



# LEGISLATIVE COUNCIL

## MINUTES OF THE PROCEEDINGS

### No. 103 — Wednesday, 5 May 2021

*Proof Version*

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- 1 The President took the Chair at 9.34 a.m., read the Prayer and made an Acknowledgement of Country.
  - 2 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:
    - Auditor-General's Report on Implementing a New Infringements Management System, May 2021 (*Ordered to be published*).
    - Falls Creek Alpine Resort Management Board — Minister's report of failure to submit the 2020-21 report, together with an explanation for the delay.
    - Mount Buller and Mount Stirling Alpine Resort Management Board — Minister's report of failure to submit the 2020-21 report, together with an explanation for the delay.
    - Mount Hotham Alpine Resort Management Board — Minister's report of failure to submit the 2020-21 report, together with an explanation for the delay.
    - Southern Alpine Resort Management Board — Minister's report of failure to submit the 2020-21 report, together with an explanation for the delay.
    - Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 32, 39 and 40.
  - 3 **MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.
  - 4 **EMERGENCY POWERS SAFEGUARDS LEGISLATION AMENDMENT BILL 2021** — Mr Quilty laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Mr Quilty moved, That the Bill be now read a second time.

On the motion of Ms Taylor, the debate was adjourned for two weeks.
  - 5 **PRODUCTION OF DOCUMENTS — REVIEW OF DISCRIMINATION, SEXUAL HARASSMENT AND VICTIMISATION IN THE COUNTRY FIRE AUTHORITY AND METROPOLITAN FIRE BRIGADE** — Ms Lovell moved, That this House, in accordance with Standing Order 11.01, requires the Leader of the Government to table in the Council, within 14 calendar days of the House agreeing to this resolution, the Victorian Equal Opportunity and Human Rights Commission's review into the nature, prevalence, drivers and impacts of discrimination, sexual harassment and victimisation in the Country Fire Authority and Metropolitan Fire Brigade (MFB) as was briefed to the Government and the Board of the MFB in January 2018.

Debate ensued.

Question — put and agreed to.
  - 6 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, General Business, No. 2, be postponed until later this day.

**7 PAYROLL TAX** — Mr Quilty moved, That this House notes that —

- (1) a recent report from the Australian Taxpayers' Alliance calculates that the total cost of taxes paid by Victorians earning minimum wage equates to 56 per cent of their income;
  - (2) payroll tax alone costs Victoria's minimum wage workers \$1,858 a year, which equates to \$35.73 a week;
  - (3) payroll tax is a tax on jobs and that the costs of payroll tax are passed on through lower wages, lower employment, and higher prices for goods and services;
  - (4) in 2007, Sweden reduced its payroll taxes which created 18,100 new jobs and increased wages;
- and calls on the Government to support working Australians by reducing payroll tax.

Debate ensued.

*Business having been interrupted at 12.00 noon pursuant to Sessional Orders —*

**8 QUESTIONS AND MINISTERS' STATEMENTS** — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

**HOTEL QUARANTINE SAFETY STANDARDS** — Ms Stitt having given answers to a question without notice and supplementary question relating to hotel quarantine safety standards —

On the motion of Ms Crozier, the Minister's answers were ordered to be taken into consideration on the next day of meeting.

**HOTEL QUARANTINE SAFETY INQUIRY** — Ms Stitt having given answers to a question without notice and supplementary question relating to Hotel Quarantine Safety Inquiry —

On the motion of Mr Davis, the Minister's answers were ordered to be taken into consideration on the next day of meeting.

**HOTEL QUARANTINE AIR CONDITIONER SAFETY** — Ms Stitt having given answers to a question without notice and supplementary question relating to hotel quarantine air conditioner safety —

On the motion of Ms Crozier, the Minister's answers were ordered to be taken into consideration on the next day of meeting.

**QUESTIONS** — Questions without notice and Ministers' Statements continued.

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**QUESTIONS DIRECTED FOR WRITTEN RESPONSE** — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **Timber harvesting** — substantive and supplementary questions asked by Mr Bourman — response from Ms Tierney due Friday, 7 May 2021.
- **Hotel quarantine safety standards** — supplementary question asked by Ms Crozier — response from Ms Stitt due Thursday, 6 May 2021.
- **Duck hunting data** — substantive question asked by Mr Meddick — response from Ms Pulford due Friday, 7 May 2021.

**9 CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.

**10 PAYROLL TAX** — Debate continued on the question, That this House notes that —

- (1) a recent report from the Australian Taxpayers' Alliance calculates that the total cost of taxes paid by Victorians earning minimum wage equates to 56 per cent of their income;
  - (2) payroll tax alone costs Victoria's minimum wage workers \$1,858 a year, which equates to \$35.73 a week;
  - (3) payroll tax is a tax on jobs and that the costs of payroll tax are passed on through lower wages, lower employment, and higher prices for goods and services;
  - (4) in 2007, Sweden reduced its payroll taxes which created 18,100 new jobs and increased wages;
- and calls on the Government to support working Australians by reducing payroll tax.

Question — put and agreed to.

**11 GROUP VOTING TICKETS** — Dr Ratnam moved, That this House —

- (1) notes that in a representative democracy like Victoria, the will of the people should be reflected by the elected Members of Parliament;
- (2) acknowledges that the use of group voting tickets in the election of Members of the Legislative Council is unfair and unrepresentative as it allows for parties that are not representative of the voters to be elected, for example —
  - (a) the recent election of the Daylight Savings Party in Western Australia with 98 first preference votes or 0.2 per cent of the vote;
  - (b) the election of the Transport Matters Party to the Eastern Metropolitan Region on 0.6 per cent of first preference votes at the 2018 Victorian election;
  - (c) the election of the Liberal Democrats Party to the South Eastern Metropolitan Region on 0.8 per cent of first preference votes at the 2018 Victorian election;
- (3) condemns the practice of ‘preference whispering’, whether for payment or not, whereby micro-party preferences are manipulated to deliberately produce unrepresentative outcomes;

and calls on the Government to introduce reforms to the voting system for the Legislative Council to remove group voting tickets and ensure greater democratic representation in the Victorian Parliament in time for the 2022 Victorian State election.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 1

Dr Ratnam.

*(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)*

NOES, 37

Mr Atkinson; Dr Bach; Mr Barton; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Mr O’Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

*(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)*

Question negatived.

**12 BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, General Business, No. 546, be postponed until later this day.**13 PROCEDURE COMMITTEE — IMPLEMENTING PETITION REFORM** — Ms Patten moved, That this House —

- (1) recognises that —
  - (a) the ability to petition the Parliament is a right of all Victorian citizens;
  - (b) petitions are the only way an individual or group of citizens can directly place grievances before the Parliament;
  - (c) petitions provide an important tool for improving community engagement with the political process;
- (2) notes that —
  - (a) a petition is a citizen’s request for action but once a copy of the petition has been referred to a Minister by the Clerk, no further action is required, which is a flaw in the parliamentary system of democracy;
  - (b) the Australian House of Representatives has a Standing Committee on Petitions which receives and processes petitions on behalf of the House and is able to inquire into and report on matters relating to petitions following their tabling;
  - (c) the process for petitions in the Victorian Parliament requires urgent reform;
- (3) requires the Procedure Committee to inquire into, consider and report by Friday, 20 August 2021, on any Sessional or Standing Order changes that would provide reform of petitions, including appropriate measures to require the —

- (a) relevant Minister to table a written response to a petition within 14 days of it being tabled in the House;
- (b) Legislative Council to debate the issue raised in a petition upon reaching a certain threshold of petitioners that is to be fixed by the House;

and calls on the Government to implement petition reform no later than 16 September 2021.

Debate ensued.

*Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders, the debate stood adjourned in the name of Mr Davis.*

**14 STATEMENTS ON REPORTS, PAPERS AND PETITIONS** — Statements on reports, papers and petitions were made by Members pursuant to Sessional Order 16.

**15 ADJOURNMENT** — Mr Leane moved, That the House do now adjourn.

Debate ensued and responses to certain Adjournment matters were circulated pursuant to Standing Order 4.13.

And then the Council, at 6.27 p.m., adjourned until tomorrow.

ANDREW YOUNG  
*Clerk of the Legislative Council*