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LEGISLATIVE ASSEMBLY

Tuesday 21 May 2013

The Speaker (The Hon. Shelley Elizabeth Hancock) took the chair at 12 noon.

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

RYDE ELECTORATE INFRASTRUCTURE

Mr VICTOR DOMINELLO (Ryde—Minister for Citizenship and Communities, and Minister for Aboriginal Affairs) [12.03 p.m.]: One of most important functions that a local member of Parliament performs for his or her community is protecting, preserving and improving the local amenity. During the 4½ years that I have been the local member for the great area of Ryde I have worked in partnership with the community to implement a number of initiatives. My first initiative was to protect the school community with the installation of flashing lights. Although I asked the former Government to install a number of school flashing lights in my local community, the installations were not forthcoming. As a result, I worked with the local community and Peter Olsen to ensure that every school in my electorate had a Peter Olsen community flashing light.

I have also been working with the community in relation to illegal boarding houses. After a great deal of advocacy and hard work by the community, we now have boarding house legislation that protects people, particularly vulnerable students who occupy such accommodation in our local area. I have also made representations about overdevelopment in Meadowbank. In partnership with the community, I advocated strongly to ensure that the height of the proposed 23-storey development on the Meadowbank foreshore was reduced. We managed to have the height reduced to 10 storeys. The developer of the Allengrove site initially wanted the buildings to be between three and eight storeys, but as a result of community advocacy we managed to have that reduced to between two and five storeys. We have also worked hard to retain the Ryde hockey site and the Tennis World site.

Today I draw the attention of the House to 3A Smalls Road, which is the former site of Ryde High School. This is an important piece of land in the area and it should not be sold. It should be available to be utilised by the people of Ryde and I will continue to advocate for its retention by the Government. The potential loss of open space is understandably distressing to residents in the surrounding area. They like to use the space for passive recreation, dog walking and unorganised sport. The threat of the playing fields disappearing and being replaced by high-density development is concerning and that is why I am raising the issue in this Parliament. The fight to preserve the Smalls Road site has been ongoing since late 2011. I have supported my constituents by advocating that it be retained as an educational facility, particularly given the increasing demand for schools in our local area.

I represented my constituents' concerns to the Treasurer, the Hon. Mike Baird, in November 2011 and to the Minister for Planning and Infrastructure, the Hon. Brad Hazzard, in December 2011, and I wrote to the general manager of Ryde City Council on 13 March 2012 to voice my constituents' desire that the land not be rezoned for high-rise buildings. I also attended a community rally in April 2012 to highlight the strength of the commitment by the residents to keep the land and I met with the community leaders in April 2012. I represented my constituents' concerns to the Premier on 25 May 2012 and to the Minister for Finance and Services, the Hon. Greg Pearce, on 14 March and 25 May 2012. We have also been engaged in dialogue with the Minister

about options for the site. I have kept residents informed about developments with regard to this issue and have encouraged them to continue their efforts. I also represented my constituents' concerns to the Minister for Education on 14 March 2012.

All Ryde councillors have been supportive and have advocated beside me to keep this land. I particularly compliment Councillor Roy Maggio for his ongoing commitment to this issue. My advocacy on this issue is consistent with my approach to the preservation of land for open space across Ryde, whether it is Tennis World or for Ryde hockey, because it is important to the constituents of Ryde and the broader area. Our commitment to the retention of the Smalls Road site is vital. A number of developments are proposed for the area and we must ensure that they include appropriate infrastructure. Education infrastructure is critical and if the land is sold the community will lose a vital cog in that wheel. I will continue to fight on behalf my constituents to ensure that we preserve the land at 3A Smalls Road.

SCHOOL DEMOUNTABLE BUILDINGS

Ms SONIA HORNER (Wallsend) [12.08 p.m.]: When in opposition in 2009, the Hon. Adrian Piccoli stated:

With an education budget of more than \$10 billion, our kids should not be languishing in second-rate facilities.

He was urging the Labor Government to replace demountables in our public schools. What a different story we hear now, four years later, with Minister Piccoli axing the former and effective Labor Government's replacement program. That successful program, which replaced decaying, leaky and mould-ridden demountable classrooms in the Wallsend community, the Hunter, and throughout New South Wales, has now been scrapped by Minister Piccoli. Children are now forced to learn in out-of-date facilities and have been relegated to decades of learning in buildings in which they swelter in summer and freeze during the cooler winter months. On top of the \$1.7 billion cuts to education, the O'Farrell Government has further decimated the system by ensuring that children will no longer have a supportive and healthy learning environment.

If axing the demountable replacement program was not bad enough, the O'Farrell Government has cut the capital works budget for schools by 28 per cent, or \$209 million. Funding for the replacement of demountables now stems from this amount. How will the O'Farrell Government have the capacity to update dilapidated demountables with such a small amount of money? Every student in my community is entitled to attain quality education in comfortable classrooms that cultivate learning. Ironically, prior to the 2011 election Minister Piccoli said:

Every parent knows that demountable classrooms are a poor alternative to learning in a real classroom.

If that is the case, why has the Minister for Education cancelled and diminished initiatives that were dedicated to moving children from inadequate demountable buildings into proper classrooms? Education is not a cost to the bottom line; it is an investment in our State's future. Dilapidated classrooms should be a thing of the past. Unfortunately, they still have a large presence within our schools. Currently 4,950 demountable buildings exist throughout the State, including 3,150 that are more than five years old. Locally, more than half the primary schools in the Wallsend electorate have demountables. One parents and citizens association reported that its school's demountables were mouldy and falling apart. Another reported the demountables to be smelly and leaking. This is simply not acceptable.

The health implications associated with using demountables are certainly apparent. Extreme cases include demountables with fungus and walls destroyed by white ants. Maintenance of demountables is a significant issue, with many buildings becoming dangerous for students through years of neglect. Leaking demountables are not comfortable or inspiring learning environments for students. The O'Farrell Government claims that demountables should have been replaced under the Federal Government's Building the Education Revolution but schools were restricted from doing so in favour of building more iconic buildings such as libraries or halls. Minister Piccoli said that the Building the Education Revolution program could have been used to replace outdated classrooms, despite that program being responsible for the replacement of more than 500 demountables.

Of course, this is just another example of blame shifting by a Government that scrapped a program that was designed to replace these demountables. Minister Piccoli said that fewer than 100 demountables would be replaced this year using money from the capital works budget and the remaining Building the Education Revolution funds. That is merely one-fifth of the commitment the Federal Government gave to replacing

demountables. Education reporter Bruce McDougall said that the Coalition, prior to the 2011 election, promised to inject more than \$60 million into school maintenance. In what way has the O'Farrell Government designated more than \$60 million into school maintenance? It does not take a genius to determine that the Government has reduced spending rather than invested funds into school maintenance and infrastructure.

We should encourage our students to learn by providing them with a thriving environment, rather than compel the leaders of the next generation to make do with poor resources. We cannot forget the crucial role that education plays in society and the necessity to ensure that every student has access to an abundance of resources which will nurture their education. A survey undertaken by Auspoll determined that more than half of the respondents believed maintaining or increasing education funding is more important than maintaining the State's triple-A credit rating or building the North West Rail Link. We must guarantee that our State's students are educated in an environment that assists rather than hinders their education

TAREE AND FORSTER-TUNCURRY QUOTA INTERNATIONAL

Mr STEPHEN BROMHEAD (Myall Lakes) [12.13 p.m.]: I inform the House of the activities of two local Quota clubs, Quota International of Taree and Quota International of Forster-Tuncurry. On Saturday 13 April 2013 I attended the sixty-sixth installation and changeover of officers for the Taree Quota club. I congratulate president Trish Webber, vice presidents Judy Cluss and Janenne Towers, secretary Linda Murray, treasurer Lyn Stewart and directors Cathy Baker, Nancy Boyling, Carolyn Erickson and Margaret Northam on the wonderful year over which they presided.

At the function I met also with Joy Davey, who has been a member for 41 continuous years. In the preceding 12 months the club has given funding of \$26,759 to such worthy recipients as the Women's Refuge, early intervention, the Deaf Camp, the Leukaemia Foundation, Taree West Public School, Taree High School, Tinonee Public School, Wingham Brush Public School, Valley Industries, the Westpac Helicopter Service and Quota International for the Bundaberg flood victims. A further \$10,200 was donated to Manning Rural Referral Hospital to refurbish and convert a room into a chapel. I congratulate the incoming president of the Taree Quota club, Trish Webber, and wish her team all the very best for 2013-14.

On Monday 15 April 2013 I attended the changeover and installation of new officers for the Forster-Tuncurry Quota club, a club that has been operating for 26 years. Over the past 12 months the club has raised more than \$22,000 for local charities such as the Great Lakes dementia care and respite service, the Great Lakes hospice, the Great Lakes campus school scholarship, the Life Education van, the Deaf Camp, the Quota International South Pacific area scholarship and a number of other worthy causes. In addition, a donation of \$7,400 was made to the New South Wales Cancer Council as the club's contribution to Daffodil Day. I congratulate the club, in particular president Heather Dwyer, vice president Ronnie de Plater, treasurer Barbara Pascoe and secretary Christine Armstrong. I extend my very best wishes to incoming president Ronnie de Plater, vice president Patricia Ryan, treasurer Barbara Pascoe and secretary Yvonne Hughes.

Both the Taree and Forster-Tuncurry clubs undertake fantastic work in their local communities. The Taree club has been in existence for more than 66 years and each year it raises money to help local charities and other worthy causes. The club does a phenomenal job. I congratulate the club in particular on the establishment of the chapel at Manning Rural Referral Hospital. It took eight years for permission to be granted for this prayer room, which is available to people of all faiths. Finally the club was successful in its efforts and the opening of the prayer room was a great day.

The Forster-Tuncurry club has also worked hard to raise money for local worthy causes, which is a difficult task in these tough financial times. Many organisations, both in Taree and Forster-Tuncurry, rely on Quota clubs and other service clubs for funding. Communities, particularly in rural and regional areas, would not be as strong as they are without the support they receive from service clubs such as Quota, Lions and Rotary, which all do tremendous work. Through volunteer work, contributions and donations of material in kind, every dollar that is raised probably results in \$4 worth of product. I congratulate all the members of these clubs and wish them all the very best for the next 12 months.

LAKEMBA ELECTORATE BUS SERVICES

Mr ROBERT FUROLO (Lakemba) [12.18 p.m.]: I bring to the attention of the House a matter of significant concern to a number of residents in my community. This issue was brought to my attention by Mrs Charlotte Prior of Kingsgrove who, after receiving one of my community newsletters, contacted me to ask

for my help. Mrs Prior had read of the success that local residents and I had had following a long campaign to have a new bus stop installed on Bexley Road in Campsie. The success of this earlier campaign encouraged Mrs Prior to seek my help in a similar matter.

Mrs Prior is a sprightly and independent 91-year-old who lives on her own and who manages to do her own shopping and get to her appointments. However, this lovely lady, not surprisingly, is starting to find walking to the bus stop a little more difficult. The nearest bus stop in one direction requires her to walk down a very steep section of Bexley Road at Wolli Creek and then up and over the railway line into Bexley North. In the other direction, she has to walk past an established but unused bus stop up the steep hill and further along Bexley Road towards Clemton Park. Mrs Prior has sought my help, not to request that the bus route be altered or that the timetable be adjusted but simply to request that buses stop at the nearest bus stop to her home. This bus stop in Beaumont Park, which already has a bus shelter, would make the life of Mrs Prior significantly easier.

However, before I wrote to the Minister to request that the 400, 410 and M41 bus services drop off and pick up at this stop, I wrote to Mrs Prior's neighbours to ascertain whether this bus stop would be used by other local residents. I wrote to about 700 residents in the area. Amazingly, more than 120 residents responded and signed a petition. But rather than simply rely on raw numbers, I undertook a more detailed analysis. Using electoral data, I determined of the 700 residents in this area 24 per cent—or just about one-quarter—are aged 65 years or more. In comparison, the New South Wales average for this age group is 14.7 per cent. Interestingly, nearly 17 per cent of those residents are 70 years or older. These older residents would clearly benefit from having a nearby bus stop.

Those statistics highlight the genuine need of residents in this area to have local bus services stop at the bus stop nearest to their residence. I was also contacted by other local residents, such as, Michelle Cassim, who lives in Flat Rock Road, Kingsgrove. She told me she is worried about her son, who started high school this year. She said to me, "It would greatly ease my mind if he could alight from a bus stop at Beaumont Park." I conveyed this information to the Minister for Transport and presented a petition to Parliament. The Minister has advised that the State Transit Authority will review patronage patterns of the bus routes to determine whether there is demand for this service. I believe the Minister has a genuine intent to improve services for commuters. On that basis, and on the basis of the genuine need of residents in Kingsgrove, I urge the Minister to support the request of local residents, in particular, Mrs Prior, to simply make use of the existing bus stop for the 400, 410 and M41 bus routes.

WORLD SCHOOLS TENNIS CHAMPIONSHIP

Mr GREG APLIN (Albury) [12.23 p.m.]: This year the World Schools Tennis Championship was held in Albury and Wodonga, running from 13 to 20 April. This is the first time that this international tennis tournament has been held outside Europe. The organising body, the International School Sport Federation, establishes "international competitions in different sporting disciplines and encourages contests between school students with a view to promoting better mutual understanding". School sports authorities of member countries collaborate to provide opportunities for students aged 14 to 17 years to engage in truly international competition. Teams enter this tennis competition not just as representatives of their nations but also as members of a particular school team.

This year's competition brought together teams from 14 countries, including Australia, Belgium's French community and German-speaking community, Chile, the People's Republic of China, Chinese Taipei, England, France, Germany, India, Italy, New Zealand, Singapore, Qatar and Turkey. Separate competitions were run for boys and girls. The 2013 tournament was officially opened by Australian sporting legend Margaret Court, AO, MBE, and former world number one ranked women's professional tennis player. Born in Albury, Margaret Court began playing tennis when she was eight years old and was just 17 when she won her first singles title at the Australian championships held in 1960. She went on to win this same title seven years in a row, as part of her 192 career titles. Her record will never be beaten.

Margaret told the athletes it was important to set personal and professional goals in their sport. This is precisely what she had done in her own life, she said. It is no surprise that tennis tournaments of this scale and importance are held on the State border. Organisers of the World Schools Tennis Championship noted that the close proximity of the Albury and Wodonga tennis facilities provided an advantage for participants, coaches and organisers. To hold the same sized tournament in Melbourne, for example, might involve up to six or seven separate venues, with long drives between them. By holding the championship on the border it was possible to run the tournament at just two venues, with commuting time of less than 10 minutes.

The tournament provided tremendous opportunities for local players. The teams that travelled to Australia come from schools that have a strong focus on tennis. In fact, several students had represented their countries in the Federation Cup and would soon head out onto the professional circuit. I am told there was a great deal of cultural education as the students talked and played tennis together. Some overseas students said they had never seen such blue skies or enjoyed so much fresh air, such is the level of pollution in their home cities. This tournament was always going to be about more than just tennis. In the end, Australia's two teams came ninth and eleventh in the boys' competition and were placed third and sixth in the girls' competition. Among the boys, the team from Italy came first, followed by teams from England and Turkey. For the girls, it was Turkey first, with England in second place and Australia A picking up third spot on the tally.

One of the challenges for the visiting athletes was that they rarely play on grass courts in their home countries and schools. Indeed, I was told that these clay court players, who rarely come in to volley at the net as one would on a grass surface, have worn out the baselines of our local competition tennis courts. It is a remarkable achievement to attract an international sporting event of the calibre of the World Schools Tennis Championship to Albury-Wodonga, particularly as this is the first time the tournament has been held outside Europe. The incredible tennis facilities found on the border undoubtedly played a major part, as did the simple logistical benefits. A State border can be a barrier on some occasions, but when it comes to sport the existence of a State border means that high-quality facilities are developed on both sides of the border, which encourages strong competition and creates a regional focus for excellence.

Having just hosted the World Schools Tennis Championships in April, Albury was most recently home to the New South Wales Primary Schools Sports Association State tennis carnival from 7 to 10 May. Between 300 and 400 parents and athletes from 13 regions across New South Wales gathered at the Albury Tennis Centre for the tournament. Once again, we found that most of the students had not previously played on a grass court. Of course, each year starts with great tennis on the border and this year was no exception. More than 650 tennis players representing 14 nations hit the border last January for the Margaret Court Cup and the Victorian junior tennis titles. I suggest to those who love tennis to take a trip to Albury either to play on one of our fine tennis courts or to enjoy one of the State, national or international tennis tournaments that are played on the border.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.27 p.m.]: As a very keen tennis player I endorse the comments of the member for Albury. I acknowledge the wonderful contribution of the Albury-Wodonga area to Australian tennis. As a youngster I vividly remember Margaret Court, arguably the greatest female tennis player in the world, and certainly the greatest female tennis player that this country has ever produced, winning tournament after tournament 192 times. Margaret Court was an amazing player and I suspect we will never see in Australia again an era like the golden era of tennis that included Rod Laver, Roy Emerson and Margaret Court.

PARKINSON'S DISEASE

Mr JAMIE PARKER (Balmain) [12.28 p.m.]: I want to speak about an issue that has a significant impact on many people in my electorate and many more across New South Wales and Australia—Parkinson's disease. I acknowledge the people in the gallery today, welcomed by Madam Speaker, who are part of an important advocacy campaign to improve the care of those living with Parkinson's disease, and their families and carers. I know that many of those in the gallery have been closely involved with this issue, either as carers or as friends and family members of people with the disease, and I recognise their admirable and tireless work.

I particularly acknowledge one of my constituents Susan Miles, who first raised with me the need for more Parkinson's disease nurse specialists. I also note the work of Parkinson's NSW, in particular chief executive officer Miriam Dixon, in advocating for improved services and support. The Parkinson's Alliance also does great work in this area—a group of not-for-profit, community-based organisations working together to provide vital information, counselling and support to people living with the condition. Parkinson's disease is a chronic, progressive, incurable, disabling neurological condition which currently has no known cure.

The four key symptoms are tremor, rigidity, slow or impaired muscle movement and postural instability, with many secondary symptoms. Those with Parkinson's disease experience significant disability and require increasing levels of care, with most living about 12 years from diagnosis. One in every 350 Australians is affected by Parkinson's disease, with more than 30 people diagnosed with the disease every day. More than 80,000 Australians have a diagnosis of Parkinson's disease, most of whom are aged between 50 and 60 years. It is important to note, however, that 10 per cent of those diagnosed will be under the age of 40. The disease is more prevalent than prostate cancer, ovarian cancer, cervical cancer or leukaemia.

Perhaps the most compelling statistic that supports the need for increased investment in services and support for this disease is that its prevalence is increasing by around 2 per cent to 3 per cent each year. Parkinson's disease is the second most common neurological condition in Australia, affecting more than 64,000 Australians, and that number is expected to grow as our population ages. The estimated burden of the disease is valued at \$7.6 billion a year. However, despite its increasing prevalence and high cost to the community, Parkinson's disease is still not recognised as a priority under Australia's Chronic Disease Strategy. Today I particularly highlight the urgent need for increased investment in Parkinson's nurses, and also the potential cost savings that NSW Health could make by employing a dedicated Parkinson's nurse for each Medicare Local.

The role of Parkinson's nurses is wide and varied; they are trained specifically to provide home support for the person affected by the condition and to provide education and practical assistance for the family carers. Parkinson's nurses can reduce visits to both general practitioners and overstretched neurology clinics by providing information over the phone. Parkinson's NSW has funded such a nurse in the Shoalhaven area for the past two years; however, this funding has not been assured and a public campaign has been actively lobbying for a permanent position. The United Kingdom has employed and trained Parkinson's nurses for their local health authorities, and significant cost savings to the health budget have been reported.

I have written previously to the Minister for Health to highlight the urgent need to invest in additional Parkinson's disease nurse specialists, and to highlight the success of these nurses in both New South Wales and the United Kingdom. I also enclosed for the information of the Minister the 2011 Deloitte report "Living with Parkinson's Disease—update" from Parkinson's Australia. The report highlights a key positive step for the future, being funding for the education of Parkinson's disease nurse specialists and the significant positive effect that will have in this State. In 2011 there were just 33 Parkinson's disease nurse specialists—none of whom were funded by the Australian Government—compared with 264 specialist nurses in the United Kingdom. The report also outlines the economic benefits related to Parkinson's disease nurse specialists.

I again call on the Minister to review this issue and provide an updated response regarding the Government's position on the provision of Parkinson's disease nurse specialists, taking into account the financial arguments for the nurses along with the increasing prevalence of the disease. Finally, I take this opportunity to thank the many carers, family members and advocates who dedicate their time and their lives to improving the lives of those living with Parkinson's disease, their families and their loved ones. Their work is truly valuable; they are making a genuine difference and they are all to be congratulated.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.33 p.m.]: I note the contribution of the member for Balmain in relation to Parkinson's disease and I acknowledge the significance of the issues that he raises. As he indicated, 30 Australians are diagnosed with Parkinson's disease every day and, worryingly, 10 per cent of those are people under the age of 40. In view of the issues he has highlighted, particularly in relation to the experience in the United Kingdom and the importance of nurses for people with Parkinson's disease, I will ensure that his comments are passed on to the Minister for the Health in the hope that we will be able to do more about these issues than we have been able to in the past under the former Labor government.

CHILDHOOD IMMUNISATION

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [12.34 p.m.]: I make a contribution in relation to the issue of immunisation, particularly as it relates to my electorate of Ballina on the North Coast. In 2009 I spoke in this Parliament about the death of four-week-old Dana McCaffery. Dana died of pertussis, the disease we commonly know as whooping cough. Dana's parents, Toni and David McCaffery, live in Lennox Head in my electorate. Unfortunately, Dana was born in the middle of a whooping cough epidemic. Tragically, at the tender age of four weeks she died before she received her first immunisation.

In 2009 there were 12,565 cases of whooping cough reported to the New South Wales Department of Health. The outbreak was particularly nasty in the Northern Rivers because of the low rates of immunisation compared with most other parts of New South Wales and Australia. Dana was too young to fight whooping cough, a disease that is preventable by vaccine. However, children need to be at least four months old to be fully vaccinated, and babies are not adequately protected by the antibodies in breast milk. Four years later, children are still at risk from this awful disease, particularly in areas like my electorate where vaccination rates continue to lag behind the rest of the country.

Immunisation is a safe and effective way to prevent the spread of not just whooping cough but of other terrible diseases such as measles and rubella. I find it hard to understand why parents choose not to have their children immunised and I welcome comments made by the New South Wales Minister for Health this morning, which were reported in the *Daily Telegraph*, that she intends to introduce legislation to address this issue further. The Northern Rivers, which takes in the Ballina electorate, continues to have, in my view, unacceptably high rates of children who are not immunised. This threatens other younger, vulnerable children.

Immunisation is regarded by medical professionals around the world as a safe and effective way of preventing life-threatening and debilitating diseases. The World Health Organization estimates that immunisation prevents two million to three million deaths every year, protecting people from diphtheria, measles, whooping cough, pneumonia, polio, rotavirus, diarrhoea, rubella and tetanus. The latest statistics from the Federal Government's Australian Childhood Immunisation Register show that currently in Australia around 1.5 per cent of children are not vaccinated. In the Richmond Tweed area, which takes in the Ballina electorate, that rate increases significantly, to 9.9 per cent. It is therefore not surprising that whooping cough notifications are correspondingly high. For the parents of young children that is a frightening statistic.

Unfortunately, people who choose not to immunise their children are also putting others, like baby Dana McCaffery, at risk. In communities with high rates of immunisation it is very difficult for a disease like whooping cough to take hold because of herd immunity. Herd immunity in communities in the Ballina and Byron shires is being eroded because people are choosing not to immunise their children. Diseases like whooping cough are more prevalent in these communities because a large number of people are not immunised. Importantly, the New South Wales Department of Health found that North Coast communities with the highest reported number of cases of whooping cough in 2009-10 coincided with the lowest rates of childhood vaccinations.

The medical profession is in no doubt about the benefits of immunisation, and the Federal Government, through its Immunise Australia Program, wants to get every child in this country immunised against a range of diseases. There is no argument against the positive impact of vaccines and immunisation in Australia and the world generally. For example, it is estimated that up to 40,000 people were paralysed by polio between 1920 and 1970, and immunisation has now wiped out polio in Australia. The New South Wales Government is strongly supportive of immunisation programs for all children and adults, and I draw attention to NSW Health's new Save the Date to Vaccinate program.

Recognising that immunising children is the best way to protect them and the community from some diseases, parents are asked to download a phone app and enter their child's name and birthdate as well as their general practitioner's contact details. The app will then calculate the next immunisation date and send a series of reminders to prompt the parents to make an appointment with their doctor. The more people who are vaccinated in our communities, the more we can protect the broader population from preventable diseases. Adults too should ensure that their immunisations are up to date. The effect of vaccinations we received as children wane after many years and boosters are often needed to eliminate the risk of contracting a disease such as whooping cough.

PANTHERS WOMEN IN LEAGUE

Mrs TANYA DAVIES (Mulgoa) [12.39 p.m.]: Today I inform the House of the dedicated fundraising champions of the Penrith Panthers Women in League. Formed by Diane Langmack, OAM, in March 2006, Panthers Women in League has raised more than \$200,000 for cancer research—including the Cure the Future Foundation—Panthers on the Prowl and the Penrith Women's Refuge, just to name a few. Panthers Women in League raises money for nominated charities at several functions throughout the year, aiming to lend a hand to people in the Penrith community and beyond.

What began in Penrith eight years ago as a means of highlighting the vital involvement of women in rugby league, from junior rugby league through to the National Rugby League, has now swept across most National Rugby League clubs. While a number of events are held throughout the year to raise funds for charity, the biggest event is definitely the Women in League Pink Round, which was held last weekend. The committed team from the Penrith Panthers Women in League family, including Diane Langmack, OAM, Jill Hoff, Jenny Matthews and Madeleine Hoff, have been hard at work for the Penrith Panthers Women in League Pink Round, which is the biggest across all the National Rugby League clubs. Everything from collecting items for auction, selling raffle tickets, and securing a game-day sponsor to securing the companies that will donate big dollars per try and point scored by each team were organised for last weekend.

On 16 May, in the lead-up to the Women in League Pink Round, the Panthers Women in League annual luncheon was held. Ms Yvonne Purtell, manager of Penrith and District Junior Rugby League, is to be congratulated on ensuring that members from all 22 junior rugby league clubs were in attendance at the lunch. She also invited them to watch the game on the evening of 18 May from seating in the Prowl Bay area of the western grandstand. What a game it was. From the starting whistle, the mighty Penrith Panthers were fast and furious in their attack on the New Zealand Warriors, and finally thrashed the Warriors 62-6. Whilst cheering on the Panthers, we were equally exuberant as fundraising money poured in for each try and point earned that night—Oak and Hertz donated \$1,000 per try and Centrebet donated \$100 per point by either team. By the end of the game a substantial amount of money had been raised.

In addition, four pairs of pink boots signed by selected players were auctioned, another pair signed by Greg Alexander and a pair signed by Mark Geyer, OAM, were also auctioned, as was headgear donated by Nigel Plum—or "Plummy" as he is affectionately called. A big thank you must go to Allan Russell, Managing Director, ASICS Oceania, the game-day sponsor of the pink round. In addition, anyone who purchased a pink jumper went into a competition to win one of two ASICS jumpers that had been signed by Panthers players. The Women in League also sold homemade cupcakes at the main gate on the night. There was a beautiful pink hue that evening, both inside and outside the stadium, and the players wore pink jerseys. I also thank Dave O'Neill, Managing Director, Abcoe Distributors, who has always supported the Women in League round by decorating the stadium as well as donating to the cause. All funds raised this year will be used to support the Nepean Family Room at the Nepean Hospital's neonatal intensive care unit, which provides a home away from home for those families whose premature babies are being cared for by the unit.

I thank all companies, business owners, the Penrith Panthers Women in League team and the community for getting behind these fundraising events for the Nepean Family Room. During the lunch on 16 May I spoke to Ian and Kathryn Garton. They support many charities in the area but had a personal connection with this special room. Ten years earlier their first child was born prematurely, at 24 weeks, and they still have a strong commitment to the wonderful team at the neonatal intensive care unit. They felt there was something important missing for families like them and they supported the need for this facility. Recently the Nepean Family Room was officially opened by Mrs Jillian Skinner, Minister for Health, and Mr Stuart Ayres, the member for Penrith. A number of other very committed community members were also in attendance. It is a testament to the spirit of community and service of those who live in the western Sydney region that they dedicate so much of their energy and time to supporting such worthy charities. I commend all involved.

GOULBURN ELECTORATE EVENTS

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, and Minister for Women) [12.44 p.m.]: The parliamentary break last week gave me the opportunity to spend most of my time in the great electorate of Goulburn. Apart from meeting with constituents, I visited local businesses and met with a number of local groups who are as interesting and varied as the electorate itself. For example, Dux Hot Water is a state-of-the-art manufacturing business in Moss Vale. Dux has recently upgraded its factory and now employs more than 100 people in its administrative and assembly facility. The factory is set amongst paddocks of grazing cattle on the outskirts of Moss Vale—an ideal working environment. The facility is immaculate and produces innovative gas, electric, solar and heat exchange units that are sold across the country. I met Dr Jochen Werner, originally from Germany, who was part of the assembly plant design team and is now based in the Southern Highlands with his young family. Production manager Mick Braid and operations manager Steve McRae introduced me to some of the workers who were on well-earned breaks. Although a little surprised to see their local member of Parliament in the lunch room, it did not take them long to open up to me about their concerns.

Moss Vale is the industrial hub of the highlands. It attracts a number of thriving manufacturing businesses to the district, which provide training and employment for hundreds of local people. I encourage Sydney companies looking to expand to consider moving to the Wingecarribee shire, which has large tracts of industrial land, excellent access to the Hume Highway and freight rail, and a committed and trained workforce to hand—and they will never have to battle traffic jams on the way to work. I spent a very happy Wednesday morning with the year 6 students of St Michaels School in Mittagong. They have been studying Australian Government this semester and I was invited by their student teacher, Rebecca Mitchell, to talk with them. The students had been very well instructed by their teachers, Claudia Magaja and Shan O'Brien, on the structure and history of our system of government, and many students asked probing questions. It was heartening to see that so many of the students were engaged in current affairs and knew about issues affecting the local community—they had a particular fascination with illegal immigrants.

One student asked about my role as a Minister. I explained that I was responsible for children in this State who, for various reasons, cannot live safely with their parents. When I told her that there were more than 18,000 children and young people under my responsibility she looked shocked. She approached me afterwards to ask whether she had heard correctly. She also wanted to know how many children across the country would be living in similar circumstances—I may have recruited an impassioned social worker of the future. That same evening I hosted the 2013 school leaders of high schools in Goulburn in my home for a relaxed evening over shared pizzas. We sat around the dining table—as we do each year—and the discussions were far reaching and passionate. Students who attend different country schools seem to know each other through sport, cultural and community groups. They never stand on ceremony with each other and are rarely lost for words—certainly not that evening.

It is inspiring to see the warmth and excitement of these young people who are about to step out from the relatively close-knit community of Goulburn into the wider world. I thank Goulburn High School captains Taylor Dudley and Kiah Joseph, and vice-captain Jessica Hewitt; Mulwaree High School captains Eloise Matthews and Patrick Davies, and vice-captains Rachel Hindi and Jarrod Twaddell; and Trinity Catholic College captains Isaak Walkom and Zoe Caldwell, and vice-captains Leonard Buckley and Victoria Taylor, for their company and conversation—they had a particular fascination with *Hamlet*, which they had all just seen. I wish them and all year 12 students well in their Higher School Certificate exams to be held later this year. They are a very bright bunch of kids. The National Trust house at Riversdale, in the northern suburbs of Goulburn, was a successful applicant for a \$10,000 grant in the 2012 round of the New South Wales Government Community Building Partnership program.

The grant is being used to build a ramp and reconfigure the toilet block to allow easy access for visitors who have a disability or who are mobility impaired. A high percentage of their visitors are quite elderly and this will be of great benefit to them. They are hoping to come up with a design in keeping with the current historical aesthetics of the property. Last week I was again given a short tour of the house and was impressed by the number of original features of the house that have been maintained. There were many old artefacts. I was particularly taken with those concerning families who had lived there as well as a beautiful and an extremely small wedding dress that was on display—we are certainly more robust of stature than our tiny nineteenth century counterparts. Riversdale is looking forward to hosting its first Teddy Bears' Picnic on the last weekend in May, which should be well worth the trip. I thank Ros Loftus and Dawn Giles for showing me around and wish them well.

DISABLED PUBLIC SAFETY MEASURES

Mr BART BASSETT (Londonderry) [12.49 p.m.]: As a society we have made sensible and overdue reforms to address a number of areas of inequality to ensure that people with disabilities can access buildings and public transport, are not discriminated against in a number of areas, and have a better share of funding. I was pleased that the Commonwealth and New South Wales governments could come together to make the National Disability Insurance Scheme a reality in New South Wales, but we need to continue to work to make sure that people with disabilities have a fair go.

I am particularly passionate about the Guide Dogs NSW/ACT and for many years I have enjoyed working closely with the organisation. It has a training facility at Glossodia, which is on the boundary of the Londonderry and Hawkesbury electorates. On numerous occasions I have visited the facility to talk to the trainers and lend my support for their work in ensuring that the dogs are trained to a high standard. The dogs act as the eyes and ears of sight-impaired people, and a lot of money and time goes into making sure that the dogs that graduate from the centre are equipped to be excellent companions and guides.

Last year Guide Dogs NSW/ACT launched the Guide Dogs Welcome Here campaign to promote awareness among businesses, particularly retailers and service providers, that there are laws in place to allow guide dogs to enter premises. The Mayor of Hawkesbury, Kim Ford, and I were joined by guide dog owner Barbara Bonfield from Penrith and some trainee guide dogs to visit local retailers in Richmond and hand out "Guide Dog Welcome Here" stickers for display in shops, restaurants and businesses. However, ensuring that access points to transport hubs are equipped with modern and safe facilities for sight-impaired people remains an area that needs addressing.

Members may be aware of a recent incident when a guide dog was injured at Town Hall station. In January this year Simone Cottom from Roseville and her guide dog, Gidget, were travelling on the escalator when Simone heard Gidget yelp in pain. The escalator was built in the 1930s—yes, 80 years ago. Simone said

that Gidget was crying out in pain and could not get off the escalator because her paw was stuck. Fortunately for Simone and for Gidget, a veterinarian and a veterinary nurse were also on the escalator at the time. After a stay at the University of Sydney veterinary hospital Gidget made a full recovery and suffered no long-term damage, but it could have been much worse. This is simply not acceptable.

Simone has called for the escalators to be replaced, and so have I. In 2000 a similar incident occurred at the David Jones city store. Because David Jones felt that there was a risk of the incident happening again it replaced the aging escalators. If David Jones can do the right thing it is certainly time for RailCorp to act. I call on RailCorp immediately to put in place a time frame for the replacement of the escalators at both Town Hall and Wynyard stations for the safety of guide dogs and their owners. I am advised that the cost to replace the escalators at those stations would be around \$12 million, which is a small price to pay to ensure that people with disabilities can access those stations without fearing that something terrible might happen. Those with full mobility sometimes take things for granted, but we need to walk in other people's shoes.

In the 1990s the former Liberal-Nationals Government replaced the old red rattler train carriages. Those rickety old trains had been transporting Sydney commuters since the 1920s. People were not only uncomfortable but also unsafe. Many people were killed or injured because the doors did not close automatically. The carriages were built by using the available technology and engineering know-how of the time. While they are part of our city's great history—just like the escalators—they were not suitable for handling a twenty-first transport system. It is important to preserve heritage. I know that the Railway Transport Museum at Thirlmere has a comprehensive collection of rail and transport rolling stock, including red rattlers, locomotives, machinery and other items that have been restored and are on display for future generations.

We all respect heritage; however, there needs to be a practical approach to ensure that heritage is managed in a way that protects assets for future generations and allows for modern design, innovation and engineering to make life easier for all. The Greens and Labor have hijacked the heritage debate in New South Wales. Heritage is now used as a tool and an excuse to stop practical improvements and sensible development across this State. I call on RailCorp to act now and replace the old escalators so that sight-impaired people such as Simone and her guide dog and companion, Gidget, are provided with safe access so that they do not have to endure their recent terrible experience again. I look forward to RailCorp getting on with implementing this necessary improvement.

LORD HOWE ISLAND

Mrs LESLIE WILLIAMS (Port Macquarie) [12.54 p.m.]: A few weeks ago I was fortunate to visit Lord Howe Island, which is the most eastern part of my electorate. I am delighted to talk about the island. For those who are unfamiliar with this iconic Australian environment, Lord Howe Island is a volcanic remnant about 600 kilometres directly east of Port Macquarie. It is about 10 kilometres long and varies from between 300 metres to two kilometres in width. The island has a population of approximately 350 permanent residents and a maximum of 400 visitors are allowed at any one time.

Lord Howe Island is a World Heritage Area, and anyone who has visited the island will understand why. It is an idyllic environment and the views from various vantage points, including across the picturesque lagoon towards Mount Gower, are simply breathtaking. During my recent visit I met with many local residents to discuss a range of issues. At this time the ongoing provision of internet services is the most pressing issue. Broadband services are currently supplied via the GE23 satellite by three providers, Clear Networks, Reachnet and Activ8. Unfortunately, on 30 April Reachnet customers were surprised to receive notification that the service will terminate on 31 May. This is of major concern to residents, and particularly for tourism business operators who rely heavily on the internet for bookings and services.

Whilst on the island I also caught up with Dr Frank Reed at the hospital. I appreciate the time he gave me—on a Sunday—to discuss current issues relating to the delivery of health services. However, the highlight of my trip was my visit to Lord Howe Island Central School. To say that the school is unique is an understatement. Lord Howe Island Central School is the most remote school in New South Wales. It is arguably the most isolated of our isolated schools and, because of its location, has a real focus on maintaining a sustainable environment. I also understand that it is the only school in the State where students are not required to wear shoes. Why would they when they can walk on sand? The school also enjoys exceptional support from the local community and many school events are highlights of the social calendar on Lord Howe Island. These events include the regular markets, which I attended, and the traditional island fish fry that is hosted by the school on 18 February each year to celebrate Discovery Day.

Currently, 33 students are enrolled at the school. They comprise 15 students in the K-2 class and 11 students in the 3-6 primary class. The school also accommodates seven secondary students in the Distance Education Learning Centre for those families who wish to have their children remain on the island for their high school education. The years 7 to 12 students study via distance education through Camden Haven High School, which is located just west of Laurieton and also is in the Port Macquarie electorate. This year the school greeted a new principal, whom I welcome. Mr Trevelian Mason and his family have been warmly welcomed by the community. I have no doubt they will thoroughly enjoy their time on Lord Howe Island. Mr Mason introduced me to each of the three classes at the school and it was great to catch up with them again and hear about what they have been doing since my last visit.

On the day I visited, the K-2 class was being supervised by a local casual teacher, Miss Sheridan Turner, who was replacing the regular teacher, Mrs Judy Roberts. I thank the K-2 class for making me welcome and for the students' thoughtful questions about my role in Parliament. I was impressed by their attentiveness and their interest. I know that they appreciated the parliamentary bookmarks I gave them and no doubt they have put them to good use. Mr Matthew Nulty teaches the 3-6 primary class. He told me that the children were starting a learning module about democracy, so those students also had some good questions. I had a couple of questions for them too, and I was impressed by their knowledge about this important subject.

I particularly thank school captain Matt Rogers and vice-captain Riley Wilson for their words of appreciation. I thank also the administration staff, especially Leonie. Members who have been involved in education and schools understand that the administration people hold the place together and make sure that everything runs like clockwork. Finally, I note that this Friday Lord Howe Island Central School, along with hundreds of other schools across the State, will celebrate Walk Safely to School Day. The students have invited the community to join them for a pancake breakfast under the school's covered outdoor learning area. The student representative council is organising the event and the funds raised will go the McGrath Foundation, which is the school's chosen charity for 2013. I congratulate the students on their hard work. I am sure it will be another successful Lord Howe Island Central School event.

FEDERAL BUDGET AND THE ILLAWARRA

Mr GARETH WARD (Kiama) [12.59 p.m.]: I take issue with the most recent Federal budget and Labor's significant lack of investment in the Illawarra region. Much has been promised but little has been delivered. It is high time that Labor's alleged commitment to our region is exposed and rejected. At the last State election I promised to fight to upgrade our forgotten Princes Highway. As promised, the largest single investment in the Princes Highway has been made and construction is underway. But in its most recent budget the Federal Labor Government has not allocated one red cent to the Gerringong to Bomaderry upgrade.

Labor claims that the Princes Highway is a State road, but it seems that this was not a problem as Federal Labor shovelled buckets of money into the New England Highway, the Pacific Highway, the M4 and the M5. How many times has the *Illawarra Mercury* reported on local Labor members' calls to upgrade the Princes Highway through Albion Park Rail? Here was their big opportunity to deliver, but all of their talk, their claims and their promises have amounted to nothing. As the local member for Kiama I have secured \$820 million to upgrade the Princes Highway through Gerringong and Berry, and I have also been able to secure funds to start the planning work for the Albion Park Rail bypass—something New South Wales Labor had 16 years to do but never bothered to deliver. Prior to the 2011 State election Federal Labor funded 80 per cent of the works on the Pacific Highway, with the State funding the remainder. Shortly after the State election Federal Labor cut this funding by 50 per cent.

I would warmly welcome a 50 per cent funding arrangement with the Commonwealth for the Princes Highway, but it seems that this is all too much for a Government that has its priorities entirely wrong. Of course, Labor stalwarts will tell us that Federal revenues are declining, the global economy is tanking and the present budget position has nothing to do with the economic management of Wayne Swan and the Gillard Government. If one believes that, consider this: When John Howard left office the Federal Government had \$80 billion less in revenue than it does today. However, this Federal Government will spend \$120 billion more than the Howard Coalition Government. Peter Costello left a surplus of \$20 billion. Contrast this with Wayne Swan's \$18 billion deficit. Federal Labor does not have a revenue problem; it has a spending problem. Labor just cannot manage money. We saw the same problem at a State level when New South Wales Labor left a \$5.2 billion deficit and \$55 billion in State debt, not to mention a \$30 billion infrastructure backlog.

Whilst Labor may have left the Illawarra high and dry, the New South Wales Coalition Government has responded to my calls for investment, be that the \$86 million upgrade of elective surgery at Wollongong

Hospital, the \$25.8 million upgrade for 600 new car spaces at Wollongong Hospital, the upgrade of cancer care services at both Wollongong and Shoalhaven hospitals, the \$10 million health plan for Shellharbour Hospital, the \$820 million upgrade of the Princes Highway, the \$39 million new Shell Cove railway station, along with station upgrades at Wollongong, Dapto, Albion Park and Gerringong, and new commuter car parking at Kiama, Oak Flats and Moss Vale, or be it the money we are investing into Wollongong university programs such as StartPad, iAccelerate or Next Generation Infrastructure. And this is before we even touch on the \$100 million that will be invested from the Port Kembla Infrastructure fund or the jobs created through the Illawarra Innovation and Investment fund. People are sick and tired of the spin; they demand real action.

Continuing on the theme of the Princes Highway, and in contrast to the lack of action by members opposite and Federal Labor, I am delighted to advise the House that the Department of Planning and Infrastructure has today made the submissions report on the Foxground and Berry Bypass publicly available. More than 250 submissions were received from the community, interest groups and stakeholders in response to the display of the environmental assessment in November and December last year. The submissions have been considered by Roads and Maritime Services [RMS] and responses are documented in the report. As the local member I have been keen to encourage the community to make submissions in order to deliver the best possible bypass for the Berry community.

Roads and Maritime Services has refined the concept design in response to the issues raised in submissions and feedback. These refinements include keeping Victoria Street open with a two-way connection between Queen Street and Victoria Street and a southbound on-ramp south of Victoria Street. The design for the Schofields Lane junction has also been altered to allow both northbound and southbound access via a vehicular underpass. Affected properties on the eastern side of the upgraded highway will be connected to the underpass. Part of the refined design includes a vehicular underpass connection between Gembrook Lane and the interchange at Tindalls Lane. This provides properties on Gembrook Lane with direct access to the interchange at Tindalls Lane and eliminates additional travel to the interchange at Austral Park Road.

Other design refinements include a new combined flood mitigation and vehicular underpass located between Tindalls Lane and Austral Park Road and the removal of the heavy vehicle turnaround facility proposed as part of the Austral Park Road extension. In addition, the road geometry has been improved at two locations: the Town Creek diversion at Berry has been straightened, a large retaining wall has been eliminated and adjustments have been made to individual property accesses and boundaries to minimise potential impacts. The Government is getting on with improving infrastructure in the Illawarra. Members opposite only talk about it; we are delivering it.

BLUE MOUNTAINS CROSSINGS BICENTENARY

Mrs ROZA SAGE (Blue Mountains) [1.04 p.m.]: As members would be aware, the bicentenary celebrations for the first successful European crossing of the Blue Mountains by Blaxland, Lawson and Wentworth have commenced in the Blue Mountains. The early morning of 11 May was cool for the send-off of the Blue Wave re-enactment team by the Governor, Professor Marie Bashir, my colleagues the Minister for the Environment, and Minister for Heritage, the member for Mulgoa, the member for Penrith and the member for Londonderry, Federal members and the Mayor of Penrith Council, Mark Davies. A few hundred people came out to enjoy the proceedings, which included a poetry reading by Jack Thompson.

The Blue Wave re-enactment of the crossing of the Blue Mountains began at the same spot that the intrepid three explorers and their four convict servants, five dogs and four horses did, at the site of Gregory Blaxland's farm at South Creek, St Marys. The team for the day of John O'Sullivan, Uncle Graham Cooper, Malcolm Brown, descendants of the explorer, Chris Blaxland, Stephen Wentworth and Robert Bettington, a Lawson descendant, finally set out, as did the horse handlers and students from the Penrith-Mulgoa area. Many were dressed in period costume, adding to the flavour of the day. Members of the Blue Wave committee, Colin Kenny, Cathy Sargeant, Richard Brymora and Trevor Lloyd were also present for the beginning of the culmination of six years of preparation.

Six years ago John O'Sullivan conceived the idea of re-enacting the crossing. The idea was to trek across the mountains in the footsteps of the three explorers following as close to the same route with the same timetable as the three had done 200 years ago. The party slowly wound its way through to Penrith and Emu Plains and up to the Blue Mountains. I was able to catch up with the group at Faulconbridge at the Norman Lindsay Gallery grounds, where they were camped. Along the route the public were coming out to cheer them on and be part of this historic journey. Various different descendants walked in the party, with some coming

from far away to participate. Greg Blaxland came from Tamworth and David Blaxland from Warrnambool in Victoria. There was Sarah Wentworth from Sydney, and other descendants from the Lawson family who lived more locally. The journey will finish 21 days after it started, and I look forward to catching up and walking with the group along the way.

As well as the re-enactment there have been numerous other events taking place. Ken Goodlet's book *Blue Mountains Journeys* was launched by the Governor at Blaxland High School, as well as a viewing of Wendy Blaxland's play *The Crossings* after the book launch. Ken Goodlet is a very well-regarded local historian, having written several history books dealing with Blue Mountains history. *Blue Mountains Journeys* deals with the many crossings of the Blue Mountains, including the indigenous history of the area, the explorers, the surveyor Evans and the road builder William Cox, as well as the Cooee March through the mountains from Gilgandra. It is a fascinating history meticulously researched.

Wendy Blaxland's play, aimed at children, was very entertaining and educational. All the adults present, including the Governor, thoroughly enjoyed the performance. I attended a very different performance called "Into the Unknown", a special presentation of music, dance and storytelling of the journey across the mountains more from the Aboriginal perspective. The performance featured excerpts from "Crossing Country, Making Tracks, Sharing Culture" which was directed by Wiradjuri dancer Jo Clancy with voiceovers by Auntie Carol Cooper, Uncle Graham Cooper and music and story devised by singer-songwriter Jacinta Tobin, a Darug woman. The storyteller was Paula Novotna. It was a thought-provoking and very enjoyable evening.

To finish the week I attended the Upper Mountains Combined Churches Commemoration Service, which was held at Blue Mountains Grammar School, with the theme "Crossing the Divide, thanksgiving for God's goodness". A fabulous service was led by Reverend Ray Robinson of St Hilda's Church at Katoomba. Welcome to Country was given by Auntie Carol Cooper, who is a parishioner at St Hilda's. Greg Blaxland, a different one from the walk, gave a wonderful talk about his ancestor Gregory Blaxland and his own faith. I look forward to attending the many further events that are happening in the Blue Mountains commemorating the bicentenary of the crossing during the month of May. It is pertinent to note that the New South Wales Government has given more than \$244,000 towards the crossing and, as well, waived the fees for the police and Roads and Maritime Services charges along the road. It must also be noted that the Federal Labor Government has not contributed 1¢.

NARELLAN ROAD UPGRADE

Mr BRYAN DOYLE (Campbelltown) [1.09 p.m.]: I inform the House of the planning for significant future upgrading of Narellan Road. To describe Narellan Road as simply a 7.7-kilometre length of roadway would be trite when those who use it every day know it is a vital part of Macarthur's infrastructure. Narellan Road starts in Campbelltown, that opal of the south-west and the very best part of the Macarthur region, and finishes by feeding traffic into main southern routes. It traverses the wonderful Campbelltown central business district, which is home to Macarthur Square—one of the best shopping centres in the country. It links directly to the Hume Motorway and provides motorists with access to the University of Western Sydney's school of medicine and school of law, the Campbelltown TAFE, Parramatta, the Sydney central business district and the Southern Highlands. Narellan Road passes the Australian Botanic Garden which, courtesy of the O'Farrell-Stoner Government, is free of charge and has one of the most wonderful displays of natural landscapes in the country, and leads on to Smeaton Grange, which is an economic and industrial powerhouse. Narellan Road connects to Camden Valley Way and connects to Camden, Oran Park and the greater south-west growth centre.

The upgrade is nearing completion of the planning phase and is moving into the construction phase. Community consultation is underway and written submissions must be received by 11 June this year. The upgrade features widening Narellan Road to become a six-lane divided road, which generally will have three lanes carrying traffic in each direction but occasionally will have four lanes carrying traffic in one direction and two lanes carrying traffic in the off-ramps to deal with peak periods. There will be new traffic lights at Kenny Hill Road and Hume Motorway southbound interchange intersections, which will provide local residents with better access to Narellan Road. Importantly, there will be a three-metre wide off-road shared pedestrian and cyclist path, which will be complemented with a wide shoulder for cyclists. That will be a huge bonus for me and other cyclists, and will improve health and fitness opportunities for Macarthur residents.

Early work on the project will lengthen the southbound exit ramp lane that is adjacent to the Hume Motorway. The project also includes widening the southbound exit ramps from the Hume Motorway to Narellan

Road and the bridge over the Hume Motorway that will facilitate the upgrade of Narellan Road. A heavy vehicle inspection bay at Kenny Hill and a traffic incident rapid-response facility near the Hume Motorway interchange are also part of the project. The benefits of upgrading Narellan Road are far-reaching and wide-ranging. The project will help to build communities and expand infrastructure that in turn will increase the wealth of our nation. For Campbelltown communities, it will reduce congestion that currently is experienced on Narellan Road during morning and evening peak periods. Most importantly, it will improve safety for motorists who use the Hume Motorway and Narellan Road. Later this year roadworks will commence to lengthen the southbound exit ramps that are adjacent to the Hume Motorway to reduce traffic queuing.

A new intersection with traffic lights at the Hume Motorway southbound interchange will be constructed, which will assist students who attend the University of Western Sydney or Campbelltown TAFE. As a further safety measure a central median strip will be retained to divide traffic travelling in opposite directions. I thank the Minister for Roads and Ports for including in the project improved access to the University of Western Sydney and Campbelltown TAFE precincts. The member for Camden, the member for Wollondilly and I appreciate greatly the Minister's attention to and support for focusing on the importance of improved safety conditions of access ramps from tertiary education campuses onto Narellan Road and from Narellan Road to campus entrances.

Upgraded roadworks will assist in relieving traffic congestion in the central arterial roads link in the Macarthur region. That not only will improve access but also will reduce travel times for passenger vehicles and road freight transportation. Landscaping associated with the project will be consistent with other future road infrastructure upgrades, such as to Camden Valley Way and Bringelly Road. The upgrade of Narellan Road also will improve incident response times on the Hume Motorway. Roads and Maritime Services [RMS] also has been engaged in extensive consultation with the Campbelltown electorate, which is blessed to have a Minister for Roads and Ports who cares for the people of Campbelltown and the greater Macarthur region by ensuring easier ingress and egress throughout the Macarthur region. I encourage everyone to visit the Narellan Road district to appreciate the great advances that will be made in the near future as a result of the Narellan Road upgrade.

BONDI PUBLIC SCHOOL 130TH ANNIVERSARY

Ms GABRIELLE UPTON (Vaucluse—Parliamentary Secretary) [1.14 p.m.]: On Saturday 11 May I was delighted to attend the 130th anniversary celebrations for the Bondi Public School, which is in my electorate, along with the Federal member for Wentworth, Malcolm Turnbull, the Mayor of Waverley Council, Sally Betts, Waverley councillors as well as parents, students and friends of the school. School captains, Kara Ellison Hodgson and Hugo Jacoby, were the masters of ceremony for the official proceedings. The school's junior choir and senior band entertained us all, and Mr John Kingsmill, who is a Bondi Public School alumnus and Australian author, reflected on his time at the school. I was honoured to address the crowd. I also witnessed the cutting of a large cake, which was decorated in the school colours, and cutting of the ribbon to officially open the school anniversary celebrations.

The weather was picture perfect, and I joined the fun afterwards that was provided by the school's parents and citizens association. There was a barbecue stall, a cake and lolly stall—with wonderful coconut ice, which I just had to buy—a slide for the kids to play on, and a school merchandising stall. People could even have their photograph taken wearing an old-style Bondi Public School uniform, write on an olden days chalkboard and view a slideshow presentation of *Bondi Past and Present*. Most exciting was the opportunity to view the contents of a 1983 time capsule that was opened by the school to coincide with the anniversary. The anniversary celebration was a wonderful community event for a fantastic school that has so much to celebrate. As the Parliamentary Secretary for Tertiary Education and Skills in the New South Wales Government I take a keen interest in educational institutions, including schools in my electorate. I am very proud to have Bondi Public School in the electorate I represent. It is one of the fastest-growing schools in New South Wales. That is due in no small way to the leadership of the Principal of Bondi Public School, Mr Michael Jones, and his team as well as to the committed parents and community, who give so much to their local school.

Over the past two years since I was elected as the local member of Parliament I have grown to know the school very well. The school's principal, Michael Jones, reached out to me early on, and since that time I have had the opportunity to make lots of visits to the school for occasions such as Schools Tree Day 2012, where I joined with students in year 6 to plant native trees and grasses in the playground; the Chinese lion dance at the commencement of the school term in 2012; the 2012 Father's Day breakfast; the school's fair; and the school's annual end-of-year presentation events, where last year I presented the inaugural member for Vaucluse

Prize for Citizenship. Most importantly, the principal, the school community and I recently worked closely together to ensure the school had access to additional classroom space in 2013. For a rapidly growing school that was imperative, and it was an issue for which I was pleased to work towards a positive outcome. But Bondi Public School's achievements are no surprise to those who know the school community. Bondi Public School is a school that always strives to offer that much more for its students. The students study Mandarin and Italian from kindergarten, and the school also offers tuition in philosophy and extension science.

The students also have a full Stephanie Alexander Kitchen Garden Program. Indeed, the school had the privilege of serving as the demonstration school for this wonderful program that is conducted throughout New South Wales. I know that the staff at the school continue to develop strong links between the Stephanie Alexander Kitchen Garden Program and their curriculum and that they have been proudly showcasing their programs to other schools across the State. What a wonderful sight that garden was when I first visited with year 6 students: the garden beds were full of healthy fruits, vegetables and herbs growing in abundance. There were strawberries, potatoes, rhubarb and broad beans as well as eggs in the hen roost. I could see the pure delight on the faces of the year 6 students, who showed me around the garden, onwards to the hen coop, and then to the kitchen, where fresh eggs find their way into omelettes and other delightful meals.

One hundred and thirty years of delivering education is certainly a significant milestone for a school. It is amazing to reflect on the change that Bondi and the school have experienced in that time. But the school itself has always been a constant presence in the local community. It was opened with 66 students and, by the end of 1883, 176 children were enrolled. Over the years the school's enrolment has fluctuated, but recently the school experienced rapid enrolment increases and there are 470 students in 20 classes at the school currently. Looking back over 130 years of history and memories it is interesting to reflect on the school's alumni, who include a filmmaker, John Pilger; the late Margaret Whitlam, AO, former Wallaby, Keith Cross; a journalist, the late Peter Harvey; and former test cricketer, Alan Kippax—just to name a few. I congratulate the whole school community on reaching such a remarkable milestone. I look forward to continuing to work with Bondi Public School. I wish all associated with the school a happy 130th birthday. I commend my private member's statement to the House.

TRIBUTE TO MARCIA DENISE DONALD

Mr GREG SMITH (Epping—Attorney General, and Minister for Justice) [1.19 p.m.]: I wish to speak of a lady, Marcia Denise Donald, who passed away recently. Her funeral was held last Friday at St Alban's Anglican Church at Epping. Respect was given in spades to a woman who had made a most significant contribution to our community. Various distinguished people presented eulogies, including Andrew Clarke on behalf of his father, the Hon. David Clarke, the Parliamentary Secretary for Justice. Marcia's greatest service was as a wife to Wallace, as a mother to Jennifer and as a grandmother to Zachary and Matthew.

She also gave great service to the community as a teacher for about 50 years at various schools in the State and private sector such as Smith's Hill Girls' High School, Macarthur Girls High School, Cheltenham Girls High School, Hornsby Girls High School, Tara Anglican School for Girls and, finally, Tangara School for Girls. At all of these schools her exceptional skills as a teacher of English and history, and as a coach in public speaking, led to outstanding results for her pupils. Among her brighter students at Tara were Jane Needham, Senior Counsel, and Kirsty Ruddock, daughter of the former immigration Minister and Attorney General in the Howard Government, Philip Ruddock, a good friend of the Donalds. After teaching at Cheltenham and Hornsby girls high schools Marcia was described by someone well qualified to judge as "one of the best three English-history teachers in New South Wales."

In recent years Marcia became active in the Liberal Party, becoming president of the Beecroft branch, vice-president of the Epping State Conference and vice-president of the Women's Council. She was a delegate to the New South Wales Liberal State Council, and a feisty and effective speaker at State Council meetings. I owe Marcia and her husband a great debt for the support and loyalty they always showed to me and the Liberal Party, as well as to the wider community. Marcia had strong conservative values and spoke articulately in support of those values. She also was the president of the Beecroft Garden Club and acted in various other community organisations, such as Rotary and the northern region branch of the Australian Federation of University Women. After retiring from full-time teaching Marcia qualified as a licensed financial planner, working in partnership with her husband, Wallace.

About 10 months ago she was diagnosed with terminal cancer and, with Wallace's support and research, sought out treatment which might prolong her life. Wallace honoured his marriage vow to Marcia to love her in sickness and in health, and kept informed their family and many friends who were praying for her

recovery as to how she was going. Those who knew Marcia would remember her cheerfulness, complete trustworthiness, loyalty, extreme diligence and effectiveness at everything she took on. It is fair to say that she conducted herself with confidence but with humility. Nevertheless, I am told that the lion tamer pose was adopted to great effect in front of recalcitrant children as the occasion demanded. Marcia and Wallace were a most devoted couple, very conscious of the power of prayer and appreciative of the prayers their many friends were saying for her recovery and his continued support for her. Wallace's devotion for Marcia has been inspirational. In a bulletin he circulated in September 2012, after informing us of a cancer treatment trial he discovered on the internet, Wallace commented:

Was my discovery and her successful application an answer to prayers? Please keep praying for the ultimate success.

I will always remember Marcia as a beautiful and stylish woman who was a staunch Christian and showed me enormous loyalty, as well as blessing me with sound advice. Whilst her ancestors came from the Orkney Isles and her name was Marcia, she so well fitted the description of Mary, the Rose of Tralee:

Though lovely and fair as the rose of the summer
Yet 'twas not her beauty alone that won me
Oh no! 'twas the truth in her eye ever beaming
That made me love Mary, the Rose of Tralee.

That, I think, epitomises Wallace's great love for Marcia, which was a wonderful example to others who came into contact with them. May God have mercy on her soul.

Private members' statements concluded.

[Acting-Speaker (Mr Gareth Ward) left the chair at 1.24 p.m. The House resumed at 2.15 p.m.]

ASSENT TO BILLS

Assent to the following bills was reported:

Health Legislation Amendment Bill 2013
Parliamentary Budget Officer Amendment Bill 2013

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

Mr BARRY O'FARRELL: I inform the House that I will answer questions relating to the portfolio of the Minister for the Environment, and Minister for Heritage, who will be absent from question time today.

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

BUSINESS OF THE HOUSE

Notices of Motions

Private Members' Business Notices of Motions (for Bills) given.

QUESTION TIME

[Question time commenced at 2.23 p.m.]

GOODS AND SERVICES TAX

Mr JOHN ROBERTSON: My question is directed to the Premier. Given families are already struggling under your Government with rising electricity bills, petrol prices—

The SPEAKER: Order! Government members will come to order.

Mr JOHN ROBERTSON: In two years of Coalition government there has been an increase of 43 per cent on electricity, 9 per cent on gas, 10 per cent on public transport, 15 per cent on green slips. I can go on.

The SPEAKER: Order! I remind the Leader of the Opposition that this is not an opportunity for debate. I will give the Leader of the Opposition the opportunity to repeat the question. Government members made so much noise that I could not hear one word, nor could the Premier. Government members will come to order. Members who ignore my directions to come to order will find themselves out of the Chamber. The Leader of the Opposition will be heard in silence.

Mr JOHN ROBERTSON: My question is directed to the Premier. Given families are already struggling under his Government with rising electricity bills, petrol prices and transport costs, why is his Government advocating in favour of raising the GST and sending the cost of living even higher?

Mr BARRY O'FARRELL: I will always argue for what is best for the people of this State. New South Wales was the first jurisdiction to sign up to the National Disability Insurance Scheme and the first jurisdiction to sign up to the Gonski education reforms because this Government will always put the people of New South Wales first. The people of New South Wales will be put first. Jobs growth and investment will be supported across this State if this Government could abolish payroll tax and land tax.

Mr Michael Daley: And stamp duty.

Mr BARRY O'FARRELL: One is a tax on employment and one is a tax on investment. Even the manager for middle management knows that if this Government could reduce stamp duty, economic activity would grow. The stronger the economy is, the more the jobs that are created. The stronger the economy is, the more opportunities that exist for people to get out there and create their own business, employ more people and create wealth. Of course, it is the creation of wealth by the private sector that guarantees continuing high living standards for the people across this State. What I posited on Sunday was that inefficient State taxes such as payroll tax and land tax that get in the way of growing the economy could only be abolished if they are replaced. Police, teachers and nurses in this State need to be paid.

This Government needs to deliver the services that people even in Wollongong rely upon on an annual basis. This Government is not in a position to abolish payroll tax and land tax because that would decimate the delivery of State services across New South Wales. What I posited was that if there was to be a review of the GST that review should look at replacing inefficient State taxes that work against employment and investment with GST revenue. That would be a good thing for the economy. I also made the point—I say this for the member for Lane Cove—that whilst the genius of John Howard's GST proposal was that the taxes that were raised would go to the States—the money does not go to the Federal Government; it all goes to the States—the devil of the proposal put forward by the former member for Bennelong is that it cannot be changed unless every State, Territory and Commonwealth government agrees.

As I said on Sunday, there is an election in this country every five minutes. There is a Federal election due on 14 September, the Tasmanian and South Australian elections are due in March next year, the Victorian election is due towards the end of next year, and at times I wish the next New South Wales State election could not come quick enough—and I am not sure who I will be facing when that happens. I made the point on Sunday that there is Buckley's chance of getting a change to the GST in this country because of the way the scheme has been set up.

PUBLIC SECTOR REFORM

Mr STUART AYRES: My question is directed to the Premier. How is the Government improving front-line services and reforming the public sector?

Ms Noreen Hay: They aren't.

Mr BARRY O'FARRELL: It is interesting that the member for Wollongong should interject and say that we are not. I have to say that that is not what Mark Lennon says every time he sees me—or any other public sector union official across this State for that matter. Do not tell me that the great colossus of Wollongong is losing her touch with the union movement? When Kristina Keneally visited the Wollongong electorate during the last State election campaign the member for Wollongong was the only candidate for the Labor Party who introduced people to her supporters by their union rather than their name.

Ms Linda Burney: Point of order: This might be very entertaining for the Premier—

The SPEAKER: Order! Does the member for Canterbury have a point of order?

Ms LINDA BURNEY: I do; it is under Standing Order 129. The Premier should get back to the point.

Mr BARRY O'FARRELL: I apologise to the galley because the sourpuss has been up again. This is an important question.

Ms Linda Burney: Point of order: I want the Premier to withdraw that comment.

The SPEAKER: I did not hear the comment.

Ms Linda Burney: I am asking for the Premier to withdraw that comment.

Mr BARRY O'FARRELL: If in some way I have managed to offend the member for Canterbury, of course I humbly and civilly withdraw.

The SPEAKER: Order! The member for Canterbury will resume her seat. The Premier has withdrawn his comment.

Ms Linda Burney: Just make sure—

The SPEAKER: Order! The member for Canterbury will resume her seat.

Mr BARRY O'FARRELL: She cannot help herself. In February I outlined reforms to the executive management of the public service to help the Government to focus better on the front-line delivery of services across the State. Those reforms are based on the recommendations of the Schott report and were fashioned by the Public Service Commission, led by Graeme Head, who has taken expert advice and consulted widely across the public sector. Notice will be given today of legislation designed to give effect to those changes.

The Public Service Commission's reforms will modernise the existing public service legislation, which was first introduced well before the internet was widely used. In fact, sections of the Act have been on the statute books for more than 100 years. The legislation will create a fit-for-purpose Act focused on public sector employment. It will retain essential employment-related components of the old Act, including the ethical framework and the Office of the Public Service Commissioner. It will create a new public service entity by amalgamating the current government service and the public service. The new provisions will result in the alignment of all public service employment frameworks.

The legislation will also provide for a clearer, simpler, more streamlined executive structure by reducing multiple layers of management, thereby delivering on the Coalition's election commitment to have decisions made as close as possible to the front line. It will also tighten up procedures to deal quickly and fairly with poor executive performance. Large elements of the current legislation are more than 100 years old and by any measure it is well overdue for an update. The current system is cumbersome and costly and it diverts limited precious resources into complex and unproductive bureaucratic processes and away from the front-line service delivery that the people of this State rely upon each day.

Research undertaken by the Public Service Commission in 2012 revealed that approximately 16 per cent of executive level staff do not manage any people and, of those who do, 30 per cent manage between one and three people. I regret to inform the member for Maroubra that the reforms will reduce middle management by about 20 per cent. Who knows, that might get him motivated. However, if it does not, the prospect of a former Labor Minister as Leader of the Opposition might. The legislation will add to reforms that have already been implemented that have seen the employment of 5,000 additional nurses, teachers and police since the Government came to office. That is a record of which every New South Wales Liberal-Nationals member can be proud. We have employed 4,000 additional nurses, 500 additional teachers and 370 additional police officers. This Government supports more front-line service delivery and further streamlining of back offices and executive structures. [*Extension of time granted.*]

Legislation will also be introduced to clarify the employment of staff for members of Parliament and officeholders, including the Premier, Ministers, and the Leader of the Opposition. The changes will largely mirror the provisions dealing with the employment of staff of Federal members of Parliament that were introduced by the Labor Party in the mid-1980s. Ministerial staff in New South Wales are now employed by the

director general of the Department of Premier and Cabinet under the Public Sector Employment and Management Act, while staff of members of Parliament are employed by the Presiding Officers under a delegation from the Governor dating from 1956.

It is proposed that the employment of staff of members of Parliament will be covered by a separate Act, as has been the case federally for almost three decades. Importantly, the legislation is not expected to result in any change to the number of staff for Ministers, the Leader of the Opposition or members of Parliament. Nor will it affect the superannuation or leave entitlements of electorate staff. Briefings will be offered to representatives of all parties and the Independents prior to the introduction of legislation affecting the staff of officeholders and members of Parliament.

NURSE TO PATIENT RATIOS

Dr ANDREW McDONALD: I direct my question to the Minister for Health. Why has the Minister refused the requests of nurses and midwives for increased nurse-patient ratios in emergency departments, children's wards and country hospitals when she knows that that would improve patient care and safety?

Mrs JILLIAN SKINNER: In case my colleagues do not know, we had that round of applause because Brett Holmes is in the gallery. He did not want to be invited here by members of the Labor Party, so he got someone else to invite him. I assure the House that he was not invited by a member on this side of the Chamber. It is surprising that members opposite knew that he was in the gallery. NSW Health received the New South Wales Nurses Association's award claim on 11 March and it has scheduled meetings ever since then. Has the shadow Minister been privy to the discussions at those meetings? No, he has not. The ministry made an offer to the association consistent with the Government's wages policy and it will negotiate other parts of the claim. I remind members that the last award was signed off by the former Labor Government.

The SPEAKER: Order! The member for Macquarie Fields will cease interjecting and come to order.

Mrs JILLIAN SKINNER: Members opposite should listen because they clearly need reminding. The shadow Minister was the Parliamentary Secretary at the time and he is sitting next to the member who was the Minister for Health. The union wanted ratios. Did members opposite agree to that? No, they did not.

The SPEAKER: Order! The member for Macquarie Fields will come to order. The member for Marrickville will come to order.

Mrs JILLIAN SKINNER: The member for Marrickville issued a media release—

The SPEAKER: Order! I call the member for Macquarie Fields to order.

Mrs JILLIAN SKINNER: —on 22 February 2011 stating:

We have said all along that a blunt one-size-fits-all ratio will not work in NSW.

The SPEAKER: Order! Members will come to order. The Minister has the call.

Mrs JILLIAN SKINNER: I am glad Mr Holmes is in the gallery so that I can remind him of that. Members opposite did not support ratios.

Mr John Robertson: Point of order: My point of order relates to Standing Order 129, relevance.

The SPEAKER: Order! I will hear further from the Leader of the Opposition.

Mr John Barilaro: There is nothing to hear.

Mr John Robertson: The question did not relate in any way, shape or form to the former Government. The question related very specifically to—

The SPEAKER: Order! I remind the member for Monaro that it is my call on the point of order. The Minister is being relevant to the question he was asked, as the Leader of the Opposition knows. There is no point of order. Government members who do not come to order will find themselves out of the Chamber.

Mrs JILLIAN SKINNER: I think members of the Opposition are embarrassed to be reminded of their position.

The SPEAKER: Order! I call the member for Kiama to order.

Mrs JILLIAN SKINNER: The Labor Party did not agree to patient ratios. Furthermore, it did not agree to some of the claims that are in the current union claim, such as emergency departments—

The SPEAKER: Order! The member for Macquarie Fields will cease interjecting. I call the member for Macquarie Fields to order for the second time.

Mrs JILLIAN SKINNER: We have not reached an agreement because the negotiations are continuing. The Government has honoured the previous award—

The SPEAKER: Order! The member for Canterbury will cease interjecting. I call the member for Canterbury to order.

Mrs JILLIAN SKINNER: I am proud of the fact that the Government has employed 4,000 additional nurses. That is over and above the number that would have been required because of the nursing hours per patient day award. In addition, more than 2,000 new nurses have graduated this year, including more than 500 in rural and regional New South Wales.

The SPEAKER: Order! The member for Macquarie Fields will come to order.

Mrs JILLIAN SKINNER: When the Nurses Association crusaded about the cost of the requirements under the Australian Health Practitioner Regulation Agency arrangements, the Government introduced a \$10,000 scholarship to cover the full cost incurred by nurses who want to return to the profession after five to 10 years' absence. The Government has done the right thing by nurses. I was thrilled to meet the Nurses Association representative from Manning Base Hospital yesterday. When I was there a year ago he said, "Why aren't you using the arrangement we had with the Forster Private Hospital? It would help our patients." He was referring to a contract set up by the Labor Government. He is a fantastic union representative, as are many of the union representatives I meet. The Government will continue to negotiate on the award.

The SPEAKER: Order! I note that the visitors in the gallery have removed their headwear. The blue shirts are okay, but the headwear is not. Thank you for your cooperation.

BIOFUELS

Mr GARETH WARD: My question is directed to the Deputy Premier. What is the Government doing to encourage the use of cheaper, cleaner and greener biofuels?

Mr ANDREW STONER: The member for Kiama, who is a very strong advocate for biofuels in New South Wales, has asked a very good question. The Biofuels Act 2007 has been supported consistently by all members of Parliament, with the recent exception of The Greens whom no-one could ever accuse of rational thought. Further amendments to the Act came into force on 1 January this year, and saw the Biofuels Expert Panel expanded to include three independent members with relevant experience.

The SPEAKER: Order! The member for Maroubra and Opposition members will cease their private conversations. I am vitally interested in this answer, but I can hardly hear the Deputy Premier.

Mr ANDREW STONER: The expanded expert panel, which includes new members Samantha Read of the Biofuels Association of Australia, Paul Barrett of the Australian Institute of Petroleum and Wendy Machin of the NRMA, met for the first time yesterday. I am advised that yesterday's extraordinary meeting was convened primarily to consider business plans submitted by the volume sellers of ethanol and biodiesel. If volume sellers do not meet the 6 per cent mandate for ethanol, or 2 per cent mandate for biodiesel, they can apply for a partial exemption from the target for up to 36 months. For them to receive such an exemption, this Government requires a comprehensive business plan outlining the measures they will take to increase sales of ethanol and biodiesel products.

Volume sellers who do not meet the targets and who have not submitted business plans deemed acceptable by the expert panel run the risk of not receiving a partial exemption. Indeed, for the first time, the expert panel did not grant a partial exemption to a volume seller based on the initial information provided. The Government will require a definitive plan with evidence that all possible action is being taken to meet the mandate, otherwise this fuel seller could be found to be in breach of the Act. If this happens, the Government

will consider all options including imposing penalties on that volume fuel seller. The expert panel also received a report on the independent testing of ethanol undertaken recently by the Office of Biofuels, which found that all service stations tested complied with the minimum of 9 per cent and the maximum 10 per cent ethanol content.

The panel reviewed a report prepared by the Office of Biofuels on E10 pricing during February and March, which found that the cheaper price of ethanol is being passed on to customers, and the discount compared to regular unleaded fuel—around 2¢ per litre—is in line with the supply chain costs incurred in blending and delivering E10 to service stations. The report also noted that the cost of ethanol per litre in New South Wales is approximately 30 per cent higher than it is in markets such as the United States of America and Brazil. But we must exercise some caution because those markets have their own domestic subsidies built in, therefore it is not so easy to make direct comparisons.

The analysis showed that if the costs of purchasing ethanol in New South Wales moved closer to the international price, the discount of E10 fuel at the bowser would be significantly greater than the current 2¢ per litre. The Government has always said that it welcomes additional competition in the ethanol production market in New South Wales. I was pleased recently to meet with a number of proponents of planned new biofuel and biodiesel plants in regional New South Wales, including one in the electorate of the member for Tamworth. If they proceed to construction and production, there will be significant new investment in biofuel capacity and more jobs created in regional New South Wales. This Government is committed to the biofuels mandates, and expects the industry to promote biofuels, which are cleaner, greener and cheaper at the bowser than other fuels, as the member for Kiama said, in order to achieve the mandates. I am pleased to announce that Roads and Maritime Services has developed a multifaceted campaign to promote the use of biofuels.

Dr Andrew McDonald: Point of order: I think that you could call that a prop.

The SPEAKER: Order! The Deputy Premier has not even had an opportunity to cite the reference, which he is entitled to do. The Deputy Premier can refer to notes as long as he cites the source from which he is quoting. The member for Macquarie Fields has not given him a chance to do that.

Mr ANDREW STONER: I am reading from biofuels.nsw.gov.au from 1 July. The campaign will reach motorists through registration renewal letters and emails, posters in motor registries and online advertising on the Roads and Maritime Services website, as well as digital advertising on relevant websites. [*Extension of time granted.*]

The Government is doing all it can to increase the volume of cheaper, cleaner, greener ethanol used by motorists in New South Wales.

KOGARAH RAIL SERVICES

Ms CHERIE BURTON: My question is directed to the Minister for Transport. Given Kogarah station services a large residential area, St George Hospital, a TAFE, four schools, a busy courthouse and police headquarters—

Mr Mark Coure: How do you know, you live in Kurnell?

The SPEAKER: Order! The member for Oatley will come to order.

Mr Mark Coure: Don't worry I'll give you a street directory.

The SPEAKER: Order! I call the member for Oatley to order.

Ms CHERIE BURTON: Will the Minister commit to overturning her draft CityRail timetable, which will halve the number of peak period train services at Kogarah?

The SPEAKER: Order! Government members will come to order. The Minister is entitled to hear the question and the member for Kogarah is entitled to be heard in silence. Members will be placed on calls to order if they continue to interject. The Minister has the call.

Ms GLADYS BEREJIKLIAN: Where was the member for Kogarah when her Government slashed 416 daily rail services? Where was the former Deputy Director General of Transport?

The SPEAKER: Order! The member for Kiama and the member for Monaro will come to order.

Ms GLADYS BEREJIKLIAN: Where was the Leader of the Opposition who was the former Minister for Transport? Those opposite do not like the truth, but the truth will set them free. All they did when they were in government for 16 long years was waste money growing the bureaucracy and slash front-line services.

The SPEAKER: Order! The Minister does not need the assistance of Government members.

Ms GLADYS BEREJIKLIAN: This Government will continue to do the exact opposite. It is making sure it is boosting front-line services. I am happy to confirm that to write the timetable from scratch takes two years and as soon as we came to government we started that task. I am also happy to confirm that we committed to 135 express rail services in Opposition. I say to every single member of this House that we have kept every single transport promise, and I will stick by that.

Mr John Robertson: Point of order: Direct services from Rouse Hill to the city?

The SPEAKER: Order! There is no point of order.

Ms GLADYS BEREJIKLIAN: Don't you start on the north-west rail line, buddy, or I'll start. They should be hanging their heads in shame on their record in public transport. I also say something that I said publicly earlier this week—

Ms Linda Burney: Point of order: My point of order is under Standing Order 129. The question asked specifically about Kogarah. We have heard this speech 10 times from the Minister and it is becoming tedious.

The SPEAKER: Order! The Minister is being relevant to the question she was asked. There is no point of order.

Ms GLADYS BEREJIKLIAN: They cannot handle the truth. Unlike the Labor Party we do not tinker around the edges when it comes to the rail timetable.

The SPEAKER: Order! The Leader of the Opposition will cease interjecting. The member for Toongabbie will come to order.

Ms GLADYS BEREJIKLIAN: He cannot handle the truth, can he?

The SPEAKER: Order! There is too much audible conversation in the Chamber. The member for Keira will come to order. The Leader of the Opposition will come to order.

Ms GLADYS BEREJIKLIAN: Over the past few months we have varied the timetable more than 200 times. Those iterations will continue and, obviously, we will publicly articulate the new timetable when we are in a position to do so. I am convinced that the overwhelming majority of customers will be delighted with the new timetable. It is still a work in progress, but I am still looking for a single positive thing the Leader of the Opposition did when he was Minister for Transport.

The SPEAKER: Order! Members will cease conversing across the table. The member for Monaro will come to order.

Ms GLADYS BEREJIKLIAN: The Leader of the Opposition was so embarrassed by his own record that when he was campaigning to be the member for Blacktown he did not even comment in his brochure on the fact that he was the Minister for Transport.

Mr Richard Amery: Point of order: My point of order relates to Standing Order 130. A general debate about transport is not an answer to the question about Kogarah railway station.

The SPEAKER: Order! There is no point of order. The Minister is attempting to answer the question she was asked.

Ms GLADYS BEREJIKLIAN: Not only was the Leader of the Opposition embarrassed by his record on transport but he was also embarrassed to say that he was a member of the Labor Party—that information did

not appear anywhere in this brochure either. I do not know which is worse. I am still waiting to hear one positive thing that the Leader of the Opposition did when he was Minister for Transport. But I say to every member in this place that the Government is working hard on the new rail timetable and that commuters will be absolutely delighted when it is released. I look forward to releasing it.

FEDERAL BUDGET IMPACTS

Mr CHRIS SPENCE: I address my question to the Treasurer, and Minister for Industrial Relations. What is the impact of the Federal Budget on the people of New South Wales?

The SPEAKER: Order! There is too much audible conversation in the Chamber. Government members have been excessively noisy this afternoon.

Dr Andrew McDonald: They are very bad.

The SPEAKER: Order! I call the member for Macquarie Fields to order for the third time.

Mr MIKE BAIRD: I thank the member for his question. The member for The Entrance is very interested in a responsible budget, but we certainly did not see that come out of Canberra last week. It was said that the Federal Budget is a very Labor budget. It certainly was a Labor budget: say one thing but do something else. Federal Labor likes to get the smoke and mirrors out to try to make it look as though things are happening, but when one has a close look at it, it is a very different story.

The SPEAKER: Order! The member for Toongabbie will come to order. The member for Macquarie Fields will come to order.

Mr MIKE BAIRD: Unfortunately for the people of New South Wales it is a very disappointing budget on a couple of key fronts. On the revenue front Federal Labor has forecast yet again another reduction in GST right across the country. The initial estimate is that there will be \$850 million less for services in New South Wales. If the Federal Government was managing responsibly, and encouraging confidence and investment there would be more spending, but it is not spending and people have lost confidence.

The SPEAKER: Order! I call the member for Maroubra to order.

Mr MIKE BAIRD: Less spending on infrastructure—and this is probably the most disappointing aspect for those across Western Sydney who are waiting for the WestConnex—demonstrates what Labor is about. Labor says it supports a project and will allocate money to it, but where does the money go? The money goes into the never-never; it will never be delivered. On top of that, Federal Labor is adding conditions to the project, which will cost billions and billions of extra dollars.

The SPEAKER: Order! The member for Maroubra will come to order. I call the member for Maroubra to order for the second time.

Mr MIKE BAIRD: It is very clear that if you follow Federal Labor in that project it will never be delivered, but under the O'Farrell Government, with or without Federal Labor, the WestConnex project will be delivered—it is about time it was delivered—to the people of Western Sydney. The O'Farrell Government is proud to be getting on with this infrastructure that the community has been waiting for, but it is unfortunate that Federal Labor does not want to participate in this project in a meaningful way. The other spectacular aspect of the Federal Budget—it might have been missed in the detail, but it was there if one looked closely enough—was that Labor does not expect the Federal Budget to do well so it has come up with a new plan. Indeed, it expects the budget to roll forward to September when in all likelihood the Labor Party will lose the Federal election. What will happen then? Federal Labor has this ingenious plan that members who are rejected in that election will be brought to Macquarie Street.

The SPEAKER: Order! Government members will come to order. The member for Hawkesbury will come to order. The member for Oatley will come to order.

Mr MIKE BAIRD: On the back of the Federal budget, Labor was talking about Chris Bowen losing—

Mr Guy Zangari: Point of order: My point order relates to Standing Order 129.

The SPEAKER: Order! I cannot hear the point of order.

Mr Guy Zangari: What the Treasurer is talking about has nothing to do with the question he was asked.

The SPEAKER: Order! There is no point of order. The Treasurer is being relevant to the question he was asked.

Mr MIKE BAIRD: What will happen if Federal Labor is rejected on the back of the budget? Chris Bowen was the Chief of Staff to Carl Scully, Ed Husic was the Chief of Staff to David Campbell, and Jason Clare was an adviser to Bob Carr.

Mr Ryan Park: Point of order: My point of order relates to Standing Order 129. This has nothing to do with the question.

The SPEAKER: Order! I have ruled previously that the Treasurer was being relevant to the question he was asked.

Mr MIKE BAIRD: They had one shot at wrecking this State under Bob Carr. Then they went to Canberra and wrecked the country. Now they want to come back to New South Wales. Those opposite are very keen for them to win: The only time the Leader of the Opposition has been seen with the member for Maroubra was on the weekend when they were out doorknocking in those electorates.

Mr Michael Daley: Point of order: The question was about the Federal budget; this has nothing to do with the Federal budget. Chris Bowen never lost a billion dollars. Where did the billion dollars go?

The SPEAKER: Order! The Treasurer has strayed monetarily and will return to the leave of the question. The member for Maroubra will stop arguing across the table.

[Extension of time granted.]

Mr MIKE BAIRD: The only problem with the strategy of the Leader of the Opposition out doorknocking is that those in Canberra said, "Please stop". It is true that there is a challenge happening on the other side of the House and there is potentially new talent, old talent or recycled talent coming back. It is true also that action needs to be taken by those on the other side in some shape or form, otherwise the member for Wollongong will be leader. They have got to do something.

Ms Linda Burney: Point of order: I ask that the Treasurer return to the leave of the question.

The SPEAKER: Order! I have asked the Treasurer to return to the leave of the question, and I trust that he will.

Mr MIKE BAIRD: I will. It is clear that those on the other side need to take action. While those opposite worry about themselves, the O'Farrell Government is worrying about the people we were put into this place to look after. We were elected to deliver the infrastructure that the people of New South Wales want desperately, and that is exactly what we are doing. The Government is taking action to ensure that infrastructure is delivered. The Federal budget announced last week was a disappointment to the people of New South Wales, with less GST revenue and meaningless commitments to infrastructure that Labor has no intention of delivering. But the O'Farrell Government is getting on with the job. The O'Farrell Government will deliver the WestConnex project and the people of western Sydney will be proud to support a Government that looks after its people.

MINISTERIAL STAFF MEMBER PETER McCONNELL

Ms LINDA BURNEY: I direct my question to the Premier. Given that the Department of Premier and Cabinet personnel handbook raises clear problems with post separation of employment and conflicts of interest, why is the Premier keeping his current chief of staff in his office until the end of June, despite his current Chief of Staff having already accepted a new role in the private sector where he will be lobbying the O'Farrell Government?

Mr BARRY O'FARRELL: There is nothing better than poachers turned gamekeepers. The party that set the lowest possible standards in government in the history of this nation in any jurisdiction seeks to lecture others about ethics, and who does it put up to do it?

The SPEAKER: Order! The member for Cessnock will come to order.

Mr BARRY O'FARRELL: It is the member for Canterbury—the person who I said a week or so ago proves that gravity does not always mean you drop when you fail. She has risen as she has failed through her career.

Ms Linda Burney: Point of order: The Premier continues to insult me and he is being smart about me—

The SPEAKER: Order! The member for Canterbury is drawing a long bow. The member for Canterbury will resume her seat. I do not consider the comment to be insulting. Members forget that I hear insulting comments coming from both sides of the House, which is why I am so intolerant at times when such points of order are raised.

Mr BARRY O'FARRELL: As I said two weeks ago, the more the member for Canterbury interrupts me, the more she can expect. Yesterday my former Chief of Staff, Peter McConnell, offered his resignation to take up the role of Director of Corporate and Public Affairs at Woolworths. He has served as my chief of staff for 3½ years, and I thank him for his contribution not only in my office but, frankly, in delivering government to the Liberal-Nationals and relieving the public of New South Wales of a rotten, incompetent Labor Government. We all recognise that the job of a chief of staff to political leaders, whether Prime Ministers or Premiers, is a 24-hour-a-day, seven-day-a-week job. I certainly understand his desire to put his young family—kids aged three and five—and his long-term career prospects ahead of what will be a two-year run-up to the next election.

Immediately after Mr McConnell informed me of his intentions I ensured that an acting chief of staff was put in place. Mr McConnell will continue in my office as a policy advisor, a political adviser, until the end of budget week to work out his time in my office. The Director General of the Department of Premier and Cabinet has put in place appropriate probity arrangements, including that Peter McConnell will be excluded from any involvement in any matter that may have an impact upon the business arrangement of Woolworths Limited. As I said, I will not be lectured by members opposite about ethics. This morning I heard the Leader of the Opposition talking about an earlier Independent Commission Against Corruption report in relation to these matters.

That Independent Commission Against Corruption report was delivered before the change of government. It was an Independent Commission Against Corruption report that from memory—I am fairly certain that my memory on this is absolutely correct—members opposite did nothing about. What did we do when we came to office? First, we now have a cooling-off period for Ministers; we introduced a cooling-off period for Ministers who leave the Parliament. Secondly, we have tightened the rules relating to lobbyists, including getting rid of success fees. Thirdly, we introduced what Mr Holmes opposes, which is restricting donations to individuals. Of course, Mr Holmes opposes it because it gives his members—nurses across the State—the right to decide whether to donate to a political party, not a union boss. We have demonstrated—

Ms Linda Burney: That's a smart thing to say about him.

Mr BARRY O'FARRELL: Is that sourpuss again?

Ms Linda Burney: Yes, it is.

Ms Carmel Tebbutt: Point of order: The member for Canterbury has already made it clear that she finds that term offensive. Standing orders require the Premier to refer to members by their title, but he consistently—

The SPEAKER: Order! I have reminded the Premier that he should refer to members by their correct titles.

Mr BARRY O'FARRELL: There goes the member for Canterbury, the sourpuss, again.

Mr John Robertson: Point of order—

The SPEAKER: Order! Is the Leader of the Opposition taking a point of order on behalf of the member for Canterbury?

Mr John Robertson: I am. From time to time the Premier wears a badge in here as an ambassador for White Ribbon Day.

The SPEAKER: Order! This is not an opportunity for debate. What is the member's point of order?

Mr John Robertson: The point of order is that the way the Premier continues to refer to the—

The SPEAKER: Order! What standing order has the Premier breached?

Mr John Robertson: The breach is that the Premier is required to refer to members by their appropriate titles.

The SPEAKER: Order! I have reminded the Premier to refer to members by their correct titles

Mr John Robertson: Then added a bit extra for good measure.

The SPEAKER: Order! The Leader of the Opposition will resume his seat. I have reminded the Premier to refer to members by their correct titles.

Mr BARRY O'FARRELL: As I said, standing orders make points of order and interjections, like those of the member for Canterbury, illegal.

The SPEAKER: Order! They are disorderly.

Mr BARRY O'FARRELL: I also make the point that, in addition to the changes we have made, Mr McConnell has voluntarily offered a six-month cooling-off period when he will not engage the New South Wales Government in relation to the business arrangements of Woolworths Limited after he starts work with the company.

CATCHMENT ACTION FUNDING ALLOCATION

Mr ANDREW FRASER: My question is addressed to the Minister for Primary Industries, and Minister for Small Business. How is the Government assisting farmers and landowners to manage their land in a sustainable and effective manner?

Ms KATRINA HODGKINSON: I thank the member for Coffs Harbour for his question and acknowledge his interest in this matter. Last week my friend and colleague the Minister for the Environment, and Minister for Heritage and I made a significant announcement to secure the future of community-driven natural resource and productive landscape projects in New South Wales. Catchment Action funding is provided to catchment management authorities for farmer-driven projects that underpin sustainable, productive agriculture, and for community-driven projects to look after beaches, estuaries, and regional and suburban bushland. Across New South Wales catchment management authorities and their community partners, such as Landcare, Bushcare and Coastcare, are working on hundreds of projects ranging from stabilising and re-vegetating river banks to controlling feral pig, dog and rabbit populations. Catchment Action funding means that these projects can be carried out.

I am pleased to inform the House that the New South Wales Liberal-Nationals will invest \$112 million over four years in Catchment Action NSW programs. Importantly, the allocations for the coming financial year will be an increase of between \$300,000 and \$1.4 million per catchment management authority when compared with this year's allocation. This is a great result for our farmers, our community partners such as Landcare, and the natural resources of this State. Importantly, continued Government support for Catchment Action NSW is a commitment under NSW 2021—the Liberals and Nationals' plan to make New South Wales number one again. This investment has been warmly welcomed by catchment management authorities and Landcare groups across New South Wales. According to Central West grazier and Little River Landcare group Chief Executive Officer Pip Job:

This announcement will mean that groups like Little River should be able to get on with the job. It gives us an opportunity for a smooth transition from working with Catchment Management Authorities to working with the Local Land Services.

Catchment management authorities are the Government's front-line delivery agency for productive landscape and natural resource management projects; they work hand-in-glove with rural, regional and coastal

communities. The projects and community partnerships managed by catchment management authorities provide real, practical assistance to help farms and rural businesses remain viable and sustainable. One such project is in the electorate of my friend and colleague the member for Bega. Last week the Bega Environmental Management Systems program secured a further \$462,000 thanks in part to Catchment Action funding. The Bega Environmental Management Systems program is an innovative partnership between Bega Cheese, the Southern Rivers Catchment Management Authority and dairy farmers across the region. The member for Bega congratulates Bega Cheese, as do I, on its wonder initiative.

The Bega Environmental Management Systems program invests in projects that improve industry sustainability, soil health and water quality, and better nutrient management practices. Importantly, the priorities and projects are identified by the farmers themselves—in this case it is between dairy farmers, the Southern Rivers Catchment Management Authority and Bega Cheese. This is because our farmers know there is a direct link between better management of our natural resources and improved productivity gains. In this case they will be re-using fertiliser on their properties, rather than having effluent wash into our waterways. It is a good project. Productivity gains underpin manufacturing, export capacity and profitability, and build a more sustainable industry for our future farmers.

In other parts of the State, the Central West Catchment Management Authority is helping farmers to restore scalded clay pan soils by re-establishing native pastures and shrubs, which in turn improves production, increases soil carbon, improves habitat and, importantly, reduces erosion. In the north, the Border Rivers-Gwydir Catchment Management Authority is working with cotton growers to identify suitable horticulture crops as viable production alternatives to minimise the impact of limited water availability and maximise regional industry resilience. And of interest to the hardworking member for Coffs Harbour, who asked this important question, Catchment Action funding is supporting the Northern Rivers Region Ecohealth project which is measuring the aquatic health of the region's rivers.

This Government is serious about improving the productivity and sustainability of our primary industries. Our commitment is most clearly demonstrated in our reform of the regional service delivery sector with the development of local land services. As members know, when we came to government after 16 long years of Labor, there was great disappointment in the structure of the Livestock Health and Pest Authority. Meeting an election commitment, I announced a full-scale review of the structure and the effectiveness and efficiency of the livestock health and pest authorities at the New South Wales Farmers conference in 2011. Following months of consultation meetings, an issues paper and a call for public submissions— *[Extension of time granted.]*

Terry Ryan delivered the following finding:

There are opportunities for greater administrative efficiency and improved services to landholders from LHPAs participating with other agencies in joint compliance and advisory functions on pest animals, animal and plant biosecurity.

Combined with years of feedback that we on this side of the House have received from farmers, community groups and ratepayers, the New South Wales Liberals and Nationals are building the new Local Land Services structure. Next year the livestock health and pest authorities, catchment management authorities and agricultural advisory services of the Department of Primary Industries will move into Local Land Services, which is a new approach to delivering services to farms and landowners across rural and regional New South Wales. Local Land Services will achieve one of the clear goals of the Government's NSW 2021 plan, which is to deliver quality customer-focused services. It will deliver this goal by way of a modern, efficient and flexible approach. As with the Ryan review, we have undertaken extensive consultation with farmers, community groups, land carers, coast carers, local government and more to build Local Land Services.

I appointed an expert stakeholder reference panel, which undertook 22 consultation meetings, received 2,000 submissions or more via the Have Your Say website and had countless discussions with people across New South Wales over a six-month period regarding the best way to build the new service. The panel has delivered its recommendations to me and the consultation phase is finalised. I am working through the options and will deliver my decision in due course. The result will be a more efficient and more informed service delivery organisation that will be transparent, accountable and flexible to local needs. I can assure the House that the high priority catchment action work will continue and will strengthen under Local Land Services. I acknowledge the support of my colleagues on this side of the House for enabling this significant investment. The \$112 million in new funding demonstrates the Government's commitment to local land services, natural resource management and local communities.

MINISTERIAL STAFF MEMBER RAY CARTER

Mr PAUL LYNCH: My question is directed to the Minister for Resources and Energy. Can the Minister confirm that his staff member Ray Carter, who was suspended on full pay one year ago pending a serious inquiry into electoral expenditure, has not engaged in any fundraising or party political activities since he was suspended?

Mr CHRIS HARTCHER: I am pleased that we have finally heard a question from the member for Liverpool. There are so many issues we would like to discuss with him. The Independent Commission Against Corruption is one of those issues because the commission investigated the member for Liverpool about the great Housing Commission rort. Does he not remember that?

Ms Carmel Tebbutt: Point of order: My point of order relates to relevance under Standing Order 129. The Minister has not even attempted to go anywhere near the question that he was asked. I request that he be drawn back to the leave of the question.

The SPEAKER: Order! I uphold the point of order.

Mr CHRIS HARTCHER: We are talking about the Independent Commission Against Corruption and we are talking about the member for Liverpool.

Mr Paul Lynch: Can you answer the question, you crook?

The SPEAKER: Order! The Minister will be heard in silence.

Mr CHRIS HARTCHER: People were told that if they joined the Australian Labor Party in Liverpool there would be a Housing Commission home for them, and for their brothers and sisters in Lebanon.

The SPEAKER: Order! I ask the Minister to return to the leave of the question.

Mr CHRIS HARTCHER: That was the great quote: "There will be a Housing Commission home for you, and your brother and sister in Lebanon."

The SPEAKER: Order! The Minister will return to the leave of the question following the introductory remarks he has made.

Mr CHRIS HARTCHER: I commend the member for Liverpool on his research: His question is taken from an article on page 5 of today's *Sydney Morning Herald*. That is what happens in the Labor Party. You are given a job—"Look, do something, dump on someone"—so you grab a newspaper and find out what has been written today. On page 5 there is a short article and the member for Liverpool now asks a question about it.

Mr Paul Lynch: You have had two minutes and you have not tried to answer yet.

The SPEAKER: Order! The Minister is being relevant to the question he was asked.

Mr CHRIS HARTCHER: I am, and if the member for Liverpool interjects again I will talk about his great appearance at the Independent Commission Against Corruption. Did we ever discuss that? Did the member for Liverpool ever give a personal explanation for his appearance at the Independent Commission Against Corruption?

Mr Michael Daley: Point of order: The wording of the question was, "can the Minister confirm".

The SPEAKER: I heard the wording of the question.

Mr Michael Daley: I refer to Standing Order 129 and Standing Order 73.

The SPEAKER: Order! I have asked the Minister to return to the leave of the question.

Mr CHRIS HARTCHER: In answer to the question—because I would like to answer it—I can advise the House that I do not comment upon inquiries that are currently before the appropriate authorities. That is the

practice that has been followed by members on this side of the House for a long time, unlike members of the Labor Party who comment on all sorts of matters, regardless of whether their comments are appropriate or whether they serve the interests of the people of New South Wales. What happens on that side of the House is simply an attempt to play games with the judicial process of this State, as we have seen time and again. Our position is clear: When there is an inquiry or a possible inquiry, we do not comment on the matter until the findings are made public. That is the appropriate position, but for Comrade Jong-il Lynch, North Korea's representative in the New South Wales Parliament—

Mr Paul Lynch: Point of order: The Minister must refer to me by my correct title, and coming from him it is not "comrade".

The SPEAKER: Order! I remind the Minister to refer to the member by his correct title.

Mr CHRIS HARTCHER: All members opposite should respect the integrity of the inquiry process because most of them have appeared before an inquiry hearing. They would have a much better understanding of the inquiry processes of this State than most members on this side of the House. I could go through them one by one. The member for Wollongong, who is now outside the Chamber, had an inquiry into her—

Mr Michael Daley: Point of order: If the Minister does not know the answer, he should just shut up and sit down.

The SPEAKER: Order! The Minister has answered the question.

Mr CHRIS HARTCHER: The member for Liverpool, of course, had his inquiry. The member for Maroubra—

Mr John Robertson: Point of order—

The SPEAKER: Order! The Minister has answered the question.

Mr John Robertson: My point of order relates to relevance. The Minister is making accusations across the Chamber. We could do the same about the Minister for Local Government and his appearance before the Independent Commission Against Corruption or Nick Greiner and the Independent Commission Against Corruption.

The SPEAKER: Order! I remind the Leader of the Opposition that this is not a game. The Leader of the Opposition will resume his seat.

Mr CHRIS HARTCHER: The member for Maroubra has never given an explanation about the \$100,000 he received from the Health Services Union after he voted for the overdevelopment by Michael Williamson in his electorate. [*Time expired.*]

ABORIGINAL HOUSING OFFICE

Mr TONY ISSA: My question is directed to the Minister for Family and Community Services, and Minister for Women. What is the Government doing to improve housing services for Aboriginal people in New South Wales?

Ms PRU GOWARD: I thank the member for Granville for his question. He has worked, and continues to work, for improved services for his local community in western Sydney, particularly in relation to a number of Aboriginal housing properties in his electorate. The Government was elected to fix the mess and make New South Wales number one again. The social housing system we inherited was in disarray—a mess made by the revolving door of six incompetent housing Ministers in the last six years of Labor's failed 16 years in government. We inherited a large and growing waiting list for housing and a system that fostered a destructive culture of intergenerational welfare dependency. We also inherited a system that gave little attention to the role and importance of the Aboriginal housing sector, including the Aboriginal Housing Office.

The Aboriginal Housing Office, now an integral, respected division of the Department of Family and Community Services, owns and manages properties for Aboriginal tenants. The Aboriginal Housing Office also drives the growth and professionalism of the New South Wales Aboriginal community housing sector. Under the former Labor Government, Aboriginal people were not empowered to make decisions for themselves. The

Aboriginal Housing Office was managed on only a part-time basis and the board of the Aboriginal Housing Office was unstable and disengaged and was reappointed for 12-month terms. That was the legacy that we inherited from Labor.

A strong and experienced Aboriginal Housing Office board is necessary to improve Aboriginal housing and to make sure that this Government receives advice from Aboriginal people about Aboriginal housing. We need this to make sure that decisions break intergenerational disadvantage and are made with respect to culture and country. Decisions must be made with an understanding of the different and varying housing needs of Aboriginal people and communities across New South Wales. Issues must be addressed with a determination to do it better and not take "there is a problem" as the final answer.

I am pleased to advise the House that the O'Farrell Government has appointed a new board of the Aboriginal Housing Office. Ms Michelle Craig, an Aboriginal woman and Chair of the Aboriginal Housing Office, who over the past two years has become a very valued adviser to me, will be joined on the board by eight highly respected and I would say passionate Aboriginal people, whom I am pleased to have in the gallery today. We are so proud to have you join us. You are all experienced and respected members of the greater New South Wales Aboriginal community. They are Mr Gavin Brown, Ms Norma Ingram, Mr Guy Jones, Ms Bev Manton, Ms Wendy Morgan, Mr Paul Morris, Mr Steve Ryan and Mr Bill Pritchard. Thank you for being with us today. I am also pleased to advise the House that there is a new Aboriginal Chief Executive of the Aboriginal Housing Office, Paul Callaghan.

Paul has a proven record of achieving excellent outcomes for Aboriginal people through his diverse career within the education sector. His skill and experience will remain a great asset to the whole of Family and Community Services as he leads the Aboriginal Housing Office and its staff through the next phase of development. By providing better, safer and more effective housing we can and must improve the lives and opportunities of Aboriginal people in this State. By having a dedicated Aboriginal leadership team the Aboriginal Housing Office will be able to work better and smarter to deliver an improved service and improved lives for some of the most vulnerable people in New South Wales. I am expecting great things of this board and I know that it will deliver strong, informed and honest feedback. That has always been forthcoming from Michelle and I expect the whole board will share that mission and guidance to ensure that the Aboriginal Housing Office delivers the best service possible—insightfully, locally and with wisdom.

Mr Adrian Piccoli: Point of order: It is a standing practice that all members are present in the Chamber during question time. I ask that members are reminded that question time lasts 45 minutes or until the end of 10 questions. I note that the member for Wollongong and the member for Kogarah regularly leave the House 20 minutes before the end of question time. I ask that members are reminded of the standing practice that all members should be in the Chamber during question time.

The SPEAKER: Order! It may be a standing practice, but there is no standing order by which I can require members to attend question time in its entirety. However, those comments are noted. It is a matter for the respective leaders of the House.

Question time concluded at 3.22 p.m.

INSPECTOR OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Report

The Speaker announced the receipt, pursuant to section 78 of the Independent Commission Against Corruption Act 1988, of a report entitled, "Report of an Audit into the Exercise by the Independent Commission Against Corruption of its Powers under Sections 21, 22, 23 and 35 of the Independent Commission Against Corruption Act 1988", dated April 2013.

Ordered to be printed.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Government Response to Report

The Clerk announced the receipt of the Government's response to report No. 1/55 of the Joint Standing Committee on Electoral Matters entitled, "Inquiry into Administrative Funding for Minor Parties", received out of session and authorised to be printed on 20 May 2013.

LEGISLATION REVIEW COMMITTEE**Report**

Mr Stephen Bromhead, as Chair, tabled the report of the Legislation Review Committee entitled, "Legislation Review Digest No. 37/55", dated 21 May 2013, together with minutes of the committee meeting dated 7 May 2013 regarding Legislation Review Digest No. 36/55.

Report ordered to be printed on motion by Mr Stephen Bromhead.

PETITIONS

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Albion Park Aeromedical Services

Petition requesting the retention of aeromedical services at Albion Park, received from **Mr Gareth Ward**.

Sydney Electorate Public High School

Petition requesting the establishment of a public high school in the Sydney electorate, received from **Mr Alex Greenwich**.

Walsh Bay Precinct Public Transport

Petition requesting improved bus services for the Walsh Bay precinct, and ferry services for the new wharf at pier 2/3, received from **Mr Alex Greenwich**.

Inner-city Social Housing

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

Pet Shops

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

Slaughterhouse Monitoring

Petitions requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich** and **Mr Donald Page**.

Camden Council

Petition calling on the Minister for Local Government to dismiss Camden Council and to appoint an administrator, received from **Mr Chris Patterson**.

Public Housing Rents

Petition calling on the Government not to raise public housing rents when Centrelink benefits are increased, received from **Mr Richard Amery**.

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (for Bills) Nos 1 and 2, General Business Order of the Day (for Bills) No. 1 and Notices of Motions (General Notices) Nos 2439 to 2457 and 2459 to 2467 lapsed pursuant to Standing Order 105 (3).

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Motions Accorded Priority**

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.25 p.m.]: I move:

That standing and sessional orders be suspended to permit the consideration forthwith of both motions accorded priority at this sitting.

The Government has agreed that both motions for which priority is sought—those of the member for Penrith and the Leader of the Opposition—should be debated.

Motion agreed to.

WESTCONNEX MOTORWAY**Motion Accorded Priority**

Mr STUART AYRES (Penrith) [3.26 p.m.]: I move:

That this House notes:

- (1) the Federal Opposition has committed \$1.5 billion in funding for WestConnex;
- (2) the conditions attached to the Federal Government's latest funding offer show the Federal Government is not serious about funding WestConnex; and
- (3) the New South Wales Government has already committed its \$1.8 billion funding and will deliver WestConnex with or without help from the Federal Government.

There is probably no more important project for western Sydney than WestConnex. WestConnex is about building and securing Sydney's future. For too long people right across western Sydney have had to battle congestion and overcrowded roads to be able to move around this great city of ours. Following the election on 26 March 2011, when this State voted for a new government and a change of attitude, one of the key components that this Government put in place was the opportunity to get advice from the experts—Infrastructure NSW. The project that Infrastructure NSW put at the top of its list and recommended was the WestConnex project. Within a matter of hours this Government committed to that project, sending a clear signal to the people of New South Wales and to the market that we were going to get this road underway once and for all; we were going to make sure that the M4 East would be delivered; and we were going to make sure that the mistakes the past Labor Government made over the M5 East would be corrected.

We are going to make sure that there is a north-south distributor through the inner west. We need a modern road. We do not want to hear from the Labor Party at the Federal level about allocations of funding that it has no intention whatsoever of allocating. The promise of a mysterious \$1.8 billion with a whole lot of strings attached proves that Federal Labor has no interest whatsoever in the WestConnex project. This Government is about recycling assets to ensure that people get the infrastructure they need. The money we receive from the long-term lease of the port has been allocated to a number of projects including WestConnex. What does Federal Labor want to do? It wants to attach a number of strings to the project.

Those strings could add up to between \$5 billion and \$8 billion. If Labor wants to add \$5 billion to \$8 billion to this project then clearly it is not interested in it. If it is not interested and it wants to add \$5 billion to \$8 billion the members on the other side of the Chamber need to tell the people in the blue shirts who were sitting up the back that that will mean \$2 billion cut from the Health portfolio, \$2 billion from the

Police portfolio, \$2 billion from the Education portfolio and \$2 billion from any other part of the New South Wales budget to make it work. That is what would need to be done to build the WestConnex motorway without tolls.

This Government has been up-front and honest with the people of New South Wales that this project requires tolls. In order to widen the M4 from Parramatta through to Strathfield, as recommended by the Sydney Motorways project office, to duplicate the M5 East Tunnel, and to create another north-south distributor through the inner west so that people are able to move freely around this great city then the application of a pricing mechanism is required. That is the only way that the roads will be built, and that is what this Government has put in place. In recognition of the works that have been put in place, the Federal Opposition has promised funding of \$1.5 billion. It has shown its trust in the work of this State. It is up to this Government to deliver the WestConnex motorway. We would like Federal assistance, whether it is Liberal or Labor, but we will not be dictated to on how to build a road in our own State.

Another component is that the money coming back to New South Wales from the Federal Government is our money: it has been raised by the taxpayers in New South Wales. The percentage of money that has come from Infrastructure Australia has been about 2 per cent. It is an absolute joke. For the past five years the Federal Labor Government has had an opportunity to support New South Wales, Sydney and specifically western Sydney. It has turned its back at every single opportunity. At the dying hours of this disgraceful Labor Government it has found an opportunity to add more strings to show it is not keen on the project and does not care about the people of western Sydney. The Labor Party received a clear message from the people of western Sydney on 26 March 2011. Federal Labor has not responded to that message and it will be sent another clear message on 14 September this year.

Mr RYAN PARK (Keira) [3.30 p.m.]: I wish we had more time to speak on this extremely interesting debate. What did the New South Wales Government ask for from the Federal Government for the WestConnex project? The member for Penrith probably does not know, because it would not have been in the speech from the Treasurer. They asked for \$1.8 billion. What did they get from Federal Labor? They got \$1.8 million. What was the scope of works for the WestConnex project that was submitted to the Federal Labor Government through Infrastructure Australia? The scope of works was at least 10 years. What is the funding cycle allocated so far by Federal Labor? It is a line with an allocation for 10 years.

But it gets worse. What did Tony Abbott say about this line on the map? When I say it is a line on the map, let me be clear about it. The Minister for Roads said it is somewhere between \$10 billion and \$13 billion, but the State Government has guaranteed it can build the project because the variation is only \$3 billion. The Treasurer said in the House today that whether or not the Australian Government contributes the State Government will build it. That is interesting because there is a variation of \$3 billion that the Government cannot account for, and there is \$1 billion that fell behind the Treasurer's couch a few months ago that the Government cannot account for. Yet the Treasurer says in this House, "I guarantee that the State Government will pay for the project regardless of any contribution from the Commonwealth." I was interested to hear what Tony Abbott had to say about WestConnex, and I listened carefully to his budget in reply speech.

I waited for his comments on the project. Afterwards I thought I might have missed it. I went to the Federal Opposition's website to read about its real simple solutions, or whatever the catchphrase is. I could not find any costings. I found that it allocated \$300 million less than Federal Labor allocated. I also found this quote: "We will start work in the first 12 months". That is interesting. Someone forgot to tell my colleague the Hon. Duncan Gay, the Minister for Roads and Ports. A few months ago he said in the Legislative Council, "We are already well underway with WestConnex." The Liberal leader is saying, "We will start work in the first 12 months." He forgot to check with his Nationals mate in the Legislative Council who said just a few months ago that work was underway.

But wait, it gets better. I like this part. A few months ago I was carefully listening to the speeches in the other place. The Minister for Roads and Ports said, "We are working very cooperatively with the Federal Labor Government in relation to WestConnex." That is very interesting. Let me be clear on what we have so far from that other mob. We have a line on the map, a project with a \$3 billion variable, a Treasurer who said today that the State Government does not need anyone else's funding and can fund the whole project itself, and Tony Abbott, who does not have a clue what his State members are saying about it. It is a farce.

Mr MARK COURE (Oatley) [3.35 p.m.]: It does not matter if it is Federal, State or local Labor, Labor cannot be trusted when it comes to infrastructure. This is yet another example of the failure of the former

Minister for Transport, now Leader of the Opposition, the Deputy Leader of the Opposition and member for Canterbury, and the member for Keira. It is yet another example of the Labor Party letting down the people of New South Wales when it comes to infrastructure. This Government has spent the past two years fixing Labor's 16 years of mess. Part of this Government's efforts to fix this State has included a focus on infrastructure spending. Over the next four years this Government will spend \$61.8 billion on infrastructure.

I am pleased to see that the Federal Opposition has committed \$1.5 billion in funding for the WestConnex motorway. As the member for Oatley, I am proud to be part of a New South Wales Government that has funded \$1.8 billion towards the project. The Government is getting on with the job of building much-needed infrastructure, such as the M5, the M4 and the WestConnex project. The New South Wales Government is fixing Sydney's chronic road congestion; the Federal Labor Government is not. WestConnex was recently recommended by Infrastructure NSW as a project that is vital for the rebuilding of this State. Most of Canberra's \$1.8 billion in funding for WestConnex will be delayed until 2019. The conditions imposed will add a staggering \$5 billion to \$8 billion to the total cost of the project.

Given that the project is important to Sydney commuters, members on this side of the Chamber condemn Federal Labor for not properly considering funding for the WestConnex project. They are playing politics to the detriment of working families. The M5 East is the primary road in my electorate leading towards the Sydney central business district. The WestConnex project includes the widening and duplication of the M5 East and the M5 West. The project will significantly assist commuters in the St George area. It is unfortunate that the M5 and the M4 were neglected for so long by the Labor Government. In addition to the duplication of the M5 East to King Georges Road, the WestConnex project will complete the widening of the M4 East to Parramatta and to North Strathfield. That is a big win for commuters across Sydney and it is disappointing that the Federal Labor Government has not properly committed to the project.

Mr ROBERT FUROLO (Lakemba) [3.38 p.m.]: We all want a solution to congestion on our roads.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Oatley has had an opportunity to contribute to the debate. The Leader of the Opposition will come to order.

Mr ROBERT FUROLO: Too many of us—even members of this place—spend too much time every day sitting in cars crawling along Sydney's congested roads. Driving on weekends is now as bad as driving during peak hour. The growing demand for roads is one of the reasons that the Labor Government invested billions of dollars to create a solid foundation for our road network. Members cannot ignore history. I invite them to consider some of the road projects delivered by Labor Governments, including the Eastern Distributor. The member for Oatley drives from his electorate into the city using that fantastic road, which was delivered by a Labor Government. The M5 East is another fantastic road delivered by a Labor Government. The M7 is a terrific motorway, again delivered by a Labor Government. Labor Governments also widened the M2 and extended and widened the M5 through Holsworthy. They also delivered the Cross City Tunnel, the Lane Cove Tunnel and the widening of Windsor Road. That is how a road network is built in New South Wales. Labor Governments delivered for the people of this State; they did not simply draw lines on a map or pretty pictures.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber.

Mr ROBERT FUROLO: These projects require vision and a plan. WestConnex is not a plan—it is a con. No routes have been selected and no budget has been allocated. It is no solution for the people of west and south-western Sydney. We know that the widening of the M5 will result in a massive increase in the number of vehicles heading east every day, and they will be forced onto already congested roads. The member for Oatley should know that. They will be pouring onto King Georges Road, Stoney Creek Road, Forest Road and Canterbury Road. Drivers will have no chance to use the M5 East because it will not be built. The M5 will be widened and a huge number of additional vehicles will be pouring onto local roads. Once again, the Government has no idea and no plan. It will not deliver real solutions for the people of south-western Sydney. Members opposite should be ashamed.

Mr STUART AYRES (Penrith) [3.41 p.m.], in reply: I thank the member for Oatley, the member for Keira and the member for Lakemba for their contributions to this debate. The member for Oatley and a number of other members who represent south-western Sydney now have a quote to put in their election campaign brochures. If the member for Lakemba really believes that the M5 East is a great road and that the Labor Government did everything it could to ensure that it was built he is kidding himself. One of the main reasons that the people of western Sydney are calling out for the WestConnex project is that it will correct the problems caused by past Labor governments, including the M5 East not being wide enough and the neglect of the M4.

We have heard members opposite say time and again that Sydney is full and that we do not need to upgrade the roads; in fact, they tell us that we should sell off the road corridors. Even in the last days of the Keneally Government when the people of western Sydney begged it to use the toll revenue to upgrade the M4 members opposite went for the cheap political solution: they removed the toll and the State lost a revenue stream. The Coalition Government must now consider imposing tolls to ensure that the people of western Sydney get the roads they deserve. From the beginning of this process the Government has used the expertise in Infrastructure NSW and it has established the Sydney Motorways Project Office to ensure that we work towards delivering a project that will extend the M4 East to the city and create the required distributor roads.

Building long freeways that dump vehicles into the central business district is a 1970s and 1980s strategy. The concept of extending the M4 to Broadway and dumping vehicles into George Street is ridiculous. That is exactly why the north-south road is required. If the Federal Labor Government is committed to this project it should remove the conditions it has imposed on the funding. By imposing those conditions it is sending its commitment to the project to the never-never. We can forget about 2019. The Federal Labor Government knows full well that its commitment means nothing if it has no intention of delivering. At no point in my life has a Labor government contemplated upgrading the M4 East. This is disgraceful. We should get a commitment that will see the road built or no commitment at all.

The DEPUTY-SPEAKER (Mr Thomas George): Order! The member for Blacktown will come to order. I call the member for Drummoyne to order for the second time. The member for Oatley will come to order.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 62

Mr Anderson	Mr Flowers	Mr Provest
Mr Annesley	Mr Fraser	Mr Roberts
Mr Aplin	Mr Gee	Mr Rohan
Mr Ayres	Ms Gibbons	Mr Rowell
Mr Baird	Ms Goward	Mrs Sage
Mr Barilaro	Mr Grant	Mr Sidoti
Mr Bassett	Mr Gulaptis	Mrs Skinner
Mr Baumann	Mr Hartcher	Mr Smith
Ms Berejiklian	Ms Hodgkinson	Mr Souris
Mr Bromhead	Mr Humphries	Mr Speakman
Mr Casuscelli	Mr Issa	Mr Spence
Mr Conolly	Mr Kean	Mr Stokes
Mr Constance	Dr Lee	Mr Toole
Mr Cornwell	Mr Notley-Smith	Ms Upton
Mr Coure	Mr O'Dea	Mr Ward
Mrs Davies	Mr O'Farrell	Mr Webber
Mr Dominello	Mr Page	Mr R. C. Williams
Mr Doyle	Mr Patterson	Mrs Williams
Mr Edwards	Mr Perrottet	<i>Tellers,</i>
Mr Elliott	Mr Piccoli	Mr Maguire
Mr Evans	Mr Piper	Mr J. D. Williams

Noes, 21

Mr Barr	Ms Hornery	Mr Robertson
Ms Burney	Mr Lynch	Ms Watson
Ms Burton	Dr McDonald	Mr Zangari
Mr Daley	Ms Mihailuk	
Mr Furolo	Mr Park	
Mr Greenwich	Mr Parker	<i>Tellers,</i>
Ms Hay	Mrs Perry	Mr Amery
Mr Hoenig	Mr Rees	Mr Lalich

Question resolved in the affirmative.

Motion agreed to.

CHILDHOOD IMMUNISATION**Motion Accorded Priority**

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [3.55 p.m.]: I thank members opposite for the opportunity to move this important motion on vaccination. I move:

That this House:

- (1) notes that in some parts of New South Wales the vaccination rate is lower than in Iran and Rwanda; and
- (2) supports measures to boost childhood vaccination rates and children's health in New South Wales.

Of late vaccination rates have been quite an issue for debate. At the moment vaccination is not just topical but it is also a very important health issue for young children in New South Wales. It is very concerning that we are seeing a decline in vaccination rates and immunisation of young children across the State. In some areas immunisation rates are lower than in some Third World nations. It is important that all politicians take every opportunity to raise issues that are important across their electorates in the State. Vaccination attracts a significant amount of passion in the community from those who are in favour and from that small group against it for a range of reasons.

As members of Parliament, from time to time we make decisions about ensuring the greater good of the wider community, and vaccination is very much about that. It is about looking after the majority of children and families in relation to whooping cough, measles, chicken pox and other diseases. Thirty years ago they were very common diseases from which young children would suffer, and even today from time to time we still see the tragic death of babies generally who have whooping cough or complications from measles and chicken pox. So each of us has a responsibility to do whatever we can to raise awareness about the benefits of vaccination against such diseases and to advise the community of the options to deal with those diseases more effectively.

It is appropriate for childcare centres to have the opportunity to make choices about whether they allow the enrolment of students who are not immunised, for a number of reasons. First, the centres do not presently have the opportunity to refuse enrolment of those students. Second, in this day and age both parents in many families work and are very busy and sometimes parents just forget things such as immunisation. An opportunity for a childcare centre to raise the question of immunisation with mum, dad or both at the point of enrolment is a gentle reminder to those parents who might have been mugged by life in the sense of being so busy that they forgot to immunise their child. There are opportunities for a catch-up program for immunisation to be undertaken by those parents over a very short time. We should be looking to use every available opportunity to us to remind those parents who may have forgotten that it is a good idea to immunise their child.

We know that science overwhelmingly supports the fact that immunisation reduces the likelihood of young children being infected with these diseases. We also know that from time to time we see quite hostile responses to this debate. Since I have been a little bit vocal about immunisation my Facebook page and some of the tweets I have received have been less than positive from people in organisations such as the Australian Vaccination Network, who are quite passionate and emotional about our efforts to encourage people to ensure that more and more children are immunised. They have been sold on pseudo-science. Whilst the internet is a wonderful resource for research and informing ourselves, it also provides an opportunity for scaremongers or those who seek to misinform people by putting information on the internet. Suddenly it becomes a reputable piece of information influencing parents to make decisions that really are not in the best interests of children. That is why this is an important motion to be debated this afternoon.

Mrs JILLIAN SKINNER (North Shore—Minister for Health, and Minister for Medical Research) [4.00 p.m.]: The Government has agreed to debate this important motion because it wants to do all it can to ensure that children are vaccinated. In New South Wales 92 per cent of two-year-olds are fully vaccinated but, as the Leader of the Opposition has said, the rates vary by location. Some areas, including parts of the North Coast, eastern Sydney and the North Shore, have lower vaccination rates and the reasons for these lower rates vary, including underreporting by the immunisation provider—usually the general practitioner—of children's vaccinations to the Australian Childhood Immunisation Register and delayed vaccination of the child for reasons such as concurrent illness or travel. Only a very small proportion of parents actively deny their children vaccination. The Government continues to monitor vaccination rates among children in New South Wales and the media in particular has raised community concerns about the so-called Australian Vaccination Network. In an article reported on the ABC news on Friday 7 January 2011 entitled "Autism vaccine study 'an elaborate fraud'" it was stated:

A 1998 study that unleashed a major health scare by linking childhood autism to a triple vaccine was 'an elaborate fraud', the British Medical Journal (BMJ) said.

The study was blamed for a disastrous boycott of the measles, mumps and rubella (MMR) vaccine in Britain.

It was retracted by The Lancet last year and its senior author disgraced after the country's longest-running hearing for conflict of interest and unethical treatment of patients.

Everyone should be aware of this when they are considering vaccination. A range of longstanding activities are designed to improve immunisation rates in New South Wales, including school entry legislation requiring parents to provide evidence of vaccination at enrolment to primary school and child care or face exclusion in the event of an outbreak; national tax incentives to parents; information campaigns; the national Australian Childhood Immunisation Register; and follow-up by public health unit staff of general practitioners to check that data is updated on the Australian Childhood Immunisation Register and remind parents to immunise under-immunised children. NSW Health has recently initiated several other activities to further boost immunisation rates, including a statewide "Save the Date to Vaccinate" campaign. Anyone who has watched television over the past month will have seen that advertisement: it is also on the NSW Health website. I commend it to everyone.

The website provides accurate information to parents on the benefits of vaccination and the tools to help them track their children's scheduled vaccination dates. The Government has also funded Aboriginal health workers to actively follow up Aboriginal children who are late for vaccinations to address any barriers, and other strategies to improve varying immunisation rates by public health units depending on need. For example, on the North Coast public health unit staff will offer telephone or face-to-face support to parents of underimmunised children to identify and overcome barriers to immunisation. The Government supports the immunisation of school-age children before they enter kindergarten to protect them against outbreaks of infectious diseases. Under the Public Health Act 2010, to prevent the spread of infectious disease, children who do not have evidence of vaccination can be excluded from school or childcare centres in the event of an outbreak of illness. The Leader of the Opposition has indicated that he will introduce legislation. Will you table the bill?

Mr John Robertson: I will send it to you, yes.

Mrs JILLIAN SKINNER: Will you table it?

Mr John Robertson: I am just finalising it.

Mrs JILLIAN SKINNER: It would be great if you could table it later today because once tabled it is the official version. The Government is examining measures to deal with unvaccinated children accessing childcare services. We expect to introduce amending legislation probably next week. Any change will allow for special consideration where there is a medical contra-indication to vaccination or genuine objection on grounds such as religious beliefs.

Dr ANDREW McDONALD (Macquarie Fields) [4.05 p.m.]: Dana McCaffery, who was born in 2009, would have started school next year had she not died of whooping cough in 2009. She lived her short life on the New South Wales North Coast. Dana is the centrepiece of every lecture to doctors who graduate from the University of Western Sydney, because they all need to understand that this does occur, and will continue to occur, unless our immunisation rates improve. The National Health Performance Authority report on immunisation which was released last month is a call to action, because in Australia some 77,000 children are not fully immunised. Only 92 per cent of two-year-olds in New South Wales are fully vaccinated. Inevitably, there will be future outbreaks of vaccine-preventable conditions, and a lower level of endemic vaccine will prevent conditions such as whooping cough—the cause of Dana McCaffery's death.

Increasing our immunisation rate from 92 per cent will require a variety of measures. I am pleased that the Minister for Health has indicated her intention to introduce amending legislation. It is similar to reducing the road toll: it is not a magic bullet. It will take persistence and education. The majority of those who are underimmunised come from low socio-economic groups and are often disenfranchised, hence a more vigorous approach to help them access immunisation is needed.

Mrs Jillian Skinner: Not in the eastern suburbs.

Dr ANDREW McDONALD: I acknowledge the interjection of the Minister. There is also a significant group of highly educated people, who are used to making their own judgements on many things including immunisation, who choose not to immunise their children. That is one of the reasons for the lower immunisation rates on the North Shore and in the eastern suburbs of Sydney—in fact the 85 per cent immunisation rate in the eastern suburbs is close to the lowest in Australia. The Minister for Health referred to the autism controversy in 2011. The vaccination rate dropped to 80 per cent at that time. We are now experiencing the consequence of that, with more than 1,000 people in Swansea developing measles. In 2013 the

case fatality rate of a measles epidemic is 1:1,000 and every case of whooping cough will affect 12 to 15 people. These conditions are preventable by immunisation. The simple legislation that has been flagged by the Opposition will give childcare centres the choice as to who they will admit to their centres and how they will be admitted.

Mrs LESLIE WILLIAMS (Port Macquarie) [4.08 p.m.]: I am pleased to contribute to debate on this important motion. Immunisation is not only about protecting individuals; it is about protecting the community against contagious diseases. I join other members in their concerns about the low immunisation rates particularly on the New South Wales North Coast. In essence, this motion is about herd immunity. Herd immunity occurs when the vaccination of a significant percentage of the population provides a measure of protection for individuals who have not as yet developed immunity—namely, small children. If enough people in the community are vaccinated when there is an outbreak of a contagious disease such as whooping cough the spread will be disrupted because large numbers of people will either be immune or less susceptible to the disease. It is important that we focus on ensuring that the wider community is immunised.

The member for Macquarie Fields said that people understand the importance of immunisation if they see a young baby with whooping cough struggling to get a breath. I am sure he has seen many more cases than most members of this House, but it is a disturbing sight. As was mentioned, the Government is committed to developing, implementing and evaluating an immunisation campaign. The Minister talked about the Save the Date for Vaccination campaign, which is currently being aired on television and throughout the media. But there are challenges. We are examining measures to deal with unvaccinated children, particularly those accessing childcare services.

However, we must acknowledge that when considering the introduction of legislation there will be limited circumstances in which there may be medical contra-indications to vaccination or non-vaccination due to religious beliefs, but I emphasise that those circumstances are limited and rare. It is important that we continue with our concerted effort to increase vaccination rates and, as the Minister said, doing that through effective education campaigns. I emphasise also that few parents deliberately choose not to vaccinate their kids. But as was acknowledged, we all lead busy lives and the schedule of vaccinations—for example, hepatitis B has four immunisations, and vaccination for diphtheria, tetanus and pertussis involves three immunisations—can get upset. It is easy to miss the required time for a vaccination. This is about ensuring that we have a strong campaign. I know that this Government will continue to support that.

The DEPUTY-SPEAKER (Mr Thomas George): Order! With the indulgence of the House, the member for Macquarie Fields mentioned Dana McCaffery. Both the Minister for Local Government and I represent the area where the family came from. The parents have devoted their lives to encouraging parents to become involved in an immunisation program so that no-one else has to go through what they have been through.

Mr JOHN ROBERTSON (Blacktown—Leader of the Opposition) [4.12 p.m.], in reply: I thank the Minister for Health, the member for Macquarie Fields and the member for Port Macquarie for their contributions to this debate. In particular, the Minister for Health raised the ABC report from 2011. A debate such as this reminds us of the pseudo-science that has been out there and portrayed as detailed scientific evidence when in fact it was a fraud. The fraud committed by those people has mislead many people and to this day in some areas it continues to be wheeled out as evidence as to why parents should not immunise their children. A debate such as this allows members in the Chamber who may not have been aware of that to hear that and to discuss the issue if they find themselves in circumstances where they are talking to constituents or elsewhere about the benefits of immunisation.

The member for Macquarie Fields talked about the lectures given to graduating doctors. What he failed to say—I am sure out of modesty—is that he gives that lecture on Dana McCaffery. When he gives those lectures to graduating doctors he uses that example to reinforce how important it is for them to tell parents about the importance of immunisation and what it means for the future wellbeing and health of their child and the wider community. One problem is that conspiracy theorists sometimes promote the evils of pharmaceutical companies. Some of the messages I have received on my Facebook page from people who can only be described as conspiracy theorists is that the beneficiaries are those evil pharmaceutical companies that continue to peddle these sorts of drugs when in fact we know the benefits to the wider community and their significance.

On a lighter note I must say that I have had one Facebook response that said, "Keep drinking your fluoride" and "Keep injecting your immunisations". These whackos—that is probably the technical term for

them—are out there peddling this sort of stuff. The reality is that the evidence is clear, that is, we need 93 per cent to 95 per cent of all districts within an area to be immunised to ensure that we do not see diseases such as measles. In terms of those rates, we have to do everything we can as leaders in our communities and as a Parliament to ensure that we continue to outline and detail the benefits of immunisation and also put to rest the misinformation, the pseudo-science, that is on the internet that misleads many parents into believing that they are putting the wellbeing of their son or daughter at risk, when nothing could be further from the truth.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

MOTOR ACCIDENT INJURIES AMENDMENT BILL 2013

Second Reading

Debate resumed from 9 May 2013.

Mr MICHAEL DALEY (Maroubra) [4.15 p.m.]: I lead for the Opposition in debate on the Motor Accident Injuries Amendment Bill 2013. I say at the outset that the Opposition strenuously opposes this bill.

Mr Troy Grant: Surprise, surprise.

Mr MICHAEL DALEY: It is no surprise because we have the interests of those who are injured and those who are marginalised in the community at heart, unlike the Government. We will move amendments in this House and in the other place in an effort to improve the bill. If they are not adopted in totality we will oppose the bill in both Houses. I will start at the end of the story, which is that if this bill becomes law every driver in New South Wales, every person who goes near a road—certainly those who are breadwinners and upon whom others rely—and those who are not independently wealthy will need to take out income protection insurance, but the cost of full cover for the overwhelming majority of people in New South Wales is prohibitive.

This is the ruination of a good and responsible scheme. We acknowledge that the scheme is not without its problems. No scheme is perfect, but the solution that is promulgated in this legislation is a dog's breakfast. Once again it has been rushed through without proper, earnest and detailed consultation and consideration. It is hard to tell who the winners are, apart from at-fault drivers. The number of losers is so great that this legislation is, frankly and earnestly, bewildering. There is a simple principle of insurance when talking about injured people. In the words of the submission of the Insurance Council of Australia no less, dated 5 April to the Minister, the Hon. Greg Pearce:

... injured people need appropriate compensation that best supports them to fully recover as quickly as possible. If an injured person is permanently and seriously disabled, he or she needs lifetime care or support.

I suppose the fight—and there will be one—is about the definition of "seriously disabled". The thresholds of 10 per cent and 20 per cent respectively that have been introduced in this bill do not make sense; they are much too high to cut people off, but I will get to that. Again I quote the words of the Insurance Council of Australia on the same report:

The NSW Compulsory Third Party [CTP] scheme is a vital social support framework for NSW motorists and injured people alike. The scheme provides compensation for those people injured in a motor vehicle accident who are not at fault. It also provides, in certain circumstances, limited compensation for at fault injured people (for example, children, and people who have sustained catastrophic injuries).

Today it is a vital social support framework for New South Wales motorists and injured people alike, but I would say it will not be by tomorrow afternoon. That is because what is being advanced in this bill is a radical change in the way that compulsory third party insurance for injuries relating to motor vehicle accidents is being put forward. Under the current scheme, drivers or injured persons who can prove fault recover all of their past and future treatment expenses and all of their past and future lost earnings, including superannuation—which is excluded in this bill. If they exceed a whole person impairment threshold of 10 per cent they also get a lump sum for pain and suffering. Those at fault are not left out.

Under amendments to the scheme that the former Labor Government passed, those at fault get the first \$5,000 in medical expenses and wages loss, and if they are catastrophically injured, they get treatment and care expenses paid for the rest of their lives under the Lifetime Care and Support Scheme, which we on this side of

the House are very proud of. Thank God this Government is not tinkering too much with the Lifetime Care and Support Scheme, although there is a hint in this bill that it will buggerise around with that as well, which would be an absolute disaster. Frankly, I do not think this mob can help itself. With this bill, the war against people who are on their own, all but defenceless, continues unabated. The description of the current scheme has gone. Unless you want a scheme to compensate everybody, and I would suggest that such a scheme is unaffordable, insurance schemes like this, particularly ones that are regulated by the Government, utilise an economic mechanism to ration the use of those premiums.

The way that the present scheme rations those premiums is that innocent victims of motor vehicle accidents are looked after and the drivers who cause accidents, who cause injuries, who are at fault, are looked after to the extent of \$5,000 and then no more. That is the mechanism that is now used to ration the very rare premiums paid under this scheme. As I said, there are some exceptions to that principle. This bill advances an unjustifiable and radical change. For the first time in New South Wales, drivers who are at fault, who cause injury to other people through no fault of those other people, will be extended statutory benefits under the scheme, including payment for loss of wages, ongoing medical expenses and, in some cases, lump sums for pain and suffering. To fund this, everybody else pays. The legislation is taking benefits away from 90 per cent of those who are injured and paying those who caused the accident in the first place.

Mr Bart Bassett: It's called an accident.

Mr MICHAEL DALEY: A crash, an accident—they are still at fault. There is still a concept of fault, my friend. That is the way it is at the moment. The bill will slash the benefits currently payable to innocent victims to pay the person who is at fault. The new principle is to pay all accident victims some benefits for five years and, after that, 90 per cent of them are on their own—"Go and sit in the emergency department of your hospital and rely on welfare"—and for only about 10 per cent of those who are most seriously injured are some benefits preserved. This, we say, is very wrong. I do not understand why the Government advanced that sort of philosophy when it came to workers compensation, ripping benefits from people who are seriously injured, and why it is doing it again today. The rationale advanced by the Government is speed: "We want to get payments through more quickly." So under this provision you will get much, much less more quickly, and some people will get nothing really quickly. If that is the foundation upon which this regime is built, it is bewildering.

The other rationale that is put forward quite cheekily by the Minister, the Hon. Greg Pearce, is that the Government wants to reduce costs. The Government has been bandying around a figure of 15 per cent. Last year, despite the fact that insurers profits had risen and that administrative costs of the scheme had declined, the Minister, the Hon. Greg Pearce, allowed insurers to raise premiums by 10 per cent. Let us use the Government's average of \$500 for a green slip. The Government allowed premiums to rise by 10 per cent unjustifiably. Now it says it is going to claw back 15 per cent. I think that is very doubtful, but let us use its figure of 15 per cent. That means that for a net benefit of 5 per cent it is destroying the scheme for 90 per cent of the people who are presently covered by it. As with WorkCover, the Government wants to use actuarial reports and figures to its benefit and ignore some of the relevant detail. In its submission, the Insurance Council of Australia has a nice description of what insurance companies do with the premiums that are invested in the scheme. It says this at page 5 of the report:

Over the last three years the price of CT premiums has increased by over 30%. The ICA submits that this increase has been mainly due to falling investment returns for insurers and increased claim costs.

The report continues:

Due to the serious and complex nature of injuries that can be sustained in a motor vehicle accident—

No scheme is going to change the serious and complex nature of injuries. It might change the benefits that arise from those injuries, but some injuries—and no-one could cavil with this proposition—are serious and complex—

it can take many years to finalise a CTP claim. In order to meet claims payments as they fall due over a number of years, insurers invest CTP premiums until a claim is paid. Prudential regulatory requirements mean CTP insurers typically invest in government bonds. In the years since the onset of the Global Financial Crisis—

and here is the crux—

the investment return on government bonds has fallen from more than 7 per cent to about 2.5 per cent. This is a record low rate of return that insurers receive for invested premiums. When investment returns are relatively high, insurers can reduce the cost of premiums, as investment income can be used to meet claims payments. When investment returns are relatively low, insurers must increase premiums to have sufficient money to meet expected claims payments.

Since the global financial crisis, according to the body that looks after insurance companies, insurance companies have raised their premiums to meet the falling rate of return on bonds. How much would we expect that increase might have yielded? In its report for the Government entitled, "NSW CTP Scheme Performance Update, 2012—Motor Accidents Authority of NSW" Ernst and Young state at page 15 of the report:

The overall impact of the reduction in interest rates and wage inflation is an increase of about \$55 to the premium (including levies but excluding GST).

The impact of interest rates is \$55 and it will return when the bond rate increases, so \$55 will come back if you do nothing. The Minister is seeking to tinker with and destroy the scheme for less than half of that—for \$25. That is legislative insanity. Whilst I am referring to the Ernest and Young report that the Minister relies on so heavily, I note that the report is replete with caveats as long as your arm. Page 17 of the report states:

There is significant uncertainty associated with actuarial estimates.

Basically it is saying, "We don't really know; there is a margin of error." The report goes on:

As noted in the report there are significant caveats in relation to our assessment of the efficiency of other schemes and consequently there is significant uncertainty in relation to the results.

Under the heading "Reliance and limitations", the report states:

In undertaking this review, reliance has been placed upon the data provided to us by the MAA, Taylor Fry, FMRC, public reports from other schemes and information from Victorian Transport Accident Commission (TAC) and Motor Accident Insurance Commission (MAIC). With regards to the MAA data—

which is the principal data upon which they have relied—

we are specifically relying on the accuracy by which insurers have provided their data to the MAA.

I would be the last person to stand in this place and accuse insurers of being deliberately misleading, but by God they are very reluctant to open their books even when a Minister asks them to do so. How do I know? I was the Minister and in respect of an increase in premiums for the compulsory third party insurance scheme I asked them to come in with some actuaries and open their books, and I am still waiting. There is a whole chapter in the report related to reliance, limitations, caveats and all sorts of things. The upshot is that there is a margin of error inherent in this report. When you are talking about \$20 or \$30 either way for a scheme that presently provides a comprehensive level of insurance for people and their children and you destroy it on the basis of wanting to save \$25 that is, as I said earlier, bewildering, and legislative vandalism of the highest order. For this Government that is just mere detail. Its war upon the little person continues.

I turn to the detail of the bill. Under the no-fault statutory scheme a person who is injured and who exceeds the 10 per cent whole person impairment receives ongoing treatment expenses for life, which can also be commuted to a lump sum. Somebody who exceeds 10 per cent whole person impairment also receives a modest lump sum for pain and suffering. Somebody who exceeds 20 per cent whole person impairment receives lost wages for their working life. If someone is 20 per cent impaired that person is substantially injured. If a person is 19 per cent whole person impaired that person is almost as substantially injured. But one person gets care for life and the other person, who has marginally less serious injuries—brain injuries, spinal injuries, orthopaedic injuries, serious ongoing injuries that will haunt that person and impair that person for the rest of his or her life—gets zip. That is simply not fair.

The change will accommodate people in the scheme who caused an accident or who were negligent—however you want to phrase it—in the first place. This is what the average person will not understand about this bill because it is very complex. It is important to understand that the 10 per cent whole person threshold is a very significant barrier. That is why it was introduced in the first place, to sort out those who were significantly injured and those who were not. According to the Bar Association, the Australian Lawyers Alliance and the Law Society of New South Wales 90 per cent of those injured in motor vehicle accidents do not get over that threshold. Therefore, increasing it to 20 per cent is just crazy. Under the proposed scheme there are two tiers to the benefits paid—statutory benefits and damages. Regardless of fault, all injured drivers will now be paid a statutory benefit: first, 95 per cent of lost earnings for three months, so people lose 5 per cent straightaway and they also lose superannuation. The old scheme took into account lost superannuation, but the new scheme does not.

I am not sure whether that is a drafting error or a mistake. It is something we will attend to in the other place, but it is not fair. Secondly, people receive 80 per cent of lost earnings for up to five years. Again, there is

nothing for loss of superannuation benefits and 20 per cent will go from lost earnings. Medical expenses will be paid for up to five years. After five years from the date of the accident 90 per cent of those injured—those who do not get over the 10 per cent whole person impairment threshold—are cut off: "That is it. See you later, do your best, no help for you. Go on the dole, go on the Commonwealth disability pension, go and sit in the emergency department of a hospital. Frankly we do not care." That is the Government's attitude. That will include people with ongoing disabilities, ongoing wage losses and ongoing treatment expenses. The Government is saying, "Go away. We don't want to know about you."

Under the new scheme, those who are over the 10 per cent threshold can receive lifetime treatment expenses and a very modest lump sum for pain and suffering. Those over 20 per cent can recover 80 per cent of their lost earnings for their working life. There is also an entitlement for those who are over 10 per cent and who can prove fault to recover lump sums by way of damages. Innocent victims with significant injuries, but who are assessed at 9 per cent and 10 per cent whole person impairment are cut off completely after five years. Here is the irony of the situation: Somebody who is 9 or 10 per cent impaired in an accident will get nothing but that person may see in the hospital ward the driver who hit them and who might be at fault, but because that driver is 11 per cent impaired the driver will get something. Can members say that that is not an injustice inherent in this bill? There are many losers as a result of this bill. If someone is an innocent victim and faces loss of earnings that person is a loser.

I foreshadow that I will circulate some amendments in relation to children, who are the biggest losers under the bill. A 10-year-old child with 9 per cent whole person impairment—with broken arms and broken legs and other injuries—would currently receive compensation for loss of earning capacity. Under the Government's proposal the five-year window for recovery of loss of earnings will have closed before the child reaches working age. Putting it another way, only children who are 15 years or older will be eligible to receive statutory benefits for loss of earnings. Even if they are eligible the legislation requires them to have finished secondary school before the benefits become payable. Children will also be subject to the same five-year cap on statutory benefits, which means that unless a child has suffered more than 20 per cent permanent impairment that child will receive benefits only for the balance of the five-year period after that child would have finished secondary school. I think this might be another oversight, but the bill fails to address the situation of children who had intended to leave school after year 10.

Anyone who plans to work past the nominal retirement age of 67 is also a loser under this scheme because benefits for loss of earnings will only be paid for 12 months for anyone who is past 67. This ignores those who choose to keep working or who are forced to keep working past the notional retirement age of 67. They are not acknowledged by this legislation. An innocent victim who is not over the 10 per cent whole person impairment threshold and has ongoing treatment past five years also is a major loser. There are plenty of injuries in the 7 per cent to 9 per cent whole person impairment range that require treatment extending beyond five years. Under the proposed changes, 90 per cent of accident victims will be relying on the public hospital system and the waiting list to have their future surgical needs met. All this is doing is cost-shifting. That is what this is all about and it is what workers compensation is all about as well.

This bill does not address that children, people with a legal disability, people who are mentally ill and those with catastrophic brain injury are further disadvantaged by the new scheme. When a statutory lump sum or benefits are paid to children or adults who need financial management for pre-existing or accident-related reasons, their funds are invested and managed by the NSW Trustee and Guardian or a private trustee. These organisations charge significant fees. For example, the cost of managing a \$500,000 award for a lifetime of lost earnings over 30 to 40 years would exceed \$100,000. Under the present scheme, those who require management of their funds recover the cost of that financial management. There is no provision in the bill within the statutory benefits scheme or the damages regime for the recovery of these expenses. I intend to also move an amendment in relation to that aspect. The bill abolishes this head of damage. To require children and people with brain injury to cover the cost of the management of their funds out of their benefits is plainly and simply unfair. I hope that is a drafting oversight.

Those who have problems with the administration of the scheme and have to fight for their rights against an insurance company will lose because they have been denied the right to obtain paid legal advice. This is a complex scheme. The claims procedures and benefit mechanisms are complicated. Those who have difficulty understanding—children, people with brain injury, people who are poorly educated or from a non-English speaking background—will be disadvantaged and will need assistance. No assistance will be provided under the scheme. Those who cannot afford a lawyer have to defend themselves against an insurance company, such as Monolith, which has legally qualified officers. Individuals whose case goes before a tribunal

or court will find that the insurance company has had advice drafted by lawyers, but the individuals will not enjoy that same right. That is unfair. A right that cannot be successfully asserted or a right that is almost impossible to assert is no right at all; it is lip-service. That unfairness is inherent in this bill.

The Opposition as well as members of the insurance industry are disappointed that no costings have been released. I am told there is a legendary Ernst and Young actuarial report that has costings on the new scheme, but it has not been publicly released. The Government cannot demonstrate that the bill will even work. There is no example of a statutory-defined benefits no-fault scheme in Australia. The mechanism in the bill to cap premiums for three years will get the Government through the next election, but what happens after that? A privately underwritten scheme relies upon competition. If a couple of insurance companies exit the scheme, even for only a few years, that is not beneficial to anyone.

The Opposition is also concerned that the bill codifies the common law duty of *uberrimae fidei*, which is to act in good faith in respect of an insurance policy. The codification of that common law duty requires that both the claimant and the insurance company act in the utmost good faith. For the injured person, this duty includes a duty to disclose all relevant information in a timely manner, including reports by health professionals. The insurer has a lesser duty in that its duty to disclose does not extend to all relevant information. Its duty to disclose is only a duty to provide the claimant with details of information, including reports by health professionals, which are relied upon to make a decision on the claim. Therefore, a report that is not relied on does not have to be provided. That situation could be abused by insurers to bury reports that are contrary to their interests. There should be full disclosure. This bill has been pursued with undue haste. The submission by the Insurance Council of Australia states:

... a first party scheme will have significant implications for the risk pricing of individual motorists. This is a matter that needs a substantial amount of further, detailed analysis by insurers and the MAA—as necessary adjustments are made to the premium framework, as well as sharing arrangements between insurers.

The scheme is not ready. It discloses a ferocity of public policy that I am at a loss to understand. The number of losers under this regime will be massive and people's lives will be comprehensively destroyed, as is currently happening under the workers compensation legislation. I can say with my hand on my heart that not a day goes by when I do not receive communication from a person who is despairing at the loss they are suffering as a result of the changes to the workers compensation legislation. People injured at work or as a result of a motor vehicle accident need to be looked after. This legislation does not look after them; it forsakes them. Under this bill, we are forced to underinsure one of our most valuable assets: the ability to look after and provide for our families. This bill is a disgrace. We will try to amend it. I anticipate it will be comprehensively passed in this House, to the shame of the Government. The Opposition will try to rescue the bill in the upper House. If we are unable to, the Opposition will not support it. This regime is an unworthy abomination and the Opposition wants no part of it.

Mrs TANYA DAVIES (Mulgoa) [4.45 p.m.]: I speak in support of the Motor Accident Injuries Amendment Bill 2013. I am proud to support this bill which implements the New South Wales compulsory third party compensation scheme, with premiums expected to be reduced by up to 15 per cent this year. In my electorate of Mulgoa in western Sydney every day I speak to people who are struggling with the costs of living. The majority of families tell me that household bills continue to increase and that healthy food is costing more. Housing is unaffordable for many families and the carbon tax, which we were all told would never be introduced by a Gillard Government, has increased electricity bills for the average family by an extra \$300 per year. It is deplorable that New South Wales has the least affordable green slip scheme in Australia. This is a cost that affects almost every family in New South Wales. More than five million green slips are sold each year and there are more than 12,000 annual claims. This bill, which is the result of an extensive community consultation process, will introduce a new scheme. Its primary aim will be to reduce costs for motorists, and therefore reduce the cost of living. The new scheme will reduce the number of disputes and, as a result, reduce the legal costs that currently erode affordable premiums.

The bill will introduce a no-fault first-party scheme. Cover and benefits will be available to all injured people, regardless of who was at fault, except in cases where one party is charged with a serious driving offence. This will allow an estimated 7,000 people each year to have access to more benefits. These people are not dangerous drivers with bad intent or with no regard for others. They are people who have had an accident because their judgement has lapsed or they have failed to react fast enough to an impending accident. The scheme will ensure everyone is covered for personal injury. As well as ensuring that everyone is covered in the event of an accident, a no-fault scheme will reduce the legal and investigation costs of insurers.

Rather than fighting over who is at fault, a claim will simply be lodged against the insurer of the vehicle that the injured person was driving or travelling in. Another significant change to the claims process will be the way information is obtained and recorded. Rather than going through long, complicated legal forms to make a claim, insurers will now identify and obtain the only information they need from the injured person to process a claim. Benefits will be defined by the bill which will allow insurers to pay claimants their lost earnings and other expenses on a regular basis soon after the claim is made so that funds are received when they are needed rather than years later. These changes will result in a simpler system and therefore a better experience for injured people. Evidence shows that when people receive help simply and immediately their health outcomes are optimised.

The bill also facilitates streamlining of the Medical Assessment Service, which will be reviewed to find ways to speed up the independent assessment of medical disputes that arise between an injured person and the insurer. Again, it optimises health outcomes by ensuring people get the help they need when they need it. The bill also expands the role of the Claims Assessment and Resolution Service so that most matters can be determined by the service rather than in court. Too much of our money is currently spent paying for lawyers and courts to fight over who gets what. This change will create a cost-effective alternative that will see claims resolved more quickly and more cheaply.

Under this scheme a greater proportion of the premiums will be paid to injured people rather than being used to fund legal and investigation costs, insurer overheads and profits. The Motor Accidents Authority is strengthened by this legislation and will be given the power it needs to ensure that premiums remain efficiently priced. The Liberal-Nationals Government is getting the job done. The Government has introduced this legislation to fix yet another failing scheme left to it by the Labor Government. This is a win for the people of my electorate of Mulgoa and across New South Wales. They will benefit from a scheme that is focused on injured people, and they will welcome an estimated 15 per cent saving on their green slip premiums. I commend the bill to the House.

Mr NICK LALICH (Cabramatta) [4.50 p.m.]: The Opposition opposes the Motor Accident Injuries Amendment Bill 2013. The object of this bill is to make a range of amendments to the Motor Accidents Compensation Act 1999. Its primary focus is to reduce payments to individuals who are injured on the roads or in motor vehicle accidents through no fault of their own while providing compensation to the drivers who are at fault. This Government appears committed to reducing compensation payments to victims who are injured on roads or in motor vehicle accidents. That is demonstrated by amendments that will see at-fault drivers receiving statutory benefits, including payments for loss of wages, ongoing medical expenses and in some cases lump sum payments for pain and suffering. The amendments provide that all accident victims will be paid some benefits for only five years. Thereafter, the vast majority of injured victims will be left stranded to fend for themselves.

Under the new scheme, regardless of who was at fault, each person injured in a motor vehicle accident, unless charged with a serious driving offence or knowingly driving an uninsured vehicle, will be paid the following statutory benefits: 95 per cent of lost earnings for three months—superannuation is not compensated; 80 per cent of lost earnings for up to five years—superannuation is not compensated; and medical expenses, but only for five years. This means that five years from the date of the accident, unless a person's injuries exceed 20 per cent whole person impairment benefits will cease. Simply put, 90 per cent of accident victims with any ongoing disability as a result of an accident will receive no further assistance for the remainder of their life. Individuals who exceed the whole person impairment requirement will still receive ongoing care and treatment for life, but at only 80 per cent of their pre-injury earnings. In addition, compensation will be paid only until 12 months after the person's retirement or at the proposed retirement age of 67 regardless of whether or not the victim wished to continue working until later in life.

Children will also be affected by the amendments in this legislation. A child who sustains injuries as a result of a motor vehicle accident and who may be impaired for life but who does not meet the 10 per cent whole person impairment criterion will no longer be eligible to receive any compensation for any loss of future earnings and will be left simply to deal with it. Under the current legislation, children under the age of 16 receive treatment and care for life regardless of who was at fault in the accident. I believe that that should not be changed. If this legislation is passed, any child with a whole person impairment of less than 10 per cent will receive no payment for treatment and care after five years. That is shameful.

It saddens me that the reduction in benefits provided to 90 per cent of the people injured in motor vehicle accidents will mean that breadwinners will be forced to take out income protection insurance to ensure that if something goes wrong or something happens to them on their daily commute their family will not be

forced to go without. I repeat: 90 per cent of those who are injured will not reap the benefit of the 15 per cent reduction in compulsory third party insurance premiums that this Government has been touting. Families will be forced to take out yet another insurance policy because this legislation will rip at the very heart of our compulsory third party scheme, that is, the reassurance that victims will be covered in the event of a motor vehicle accident.

There will be less coverage, more victims will be left to fend for themselves and most breadwinners will be required to take out additional insurance simply because their compulsory third party coverage has been decimated. It saddens me and it is abundantly clear that a number of the proposed amendments will not only fail to adequately cover the people of New South Wales on our roads but also add to the already onerous household bills imposed on families, who in most cases are already doing it hard enough without having more money prised from their hands. As I said, the Opposition opposes this bill and will consider amendments.

Mr DAVID ELLIOTT (Baulkham Hills) [4.55 p.m.]: Having listened to the contributions of members opposite to this debate on the Motor Accident Injuries Amendment Bill, I am forced to question whether they have glass jaws and very short memories or they simply like to deny history. Every time the Government introduces legislation amending compensation schemes they go into complete meltdown. It was only a few short years ago that the union movement marched on Macquarie Street when the Labor Government introduced legislation amending the workers compensation legislation. Listening to members opposite, one would be forgiven for believing that the Government is hell-bent on denying workers' rights. I ask members of the Labor Party, both in New South Wales and in Canberra, to name a country in which working men and blue-collar workers have a better lifestyle. I cannot think of one such country.

The Opposition's proposed amendments to this legislation demonstrate that it is reverting to form and that it believes it is all about rip-offs and denying people appropriate compensation. It certainly will not do that. The compulsory third party insurance scheme is in crisis in the same way that the workers compensation scheme was in crisis when the Labor Government was in office. During that time members opposite would go to the business community and say that they knew the workers compensation scheme was in crisis and that the State could not afford it, but they could not change it because their bosses in the union movement, including John Maitland, would not agree. Their paymasters in Sussex Street would not allow the scheme to be changed.

This reformist Government is introducing legislation that will resolve the crisis facing the compulsory third party insurance scheme, but members opposite are on the sidelines throwing rocks. They have said that they oppose the legislation, but they will not tell us what provisions they oppose. They should search their souls and remember what they told the business community in their final years in government. Compulsory third party insurance is now unaffordable, just as the workers compensation scheme and the police death and disability scheme were unaffordable. The Federal Labor Government understands that application of the consumer price index to military pensions is also unaffordable. When members of the Labor Party are in government they understand what is unaffordable, but when they are in opposition they simply throw rocks.

This bill introduces reforms that will bring the compulsory third party insurance scheme back from the brink. It will implement a no-fault first party scheme similar to schemes introduced around the world. This is the most significant reform introduced in the past 20 years. Benefits will be available to all injured people, regardless of fault, except those charged with serious driving offences. That is why people take out insurance. It is strange that the Labor Party is opposed to this notion because it has well and truly ingrained in the Australian psyche that whenever something bad happens someone else is to blame. The Labor Party passes the blame to someone else and then sues them. This Coalition Government accepts that some people are uninsurable and should not be covered under a no-fault compulsory third party scheme because of their culpability or they may be suicidal or ignorant of the road rules.

However, Labor has to realise that a mother does not get into a car and deliberately run up the back of another car. She may be at fault but it is not worth her being exposed to tens of thousands of dollars' worth of damages. This legislation will allow an estimated 7,000 people a year to have access to more benefits. The Government accepts that accidents happen and that most people do not go out to cause mayhem on the roads. Ordinary drivers who may experience a momentary lapse of judgement or fail to respond quickly enough in an unexpected circumstance will now be covered. The establishment of a no-fault scheme will be more efficient and will reduce legal and investigative costs and insurer's expenses. That is where the savings are coming from. This Government understands that the extended delayed response to the legal question of who was at fault has been one of the primary costs to this scheme. Unlike Labor, the Government understands the notion that justice delayed is justice denied.

The Government will remove the legal and investigative costs and insurer's expenses to reduce the costs of this scheme. The people who have come to my office and said they oppose this scheme come from legal firms. Today I was delivered a petition with approximately 1,000 names, some of which were on a law office letterhead. It is clear that those who have written the speeches on this bill for the Opposition members have the most to lose. This scheme will be procedurally fair and robust, whilst minimising disputes and friction costs which currently erode efficiency, effectiveness and affordability.

I want to address some concerns that were raised by the member for Maroubra. The reforms to the Motor Accidents Scheme will reduce the need for complicated disputes. That is where the savings will come from. Legal rights will be protected under the new scheme by straightforward dispute resolution processes and safeguard mechanisms. The bill introduces two streams of dispute resolution, the first of which will deal with a review of administrative decisions and statutory benefits regime. Should an injured person dispute a decision of an insurer with regard to their benefits, this bill establishes a simple and effective process that will reduce the need for the claimant to have legal representation. I know that the member for Maroubra was a lawyer in his previous life and does not like the legal system being removed from the process in order to increase efficiency and to reduce costs.

If an injured person is not satisfied with a decision made by the insurer in relation to benefits, that person can request an internal review of any decision made by an insurer. It is a complete and utter fallacy to say that the exposure of the injured party will result in their having to sell their house or their first-born child. Any non-compliance with a decision made under this scheme will be reported to the Motor Accidents Authority, which we know is no shrinking violet. I have faith in the authority to be able to identify any attempt of maladministration and address it accordingly. The changes in this legislation include the establishment of the independent review officer who can deal with complaints about insurers, review the earnings decisions of insurers in relation to statutory benefits claims and report to the Minister on matters concerning the operation of the Act or as requested by the Minister.

Opposition members have alleged that there is no appeal process and it is a complete denial of natural justice. This legislation allows for a review by an independent review officer or as requested by the Minister. The findings of the independent review officer cannot affect the earnings decisions, internal review or assessment by a claims assessor. The independent review officer will not intervene in disputes already being considered by an assessor or a court, which is quite appropriate and consistent with our judicial system. It is our last tier of review after the court has made its decision or ruling. The independent review officer will be funded by the medical care and injury services levy. Insurers may be required to meet the complaint or legal costs associated with complaints to the independent review officer. Therein lies a complete deterrent for the insurer to do the wrong thing.

The two streams for dispute resolution and the newly created independent review officer will provide important accountability mechanisms for the scheme. The Government is committed to ensuring that persons injured in motor vehicle accidents receive compensation quickly, without the need to pursue lengthy and complex legalistic processes when and if a dispute arises. This reformist legislation has my complete backing and that of the Government. It is the type of reformist legislation that those opposite attempted to introduce when they were in government but they were beholden to special interest groups and could not get it off the ground. They told me that they wanted to introduce similar legislation. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) [5.05 p.m.]: The Motor Accident Injuries Amendment Bill 2013 which seeks to fundamentally change the New South Wales compulsory third party scheme, the entitlements of injured parties who fall within the scope of the scheme and the mechanism upon which it will be made available to injured parties. The compulsory third party scheme provides compensation for people who are injured in a motor vehicle accident through the fault of another party. Currently, the scheme provides cover for all their past and future medical expenses and lost earnings, including any superannuation payments to which they would have been entitled. If the accident resulted in 10 per cent whole person impairment, the person would also be entitled to receive a lump sum payment for pain and suffering. These support benefits were contingent upon the injured party proving that their injury was a result of the fault of another driver.

In 2007 amendments were introduced by the former Labor Government which provided limited support to a motorist injured in a motor vehicle accident that was deemed to be the fault of the motorist. The support entitlements were to the value of \$5,000 to help cover medical expenses and wages loss. Further, if catastrophically injured, the motorist at fault was entitled to the Lifetime Care and Support Scheme which covered all treatment and care expenses. The 2007 changes ensured that all parties injured were entitled to some support. It recognised the impact of motor vehicle accidents to the life and livelihood of responsible motorists.

In 2013 the O'Farrell Government seeks to make amendments to the Motor Accidents Injuries Act by fundamentally overhauling the provision of the compulsory third party scheme—a scheme the residents of New South Wales rely on as a safety net on the off chance they are involved in a motor vehicle accident. The most radical amendment is the elimination of the concept of fault as the threshold in determining an injured party's support entitlements under the compulsory third party scheme. According to the Treasurer's second reading speech, this does away with the expense and inefficiency of having to rely on an adversarial approach to determine entitlement to the scheme. In many cases it forgoes the need for litigation, lawyers and generally the court process in determining a person's entitlement. Instead, the bill seeks to provide statutory benefits determined by the length of time an injured person remains in compensation and also the level of incapacity or whole body impairment a person suffers as a result of the accident.

The benefit scale proposed in this new scheme is as follows. A person injured in a motor vehicle accident will be entitled to 95 per cent of lost earnings for the first three months, 80 per cent of lost earnings for up to five years, and medical expenses for only five years from the date of the accident. After the five-year threshold all weekly and treatment benefits are stopped, unless the injury suffered by the victim exceeds 10 per cent of whole person impairment. Injured victims who are assessed as having a whole person impairment exceeding 10 per cent will be entitled to treatment and care for life but only 80 per cent of their pre-injury earnings for only a 12-month period, paid on the person's retirement or at the retirement age of 67.

Persons who have whole person impairment of 20 per cent and over will be eligible for statutory benefits until retirement age. This will be based on the injured person's loss of earning capacity. These measures are not available to persons charged with a serious driving offence as a result of an accident for which they were held responsible and for those knowingly driving an uninsured vehicle. Further, the new entitlements proposed will not cover any superannuation entitlements that an injured party would have been entitled to had the motor vehicle accident not occurred.

The bill will seriously affect children injured in a motor vehicle accident. Currently children under the age of 16 years who are injured in a motor vehicle accident are entitled to treatment and care for life irrespective of fault. Further, children are able to claim for future loss of earnings. Under this proposed reform children will be made subject to the 10 per cent whole person impairment if they need care and treatment past the five-year threshold, and are statute barred from claiming loss of earnings if they are under 15 years of age. Parents and single income households will also be affected by this change to the third party motor vehicle scheme. This scheme will place a great deal of uncertainty over the finances of families should one of the income members be involved in a motor vehicle accident or, much worse, the breadwinner in a single income household is left partially incapacitated due to a motor vehicle accident.

The 10 per cent whole personal impairment will create an arbitrary threshold, and if that threshold is not met it will mean income security for a household with an injured breadwinner will cease after the five-year mark. In his second reading speech the Treasurer said that one of the reasons for this reform was to address the cost of premiums: New South Wales is the least affordable State in the country. However, a family would need to take out income protection in order to receive proper coverage should they be injured in a motor vehicle accident. The 10 per cent and five-year statutory thresholds are too arbitrary and would catch out the 90 per cent of accident victims with an ongoing disability. The trade-off for the proposed no-fault statutory benefit system in this bill is too great. It has the potential to leave individuals and families with no real income security for an injury suffered as a result of a motor vehicle accident. The Opposition opposes the bill.

Mr GREG APLIN (Albury) [5.12 p.m.]: In New South Wales we are all paying more than our fair share for motor vehicle injuries compensation: the green slip. Since 2008 in New South Wales green slip premiums have increased by 72 per cent and the average compulsory third party premium paid by the owner of a passenger vehicle has now risen above \$500, excluding GST. The scheme's independent actuary, Ernst and Young, has identified that on average between 2000 and 2010 the compulsory third party scheme has had an efficiency of only 50 per cent: of every dollar paid by the people of New South Wales for their green slips only 50 cents is paid out to injured claimants. Another 15 per cent goes on legal and investigation costs and 19 per cent on profits to insurance companies. Is that how we want the scheme to work?

A leaky ship needs tightening and the green slip scheme operating in New South Wales is leaking cash—your money and mine. When your third-party motor compensation scheme is the most expensive in Australia you know something is wrong. It is simply not fair: not fair to those who have suffered; not fair to those who are footing the bills for the scheme. It is arguably not fair to highly trained lawyers to spend so much of their time and energy on compensation cases where the issue of liability is not in doubt and where the only

argument is about how much money is to be paid. But there are many situations where legal expertise is a vital component of gaining justice for people injured in a motor accident. Lawyers will always have a valuable place in the compensation realm.

At some point it falls to good government to review the criteria which create the jurisdiction of a compensation case. The object of the Motor Accident Injuries Amendment Bill 2013 is to take a fresh look at those criteria and to provide value for the people of New South Wales. The money side of this is important, but we know of other leaks in this boat and all are distressing for those who embark on a compensation claim. There is a leakage of time. How does one account for the loss of hours, months or years that people currently spend on their claims? One can wait years to receive benefits under the existing scheme. Indeed, in New South Wales 52 per cent of benefits are typically paid between three to five years after the accident. That is too long to wait. It is not efficient; it is not kind.

There is also what might be called an emotional leakage. Our system pits the parties against each other. In legal speak it is "adversarial" in nature. This is the tried and tested method for getting to the bottom of things—for finding out what really happened and who is to be believed—but it is time consuming and emotionally damaging to all concerned. In a situation where we are dealing with appropriate support and compensation for an injured person and where the facts of the accident are clear, why in the twenty-first century are we still putting so many people through an adversarial process? By any measure this is a time when they and their families or supporters are already under considerable stress. In seeking to replace an "at fault" adversarial system with a "no fault" administrative scheme we must be aware of the dangers of swapping one stressful process for another. The administration must not become the new problem—to quote The Who, "Meet the new boss, same as the old boss". We need to avoid that trap.

One of the main reasons for the introduction of this legislation was the need to keep living costs down for the people of this State. It seems clear that there will be a reduction of premiums when the new scheme takes over but it is imperative that this price reduction—effectively a margin between a premium paid under the old scheme and the new scheme—remains. In a few years time will vehicle owners still be better off financially or will the margin once gained be slowly reabsorbed and lost to consumers? Pleasingly, the bill addresses that problem. The Motor Accidents Authority will be empowered to keep insurers' green slip premiums within an acceptable price range. The Motor Accidents Authority will monitor the market and publish information about compliance and performance by the insurance companies. Information will be taken on the work of the insurers in handling claims.

Presently the people of New South Wales have a choice of seven compulsory third party insurance providers, all of which are licensed and regulated by the Motor Accidents Authority. The Motor Accidents Authority will have direct power to determine what expenses, including marketing, legal costs, claims handling and actuarial expenses, and other overheads can be taken into account in setting premiums. This is a positive change. Finally, I will briefly refer to the role of solicitors and barristers in handling motor vehicle injury compensation cases. Much of the work done in running or presenting a compensation case is routine—taking statements, organising medical appointments and reports, and helping an injured person navigate the confusing world of a compensation claim. It is not necessarily the case that any of this will improve by replacing personal legal representation with the need to move through a compensation bureaucracy.

If the bureaucracy is impersonal and uncaring the end result may be cost-effective but unsuited or at least unfair. Most ongoing disputes will head to an internal review or an external review by an independent claims assessor. The bill also establishes an Independent Review Office. Limited rights remain to engage a lawyer. An injured person with more than 10 per cent assessed permanent impairment and who was not at fault in the accident will continue to have access to modified common law damages for past and future loss of earnings and earning capacity, and for non-economic loss. I can think of two areas of legal expertise which are now commonly managed by non-lawyers: various tenancy matters in the Consumer, Trader and Tenancy Tribunal, and conveyancing.

Lawyers still perform this work but it has been recognised that others can acquire a high level of expertise in these two fields, both of which require the interpretation of legislation and the management of money and financial rights between the parties. Is there more room for non-lawyer advocates to work in the area of motor vehicle injuries compensation? Is this an area where costs can be saved and premiums reduced? If so, should such agents or advocates be licensed? As we monitor the implementation of this new legislation we must be watchful for those injured people who, for lack of private and personal representation, fail to pursue their legitimate claim right to the end. Who will be their champion?

This bill will address the problem of giving the people of New South Wales a first-rate but more affordable motor vehicle injuries compensation scheme. A claimant will be entitled to benefits from the date of their accident provided they have notified the insurer within 28 days and have reported the accident to police. Benefits will flow once the claim documents have been completed. Green slip premiums should fall. There will be new pathways to dispute resolution that do not require that lawyers be engaged. There will be better reporting of what the insurance companies are doing and how they handle claims. These are all positive improvements to the existing scheme, and I support the bill.

Mr ROBERT FUROLO (Lakemba) [5.19 p.m.]: I make a brief contribution to debate on the Motor Accident Injuries Amendment Bill 2013, which amends the Motor Accidents Compensation Act 1999 to make provision for no-fault statutory benefits and to make further provisions for third party insurance and premiums, claims handling and assessment, and awards of damages; and for other purposes. Before I make my brief contribution I will make an observation. I understand that Government members totalling three will make a contribution to this debate. That is disappointing, considering that more than 25 Government members made a contribution to debate on the Library Amendment Bill—a bill that will not have quite the same impact on the lives of injured people throughout New South Wales. I suspect that more members are not speaking to this bill because in their hearts they know they do not want to put their names to it.

I make another observation, that is, a no-fault scheme of itself is not something I oppose. However, I am concerned about a scheme that provides compensation to people at fault at the expense of those who have been injured through no fault of their own and who, as a result of this bill, will receive less compensation and for a shorter time. That is the great tragedy of this bill. Critical to the Government's approach to compensation, according to the New South Wales Bar Association, is the use of the 10 per cent whole person impairment threshold. Whether an injured person is assessed as being over or under this threshold has a remarkable impact on their rights. Within the new no-fault statutory scheme somebody who exceeds 10 per cent whole person impairment receives ongoing treatment expenses for life, which can be redeemed as a lump sum. Within the no-fault statutory scheme someone who exceeds the 10 per cent whole person impairment threshold receives a modest lump sum for pain and suffering. This might at first blush seem reasonable enough: the seriously injured should be the priority.

However, it is important to understand that the 10 per cent whole person impairment threshold is a significant barrier. Ninety per cent of those injured in motor vehicle accidents do not get over the threshold. Examples of injuries that do not get over include: surgically fused ankle; a disc prolapse in the lumbar spine with root nerve impingement, causing radiculopathy—shooting pains—into the legs; a moderate traumatic brain injury; a moderate and disabling psychiatric injury; complex fractures of the arms, legs and hands that leave restricted range of movement, arthritic pain and an inability to work properly or at all; and injuries at or near the joints that cause the arthritis that will result in major surgery in the future, such as a shoulder replacement, a knee replacement or a hip replacement. The future surgery would put injuries over 10 per cent, but no allowance is made for that when assessing current entitlements.

In short, it is a fiction to treat all those who are under the 10 per cent whole person impairment threshold as having mild injury that is going to fully resolve, leaving that person unimpaired in their future earning capacity and without the need for future treatment. Under the current scheme those who can prove fault recover all of their past and future treatment expenses and all of their past and future lost earnings. That seems to be entirely reasonable. If a person is injured in an accident through no fault of their own why should they be out of pocket for those expenses? The current scheme covers for that; the new scheme does not. Under the proposed scheme there are two tiers: statutory benefits and damages. Irrespective of fault, everyone is paid a statutory benefit: 95 per cent of lost earnings for three months, 80 per cent of lost earnings for up to five years—that does not include lost superannuation benefits—and medical expenses for up to five years.

However, after five years from the date of an accident 90 per cent of victims—those who do not get over the 10 per cent whole person impairment threshold—are cut off and cast aside. That includes all those innocent victims with ongoing disability, wage loss and treatment expenses. Who loses under the bill? Any innocent accident victim with a loss of earnings. They will no longer be covered for their full loss of earnings and they will have a significant reduction in how much they can claim for medical costs, which cut out at five years. As I said, while I am not opposed to a no-fault scheme, I do not think it should be at the expense of those who are injured through no fault of their own. That is my primary objection to this bill.

I suspect that many members in the Chamber today, and many members who will be elected to this place in the future, will, if this bill gets through, be sitting in their electorate office with a person who has been

injured through no fault of their own and who has come to their local member for help because their compensation and medical care have cut out after five years and they are no longer eligible for any compensation payments. I would like those who vote in favour of the bill to explain to the injured people who come to them for help why they voted for this bill. I would be interested to hear their justification. It would go along the lines of what we have already heard today: that is, the scheme in its current form is unsustainable. We can always improve current arrangements. I am not for one moment suggesting that the compulsory third party scheme cannot be improved, but any improvement should not be at the cost of innocent injured people who through no fault of their own are forced to rely on the support of the scheme and then after five years have that support withdrawn. I oppose the bill.

[Business interrupted.]

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Divisions and Quorums

Mr BRAD HAZZARD (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [5.25 p.m.]: I move:

That standing and sessional orders be suspended at this sitting to provide that no divisions of quorums be called during the time set aside in the routine of business for Government Business.

Members have various commitments at present. Accordingly, I propose that debate on the Motor Accident Injuries Amendment Bill will continue, and that other Government Business will run its usual course tonight. However, there will be no divisions or quorums.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

MOTOR ACCIDENT INJURIES AMENDMENT BILL 2013

Second Reading

[Business resumed.]

Mr PAUL LYNCH (Liverpool) [5.26 p.m.]: I make a contribution to debate on this appalling and immoral bill, the Motor Accident Injuries Amendment Bill 2013, which the Opposition opposes. Consistent with the Government's approach to workers compensation and victims compensation, this bill proposes to treat the victims of motor vehicle accidents with disdain. Those who will be most adversely affected will be those with the least financial resources. The Government has a resolute disdain for the least powerful and the most marginalised in our community. The bill proposes dramatic reductions in benefits payable to those injured in motor vehicle accidents. It expands the range of those who might be entitled to payments but only at the cost of dramatically reducing the amounts currently paid. It is claimed that the scheme is no fault. Actually, it is not no fault, granted the range of exclusions from the scheme.

Philosophically, I am quite attracted to a no-fault scheme. It was one of the Whitlam policies trashed by the Tories in the 1970s. However, such a scheme must result in compensation actually being paid—something that, frankly, this scheme does not do. The proposal punishes victims. That is particularly bizarre when the real winners from this system so far have been insurers. For the past decade premiums have been set on the basis that insurers would ultimately keep about 8 per cent of the premiums written as profit. In fact, from the figures I have seen, their profits have averaged closer to 19 per cent. Despite that, the Government allowed them to increase premiums significantly last year. The Government's response now is to slash benefits for the injured, not to hold insurers to account.

But even this logic by the Government is faulty. The Government says that green slips can be reduced by slashing benefits. The problem is that the Government will also be forcing people to purchase income protection insurance. It will be reckless for most people not to have income protection insurance if this scheme goes ahead. That will inevitably increase the total amount to be paid. People paying what is anticipated to be a reduced green slip plus income protection insurance will be paying more than they pay for green slips under the current system. That assumes that the system will work as its inventors hope. The no-fault scheme in Victoria is

in serious deficit. That is not a privately underwritten scheme. There are no privately underwritten no-fault schemes anywhere, so this legislation is one great gamble, introduced to this House by a Treasurer who is so sloppy that he gets his accounts wrong by \$1 billion.

Apart from being untested and highly speculative, this scheme is also unfair. It has arbitrary termination points for economic loss and medical reimbursement. Its bias against legal practitioners means that ordinary citizens who are injured will fight insurance companies alone—companies that are well resourced with specialist staff, including solicitors, whose only job is to fight claims. The overwhelming majority of the injured will have statutory benefits terminated after five years. Likewise, medical benefits for the overwhelming majority will terminate after five years. That is immoral. I have had the benefit of communication from the Law Society of New South Wales. I quote briefly from its letter to me dated 17 May 2013:

The Bill has been reviewed by members of the Law Society's Injury Compensation Committee who found its provisions to be unfair, complicated and costly to administer.

In summary, its concerns about the bill are that benefits will be cut off, children and parents will be worse off, motorists injured at work will be worse off, insurers do not have to tell the whole truth, injured people will not get legal advice and New South Wales cannot afford it. Part of the Law Society submission says this:

Almost all claimants who have been injured through no fault of their own will have their statutory benefits cut off after five years because they do not exceed the 10 per cent permanent impairment threshold for continuing treatment and care or the 20 per cent threshold for loss of earnings.

Many people suffer serious injuries which prevent them from working or result in recurring medical expenses well beyond five years. Few of those severely injured people will be found to have exceeded the threshold for continuing statutory benefits. In addition, children and parents will be worse off. By definition, because children are caught by the five-year restriction on income loss, in most cases they will be getting no benefits at all for loss of income. People older than retirement age who are currently working to maintain financial security will be ineligible for ongoing payments for economic loss. In addition to that, a person will not be entitled to statutory benefits under this scheme if compensation is payable under the workers compensation scheme. That means, in effect, if you are covered under the workers compensation scheme you will receive benefits for up to two and a half years instead of five years.

In addition—and this shows some of the bias that is in this system, and you would not be able to get away with this if you were running cases in court, because of the various legal principles used—whilst there is an obligation on the injured person to disclose all relevant information in a timely manner, including reports by health professionals, that duty does not extend to the insurer. Insurers are obliged to provide some details but not all. It is clear to anyone who knows the way insurance companies operate in this field that that is a position which could be abused by insurers to bury reports that reveal things that are contrary to their interests. In addition to that, the effective exclusion of lawyers from the statutory benefits scheme means that people will not be able to get the advice of lawyers. The scheme is already complex and will be made more so by the bill.

While insurers are assisted by experienced claims officers and employed solicitors, ordinary people, also dealing with their injuries, will struggle to prepare their claim and navigate the dispute resolution process. The system is biased against claimants and will favour insurance companies. As the Law Society argues, the new system will be cumbersome and expensive to administer. It estimates that there will be an extra 7,000 claims. There will be a new series of costs because of a new series of things that will have to be done. The Motor Accidents Authority will have to increase resources. It will have to provide support for unrepresented claimants. The Claims Assessment and Resolution Service [CARS] will need full-time claims assessors and the independent review officer will need to be established. A series of new costs will be imposed by this scheme. To quote the Law Society again:

In this context, it is of continuing concern that the government has not released the costings for its proposals.

It is also worth quoting from a letter from John Dobson, the President of the Law Society of New South Wales, to the Hon. Greg Pearce, also dated 17 May 2013:

In the absence of any response from you to the legal profession's alternate proposal, it remains entirely unclear to us why you would wish to proceed with this legislation.

The fact that there has been an alternative proposal and no response to it strikes directly at the bona fides of the Government on this matter. I will now briefly refer to some comments sent to me by NSW Compensation

Lawyers, a firm based in Liverpool that I know quite well. They raised a number of legitimate concerns. The first is that one of the reasons for delay in the system now is the medical assessment scheme. They argue—and I think most objective observers would agree—that the system is fairly heavily biased against claimants now. A lot of the doctors employed in the scheme are from the ranks of doctors who work for insurance companies. That scheme already delays matters and it is not going to be significantly altered by this; this will simply add to the delays. There is also a proposal for redemption of statutory benefits in this scheme. I am someone that actually dealt with redemptions in workers compensation many years ago, so I have some experience with this. Redemptions are about insurers getting discounts.

The logic employed by insurers is that it will force people who are financially disadvantaged due to their injuries to seek an instant payout at significantly reduced value. Frankly, it is about dudding claimants out of their income. At least under the old workers compensation system you could not get redemptions processed unless you had judicial approval. That is not happening in this scheme; you simply have clerical approval. One of the other points made by NSW Compensation Lawyers, and I think it is a point made also by the Law Society, is that the Government has failed to indicate what the prescribed costs regulations will be. One would have thought that if they were serious about this proposal those regulations would be revealed with the bill—and they have not been. This is an immoral bill designed to hurt those who can least afford to be hurt, and it is entirely typical of a mean-spirited and unfeeling government.

Mr JAMIE PARKER (Balmain) [5.34 p.m.]: The Motor Accident Injuries Amendment Bill 2013 seeks to amend the Motor Accidents Compensation Act 1999 to completely overhaul the benefits payable under the New South Wales compulsory third party [CTP] green slip insurance scheme. This includes a shift to a no-fault scheme rather than the current scheme where fault of another party must be proven before benefits can be received. The changes will substantially reduce the benefits of 88 to 90 per cent of injured persons who are presently entitled to claim compensation. It does this by providing that people are only entitled to medical expenses and wage loss after five years if they are assessed as having whole person impairment [WPI] greater than 10 per cent. On figures provided by the Motor Accidents Authority, 10 to 12 per cent of all current claimants receive a whole person impairment of greater than 10 per cent.

The new scheme will also not allow the recovery of legal costs for statutory benefits claims, meaning many or most people in the scheme will not be legally represented. They will, in effect, be forced to negotiate on their own against well-resourced insurance companies. None of the proposed changes will address the key cause for high green slip insurance, which is the billions of dollars—more than 20 per cent of all premiums paid since 2002—siphoned off for insurer profits. I will address the profits of the insurance industry, which has been gouging and profiteering from the compulsory third party insurance system—and the facts demonstrate this.

The most significant determinant of the costs of the compulsory third party insurance premium is not whether the scheme is fault or no fault. No-one is arguing that. The evidence clearly demonstrates that the most significant determinant of the cost of a compulsory third party insurance premium is not whether the scheme is fault or no-fault based, but rather whether the scheme is publicly or privately underwritten and managed. Nationally, the average cost of compulsory third party insurance premiums as a percentage of average weekly earnings is 25 per cent of average weekly earnings for schemes that are publicly underwritten and managed compared with 32 per cent of average weekly earnings for schemes that are privately managed. This fact is simply and inexplicably ignored by the Government's discussion paper.

If the Government was serious about reducing premiums it would closely consider government management and underwriting of the scheme, such as occurs in Western Australia, Tasmania, Victoria and the Northern Territory, and deliver the inevitable savings from such a scheme directly to motorists. One of the most obvious benefits of this approach would be to return the average 20 per cent of premiums currently gouged by private insurers as profits back to motorists, either as reductions in green slip prices or as additional statutory no-fault benefits.

In the submissions of The Greens on this matter I outlined the excessive insurance company profits, and I will address some of the facts that are included in the documentation. When considering the scheme efficiency, much is made of the 12 per cent of costs attributed to legal and investigation costs. That is the spin of the Government saying that 12 per cent of costs are legal and investigation costs—it is massive. These costs are being used as justification for a move towards a no-fault scheme. Less time and consideration is devoted to the almost 20 per cent of total costs that insurers' profits have accounted for over time, together with the 16 per cent of costs paid to private insurers to manage the scheme.

It is worth noting that the two schemes with the highest premiums, namely, New South Wales at \$518 and the Australian Capital Territory at \$526, have claims under the scheme managed by private insurance companies. The discussion paper makes strong arguments—and this is the discussion paper that was addressed by a submission from The Greens on 5 April—that the fault-based or non-fault-based nature of the scheme is the driving factor in price, but the evidence presented on page 5 in the table on premium affordability by State does not paint such a black and white picture. This is very important. Insurance company profits from green slips are extraordinarily and unsustainably high. The Government has determined that a reasonable level is 8 per cent. Every year it is wrong, and to whose benefit? It is to the benefit of insurance companies.

There is only one period over the period that has been examined where that is not the fact. They have been fairly characterised in the past as super profits for this reason. As has been repeatedly shown, insurance company estimates of green slip costs required to effect an 8 per cent profit are exceedingly pessimistic. Rather than making an 8 per cent profit, over time insurance companies have made almost 20 per cent average profit. The consultation paper explains this as—members will love this—"higher than predicted profit margins because of the uncertain nature of the scheme". That is in "Reforms to the NSW Compulsory Third Party Green Slip Insurance Scheme", February 2013 at page 6. It is difficult to see, over the longer term, where this uncertainty is.

Insurance companies consistently offer up pessimistic predictions of their profits when making applications regarding the maximum cost of green slips, and consistently record profits in the order of 20 per cent. These rogue profits are consistently achieved by insurance companies, as data from the past 10 years clearly shows. The Government has not addressed this. The data demonstrates these super profits. The higher cost of green slips in New South Wales can be substantially attributed to the extra impost required to satisfy these profits. The principles for reform outlined by the Government when it is talking about faster resolutions and so on do not address the super profits over the past decade and it is unclear how this will work out. In the view of The Greens the Government should examine the option of a government underwritten and government managed scheme so that if there were unexpected profits in one year—it is interesting that remarkably there are unexpected profits almost every year—they could be returned as reduced premiums or increased benefits in following years.

The Greens do not support the proposed changes to the New South Wales compulsory third party green slip insurance scheme because we know these changes will not work substantially to address the underlying forces of cost increases. The changes will, of course, deliver substantial cuts in benefits received by many injured road users. Not only will benefits be cut but the poor design of the scheme will almost certainly not affect premiums over time as the Government claims. As I have outlined, one of the main cost drivers in the scheme, billions of dollars in insurer profits, has not been touched with this proposal. If passed, these laws will drastically reduce lump sum and income support payments to thousands of people injured every year on our roads. The Government's ongoing protection of the insurance industry super profits in this scheme will continue to mean that motorists pay more for less coverage. This is simply not acceptable.

The "quicker" part of the Government's promised "quicker, cheaper, lawyer-free scheme" is achieved by having no consideration of how injuries will impact on people's lives. A cheaper scheme is being delivered through drastically reducing the benefits for many people injured on the roads, and removing lawyers from the scheme means that people will have no help when negotiating against the insurance companies. It is important to note that the move to a no-fault scheme will mean that some 6,000 injured people who are not currently covered will receive some access to benefits. That is a positive. It will also mean a shift towards a less adversarial system, though I note it will continue to be in the interests of insurance companies to try to avoid paying claims where possible. That does not justify the significant reductions in entitlements included in the bill.

It should be noted that there is already a no-fault scheme in place called the Lifetime Care and Support Scheme for those who are catastrophically injured, and the bill does not change that situation. It is important that this House considers other options. Government management and underwriting of the scheme such as occurs in Western Australia, Tasmania, Victoria and the Northern Territory constantly delivers cheaper premiums than private schemes. We have seen the huge super profits made by the insurance industry. If the Government is thinking about clawing back money from anywhere, it should claw it back from the insurance companies rather than from injured motorists. Despite its goal of returning 8 per cent on average over time, the insurance industry has gouged 20 per cent of premiums, which is not being returned to motorists. I will not support this bill and I encourage other members of the House to oppose it.

Ms NOREEN HAY (Wollongong) [5.43 p.m.]: I oppose the Motor Accident Injuries Amendment Bill 2013. This appalling bill has been proposed by the Government under the guise, as usual, of an overhaul of

benefits. "Overhaul of benefits" is code with this Government for reducing amounts paid to those most in need. Under the current compulsory third party insurance scheme, which relates to injuries suffered by people in motor vehicle accidents, those who are able to prove they were injured as a result of the fault of another driver are able to recover all of their past and future treatment expenses and all of their past and future lost earnings, including forgone superannuation. If they exceed 10 per cent whole person impairment they are also entitled to receive a lump sum for pain and suffering.

Government members may think my comments are repetitive, but these issues are very important and they clearly indicate what the O'Farrell Coalition Government is up to. Under amendments to the scheme that were introduced in 2007 drivers at fault were not left completely without assistance—they receive \$5,000 in medical expenses and lost wages and, if they are like any other driver or passenger who is catastrophically injured, whether at fault or not, they receive all treatment and care expenses for the rest of their lives paid for under the Lifetime Care and Support Scheme introduced by former Minister John Della Bosca. I commend him for that great piece of work.

The principle of the current compulsory third party insurance arrangements is that the benefits paid to people injured on the roads or in motor vehicle accidents that are no fault of their own should, as far as possible, compensate the person and match the loss, injury and damage the person has suffered, and for the costs that will arise as a result of that injury. The Government has forsaken that principle and now intends to introduce a scheme that extends statutory benefits, including payments for loss of wages, ongoing medical expenses and in some cases lump sums for pain and suffering to drivers who are at fault. The proposed scheme thereby provides that all accident victims are paid some benefits for five years and thereafter around 90 per cent of those injured fend for themselves.

This is particularly unfair to people who are injured in a motor vehicle accident through no fault of their own. They will be paid less so as to extend coverage to the person who caused their injury. Where else in Australia, or any other country for that matter, would one come across this kind of proposal? In order to protect the person at fault the Government is taking money from the person who is not at fault and who is injured. Government members who are supporting this bill are reckless when we consider the promises that were made by certain candidates, such as the current member for Heathcote. Shame on you all. I am not letting the member for Drummoyne off the hook. I am sure they are both suitably ashamed of themselves.

The ASSISTANT-SPEAKER (Mr Andrew Fraser): Order! The member for Wollongong will return to the leave of the bill.

Mr John Sidoti: I think she likes me for some reason.

Ms NOREEN HAY: That is a lie. The legislation that has been introduced by the Government is bizarre in that it does not appear to have any driving social or economic outcome in mind and there are no winners under the scheme, apart from drivers who are at fault. The scheme being introduced under the bill is a combination of a statutory defined benefits scheme with certain damages provisions that apply to all drivers regardless of fault. There is no other statutory no-fault scheme operating anywhere in Australia. Under the new scheme, regardless of fault, each person injured in a motor vehicle accident, unless charged with a serious driving offence or knowingly driving an uninsured vehicle, is paid a statutory benefit as follows: First, 95 per cent of lost earnings for three months, but superannuation is not compensated; secondly, 80 per cent of lost earnings for up to five years and superannuation is not compensated; and, thirdly, medical expenses for up to five years.

Unless the person injured exceeds 20 per cent whole person impairment, after five years from the date of accident that person is cut off from all weekly and treatment benefits. This means that at least 90 per cent of accident victims with an ongoing disability, potential ongoing wage loss and ongoing treatment expenses receive nothing whatsoever for life. Let us hope that none of the current members of Parliament are victims of such a thing. By necessity, if a person exceeds 10 per cent of the whole person impairment, that person will receive treatment and care for life, but only 80 per cent of his or her pre-injury earnings. This will be paid for only 12 months following the person's retirement at the age of 67. Aged drivers should be careful. A person who has more than 10 per cent whole person impairment and who can prove fault can sue for damages and, if successful, recover 100 per cent rather than 80 per cent of their lost earnings.

Losers under this bill are of concern to me, especially children who will be hit particularly hard. Children are still subject to the five-year window for recovery of loss of earnings. However, children cannot

claim for loss of earnings if they are under 15 years of age. Therefore, an injured 10-year-old child who currently receives compensation for lost future earnings will see the five-year window close before he or she reaches the age of 15 and will not be entitled to loss of earnings benefits even though that child might be substantially impaired for life. Children under 16 years of age currently get treatment and care for life, regardless of fault. Children under the 10 per cent whole person impairment will receive no payments for care and treatment past the cut-off period of five years. It is offensive and appalling that these restrictions would be imposed on children under 15 who do not have a salary for which they can be compensated and therefore will receive nothing. I cannot believe the Government has proposed this bill.

Lost earnings will only be paid for 12 months past the retirement age of 67, therefore a person who either chooses or is forced to continue working past the nominal retirement age of 67 will receive nothing. Compensation will be reduced for those who are the most vulnerable in our society: children and mature-aged people. It is an appalling attack on what should be considered a decent response that takes young children and mature-aged people into account. Mature-aged workers are now encouraged to stay in the workforce to pass on their skills and knowledge, yet if they are injured after the age of 67, they will get no compensation after 12 months, even if they suffer for the rest of their natural lives. The Opposition opposes this bill wholeheartedly and condemns the New South Wales Coalition Government for these proposals.

Debate adjourned on motion by Mr Chris Patterson and set down as an order of the day for a future day.

VICTIMS RIGHTS AND SUPPORT BILL 2013

Second Reading

Debate resumed from 7 May 2013.

Mr PAUL LYNCH (Liverpool) [5.53 p.m.]: I lead for the Opposition on the Victims Rights and Support Bill 2013. The Opposition opposes this bill. It is bad in principle and in practice. It represents the triumph of unfeeling Treasury bureaucrats over the real and all too human needs of victims of crime. It is based upon a report by PricewaterhouseCoopers that the Government has been sitting on since July 2012. The most emblematic recommendation of PricewaterhouseCoopers was to remove the word "compensation" from the legislation and from the scheme. The recommendation, as with the rest of the report, has been adopted with enthusiasm by the Government. The bill repeals the currently operative victims compensation legislation and consequently abolishes the current victims compensation scheme, which allows lump sum payments to the victims of crime for amounts of up to \$50,000.

Before I deal with the provisions of the new scheme, I should make the point that this is completely retrospective. In fact, from a lawyer's point of view there are many objectionable aspects of the bill, but the retrospectivity provisions are truly scandalous. Part 2 of schedule 2 provides that compensation under the current scheme is not payable unless the matter was finally determined before 7 May 2013, which is the day on which the bill was introduced. Matters are not only not finally determined if a determination has not been made, but even if a determination has been made and any period for bringing an appeal as of right has not expired. Turning to the scheme itself, there is now a byzantine complexity to the payments that may or may not be available to victims.

These seem to be the types of payments that can be made: up to \$5,000 for immediate needs, up to \$8,000 for funeral expenses incurred by family members of a homicide victim, up to \$30,000 for economic loss for things such as medical and dental expenses, up to \$20,000 for demonstrated loss of actual earnings, 22 hours of counselling, \$5,000 for expenses associated with related criminal or coronial proceedings, up to \$1,500 for loss or damage to clothing and personal effects, and up to \$5,000 for out-of-pocket expenses when economic loss cannot be demonstrated. It is obvious that this scheme was designed by an accountant lacking any sense of compassion. It certainly was not designed by a victims advocate. There can also be recognition payments up to a maximum of \$15,000. These are certainly not compensation payments and are far more modest than the present compensation payments.

There are four categories of recognition payments, categories A, B, C and D. Category A relates to an act of violence that apparently occurred in the course of the commission of a homicide. Category B relates to an act of violence that is a sexual assault resulting in serious bodily injury or which involved an offensive weapon or was carried out by two or more persons, or a sexual assault, indecent assault or attempted sexual assault

involving violence that was one of a series of related acts. Category C relates to an act of violence that is an attempted sexual assault resulting in serious bodily injury, an assault resulting in grievous bodily harm, a sexual assault that is not one of a series of related acts or a physical assault of a child that is one of a series of related acts. Category D relates to an indecent attempted sexual assault involving violence but not resulting in serious bodily injury, a robbery involving violence and an assault not resulting in grievous bodily harm.

Part 3 of schedule 4 sets out prescribed amounts for recognition payments. Category A includes payments of \$15,000 to family members of a homicide victim financially dependent upon the victims and \$7,500 to each parent, step-parent or guardian of a homicide victim. Category B is recognition payments set at \$10,000; category C, \$5,000; and category D, \$1,500. There are several things to note about this. Most obviously they are dramatically less than the lump sum payments currently available and just as significantly they are determined in a very different way. The new scheme simply looks at the offenders' behaviour to determine the amount of payment. What section of the Crimes Act is this offence within—that automatically gives the financial figure to be paid. There is no consideration of how the offence impacted upon the victim. It is so-called justice that is entirely from the point of the view of the offender.

It very explicitly ignores whatever the victim felt, thought and experienced. It completely devalues the trauma and experience of the victim. The financial consequences of this bill are extraordinarily adverse for victims of crime, but the studied contempt for victims in the community recognition portion of the scheme is just as reprehensible and deplorable. No two assaults are the same, whatever the Government might think. Another aspect of the scheme that stands to be condemned is the time limitations imposed by the bill. Because the scheme is retrospective these time limitations apply to acts that had occurred well before the bill was introduced and before PricewaterhouseCoopers was asked to do a job on victims' compensation. Clause 40 of the bill deals with the time for lodging applications. An application for a recognition payment must be made within two years of the date of the act of violence or within two years of the victim turning 18 years of age.

That is except for applications for a recognition payment in respect of an act of violence involving domestic violence, child abuse or sexual assault where the application must be made within 10 years of the act of violence or within 10 years of the victim turning 18 years of age. This is a disgrace. The limit of 10 years will arbitrarily and retrospectively preclude a vast number of victims of paedophile activity and sexual assault in institutions and victims of family and domestic violence. It often takes an immense time for victims to come to terms with what happened to them—and many never do. It can literally take decades for them to talk about what happened to them. That is hardly unknown. It is acknowledged by anyone with knowledge of this area. Having been abused once, these victims are now being treated with contempt by this Government. It is particularly perverse to do this at a time when both a royal commission and special commission of inquiry have been established.

The establishment of the inquiries recognises how significant these sexual assaults were and the bill does exactly the opposite. On the one hand, victims of historical abuse are being asked to come forward to tell their stories and, at the same time, this Government is barring them from claiming victims' compensation. Indeed, one has to wonder what has prompted the Government to introduce this bill at this time. The Attorney General, and the Treasurer and the Minister for Finance and Services have refused to answer questions about the calculation of savings made in compensation that will not be paid under the bill to the victims of historic abuse that may be revealed by the royal commission and the inquiry. Of course, the Government has been sitting on the PricewaterhouseCoopers report for almost a year. The timing suggests that this bill, which prohibits historic abuse compensation claims, has been provoked by the skittishness of Treasury in face of the royal commission and the special commission of inquiry.

Of course, it is not only people who may give evidence at the royal commission who may be affected. On 8 May, the day after this bill was introduced, a former priest appeared at Armidale Court facing 64 additional offences. They were all historical child sexual assault charges from the 1970s and 1980s. Should the allegations be established, no matter how heinous or serious the circumstances may be, no compensation claim will be paid because of the 10-year rule provision in this bill. People who are finally coming forward with all that that entails are being slapped in the face and being banned from seeking compensation. The NSW Police Force issued a media release about the Armidale matter, which said in part:

Strike Force Glenroe investigations are ongoing and detectives urge anyone with information to assist them to come forward.

State Crime Command's Sex Crimes Squad is comprised of experienced detectives dedicated to investigating crimes of a sexual nature, regardless of the passage of time. Any person who has been a victim of sexual abuse, no matter how long ago the incident occurred, is encouraged to make a report at their local police station.

The NSW Police Force is dedicated to investigating these matters, regardless of the passage of time. The Government is equally dedicated to ensuring that those victims who bravely come forward cannot claim compensation. This 10-year prohibition will cause a significant loss for victims of historic sexual abuse. However, there will be some winners. If money is paid to victims, recovery procedures are available to obtain money from perpetrators. If no compensation is paid then there can be no recovery from perpetrators. Apart from Treasury, the handful of winners from this bill includes paedophile priests. The Government cannot pretend it did not know what it was doing. It was told very clearly by PricewaterhouseCoopers:

There has been an increasing number and proportion of sexual assault and domestic violence claims reported in recent years and this has resulted in increasing proportions of younger claimants and female claimants. The number of claims lodged out of time (over 2 years after incident) has increased by over 150 per cent over the last five years from about 1,000 to over 2,500 per annum, mainly from sexual assault and domestic violence claims."

The Government knew exactly what it was doing; it was told exactly what caused the blowout in claims and it is wiping out the opportunity to claim compensation. It was also told not to cut the scheme. In September last year, 70 organisations, including Mission Australia, wrote to the Government telling it not to cut the scheme. I echoed their concerns in a speech I gave in this place on 5 September. Advocates and support services are horrified by these changes. Anna Cody, Chairperson of Community Legal Centres NSW, stated:

Compensation payment for pain suffered is a symbolic recognition of a public wrong and an important part of addressing violent crime in our society. A reduction in payments for victims of violence has detrimental effects on a victim's ability to reclaim their life, but also sends a clear message that this is not important to us as a society.

Janet Loughman from Women's Legal Services stated:

The new scheme ignores and undervalues trauma suffered by victims of domestic violence and child sexual abuse. For instance, there appears to be no recognition payment for psychological harm and financial assistance favours those employed.

We are also extremely concerned by the imposition of 10-year time limits for victims of domestic violence, child abuse and sexual assault which is half what the Government's own agency recommended. Ten years is not long enough. It means that many victims appearing before the Royal Commission could be excluded from victims' compensation in New South Wales.

Rachael Martin, convenor of Community Legal Centres NSW victims compensation committee, stated:

It is especially concerning that these changes will apply retrospectively. Any changes to the scheme should have adequate consultation. Retrospective changes are inconsistent with human rights standards and do not recognise the status of victims and is not consistent with the New South Wales charter of victims' rights. The New South Wales Department of Attorney General and Justice's review of the victims' compensation fund acknowledged that for existing claimants it would be unfair to change the goal-posts midway.

The O'Farrell Government has decided to pick on some of the weakest and most vulnerable community members to help its budgetary position. The scheme has an outstanding backlog of claims because the Government refused to fund the scheme adequately. That means claimants who have been waiting three years will now have their claims transferred to the new scheme without warning. Experienced legal practitioners estimate that many victims of crime expecting to receive \$30,000 will now receive only \$1,500. This is a result of the Government's manic determination to force the scheme to fit the \$62 million that it is prepared to provide each year. Many practitioners regard these as token amounts and they represent savage cuts to benefits. The inescapable truth is that acts of violence can dramatically alter the course of a person's life.

As the New South Wales Society of Labor Lawyers has recently reminded all involved in this debate, civil and criminal proceedings often do not provide a realistic avenue for restitution. If this bill is passed and the scheme is abolished, there will be nothing else. That would be a disgrace. The Premier has recently attempted to cost shift this problem to Canberra by saying that it should be considered by the Federal royal commission. To say that that comment is unworthy of a Premier of this State is putting it very mildly. Legally, it is also utter balderdash. Constitutionally it is clearly a State parliamentary responsibility and that is why we are debating this legislation. I should also point out the concern of many other groups that advocate for the victims of crime, especially victims of family and domestic violence and sexual assault. The North and North West Community Legal Service, whose office is in Armidale, is very concerned about the bill. It states:

We are concerned that under this bill the schedule of injuries will be removed and replaced with a "recognition payment" that equates to payments of significantly lower awards for the "pain and suffering" endured by victims. This is a tragedy for victims of domestic violence and sexual assault in particular, who are overwhelmingly women and children.

We find the categories of recognition payments particularly insulting to victims of domestic violence. The focus seems to be very much on the "act of violence" as opposed to the significant long-term harm and trauma caused by the violence.

For such victims the issue of focus will be the type of physical injury suffered and not the very significant psychological harm caused to a victim. In fact the proposed recognition payments contradict the current legislative policy and social recognition, and sends a message to those victims of domestic violence that their pain and suffering is less worthy.

The service also makes some valid points about the limitations on the category of payments for what the bill calls immediate needs. It states:

We note that the bill proposes a category of financial compensation for immediate needs. While this is a good thing for those victims in crisis who need to move quickly, or need some type of assistance with security issues, the majority of our clients do not seek support and compensation until the crisis is over. Often they do not seek assistance until it is physically or psychologically safe for them to do so.

This is often after the perpetrator is sentenced to gaol. It is academic to talk about covering expenses for moving house or securing new accommodation. In reality there is a shortage of affordable rental accommodation and social housing. Many of our clients are economically disadvantaged women experiencing domestic violence are listed on waiting lists for social housing, or a priority transfer for many months. Private rental accommodation is often not an option as these women do not have the appropriate references to enable them to obtain such.

Another useful commentary on the bill comes from the Wirringa Baiya Aboriginal Women's Legal Centre Incorporated, which shares the views I have mentioned. It also states:

We are deeply concerned about capping the time limit for victims of domestic violence, sexual assault and child sexual assault for an application for recognition payment. It is our strong submission that ten (10) years is not sufficient time for these groups of victims. Many of our clients struggled with the consequence of the violence for many years before reaching a point where they could seek compensation and counselling.

Some describe a life of half living, feeling numb and distant from their children and friends, or highly anxious, phobic and house-bound, unable to talk about the terrible trauma they endured. Other clients self-medicated with alcohol or drugs for years to block out the memories of their abuse.

Victims of violence in childhood, particularly sexual abuse, struggle for many years to disclose what happened to them, let alone seek help and or compensation."

The centre goes on to quote the report from PricewaterhouseCoopers. At page 65 the report states:

We recognise that any change in eligibility requirement would have a significant impact on victims. In particular, imposing stricter time limitations would have a significant impact on victims of violence which occurred many years ago, in particular those related to child sexual assault and domestic violence. We acknowledge that as the societal attitude to violence has changed and victims of historical claims have had time to reflect and come to terms with their past trauma, and feel more supported by changing cultural attitudes, they have started to come forward in increasing numbers and report these acts of violence.

I emphasise that that quote is from the PricewaterhouseCooper's report, which the Government has used as the basis for this legislation. As with many other groups, both this centre and the North and North West Community Legal Service are outraged that the new scheme is imposed on existing claims. The Liverpool Women's Health Centre has also written to me expressing its concerns. It stated:

The new scheme will apply to victims already in the old scheme. This means that victims' awards will likely be significantly lower and in cases where the act of violence occurred outside of 10 years, they will likely receive nothing. The government's own review of the victims' compensation acknowledged that for existing claimants it would be unfair to change the goal-posts midway.

The new scheme imposes a 10 year time limit for claims by victims of domestic violence, child abuse and sexual assault this means that many victims appearing before the royal commission into institutional responses to child sexual abuse could be excluded from victims' compensation in New South Wales.

The new scheme ignores and undervalues trauma suffered by victims of domestic violence and child sexual abuse. There are no recognition payments for psychological abuse and harm and financial assistance favours those employed.

The new scheme requires victims to have reported the crime to the police or government agency to be eligible for compensation. Many victims are fearful of police and report their crime to support service.

I refer briefly to a letter dated 17 May from the Women's Legal Services NSW and addressed to the Attorney General. It makes a number of points and calls upon the Attorney General to withdraw the bill. The letter states:

We are deeply concerned about the bill as it will introduce a scheme that fails to respond to some victims with respect to dignity and compassion in a culturally sensitive manner.

It also states:

We believe the bill in its current form will perpetrate further injustice for these victims.

Women's Legal Services are also concerned at the failure of the Government to release an exposure draft of the bill and seek public comments. That would have been a sensible course. The Women's Legal Services regards the failure of the Government to have done so as a denial of natural justice for victims. It states:

We are also concerned that the proposed changes will have a disproportionate impact on victims of some of the most serious crimes, including victims of child abuse, sexual assault and domestic violence.

Additionally, given the gendered nature of these crimes, women and girls will be significantly more disadvantaged by the changes.

The Women's Legal Services NSW has also expressed concern about the imposition of a 10-year time limit and the failure to explicitly include in recognition payments compensation to account for a significant psychological injury associated with domestic violence, child abuse and sexual assault. It reiterates the comments previously made about the restrictions on the type of documentary evidence required. It also states:

The significantly reduced compensation awards to victims of domestic violence and sexual assault ignores both the frequency and severity of these types of violence and diminishes the hard fought for recognition of private acts of violence.

The Women's Legal Services also notes that the proposed retrospective effect of the bill will substantially diminish the rights of existing claimants. This is a bad bill. It will deprive an often disadvantaged person of modest financial support—support that can sometimes completely turn a life around. The Government's assertion that this scheme has been forced on them by the financial position is unmitigated nonsense. It has been meekly accepted by an Attorney General who has no professional interest in it. Indeed, he has no interest in anything in his portfolio outside the very narrow and restrictive portion of the law in which he practised for so long.

The Attorney General is bereft of sympathy for any matter involving compensation, as we saw in the debate on compensation for asbestos victims and the private member's bill on the Strikwerda principle. We see it again in this bill—no compassion or sympathy, merely a compliant acceptance of Treasury's obsession about compensation and cutting it out. This is about budgetary savings. But budgets are about priorities, not economic jargon. They are about the priorities of a government. This Government gets its accounts wrong by \$1 billion and cannot find the money to properly fund victims' compensation. It does not regard assisting the victims of crime as a priority. They are not important to this Government. We can see from the bill that this Government has no compassion. The Opposition opposes the bill.

Mr CHRIS PATTERSON (Camden) [6.11 p.m.]: I support the Victims Rights and Support Bill 2013. This bill aims to allow victims of violent crime faster and more effective practical and financial assistance when they need it most. The bill establishes the Victims Support Scheme, which will replace the heavily backlogged Victims Compensation Scheme. Under the current scheme, victims wait on average 30 months before receiving any money. Imagine waiting 2½ years for money to cover medical expenses, funeral expenses and relocation costs. This is not news to those on the other side. In 2009 it was brought to the attention of the previous Government that the scheme had a huge backlog of claims and needed action as it was not meeting the needs of victims. It knew the strain the scheme was under and did nothing.

This Government requested an independent review and assessment by PricewaterhouseCoopers to look at how to improve the compensation scheme. The review found that it would be beneficial for victims to receive assistance shortly after the act of violence to begin the healing process. It recommended that a new and more effective scheme replace the old one. The new scheme takes on the recommendations of PricewaterhouseCoopers following its review of the compensation scheme. This Government, through the establishment of the Victims Support Scheme, aims to allow for timely access to assistance by victims of violent crime and stop the massive cost blowouts that the current scheme is experiencing.

Through this bill and the new scheme, victims will now receive up to 22 hours of counselling, urgent needs assistance of up to \$5,000 to cover emergency medical and dental treatment, relocation expenses and crime scene clean-up costs, funeral expenses of up to \$8,000 for homicide victims families, longer term financial assistance of up to \$30,000 to cover ongoing medical and dental treatments, the cost of coronial proceedings and actual loss of earnings of up to \$20,000 and a lump sum recognition payment to acknowledge the violence and trauma, ranging from \$1,500 to \$15,000, depending on the type of violent act.

The new scheme will be simpler and more straightforward and offer a single point of contact for victims. Victims Services will help victims to understand the documentation required and assist in navigating the service system. There now will be no need for victims to engage the services of a lawyer to apply for

support. In the past five years \$17 million was paid from the scheme toward legal fees. That is money that should have been assisting victims. Victims will be provided with a support coordinator who will arrange referrals to local services, arrange for counselling with an approved counsellor, conduct an individual needs analysis, tailor an appropriate urgent needs assistance package based on that analysis, explain the longer term financial assistance that is available, ensure victims understand the documentation they will need to provide and help victims apply for recognition payment.

This bill will introduce a code of practice for the Charter of Victims Rights, which will be overseen by a new Commissioner of Victims Rights, to assist victims of crime in exercising their rights. The commissioner will oversee the administration of the new scheme. The commissioner will promote and oversee the implementation of the charter and receive complaints about breaches. The commissioner also will be able to recommend that an apology be given to victims by agencies when a complaint cannot be resolved and then present a report to the House in relation to it. Further, the commissioner will be chair of the Victims Advisory Board.

The Victims Compensation Scheme will be closed immediately. Existing claims that are not yet finalised will be transferred to the Victims Support Scheme to be processed more quickly. The work of the Victims Compensation Tribunal will be transferred to the Administrative Decisions Tribunal. This Government wants to support victims of crime to help them deal with trauma and get them recovering as quickly as possible. Victims deserve to have as much of the money available through payments and services. This bill reduces red tape and costs and provides victims with the help they need when they need it, not years down the track. I commend the bill to the House.

Mr RON HOENIG (Heffron) [6.18 p.m.]: It is very easy for an Opposition to attack a government that wants to take compensation away from victims of crime and make great political capital out of it. It reads well in the tabloid media. The Opposition is opposed to the Victims Rights and Support Bill 2013 not for the purpose of political benefit but because it is a very bad bill. This bill is a product of what happens when accountants like PricewaterhouseCoopers want to put a price on justice. That is, in effect, what has happened. One of the problems with Treasury boffins putting a price on justice is that victims of crime, from whom this bill takes away entitlements, are effectively also victims because of the failure of the State to provide intervention when it could have.

That intervention is historic and not necessarily the fault of anyone in this place, but for decades there has been a systematic failure particularly when dealing with sexual assaults and child sexual assaults. I have spent almost my entire working life in the criminal justice system. For most of that time I defended people charged with heinous crimes of that nature and most of those who pleaded not guilty were acquitted. I also prosecuted people for a couple of years and many of those people were convicted. I have had considerable experience of the impact of those crimes and the failure of intervention on the victims. When legislation is introduced to reduce the compensation entitlement of victims to \$15,000 it sends a clear message to the victims as to what the State thinks about them. From my personal experience I can inform the House—the Attorney General did not refer to this—that often victims of crime, particularly victims of heinous sexual assaults, are induced by compensation entitlement to come forward as part of the police investigative process.

I can also inform the House, from my experience in prosecuting and defending and from appearing as counsel assisting inquests, that it is extremely difficult to get people to come forward and disclose what has happened to them—and it is even more difficult for males than females. As Ian Roberts said in evidence at the inquest of Aaron Light—Ian Roberts was a very prominent witness—when a male or a young male is sexually assaulted the power that the pederasts have over them is that the victims see it as an attack on their manhood and they do not wish to disclose. Now several commissions of inquiry and a royal commission into an area of historic sexual assaults that have occurred for some decades are finally being conducted. Members know that a flood of people will be coming forward to make disclosures—although it will be only a small percentage—about horrendous things that have happened to them.

If one talks to police officers other than those who specialise in sexual assault—for example, a rural detective—they will tell you that their desks are full of allegations of historic child sexual assault. It is extraordinary that the Government would seek to legislate to restrict the time limitations of people who come forward from now on. New South Wales is a homeland for people. It is not a corporation or a balance sheet; we are dealing with people. As I said earlier, many victims of sexual assault are failures of the State. They should have been recognised as such on an earlier occasion and there should have been intervention. At the very least,

the State should pay them compensation, although compensation will never make up for what has occurred to them. Some eminent people who service my electorate have corresponded with me about this bill. The Kingsford Legal Centre wrote to me on 17 May 2013. In part, that letter states:

A reduction in payments for victims of violence has detrimental effects on a victim's ability to reclaim their life. It also sends a clear message that this is not important to us as a society. Adequate financial security is crucial for victims to rebuild their lives ... We are extremely concerned by the imposition of 10 year time limits for victims' claims of domestic violence, child abuse and sexual assault.

In that letter they give the example of a fictitious person by the name of Arietta—I can verify that I have seen this example on hundreds of occasions—who was repeatedly sexually assaulted by her uncle when she was six or seven years old. She did not disclose this because she was embarrassed and ashamed to tell her family about it. She finally reported it to the police more than 20 years after the incidents. The police investigation's core processes took almost two years to finalise. She made a claim for compensation after the court process was over when she was 30 years of age. Arietta would not be able to obtain victims compensation under the new scheme because she was unable to face the emotional, psychological and legal consequences of disclosing the assaults until she was in her twenties. Given the gravity of the assaults and the young age at which she became a victim, it would be unfair to impose the strict 10-year time limit after she turned 18.

The Deli Women and Children's Centre Inc, which does a terrific job, also wrote to me. In that letter they also talk about the effect on women and children who have been the victims of domestic violence, sexual assault and child sexual assault. They say the scheme has been hugely beneficial in offering victims a support process that was sensitive to their experience and in providing recognition of the violence and trauma they had suffered. They also recommend the categories of recognition payments should be expanded to include a specific category for domestic violence that does not require grievous bodily harm and that recognises psychological abuse and harm.

I cannot stress strongly enough the folly of what the Government is seeking to do to the victims of the most heinous of crimes that have only come to light as a small proportion of victims begin to disclose. Our education system should have protected these children, our churches should have protected them, parents, grandparents and relatives should have protected them, but they were not protected. A small portion of those victims are now coming forward later in life and because of the failure by this State they are entitled to a measure of compensation. It is not for the State to reduce that measure of compensation. It is not for the State to tell them that it is too late. It is not for the State that has failed them to make an actuarial costing and say, "It is too late to pay you." As I said at the beginning of my contribution to this debate, it is an easy mark to attack a government for taking something away from victims of crime. It is not my intention to make a political attack on the Government. I am informing the House from my personal experience what this will do to these people who, through no fault of their own, are victims of crime and who will be denied compensation.

Mr JOHN SIDOTI (Drummoyne) [6.28 p.m.]: The Victims Rights and Support Bill 2013 establishes a new Victims Support Scheme to replace the existing Victims Compensation Scheme and to provide for a new Commissioner of Victims Rights. In November 1985 the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power provided that people who have "suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights through acts or omissions that are in violation of criminal law" should be treated with compassion and respect for their dignity and should be supported by government and the community.

The New South Wales Parliament has also passed a Charter of Victims Rights which acknowledges the United Nations declaration that victims of violent crime have certain rights, including the right to be treated with respect and recognition; the right to be referred to adequate support services; the right to protection of physical safety and privacy; and the right of compensation from both the offender and the State. This charter applies to all New South Wales government departments and non-government agencies that are funded by the State to provide support to victims of crime.

In accordance with these principles, the Victims Compensation Scheme was established in 1987. The scheme was subsequently amended by the Victims Support and Rehabilitation Act in 1996. However, by mid-2010 it became clear that the scheme, which was meant to help victims of violent crime, had been severely compromised by the dramatic growth in claims, which had almost doubled in the previous five years. This situation had led not only to cost blowouts but to unacceptable delays for victims in receiving compensation and appropriate and timely support in these most distressing circumstances. Even before 2010—for example, in 2009—the Auditor-General indicated that the then Labor Government needed to take action to deal with the

costs blowout and backlog of claims under the existing scheme. This is borne out by recent figures which show that victims now wait on average at least 25 months—that is, over two years—before they receive any compensation or money to pay expenses such as medical bills and funeral expenses.

This scheme was originally intended and designed to help rehabilitate victims of violent crime and these unacceptable delays undermine the very purpose for which it was established. Furthermore, such delays are not compassionate or respectful to these people, our fellow Australians, who, through no fault of their own, have been through such dreadful ordeals. Accordingly, this Government is taking action to sort out what the previous Labor Government failed to address. It is closing the Victims Compensation Scheme and replacing it with the Victims Support Scheme, which will be underpinned by the following key principles: financial viability, to ensure that victims receive timely support and that the scheme can be maintained for all victims who need support; the appropriate prioritisation of funds to meet the immediate needs of victims of violent crimes; and the provision of financial assistance and rehabilitation which recognises and acknowledges the trauma suffered and which is consistent with the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the New South Wales Charter of Victims Rights.

Although the number of reported violent crimes committed in New South Wales has been relatively stable in the past 10 years, compensation claims for domestic violence have increased significantly over the past seven years, from around 5 per cent in 2003 to over 20 per cent in 2010. The utilisation of victims compensation for sexual assault has also increased, although to a lesser extent than domestic violence, and it is expected that this trend will continue, at least in the short to medium term. On 7 May a report prepared by PricewaterhouseCoopers, which was commissioned by the Attorney General to give an independent assessment of the victims compensation scheme and how it could be improved to provide faster and more effective support to victims of violent crime, was tabled in this House.

The preparation of this report involved consultation with a broad range of stakeholders who unanimously agreed that, first, assisting victims at the earliest point after the act of violence delivers the best outcomes; secondly, the provision of counselling is important and should continue; and, thirdly, a lump sum payment in recognition of trauma is an important part of the rehabilitation process. As set out in the Minister's second reading speech, PricewaterhouseCoopers, in its review of the current scheme, also importantly noted:

... there [are] other services and supports ... which are not currently provided by the scheme, but which would be beneficial to claimants and assist them to begin their healing process shortly following the act of violence. These include relocation assistance, security upgrades and assistance with medical and dental expenses.

The provision of such services is addressed in this bill. Of equal importance and concern to this Government is PricewaterhouseCoopers' financial review of the current scheme and, in particular, its assessment that:

... the scheme is financially unsustainable within current funding constraints. The scheme has an escalating number of victims pursuing compensation and counselling, while the funding provided to meet those claims remains unchanged.

As at June 2012, the PricewaterhouseCooper's report stated:

The accumulated liability with respect of lodged but unresolved claims is estimated to be \$392 million. This is expected to increase by approximately \$38 million per annum if the current Scheme, including funding levels, is left unchanged ...

At 30 June 2013 the accumulated liability for lodged but unresolved claims is expected to have increased to \$430 million.

The PricewaterhouseCoopers report further stated:

As a result of the large mismatch between funding levels and scheme costs the determination of claims has slowed. Claims are taking more than 25 months between lodgement and determination, undermining the objectives of the Act ...

Based on the 12 months experience to 30 June 2012, the ultimate cost of each future year of incidents is expected to be \$91 million ...

The report also makes it unequivocally clear that:

...the backlog and associated liability of reported claims will continue to increase over time as long as the disequilibrium between current funding levels and scheme costs remains unaddressed.

The current scheme receives approximately \$72 million per annum in funding from three sources. The majority of funding, \$60 million, comes from New South Wales Treasury, while the remainder is collected from

restitution from convicted offenders, court fine levies and a share of the proceeds of crime confiscations. These are sobering numbers. They must be dealt with, as must the long-term viability of this scheme. The Government's ability to support victims of violent crime must be protected. As I have said, PricewaterhouseCoopers also identified services and support services which are not currently provided by the scheme but which would be beneficial to victims and assist them to begin their healing process as soon as possible after a violent crime. In addition, PricewaterhouseCoopers also noted that the existing delivery of mainstream and specialised services currently provided can be challenging for victims to navigate in order to obtain services beneficial to their recovery. Both of these issues undermine the objectives of the current scheme.

The new Victims Support Scheme set out in the bill has been developed according to the following key reform principles: the scheme must be financially viable; and the allocation of the scheme's funds are prioritised to meet the immediate needs of victims of violent crimes, provide financial assistance and rehabilitation, and recognise and acknowledge the trauma suffered. The scheme must also uphold the principles of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the New South Wales Charter of Victims Rights. The changes contained in this bill do uphold these principles and will produce results that better optimise the support and rehabilitation outcomes of as broad a group of victims as possible while still being sustainable within current funding levels.

The new Victims Support Scheme, like the current scheme, is not intended to provide full compensation to victims of crime that are equivalent to common law damages. Rather, the intention is to give victims of violent crime some compensation out of the public purse for the injuries they have sustained. It is as much an acknowledgement by the State of the pain and suffering of victims as it is about helping victims financially. The Government is confident the new Victims Support Scheme will provide an infinitely better response to victims than that provided by the current victims compensation scheme. Accordingly, the new Victims Support Scheme provides four key areas of support for victims of violent crime: counselling; addressing victims' immediate needs; longer term financial assistance; and recognition payments.

Eligible claimants with critical immediate needs will be able to apply for a package of support for up to \$5,000 to cover such things as emergency medical and dental treatment, relocation expenses and crime clean-up costs, if needed. In summary, the bill will ensure that we are properly supporting people in the most distressing circumstances both now and in the future by correcting and improving the ongoing financial viability of such a scheme to ensure that this occurs. I commend the bill to the House.

Ms TANIA MIHAILUK (Bankstown) [6.38 p.m.]: I make a brief contribution to debate on the Victims Rights and Support Bill 2013. I put on record my disgust with the Government's proposed bill, particularly in relation to its timing. The timing is awful and appalling, given that the nation has begun a royal commission into the institutional responses to child sexual abuse and the State has begun a special commission of inquiry. To propose such a bill that will result in the vast majority of these victims not being able to apply for compensation through this scheme demonstrates that the Government is bloody-minded and despicable. There are no words to describe how bad the bill is in terms of timing and what the results will be in years to come as a result of this legislation. It should be opposed.

I draw attention to a briefing note prepared by the Inner City Legal Centre, which contains a summary of its concerns surrounding the legislation. We know that victims awards will likely be significantly lower and that in many cases, where the act of violence occurred outside of 10 years, victims will receive nothing. The Government's own review of the Victims Compensation Scheme acknowledged that it would be unfair to existing claimants to change the goal posts midway, but proposing this scheme is doing exactly that.

The new scheme imposes strict 10-year time limits for claims by victims of domestic violence, child abuse and sexual assault, removing the current discretion in favour of the applicant. This means that many victims appearing before the royal commission could be excluded from victims compensation in New South Wales. The new scheme ignores and undervalues the trauma suffered by victims of domestic violence and child sexual assault. There are no recognition payments for psychological abuse and harm, and financial assistance favours those who are employed. Domestic violence is not recognised as a separate category of violence in the bill. Victims of domestic violence therefore must show evidence of assault, thus denying the profound impact of psychological trauma.

I also have concerns about the new scheme requiring victims to report the crime to police or to a government agency to be eligible for compensation. That requirement is utterly despicable and any Government member who chooses to support this legislation certainly is not supporting victims of child sexual assault who

are very unlikely to have reported the matter to the police or a government agency. I note that the Inner City Legal Centre has put together some case studies. One example is of an applicant—and I will not place any names on record—who at the age of nine years was sexually assaulted and abused. No report was made at the time to the police or to the Department of Community Services. He was a ward of the State and placed at a children's home.

The applicant was 35 years of age at the time of applying for compensation and his solicitors relied on academic school records demonstrating symptoms of child sexual assault. The applicant was able to receive \$50,000 for category 3 sexual assault. Under the new scheme it would be \$10,000 if the violence is one of a series of related acts; \$5,000 if not. If no reports were made, there would be no money. In this case no report was made to a government agency or to police, so the applicant would receive nothing under the new scheme. This matter was also outside the 10-year period, given that he was 35 at the time of the application and the assault happened when he was aged nine, and therefore under the new scheme this applicant would receive nothing. Another issue I want to raise relates to domestic violence. The legal centre has given an example of an applicant married to the defendant for 10 years.

The defendant physically assaulted the applicant repeatedly during their relationship, often in company with the defendant's friends. However, there were no grievous bodily injuries. The applicant was subjected to social and financial isolation, and violent emotional taunts, resulting in the applicant developing major depressive disorder, social anxiety disorder and post-traumatic stress disorder. Under the current Act that applicant would be awarded \$38,000 in compensation. Under the new scheme the applicant would receive \$1,500. That demonstrates how appalling and ill thought out this legislation is. I wonder whether Government backbenchers did their research prior to speaking to this bill. I think they have drawn the short end of the stick. The legal centre has put together many other examples of profound discrepancies involving victims of child sexual assault, domestic violence or physical assault being at a severe disadvantage as a result of the new scheme. The Legislation Review Committee has met on this bill and raised various concerns that it has referred to Parliament for consideration with respect to the right to compensation as a victim of crime. I quote:

The Committee refers to Parliament for consideration whether differences in the financial compensation structures between the Victims Support and Rehabilitation Act 1996 and the scheme proposed in the bill could unduly impact on a victim's rights.

For those who do not understand, the Legislation Review Committee specifically looks at whether a bill trespasses on personal rights and liberties, which is what the member for Drummoyne referred to earlier. The committee looked at the potential for different compensation outcomes under the provisions of the bill compared with those under the Victims Support and Rehabilitation Act 1996, and the committee referred to Parliament whether it is appropriate to require existing applications for victims compensation to be dealt with under the provisions of the bill rather than the Victims Support and Rehabilitation Act 1996. That is a very important point. The committee also noted that clause 40 of the bill does not contain a provision giving the Commissioner of Victims Rights the discretion to accept victims support applications out of time. The committee referred that issue to Parliament for consideration. These referrals were unanimously passed by the committee, which has a majority of Government members.

I think that this bill was very hastily put together. I accept that a report was prepared by PricewaterhouseCoopers, but the reality is that this should have had far more consideration prior to the bill being brought before Parliament. Further consultation needed to take place, particularly with support groups, legal centres and institutions that could give proper advice to this Government on whether the scheme will assist victims or will actually do quite the opposite. I suggest that there is no doubt, from the examples of the Inner City Legal Centre, that the vast majority of victims who would ordinarily be able to seek compensation under the current Act will be worse off and unable to seek support under this bill. As those referrals by the Legislation Review Committee were unanimously endorsed, this House should utterly oppose the bill.

Mrs TANYA DAVIES (Mulgoa) [6.47 p.m.]: I support the Victims Rights and Support Bill 2013. The purpose of the bill is to establish a new Victims Support Scheme to replace the existing Victims Compensation Scheme and to provide for a new Commissioner of Victims Rights. Although the Victims Compensation Scheme was established in 1987 to provide the necessary support and financial compensation to victims, by 2009 the Auditor-General identified the huge growth in demand on the scheme that has led to a major cost blowout and made the scheme unsustainable. The Labor Government ignored this dire warning and, once again, the Liberal-National Government is taking the necessary action to address the Auditor-General's concerns and fix the scheme.

In a review conducted by PricewaterhouseCoopers last year it was found that the estimated contingent liability of the Victims Compensation Scheme was projected to increase by \$38 million per year and that the escalating waiting times between lodgement and determination of claims were undermining the objectives of the Victims Compensation Scheme, that is, to facilitate the recovery and rehabilitation of victims. A wide range of stakeholders were consulted throughout this review, which revealed three unanimous points: assisting victims at the earliest point after the act of violence delivers the best outcomes; providing counselling is vital and should continue; and a lump sum payment in recognition of trauma is an important part of the rehabilitation process.

Under the current scheme victims of crime have to deal with onerous and complicated reporting requirements and wait an average of 30 months before receiving compensation. In many instances victims engage lawyers to help them deal with the complexity of the Victims Compensation Scheme. This fact alone demonstrates that the existing scheme is too complex and must be simplified. The Victims Rights and Support Bill 2013 sets up a new Victims Support Scheme based on a model recommended by PricewaterhouseCoopers as part of its review. It will focus on providing both practical and financial support up front when victims need it most, instead of just lump sum compensation after a long, complex application process.

Under the new scheme victims will receive up to 22 hours of counselling; urgent needs assistance of up to \$5,000 to cover emergency medical and dental treatment, relocation expenses and crime scene clean-up costs; funeral expenses of up to \$8,000 for homicide victims' families; longer term financial assistance of up to \$30,000 to cover ongoing medical and dental treatment, costs of attending criminal or coronial proceedings and actual loss of earnings up to \$20,000; and a lump sum recognition payment to acknowledge the violence and trauma, ranging from \$1,500 to \$15,000, depending on the type of violent act. This will be made available immediately.

Victims will also be provided with a support coordinator who will arrange referrals to local services; arrange counselling with an approved counsellor; conduct an individual needs analysis and tailor an appropriate urgent needs assistance package; explain what longer term financial assistance is available and make sure victims understand what documentation they will need to provide; and help them apply for a recognition payment. Victims who make their claims within two years of the incident and victims who are under 18 at the time of the incident will also be eligible for a special payment of \$5,000. The bill will also establish a new Commissioner of Victims Rights, which fulfils one of the Government's commitments under "NSW 2021: A plan to make NSW number one".

The commissioner will be the head of victims services in the Department of Attorney General and Justice, will oversee the Victims Support Scheme and will otherwise assist victims of crime in exercising their rights. The commissioner will be responsible for the charter of victims rights to help Government and non-government agencies to improve their compliance with the charter and receive complaints about breaches. When complaints cannot be resolved the commissioner will be able to recommend that agencies apologise to victims of crime and provide the Attorney General with a report to present to this House. The commissioner will also be the chair of the Victims Advisory Board. I am proud of these changes, which will create a simple, fair, sustainable and responsive system for people who have been victims of violent crime. It will be a system that provides individuals with the support they really need to overcome the enormous adversity of having been the victim of a traumatic event. I commend the bill to the House.

Ms CHERIE BURTON (Kogarah) [6.51 p.m.]: I oppose the Victims Rights and Support Bill 2013. Upon reading this bill I was absolutely appalled. First I was appalled by the time limits on abuse claims. It is reprehensible and will only serve to protect paedophiles and further expose children to these predators. Given that there is a royal commission and a special commission of inquiry, this could not have come at a worse time. It is reprehensible and it is a shameful day for this Government. The second matter that appalled me is the changes to the compensation for the families of victims of homicide. I have had a very proud and long association with the Homicide Victims Support Group. Some of my closest friends have had family members murdered. This bill purports to slash victims compensation for a murdered family member from \$50,000 to a maximum of \$17,500.

If a member of a family is murdered, victims will receive unlimited counselling, which is already available under the current Act. However, they will only be eligible for up to \$8,000 for funeral costs, whereas currently between \$10,000 and \$12,000 is available. I take this opportunity to point out that many families cannot afford to contribute to a full funeral, so they will be further traumatised by a system that is supposed to be helping their rehabilitation. Further, the bill talks about a \$7,500 recognition payment to parents whose children are murdered. The question is: What is this in recognition of? Surely it cannot be recognition of their

loss and trauma. This now completely excludes siblings and working spouses who were not dependent on the person but had to work to support the family. For example, recently a couple were working to pay their mortgage but the husband was murdered. Under this legislation the woman would not be entitled to any compensation, including no compensation for loss of earnings while grieving.

If an adult child is murdered and has no dependants the parents are eligible to claim only \$7,500. This is in recognition of their pain and suffering. What a joke! For the record of this House, the current scheme and access to the \$50,000 exist for a very good reason. When a family member is murdered the family's whole life is thrown into turmoil. Well over 60 per cent of homicides are domestic related. Often grandparents, siblings and extended family have to look after the children who are left behind after the tragedy. Under this scheme grandparents, like siblings, are ineligible to claim any form of recognition payment. We all know that when a dependent child is awarded any form of compensation it goes into a trust for that child, which ultimately leads to further financial burden on the people that are caring for the child. A \$5,000 immediate needs payment should be expanded so that grandparents can apply for it.

In the immediacy of homicide the family members left behind are forced to deal with the horrific consequences. These include relocation of housing, crime scene cleaning, funeral expenses, counselling, and dealing with the criminal justice system. If the family is based in a rural location or is from a non-English speaking background the complexity of the homicide is even greater. Indigenous families need to have culturally aware services provided to them immediately regardless of cost. There was a case recently of an Indigenous woman and her two children whose father was murdered. They lived in a remote town and the question was raised as to whether the family really needed the counselling as it would take up a lot of resources and time. My answer to that is: What price for the pain and suffering of this family who tragically and violently lost a husband and father?

Victims' families also have to deal with the tragedy, which can lead to them being unable to work. Under the bill families of homicide victims are not included in the loss of earnings category. That point was pushed heavily by victims groups to the PricewaterhouseCoopers review and the homicide victims' families were subsequently the only group left out. The Attorney General did say that he had consulted with all the victims groups and had support. I place on record that that is not true. The bill needs to include them in the loss of earnings category. Family members are so often debilitated by grief after the murder of their loved one that they cannot go back to work. Some, tragically, never do go back to work. Family members of homicide victims need to have this available to them for financial piece of mind and for survival. This benefit should be extended to all family members as determined by the bill.

Under the current scheme if the primary income earner is murdered their spouse can claim the \$50,000 in their own right to take care of their dependent children. Under this bill the surviving spouse will get only \$15,000. The dependants will get the same amount but that will be put into trust, which means the surviving parent has to cover the whole financial burden on their own. For example, Mary Cusamano, the wife of Angelo Cusamano, who was tragically shot and killed in his shop during a bungled robbery, has told me that these changes will affect the lives of mothers like her and leave them unable to cope or provide for their children. Mary was widowed with four young children between the ages of 3 and 14. How could \$15,000 possibly support her and enable her to feed and clothe her children? That is an insult.

This was an opportunity for the Government to build on the great work already done in relation to victims rights and compensation by the Labor Government. Labor listened to victims groups and acted. We put a counselling scheme in place and provided unlimited counselling, and interim payments were made in a timely way. Speakers tonight have referred to the time people had to wait, but that is not true. Also, funeral expenses were paid. We introduced oral victim impact statements and put in place a charter of victims rights and provided \$50,000 victims compensation. We set up the joint select committee on victims compensation and actioned all the committee's recommendations.

Labor abolished dock statements, seized prisoners' assets to pay for victims compensation, increased police powers under stop and search laws and knife laws, redetermined life sentences, and introduced DNA legislation, standard non-parole periods and double jeopardy, all of which have an impact on victims. In contrast, under this legislation we see victims' families going backwards. We see the offender once again in the box seat. I have spoken to members of the Homicide Victims Support Group who have asked the Government not to allow victims' families to endure even more stress and trauma than they already have as a result of the murder. That has fallen on deaf ears. For homicide victims' families the bill should leave the Act as it stands except to extend loss of earnings, victims' immediate needs payment and the criminal justice payment in the same way they are available to other victims of crime.

I have listened to the debate and I have read the bill. The arguments I have heard today are nothing short of shameful. There has been talk about costs in a complex scheme. My answer is: invest more money and fix the complexity; do not attack the victims. The bill will only serve to do two things—and make no mistake about this: it will protect paedophiles and expose children to more trauma and suffering. The trauma and suffering of the families who are victims of homicide will be unbearable. This is a dark day for the Parliament of New South Wales. Labor will not give up the fight to protect victims and their families. It will continue to fight this bill in another place. It is disgraceful legislation. Anyone who supports the bill should be ashamed that they have put costs and the report from PricewaterhouseCoopers before victims of crime, before child sexual assault victims and the families of victims. I oppose the bill.

Pursuant to sessional orders business interrupted and set down as an order of the day for a future day.

PRIVATE MEMBERS' STATEMENTS

STATE BUDGET

Ms ANNA WATSON (Shellharbour) [7.00 p.m.]: Earlier today the member for Kiama showed that he cannot seem to work out whether he is a New South Wales member of Parliament, a Federal member of Parliament, or a local councillor. He is all over the place like a free-range chicken that is pecking at everything. He tried to savage the Commonwealth Government's economic management, but he failed to apprise the House of the fact that the New South Wales Treasurer has yet to post a budget surplus in managing the New South Wales budget. He also failed to mention that the New South Wales Labor Government delivered a budget surplus every year from 2003-04—except during the height of the global financial crisis in 2008-09—and, in its last full year in office, it left the New South Wales Liberals with a surplus of \$1.3 billion.

The New South Wales Treasurer's stewardship of the budget has been so poor that he cooked-up a black hole and found that there was not even a pothole after an independent inquiry by the Treasury. Indeed, in October 2012 the Auditor-General noted that the 2011-12 State budget had a surplus of \$1 billion that the Treasurer did not know about. The Liberals are so hard up managing the New South Wales budget that their only answer is to ask Tony Abbott to increase the rate and scope of the GST. Should Tony Abbott become Prime Minister in September, he will most likely oblige.

Interestingly, the member for Kiama has highlighted a series of so-called investments that he has championed. Many of these initiatives, such as the Flinders station and upgrades to the Dapto and Oak Flats stations, are yet to start. Indeed, each of them has been delayed by 12 months. He claims that the construction of the Cancer Care Centres at Wollongong and Shoalhaven are initiatives of the New South Wales Liberals, which is misleading. The fact is that these two important health initiatives were funded by both the Commonwealth and former New South Wales governments. The \$86 million upgrade of the Wollongong Hospital was first allocated by the former New South Wales Government and only continued by the Liberals over the budget's forward estimates.

Finally, the member for Kiama laments that the Princes Highway did not receive funding in Tuesday's Federal Budget. The Princes Highway has always been a political football. The fact is that former Liberal Premier Nick Greiner changed the designation of the road to a State road in 1991. It is not part of the National Land Transport Network. Other roads, such as the F6 Freeway, received \$42 million in the budget to upgrade Mount Ousley Road. For 16 long years the member for Kiama and each of his Liberal colleagues said time and again that the Princes Highway is a State road and the responsibility of the New South Wales Government. Despite his political point-scoring, the member for Kiama was left red-faced last Thursday evening during Mr Abbott's budget reply speech. His Federal leader did not promise a red cent to upgrade the Princes Highway should the Liberals be successful in September. The argument over responsibility for the Princes Highway should now be settled once and for all time by the member for Kiama heeding these very wise words spoken by Tony Abbott in June 2003:

The Princes Highway is not a Federal responsibility, neither a National Highway nor a designated Road of National Importance.

Instead, he should listen to the words of his Minister for Roads and Ports, who stated in the other place in 2007:

Some roads are the responsibility of the Federal Government, some are the responsibility of the State Government and some are the responsibility of local government. The road to which I am referring [the Princes Highway] is a State road, which means the State Government is responsible for it.

I am happy to work cooperatively with the member for Kiama to progress the upgrades of the Princes Highway, including starting the much-needed Albion Park Rail bypass. Earlier today I dropped off to the Minister for Roads and Ports 276 individual letters from my constituents asking him to start construction. The member for Kiama, who can be a most agreeable individual when he puts his mind to it, needs to stop playing unnecessary politics on this issue.

PYMBLE TURRAMURRA KINDERGARTEN

Mr JONATHAN O'DEA (Davidson) [7.05 p.m.]: For more than 50 years the Pymble Turramurra Kindergarten in Handley Avenue has provided a valuable and high-quality service to local families. Last year I enjoyed attending their fete to mark this significant fifty-year milestone. While continuing to celebrate its fine tradition, the kindergarten is looking with confidence to the future after recent building work that will assist it to further deliver its mission. The clearly articulated philosophy of the centre, under the leadership of director Melanie Leever, is to provide a safe, caring, social, stimulating, learning environment; to respect and nurture each child's uniqueness and style of learning; to promote the whole child; to foster a creative learning environment where teaching, play and communication form the basis of learning; and to promote a strong community spirit by encouraging social interaction with families.

The kindergarten was opened in 1962. It was built by parents and interested community members who wanted a community preschool for the local children. The original architect, Eleanor Cullis-Hill, was a local pioneer in combining child-rearing with a profession. The recent building works came to fruition after years of fundraising efforts from the local community and the award of a \$65,000 grant through the New South Wales Government's Community Building Partnerships scheme. The works that were completed earlier this year comprise the creation of a covered patio area at the rear of the existing building that provides an additional teaching space and allows the children to participate in activities on inclement weather days, as well as a new corridor that links this outside space to the entrance of the kindergarten. They also involved refurbishment of a classroom.

The changes that were made to the corridor improved access thereby creating a space where the class can be uninterrupted by people needing access to the playground. These works further improve access for disabled students to the facilities offered at the kindergarten. Last year the kindergarten received the highest rating possible when it was assessed under the new national quality framework for early childhood education and care. It was rated as exceeding the national quality standard in all seven quality areas: education, program and practice; children's health and safety; physical environment; staffing arrangements; relationships with children; collaborative partnerships with families and communities; and leadership and service management. The President of the Board of Management, Allison Orr, stated:

This is a great testament not only to the teachers and families of our preschool, but also to those who support the continuation of high-quality early childhood education services in our community. ... a thriving community of young people who are taking their first steps in early learning programs, steps that we know are so important in their life-long education.

I saw the completed work on my most recent visit to the kindergarten last week and was delighted to read a book to a group of young children. I also visited the beautiful native sensory garden, which reflects a strong environmental awareness. Its landscape is based on an Indigenous painting and includes a learning area, a native beehive, local flora and Aboriginal influences, such as carvings by an Indigenous Australian, and other features. The garden was designed by a former pupil, Ryan Townsend, whose mother, Anne, has worked there as a teacher for 35 years.

This and the other garden spaces form an enormous part of the educational experience for children. The outdoor areas were particularly mentioned in the quality rating feedback. Special features include rainwater tanks, herb and vegetable gardens, a chook shed, a compost bin and a worm farm. The Pymble-Turramurra Kindergarten is a warm and welcoming place that helps to provide young people with solid life foundations as they develop practical school-readiness skills in an engaging and interactive way. I congratulate the kindergarten.

OLD GUILFORD PUBLIC SCHOOL COMMUNITY KITCHEN AND GARDEN PROJECT

Mr GUY ZANGARI (Fairfield) [7.10 p.m.]: On Thursday 9 May 2013, Old Guildford Public School celebrated the opening of its Community Kitchen and Garden. The garden and kitchen project has been an outstanding example of a community working together for the common good. Parents, teachers, students, local businesses, and Federal and State members of Parliament chipped in to make the school's dream a reality.

Present for the occasion were Her Excellency Professor Marie Bashir, Principal Kay Campbell, Jason Clare, the member for Blaxland, Ms Annie Hayward from the Stephanie Alexander Kitchen Garden Foundation, parent and committee representatives and sponsors.

The project would not have been possible without the generous donation of time by the parent community. The parents worked together over a few weeks to turn a disused plot of soil into an amazing, vibrant garden. Shovels, picks and rakes were the tools of choice for the students and parents in the initial stages of preparing the plot. With some persuasive bargaining, heavy earthmoving equipment was brought in to level the site and to remove clay. A remarkable 64 tonnes of dirt was removed prior to the topsoil being set down. Garden beds were then constructed using recycled bricks. The beds have been set out in a maze pattern and the brightly coloured sign at the entrance of the garden reads "Our a-maze-ing Garden".

Given the magnitude of the project, it is important to acknowledge the efforts of the school principal, Ms Kay Campbell, who is to be congratulated on coordinating the project, along with her dedicated and hardworking staff. The school received a \$60,000 grant as part of the Federal Government's Stephanie Alexander Kitchen Garden Program. Stephanie Alexander Kitchen Garden Foundation's mantra is "Growing a food revolution from the ground up". Across the nation, 297 schools and approximately 35,000 children are getting their hands dirty participating in the program. The children are learning ways to grow and harvest fresh produce and then to prepare and cook fresh food. The program website states:

The fundamental philosophy that underpins the Stephanie Alexander Kitchen Garden Program is that by setting good examples and engaging children's curiosity, as well as their energy and their taste buds, we can provide positive and memorable food experiences that will form the basis of positive lifelong eating habits.

The school was presented with a traditional red watering can to mark the opening of the project by Ms Annie Hayward. The project was funded by the New South Wales Community Building Partnerships Program and Bunnings Villawood; and support was also provided by volunteer Mr Greg Nairn. The cottage kitchen and garden opening ceremony featured the school choir and drum group entertaining the guests. Inside the cottage kitchen the guests were treated to the kind hospitality of the students. We were offered vegetable frittatas, sandwiches, platters of cut vegetables and fruit. All guests were left truly inspired by the enthusiasm of the little master chefs in the making.

Over the past two years the garden project has also included the construction of a pergola over the alfresco dining area. That was made possible by a grant of \$24,118 under the 2011 New South Wales Community Building Partnerships Program. Two old classrooms in the timber cottage were transformed into a kitchen, which is now an important part of the integrated learning strategy utilised by the school. Literacy, numeracy, art, language, health and nutrition have been programmed into the curriculum using the kitchen and garden as alternative classrooms. Old Guilford Public School is yet another wonderful jewel in the Fairfield electorate.

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [7.15 p.m.]: I thank the member for Fairfield for drawing the attention of the House to this exciting development at Old Guildford Public School. The school is taking great advantage of the Community Building Partnerships Program funding that is available from the New South Wales Government. We have heard remarkable stories about the number of kids involved in the Stephanie Alexander Kitchen Garden Program who are being exposed to healthy eating habits as a result. Old Guilford Public School is the latest of 297 schools to be involved in the program, which involves 35,000 students. This is a remarkable way to teach our children about such vital issues and to engage them by getting their hands dirty. As the member for Fairfield said, it is an investment in their future because it encourages healthy eating habits and gives them the ability to look after themselves. The list of food available at the opening ceremony has made me very hungry and I am looking forward to dinner.

SHOWGROUND ROAD UPGRADE

Mr DOMINIC PERROTTET (Castle Hill) [7.16 p.m.]: I acknowledge the great work of the Hon. Duncan Gay, Minister for Roads and Ports, and Roads and Maritime Services in progressing a deal for the long-awaited upgrade of Showground Road, Castle Hill. The condition of that road represents everything that was wrong with the former Labor Government. The road, which has been a goat track for 16 years and which is one of the worst roads in Sydney, is a feeder connection between Windsor Road and Old Northern Road. More than 40 years ago the Askin Government purchased land alongside the road because it acknowledged that it needed to be upgraded. Despite that, the former Labor Government did nothing for years.

I feel sorry for my predecessor, Michael Richardson. I acknowledge the many years during which he lobbied for funding from the former Labor Government on behalf of the Hills community. Time and again he was offered excuse after excuse for the lack of funding. We know that is because the former Labor Government governed according to postcode rather than need. That also resulted in a lack of transport options and ongoing delay in construction of the North West Rail Line, the lack of roads and infrastructure and investment in the Hills generally. Former Prime Minister Kevin Rudd said that there was no point spending money constructing the North West Rail Line because there were no votes in it for the Labor Party. While I cannot attribute that sentiment to his State colleagues, their lack of action with regard to the upgrade of Showground Road demonstrates a similar approach.

I do not know of any roads Minister who visited the Castle Hill electorate to inspect this disastrous road during the 16 years that the Labor Party was in government. There were numerous roads Ministers during that time. In fact, in the eight years leading up to the 2011 election, we had six roads Ministers: Michael Costa lasted six months and 14 days—probably for good reason; Joe Tripodi lasted six months and 15 days; and Eric Roozendaal lasted six months and 20 days. A pattern of roads Ministers getting the flick is becoming evident and, as I said, for good reason. Michael Daley lasted one year and seven days; David Campbell lasted five months and 15 days; and David Borger lasted less than six months. Given that pattern it would have been difficult to get anything done for the road. I have been in Parliament for only two years, and one of the first things I did when I was elected was to call the Hon. Duncan Gay, the Minister for Roads and Ports. Within a few months he visited my electorate. He was the first Minister to inspect the road for many years.

The Minister's imprimatur and strong influence have ensured that an agreement has finally been reached with QIC, the owners of Castle Towers, and the Government to get this long-awaited project on the agenda and to get investment that our local community in the Hills district desperately needs and deserves after years and years of neglect. The Showground Road between Old Northern Road and Carrington Road will be upgraded. The current design will be on display later this month at The Hills Shire Council. I thank the council for its support of this project and I look forward to working with council, QIC and the Minister for Roads and Ports to ensure that construction of the upgrade begins in 2015 and is completed as soon as possible. I am proud to be part of a Government that is reinvesting in the Hills community, whether it be the North West Rail Line, roads, or the F3-M2 widening. Under a Liberal-Nationals Government the Hills is finally getting the return on investment that it deserves.

ACTING-SPEAKER (Mr John Barilaro): Order! I remind visitors in the public gallery that they cannot applaud.

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [7.21 p.m.]: I thank the member for Castle Hill for demonstrating the value and worth the O'Farrell-Stoner Government places in investment and infrastructure for projects that for far too long were neglected by the former Labor Government, as members on this side of the House well know. Showground Road in the electorate of the member for Castle Hill was out of sight and out of mind for the former Labor Government, but that is not the case with the Minister for Roads and Ports in the O'Farrell-Stoner Government. I do not know of any roads Minister who has so many runs on the board and has achieved so much in such a short time. In my electorate of Dubbo the restoration of the 110 kilometre speed limit on the Newell Highway has made a significant difference to freight and traffic efficiency along that highway. The safety improvements I have witnessed are the result of the work of the most outstanding Minister for Roads and Ports that this Government and this State has seen for some time. On behalf of the Government, I thank the member for Castle Hill for drawing this matter to the attention of the House, and extend my congratulations to the Hon. Duncan Gay.

TARONGA WESTERN PLAINS ZOO BILLABONG CAMP

Mr TROY GRANT (Dubbo—Parliamentary Secretary) [7.22 p.m.]: I am pleased to inform the House of a wonderful development in the Dubbo electorate, that is, Billabong Camp at Taronga Western Plains Zoo. Recently, I was delighted to represent the Minister for Tourism and Major Events in officially launching Billabong Camp, Taronga Western Plains Zoo's new overnight accommodation experience. The new Billabong Camp experience was made possible with the assistance of the Government's Regional Tourism Product Development Program, along with funding partnerships with the zoo and other fine contributors. The aim of the project is to encourage industry growth and tourism spending in regional New South Wales while supporting the goal of doubling overnight visitor expenditure to the State by 2020.

Taronga Western Plains Zoo received \$100,000 to develop its Billabong Camp overnight experience, one of 28 tourism projects across Inland NSW Tourism to benefit from the \$1.25 million invested in the

program. Taronga Western Plains Zoo management and staff ought to be congratulated on delivering this new tourism experience and on further developing its business. The total Billabong Camp redevelopment cost \$1 million. The site has been a hive of activity over the past seven months and welcomed its first guests the weekend following its official opening. Billabong Camp is a new overnight experience at Taronga Western Plains Zoo that has been developed in the Australian section of the zoo. The new camp will replace the old Roar and Snore accommodation, and offers zoo visitors the chance to immerse themselves in the full bush camping experience. The zoo now has two overnight accommodation experiences, Billabong Camp and Zoofari Lodge, which I highly recommend.

A highlight of the Billabong Camp experience is the exclusive tours and animal encounters. Not only will guests meet some friendly residents of the zoo up close, but they also will be treated to walking tours where they will meet a variety of Australian and Asian animals. Guests have a discovery host as their guide for the entire experience whose knowledge and unique stories about the animals will allow guests to better understand the animals. It is an experience they cannot find anywhere else in Australia. The 20 permanent camp sites that make up the Billabong Camp will allow the zoo to focus on school groups during the week, and families and tourists on the weekends and during school holidays. This exciting addition to one of the State's and Dubbo electorate's top tourist attractions will provide an added reason for visitors to travel to the electorate.

The Government's Regional Tourism Product Development Program encourages industry growth and tourism spending in regional New South Wales as it works towards the goal of doubling overnight visitor expenditure to the State by 2020. The Government recognises the importance of tourism to this State, which is why it has made this sector a priority. The Government's record funding of \$21.6 million during the next three years for regional tourism through a new Government funding reform is most welcome. The Regional Visitor Economy Fund is an increase of \$6 million over three years on current funding. The funding reform is part of the Government's Visitor Economy Industry Action Plan based on recommendations by the Visitor Economy Taskforce and aims to boost regional economies through increased tourism.

I cannot thank or congratulate the Minister for Tourism, Major Events and Hospitality—another Minister from The Nationals—enough for his ongoing support of the wonderful Western Plains Zoo. However, all the government efforts in the world would not be enough if there was not a groundswell of passion and innovation at a local level, demonstrated by initiatives like the Billabong Camp and driven by the wonderful staff of Taronga Western Plains Zoo Dubbo. This week the zoo's success was further boosted with news of the successful birth of a white rhinoceros calf to mother, Mopani. Last year the zoo lost four white rhinoceros, which was a great loss to the zoo and the Dubbo community. The birth of the new member of the team is extremely welcome and the zoo is seeking a name. I think Troy is an excellent choice, but if not, Trojan could be an option; I will leave that to the zoo. I am sure it will not be named Andrew McDonald but we will wait and see. I congratulate Matthew Fuller, the general manager of the zoo, and his team on another outstanding success.

Private members statement concluded.

LYMPHOEDEMA

Matter of Public Importance

Mr DAVID ELLIOTT (Baulkham Hills) [7.27 p.m.]: I draw to the attention of members lymphoedema as an urgent matter of public importance. The member for Macquarie Fields, who is in the Chamber, is a wonderful supporter of the Australasian Lymphology Association. I acknowledge the presence in the gallery of Dr Helen Mackie, the President of the Australasian Lymphology Association, and Louise Koelmeyer from the National Lymphoedema Practitioners Register, both of whom have worked tirelessly to ensure that lymphoedema is in the public domain. Although it is late in the day for discussion and deliberation in this House, I am conscious of the fact that earlier this afternoon when the matter was raised and when all members were present the Minister for Health, a number of Opposition members and some of my colleagues were thrilled that this House was going to recognise lymphoedema and the problems experienced by those suffering with lymphoedema.

My wife, Nicole, defeated breast cancer last year but is now, unfortunately, suffering from lymphoedema, but not as terribly as some do. People suffering from lymphoedema have swelling in certain parts of their body, typically in the arms and legs—in my wife's case it is her arms—as a result of problems within the lymphatic system often following surgery. Lymphoedema poses a significant health risk due to its impact upon the lymphatic system and the risk of infection. Sadly, lymphoedema is common amongst those who have had

cancer surgery in which radiotherapy has been used—Nicole had only chemotherapy, but it is not an exact science. Around 300,000 Australians will experience lymphoedema at any given time. Tragically, women who have undergone surgery and radiotherapy for treatment of breast cancer are particularly susceptible to lymphoedema.

It is estimated that up to 20 per cent of women who have undergone surgery will develop lymphoedema, and it is possible that up to one-third of those who have radiotherapy and surgery will develop lymphoedema. Such incidence rates depend upon a range of specific factors. However, lymphoedema is clearly all too common for those who have had breast cancer treatment. Perhaps of most concern is the fact that lymphoedema can occur at any time following treatment—in some cases up to 20 years later. The recognition and management of the lifelong risk of lymphoedema development is crucial to the quality of patient survival following breast cancer treatment. Importantly, the early identification and management of lymphoedema results in improved patient outcomes and reduces the impact of the condition upon a patient's quality of life. For this reason the Australasian Lymphology Association, breast surgeons, breast physicians and Breast Cancer Network Australia support the monitoring for early detection of lymphoedema following breast cancer treatment.

In the interests of breast cancer patient care it is crucial that we embrace a move towards ensuring that all persons diagnosed with breast cancer are monitored for the early detection of lymphoedema. To achieve this goal the Australasian Lymphology Association recommends that all persons undergoing breast cancer treatment be made aware of the risks of lymphoedema and that patients be regularly reviewed and examined for lymphoedema-type symptoms such as swelling. If a 5 per cent increase in at-risk areas occurs, the Australasian Lymphology Association recommends that a documented management plan be developed that outlines intervention options. It is best practice that such a plan is understood and accepted by the patient.

All people diagnosed with breast cancer should be provided with timely monitoring for lymphoedema because early detection means that we can better deal with lymphoedema and improve the lives of breast cancer survivors. It is a matter of public importance that the community is aware of lymphoedema, and the benefits of early detection and monitoring. I thank Dr Helen Mackie of the Australasian Lymphology Association for her assistance in bringing the details of lymphoedema to my attention and for increasing lymphoedema awareness in the community. I acknowledge the member for Macquarie Fields for his support of this matter of public importance in his capacity as a physician and the member for Port Macquarie who is also a member of the health fraternity. I thank members for their indulgence this evening and commend lymphoedema as a crucial matter of public importance.

Dr ANDREW McDONALD (Macquarie Fields) [7.32 p.m.]: I also pay tribute to Helen Mackie, President of the Australasian Lymphology Association, and Louise Koelmeyer, Chair of the National Lymphoedema Practitioner Register, who are present in the Speaker's Gallery this evening. This is a vital matter of public importance. I confess they have taught me things about lymphoedema that I knew nothing about. It is a tragedy that so little is known about lymphoedema in the medical and nursing fraternity and in society because lymphoedema is very disabling and eminently treatable. I commend the member for Baulkham Hills for bringing this matter to the attention of the House.

Breast cancer must be raised continually with the community because it afflicts almost one in eight women under 85 years—about 15,000 people in Australia this year—and about 200,000 Australians who have had a breast cancer diagnosis. It commonly follows breast cancer treatment, but receives far less attention than breast cancer. There are two kinds of lymphoedema: primary lymphoedema, where the cause is often unknown but it is more common in children and no cause is found; and secondary lymphoedema, where the cause is damage to the lymphatic system, usually as the result of radiation therapy or surgery for various cancers, including breast cancer. The retention of the lymphatic fluid causes swelling and discomfort, and in severe cases completely restricts movement in affected limbs. Unfortunately the symptoms often do not become obvious until several months after the patient is cancer free, which can be an enormous psychological blow.

About 20 per cent to 25 per cent of women who receive treatment for breast cancer will suffer lymphoedema and 5 per cent to 7 per cent of those women will have severe symptoms. As the member for Baulkham Hills said, this is a lifelong risk. In New South Wales about 800 people develop lymphoedema each year as a result of breast cancer, and this costs the New South Wales health system around \$6.5 million a year. However, the Australasian Lymphology Association has estimated that this cost could be reduced by almost \$3.4 million through early intervention. Not only is early intervention vital for patient care but it is also very cost effective.

For this reason the Australasian Lymphology Association has a clear strategy to increase the standard of care for lymphoedema sufferers through early intervention by informing breast cancer patients early about the risk of lymphoedema to ensure that they understand the symptoms and for the creation of clear guidelines and policies for the assessment and management of lymphoedema in the New South Wales health system. At the moment the practice of some hospitals is better than others; the practice of Helen Mackie and Louise Koelmeyer is best practice. The association also believes that at least one member of the team managing the care of a breast cancer patient should be trained in the treatment of lymphoedema, as well as the measurement of its objective symptoms before—I stress the word "before"—and after cancer treatment.

All these points are important, but perhaps most vital is the need for consistent measurement. Currently there is no clear NSW Health policy to ensure that every woman being treated for breast cancer has a baseline measurement in terms of lymphatic fluid retention. Regularly measuring the arms for swelling—bioimpedance spectroscopy is another way of detecting lymphoedema early—takes about five minutes using two probes. The machine costs about \$5,000. Bioimpedance spectroscopy is highly reliable and the first measurement is best taken pre-operatively, though it is not presently available through Medicare. It is a shame that it is not available through Medicare, because some excellent case studies produced by the Australasian Lymphology Association demonstrate that the earlier lymphoedema is recognised and treated the better the result.

The treatment is easy. The Australasian Lymphology Association provided me with a case study of a patient named Donna. Before treatment began Donna had several measurements to establish her normal level of fluid retention. Throughout the recovery process fluctuations were noted. When symptoms developed a custom compression sleeve was produced at a cost of around \$200. Donna may have to wear this sleeve for 24-hours a day or only while sleeping. In addition she does daily exercises, and has massage and compression under the supervision of a lymphoedema practitioner. Louise has told me that Donna's symptoms have improved dramatically and that she has very little sign of lymphoedema today. This best practice should be available to every woman in New South Wales who is diagnosed with breast cancer. Lymphoedema is a reminder that, while we continue to make huge advances in the treatment of cancers, there is still much more to be done to improve care for women who develop breast cancer. I again thank Helen Mackie, Louise Koelmeyer and the member for Baulkham Hills for bringing this matter of public importance to the attention of members.

Mrs LESLIE WILLIAMS (Port Macquarie) [7.37 p.m.]: I congratulate the member for Baulkham Hills on bringing this matter of public importance to the attention of members this evening. I also acknowledge Dr Helen Mackie and Louise Koelmeyer and thank them for their work in this very important area. Lymphoedema is the swelling of one or more regions in the body as the result of an accumulation of excess fluid. It usually affects the limbs—the arms more prominently than anywhere else—and other areas of the body such as the breasts, neck and head. Lymphoedema is caused by a failure of the lymphatic system, which, if working normally, would transport that fluid from the body tissues back into the blood stream. When the lymphatic system fails it basically means that the lymphatic drainage required exceeds the capacity of the lymphatic circulation. The member for Baulkham Hills well knows from his wife's experience with breast cancer that lymphoedema often occurs in cancer patients as a result of treatments such as radiotherapy or the removal of lymph glands.

I have spoken in this House many times about the important role that support groups play, and the area of lymphoedema is no different. I take this opportunity to acknowledge the great work done by lymphoedema support groups. Like the lymphoedema support groups on the mid North Coast, there are probably dozens of such groups across the State that play an important role in supporting not only patients but their carers. I particularly acknowledge Heidi Hughes, who is the local lymphoedema therapist in Port Macquarie. She works out of the North Coast Cancer Institute at the base hospital and she heads the lymphoedema support group. This group already has about 40 members who meet regularly at the cancer centre. I guess that reflects the prevalence of this disease. However, it demonstrates why there is a need for support groups across the State. As was described so well by the member for Macquarie Fields, the patients, who may have primary or secondary lymphoedema, come together, and the support group provides not only education and awareness but also, importantly, support. The mid North Coast lymphoedema support group also provides referrals for counselling for patients and so on. I congratulate that group and all other support groups and commend them for the great work they do.

Mr ANDREW GEE (Orange) [7.41 p.m.], by leave: I thank the member for Baulkham Hills, and Dr Helen Mackie, for bringing to the attention of the House issues associated with lymphoedema. I have quite a good insight into lymphoedema as in the not-too-distant past I had a bout of lymphoedema, which is one of the major issues that cancer patients must deal with post-surgery. As other speakers have said, swelling in the limbs

is associated with lymphoedema, and there can be pain associated with it. In some cases trying to deal with lymphoedema can be an ordeal. In my case I wore a pressure stocking for weeks, if not months, to control the swelling, and that affected my daily activities. I had a very swollen thigh and lower leg.

It is important to bring to the attention of the House and the public the importance of early detection and the treatment of lymphoedema. There are many other issues associated with lymphoedema that can manifest in some patients. Lymphoedema does not just present physical issues; patients can have difficulty dealing with it mentally. I congratulate all the speakers on their contributions. I am sure this debate will not only raise awareness but also highlight the need for improved treatment and the need to look for new treatment techniques both in Australia and overseas. I commend all speakers and Dr Helen Mackie.

Mr DAVID ELLIOTT (Baulkham Hills) [7.43 p.m.], in reply: I thank the member for Macquarie Fields, the member for Port Macquarie and the member for Orange for their contributions. I am a little more acquainted with the member for Orange now because I was not aware that he had had cancer and lymphoedema. In this place we have plenty of lawyers—with all due respect to the member for Orange—and plenty of professional politicians. However, knowing that the member for Macquarie Fields and the member for Port Macquarie have come from the health practitioner fraternity, I am reassured that the House will always keep these matters front of mind. We do not have enough health practitioners, just as we do not have enough army officers in this House.

It was one year ago last Saturday that my wife, Nicole, whom most members have met and know, underwent a double mastectomy for breast cancer. At the end of that surgery her doctor rang me and said that the cancer had spread to the lymph nodes and that that would have ongoing complications. At the time I did not know much about breast cancer. Although my mother-in-law had survived it and my grandmother had been a victim of it and passed away, I did not know the details of breast cancer and I had certainly never heard of lymphoedema. Nicole—most members of this House know that she has never lost a fight in her life—got through her fight with cancer, just as she gets through every fight in our house. She has now declared victory over cancer; she has not been able to declare victory over lymphoedema. As the member for Orange indicated, that will be an ongoing fight. She must wear bandages and be sensitive to the concerns and the side effects of that particular ailment.

In many respects lymphoedema should not be seen as a bad thing, because it is something that happens to cancer survivors. I would prefer to be suffering from lymphoedema to the other option. That is something that the lymphoedema association and I might workshop because it is not a bad thing to have lymphoedema; it means that you got through probably the toughest fight of your life. We hope to take the statements made by the member for Orange, the member for Port Macquarie and the member for Macquarie Fields into the mass media over the next couple of days and highlight to the community the important way the Government and the community can support lymphoedema sufferers. I know Nicole is looking forward to working with Louise in promoting lymphoedema, and I am conscious and grateful for the work that the member for Macquarie Fields, the Minister for Health, the member for Port Macquarie and the Parliamentary Secretary for Health have done to support Nicole in making something good happen from the cancer she suffered. I commend this matter of public importance to the House.

Discussion concluded.

**The House adjourned, pursuant to standing and sessional orders, at 7.47 p.m. until
Wednesday 22 May 2013 at 10.00 a.m.**
