will not be for the one that is just about to be released; that will

be for the next annual report, which covers the current year. "Organisations that have received funding under the rescue package are able to disclose publicly if they received funding, should they wish to do so. Funding allocations under the rescue package are otherwise commercial-in-confidence as it would publicly disclose an organisation's solvency position and this may undermine their ability to generate income"—for example, ticket sales—"and philanthropy from the private sector"—

The Hon. JOHN GRAHAM: Yes, understood. Minister, I think that is a point—

The Hon. DON HARWIN: But I think it is worth putting on record, "or undermine their stakeholder and commercial relationships."

The Hon. JOHN GRAHAM: Thank you for that, and that is a point well made. Minister Dominello, I will return to you on the outdoor dining question. You have been an enthusiast on this question. The Opposition's frustration has been that the pandemic has been on us all year. It was 25 March that urgent COVID legislation came through and we are still waiting for many of these changes to be rolled out that might allow this safer way of using the city to work. I want a sense of how quickly you think this might move. You have confirmed publicly 16 or 20 venues down at The Rocks are part of the trial—

Mr VICTOR DOMINELLO: It will be 16 as of next Friday. I think next Friday is the 16th, isn't it? Yes. So as of Friday there will be 16, but there will be another one, so 17 all up.

The Hon. JOHN GRAHAM: Yes, so 17 venues. The city of Sydney is due to come online—

Mr VICTOR DOMINELLO: On about 1 November, or thereabouts. I do not want to steal their thunder, but early November.

The Hon. JOHN GRAHAM: Yes, that will certainly help many venues but it still misses the vast bulk of venues—nearly 16,000 of them—across the rest of the State outside the City of Sydney, many of them in the suburbs or the towns where people are now living and working. They are not in the CBD.

Mr VICTOR DOMINELLO: I accept that.

The Hon. JOHN GRAHAM: When will these plans be rolled out to have a safer outdoor experience outside of the City of Sydney?

Mr VICTOR DOMINELLO: I have said publicly that if a council such as Parramatta or Liverpool, whichever the council, has a *When Harry Met Sally* moment of "I want what they had", they will get it, but it is a matter for them to do their consultations. I accept your frustration. The frustration is borne by me as well, but when you are negotiating with councils—

The Hon. JOHN GRAHAM: Except you are the Minister. We are allowed to be frustrated but you are the Minister.

Mr VICTOR DOMINELLO: I know I am the Minister, but, as I said before, there are eight different agencies and then there are different councils, and then councils have their own systems.

The Hon. JOHN GRAHAM: But there was urgent legislation on 25 March. Daylight saving has already arrived. When will this happen? Other cities have been able to do this. Why has it not been able to happen in the City of Sydney so far?

Mr VICTOR DOMINELLO: It is a matter for the councils to put up their hand. We have already then concertinaed our part of the role. I cannot say to a council area, "You must do this", because that is a matter for them, their residents, their community. They have got to bring their community on board as well.

The Hon. JOHN GRAHAM: What is your view about why this has happened elsewhere but it has not happened here? Is it the fact that we have that many councils and they hold the power? Is it the lack of money?

Mr VICTOR DOMINELLO: There is, I think, 142 councils across New South Wales. Probably about 80 or so of those are in the Sydney metro, or thereabouts.

The Hon. JOHN GRAHAM: We have missed daylight saving. Do you expect this to be in place before summer, before Christmas?

Mr VICTOR DOMINELLO: I am hoping and I am urging other councils, as is Minister Hancock doing the same. We want other councils to embrace the working relationship we now have with the City of Sydney. The reason that I asked Place Management NSW to move so fast is because it is an agency inside our purview.

I could say to them, and I did say to them, "What is the earliest possible date you can work with the shops to get them opened outdoors?" It is 16 October, and we are holding them to the deadline.

The Hon. JOHN GRAHAM: But, Minister, that is 17 venues—

The Hon. TREVOR KHAN: Point of order—

The Hon. JOHN GRAHAM: This is safer. Why can you not move—

The CHAIR: I thought the Minister had finished but I could be wrong. Minister, had you finished?

Mr VICTOR DOMINELLO: I was about to say that with Place Management, I can move heaven and earth on that, and credit to Place Management because we are continuing to book. And city of Sydney; I have had that many discussions with Clover Moore who, again, has to move her machinery. But what we have done with liquor and gaming has gone from, essentially, seven weeks to three days. If any other council across New South Wales says, "We want the same to apply to us", we will do it. I can give you that commitment.

The Hon. JOHN GRAHAM: Yes, and I have seen the gentle encouragement, but don't you think money would assist?

Mr VICTOR DOMINELLO: It is more of a—

The Hon. JOHN GRAHAM: Why have other cities been able to do this?

Mr VICTOR DOMINELLO: It is more than a general—

The Hon. JOHN GRAHAM: In normal times, this would be breakneck speed.

The CHAIR: It is going to be hard for Hansard.

Mr VICTOR DOMINELLO: Sorry, I apologise.

The Hon. NATALIE WARD: It is hard for me; I cannot follow it.

The CHAIR: Just as the Hon. John Graham needs to wait for you to finish, it should go both ways.

Mr VICTOR DOMINELLO: Sorry. Can I correct the record? There are about 33 councils in Sydney. Sorry, Mr Graham.

The Hon. JOHN GRAHAM: What you are describing would be breakneck speed in ordinary times. We are in a pandemic. Other cities have moved. This is safer. That is why we have to do it. The pandemic will be over on the timetable you are working to. Can we not speed this up? What would it take to speed this up? Can the Parliament help? Can we help?

Mr VICTOR DOMINELLO: It is the councils and when you say "gentle encouragement", I would say it is a robust prod from me. If I could do any further, I would, but again it is a matter for those councils and your advocacy, all of our advocacy, to push the councils to put their hand up and accept that what we have done in The Rocks, what we are about to do in the City of Sydney, can be done elsewhere.

The Hon. JOHN GRAHAM: It is a robust prod but with no funding. Is that part of the problem?

Mr VICTOR DOMINELLO: No, I do not—

The Hon. JOHN GRAHAM: Do we need to get the Treasurer over the line? He is an enthusiast as well.

The Hon. TREVOR KHAN: Point of order: Mr Graham asks a question, which invites a response, and then continues to talk. So we end up with this overlap of discussion because of the way this is being done.

The CHAIR: I accept the point of order, but it is happening on both sides. I ask both of you to restrain your enthusiasm and let it happen as a didactic process.

Mr VICTOR DOMINELLO: Mr Chair, I unreservedly apologise to Mr Graham.

The CHAIR: You are both enthusiastic. That is great.

Mr VICTOR DOMINELLO: We are both enthusiastic to try to help out here.

The CHAIR: But one at a time.

Mr VICTOR DOMINELLO: Okay. Over to you, Mr Graham.

The Hon. NATALIE WARD: Can I ask that we have one question at a time? I am trying to follow.

The CHAIR: I think a concept of the question can be put, but rather than take more time I will go back to Mr Graham.

The Hon. JOHN GRAHAM: Minister, do you accept, particularly in regional areas, for some pubs that might have been able, for example, to have people wander outside with a drink into an outdoor beer garden, now they are required under the public health order, appropriately, to have patrons seated. They now have to apply for outdoor dining and that may be slow. Do you accept that those venues are actually a lot more restricted than they would have been pre-COVID?

Mr VICTOR DOMINELLO: No. My understanding is that, as a result of the task force that we worked through with Place Management and the City of Sydney, provided they go through their development application [DA]—and again the councils have to do what we have done, basically get through a whole lot of red tape.

The Hon. JOHN GRAHAM: Venues are saying that has not happened.

Mr VICTOR DOMINELLO: Again I cannot speak for the councils. You will have to ask Minister Hancock, who has more visibility in that space. But I know that the City of Sydney has been working on this for some time—and credit to Clover Moore. She has been working on this for some time. And that means working with businesses as well along the way. When she makes the announcement in early November about X number of businesses opening up, she has not just snapped her fingers and said, "Open up." I am hoping that this will then demonstrate to the rest of the councils in New South Wales we will move as fast as we can at your pace.

The Hon. JOHN GRAHAM: I want to deal with this—

The CHAIR: Let him finish.

Mr VICTOR DOMINELLO: Now, your question in relation to funding, again, that is outside my purview. My purview is red tape. I have slashed it.

The Hon. JOHN GRAHAM: Understood.

Mr VICTOR DOMINELLO: When it comes to funding, that is another Minister.

The Hon. JOHN GRAHAM: Alright. So I want to deal with one final issue then hand to my colleague. That is that really all the discussion from the enthusiasts in the Government—from you, from the Treasurer; there are some others—has been about outdoor dining. There is no consideration that I can see about outdoor performance. City of Sydney Council has pushed this. It is likely to be the case that where that occurs it does trip over the many rules and regulations that are in place. But again it is safer. One of the few ways we might get music back is to have that performance outdoors.

The Hon. DON HARWIN: Can I just ask, to assist the Minister, whether the honourable member could be a little clearer in his question? Which sort of outdoor performances is the honourable member referring to? Because in fact it is the case, for example, that the Sydney Festival is going to be largely outdoor performances.

The Hon. JOHN GRAHAM: Yes, and I do acknowledge the Sydney Symphony—

The Hon. DON HARWIN: Right. So it is just not—

The Hon. JOHN GRAHAM: Yes.

The Hon. DON HARWIN: I just think you should be clearer in your questioning.

The Hon. JOHN GRAHAM: Minister, I agree with that. I am asking about the regulatory statements and they have been quite limited to dining. But I accept the point you are making.

Mr VICTOR DOMINELLO: I stand to be corrected. No doubt Ms Webb will clarify, but my understanding is that they are permitted. Indeed, when we went down to The Rocks with the Fortune of War there was an example of that in play. When we did the announcement with the Treasurer, myself and Clover Moore, again we had the arts there performing. But Ms Webb, would you like to explain?

Ms WEBB: I think that most cases any restriction that you are talking about on a regulation—it would be helpful to clarify, are you talking about a planning restriction or a liquor licence restriction?

The Hon. JOHN GRAHAM: The real issue here is the complex interaction of planning restrictions, liquor licence restrictions, many of them imposed by councils, interacting with State laws.

The CHAIR: The reality is that most of the restrictions are planning restrictions and part of the strategy is about getting a State environmental planning policy amended. I suppose the time frame is, this is the exempt and complying, to allow for those live outdoor music events to be covered by the exempt and complying provisions.

The Hon. JOHN GRAHAM: Yes, for example.

The CHAIR: Have you any visibility on that time frame? Mr Walton?

Mr WALTON: Just to say that when we are talking about community based performances, so things that may be run by councils, for example, those sorts of things can already happen under the planning system. If we are talking about an outdoor event that is part of a for-profit scenario, if it is part of a pub and they are allowed to operate outside as an ancillary activity, that is fine too. It is when we are talking about establishing, say, a stage on public land, for example, for profit events, that is a DA process. I think generally that would be appropriate given the size of an impact on the community.

The CHAIR: I think it is action eight from the night-time strategy.

The Hon. JOHN GRAHAM: Yes. I might come back on notice. I am going to hand to my colleague. Thank you.

The Hon. COURTNEY HOUSSOS: Minister, I just wanted to ask you a follow-up question. You said you are about opening up the economy—

Mr VICTOR DOMINELLO: I am doing my best, yes.

The Hon. COURTNEY HOUSSOS: —and not about corporate handouts, just to come back to the question that I was asking you earlier. But you then talked about the need for councils to crunch through their approvals much quicker and you said that you have done that. Are you looking, in consultation with the Minister for Local Government, at providing councils with more resources to do that? Because that would be a key part of actually allowing a lot of these suburban centres—

Mr VICTOR DOMINELLO: No, I am not because that is a matter between Minister Hancock and the Treasurer. But I am working with Minister Hancock wherever I can as part of the task force to slash red tape, because that is my bag.

The Hon. COURTNEY HOUSSOS: Who is the lead agency in the alfresco or the outdoor dining task force?

Mr VICTOR DOMINELLO: In relation to this one? Me. I am the Minister chairing it.

The Hon. COURTNEY HOUSSOS: You are the Minister chairing it. So would recommendations around that then be just given to local government? Is there not a role for you to say: to facilitate outdoor dining, a key challenge is going to be getting local government to make the approvals faster, therefore they need more resources? That is basically what local government came to tell us.

Mr VICTOR DOMINELLO: Right. Well, again, you would have to raise that with Minister Hancock. That is not my scene.

Mr WALTON: Minister, I have a comment about that. Most of the time you need approval under the Local Government Act or the Roads Act for some of these outdoor dining activities. The department of planning is currently building and testing a facility through our ePlanning program to make an application for those approvals much more streamlined. We are hoping to roll that out in November to councils.

Mr VICTOR DOMINELLO: And Gino told me about that. I love ePlanning, by the way. It is the best thing since sliced bread, notwithstanding that. But your question goes to financial assistance to councils. I think I have been asked that question about six different times. It is the same response: I just do not have any visibility between Minister Hancock, the Treasurer and the councils.

The CHAIR: I suppose the question has been put to you as the lead Minister for making that happen. Do you accept that funding is part of that in your lead Minister role? Because someone has to pull it together. Part of the discussion has always been about the cracks. We keep getting pointed to the cracks. You are the lead Minister. Do you accept funding is required?

Mr VICTOR DOMINELLO: Yes, well, in terms of the task force I am leading it is in relation to Place Management and the sites there and the City of Sydney. These discussions in terms of the broader piece are outside of those two areas. That has not come to me yet.

The Hon. COURTNEY HOUSSOS: Sorry, the task force is only in relation to the City of Sydney.

Mr VICTOR DOMINELLO: That was our focus initially but it was then designed to pick it up and template it out. Obviously the hardest hit areas have been The Rocks, because we are not getting international tourists there, and the CBD, where people are not coming in to work because they are working from home. This has been ground zero in terms of impact so that is why the task force focused on these two areas specifically but with a view of ultimately getting this up and running and then templating all of these results to broader New South Wales.

The Hon. COURTNEY HOUSSOS: Yes. I think the Chair and I are on the same page here which is that the testimony from Local Government NSW to this Committee was that there need to be bespoke solutions for every separate local government area but that local government is already stretched.

Mr VICTOR DOMINELLO: Financially, you are saying?

The Hon. COURTNEY HOUSSOS: Absolutely. I am asking you as the lead Minister now in the alfresco—is it called the alfresco?

The CHAIR: The outdoor dining task force.

Mr VICTOR DOMINELLO: I am happy to call it the alfresco task force.

The Hon. COURTNEY HOUSSOS: Whatever we want to call it, this task force, is it going to have the ability to recommend that there needs to be more funding for local governments to speed up their part?

The Hon. NATALIE WARD: Point of order: I think the question has been asked a number of times. I appreciate what you are getting at is an important question. It has arisen repeatedly. The Minister has attempted his very best to answer it wholeheartedly on each of the six occasions. This is now the seventh. He is capable of answering for himself but I do feel that we have explored this.

Mr VICTOR DOMINELLO: Yes. Because I am not speaking to the other councils. If you ask me that question as it relates to the City of Sydney, I could give you an answer, but I just do not have that relationship with the other councils.

The Hon. COURTNEY HOUSSOS: Is the work then—

Mr VICTOR DOMINELLO: But I am happy to offer to the other councils the slashing of the red tape that we have now applied to the City of Sydney and The Rocks—absolutely, if they want that.

The Hon. COURTNEY HOUSSOS: Are you saying that the work of the task force has now been completed?

Mr VICTOR DOMINELLO: No, I have another task force meeting next week, I think, and then we will see where we go from there.

The Hon. COURTNEY HOUSSOS: Okay. Can you then explain what the role of the task force is going to be going forward?

Mr VICTOR DOMINELLO: Yes. Again, the purpose of the task force was to zero in on the gaping hole that is the CBD and in particular The Rocks that had been decimated because of COVID. I can go to my local community in Ryde, for example, and when I speak to a number of venues some are struggling but some are doing much better than normal because people are working from home. The Treasurer and I said that we need to be focusing in particular on getting jobs back in the city and getting people back into the city. The task force was set up to do outdoor dining to assist those in The Rocks and CBD in particular. If there are learnings from this, which there are, that can be used to assist other areas across the State, by all means. If they need money they need to raise that with Minister Hancock and the Treasurer but if they need assistance in relation to slashing red tape I will absolutely be there to help 100 per cent.

The CHAIR: Minister, from a local government perspective, your suggestion is that you look at what happens in Sydney through the task force and then you may apply that as a template for other areas outside of the City of Sydney. Is that what your current strategy is?

Mr VICTOR DOMINELLO: From the perspective of the Liquor & Gaming regulatory reset.

The CHAIR: But Minister, it is almost certainly not the right template for the reasons you have explained, which are that what is happening in the City of Sydney is vastly different to what is happening in other

parts of the State. Many local shopping strips have actually seen a boom during the pandemic, not uniformly, and it is because there are so many people working from home.

Mr VICTOR DOMINELLO: Yes, I accept that.

The CHAIR: So if the City of Sydney is not going to be the ideal template, what other consultation are you doing from a Liquor & Gaming perspective with those other councils?

Mr VICTOR DOMINELLO: When I say the template, Mr Chair, I mean the template in relation to the New South Wales Government's response. The City of Sydney did their piece and no doubt they had to engage with their businesses, no different to Parramatta engaging with their businesses to ask where the opportunities for outdoor dining are. We have fixed our processes on the back end and, whether you are City of Sydney, or Parramatta or Liverpool, when it comes to us signing-off and doing our approvals, we can template that piece out. I absolutely accept what you are saying, that the situation on the ground in Parramatta or in Liverpool might be completely different to the City of Sydney. Those councils have to do that work and I am hoping that they started doing this a long time ago because we are ready to go.

The CHAIR: Is there an open invitation from your office if mayors from around the rest of the State want to sit down and talk to you about the needs in their local community from a Liquor & Gaming perspective?

Mr VICTOR DOMINELLO: From a regulatory perspective, absolutely, there is no doubt about it; from a financial perspective, go through Minister Hancock and the Treasurer. I have been told by the excellent Paul Sariban that he will turn these things around in three days. Isn't that right?

Mr SARIBAN: Not personally, but the organisation will, yes.

Mr VICTOR DOMINELLO: That is extraordinary.

The CHAIR: You talked about Planning's role in this and the co-approvals under the Local Government Act and the Roads Act. Maybe Mr Sariban knows where this is up to, maybe not; maybe it is Mr Walton. Is the intent to make a single application, which will then get, if necessary, two or three approvals—one under the Planning Act, one under the Local Government Act and one under the Roads Act?

Mr WALTON: That is the intent; cutting that red tape for businesses.

The CHAIR: And you guarantee that that will be done by November, Mr Walton?

Mr WALTON: It is in testing at the moment.

Mr VICTOR DOMINELLO: It is under ePlanning; it is amazing.

The CHAIR: That is an ambiguous answer but I will take it.

Mr WALTON: Maybe I should be a politician.

Mr VICTOR DOMINELLO: Can I add that I have just been informed that Liquor & Gaming has already been approached by dozens of councils, Mr Chair, and we will continue to work with them in November on their proposals for outdoor dining. My hopes that they are underway were realised.

Ms CATE FAEHRMANN: Minister Harwin, I have a couple of questions about the media release that you tabled from the National Association for the Visual Arts.

The Hon. DON HARWIN: Sure, which page?

Ms CATE FAEHRMANN: Just generally, to begin with. I take it there was a discussion between Create NSW and the National Association for the Visual Arts after the hearing?

The Hon. DON HARWIN: I would have to refer—I know that if there was I do not know about it. I could ask the deputy secretary if she knows.

Ms FOY: I am not aware. I have not had a conversation.

The Hon. DON HARWIN: There was certainly none with the ministerial office.

Ms CATE FAEHRMANN: It certainly would seem that way, though, given that the media release states that earlier today Penelope Benton spoke at the hearing and she sought to clarify some comments that were made about communications from the Create NSW team in regard to the guidance on reopening, which she therefore retracted and clarified. A couple of pieces of information were provided. For example, the Create NSW arts and culture sector reopening information was available for several months and can be found—there is a link

there; and the COVID-19 safety plan template. Because we heard from quite a number of organisations that that is something that they were looking for from Create NSW. Would it be fair to be say that the communication to the arts and culture sector around those resources was lacking?

The Hon. DON HARWIN: I will ask the deputy secretary to add to that. Suffice to say, it is my expectation that Create NSW does the best job it can in communicating to the sector. Does it always do that? No. Are we trying to fix that? Yes. I get that feedback, too. I had it as recently as last week when I was talking to an arts facility at Lismore. I am aware of that and I made it very clear to the deputy secretary what my expectation is. Beyond that, I should probably let her comment.

Ms FOY: If I could just set some context. Create NSW has historically communicated with those that are within its funding orbit, if you like. COVID has really required us to expand and double-down on the level, style and regularity of communication with the sector. We are not perfect by any stretch but the team is trying extremely hard. I do not want to postulate on what discussions may or may not have happened with the organisations in that media release but we try to be as responsive as we possibly can be, learn from our mistakes and take corrective action quite quickly. In terms of all of our communication as far as COVID, we have run a number of roundtables, the first of which was literally the day after the first health order under section 7 of the Public Health Act on 16 March.

We had our first roundtable on 17 March, bringing together as many CEOs as we could. We stood up Project Awake in May because, as the Minister talked about, we acknowledge that the health orders were actually quite complex and require quite a lot of interaction on a whole-of-government level. As both Ministers have talked about, trying to work better on a whole-of-government basis has been quite critical, and some of the cracks have had the light shone on them through COVID. Project Awake works not only with Create in the sector but also brings in our health experts through the Chief Medical Officer's team. We work across Treasury and industry and all parts of government that might need to come together to provide advice.

We have run roundtables, we have dedicated information set up on our website, we have a phone number that people can call, we have Rebecca Dean doing a marvellous job as a single point of contact and expertise, and we have escalation paths for decisions. I will take any phone call or email that comes to me and they talk quite regularly with our Ministers. We try to the absolute best that we can and make corrections. Whenever people appear before inquiries it is perfectly appropriate for the team to look at the transcripts and, if there is a corrective course of action, we will absolutely take it. But I am not commenting specifically on the media release. I would expect that my team is looking for that information to say, "Have we got it right? Do we need to do something differently?"

Ms CATE FAEHRMANN: Thank you, Ms Foy, because we have several surveys that were presented to the Committee, and there is one in the media release, which is a different one. Theatre Network Australia has statistics such as only 5.56 per cent of respondents were satisfied with the New South Wales Government's communication; 66.67 per cent were unsatisfied or very, very unsatisfied. Similarly, 11 per cent of respondents are satisfied with Create NSW communications about the advocacy they are undertaking for the sector; 72 per cent are unsatisfied or very unsatisfied—that is Theatre Network Australia. And then the National Association for Visual Arts [NAVA] has also undertaken a survey and they say—

The Hon. NATALIE WARD: In the absence of a chair or a deputy chair I am going to respectfully ask if we can get to a question, given they are tabled.

Ms CATE FAEHRMANN: You mentioned the roundtables.

The Hon. TREVOR KHAN: I am going to take a point of order. This is actually an inquiry into the government's response to COVID. I know this evidence was given, and I think I might have raised the point, that some of this starts to get well and truly beyond the government's response to COVID. We seem to be going onto a budget estimates jaunt. I really do invite that we address it in the context of COVID.

Ms CATE FAEHRMANN: To the point of order: The question I am asking is a survey that was undertaken about the government's response to the impact of COVID on the sector and the support they are receiving from the government. It is 100 per cent in line with the purpose of this inquiry.

The Hon. NATALIE WARD: To the point of order: I am not sure that there was a question put.

The Hon. JOHN GRAHAM: I will rule on the point of order in this way: I did not hear the member step outside the terms of reference and I might take some gentle guidance from my colleagues.

Ms CATE FAEHRMANN: The question I was getting too is that you mentioned the roundtables at the beginning of the year but both of these surveys are very recent for these communities of artists. What additional measures are you putting in place in response to the most recent surveys of artists to improve the government's communication to that sector, to individual artists?

Ms FOY: If I could just clarify my point?

The Hon. DON HARWIN: I would like to hear the last part of the question again, I was distracted.

Ms CATE FAEHRMANN: Ms Foy was talking about the roundtables and consultation with the sector earlier this year. We have two very recent surveys that have the statistics I read out before of individual artists throughout the State. As a result of these surveys and the responses, what additional measures is Create NSW putting in place to address what seem to be significant concerns?

The Hon. DON HARWIN: Obviously, all feedback is crucial and the deputy secretary mentioned how Create is already responding to matters that were raised in what I call "the documents" from Theatre Network Australia and NAVA. I have not seen either of the documents yet. I am not going to dismiss them because I have not seen them. That is important. It is worthwhile that we have some balance and it is important to note that Create NSW also surveys funding recipients. There was a survey done of the 2019-20 applicants to funding rounds that year: 44 per cent of the responses came from people who had never applied for funding before. That is interesting. When they were asked about the application process 59 per cent responded positively. When they were asked about the efficiency of the application process 63 per cent responded positively. When asked about the ease of filling out application forms 57 per cent responded positively, so that was a drop, and we are actually working on that, we are fixing the forms.

This is an important one, because this is about the issue that you raised, communication. Was the amount of information available to complete the application? How was that rated? Well, it was in fact the most highly rated aspect with 66 per cent responding positively. These are people at the coalface, people who actually apply, whether they had applied before or were new, whether they were successful or unsuccessful. They were also asked: Was the website and online help used extensively, with 93 per cent of respondents using some type of online support from Create NSW. I think there needs to be some balance. I am not dismissing those surveys because I think they have valuable information. I have already conceded that I personally think there have been problems with communication and I have had that feedback directly myself. But, I do think that Create NSW is addressing this and it is my hope that it will be better in the future.

Ms FOY: Just a point of clarification, we have had webinars quite regularly at key points right up until as recently as the end of September, 28 September. We try and keep that large group of the sector for discussion but then focused discussions with particular groups, whether that is live music, or theatre, or cultural institutions and always with health with us because this is a health issue.

The Hon. DON HARWIN: They are all on the website and, in fact, there are three scheduled for next week. One is on the 50 per cent capacity issue, which is on 9 October; another on 12 October in relation to COVID-safe advice for singing; and the same day there is one for COVID-safe advice for bands, orchestras and musical groups. They are all there on the website.

Ms CATE FAEHRMANN: Back to the \$50 million rescue and restart. When does the restart \$25 million spend start?

The Hon. DON HARWIN: When we are ready.

Ms CATE FAEHRMANN: What does that mean?

The Hon. DON HARWIN: I did start to talk about that before in relation to one of your questions.

Ms CATE FAEHRMANN: One of the respondents to the survey from Theatre Network Australia talked about that and they did say it is one of the largest in the country in terms of the fund but there has not been much transparency around how it will be distributed and for how long it will last and when restart begins.

The Hon. DON HARWIN: Are you saying that is a response to the survey?

Ms CATE FAEHRMANN: Yes.

The Hon. DON HARWIN: First of all, in terms of Create NSW funded clients and even people who have applied and been unsuccessful I would be surprised if people were not aware of how to do it because that has been communicated to them. It is as simple as ringing up and people will be told what they need to do and then they get into the system. I can go through the numbers, but there are a very large number of organisations in

the system being assessed. Organisations are pretty well aware of it. In terms of restart it is entirely understandable that people would not be aware of how that is going to work because we have not actually said anything about it yet. We are principally focused on rescue at the moment and we are still considering objectives and principles of restart. That is now nearing its conclusion and we will be saying something soon. We are designing it to ensure that the companies are restarted in the most effective way. I personally, as I go out and meet people, test bits of it to see what people think and we are getting a pretty good response.

We are now consulting and I have done it on an informal basis. Create NSW has done it on a more formal basis, as I understand it. Ms Foy might add something to this with likely recipients about the sort of targeted aid people will need. Really, stage two restart has to take account of health guidelines and the problem is that they are changing quite quickly, particularly as they relate to social distancing and audience attendance numbers. We were at a fairly advanced stage and then we changed to 50 per cent. That has to be taken into account. If things continue going well certainly by early next year, but I am hopeful even sooner than that, it might be possible to go considerably higher than 50 per cent. That is holding us up. We have to get it out now because at 50 per cent it is clearly the case that people are restarting. There will be something released very soon on restart and it will be widely communicated.

Ms CATE FAEHRMANN: I am conscious that my time is probably up in a second. I just wanted to get a sense of the arts and cultural ecosystem, if you like. Minister, you were referring to "funded clients". I sense, in a way, that if organisations and individuals do not receive funding from Create NSW it is difficult for them. That could be part of the issue with the general discontent we are hearing—that lots of artists, if they do not receive funding, do not feel like they are getting support. The question is: How do they get support, other than financially, and how are they communicated with if they are not in your database for funding purposes?

The Hon. DON HARWIN: It is happening, because there are people who are receiving rescue money that are not annually or multi-year funded organisations. I can assure you it is happening. I can assure you in terms of the quick response funding, which is generally a maximum of \$5,000, most of them are not funded organisations either. It is happening. Deputy Secretary, do you want to comment on that at all?

Ms CATE FAEHRMANN: The example is organisations that we have heard about in terms of losing funding, like Writing NSW and South Coast Writers Centre—

The Hon. DON HARWIN: That is a different matter entirely.

Ms FOY: That is a different one, yes.

The Hon. DON HARWIN: That is not anything to do with COVID. It really, honestly is nothing to do with COVID.

Ms CATE FAEHRMANN: Okay. I can come back to it.

The Hon. DON HARWIN: It is probably not even technically within the terms of reference of this inquiry, but I am certainly happy to talk to you about those issues on another occasion.

The Hon. JOHN GRAHAM: Minister Dominello, I might just turn back to you. A range of these venues turned up and asked for help either on regulation or on financial support. Some of that was urgent and immediate; some of it is more long-term as we rebuild, knowing that help is on the way in the longer term. In a recent media report on 1 October in *The Sydney Morning Herald*—I will just quote from it in relation to one of the issues that I think you know is close to my heart, that being the restrictions on music. The article stated:

A NSW government spokesperson said the state would empower local councils to lift unnecessary restrictions on live music in their development applications and to adopt pro-live music regulations in their relevant planning documents.

That is a very welcome statement. It is perhaps a change in where the Government position has been up until now.

Mr VICTOR DOMINELLO: Sorry, Mr Graham, where was that from? Where was the spokesperson from?

The Hon. JOHN GRAHAM: It is a New South Wales Government spokesperson.

Mr VICTOR DOMINELLO: From Planning?

The Hon. JOHN GRAHAM: It does not indicate whether it is from Planning or from elsewhere. But it confirms that councils would be empowered to lift unnecessary regulations. It is a very welcome switch. I am just interested to know: Are you aware of this? Has this evidence come across your—

Mr VICTOR DOMINELLO: No, I am not privy to that.

Mr WALTON: Just in relation to the planning rules, it is open to any proponent to talk to council about amending their development consent and they can do that. I know some councils waive fees and process those things really quickly where there are a lot of impacts. But other than that, I am not sure what that means.

The Hon. JOHN GRAHAM: I will leave that and return to a matter which is squarely in your domain. That is one of the other restrictions, and I want to acknowledge up-front that you have already introduced legislation to waive a number of those restrictions. One you have not—in fact, the Government voted against it—was the flat-out ban on live music in about 95 venues across the State. It leaves those venues and those communities in the situation where they can be subject to, at any volume, Swedish death metal from an iPod being blared out of that venue but no live music. If a warm live human being is employed to perform something far more soothing—if Kate Ceberano walks off the street to perform jazz, that is illegal. Surely you can change your mind on this issue?

Mr VICTOR DOMINELLO: I am very sympathetic to what you are trying to achieve. I compliment you for your advocacy, because it has been very strong. In fact, even though it was not the Committee's recommendation you came up with delivering the "night mayor", which is appropriate, given Labor's reputation for delivering nightmares.

The Hon. JOHN GRAHAM: I will take the compliment.

Mr VICTOR DOMINELLO: In all seriousness, kudos to you. But in relation to that situation, as much as I really wanted to come across, I struggled. Ultimately it required a bespoke application to each event. For example, Kate Ceberano is a fantastic singer, as we all know, with dulcet tones if she is singing jazz, but it could have been in a suburban pub right next door to a mum who is working night shift. That is going to be a completely different situation to somebody who is on the main drag in Newtown. That is why—

The Hon. JOHN GRAHAM: But Minister, why subject them to—

The CHAIR: I think we will let the Minister finish.

Mr VICTOR DOMINELLO: That is why we could not agree, as much as I agree with—I think you were coming from a good space. We had to delegate that responsibility back to councils to consult with their communities, because there was not a one-size-fits-all approach to this.

The CHAIR: You are not taking a policy position against Swedish death metal, are you? It is the more melodic form of death metal, is my understanding.

Mr VICTOR DOMINELLO: I think I should, Mr Chair. I have an aversion to that—

The Hon. JOHN GRAHAM: But you are giving it the green light. This is my issue. You are giving it the green light, at any volume. This mother can be subjected to that playing on an iPod at any volume all night, but live music is banned.

Mr VICTOR DOMINELLO: But you are using a benign example. There could be a contrasting example which could cause grief.

The Hon. JOHN GRAHAM: It is a fundamental disagreement with the method of regulation which your agency is using. We should regulate noise. We should not ban music. You are allowing the death metal to play, but Kate Ceberano is illegal.

Mr VICTOR DOMINELLO: No, I am encouraging councils to look at their own backyard and to open up where they can and as quickly as they can.

Mr SARIBAN: Just to clarify, an iPod would not be played at any volume. Most of the restrictions are live music and amplified music. "Amplified" would also be captured under the existing arrangements. That dichotomy of Kate Ceberano singing versus the iPod would not emerge.

The Hon. JOHN GRAHAM: We can look at the individual examples. That is the case sometimes and is not the case sometimes. You would concede that, Mr Sariban, would you not? This is a patchwork quilt.

Mr SARIBAN: More than most, it is an amplified music condition.

The Hon. JOHN GRAHAM: Yes, except in 95 cases.

Mr SARIBAN: I am not talking about the 95 cases.

The Hon. JOHN GRAHAM: Okay. We might continue this. I am certain we will have to check—

Mr VICTOR DOMINELLO: It was a literary device you were applying, really, to show as an extreme example.

The Hon. JOHN GRAHAM: I am happy to hand to my colleague.

The CHAIR: But I come back to that: The Government has no policy against Swedish death metal. There is no policy position against it.

Mr VICTOR DOMINELLO: No, I reserve my position on that, Mr Chair.

The CHAIR: You reserve the position. Alright.

The Hon. COURTNEY HOUSSOS: Minister Harwin, we have heard about the efforts of the outdoor dining task force to really open up the city, particularly coming into summer in the evenings so that people can enjoy it. I wanted to ask you about the efforts that you may be making as the arts Minister to open up our cultural institutions. The Art Gallery of New South Wales closes at five o'clock. The refurbished Hyde Park Barracks is only open a couple of days a week and it closes at five o'clock as well. Even the State Library of NSW is only open until eight o'clock. Have you got plans to maybe start the Art After Hours program again at the Art Gallery? What are we doing to bring people into the city to those major cultural institutions?

The Hon. DON HARWIN: I think I might take the question on notice, because I am not happy with the detail I have in front of me. I would rather give you a complete answer than a partial one. We will get back to you as quickly as we can.

The Hon. COURTNEY HOUSSOS: Is it something that you are looking at?

The Hon. DON HARWIN: Absolutely, but I do not feel confident I can give you a complete answer and I would rather do that. But, yes, the cultural institutions all have restart programs and we have got them reopened as quickly as we can. They are all subject to social distancing rules. They are progressively increasing the amount of activities that they have. Obviously once we get into a position where we have fewer restrictions on how many people can actually go through them, then that is exactly what we will be doing. All of them have plans. In terms of me individually particularising each of those plans, I need to do that by providing you with a supplementary answer, if that is okay with you.

The Hon. COURTNEY HOUSSOS: Yes.

The Hon. DON HARWIN: Obviously the Art Gallery at the moment has the Archibald Prize on. They are ticketed arrivals to ensure that they are COVID-safe, but it is getting tremendous response, as the Archies always do. There are plans I think within a matter of weeks to open the Streeton exhibition, which will be spectacular.

Mr VICTOR DOMINELLO: I went and saw van Gogh the other day. It was amazing.

The Hon. DON HARWIN: Van Gogh is in fact not—

Mr VICTOR DOMINELLO: I know. I am just saying what a great job they are doing.

The Hon. DON HARWIN: Yes, not an activity of the Art Gallery, but van Gogh is, I am told, magnificent.

Mr VICTOR DOMINELLO: I know. It's about the economy opening up.

The Hon. DON HARWIN: But, yes, all of that is going to happen. We will supply information to you on notice in terms of the individual plans of each of the cultural institutions.

The Hon. COURTNEY HOUSSOS: The point you make about the Archibald Prize is spot on. You think about the long weekend. People could have come into the city, enjoyed that and then perhaps gone out for a meal. These are things that we can be doing to reopen the city. Is it something that the Government is looking at?

The Hon. DON HARWIN: Absolutely. The cultural institutions will play their role and you will notice that in this excellent document there are all sorts of recommendations about what the CIs could be doing. We are pursuing those.

The Hon. COURTNEY HOUSSOS: In that document it says that 78 per cent of people want night-time activities that do not centre on alcohol, so here is something that they could be doing.

The Hon. DON HARWIN: What is important to remember is that the CIs will have to be funded to be able to do that, if we extend our operating hours. Obviously in terms of the implementation of that report, large parts of it will need to go through the budget process. That is the strategy. Our individual measures are in there and there are large numbers of them that Create NSW have—well not ownership of, but will lead on. We will do so. We will push and we will advocate strongly for them but, of course, all of them have to go through the budget process.

The Hon. COURTNEY HOUSSOS: I appreciate that. It is a document that clearly outlines a strategy here and I appreciate there is funding there needs to be attached to it.

The Hon. DON HARWIN: And there are all sorts of really interesting ideas that I have come up with to ambush Treasury with.

Mr VICTOR DOMINELLO: Do you want to share them?

The Hon. DON HARWIN: And a couple more good things that say, "Oh, they have recommended that. I can now pursue this." Not on this occasion, Victor. I will leave it for another time.

The CHAIR: Would you like us to make a non-publication order over the transcript, Minister?

The Hon. DON HARWIN: Sorry, I am misbehaving.

The Hon. COURTNEY HOUSSOS: What are you then looking at more broadly across the rest of the city and the State to do similar kinds of things in and around New South Wales? Will there be support for other kinds of cultural institutions to reopen?

The Hon. DON HARWIN: In the restart program, which is mainly focused on independent arts organisations, our particular focus will be on removing some of the risks as they relate to the performing arts and mounting new productions. That is particularly relevant to regional touring. It is actually arts in the regions that are at the greatest risk from COVID because people—every performance needs to have money spent on developing a production, but when you tour it there are a whole lot of other risks as well. Those risks multiply for regional touring, so we will be focusing on how we deal with those. There will also be opportunities for independent arts organisations to bid for specific art funding as well for specific restart initiatives. That gives you a little taste of the things that we are looking at. We are certainly going to use what have we got—\$25 million for restart—to kick things off in a big way at the end of this year and the beginning of next year.

The Hon. COURTNEY HOUSSOS: You mentioned you read the transcript. You would have seen the testimony from Local Government NSW which said regional venues run by councils have actually suffered a lot of job losses. Is there any specific assistance or are they eligible for any of the other grant programs that you have running?

The Hon. DON HARWIN: I would make the point that the local government sector has had a significant allocation of money from the State Government to deal with some of these issues. To the whole sector, it is \$395 million. It is a sizable amount and councils should be—it really frustrates me sometimes when councils think that their arts and cultural activities are optional add-ons. It is the core business of local government in the area to be funding arts and cultural activities. I would hope that some of the money that they are receiving under that allocation will be used to support those activities.

Having said that, in our restart funding where—just recently I was talking to Julian Louis from Northern Rivers Performing Arts [NORPA] at Lismore. Some of you may be aware of that. NORPA is an independent arts organisation but it has the contract to run the Lismore City Hall, which is a performing arts venue that is in the ownership of Lismore City Council. We were particularly talking through what NORPA will need, which is not that different to what councils will need, to get their performance spaces in regional towns up and running again so they have proper programs for next year. There will be some measures in restart that will be specifically targeted at what some of those regional performance spaces require to have a proper program of their own shows and touring shows there next year.

Ms CATE FAEHRMANN: Similar to what Ms Houssos was talking about in terms of evidence from Local Government NSW, they also suggested—and I recognise that this is potentially a question for Planning—that the National Construction Code needs to be changed so that small-scale arts and cultural offerings can be held in public spaces like warehouses, which are safe. They said it was essential to keep the sector practising. Has there been any consultation with Create NSW?

The Hon. DON HARWIN: This has been something that we have been looking at for quite some time actually. It was something that Ms Foy's predecessor, Alex O'Mara, was particularly interested in. She has actually

gone back—she came from Planning and was a planning lawyer—to Planning and is now in fact in charge of the public spaces. It is something that Alex worked on a lot with Kerri Glasscock, activating spaces, but it was recognised at the time that most of the changes would need to be made by Planning. It would probably be more appropriate if I let Mr Walton answer.

Mr WALTON: Can I just add to that. In fact, it is one of the action items that is listed in the 24-hour economy strategy. It is something that we are working on. I note that South Australia has already made some changes to the way its code applies there. At the moment we are looking at how do we develop the right planning controls to make sure what we do, in terms of allowing buildings to be used for other uses, that they can be used in a safe way. Yes, very much we will look to vary out of the National Construction Code to facilitate some of these things.

Ms CATE FAEHRMANN: Okay.

Mr DAVID SHOEBRIDGE: The good news is Ms Webb is here. A lot of this would fall within her bailiwick so it is very fortunate to have her here. What is happening with the changes to the construction code?

Ms WEBB: I will have to take on notice whether it has been raised at the national level. I could certainly get the New South Wales representative to talk to that.

Mr WALTON: We would seek to vary out of the code once we do our statutory consultation processes and the like through regulation. Again there is a further process at the national level to formally vary out but, for all intents and purposes\ once we do our regulatory changes that apply.

The CHAIR: But the construction code will be largely overseen by your part of the monster that is the department?

Mr WALTON: That is right. We do talk.

The CHAIR: Ms Webb, is that right?

Ms WEBB: Yes, we are a member of the national committee so as Mr Walton said, this would be a New South Wales variation but it would be something that would also, I assume, be raised.

The CHAIR: Is a New South Wales variation on the cards?

Mr WALTON: It is.

Ms WEBB: Yes.

The CHAIR: What is the time frame?

Mr WALTON: We would hope to be consulting on that by the end of the year.

The CHAIR: Will that be led by planning or by Minister Anderson?

Ms WEBB: No, it will be planning but we will talk.

Mr WALTON: We will do the heavy lifting on it. In terms of Ministerial responsibility I am not sure.

Ms CATE FAEHRMANN: Minister Dominello, have you heard of any heightened impact on people in relation to pokies as a result of COVID? The Committee heard about this from the Alliance Gambling Reform and we should put it to you as well. Have you heard evidence that COVID has had a more detrimental impact on people with gambling problems or it has increased the number of people who have become addicted? What evidence have you heard?

Mr VICTOR DOMINELLO: I am happy for Ms Webb to answer but anecdotally it is quite obvious that gambling numbers through pokies have increased. That is notwithstanding the fact that we are in a recession and the fact that money is now coming from other sources, for example, through JobKeeper funds and access to superannuation. There is no doubt in my mind that this issue which has been alive for a number of years has reached a critical point. Maybe Miss Webb has some more concrete information.

Ms WEBB: I want to add in relation to online gambling, the point of consumption tax data definitely shows there is an increase in online gambling in addition.

Ms CATE FAEHRMANN: Have you heard any evidence or suggestion that new poker machines are being bought or leased by venues to be able to cope with the measures that are being placed upon them? For example, one local pub in Redfern was pokie-free and was closed during COVID. It has re-opened and now has pokies and is a completely different pub as a result. Is that a concern? Are you seeing a trend of more venues—

Mr VICTOR DOMINELLO: No, that is news to me.

Ms WEBB: I am not aware of any increase in the number of poker machines. In fact, the trend has been down and as far as I am aware it is still down. There may be a particular example where someone has permission to have a poker machine, was not using it, and now is using it but overall the trend is downwards.

Mr VICTOR DOMINELLO: And that was the issue. Because of the four-square metre rule and social distancing we had to turn off a number of machines, yet the revenue has increased. That is why I think we are all concerned about what has happened over the past six months.

Ms CATE FAEHRMANN: I am aware of reforms in place. I will not ask you too many questions about that.

The Hon. NATALIE WARD: I thank Minister Dominello and, in particular, his departmental staff in what must have been an extremely difficult time on their time and resources. Will you convey to them our thanks for them stepping up and turning things around so very quickly? I am sure it has not been an easy or relaxing process for them. I am sure my colleagues would agree that we are all very grateful for their very hard work. One example of that was the Fortune of War which you mentioned. I thank you for your responsiveness on that issue and the fact that there was a concrete example of one particular issue which could have been sorted out and was, very quickly, as I understand it. Will you comment on that?

Mr VICTOR DOMINELLO: That was an example where basically the venue operator had two pathways: one would have been to get one licence to cover, and the indoor and the outdoor which would probably taken a little bit more time. Understandably, a business owner looks for the path of least resistance, and he went for two separate ones and one was an extent of the other. It was a technical breach that we managed to cure. Again I congratulate Mr Sariban for helping us out so quickly. It goes to a lot of questions raised by the community today like, it is going to be much, much easier to save businesses than to create new ones. It is not a problem just for our governments but it is for governments around the world. If we can help our businesses now, that is our preference.

The CHAIR: I just have a quick question on that

The Hon. NATALIE WARD: No, Mr Shoebridge, you have had two hours. If I may, I would just like to continue this line of questioning.

The CHAIR: Yes.

The Hon. NATALIE WARD: Minister, you have been an evangelist for reducing red tape, for cutting through it and if anything good has come out of this COVID pandemic it is a new world where this is able to be done quickly. Do you agree?

Mr VICTOR DOMINELLO: Yes, absolutely. I do not want to count my chickens because we have got many, many months to go to the end of this pandemic but one of the things that we have realised here, because we are digitally significantly more mature than any other place in the country, we are able to turn things around. For example, when the Victorian border issue cropped up literally the agency was given about 48 hours to turn that around. If we had to start from scratch that is something that at best would take three or four weeks but because they already had the muscle memory they could literally just pick it up and go. Whether it was that, or handing out money, even the COVID-19 Safe check-in app is building our digital resilience so that we can open up more and more venues in a safe way. That way we can then notify patrons and venues if they have gone to a hot-spot area or an affected area. These are some of the things that our State is doing that other States have not done and they have not been tested on yet. We have been around the lap a few times. There is still a lot more we can do but, yes, thank you for the acknowledgement.

The Hon. NATALIE WARD: On the night-time economy strategy I want to acknowledge the work of my colleagues who were on the inquiry and the advocacy of the Hon. John Graham and Ms Cate Faehrmann and other colleagues who worked really hard on that and I thank them for the opportunity to have worked with them but also thank the Government for its responsiveness to each of the recommendations. Minister Harwin, I also want to thank you for your responsiveness in the Arts sector. I know that you and your team have been working around the clock. I know how worried you were personally about insolvencies and issues within the arts sector. I thank you both and all your staff and teams—I am sure they have not been resting easy—for their advocacy and hard work.

Mr VICTOR DOMINELLO: Ms Ward, can I correct something? I made reference to Paul Sariban helping out in relation to the Fortune of War. In fact, it was Marcel Savary. I speak to Paul all the time in relation to the task force. He is my go-to. So thank you, Marcel.

The Hon. NATALIE WARD: Thank you for fixing it.

The CHAIR: We will call this the corrections phase. Anything else? Because I am going to put this to Health, and I do not want them to bounce it back to your two portfolio responsibilities—in terms of what is an entertainment facility for the purpose of the public health orders, it is said to be, "Theatre, cinema, music hall, concert hall, dance hall and the like,"—which is kind of an ambiguous ending—but does not include a pub or a registered club. If we then go to the definition of a pub, it says:

Pub means licensed premises under the Liquor Act 2007, the principal purpose of which is the retail sale of liquor for consumption on the premises ...

Where does a small bar that is primarily a music venue fit in that, if the purpose is for live music venue but they get the majority of their income through the bar? Are they within "pub"? Are they within "entertainment facility"? Is it based upon revenue? What is the primary purpose test?

Mr SARIBAN: The licence class is really what matters here. You could have an entertainment venue that has an on-premises licence, which may be a nightclub licence or an entertainment-type licence. I think that is a differentiation, in my opinion, that the public health order makes between a place that is, say, a small bar whose primary purpose is the supply of alcohol versus a venue which has a licence but whose primary purpose is live entertainment.

The CHAIR: You reference the licence for the purpose test, is it based on class of licence? Is that how you are reading it?

Mr SARIBAN: It is how I read it.

The CHAIR: Given that the public health orders do not talk about the class of licence, they just talk about—and I am reading directly from it—"primary purpose of which is", how are venues going to navigate that?

Mr SARIBAN: In many ways, the venue may have a licence which does not necessarily fit neatly with the actual business model. A live music venue that is operating purely on a hotel licence could have the same size and operation as a non-premises licence that provides live music.

The CHAIR: Out of those two categories, the second one is not caught and the first one is caught by the definition of "pub"?

Mr SARIBAN: By "pub" under the health order?

The CHAIR: The principal purpose of which is the retail sale of liquor.

Mr SARIBAN: Yes, and you would need to meet the primary service test in order to get a licence in the first place. The question of what sort of licence type is actually rather a moot one. If the primary purpose is for the sale and service of alcohol, and that is the liquor licence that was issued for it, my understanding, by the way that it is defined in the public health order, is that it would be out.

The CHAIR: If a small live music facility had one class of licence that was trapping them within the definition of "pub", is there another licence they can apply for that will get them out of that definition so that they can fall within the broad—

The Hon. JOHN GRAHAM: Trapping them outside of "entertainment venue" might be the—

The CHAIR: So that they can be brought within the definition of "entertainment facility"? What is the class of licence that would get them out of the definition of "pub"?

Mr SARIBAN: I do not think that it is a straightforward answer. If you look at something like the venues that do have—say, the Entertainment Centre, for example, which I assume the public health order is trying to refer to, yes, they will have a liquor licence. I can look up that liquor licence and tell you what class it was, to give you some clarity.

The CHAIR: We are after some clarity on the public record for those small live music venues. If they think that their primary purpose is providing live music, to which they have some food and alcohol attached to make it a go-in venue, is there a class of licence that they can apply for that will allow them to get the benefit of the 50 per cent rule, and therefore move from the definition of "pub" to the definition of an "entertainment venue" under the public health order?

Mr SARIBAN: I think that, in limited circumstances, might be the case for some venues. But, again, it is a very case by case—not case by case, but it is quite a situational question.

The Hon. JOHN GRAHAM: This is precisely the point. If they are trapped on a small bar licence, a hotel licence or a club licence, they would really have to move to being on a theatre licence, or a music hall or dance. I know that these do not really exist in the licensing; they do not operate in the real world.

Mr SARIBAN: They are all on-premises licences, which can cover anything from a hairdresser through to a restaurant?

The CHAIR: Say, the Factory in Enmore. It can hold 1,000 or maybe 1,200 people at maximum capacity. It has a liquor licence. Would that fit within the definition of "pub", Mr Sariban? Would you accept that the principal purpose of that place is not the retail sale of liquor for consumption?

Mr SARIBAN: I would have to look at the liquor licence itself. I do not know off the top of my head. Again, the liquor licence itself is issued on the basis of what the business is seeking. The applicant does not come to the licensing authority and say, "I would like to open a venue that plays live music, give me a live music venue licence." They seek a pub licence. They will go through the different licence types to see what constraints are on each, and they will make a decision on what licence they should seek.

The CHAIR: Minister, perhaps it is within your portfolio area to look at a small live music venue licence category and create that category. It seems to be that that is where a lot of the friction and pressure points are.

Mr VICTOR DOMINELLO: I am happy to take that on notice and speak to the agency about it. It might be a faster route to craft something out of the public health order, but I am happy to take that on notice.

The Hon. JOHN GRAHAM: We will obviously put those questions to the other Minister.

Mr VICTOR DOMINELLO: I accept that.

The Hon. JOHN GRAHAM: But at the moment, these places are getting caught in the crossfire.

Mr VICTOR DOMINELLO: I understand the legitimate questions that you are raising. Unfortunately, the pandemic has given light to a lot of these grey areas.

The CHAIR: Not to minimise what the Ministers have done here, but I particularly appreciate your engagement on it, Mr Sariban. It is tricky and where the licensing and public health orders intersect is a problem for all of those businesses.

Mr SARIBAN: The public health order is there to cover all types.

The CHAIR: Thank you very much. That concludes this session.

(The witnesses withdrew.)

The Hon. BRAD HAZZARD, Minister for Health and Medical Research, before the Committee

ELIZABETH KOFF, Secretary, NSW Health, on former oath

KERRY CHANT, Chief Health Officer and Deputy Secretary, Population and Public Health, NSW Health, on former oath

The CHAIR: Welcome to the final session in today's hearing into the Government's response to the COVID-19 pandemic. Minister, do you wish to make a short opening statement?

Mr BRAD HAZZARD: No, I am fine. I will just take questions.

The Hon. JOHN GRAHAM: Thank you, Minister and officials, for appearing. Just a quick explanation as to why the primary concern that led to us requesting the other Ministers, some of whom have jurisdiction, but also a discussion with Health was when a range of these industries came in, particularly a range of venues, they really put some confronting evidence about how many might close in a short period of time. The evidence we took was that 85 per cent of them might close in the next six to nine months. We have talked to the arts and liquor—

Mr BRAD HAZZARD: Who, sorry?

The Hon. JOHN GRAHAM: We have talked to Minister Harwin and Minister Dominello, who are responsible for some of this area, but what became clear is that one of the bits of good news in the changes that were possible under the public health order, the shift towards 50 per cent occupancy for a range of these venues, 50 per cent capacity for entertainment facilities contained in the direction of the Minister under the public health order, many of these venues thought they would get the benefit of it but because of their licence class, because of the complex interaction with the licensing law in New South Wales, they will not actually be able to utilise that. They are stuck under the old rules. So they thought this was some good news.

It turns out the interaction of the public health order and the licensing laws means these primary purpose music venues such as pubs, clubs, small bars or on-premises licences that relate to restaurants that mean when health looks at it they fall in categories which would not benefit from this change. That is a lengthy explanation about one of the central issues we were keen to get some advice on. Really the question is simply this: Is that understanding correct, noting that it is quite a complex interaction between the two systems? Liquor licensing in New South Wales is extraordinarily complicated. We might then come to would it be appropriate to deal with this? Is there any way to deal with it?

The CHAIR: We will start with the first bit.

The Hon. JOHN GRAHAM: Yes.

The CHAIR: Is that your understanding, Minister, that that is how they operate?

Mr BRAD HAZZARD: I would have to say that from Health's point of view, what it looks at and what I as Minister on advice from Health—are the issues around how to keep people safe. Obviously that advice has varied across this last ghastly nine months. Very early on, back in March—27 March, I think it was—we got the maximum number. It was about 212 cases. Clearly there was an urgency about trying to cut off the chain of transmission so that was when, or shortly thereafter, to basically restaurants and cafes could only do takeaway and that was it. Over the period it has gradually progressed as health has progressed.

I think I heard the Treasurer say this morning that the economic issues are now benefiting from the health approach. So I think that what we have done is respond to the health issues. Having said that, we have within the crisis Cabinet group a task force which the Premier has talked about many times now publicly. That task force looks at what other easing of restrictions can occur across every area really. It is much easier to close things down than open them up and keep people safe. So that group makes recommendations and goes out and talks, obviously, to the same groups I guess that you have had here. I do not know who you have had here, I am sorry.

But those people are all being consulted by that task force. The task force comes back and generally would talk to me—not always but generally—and I would give the health advice. Because everybody has got to know each other so well through the warlike conditions sometimes the conversations are direct with Dr Chant these days, not the usual ministerial lines that would exist in government in other times. The intersection of how that works would be principally when we give the health advice and then the Minister would be Minister Dominello who would be dealing with the licensing issues.

The Hon. JOHN GRAHAM: Can I put some of the specifics to you as to what is in the public health order which does impact on this, which might just help?

Mr BRAD HAZZARD: Sure.

The Hon. JOHN GRAHAM: The change, which was regarded as positive, this is how it was reported:

Live music NSW: venues to open at 50 per cent capacity from next month

So that is the reporting, separate to whatever happened.

Mr BRAD HAZZARD: Sorry, where have you got that from, Mr Graham?

The Hon. JOHN GRAHAM: That is an article from some of the music press, which I am happy to hand up to you as I explain this.

Mr BRAD HAZZARD: I am just struggling here, because there have been a lot of changes. Are you referring to the one where it was released on 28 September?

The Hon. JOHN GRAHAM: Yes, 28 September.

Mr BRAD HAZZARD: So only a few days ago.

The Hon. JOHN GRAHAM: This was the most recent order. Signed off by you 25 September to take effect 1 October. It was the direction of the Minister about entertainment facilities, clause 14, where an entertainment facility has either got to do one person per four square metres or the lesser of 50 per cent of the capacity—

Mr BRAD HAZZARD: To a maximum of 1,000.

The Hon. JOHN GRAHAM: Correct. And the way that seems to have rolled out, it goes direct to the heart of one of the hardest hit sectors, any sort of live performance. But if you are in a theatre it seems to have helped. But for any of the music venues that we heard from direct that are primary purpose music venues, it does not impact on them because they are in various classes of liquor licence that do not fall within that definition of "entertainment facility". Just to put that one to you, just for completeness, so "entertainment facility" under the public health order, a theatre, a cinema, a music hall, a concert hall, a dance hall and the like, but does not include a pub or registered club. And then the definition of pub picks up all of those other licensed premises. So that is the gap. It seems to leave a theatre able to operate at 50 per cent. Maybe they have people there for an hour, maybe they are seated, they are probably serving alcohol, they might be socially distanced and there is some sort of performance going on. These other venues would say they are doing the same thing.

Mr BRAD HAZZARD: You mean a pub or something—is that what you are saying?

The Hon. JOHN GRAHAM: A primary purpose music venue.

Mr BRAD HAZZARD: What do you mean by primary—

The Hon. JOHN GRAHAM: Places like the Oxford Art Factory is a good example. It is a—

Mr BRAD HAZZARD: It is basically a pub.

The Hon. JOHN GRAHAM: Yes, well, it is an on-premises licence. It is a theatre for public entertainment use under the licensing category. But they are not at all certain—in fact, we just heard from licensing they are probably not. They fall on the wrong side of that—

Mr BRAD HAZZARD: I want to do—and I think everybody wants to do—the best we can. There is no reason to be not doing the best we can for all of these various industries. There may well be intersections that you are highlighting that I am not aware of. I am happy to take it on notice if you would like and to look through that and take it back to the task force that is looking at it, because they are the ones who would be across the actual intersection and, knowing the law, there is every chance that that may well be the case. But if it is not working in the way we would intend it to work then I am more than happy to look at it.

The Hon. JOHN GRAHAM: I think it would certainly help. That is the spirit in which we are raising it.

Mr BRAD HAZZARD: I do not think I have. Maybe one of my staff have but I have not seen or heard from anybody on that particular intersection, so it interests me. I am happy to take it and afterwards if you want to show me what it is about I will happily raise it and pursue it.

The Hon. NATALIE WARD: Can I just add context to that, if I may, Chair. I am not going to take up your time. For context, Minister Dominello was saying, "Health orders first". Health comes first. If there is an intersection, exactly as you say there might be, but otherwise seated, ticketed and spaced is okay.

Mr BRAD HAZZARD: Yes.

The Hon. NATALIE WARD: I think it is a grey area.

Mr BRAD HAZZARD: Probably what Ms Ward has just said are the key issues, which was the public health position. Advice of public health is prioritised but where we are at this stage, we are obviously looking to try to strike that balance even further and open up further for the economic situation. But I must say, after today with another three cases, it just reminds us that the virus is about and we need to be sensible. Having said that, I would like to have a look at the detail. When did you see Minister Dominello?

The Hon. JOHN GRAHAM: Immediately previously.

Mr BRAD HAZZARD: Just before this?

The CHAIR: We had a 15 minute break.

Mr BRAD HAZZARD: Normally if somebody had recent issues like that, not in our committee structure, but if someone raised that, he would pick up the phone and talk to me. I was probably on my way up here to do this so I could not. Apologies. I am very happy to look at it.

The Hon. NATALIE WARD: And we did have that context. There was a licensing issue and the health issue and the intersection of the two.

Mr BRAD HAZZARD: There is no question that the health issues override absolutely everything.

The Hon. JOHN GRAHAM: Sure. And I think it is important to say that that is acknowledged.

Mr BRAD HAZZARD: Yes, but also I cannot tell you the number of times that I have had individuals or business groups or others come and talk to me and put a position. Always what I do is, I would obviously get advice from Health first, and then I would be talking to the other people on the task force and just looking at how we can strike a balance. There is no politics in it. It is just sensible.

The CHAIR: Minister, it was in that spirit. That is why we shared the transcript at the last hearing where we had those venues and they put their concerns on the record. In the intervening time you have amended the public health orders in accordance on 25 September. The problem has now become apparent that even though the intent of some of those amendments of the public health orders were—that is what we are exploring—to provide the relief to these venues. Because of their alcohol licence they are not getting the relief that they thought they might receive. So that is the context.

Mr BRAD HAZZARD: Mostly, public health's view is a little more constrained. It is not quite as adaptable when it involves alcohol because the view is, particularly in pubs and clubs you have got to be really sensible because people consume alcohol. The chances of them complying with the basics, as my colleague Ms Ward just said, the sitting down and doing all the sorts of things that stop the intermingling become a worry for us. Having said that, they are not reasons why we would not look at it, of course we will look at it.

The Hon. JOHN GRAHAM: There is a distinction there where you might expect more of some of those behaviours in some of the other licence settings but many of these venues are strictly ticketing people. That is just their business model. They are certainly offering—

Mr BRAD HAZZARD: That is a key issue—the ticketing, the sitting down, the not mingling.

The Hon. JOHN GRAHAM: Yes, so there is alcohol as there might be in a theatre.

Mr BRAD HAZZARD: Yes.

The Hon. JOHN GRAHAM: It is once you have cracked that live performance issue on the theatre side, which is very tough, but we seem to have gotten there from the Health point of view that these venues are than saying, "Well, hang on. We are doing almost exactly the same thing but it is sung not spoken word, shouldn't we fit into this category?"

Mr BRAD HAZZARD: Sorry, did you say in the hearing before this you had somebody or you have a transcript?

The CHAIR: The transcript was from—

Mr BRAD HAZZARD: That was the one before we changed?

The CHAIR: And then you changed. The changes went in the right direction but did not cover this. The example is a small bar whose primary purpose is live music. They open when they have a band and they have a couple of bands over the nights. It is a small bar whose primary purpose is live music and, therefore, it is all ticketed. The only way you can get in is if you buy a ticket. You buy a ticket to the band and sometimes the ticket comes with two drinks as part of their making it viable. They are caught within the definition of pub because of their liquor licence and therefore they do not get the benefit of the 50 per cent capacity alternate options for patron numbers. Yet they say, "We are ticketed. We have social distancing. We know who is here." It seems appropriate that they get the benefit of the 50 per cent rule.

Mr BRAD HAZZARD: Subject to four square metres. Because it would be inside it would be subject to the four square metre rule.

The CHAIR: Well, that is what I suppose I am going to put. I think we are all wondering what the public health view is in that—

Mr BRAD HAZZARD: I am expressing it.

The CHAIR: Is it the four square metres? Is it the 50 per cent?

Mr BRAD HAZZARD: Would you feel more comfortable listening to Dr Chant?

The CHAIR: Well, is it the four square metres? Is it the 50 per cent?

The Hon. NATALIE WARD: It is the four square metres.

The CHAIR: Are they cumulative?

Mr BRAD HAZZARD: I will ask Dr Chant to comment.

Dr CHANT: You are correct that from Monday 28 theatres, cinemas and concert halls were able to increase the capacity to 50 per cent. They have to have a COVID safe plan. That is also about managing the way people move around the facility, move in and out, any hospitality that is served, transport—they are meant to consider how people are getting there as well. The issue is I think you are raising another category that really had not come to our attention specifically. We would be happy to look at the public health risk in the sorts of venues but the principle reason for the comfort about 50 per cent capacity in these venues was the nature of the movements: the fact that they were seated. They were still recommending that groups get clustered together in the household or the group that is coming together, and then 1.5 metre distance to others as appropriate. We felt that in these venues, because of the nature of the interactions of the nature of the behaviours in many of these, there would not be a lot of vocalisation or screaming or singing.

Mr BRAD HAZZARD: That is the aerosol issue.

Dr CHANT: And that is not because we have any problem with that other than from the COVID risk. We know that loud talking, singing, shouting and chanting can generate particles if you are an infectious person there. Obviously, the risk in all of these venues depends on your likelihood of having an infectious person there but notwithstanding those other behaviours then in the presence of an infectious person, we have very good evidence that those behaviours can potentially spread to more people in the right circumstances. I would be happy to provide advice to the Minister on the specific venues you are relaying in terms of how they meet that with the general public health principles why we were comforted by the increase in capacity in these venues.

The CHAIR: Just be clear, Minister, because there are multiple iterations and there are complex subcategories, the category I am talking about is clause 14 of the public health orders of 25 September where there are alternatives:

- (a) the number of persons that is equivalent to 1 person per 4 square metres of space on the premises, or
- (b) the lesser of—
 - (i) 50% of the capacity of the premises, or
 - (ii) 1,000 persons.

If you fall within the definition of entertainment facilities you get relieved of that one per four square metres if you can meet that alternate criteria of 50 per cent.

Mr BRAD HAZZARD: That was not, I think, absolutely intended, so I need to revisit.

Dr CHANT: For the Minister I think—

Mr BRAD HAZZARD: I have just got a copy of the section 14.

The CHAIR: I think it is an alternate. You can meet it for alternates.

Dr CHANT: That is right but it particularly was intended to apply for those venues like theatres, cinemas and concert halls where clearly the nature of the interactions and the behaviours in those theatres did not have any other risk components to them. We felt that at this point in time and the level of community transmission we could do it. The venues you are describing are not a venue that we particularly had in mind. I am happy to provide advice to the Minister on the particular circumstances in those venues. I just indicated that the sorts of issues that we would have in mind would be the service of alcohol, the chances of actually keeping people in seats and the mingling, and the types of behaviours that might be hard to manage in those circumstances. They would all be factors that would take into account our advice about the public health risks. This was largely intended for theatres, cinemas and concert—

Mr BRAD HAZZARD: What I would say is that each of these orders that are made are generally made with a degree of urgency about trying to address current factors. The process is quite complex. It was a lot easier to start off with because I could literally hand draft the orders. They were good in those days weren't they? But since that time we now have a more complex process where we have Department of Premier and Cabinet [DPC] lawyers, parliamentary counsel, health lawyers, you name it they all have a two bobs worth. Reading that quickly now you have said that point, I have always read it in the context of what the public health officials have taught me. It is bigger venues, not smaller venues.

When I look at it, when you were chatting then I was just going back to see if there was a definition technically of an entertainment facility. No there is not. But there is a hospitality venue which includes pubs and bars and so on. One could therefore draw the conclusion that those are not included in entertainment facilities if one wanted to be technical. But I do not think this is not a High Court decision, this is about how to make it a practical decision to keep people safe. All I will say is, let's not get hung up on the technicalities of the words, that will be for someone, sometime in a superior court if someone gets charged with something. In the meantime, what we need to do is to see what the substance—

The CHAIR: The practical outcome.

Mr BRAD HAZZARD: —of what you and the Hon. John Graham are talking about and I think it is a valid point. Why don't you let us have a look at it maybe afterwards or drop me a line tomorrow with the details of the ones you think should be looked at?

The Hon. JOHN GRAHAM: That would be very welcome.

Mr BRAD HAZZARD: Happy to do it. I have colleagues on both sides. I had a Labor colleague today ring me before this on an issue, trying to get something fixed. I try and get it fixed. Just let me know.

The Hon. JOHN GRAHAM: It really took the discussion with Minister Dominello on Liquor & Gaming to really bring it up into lights but it is—

Mr BRAD HAZZARD: The complexities of interaction, yes.

The Hon. JOHN GRAHAM: —the interaction of the public health order response that is the issue.

Mr BRAD HAZZARD: That is not unusual even when laws are created in the calmness of no COVID, no one-in-100-year pandemic. But by the time you get into a one-in-100-year pandemic, yes, those things— Some day, someone will sit down and write a book on all the complexities of it but what they will say is we kept everybody safe.

The CHAIR: As we look at what is happening in other jurisdictions at the moment with people going in and out of places of government, we do have a degree of comfort at the way things have been arranged here. Minister, there is a definition of entertainment facility in the order—

Mr BRAD HAZZARD: Is there?

The CHAIR: It says it means a theatre, cinema, music hall, concert hall, dance hall and the like but it does not include a pub or a registered club.

Mr BRAD HAZZARD: Okay. I apologise for that but when you go down to the other issue—

The CHAIR: There is also a definition of pub somewhere.

Mr BRAD HAZZARD: The one I talked about which is whatever it was. Anyway we get the drift. The technicality is probably irrelevant, the practicality is what we need to focus on and it sounds like an issue so let us try and fix it.

Ms CATE FAEHRMANN: Thank you for appearing today.

Mr BRAD HAZZARD: Pleasure.

Ms CATE FAEHRMANN: Obviously it has been very busy timing today and thank you for all the work you have been doing in keeping everybody safe in New South Wales.

Mr BRAD HAZZARD: Thank you.

Ms CATE FAEHRMANN: It is very much appreciated I think by all sides. If we can just explore the concert hall 50 per cent capacity public health order, does that include orchestras? Is there any limit on the types of performances that can take place in these venues and theatres?

Mr BRAD HAZZARD: We actually had a meeting about three weeks ago with all of the representatives across orchestras, choirs, woodwind groups, everything. They were raising issues around how the health orders were impacting on them. So there has been a lot of work done by public health to make sure that we can safely allow them their activities. Some of those activities we are looking at currently are about possibly encouraging—where there is a likelihood of aerosols and so on—activities outside rather than inside. But I will ask Dr Chant to comment on the specifics because she has been working on it with her team.

Dr CHANT: So obviously professional people are still governed by our health and safety requirements. The general principle is that orchestras have requirements to make sure that people are not sick that are attending work just as any other workplace. There are also some suggestions around the distancing required to minimise any transmission in those settings and some distances from the audience. So those specifications have been consulted. Obviously when people might not be having an audience, they are considered a workplace and so it is really around what your obligations are to create that workplace as safe as possible within the practicalities of what you have actually got to do.

Ms CATE FAEHRMANN: So it sounds like with orchestras, if there are wind instruments that if there is a COVID-safe plan that whether you have to be comfortable with it, or no.

Dr CHANT: No. Basically we give the general guidance about the distancing we would request and the requirements of common sense. There has obviously been some reports about the very distant spread of aerosols. This is about finding a practical distancing option.

Ms CATE FAEHRMANN: Is there a different level of distance required for, say, someone playing a tuba compared to someone playing a violin?

Dr CHANT: The only instruments and these are the differences between the theoretical risks between reeded and non-reeded instruments. I am not a musician so I am going to probably misspeak this but the concept is where the airflow goes directly out and is not trapped—

Mr BRAD HAZZARD: Not trapped by the reed.

Dr CHANT: —by the reed then it has got a greater potential or it has not got lots of twists and turns in it so that is the distinction. There is a theoretical possibility that for a recorder you are just blowing out the air so we recommend a distancing—and I will have to check—of about three metres for that. Then for singing and others we have a different level based on a rough guide—obviously internationally various people, orchestras and other groups have actually determined their own safe operating principles for distancing.

Mr BRAD HAZZARD: Can I just say, Ms Faehrmann, what Dr Chant is really saying is there is no definitive absolute because it is a one-in-100-year pandemic. The virus and how it moves and how it affects people is still actually being determined. So you could look internationally, you could look at other parts of the world and you would find different rules. In a sense, what happens is public health gives guidance to people in the workplace keeping in mind that technically—because we are at work—we could all be sitting right next to each other but it would be crazy if we were.

In a workplace, say the Sydney Symphony Orchestra for example, public health will give them guidance on what we think might work and then SafeWork NSW has an interpretation of that as well in terms of occupational health and safety. If they get it wrong and someone gets very sick then they will probably have a right of action against their employer. Different ball game if you have members of the public coming, which is where public health really get involved and start saying that this is to our best scientific evidence, we think this is

the case. Fortuitously so far it has worked pretty well but I do not think you could actually take out a tape measure and say this is absolutely definitively right. It may vary. Someone may blow air through a recorder with great enthusiasm.

Ms CATE FAEHRMANN: So I did just want to turn therefore to the school—

The CHAIR: Which is awkward at the best of times.

Mr BRAD HAZZARD: It is. I do not really like recorders.

Ms CATE FAEHRMANN: Before COVID that was pretty nasty. I did want to turn to school bands because I am sure you are aware that members in this place are being lobbied by school music teachers and students themselves in bands about not being able to play with instruments. Has that changed?

Dr CHANT: Yes.

Ms CATE FAEHRMANN: Has it?

Dr CHANT: Yes. There was updated advice.

Mr BRAD HAZZARD: It was about a month ago, wasn't it?

Dr CHANT: We were dealing with a situation where we had higher rates of transmission in the community and we were seeing a lot of schools impacted by that. Given the disruption to the schools we took a cautionary approach, particularly given that we wanted to preserve our year 12 students from having to be isolated. So we suggested a range of restrictions at that time with the purpose of minimising the risk of introduction into the school and then also minimising the crossover and mixing within the class because, potentially, if you have got someone who might be playing with year 9 with year 12 and they are in a band, you can then get a broader group of people, potentially, impacted in terms of contacts of cases and the impact on year 12. Prior to the school holidays, we announced that those restrictions were eased and provided updated advice to Education which permitted the resumption of a lot of activities, including school camps with risk assessment and COVID-safe plans, and resumption of music activities and other things. We can provide the correspondence that underpins that, if that would be useful to the Committee.

Ms CATE FAEHRMANN: Thank you. Does that include the playing of wind instruments in school?

Dr CHANT: Yes.

Ms CATE FAEHRMANN: Great. I want to move to asking for a reminder of the public health research that is behind the one person per four square metres rule.

Dr CHANT: This was discussed nationally. I have to say that for all of these things, we have to understand that we know what we know at a certain point in time. It was felt that minimising the number of people in a space allowed things like the physical distancing, so the one per four square metres rule was based on that. I think that the community understands the need for a capacity cap and linking it to a theoretical concept of the space that you would need to permit you to move around in a certain venue. That was the concept behind the one person per four square metres rule. We have, obviously, since learned that there are other, different things that contribute to risk. We have tried to mitigate those risks through the COVID safety plans and we have also identified the differential risk between outdoor venues and indoor. That is why, for instance, we have more comfort with stadiums, outdoor environments and community sport. They are probably some of the factors in the general consideration of the one person per four square metres rule, but also the fact that our knowledge and comfort with in what settings we would deviate from that or have different capacity limits has grown as we have learnt more about how the virus is spread.

Mr DAVID SHOEBRIDGE: Is it the behavioural understanding? It is not just the architecture and the space; it is the behaviour within that space?

Mr BRAD HAZZARD: Yes, it is behaviour as well; absolutely. That goes back to the sitting and not mingling and so on. Having sat in on probably a few thousand hours of meetings now on this sort of thing, there are lots and lots of different views, again, because it is based in science and it is a science that is not well known. Thankfully not every day now but at least for about seven months, if you tried to talk to Dr Chant between 12.00 p.m. and about 2.30, she was in the Australian Health Protection Principal Committee [AHPPC] meeting. I had the pleasure of hearing one of those once. It was the last time I wanted to go. In that, there must have been—correct me if I am wrong, Dr Chant—maybe 20 to 30 medical experts, public health specialists, virologists and infectious disease specialists from all over the country and from every State and Territory. They were looking at—particularly as it evolved—whatever evidence they could gather from anywhere overseas. Of course, it was

all new. They were gathering evidence from the Centers for Disease Control. That is in the United States, is it not, Dr Chant?

Dr CHANT: Yes, that is correct.

Mr BRAD HAZZARD: Whatever they were coming up with and whatever the European experts were coming up with. On the back of that, they were trying to draw out of it what they were advising governments all around the country on what governments should consider. The issue then became, of course, for us particularly—we were literally at the front line of the war, because New South Wales is the gateway to the rest of Australia. It was us and Victoria that were really doing it; the others all just closed their borders and said, "That's it." The information, when you ask for a specific, really has to be the best optimal scientific estimate or outcome of all that varying evidence.

Ms CATE FAEHRMANN: Thank you, that was a very good and informative response. I have not been to a stadium since COVID came into our world. Is cheering allowed in stadiums?

Dr CHANT: We recommend that you do not promote it, but people do cheer. This is the reality: We give advice and we know that the majority of the community adheres to it. We have had really good community response to our messaging, but clearly that is a risk. Obviously, when there is no community transmission or low levels of community transmission the risk is much lower. But we have made it very clear that chanting—I think I have been on the record many times in saying that we are aware of the risks associated with singing and chanting.

Ms CATE FAEHRMANN: Do they have to wear masks?

Dr CHANT: They are required to wear masks in many settings. In a couple of the settings where we have increased—

Mr BRAD HAZZARD: Not in a stadium when you are sitting?

Dr CHANT: There is an expectation, but when we are going as a condition when we go above the requirement. The capacity cap that has been allowed has been almost based on a one per four square metres rule. The original capacity cap for stadiums was much lower; it is 25 per cent. There have been a few exceptions more recently, where we have added that additional risk mitigation of asking people to wear masks when they are travelling and when they are coming to the venues and when they are moving about.

Ms CATE FAEHRMANN: I would like to know the rationale behind, for example, dancing. There is potential that dancing could be undertaken in a COVID-safe way. If tens of thousands of people are able to sit in stadiums and cheer, would you not be able to have COVID-safe plans for people to be able to dance in venues in a COVID-safe way, having a safety marshal at a venue, having to wear masks and having to keep to 20 people or whatever it is at a particular area at one time? Is that possible, or are we going to see a situation where things like singing, dancing and standing up in pubs are going to be things that we cannot do for four or five years, until a vaccine is found? These are fundamental aspects of many people's lives and I think young people in particular are struggling with this. Have you discussed how to do dancing safely?

Mr BRAD HAZZARD: I will just go back to the footy for a second. I fear now that you have raised cheering, Dr Chant might shut that down tomorrow. I wish you had not raised that.

Ms CATE FAEHRMANN: It is obvious, is it not? It is incredibly obvious that that is what will happen at a stadium.

Mr BRAD HAZZARD: The truth of the matter is that anything that produces aerosols is dangerous. Most of those arrangements in the football stadiums have been done with great care and caution off the back of public health advice. I went to a Brisbane Lions-Cats game, and they had wardens—effectively, COVID marshals—and they were keeping one area safe. Sometimes there are chequerboard arrangements. It is somewhat safer when you are out in the open air. If you are talking about dancing, for example, most dancing would occur inside—not always. There are issues around intermingling. There are issues around not sitting down, and therefore you have more people moving. One of the issues is not just catching it, but also Health being able to do the tracing. If you have a very large group of people all dancing and intermingling, I think it is a bit of a challenge.

Ms CATE FAEHRMANN: Just in relation to the dancing, it is the standing up. I am trying to get a sense of why it is the sitting down and why there is no COVID-safe plan to allow people to stand and potentially do a little jig in a bar or venue. It is true; they cannot. They will be told to get out.

Mr BRAD HAZZARD: No, because the primary thing right through this that has kept us safe is Dr Chant and the public health team saying that if you are seated you are less likely to be giving it to somebody else. If you are seated, you will be only sitting with your own family group, hopefully.

Ms CATE FAEHRMANN: There are ways, though—for example, if you have a group of 10. I have seen groups of 10 out in bars: shouting, laughing, no masks, sitting around a table.

Mr BRAD HAZZARD: Well, that is not good.

Ms CATE FAEHRMANN: I could see safer situations where people have to wear masks and stand a metre away; it is the most boring dance floor I could imagine, but anyway, people are able to stand up and at least a DJ can play.

Dr CHANT: Perhaps I could comment that, clearly, we are continuing to review our risk assessment and, to be perfectly frank, we are just taking a bit of a breath after dampening down some transmission. It will be interesting—we are just working through these three cases overnight. But we are looking for active ways in which things can be done safer. We know outdoor environments are much safer so if there can be, potentially, more limited groups and we can design that way—so I think from a public health perspective we are happy to engage with all sorts of sectors to look at ways for things to be done safely but our risk assessment also really relates to the level of community transmission. Obviously, our concern level a few weeks ago was much higher than it was and then, obviously, we need to reassess what is going on related to these three cases, which we will be subsequently providing an update on later on today. But, obviously, we do want to learn how to get back to as normal a life as we can in a COVID-safe way and we are prepared to look at all the different settings in terms of how we can adapt to do that. I acknowledge the impact; having a daughter myself who has raised those issues with me, I understand—

The Hon. NATALIE WARD: That cannot be easy.

The Hon. COURTNEY HOUSSOS: The most effective lobbyist in the State.

Dr CHANT: —the impact that it has, and I also want to reflect on the anxiety that a lot of young people are having and the broader impacts it has had on young people. So we are really very open to look at that and engage with any sector that wants to come up with designs for COVID safety. That is what we have done in a lot of settings. As the Minister has said, we recently engaged with the music industry to see what options we have to promote those practices and rehearsals safely because it is part of the fabric of society. Also, we understand the importance to try to get equivalency in terms of the settings across different settings.

Ms CATE FAEHRMANN: That is really good to hear, thank you, because my concern was that the sporting lobby, if you like, is of course very powerful and we have seen stadiums open up. But I think there could be a huge, silent cohort of people who are very desperate to be able to return, and I get it; as long as it is safe to do so. But at what point does it become kind of ridiculous? Judging from being out and seeing people, and I am sure from everything that you are seeing, people are starting to largely behave themselves in a lot of places and I think they understand the need to—lots of people are wearing masks although lots of people are not wearing masks on trains.

Mr BRAD HAZZARD: I think, actually, most people—I was asked this, I think it was on Monday, by a couple of television programs, and I said, for me, when I am out and about now it is a remarkable difference to what it was three, four or five months ago. I remember when we closed Bondi, oh man; I think that was a wake-up call for the entire Australia. Now most people actually get it and I have watched people divert around other people in shopping centres and so on. So, there is a lot of difference, and I can tell you that from the Government's point of view—and it is the Government doing it, I guess, with the public health team—there is a real enthusiasm to open up more if we can do it. But we know we have got to do it safely because going backwards—every day I get somebody saying, "Can you do this?" or "Can you do that?", and we always talk about how can we make it safe. Almost everything can be made in a safe way to do something but just probably not as many people. And until we get the vaccine or treatment, unless of course you are President Trump, then it is the new norm for the time being.

The Hon. NATALIE WARD: Maybe it depends on the type of dancing, so maybe bootscooting and linedancing will come into its own and will have a resurgence.

Mr BRAD HAZZARD: Are you a bootscooter?

The Hon. NATALIE WARD: No, not at all. I am just trying to help.

Ms CATE FAEHRMANN: No, I did not want to put that into the equation.

The CHAIR: No, we are not going to go down the Swedish death metal route again because that did not take us anywhere positive in the last session.

The Hon. NATALIE WARD: No, do not go there again.

Mr BRAD HAZZARD: The Swedes were not good anyway in their approach.

The Hon. JOHN GRAHAM: It may in the medium term.

Mr BRAD HAZZARD: I appreciate that this is a Committee but if there are any individual cases like that—I literally just had a call about a major group, which I will not name, from a member—not a local member but an Independent—raising an issue about whether we can look at that, and I rang Dr Chant. That is exactly what it was: "I have just had this call from a member and it is an event that is a fair way away but they need to start organising". So, we have now moved into overdrive to try to make sure that we come up with—how can we work with this group to come up with a COVID-safe plan to make sure that they can all enjoy themselves. But that is the way it is done.

The Hon. JOHN GRAHAM: We might just turn to the other issue we spent some time on with Minister Dominello, in particular, and that is his current enthusiasm for alfresco dining. Clearly, he has been engaged quite intensively with agencies, with the City of Sydney Council.

Mr BRAD HAZZARD: He has been doing a lot of work on that, yes.

The Hon. JOHN GRAHAM: Yes. I think what became clear in that discussion, though, was that this is largely, in some ways, an economic strategy about reviving the businesses in the CBD. The Opposition has also been advocating for this in no small part as a health strategy for the suburbs where people are now living and working. It became clear, though, that this is really quite an economic focus for the agencies that are engaged at the moment. I wondered if there is any view, either the Minister or Dr Chant, about how—obviously the shift outdoors reduces risk significantly. Should getting people outdoors be a part of our health strategy in our suburbs?

Mr BRAD HAZZARD: I am sure Minister Dominello would have said to you that we have been working very much on, as Dr Chant said before, where we can free up and release a whole lot of constraints that we have had to put in place. People tend to think about just what was a couple of weeks ago and what is it now. Actually think back to what it was like in March and April; it is light years away from what it was in March and April and May and June but we are still working to, obviously, keep freeing things up. The economic issues are intermingled with the health issues to a degree and I think the issue around what it sounds like he was talking about was just what opportunities there might be to give cafes and restaurants and others an opportunity to have more people but in a safe way. And, clearly, one of the things that the public health team, and Dr Chant, has said a thousand times publicly is that outside is generally safer than inside.

The Hon. JOHN GRAHAM: It is really that health perspective I am looking for. This is all good news—

Mr BRAD HAZZARD: That is the health perspective.

The Hon. JOHN GRAHAM: It is not the only risk factor; there are some other important ones and you have run through them. But it is one of the major things we can do.

Mr BRAD HAZZARD: But it is the health perspective that right now—if you had asked us yesterday we all probably would have been a little more fulsome and joyful.

The Hon. JOHN GRAHAM: True.

Mr BRAD HAZZARD: But today—I do not know whether you have all heard—there is another three cases today, and Dr Chant was just telling me before we walked in about how they are doing all the tracing, and it looks like they probably are in some ways connected, but more will unfold on that probably in the next few hours. That tends to remind us all, I think, that this is not a virus that is going to go away easily, so I think that it is fair to say if a government jumps too far ahead and creates expectations with business that you can do certain things that turn out not to be safe, we are not going to be—

The Hon. JOHN GRAHAM: Yes, we have talked about that economic side with Minister Dominello, so it is really just that health view about—

Mr BRAD HAZZARD: But that is the health view in the sense that it is safer to move down that path, but we do not want to then have to go back. There are so many aspects of this that we have had to deal with. One of the aspects is actually keeping the community with us on the journey and so the communication—and to

different groups within the community. How do you actually reach out and communicate to all of the various groups that make up the Australian population? And how do you keep them on side? What we do know from overseas experience is you lose your community very quickly if you jump from here to here and then have to go back. That is a health issue. We need to keep people on the journey with us, and so far they have been, although I must say I think probably—I do not know what Dr Chant thinks about this but, as health Minister, I think there has been an element of complacency in the last little while. People are sort of thinking, "Oh it's all over". That is understandable but it is not right.

The CHAIR: Just on complacency, my last few trips on public transport—I wear a mask and sometimes I will be the only person on the bus, the only person in the train carriage, wearing a mask. That message seems to have been quite diluted of late. That is my personal experience. I do not know what other members' experiences are.

Mr BRAD HAZZARD: We keep repeating the messages, Mr Shoebridge, but that is part of the problem. If you think about it, it is a natural behaviour: numbers have gone down; we don't have to worry about it. Well, actually, yes you do. But trying to keep that message up is a lot easier—it will be a lot easier today to remind people that they should be doing something because there are now three cases, two in south-western—

The Hon. JOHN GRAHAM: I might just conclude—I have just about wrapped this session—

Mr BRAD HAZZARD: Sorry, Mr Graham?

The Hon. JOHN GRAHAM: I am just going to conclude on the outdoor subject and then pass to my colleague. The other issue we were talking to Minister Dominello about—and I am again just interested in a health perspective—is that a lot of the focus has been outdoor dining. From a health point of view being outdoors is beneficial, both from a dining point of view but also, potentially, from a performance point of view. It makes all those concerns about aerosolisation, about performance easier to manage in an outdoor—

Mr BRAD HAZZARD: That is true. That is all true.

The Hon. JOHN GRAHAM: Is there anything you would like to add on that?

The Hon. JOHN GRAHAM: Maybe Dr Chant, but I think you just said it. That is exactly right. Outside is a lot safer. Dr Chant?

Dr CHANT: No, obviously you are considering that we recognise and accept that outdoor settings—that is why outdoor dancing, in a safe way—we need to work through all these issues, but clearly we see the outdoor environment—provided that you can contain and control mixing or the egress, or it is ticketed. Some aspects of events that give us greater comfort are if it is seated, ticketed and with not too much intermingling. Again, the level of our concern does vary depending on our level of knowledge about the community transmission. But I think these cases overnight just highlight that we have still got to maintain that level of vigilance.

I do want to just acknowledge that I think the community has been incredibly responsive. To some extent, the signal is when we do go out and ask them to test I am expecting that we will see a real bounce in the testing numbers as a consequence of that. We have seen that in previous events. To be perfectly frank, that is what we need. We need to maintain the community responsiveness when we get these cases so that we can effectively contain the spread to allow us to then ease restrictions in other areas. In the end, I do recognise the intersection between the economy and health—and it is not a dichotomy, because without health we know that the community's willingness to go into environments or enjoy themselves or participate in those things declines as well. We have to optimise both.

The Hon. COURTNEY HOUSSOS: I just wanted to move on to a slightly different matter. Minister Hazzard, you talked earlier about the—I might stuff this up—the AHPPC, the peak—

Mr BRAD HAZZARD: The AHPPC. It took me a while to learn that one.

The Hon. COURTNEY HOUSSOS: I am going to rely on yours. You said that they were meeting every day, I think, the last time we had a briefing from you. How often are they meeting now?

Dr CHANT: They are meeting about a couple of times a week, but on the weeks that there is National Cabinet they meet potentially more frequently. Obviously they can be convened for any urgent matters.

The Hon. COURTNEY HOUSSOS: Is part of the discussion about what is next? Obviously this hearing is about, specifically, the night-time economy, but the inquiry is more broadly into the management—

Mr BRAD HAZZARD: It is about many things, but it usually includes what might be next. On that, Ms Houssos, one of the challenges is—that is *The Daily Telegraph* ringing me right now. Obviously they are not watching the Committee, which is good. One of the challenges is they give the advice to the Commonwealth Chief Medical Officer. He is part of that; I think it is fair to say he almost chairs that meeting, does he not?

Dr CHANT: Yes, he does.

Mr BRAD HAZZARD: He does. Distilled out of a whole lot of different views from each different chief health officer or chief medical officer, it goes then to National Cabinet, usually via the chief medical officer to the Prime Minister. That is almost the direct path. They do not involve me in that, so I am just working on what I think. The National Cabinet can then make a decision. But it is very difficult, I must say, when you have got States and Territories that have such different positions. The most analogous to us actually was Victoria. Terribly, for our Victorian friends, it has not worked out as well as we all would have hoped, although it is getting better, which is great. Telling us to do a certain thing when, well, hang on, Western Australia is completely closed off from anybody and South Australia was closed off. Tasmania has a moat around it, for heaven's sakes, a very large moat. The Northern Territory had 200,000 people and a lot of desert in between. We then have to, as a Government, take whatever we are told we should be doing and work out what we think we should actually do. It sometimes is slightly modified in terms of what would be happening.

The Hon. COURTNEY HOUSSOS: One of the issues that has been raised in this inquiry is the issue of two square metres instead of four square metres. Is that something—

Mr BRAD HAZZARD: I think it is fair to say that has been discussed extensively. But at the end of the day, it comes back to the Government. The way it works, obviously, is public health gives us the advice and then we have to determine—well, public health and the National Cabinet both give us advice. In a sense, Dr Chant has already had her advice going up to the National Cabinet via those discussions and then via the conduit of the Federal Chief Medical Officer. I do not know absolutely what she says in those meetings. I suppose she would tell me if I asked nicely, but generally what matters is what she tells us, because what is said in the meeting is a group of professional public servants with health expertise who are distilling the best evidence to give to the National Cabinet. We listen to that, but we also ask her and her team for advice to us and we try and work off that.

Dr CHANT: It might be just useful to clarify that each of the—

Mr BRAD HAZZARD: Did I get it wrong, did I?

Dr CHANT: No, you didn't.

The CHAIR: It is a clarification.

Dr CHANT: It is a clarification to say that one of the contexts that the Minister refers to is the fact that each of the different States and Territories were in a very different context. As the Minister alluded, Western Australia has not had any local transmission cases. It is very easy to control its borders. It has a single road in and it is not really at risk. It has got some port measures, but not apart from that. South Australia, up until recently, has had no local transmissions. It has not got transmission now, but it also had its borders up—Queensland and the Northern Territory and, as the Minister said, Tasmania. Where people have been in terms of their levels of community transmission—because the fundamental risk arises when you have got some community transmission. Then, obviously, the question is: What are the sustainable controls? What is the COVID safe environment we need to have when you have got some level of community transmission or you are working through the process to achieve no community transmission?

Then the other challenge is that we will never eliminate COVID from the world, even, potentially, with a vaccine. COVID will be with us for a long time. We will always be at threat, because even though we are an island and have the advantage of being a border and we can put in effective quarantine, we have seen—regardless of the optimum there—how difficult it is because of the way the virus can be easily transmitted in some circumstances. We can still see ingress into the community, as we have seen in New Zealand. We also just need to think about what are the safe settings and what are the systems we need to detect any incursions very early. These are some of the factors that we need to consider in interpreting where we are in New South Wales relative to other States and Territories. New South Wales had its borders open to Victoria for quite a significant period of time, as well.

Mr BRAD HAZZARD: Finally, I just add to that that when I say, "New South Wales", we are all different. Parts of New South Wales are very different. We know that we have major hospitals in the Sydney region and in the Hunter—John Hunter Hospital—and in Tamworth and the south-east region. They may not necessarily have the full capacity to cope with large numbers of ventilated patients with high-level intensivists

who can do the extracorporeal membrane oxygenation and do full-tubed ventilation. If it is in a remote area, we would be really worried. We have to constantly keep thinking, "What if it got out there? What if it got here?" It is not just the whole State, in a sense. We have to make decisions that sometimes people might think, "That is a bit over the top." But we are trying to make sure that people can still move around the State and keep our—I will not mention it, but particular communities around the State safe.

The Hon. COURTNEY HOUSSOS: I appreciate that. Dr Chant, you just touched on my next question. We got the Federal budget last night. One of the key assumptions underpinning that is that there will be a vaccine that is fairly available by the end of next year. Minister, you mentioned that a treatment might be a better option. Are you able to provide us with an update on either of those?

Mr BRAD HAZZARD: Sorry, I did not say a treatment would be—

The Hon. COURTNEY HOUSSOS: A treatment may be an alternative, I should say

Mr BRAD HAZZARD: I think Government needs to work on some presumptions when there is so much unknown. If you asked me a year ago, as the medical research Minister, how long it would take to get a vaccine for something, I would have said to you that it could take—well, first of all, there might never be vaccine. Secondly, it could take 10 to 15 years easily. That is the sort of time it normally takes to get a vaccine. Why everybody is being somewhat more optimistic now is that there are literally hundreds of groups working all across the world and quite a few of them now share information. They didn't used to, because they were all different ball games say 10, 15 or 20 years ago. But they are all sharing information, so hopefully we will get a vaccine. But I do not think as health Minister I could tell this group or anybody that there is an absolute certainty about it. I think it is right that as a government the Federal Government work and predicate on a certain period that they are taking advice on. Dr Chant, what are your thoughts?

The Hon. COURTNEY HOUSSOS: Sorry, my question was not so much to the decision to make—I accept that there needed to be an assumption underpinning it, particularly from a government. I was just wondering if you could provide the Committee with an update about where it is at.

Mr BRAD HAZZARD: It is basically where I just said, but Dr Chant can do that.

Dr CHANT: There are a large number of vaccines worldwide. It is pleasing to see how much effort is being put into developing a COVID vaccine. There are obviously some vaccines which are more progressed and so there are various different phases. There is phase 1, which is where you just trial it in healthy adults. You are just trying to check that it is safe. Then you move to determining whether it produces a sufficient antibody response. Then it progresses into those countries where there is active disease and you look at how it performs in terms of its effectiveness in actually preventing the disease. We are also interested from a public health perspective of whether it actually also prevents on-passing of the disease—the transmissibility of it as well.

They are two dimensions that we are looking at and we are obviously very closely watching any safety signals associated with it. We believe that some of the major studies will be reporting some data in the next four to six weeks. That would potentially give us a little bit more information. What is interesting is that there is concurrent manufacture of a number of these vaccines along with running the trial; some of these vaccines are already being produced. We are just undergoing preparedness activities in New South Wales for a vaccine should it come, as you would expect us to do. Looking at all of the elements of that—we have previously had pandemic plans for rollout of vaccines and have had experience with mass vaccination.

The process is that the Australian Technical Advisory Group on Immunisation, which writes that GP handbook for immunisation, is the advisory group to government which will advise on which vaccines and various safety issues. Obviously the Therapeutic Goods Administration has a regulatory role in licensing any vaccine before it is used. We are doing all the preparation, which is looking at our cold storage, our sites for vaccination and data uploads so that we can upload data to the Australian Immunisation Register, because surveillance and monitoring will be a key component of this. All of that work has commenced. I cannot give you a clear, definitive date but, as I said, as the weeks progress and probably over the next couple of months we may see more information which might give us some indication.

Mr BRAD HAZZARD: One of the other things, Ms Houssos, is that even if we got—you asked about "a" vaccine; there could be multiple vaccines. In reality we also do not know whether one will even come, whether it will have long-lasting immunisation or whether it might be something you have to have every year, six months or three months. Who knows what it is going to be? There is too much unknown at this stage.

Ms CATE FAEHRMANN: I just wanted to turn to the public health order on gatherings and movement and the definition of "corporate event". What organisations can do corporate events, which I think is 300 people depending the size of the venue?

Mr BRAD HAZZARD: It is a maximum of 300 but also subject to the four-square-metre rule, so it could be less in some venues. We are under active discussion at the moment as to how we can expand that. I think over the next few weeks hopefully we should be able to expand and clarify more venues that could possibly have corporate events.

Ms CATE FAEHRMANN: Does the definition "corporate" just mean an organisation or an individual that wants to hold a big event? How is a corporate event defined?

Mr BRAD HAZZARD: I would have to pull up the order again. I am sorry. It means:

... an event, hospitality or social activity organised, held, or funded by a business or other organisation for staff, clients or stakeholders, and held on premises that are a function centre.

At the moment, a corporate event is basically a business. I don't know, Ms Faehrmann, your background and whether you are a lawyer or what have you but, again, it is not as defined as it might be if it were legislation that was worked out over 12 months. This was worked out over a few days as we try to move, so it is the best effort by the lawyers who work for DPC and Health to come up with something that defines a business-type event. But there is a bit of flexibility. What you should understand too is that if someone came to us and said, "We think that we fit within that category, but we are just a little bit on the edges", until you start defining or trying to actually do what we have done, which is redefine society, it is so difficult because there are so many things. I don't know whether it might have been one of The Greens or Labor people who started off asking about an escape room in one of the meetings. I had never heard of an escape room. It sounded like all sorts of ominous things.

The Hon. TREVOR KHAN: Sounds more like a political gathering.

The CHAIR: That sounds like The Nationals.

Mr BRAD HAZZARD: No comment on that. If someone had come up to me or I got a letter or a phone call saying, "I want to do a corporate function, but I do not think we quite fit that category", I would probably talk to Dr Chant and an exemption would be prepared, provided it is basically in the spirit of the thing but is not that precise. It might be a—I better not actually start hypothesising because that will be very dangerous. I will leave it at that. There is flexibility around the things if people come to us and talk to us and it is something that we have not actually addressed in the order.

Ms CATE FAEHRMANN: Is there consideration being given, obviously if things continue to track well, around the numbers of people or family groups, for example, that can gather in an outdoor area or in a park together, particularly looking over summer? The reason why I am asking the question about the corporate event is that, firstly, I wanted to know whether organisations like NGOs and charities would also be considered this. As I understand it, costs are prohibitively expensive now because of the reduced patronage and function centres are trying to get as much money as they can. Then, with people being able to do summer and Christmas parties or activities outside, is that going to be considered in outdoor areas like parks with the COVID-safety plan? Is that been considered?

Mr BRAD HAZZARD: We are already looking at all these issues, yes, because obviously it is safer.

Ms CATE FAEHRMANN: Okay.

Mr BRAD HAZZARD: In terms of numbers outside at the moment, of course you are only supposed to gather in a group of 20, but all those things are being looked at. That is all I can really say at this point. We are a bit off the back of—we had a meeting this morning and obviously there were a whole range of issues discussed, but it was also in the context of, "Oh dear, another three cases have become apparent." We need to dig through that, do all the tracing and try and work out if is this something—Dr Chant will tell you that you can have 20 cases, for example, and she would not be overly fussed if they were part of a cluster and we knew how they had all contacted. Twenty separate cases all over the city or all over the State—we would be worried. We are busy doing all that work at the moment. That will inform what we do as we try and move forward. That issue has been very much the forefront of what we are discussing the moment, amongst the number of other issues.

Ms CATE FAEHRMANN: I suppose it is relaxed in some ways—the staggered relaxation of a number of different venues that you have done, for example, the stadiums that everybody is looking at. I think if we continue to track well it becomes increasingly hard for the public to understand the justification for a group of 40 people gathering in a park safely.

Mr BRAD HAZZARD: Yes, we agree with that and that is one of the issues for us to try to make sure the community stay with us. Although can I go back to the essential issue which Dr Chant said at the outset, and that is that provided there is minimal opportunity for intermingling—people seated, ticketed and so on—she feels, and if she feels it we all should feel it, safer about that arrangement.

The CHAIR: It is not just numbers.

Mr BRAD HAZZARD: No, absolutely not.

The CHAIR: There is those other indicia that I think Dr Chant was pointing out.

Dr CHANT: Yes, the principal risk, the first thing, is have you got cases in the community that could attend a particular function and then it is the settings, environment, outdoor being lower risk than indoor, and then it is the behaviour. So there is the environmental component and then there is the behavioural. We know that alcohol, for instance, plays quite a key factor in inhibiting some of the adherence to those behaviours so we obviously consider use of alcohol as another risk factor. But again, as I said, the principal risk derives from the level of community transmission you have got.

The CHAIR: In terms of outdoor gatherings, one of the concerns that has been repeatedly raised with my office is the outdoor gatherings for the purpose of protest. Currently there is no express exemption for protests and they are covered by the 20-person maximum rule—that is my understanding.

Mr BRAD HAZZARD: That is right.

The CHAIR: The difficulty has been the way New South Wales police have been interpreting that. This has happened repeatedly at the University of Sydney, where groups are protesting on a particular day about an issue in groups of 20 or less, separated hundreds of metres apart on the campus—so one group of 20 on one side of the campus, another group of 20 on another side of the campus. And the police are interpreting the public health order as saying if you are there for a common purpose, even if you are separated by hundreds of metres, that it is in breach of the public health orders and therefore they are being moved on and arrested.

Mr BRAD HAZZARD: If you are going to ask me to define what the police might or might not do, that is a matter for them. If you want to ask me a question about how people can gather generally—

The CHAIR: I am going to ask about the purpose of the public health orders and the 20-person limitation. Surely that is not intended to aggregate groups of 20 people who are distanced by hundreds of metres apart because there is no public health risk of transmission from one of those groups to another, is there?

Mr BRAD HAZZARD: Can I set aside? Because the police obviously are entitled to interpret the orders as they wish and they can be challenged in a court of law.

The CHAIR: I understand that.

Mr BRAD HAZZARD: But from my point of view I would say this: Just say there were a group of 20 people in a park and there were another 20 people that were a number of metres away, a reasonable—

The CHAIR: Fifty metres away.

Mr BRAD HAZZARD: Reasonable would depend on the circumstances. And if they were in, say, one oval, as long as the total numbers did not exceed 500—so they are in groups of 20 with a large group of 500 total or not a group but aggregation of 500—I certainly would not have a problem with that as an interpretation of the orders. But that is a matter for me thinking, "Well, if it is an open area somewhere," but there are circumstances that vary. It is tricky for you to be asking Dr Chant to be interpreting that.

The CHAIR: I accept that.

Mr BRAD HAZZARD: I will give you the best interpretation I can and that is it. I do not want to answer any more than that.

The CHAIR: Could I ask about the concept of limiting 20 people to an outdoor gathering? Because you will often say, say, at a park—

Mr BRAD HAZZARD: It is about tracing. It is about knowing there were 20 people there and we can actually have an idea. I mean, I can probably name, even with my failing memory, everybody in the room, with the exception of the two people from Hansard. They can tell me later.

The CHAIR: Well, you just go to Hansard and they will tell you.

Mr BRAD HAZZARD: They will tell me. Yes, they will. So I can trace the roughly 20 people in this room. But if there were 50 in this room or if there were 100 in this room—or 200 or 300—it gets harder and harder. So that is basically it. Do you want anything to that, Dr Chant?

Dr CHANT: No. I think the concept was also picking equivalence between indoor and outdoor.

Mr BRAD HAZZARD: About the messaging.

Dr CHANT: But the idea is that in social groups you are most likely to acquire COVID from someone who is in your social group because of the nature of the interactions that occur in that environment. So at a time when we have concerns around community transmission, limiting household gatherings and limiting those gatherings because they are likely to be a group of friends who will be closer than—or not practice all of those behaviours that we would want them to do sustainably. And personally I can understand that, how easy it is to lapse into those behaviours, so it is not a criticism.

Mr BRAD HAZZARD: It is a normal human reaction.

Dr CHANT: It is not a criticism but it is just that we have to acknowledge there is a behavioural component to some of these orders.

The CHAIR: But, say, at a park, you go to Centennial Park, you will find thousands of people potentially on a day but split up into groups of 20 or less scattered across the park. I assume that the public health advice is provided they are separated and in discrete groups that is an acceptable public health risk in the outdoors. Is that right, Dr Chant?

Dr CHANT: Consistent with the advice about beaches and other things. We have allowed people on beaches to be there provided social distance in the big groups at the beach or another environment.

The CHAIR: I suppose the frustration that particularly protesters are having is if they are doing the same physical arrangements but they are being told they are caught under your public health orders—Minister, you could understand their frustration, could you not? I mean, they are doing the same physical distancing.

Mr BRAD HAZZARD: I remember very early on in this I came home and it was one of those comedy shows on TV at night. I had had a very frustrating day with people actually challenging, "What does this order mean?" And he summarised it very well by just saying, "People shouldn't keep trying to drive holes in it. They should just try to make it work because all we are trying to do is keep people safe." All I will say is if I were you and I had formal instructions as learned counsel then that is a matter for you in a court hearing or another matter. But I am not going to be drawn in this hearing—and I am sorry, Mr Chair. If you were in my position you would do the same thing. I do not want to be drawn on that. I have given you the best I can at the moment and you can use my words that I have already given.

The CHAIR: Minister, I want to be clear: I am not and I do not think it is right to ask you or Dr Chant for legal advice—

Mr BRAD HAZZARD: Praise the Lord.

The CHAIR: —and I appreciate your reticence in stepping to that.

Mr BRAD HAZZARD: I do have a practising certificate.

The Hon. TREVOR KHAN: You have kept it all these years as well.

Mr BRAD HAZZARD: Forty years of practising certificate, yes.

The CHAIR: Yes, I have kept mine too. You never know when you will need another job.

Mr BRAD HAZZARD: That is it. That is why I have kept it. It is a great insurance policy so you can say, "I'm out of here."

The Hon. NATALIE WARD: It is your escape hatch or escape route.

The CHAIR: Anyhow, we go back to the purpose and the public health rationale. That is I suppose what your position is: that the purpose behind the limited gathering is to stop groups intermingling and to have groups of a size that you can contact trace, so you know who you were with. Would they be the two principal reasons—to stop the overall intermingling?

Mr BRAD HAZZARD: So this is cross-examination, Mr Chair. I think I have said all I want to say.

The CHAIR: No, I am just trying to work out what the purpose of the limit is.

Mr BRAD HAZZARD: I said it: It is because we need to be able to trace. The intermingling factor is a huge factor. In a sense the numbers have to be picked to try to make it reasonable in the current environment. You might remember at one stage it was zero but then it was 10. Now it is 20. That reflects what public health advice to the Government is to try to make it a little more relaxed but also just to make sure that we keep everybody safe.

The CHAIR: Could I ask about the sewerage testing regime in place?

Mr BRAD HAZZARD: This is Dr Chant's favourite topic.

The CHAIR: I have got to say it seems to be an extraordinarily powerful tool—

Mr BRAD HAZZARD: It is.

The CHAIR: —to determine the prevalence of the disease in the community.

Dr CHANT: There are people that have been doing sewage testing for viruses for a long time and so the expertise is here but this was drawn on some experience from the Northern Hemisphere where they use sewage testing and found out that it could detect cases. The question we have to ask is: What is its ability detecting a low—where you do not have many cases? We have had to learn with Sydney Water about its ability to pick up those cases. To some extent we are still on a learning journey. We have a protocol where we are currently looking at scaling to about—in the end we will probably get over 100 sites where we will test on a regular weekly basis.

At the moment, last week we sampled 24 locations in Sydney and 34 locations in regional New South Wales. The principle utility of the sewage surveillance is actually confirm negatives and so we would particularly deploy it across the border regions. We also have increased the testing along the eastern seaboard ahead of the school holidays to just check that there is no detects in those areas. The way we are going to be using it is we are now working with Sydney Water to cement the system in Sydney down. The problem is that we do continue to get people coming from overseas and you can excrete the virus for a period of time after you are not infectious and return to your place of residence. You are not infective to anyone. You do not pose any risk. But it can be picked up in the sewage because what we are talking about is fragments of the virus that is excreted.

There is a little bit of work that we have to do at understanding the catchment for the sewage, where does it drain from and whether there are any positive cases that have recently been diagnosed or have moved into those areas. Clearly, one of the people that were positive that were reported overnight did live in the catchment associated with the West Camden sewage treatment facility, so that is very interesting that she was infectious at the time of that sample being collected. If we can increase the frequency and distribution, and have that quite detailed understanding of where cases are, we feel that the sewage surveillance will be a useful strategy for us to give us the assurance that we are not missing undetected cases and to use it to supplement the testing. We still need people to come forward for testing but this will give us another tool in the toolbox.

The CHAIR: It will give you a basis to turn up at a certain locality and say, "We need you all to test because we are concerned about what we have picked up."

Dr CHANT: And that is what we did yesterday. Yesterday, based on the results, we issued an announcement with the release saying that we had detected these in these sewage plants, these are the suburbs that drain into those sewage catchments, please come out and get tested.

The CHAIR: So it is a mixture. It is you, first of all, working out the sensitivity of testing, so knowing with a very low viral load.

Dr CHANT: Yes.

The CHAIR: You are still working out what the sensitivity of the testing is?

Dr CHANT: That is right. And we are even going back historically. We believe that it can detect quite low levels of the virus. We have certainly detected it where we have had perhaps one person in a catchment of 10,000 people draining and it has detected a positive.

Mr BRAD HAZZARD: Is that Perisher?

Dr CHANT: No, we did not ever find the person in Perisher, but we did know that in the north of the State, on the North Coast, when we did test that sewage there, we were aware of the case that was diagnosed so we know that we picked up that case. We already diagnosed it but it was a known case. That is an example. That allows us to estimate the likelihood. With all tests I have to say that there are false positives and there are sometimes the limits of detection, so no test is foolproof and as we gain greater experience with it, and I want to

acknowledge the work of Sydney Water but also our NSW Health Pathology virologists who are helping us do this, and then we will also use sequencing the virus to see if we can—

The CHAIR: Trace it back more genetically.

Dr CHANT: Yes, genetically.

The CHAIR: And I suppose in terms of Sydney you are also mapping the sewerage system so as you know where to test as opposed to just going to the large out at the end of the pipe.

Dr CHANT: That is correct. We are trying to look at how we can do it that makes sense and overlay the knowledge of where we have potential cases that may have been recently diagnosed. Because, as I said, we were expecting that we will continue to have returning travellers who will be non-infectious but they can still be excreting for a period of time.

The CHAIR: And my last question is, as we hopefully will move to a vaccination phase, do you feel like there are sufficient tools at hand to stop the likes of, for example, Pete Evans coming out and spreading disinformation, purportedly medical information, to discourage people or to spread untruths about the risks of vaccination. Do we have the tools needed to stop that?

Dr CHANT: Australia has a very strong track record in its regulatory approval for vaccines and I think the community should have trust in those processes.

The CHAIR: I agree with you, Dr Chant.

Dr CHANT: I do actually think that we do have the tools to do it. It requires a lot of engagement. The lessons we have learned in the past is that it is important that we work with GPs because many patients will trust and respect, so we need to educate, work and support the confidence by our general practitioners. We know that pharmacists and other allied health providers also provide advice. We know that we will need to work with other community leaders in also insuring that they are aware of the truth.

We understand that a vaccination program, particularly in this context, will require a quite intensive and extensive fact-based, evidence-based information dissemination. The Commonwealth as part of its contingency plan is also working on some of the enablers for that. As is usual, ATAGI would probably update it in the handbooks so that doctors would have confidence that the vaccine would be described in the way of usual vaccines. We have an Australian Immunisation Register and so that even enhances our ability to monitor vaccine effects and we are currently doing the preliminary data and baseline data for us so that we are in the best position to pick up any signals. The community should understand that we are very committed to only rolling out a vaccine if it is safe and effective to do so.

The Hon. COURTNEY HOUSSOS: I have one final question. Obviously, we are coming into summer. We are seeing less respiratory illnesses around. We have seen a reduction in testing rates. What things are you or the department looking at in order to keep testing rates high, particularly within our culturally and linguistically diverse [CALD] communities during this time?

Mr BRAD HAZZARD: Dr Chant has partially answered that by saying that we have to look at how we reach out to various CALD community members. An example—actually, I am not going to pick out any particular group. That would not be fair. We have had to look at novel ways to reach out to particular groups: talking to community leaders, talking to church leaders, talking to their GPs, getting them to communicate the messages. It is very challenging because some communities actually have the disks and they are taking news from other parts of the world, not us. So, very challenging. One of the ways though, just generally, coming off the back of what Dr Chant has just said, is the value of the sewage testing because what we have found is if we name a particular area, people suddenly take note. If I just say to you, "Well, Sydney has a problem." No-one takes too much notice. But if I name or Dr Chant names a particular suburb or part of an area, people respond.

When we had, for example, the Crossroads Hotel. We had queues within two hours once we named that area. Dr Chant told me at about 2.30 p.m. By three o'clock we had a pop-up drive-through and there were queues already there as soon as we hit the media just after three o'clock at a press conference. If we target particular areas based on the best information we have, including sewage testing because that is one of the keys that can actually provide that information, we do get the community to respond. I do say that it remains a problem at the moment.

It goes back to what I was saying earlier about the complacency issue. When you have a relatively low number or no number—I mean, today was the twelfth day of no numbers; no community transmission until mid-morning—we have a problem because the community do tend to not take it as vigorously as we would like. From my point of view I would have thought that we need to be up around—actually, no I shouldn't. We would

like to see 15,000 to 20,000 people coming forward. If we get down to 10,000 that is not too bad but when we are down to 5,000 it is not terribly helpful for us to have a clear understanding of what is going on. But I might be wrong on that as well so I will ask Dr Chant for her view.

Dr CHANT: I agree that we have got to continue to message with the testing. That requires us working with GPs, the community, church leaders and everyone to just explain why that enables us to have confidence in lifting and easing restrictions, if we can detect any cases as early as possible. It is much easier to suppress an outbreak when it has just started as opposed to when you have had multiple lanes of transmission it becomes much more problematic. We work extensively with Multicultural NSW and also in the whole of Government because we also need to remember that we can use the education assets. Education has so many schoolchildren and they have got newsletters and communication.

We can work through religious leaders and we have done so, particularly with certain communities that is incredibly powerful. We also know that particularly for the CALD populations, often their general practitioner speaks or is of the community they attend. There are a number of community groups within the medical fraternity so engaging with the Vietnamese or the Chinese or the Pacific Islander GP communities can also then give us targeted messages. We can also listen to what issues the community has and that has unearthed some interesting things which we then can respond to. For instance, the stigma seen in having a COVID diagnosis—

Mr BRAD HAZZARD: In particular, subsets of the CALD community.

Dr CHANT: In particular, subsets of CALD. That would not be something I would see because I would say no-one is to blame for catching COVID. So knowing that and knowing the origins of why that might be considered is really important. The Government has obviously taken steps about the payments so there is no disincentive for isolating and supporting people. We have also been doing a lot of work with business to say business has a role in really supporting that the positive thing to do is to stay home when you have had a test and isolate. We are not rewarding that soldiering on culture of come to work when you have respiratory symptoms. We are really acknowledging people as positively contributing if they actively stay away from workplaces when they are unwell. It is quite a complex area and it is one of the ongoing challenges. The response to COVID has had to evolve.

Mr BRAD HAZZARD: And still is.

Dr CHANT: And still is. We have to keep working with a lot of stakeholders to inform us about the next steps. A lot of it is underpinned by our monitoring of social media. Service NSW does checks with the population about what their concerns are and what their understanding is. All of that helps us tailor the messages or perhaps correct some of those misconceptions.

Mr BRAD HAZZARD: As Dr Chant says, it is being tailored as we go along. In the very early stages when we first thought it was a virus from Hubei province, we could not work out, the two of us who were doing press conferences every day, why it was that there were so few—and I can say this because we then did it and everybody knows we did it—Chinese journalists coming to our press conferences. It was a conundrum for us. We wanted to reach out to the Chinese community because clearly that was an issue—people returning back after Lunar New Year. We were not sure how to handle it so we took advice from a whole lot of people.

I called members from the other side of politics—as well as members from my own side—who had large Chinese communities. It was pointed out there were reasons why Chinese journalists would not come to press conferences with mainstream journalists. I will not go into them. Most of the community would not have known this but we were doing the broad community messaging before coming down to the Sydney Hospital. The second time we did it we found we had about 16 to 20 Chinese journalists suddenly show up. From the word go it has been learning from whoever you can learn from—very bipartisan in that sense. We took advice wherever we could get it and tried it. Generally we have achieved a pretty good level of communication but there are limits and there will always be limits.

The Hon. NATALIE WARD: This has been an exhausting time and I thank you, your staff and your teams. I have been in contact and am grateful for your responsiveness on a number of issues like many members. Knowing how inundated you are, I was very grateful for your responsiveness and also grateful to know that we are not the United States, we are not Europe and—I mean no disrespect—that we are not Melbourne. That is because of your vigilance and your communication to the community so I want to thank you and ask that you extend that your teams of staff who are I am sure exhausted but we are all very grateful.

Dr CHANT: Thank you.

Mr BRAD HAZZARD: Thank you.

The CHAIR: That concludes the hearing. Thank you for your attendance today. On behalf of the Committee and the communities we all work for, thank you for your tireless work. Dr Chant, I hope you get a break at some point.

Mr BRAD HAZZARD: Thanks very much.

(The witnesses withdrew.)

The Committee adjourned at 16:36.